

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Ninth Legislature

OF THE

STATE OF MAINE

VOLUME II

1959
and
SPECIAL SESSION
1960

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Friday, June 5, 1959

The House met according to adjournment and was called to order by the Speaker.

Prayer by the Rev. Mr. Horace Colpitts of Augusta.

The journal of yesterday was read and approved.

Conference Committee Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Resolve Opening Cross Lake, Aroostook County, to Ice Fishing for Cusk (H. P. 113) (L. D. 168) reporting that they are unable to agree.

(Signed)

JOHNSON of Stockholm
PRUE of Ashland

— Committee on part of House.

BRIGGS of Aroostook
CARPENTER of Somerset
HILLMAN of Penobscot

— Committee on part of Senate.

Report was read and accepted and sent up for concurrence.

Conference Committee Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act Restating and Revising the Law Governing Insurance Companies, Agents, Brokers, and Fees" (H. P. 928) (L. D. 1312) reporting that the Senate recede and indefinitely postpone Senate Amendment "A" and concur with the House in passing the Bill to be engrossed without amendment.

(Signed)

DENNETT of Kittery
HUGHES of St. Albans
SANBORN of Gorham

— Committee on part of House.

CARPENTER of Somerset
LESSARD of Androscoggin
PARKER of Piscataquis

— Committee on part of Senate.

Report was read and accepted and sent up for concurrence.

**Papers from the Senate
Conference Committee Report**

Report of the Committee of Conference on the disagreeing action of

the two branches of the Legislature on Bill "An Act relating to Fishing for White Perch" (H. P. 88) (L. D. 135) reporting that they are unable to agree.

(Signed)

CARPENTER of Somerset
HILLMAN of Penobscot
BRIGGS of Aroostook

— Committee on part of Senate

BROWN of Cape Elizabeth
ALIBERTI of Rumford
BROCKWAY of Milo

— Committee on part of House.

Came from the Senate read and accepted.

In the House, the Report was read and accepted in concurrence.

From the Senate: The following Order:

ORDERED, that the House concurring, that the Legislative Research Committee be, and hereby is, authorized and directed to study the necessity for regulation of credit life insurance and credit accident and health insurance sold in connection with loan or other credit transactions; and be it further

ORDERED, that the Legislative Research Committee report the results of its findings to the 100th Legislature (S. P. 510)

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

**Senate Reports of Committees
Ought to Pass****Passed to Be Engrossed**

Report of the Committee on Highways, pursuant to Joint Order (S. P. 507), reporting a Bill (S. P. 509) under title of "An Act to Provide for the Date in Nineteen Hundred and Fifty-nine when the Bond Issues Proposed by the Legislature Shall be Voted Upon" and that it "Ought to pass".

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed.

In the House, the Report was read and accepted in concurrence and the Bill read twice.

Under suspension of the rules, the Bill was given its third reading, passed to be engrossed and sent to the Senate.

Non-Concurrent Matter

Bill "An Act Permitting Injured Employee under Workmen's Compensation Act to Choose Physician from Panel Named by Employer" (S. P. 346) (L. D. 973) on which the House accepted the Majority "Ought not to pass" Report of the Committee on Labor in non-concurrence on June 3.

Came from the Senate with that body voting to insist on its former action whereby the Minority "Ought to pass" Report was accepted and the Bill passed to be engrossed as amended by Senate Amendments "A" and "B", and asking for a Committee of Conference, with the following conferees appointed on its part:

Messrs. BATES of Penobscot
PIERCE of Hancock
HUNT of Kennebec

In the House:

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Miller.

Mr. MILLER: Mr. Speaker, I move that we recede and concur.

The SPEAKER: The gentleman from Portland, Mr. Miller, moves that the House recede.

The Chair recognizes the gentleman from Bangor, Mr. Philbrick.

Mr. PHILBRICK: Mr. Speaker, I ask for a division.

The SPEAKER: A division has been requested. Will those who favor the motion to recede please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Thirty-two having voted in the affirmative and fifty-nine having voted in the negative, the motion to recede did not prevail.

Thereupon, on motion of Mr. Dumaine of Readfield, the House voted to insist and join in the Committee of Conference, and the Speaker appointed the following conferees on the part of the House: the gentleman from Hope, Mr. Hardy, the gentleman from Woodstock, Mr. Whitman, and the gentleman from Portland, Mr. Dunn.

Non-Concurrent Matter

Bill "An Act to Authorize the Construction of Housing for the University of Maine and the Issuance

of not Exceeding \$8,195,000 Bonds of the State of Maine for the Financing Thereof" (H. P. 108) (L. D. 181) on which the House accepted the Majority Report of the Committee on Education reporting "Ought to pass" as amended by Committee Amendment "B" and passed the Bill to be engrossed as amended by Committee Amendment "B" on May 22.

Came from the Senate with the Minority Report reporting "Ought to pass" as amended by Committee Amendment "A" accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" in non-concurrence.

In the House: The House voted to recede and concur with the Senate.

The SPEAKER: The Chair recognizes the gentlewoman from Falmouth, Mrs. Smith.

Mrs. SMITH: Mr. Speaker, I would like to ask what the figures are in this bill if it isn't all over, on the housing at Maine. I would just like the information, that's all.

The SPEAKER: The Chair will request the Clerk to read Committee Amendment "A"

(The Clerk read Committee Amendment "A", filing 400)

The SPEAKER: The Chair recognizes the gentleman from Woodstock, Mr. Whitman. For what purpose does the gentleman arise?

Mr. WHITMAN: Point of order, Mr. Speaker, I would like to ask a question of the Chair as to what the procedure has been on this item four?

The SPEAKER: The House has just voted to recede and concur.

Mr. WHITMAN: Mr. Speaker, I move we reconsider our action whereby we voted to recede and concur.

The SPEAKER: The gentleman from Woodstock, Mr. Whitman, moves that the House reconsider its action whereby it voted to recede and concur.

The Chair recognizes the gentleman from Readfield, Mr. Dumaine.

Mr. DUMAINE: Mr. Speaker and Members of the House: I think the only question on this particular basis would be if you announced the total amount of this bill and how much money is being raised in this before the action is taken.

The SPEAKER: The Chair recognizes the gentlewoman from Rumford, Miss Cormier.

Miss CORMIER: Mr. Speaker, when this bill came out of the Committee on Education we were unanimous on the \$8,000,000 because that would take up the building as it was lined up for the next two years of the biennium, and we felt that at the next session if the next Legislature wished to permit them to float bonds for more construction that that was up to the next session, but we felt that the \$8,000,000 would take care of the money asked for for construction for the next two years of the biennium.

The SPEAKER: The Chair recognizes the gentleman from Woodstock, Mr. Whitman.

Mr. WHITMAN: Mr. Speaker, I would just like to point out that by receding and concurring and accepting this new amendment we will be increasing the bond issue from \$8,000,000 to \$12,000,000.

The SPEAKER: The pending question is the motion of the gentleman from Woodstock, Mr. Whitman, that the House reconsider its action whereby it did vote to recede and concur.

The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker, I probably shouldn't get into this, but I am interested, and to me it seems that it is relatively unimportant. I don't anticipate that any great amount more of money will be spent with a \$12,000,000 bond issue than there would have been with the \$8,000,000 that has been recommended previously. It doesn't seem — it will probably just make provision a little further ahead than the \$8,000,000 does. For that reason I don't look upon it as a matter of any great concern.

The SPEAKER: The Chair recognizes the gentleman from Houlton, Mr. Ervin.

Mr. ERVIN: Mr. Speaker, Ladies and Gentlemen of the House: To a certain extent, the gentleman from Perham, Mr. Bragdon, is correct. In arriving at this figure of \$8,000,000 it was the opinion of all the House members at least as Miss Cormier, the gentlewoman from Rumford has stated, that the \$8,000,000 was sufficient for the next

two years. Now if you people will remember, in the University of Maine schedule of how this \$24,000,000 would be spent, the total for the next two years is this figure of \$8,195,000. Now the amendment that has been adopted by the Senate is the next two years after that which totals approximately \$12,000,000 so if you accept the second amendment or the Senate Amendment if I am permitted to say that, you are authorizing the University of Maine for construction for buildings for four years, and I would repeat what Miss Cormier has said, that we as an Education Committee from this House felt that \$8,195,000 was sufficient for the next two years, and if conditions warranted and merited additional construction two years after that, then the University of Maine could come back and ask the 100th Legislature for further money, and that was the main reason why we accepted or adopted the \$8,195,000.

The SPEAKER: The Chair recognizes the gentleman from Woodstock, Mr. Whitman.

Mr. WHITMAN: Mr. Speaker, just one thing I would like to point out, that Dr. Elliott himself in this very Hall indicated that they could do very well on a bond issue sufficient for a two-year period and return again for the remainder.

The SPEAKER: The Chair recognizes the gentleman from Belfast, Mr. Cousins.

Mr. COUSINS: Mr. Speaker and Ladies and Gentlemen of the House: The facts as set forth by the gentleman from Houlton, Mr. Ervin, the point to remember is that this is a self-liquidating bond issue and it is for the dormitory construction and it is not going to be costing the State of Maine anything out of their general fund budget, and the idea of the University coming in for a \$24,000,000 bond issue was to get rid of coming back every two years for authorization for bonds and having to go through the business of a referendum every time, and if you accept the amendment you are doing away with the need of coming back two years from now for construction that probably is going to be authorized, and you are just saving trouble. I am sure that what has been said by Mr. Whitman is

very true, the University isn't going to fold for the lack of the other \$4,000,000. I think it is a good sensible idea to give it to them now and not have to come back two years from now and do the same thing again and go through a referendum again.

The SPEAKER: The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker, I meant to call attention to the fact when I was up before that we do this very thing with our highway planning and to me it is just as logical in a program of construction for the University of Maine as it would be in the highway program.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Woodstock, Mr. Whitman, that the House reconsider its action whereby it voted to recede and concur. The Chair will order a division. Will those who favor the motion to reconsider the vote whereby the House voted to recede and concur please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Eighty-two having voted in the affirmative and eighteen having voted in the negative, the motion to reconsider did prevail.

Thereupon, on motion of Mr. Whitman of Woodstock, the House voted to insist and request a Committee of Conference.

On motion of the gentlewoman from Presque Isle, Mrs. Christie, House Rule 25 was suspended for the remainder of today's session in order to permit smoking.

Non-Concurrent Matter

An Act Regulating Certain Insurance Sold in Connection with Credit Transactions (H. P. 947) (L. D. 1343) which was passed to be enacted in the House on May 21, and passed to be engrossed on May 4

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Oakland, Mr. Morse.

Mr. MORSE: Mr. Speaker and Members of the House: Since I am

the sponsor of this bill and a member of your Business Legislation Committee, I feel that I should explain briefly the history of this measure.

I was asked to introduce this measure by the Insurance Department early in this session so that they could carry out the duties with which they are charged, and of course was glad to do this. The bill was assigned to the Business Legislation Committee and advertised for hearing. It was a big hearing with insurance men, insurance companies, bankers and various credit companies represented. All expressed their views and all agreed that some regulation of this so-called credit insurance was necessary. But all also felt that this so-called model bill needed some changes to fit our needs here in Maine. Your Committee felt that the best thing to do was to have another hearing at a later date when all parties concerned could bring in amendments that would make the bill satisfactory to them. This was done. All the parties brought in their amendments, they were talked over thoroughly for hours, and finally all agreed and a new draft was prepared.

Another conference was held for the final okay. All parties seemed agreed though one group felt that six or eight weeks was not time enough to read this and felt that it should be referred to the next Legislature. All others felt that the need was here now, so the bill was reported out unanimously by your Committee, and as you know went through this House without a dissenting vote or objection. We supposed that the rest was just a matter of form, but after some weeks we found that the bill had been tabled in the other body so that the group that I have referred to as the 'slow readers' could have a few weeks more time. The time of the session finally is drawing to a close so yesterday this bill was taken from the table. Apparently the one branch of industry has still been unable to read and digest this five page bill, so the measure has been indefinitely postponed to give them two years to continue their hard work.

In conclusion, I would simply say that we were outmaneuvered by a

group who did not want to let the people and the public know what they were buying or now much they were paying for it. So without further comment and before I really say something that I might be sorry for later, I wish to move and since we have already referred this bill to the Legislative Research Committee, I will now move that we recede and concur with the Senate.

The SPEAKER: With respect to this Bill the gentleman from Oakland, Mr. Morse, moves that the House recede and concur. Is this the pleasure of the House?

The motion prevailed.

Non-Concurrent Matter Tabled Until Later in Today's Session

An Act Establishing a Minimum Wage (S. P. 472) (L. D. 1337) which was passed to be enacted in the House on May 26, and passed to be engrossed as amended by House Amendments "A", "C" and "G" and Senate Amendments "B", "C", "D" and "F" on May 20.

Came from the Senate passed to be engrossed as amended by House Amendments "A", "C" and "G" and Senate Amendments "B", "C" and "D" and Senate Amendment "F" as amended by Senate Amendment "A" thereto in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Philbrick.

Mr. PHILBRICK: Mr. Speaker, I move the bill and all papers be indefinitely postponed in non-concurrence, and when the vote is taken I ask for a roll call.

The SPEAKER: The gentleman from Bangor, Mr. Philbrick, moves that this bill and all accompanying papers be indefinitely postponed.

The Chair recognizes the gentleman from Old Orchard Beach, Mr. Plante.

Mr. PLANTE: Mr. Speaker, would I be in order to move indefinite postponement of an amendment at this time?

The SPEAKER: The gentleman would not. The Chair will have to advise the gentleman from Bangor, Mr. Philbrick, that in accepting his motion for the indefinite postpone-

ment, the Chair was not correct. In non-concurrent matters the only motions in order are to recede, concur, insist and adhere, so a motion to indefinitely postpone is not in order.

The Chair recognizes the gentleman from Old Orchard Beach, Mr. Plante.

Mr. PLANTE: Mr. Speaker, would I now be in order to have an amendment indefinitely postponed?

The SPEAKER: The gentleman would not be in order. The gentleman may move to recede, concur, insist or adhere.

Mr. PLANTE: Mr. Speaker, I move we insist upon our former action and request a Committee of Conference.

The SPEAKER: The gentleman from Old Orchard Beach, Mr. Plante, moves that the House insist upon its former action and request a Committee of Conference.

The Chair recognizes the gentleman from Friendship, Mr. Winchenpaw.

Mr. WINCHENPAW: Mr. Speaker, I am not an attorney, but something seems strange to me because I thought this House had the power to indefinitely postpone any bill that came before them regardless of whether it was in concurrence or non-concurrence or otherwise, and I would like to have it explained a little bit further.

The SPEAKER: If the gentleman would read the rules in the House Register, the gentleman will note that it plainly states that in matters of non-concurrence only a motion to recede or concur or insist or adhere would be in order.

Thereupon, on motion of Miss Cormier of Rumford, the bill was tabled until later in today's session pending the motion of the gentleman from Old Orchard Beach, Mr. Plante, that the House insist and request a Committee of Conference.

The SPEAKER: The Chair recognizes the gentleman from Cumberland, Mr. Call. For what purpose does the gentleman arise?

Mr. CALL: Point of information, I was on my feet three times, Mr. Speaker, and I thought that I would be recognized, I wanted this to be tabled until Tuesday next on account of the poor attendance in this House,

I don't think there is a hundred here.

The SPEAKER: The Chair would advise the gentleman that when this matter is removed from the table, he will then have an opportunity to make that motion.

The following Communication:

STATE OF MAINE
SENATE CHAMBER

June 4, 1959

Hon. Harvey R. Pease
Clerk of the House of
Representatives

99th Legislature
State House
Augusta, Maine

Sir:

The President of the Senate today appointed the following conferees to join House members in a Committee of Conference on the disagreeing action of the two branches on:

Bill, "An Act Restating and Revising the Law Governing Insurance Companies, Agents, Brokers, and Fees" (H. P. 928) (L. D. 1312)

Senators:

CARPENTER of Somerset
PARKER of Piscataquis
LESSARD of Androscoggin

Respectfully

(Signed) CHESTER T. WINSLOW
Secretary of the Senate

The Communication was read and ordered placed on file.

Emergency Measure
Tabled and Assigned

An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1960 and June 30, 1961 (H. P. 976) (L. D. 1386)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

(On motion of Mr. Wade of Auburn, tabled pending passage to be enacted on a viva voce vote and specially assigned for Tuesday, June 9.)

Passed to Be Enacted

An Act relating to Juvenile Offenders (S. P. 485) (L. D. 1357)

An Act relating to Taxation of Manufacturers' Inventories (H. P. 509) (L. D. 722)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

An Act Revising Election Provisions in Charter of City of Lewiston (H. P. 844) (L. D. 1207)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

Enactor
Tabled and Assigned

An Act Amending the Maine Housing Authorities Act (H. P. 967) (L. D. 1373)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Miller.

Mr. MILLER: Mr. Speaker, with relation to item five, An Act Amending the Maine Housing Authorities Act, I would at this time request permission to table this until next Tuesday. Now I will briefly explain why —

The SPEAKER: The gentleman may not debate a tabling motion.

Thereupon, on a viva voce vote the motion to table did not prevail.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Miller.

Mr. MILLER: Mr. Speaker, in regard to this item five, I am going to ask possibly for a division, I haven't asked for it yet, but I would like to talk briefly in regard to item five.

The SPEAKER: The gentleman has requested a division and is still debating a tabling motion.

Mr. MILLER: I haven't requested a division as yet, sir.

The SPEAKER: The Chair would then advise the gentleman that he must either ask for the division now or otherwise there is no motion before the House since the tabling motion has been acted upon.

Thereupon, on motion of Mr. Miller of Portland, a division of the House was had.

Fifty-one having voted in the affirmative and fifty-five having voted in the negative, the tabling motion did not prevail.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker, with regard to item four, An Act Revising Election Provisions in Charter of City of Lewiston, this measure was presented by me at the request of the Charter Committee, interesting civic leaders and city officials. In view of the turn of events, although I know what the answer is going to be, I would like to discuss it with them over the weekend and consequently I would like to table this until Monday.

The SPEAKER: With respect to item four, the gentleman from Lewiston, Mr. Jalbert, moves that this matter be tabled and be specially assigned for Monday next pending passage to be enacted. Is this the pleasure of the House?

On motion of Mr. Jacques of Lewiston, a division of the House was had.

Nineteen having voted in the affirmative and seventy-two having voted in the negative, the tabling motion did not prevail.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker, knowing that the time is late to table matters, I stated that I knew what the answer would be of the people interested in this measure. This is the one that came out of Committee with a straight ought to pass report. It was amended. As far as the referendum being placed on it and the twelve other amendments, worthy amendments where referendum is concerned, I wouldn't object particularly to the referendum only the timing of it, but in this situation here as the bill now stands, it would be doing a great disservice to the electorate of the community of Lewiston, and I will briefly explain the reason why and I don't intend to have a dragged-out battle about it. I want to thank the membership for their patience they have exercised toward this measure.

Now this would place us in the

position where if this revision change in our charter would take place, it would only do so at the next regular election which would be in February. If then the bill passes it would have our elections every two years on the even years. It would have us plunged into a local election the first week in October with a positive run-off the third week in October and next year being the State and Federal elections it would add a great deal of confusion. People would be debating local issues for a local election; people would be debating the state issues and the national issues. As a matter of fact, often times and it is legal and justifiable, people who are in city government as aldermen or mayors will run and have and do for either the House or the other branch, so within a space of about ten days a person would be on the ballot and campaigning for his local election and also because time being of an essence he would be campaigning for a state election. It would also confuse the issues of local, state and federal. Personalities notwithstanding, this you would not allow to have happen in your own community I know. It would be disastrous to our electorate. It is unfortunate that the bill didn't pass as the Legal Affairs Committee reported it. Everything would be fine. On that basis, Mr. Speaker, I move the indefinite postponement of this measure and its accompanying papers.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, moves that this bill and all accompanying papers be indefinitely postponed.

The Chair recognizes the gentleman from Lewiston, Mr. Couture.

Mr. COUTURE: Mr. Speaker and Members of the House: I had a call last night at 9:30 at home on a group of citizens of the City of Lewiston trying to meet tonight on this bill pending in this session. It is highly debatable. It came in front of the Committee on Legal Affairs and the Committee certainly studied this bill and take it as a point that it was introduced here as a unanimous affair at that hearing. Along the line for some reason or another in a personal affair between some of them it came into quite a confusing situation on this bill which

it was tabled here previously in the House and also left the House and was tabled in the other branch a matter of twice. This bill is a very important bill for the City of Lewiston and as I explained it to you for some reason personal of somebody we have reached this point here. While this meeting has been called between citizens of the City of Lewiston as I had the call last night, I only think in my way of thinking that it would only be right for this House to table this until we have this meeting and come up here and either let it go as it is or go along with the indefinite postponement, but give a chance to the citizens of the City of Lewiston according to these amendments that were put in this bill since it has at least come out of the Legal Affairs that it be talked about. This is a matter of the City itself, and at this time if I am in order, Mr. Speaker, I would move that the whole matter lay on the table and be specially assigned for Tuesday morning, Tuesday's session for the sake of the City itself.

The SPEAKER: The question now before the House is the motion of the gentleman from Lewiston, Mr. Couture, that with respect to item four, this bill be tabled and specially assigned for Tuesday next pending the motion of the gentleman from Lewiston, Mr. Jalbert, to indefinitely postpone. The Chair will order a division.

Will those who favor the tabling motion, please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Twenty-eight having voted in the affirmative and fifty-nine having voted in the negative, the tabling motion did not prevail.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Couture.

Mr. COUTURE: Mr. Speaker, at this time I wish to thank the members of the House for the City of Lewiston's people who are residents of that area and at this time now I will take a stand of supporting the indefinite postponement of the bill completely for the simple reason of going along with a bill when the citizens of the city have asked for kind of a meeting to take this mat-

ter up concerning that city only, and if we can't get that in this House, I am forced to support the indefinite postponement of that bill.

The SPEAKER: The pending question is the motion of the gentleman from Lewiston, Mr. Jalbert, that Bill "An Act Revising Election Provisions in Charter of City of Lewiston" be indefinitely postponed, and the Chair recognizes the gentleman from Lewiston, Mr. Jacques.

Mr. JACQUES: I would ask when the vote is taken it be taken by division.

The SPEAKER: A division has been requested. Will those who favor the motion that this bill be indefinitely postponed please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Forty-two having voted in the affirmative and fifty-eight having voted in the negative, the motion did not prevail.

Thereupon, An Act Revising Election Provisions in Charter of City of Lewiston was passed to be enacted, signed by the Speaker and sent to the Senate.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. Miller.

Mr. MILLER: I would request unanimous consent to address the House.

The SPEAKER: Would the gentleman defer until we have acted on these enactors?

Mr. MILLER: Well, the only thing is I would like to do it now before they are enacted.

The SPEAKER: If what the gentleman wishes to say relates to one of these enactors, the gentleman does not need permission to address the House, he may proceed.

Mr. MILLER: Mr. Speaker, in regard to item five, "An Act Amending the Maine Housing Authorities Act", I would like to say to the members of this House that yesterday there was a meeting between some of the officials of the City of Portland and the members of the Senate and a contact made with the Federal Housing Authority and Washington, D.C. and after a little hustling around we find there is a possibility that there may be some quirks in this Maine Housing Au-

thorities Act which would nullify the whole act, so with the consent of the Senators and some of the City officials of Portland and members of the House here, we are trying to table this until next Tuesday pending receipt of a letter from Washington as there may be a possibility of amending this bill to put it in its proper status, so again I would say I hope there is some way we can table this bill until next Tuesday. It is that important.

The SPEAKER: Does the Chair understand the gentleman to so move?

Mr. MILLER: No, sir.

The SPEAKER: The Chair recognizes the gentleman from Raymond, Mr. Edwards.

Mr. EDWARDS: Mr. Speaker and Members of the House: This is an important piece of legislation. We are not going to be able to adjourn this week. There appears to possibly be something which should not be in the bill as it is now written, and it seems to me that we should give these people an opportunity to iron out what should not be in there and then report an amendment next week, and so I am going to ask of you people here today the courtesy to table this bill and specially assign it for next Tuesday morning.

The SPEAKER: The question before the House is the motion of the gentleman from Raymond, Mr. Edwards, that with respect to item number five, Bill "An Act Amending the Maine Housing Authorities Act", this bill be tabled and specially assigned for Tuesday June 9, pending passage to be enacted. The Chair will order a division. Will those who favor the tabling motion please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

One hundred having voted in the affirmative and one having voted in the negative, the tabling motion did prevail.

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mr. Wade.

Mr. WADE: Mr. Speaker, I ask unanimous consent that matters today passed to be engrossed in concurrence and matters that require concurrent action by the Senate be

sent forthwith to the Senate as soon as the House action is completed, and that the right to move reconsideration on such matters be considered lost. This is for the purpose of expediting engrossment—

The SPEAKER: The gentleman may not debate. Is there objection to the request made by the gentleman from Auburn, Mr. Wade? The Chair hears none and the request is granted.

The following paper from the Senate was taken up out of order and under suspension of the rules:

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Monday, June 8, at four o'clock in the afternoon. (S. P. 512)

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

House at Ease

Called to order by the Speaker.

The SPEAKER: At this time the Chair would recognize the presence in the gallery of the House of a group of thirty-six fifth grade pupils from Searsport Grammar School accompanied by their Teacher, Alice Carter; and a group of twenty-four students from Prescott Memorial School of Washington, Maine accompanied by Mrs. Dorothy Sainio, four guests and one teacher. On behalf of the House the Chair extends to all you ladies and gentlemen a most hearty and cordial welcome and we hope you will enjoy your visit here today. (Applause)

The gentleman from Perham, Mr. Bragdon, was granted unanimous consent to address the House.

Mr. BRAGDON: Mr. Speaker, Ladies and Gentlemen of the House: I find myself the victim of circumstantial evidence due to a peculiar set of circumstances yesterday here in this House. I had occasion to approach the rostrum and on a matter entirely different from what I am now about to speak of. I was so preoccupied with my own thoughts that I was not aware of

those circumstances until I started to go out the door and everybody I met had some comment to make, and I think perhaps I should be grateful for the incident because this is the first time in about six or eight months that we have been here that I ever got my name in the paper. I want to say I feel the Press used me very well anyway, but to get down to the incident, I was accused of removing a dog from the House. I want to assure the members of this House that I was absolutely innocent of having any part in the removal of the so-called dog. I am a friend of dogs as Mr. Pease will bear me out, because I made a demonstration this morning and I couldn't get Mr. Pease's dog to bite me, so I use that as proof that I have nothing whatever against dogs, and I want to assure every member of this House that heard of this incident that I am absolutely innocent, and if you're ever on a jury I want you to be awful careful before you convict somebody on purely circumstantial evidence because I think that the gentleman involved was wholly justified in his original assumption that I was the culprit.

The SPEAKER: The Chair would advise the House to substantiate what the gentleman from Perham, Mr. Bragdon, has just said, that the gentleman from Perham when he approached the rostrum and conferred with the Speaker, not only did not mention any dog, but dogs were the furthest thing from his thoughts at that moment. The Chair was advised of the presence of the dog in the House by an unknown author of a note which was sent to the rostrum.

Mr. PHILBRICK: Mr. Speaker?

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Philbrick. For what purpose does the gentleman arise?

Mr. PHILBRICK: I would ask the same indulgence of the House.

The SPEAKER: The gentleman from Bangor, Mr. Philbrick, requests unanimous consent to briefly address the House. Is there objection?

(Cries of "yes")

The Chair does hear objection.

Orders of the Day

The SPEAKER: The House is under Orders of the Day and under Orders of the Day the Chair lays before the House the first tabled and today assigned matter on page four of the calendar, Senate Report "Ought to pass" of the Committee on Education on Bill "An Act to Make Valid the Incorporation of School Administrative Districts Nos. 1, 2, 3, 4, 5 and 6," Senate Paper 285, Legislative Document 747, tabled on June 4 by the gentleman from Perham, Mr. Bragdon, pending acceptance of the Report in concurrence; and the Chair recognizes that gentleman.

Thereupon, on motion of that gentleman, the "Ought to pass" Committee Report was accepted in concurrence, and the Bill read twice.

The SPEAKER: The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker, I now move that we concur with the Senate in the adoption of Senate Amendment "A" to L. D. 747.

Thereupon, Senate Amendment "A" was read by the Clerk as follows:

SENATE AMENDMENT "A" to S. P. 285, L. D. 747, Bill, "An Act to Make Valid the Incorporation of School Administrative Districts Nos. 1, 2, 3, 4, 5 and 6."

Amend said Bill by striking out everything after the enacting clause and inserting in place thereof the following:

'Sec. 1. Incorporation ratified.

The incorporation of School Administrative District No. 1 on the 21st day of May, 1958; excepting the Town of Perham, the incorporation of School Administrative District No. 2 on the 17th day of July, 1958; excepting the Town of Liberty, the incorporation of the several municipalities of School Administrative District No. 3 on the 15th Day of August, 1958; the incorporation of School Administrative District No. 4 on the 29th day of August, 1958; the incorporation of School Administrative District No. 5 on the 23rd day of September, 1958; and the incorporation of School Administrative District No. 6 on the 14th day of November, 1958, under the Revised Statutes of 1954, chapter 41, sec-

tions III-A to III-U, are hereby ratified, affirmed and made valid.

All acts and doings of their boards of school directors, in their capacity as school directors, as shown by the records of School Administrative District No. 1, School Administrative District No. 2, School Administrative District No. 3, School Administrative District No. 4, School Administrative District No. 5 and School Administrative District No. 6, are hereby approved, ratified and declared to be valid and legal.

Sec. 2. Withdrawal of Liberty authorized. Pursuant to action by the Town of Liberty in a special town meeting duly called and held on the 25th day of March, 1959, the withdrawal of the Town of Liberty from School Administrative District No. 3 is authorized, effective July 1, 1959. Prior to that date the Town of Liberty shall cause to be chosen a superintending school committee of not less than 3 members, whose terms shall expire at the annual town meetings in successive years, and who shall, after July 1, 1959, perform all the duties required by statute of the superintending school committee.

Sec. 3. Property transferred to Liberty. On July 1, 1959, or within 14 days thereafter, the school directors of School Administrative District No. 3 shall convey and deliver to the Town of Liberty all school property and buildings previously transferred by the Town of Liberty to School Administrative District No. 3.

Sec. 4. Operational expenses, Liberty's share. As its proportional share of the budget for operational expenses prior to such withdrawal, the Town of Liberty shall pay to School Administrative District No. 3 not later than September 1, 1959, the sum of \$12,978. The remainder of the taxes raised pursuant to the warrant of the directors of School Administrative District No. 3, dated March 23, 1959, shall not be paid to the said district, but may be appropriated by the said town for the maintenance of public schools.

Sec. 5 Outstanding indebtedness, Liberty's share. As its share of the outstanding indebtedness of the municipalities within School Administrative District No. 3, for the amortization of which the said district has

become responsible, the Town of Liberty shall pay to School Administrative District No. 3 the sum of \$5,000 in 5 equal payments, the first such payment to be made on October 1, 1959 and the remaining payments on the same day each year thereafter.

Sec. 6. Educational subsidy for Liberty. For 1959, the Commissioner of Education shall apportion to the Town of Liberty one-half of the educational subsidy to which it, as a single town, is entitled under the Revised Statutes of 1954, chapter 41, sections 237-D and 237-E. He shall apportion to School Administrative District No. 3 the educational subsidy to which it is entitled as a school administrative district, reduced by such payment to the Town of Liberty.

Sec. 7. Liberty allocated to School Supervisory Union No. 67. Upon withdrawal from School Administrative District No. 3, the Town of Liberty shall again be allocated to School Supervisory Union No. 67 for the purpose of employing a superintendent of schools, subject from time to time to adjustment in the grouping of school administrative units in accordance with the Revised Statutes of 1954, chapter 41, section 77.

Sec. 8. Liabilities of Liberty. Upon conveyance of school property and buildings to the Town of Liberty as provided in section 3, School Administrative District No. 3 shall have no further liability to the Town of Liberty nor responsibility for the operation of its public schools. Upon payment to School Administrative District No. 3 of the sums provided in sections 4 and 5, the Town of Liberty shall have no further liability or responsibility relative to the operations of School Administrative District No. 3, and the treasurer of School Administrative District No. 3 shall no longer be empowered to levy upon the real and personal property within said Town of Liberty. The School director previously elected by the Town of Liberty shall cease to serve as one of the school directors of School Administrative District No. 3 and he shall hold no office whatsoever by virtue of that election as school director.

Sec. 9. Withdrawal of Perham authorized. Pursuant to action by the Town of Perham in a special town meeting duly called and held on the 18th day of April 1959, the withdrawal of the Town of Perham from School Administrative District No. 2 is authorized, effective on the first day of July, 1959. Prior to that date, the Town of Perham shall cause to be chosen a superintending school committee of not less than 3 members in accordance with the Revised Statutes of 1954, chapter 41, section 46, as amended, which shall, after July 1, 1959, perform all the duties required by statute of the superintending school committee.

Sec. 10. Property transferred to Perham. The said superintending school committee of the Town of Perham shall, on July 1, 1959, or within 14 days thereafter, request in writing that the directors of School Administrative District No. 2 convey the title to such school real property and buildings, and personal property, as heretofore conveyed by the Town of Perham to School Administrative District No. 2, and upon receipt of such request in writing, the directors of School Administrative District No. 2 shall forthwith make such conveyance to the Town of Perham.

Sec. 11. Operational expenses, Perham's share. As its proportionate share of the budget assessed by School Administrative District No. 2 against the Town of Perham for operational expenses of School Administrative District No. 2 for the fiscal years 1958-1959 and 1959-1960, prior to such withdrawal, the Town of Perham shall pay the School Administrative District No. 2, not later than September 1, 1959, its percentage of the amount due School Administrative District No. 2 for operational expenses incurred during the school year 1958-1959, and ending at the termination of school in 1959, less the amount which the Town of Perham has paid to School Administrative District No. 2 towards the 1959-1960 budget.

Sec. 12. Subsidy payment for Perham. The Commissioner of Education shall apportion to the Town of Perham its state school subsidy as provided in the Revised Statutes

of 1954, chapter 41, section 237-E, for the years 1959 and 1960, deducting from the 1959 subsidy payment any sum due to School Administrative District No. 2 for its proportionate share of operational expenses incurred by School Administrative District No. 2 to the end of the school year 1959.

Sec. 13. Director representing Perham. Upon the withdrawal of the Town of Perham from School Administrative District No. 2, the duly elected director representing the Town of Perham now serving on the Board of Directors of School Administrative District No. 2 shall no longer be a member of the Board of Directors of School Administrative District No. 2.

Sec. 14. Liability of Perham. The School District Commission of Maine shall have the power and authority to determine what sum or sums shall be due from the Town of Perham to School Administrative District No. 2, and upon payment of said sum or sums by the Town of Perham, the liability of the Town of Perham to School Administrative District No. 2 shall cease.

Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.

The SPEAKER: The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker, Members of the House: I would like to speak briefly on this amendment. This amendment if accepted by this House will provide a vehicle whereby the Town of Perham can get out of School Administrative District No. Two and the Town of Liberty can get out of School Administrative District Number Three. These towns have been decidedly unhappy with the situation they have found themselves in practically from the time they voted to affiliate with these districts. I am very familiar with the circumstances surrounding the formation of district number two and the reasons why Perham wishes to divorce itself from this union. As near as I can learn practically the same reasons apply with Liberty in their desire to be removed from district number three.

From here on I shall confine my remarks to Perham and district

number two since there I am on familiar ground. I believe this district was too hastily formed because of the pressing need to do something quickly for the Towns of Mapleton, Castle Hill and Chapman. As perhaps many of you are aware Mapleton had lost its high school some three or four years previously, and came to the session of the 98th Legislature for authorization to form a community school district. This was done in the early part of the 98th session. Before the completion of that session, we had come up with the Sinclair Act, so-called, and it had been passed. Immediately these towns started out with a desire to form a larger district under which they could obtain the benefits of this Sinclair law, so-called.

In this district Perham was the hardest town to fit into the combination. I think that we went along largely with the desire to be helpful to the other towns of the district and did not give sufficient consideration to the situation we were getting our home town into. We were told in the process of forming the district by members of the School District Commission and others who were enthusiastic, perhaps too enthusiastic, to get the show on the road after the formation, after the passage of the Sinclair Bill, and we were told that if we went into this district that a large amount of money would be made available to us for construction purposes. We were also told that it probably would cost us a little more money the first few years of the operation of the thing. We expected that. Recently, I have been informed that we knew when we went into this thing that it was going to cost us forty or fifty per cent more than we had ever paid. I say to you, ladies and gentlemen of this House, that if the people of the Town of Perham, I doubt if more than two or three people in the Town of Perham knew that, and if the people had been told that generally instead of that it is going to cost you a little more money, they never would have had a chance of ever getting them into the district in the beginning. They were definitely oversold and I guess I can say misinformed. They have

got to the point up there where they say everybody lied to them. That is the words they use. I don't dare to use as strong language as that, but anyway previous to the time that we formed this district, and to give you a picture of our situation up there, we are a small agricultural town, we have no large industry, and previous to the formation of this district we had operated our schools at a cost of approximately \$15,000. We have one hundred grade scholars. We have recently built a new modern four-room grade school as good as it needs to be, and we were maintaining four teachers for a hundred pupils. We were providing transportation for these pupils. We were sending our high school scholars which number from twenty-five to thirty to the Town of Washburn and the Town of Caribou High Schools. We paid our share of the cost. In Washburn we have been paying about \$325 a year and in Caribou it has been less, around \$285. So what I am trying to say to you is I don't think that we have been niggardly in our consideration of education. I would like to say too that I would like to pose as a friend of education. I was in this Legislature that passed the Sinclair Law. I went along with it, granted I had some misgivings as to its operation, I did go along. I think they may eventually be able to make it work. Perhaps this would be a good time for me to say that I think that I could tell you for what my opinion is worth what the trouble is with the failure of making it operate as it should.

I think the Education Department was too ambitious in making the benefits of this thing become effective too quickly. I think if they could have been satisfied to have progressed more slowly, perhaps at only half the rate that they did in the way of pushing the thing along that they might have avoided these things that have come up in many of the communities of our State. To me it is certainly not wise to attempt to oversell anything like that, attempt in any way to misrepresent, perhaps I should not use the word misrepresent, but people were misled let's put it that way and

I think that when the truth finally dawned on them that that has happened, you know what happens. That is exactly what has happened in the Town of Perham. I think that the information that I have it is what has happened in the Town of Liberty.

Now, I talked with the selectmen in our town the other day and they pointed out to me that perhaps I have left out, if I could go back a little bit. I started out to say that we have paid in the past up to the time we went into this union \$15,000. That has been about tops for our educational costs. That is the town's share. The bill that we got this year from the district, from the committee in the district, we have nothing to say about appropriating the money in the towns any more than we do the state tax or the county tax, they sent us a bill for \$24,000 as compared mind you to the \$15,000 that we have previously spent. We thought that was just a little bit more than a little. I would remind you too that this provided no facilities additional to what we had had in the past. We have the same teachers we had. We have the same busses that we had had. No new ones have been purchased. We went to the same school buildings. In the plan there is pending the proposal to sell bonds to make available somewhere in the neighborhood of \$800,000 or \$900,000 for the construction of a new building. If this is put into effect, no bonds have been sold as yet, but if this is put into effect our share of the retirement cost of those bonds will be somewhere from \$4,000 to \$5,000 a year. You will readily see that this will bring our educational costs into the neighborhood of \$30,000 compared with our original \$15,000, and when they add the new things that we have been promised, that is the new advantages to education which will come under this new and improved setup, many believe that \$35,000 is a very conservative estimate of the cost to this little town.

Now in reviewing, I would like to point out to you as I said before we are a poor agricultural town. Talking with the selectmen the other day, they reminded me, they said

in going around many of our farmers are well, I guess to coin a phrase, 'up against it.' Many of them are just hanging on, perhaps that is another good expression. We are carrying them perhaps say we put a lien on for their taxes and we have to carry it a couple years and they say to me if you put this added cost onto us, you are going to throw this bunch of fellows right out. They are going to say here it is, you take it. I am going over and work at the Base or somewhere else. Here is the property, you take it. No taxes after that will come from them. That will immediately throw the cost to the few remaining who are a little better off than these that I mentioned. This I think is a fair picture of what happened. Another thing that has been said if we have to pay, some of our fellows have marginal farms like wood lot like perhaps own timberland which does not bring them very much. They have been willing to keep paying the taxes on it in the hope that they would get something out of it some time in the future. They say if you bring our tax rate up to anything like this, we just simply are going to take a couple of years to strip the lumber and pulp off these lots, then you have got yourself some land. No taxes are going to come out of that after that.

It is not a good situation. Another thing, location has become a matter of extreme contention with us in the area. When we went into this district it was entirely with the feeling that the location of the new building would be in the Town of Washburn where the present high school facilities are located. There was some difference of opinion whether we should have an entirely new building at considerable cost or whether we should add to what we had at a cost which we could probably all agree we would bear, but anyway in the Town of Washburn the costs would have been, in everybody's opinion, considerably less than they will be in the present plans.

After we agreed to go into the district, we suddenly found that instead of building in Washburn as

we anticipated when we voted, and after we voted we put the thing wholly in the hands of ten men who represented the various towns in the district and we had nothing further to say about it, we found that the location of the district would be out in the country, four miles from the largest town in the district, the Town of Washburn, and that we would have to provide sewage facilities. They would have to drill wells. On top of that they would have to provide the construction of a power line. None was available in the area at a cost for the line alone of \$10,000. Many of us felt that these things were unreasonable. Now even some of them are saying, you build out there you will have to provide even housing for teachers. Obviously since in the past we have transported, that is in our village probably fifty per cent of our high school scholars have not required transportation. If you go out there and build, all of them are going to require transportation. This is going to add, in the opinion of many, tremendously to the cost. If there are any school activities after school hours, school busses have got to take the children out there. They have got to spend the evening there. They have got to bring them back. The plan has not appeared to be practical to us in the Town of Perham, and we have felt that if others in the district wanted it we were perfectly willing that they should have it. We do not feel that our getting out need to jeopardize the other towns in the district. We only share ten per cent of the cost. They can go ahead and make a reallocation of the percentages if they see fit and probably have still got valuation enough in the remaining towns to provide all the building that they have anticipated. So we have nothing against anybody else in the district doing anything that they want to. We simply are asking to get out.

Now, in the Sinclair Law, so-called, if you would refer to section III-P it provides that and I will try to quote if I can read this: "When residents of a participating municipi-

pality have indicated their desire to withdraw from the school administrative district by a two-thirds vote of the legal voters in said municipality present and voting in a special meeting called and held in the manner provided by law for the calling and holding of town meetings, such withdrawal may be authorized by special act of the Legislature upon such terms as shall be contained in such special act." Now we have so voted, on April 18 the town voted one hundred eleven to fourteen to withdraw from this district. Now if the Legislature that formulated this act did not mean this, I ask you why did they put it in? We feel that we have in our act here we have specified terms which we consider are reasonable terms. Now, if you don't like those terms we are perfectly willing that you, if you are willing to go along with this provision of the act, that you say what terms we may come out under. We will buy them. We are perfectly willing to leave it up to you. Later on in our Act, I think it is section 14, we have said this. I would refer you to section 14 if you have got the amendment before you and you will find that we put it up to the school district commission to determine how much money we owe to this district because of our inconvenience to them we are willing to pay the operating cost; we are willing to say that we will pay any cost that the school district commission says that we owe to this district. Now, we feel that is absolutely fair. We say to you that we know we did act hastily. We feel that we made a mistake. We did it and as I said earlier in the feeling that we wished to be helpful to our neighboring towns, but when we say the picture after it was all drawn, it was not the same picture that we saw when we sent in. When we saw the completed plans they did not fit us. We want no part of it.

Now, I hope, as I said, we have made a mistake. We are before you as a court asking that you recognize that mistake, that if possible you provide a way for us to get out.

I hope that when you vote, I am sure that if you all vote with me who have any feeling that you may get into a situation where sometime, somewhere, somehow you might have to come before such a court as we are coming before now and ask that you be relieved of some mistakes that you might have made somewhere along the line, if those of you will all vote with me, I will rest my case here and leave it to you. I am sure your decision will be the right one.

The SPEAKER: The question before the House is the motion of the gentleman from Perham, Mr. Bragdon, that the House adopt Senate Amendment "A."

The Chair recognizes the gentleman from Belfast, Mr. Rollins.

Mr. ROLLINS: Mr. Speaker and Members of the House: I rise in support of the motion of the gentleman from Perham, Mr. Bragdon. I speak on the part of the Town of Liberty which is in Waldo County, and we have about the same arguments as the gentleman from Perham has.

First, I am a great stickler for home rule which the members of this House and past Legislatures have often heard me expound, the home rule proposition. Many of you boys from Lewiston can recall in years passed when the Lewiston problems were before us, I was always in support of the home rule projects that the City of Lewiston should know what they wanted. There is sometimes a little variance when the representatives of that city don't agree, but nevertheless I believe in home rule. This we feel we do not have. The program they put this through on, it explains all the advantages and in Section 4: "despite these advantages we ask you all to remember that in a district our school will still be ours. We do not surrender any of our control as individual taxpayers and parents over the setup of purse strings of our school system nor will our youngsters be transported unreasonable distances or sent to boarding schools. We the voters will still rule."

I claim in the case of Liberty that that is not the case. They voted this district in by twenty-six votes and then when they realized

how the expenses were and the other factors, transportation, etc., they voted to withdraw one hundred and seven to thirty-one. In my county also Searsport has overwhelmingly voted not to join. Winterport has done likewise and Brooks who is in this district fell short of six votes of voting to withdraw.

The financial situation has certainly changed. Before '58 and '59 Liberty spent per capita \$160.04. After '59 and '60 without any bond issue, no buildings, no change in the setup at all, the expenses are \$228 per pupil. Waldo was \$137.25. Waldo now in '59 and '60 is \$111. Monroe was \$179 and it dropped back for the next to \$161. Unity was \$184.50 and they are \$164.50 in the '59-'60 program. Brooks was at \$100 and they have advanced now to \$139. With this, mind you, no additional buildings, no change in the status whatever. There is a question about Montville. I understand that Montville can use the Liberty schools at any time now or in the future.

The district was formed on the recommendation of the state department for better education which we all agree to, but things did not work out as represented. Good authority advises me if this case went to court they would be relieved upon payment of any cost assumed to date. I understand Liberty is now offering to pay for their mistake \$5,000, and as far as transportation, the people have found out that they have to carry their children twenty-two miles each day to go to the proposed high school they are going to build. There has been no bond issue. There is no indebtedness that the town is trying to evade, and as I say any indebtedness there is they are willing to pay to be relieved. This whole thing has been forced too quickly. Most anyone that ever saw the bill, or ever read the bill, or ever tried to study it realizes there are lots of holes in it, and they should be corrected, and the people have been certainly misled. By their vote, they prove it. When they woke up to the fact of what they had got into, they wanted to get out, and it is the prerogative of this Legislature according to the bill to let them out, and as far as hurting the future education or the bill, I think all the

damage has been done with the publicity that has gone on over this situation, and the easiest way and the future of the bill and the future of better education in Maine would be much better served by relieving Liberty and Perham from their districts. We speak of police state. It has been on the floor here the last few days. It is almost with that, with reluctance that I mention that perhaps there is a situation here they almost force us, the towns, to do thus and so or be penalized with their subsidies, and it was that reason, one reason alone besides the transportation of the pupils that I did not support this Sinclair Act when it was passed.

I hope, ladies and gentlemen, that you will relieve the Town of Perham and the Town of Liberty, and go along with the motion before the House.

The SPEAKER pro tem: The Chair recognizes the gentleman from Easton, Mr. Perry.

Mr. PERRY: Mr. Speaker, I am supposed to represent three of the towns in this district number two consisting of Washburn, Wade, Chapman, Mapleton and Castle Hill and I feel that I should touch on some things. The representative from Perham, Mr. Bragdon, has said a good many things and has explained them that I had on my notes here so probably I will repeat some of the things that he said, but I will try not to, too many.

He mentioned the fact that Mapleton who is the center of a consolidated school district consisting of Chapman, Mapleton and Castle Hill were operating as a community consolidated school and their high school building in Mapleton was lost by fire and they had made plans for a new building and then when the 98th Legislature passed this act they decided it would be better, the other towns being willing, to consolidate under the Sinclair bill and that would include six towns and if Perham is allowed to withdraw it will leave five towns and I am not positive that they could go on with the five towns without new legislation. I understand that Wade and Washburn are pretty apt to withdraw from this district if Perham does. The Town of Mapleton gave \$75,000 to this district, this being the

amount of insurance on their building which was burned. \$20,000 of it was used to purchase a farm on which to construct a new building and an athletic field. This purchase was agreed to by the directors of the district. I understand the plans for this building are now in the Department of Education. For four years the children attending the schools in Mapleton have been obliged to attend school only one half of a day each day, some in the forenoon and some in the afternoon. The delay caused by having this L. D. 747 tabled since February will make it necessary for them to continue this arrangement a year or two longer. How long do you think it would take to form a new district and to get the approval of the Legislature if it should become necessary to do so and then erect the building?

I trust that you will thoroughly consider the plight of these children before you vote to permit Perham to withdraw from this district. If you should see fit to allow them to withdraw, I wonder if there could be some amendment made whereby Wade and Washburn, if they so desire, could be allowed to withdraw leaving the right to the former school district so that they might erect their new building, start on it this year. It leaves Mapleton and those towns of Castle Hill and Chapman in a peculiar position not having any schools for four years and if they have to go on two or three years more it will be worse. I don't know as anyone could inform me whether there could be such arrangements made without an act of the Legislature. I mean make it in advance in case they should withdraw so that they could continue their building this summer. I wish there could be some way that this could be held up until we get somebody with authority to tell me if those amendments could be made on this bill.

The SPEAKER pro tem: Does the Chair understand that the gentleman from Easton, Mr. Perry, is asking a question of anyone in the House who cares to answer?

The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker, I rise only to answer the question. I

assume this does not bar me from further rebuttal if I wish it. To partially answer the question which Mr. Perry has posed to you, I think that his question stems from recent developments probably in the area. These are somewhat in the formative stage and I have intended perhaps not to bring them into this discussion. I want to tell you that there is nothing definite developed. However, it was suggested to me last night from one of the members of the school committee of one of these towns that he thought that today that they would come up with a proposal that these other towns were perfectly willing that Perham should get out of this district. They thought that we were smart in doing it, etc. We have felt that way right along. We were glad that they had come to an agreement, but the thing that did concern him was, he was asking if an amendment could be put on this bill so that after this Legislature adjourned the Town of Washburn could then vote to withdraw which would take with it the Town of Wade if voting they got their two-thirds vote, then that would leave so that the amendment would offer to Washburn, what I am saying, the amendment would offer to Washburn the same privileges that if you went along with this amendment to Perham, would give them a chance to get out, and then the remaining towns in the district which were the original Mapleton, Castle Hill, Chapman Community School District would then be free to proceed under their own bond issue which they I think have opinions that they could do if these withdrawals were permitted, with the funds which they already have in cash and then build the construction which they contemplated before they envisioned this greater development, the construction of a high school building in the Town of Mapleton. I told him that I did not know what the answer was if they come up with that proposal, but I would do everything in my power to see that such an amendment if they wanted it was in there, if they were united on that thing finally that I would do everything in my power to bring this about. I don't know as I have done a very good job of answering Mr. Perry's ques-

tion because it depends upon a hundred and fifty others here in this House, but anything that I can do, I will certainly do to bring that about because I do recognize the Mapleton area does have a desperate problem in the way of school construction, and in my opinion they have come up with a sensible solution and I will do everything I can personally to see that they get it. If you go along with letting us out somewhere along the line, if it is the will of this House, I will try to see that we do amend it to take care of this situation.

The SPEAKER pro tem: The Chair recognizes the gentleman from Easton, Mr. Perry.

Mr. PERRY: Mr. Speaker, I was talking with the attorney of this district and some of the members and they inform me that they wanted some arrangement made whereby they could start their school building this year. They should not care much what it is. They are getting sick of going along without any school and I don't know, they said the attorney told me he would be down here Monday if we could help make an amendment to that effect, and I think it would seem the wisest thing to do.

The SPEAKER pro tem: The Chair recognizes the gentleman from Madison, Mr. Hendsbee.

Mr. HENDSBEE: Mr. Speaker, Ladies and Gentlemen of the House: I have been thinking this question over for the past few days, and I do now arise to support the motion of what I consider one of the most able of our Legislators, the gentleman from Perham, Mr. Bragdon. He stands here on the floor of the House this morning as Mr. Perham. He made a very able presentation of his case, something that I believe that we as legislators of open mind and should consider. We come down here to represent certain areas and certain towns, but I believe that we must take into consideration we have to extend our boundaries a little farther and help the other fellow quite often. Now you have heard reference of mistakes. We know mistakes are very apt to happen. Anybody can make a mistake but it takes a man to stand up and admit it. You recall not very long ago I had to put myself in that same

category that I had to do it here on the floor of the House. I did not have to, but I did.

Now, I would take you back to the formation of our great country here. There was something that was imposed on people who did not want it and they did not take it. Now, these two towns that we speak of, Perham and Liberty, are small towns with no industry. The tax burden is carried by the residents of that town and we know that as in many small towns people have difficulty paying their taxes. Now they went into this district and they no doubt were misled and they find themselves caught in a vise. They are going to try to get out and I believe that as members of this House we should help them because I would liken the Sinclair Bill to the old fashioned razor strap, a very useful item if properly applied. It was mentioned in the other body that they had bitten off more than they could chew. I would say that they had taken in more washing than what they could hang out. I feel that it is within our power here to either help these two towns or possibly reduce them to financial ruin, and that is just exactly what can happen. If you look this over and go along with what they have been paying previously and what they have paid up until now and their anticipated costs would be so staggering that those towns would unquestionably not be able to bear them. Now then as we understand that probably our thinking is not always the same.

The gentleman from Perham, Mr. Bragdon, and I have not always voted the same on issues or anything like that and that does not enter into this whatever. He had to come here with a case of his town, and I believe that we as legislators should support him and further, I am very happy to offer my support to anything that I can do to help the Town of Perham and also to help the other towns who are going to remain within his district.

The SPEAKER pro tem: Is the House ready for the question? The question before the House is the adoption of Senate Amendment "A" to L. D. 747 which has been reproduced as L. D. 1392.

The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker, I humbly request a division.

The SPEAKER pro tem: A division has been requested.

The Chair recognizes the gentleman from Houlton, Mr. Ervin.

Mr. ERVIN: Mr. Speaker and Ladies and Gentlemen of the House: For the second time in two days I have had to rise and reluctantly go against two of the members of my delegation from Aroostook County on a proposal. I say with reluctance honesty and all sincerity. I think that we have before us probably the most important piece of legislation as far as education is concerned that appeared before the 99th Legislature. I say that with all honesty and all sincerity. I think it is more important than the reorganization of the Sinclair Act. I say it is even more important than some of the other budget measures that we have. As far as education is concerned, this is most important. This not only affects just two towns. This action that this House takes in here is going to affect every town in the State of Maine as far as education is concerned. I am trying to weigh the decision of how I am going to vote on this thing, not on any emotional setup or any program, and I hope that I vote the right way. I am going to object to the amendment of the gentleman from Perham, Mr. Bragdon. I am going to give him my reasons. My first question is going to be—and many of these will be of a general nature.

As legislators individually, have we before us enough information that we can conscientiously vote and be sure we are voting the right way on this most important amendment? At the moment, I don't think we have sufficient information. The Education Committee about a month ago was asked to allow representatives from Liberty and Perham to state their case regarding the withdrawal from their respective district. That request was granted. It was not a public hearing. It was a request that they meet with us at one of our executive sessions, and they presented their problem. We heard them. We adjourned and we have never had a meeting since.

The Education Committee as a whole has never discussed this problem of Liberty or Perham and as I mentioned before there has been no public hearing. Had there been a public hearing, I think there would have been towns all over the state would have been in there because there are so many questions that they are going to ask and they are asking right now, as to the legality of such a move, as to the constitutionality of such a move, and towns in the two districts that are involved are saying to each other, what is going to happen to us? How do we know that these other five towns in the area of the gentleman from Perham, Mr. Bragdon, would have joined the district if Perham had not gone into it? How do we know that by relieving Perham of their part in that district and saying you may go out, how do we know that we are not increasing the cost materially more to those other five people? I can't answer that question. I don't think that you can.

The thing has been brought up here today is that we have immediately had increased costs. I can tell the people of this legislature and also to the people in the districts and Mr. Bragdon's district and into the Liberty district your costs for running a school in 1959 and '60, your operation costs alone and these percentages can be verified in your budget office, in your finance office or in your education office, your operation costs alone for education have increased fourteen per cent. There is part of the increase. Another part of your increase in costs in these districts that have been formed were that the teachers on the salary schedule were down below and it says in that Sinclair Act that teachers must come up to the salary schedule in order that you can get the proper subsidy that you are entitled to. The most they can raise those teachers is \$300 a year but the gentleman from Perham, Mr. Bragdon, told me himself that in Perham's district that all of his teachers had to be raised that much to bring them up. There is more increased cost. Much has been said about the Education Department has misrepresented; has misled. I think that most of you people

in this House are familiar with the members and the heads of the departments of the Education Department. I don't think there is a man or a woman in that department that is going to conscientiously go out and try to misrepresent anything about the Sinclair Act. I think it is very unfair to even use the word misrepresent, and I think the gentleman from Perham, Mr. Bragdon, thought so too when he withdrew it. Misleading is another word that was given. It is not right. I am not going to name names because we have been asked not to name names, but I can't imagine any of those officials in the Education Department going to Perham, going to Houlton, going to Liberty and misleading or misrepresenting any of the facts of the Sinclair Act. It just can't be done. Those people are too honest over there. They are too interested in education, and the main thing we have been doing with education all along with the Sinclair Act is to make a better school, and I personally know that in the meetings and there were dozens of them held that the representatives that went up they did not tell us it was going to cost less, they told us it was going to cost more, and they tried to tell us how much more. They were not always exact in their figures but they tried to tell us. I just can't believe that anybody would misrepresent or mislead anybody.

There is on your desks this morning a list of seven questions, questions as to the legality, to the constitutionality, and questions that are going to have to be answered before we know what is going to happen to this particular bill. I believe we are acting a little too hastily on this proposition. I think it deserves more study. I don't know whether I have got an answer or not. I am making this suggestion for what it is worth, not in the form of any motion or so and so. I believe it only fair that we should study this problem much more and have many more answers than we have today before we vote intelligently, and it would seem to me that it would be well that this legislature would empower the Education Committee to have an interim study and try to find out the answers to this very

problem, and report to the 99th Special Session which we know we are going to have this fall because if any of the bond issues, and it is safe to assume at least one of them is going to pass, we are going to have to come back down here and set up the mechanics to make that bond issue work, and it seems to me that between now and then that the Education Committee could dig up more information to report to this 99th Legislature at the first Special Session that we have so that you could vote much more intelligently on this proposition. And for those reasons, I have to go against my good friend from Perham, Mr. Bragdon, and not support his motion to accept Senate Amendment "A" or Senate Amendment "B".

The SPEAKER pro tem: The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker, I would like the privilege of replying briefly at this time to the remarks of the gentleman from Houlton. Somewhat in answer to his last question and a request for more time, these people who are anxious to build a school in this area where they lost their school house four years ago and have been struggling for that length of time to come up with the right answer. To them more time is an awful weak argument. They said why didn't you give us our answer a month ago so we could get to doing some construction before the winds bring the snow down from the north, and we can't do construction in the wintertime up there you know, and you are putting us off right at the best time of the year to get going. Right now they have been on half sessions. I understand that they face really difficult situation with the Education Department in that they have not been able to meet the requirements in order to get their subsidies and they have to run a summer session or something like that, so more time to them is not the answer. They are asking you to give them an answer now whether it is the right one or not, but they want to go somewhere and go there quickly.

In regard to misrepresentation, I agree perhaps, I am very careful not to say that people misrepresented things. There are many ways

of misrepresenting things, many ways of getting out of it, telling only half the facts or failing to tell important facts or failing to emphasize important facts to simple people. In my opinion that is one method of misrepresentation. I modified my statement when I said that they were misled to saying that they misunderstood. I hope that that clears me. I certainly did not say that they intentionally meant to mislead the people, but I did say if they had told them right out in good plain English, you are going to get a fifty per cent increase in your education cost, that they might just as well have taken their papers and their bags and gone back to Augusta or wherever they came from because they had defeated their purpose if they had told them in those simple words which I don't think many of those people understood that way.

The SPEAKER pro tem: The Chair recognizes the gentleman from New Sharon, Mr. Caswell.

Mr. CASWELL: Mr. Speaker, Ladies and Gentlemen: In my area we had a little experience with the proposition to form a consolidated district up there. One of the towns was very much in need of doing that. My town was one of the towns considered. We didn't make the mistake that they did apparently in Perham and Liberty, and I thank God for it.

I went to several meetings at which representatives of the State Department were there, the Department of Education, and I don't think they knowingly misrepresented anything. They couldn't give us the exact figures, they didn't attempt to. What I think did happen, or was in the Town of Wade that happened, was that the people misled themselves. When I went home from the session two years ago, people were scared, they said what's going to happen with this Sinclair Bill, what's it going to do to us. I tried to reassure them that nobody was going to be — that it wasn't the intention of the Department to hurt anybody, that it wasn't necessary for every town in the State to immediately get ready to form a consolidated district, that probably many towns never would be so situated that they could

conveniently form a district, and that in no case would any towns be forced into a district where it wasn't practical and convenient. I have been, I was at the beginning, and I still am in favor of the principles of the Sinclair Act. I guess I said this once before two years ago that I was old enough to remember when the original old district system was abolished by the Legislature in '94. I had been going to school for a little time then. This Sinclair Act I think was an attempt to do for secondary pupils exactly what the change in the law from the old district system did for elementary pupils, was to give all the pupils in an area the same opportunities, the same number of weeks of school. It didn't work too good the first few years that it worked. I had to walk, I was ten years old and I walked two miles to the nearest school. I guess it didn't hurt me any, I have lived longer than I ought to, I'm in fairly good health, so I guess I wasn't damaged, but it was inconvenient.

The framers of the Sinclair Act didn't feel they had a perfect bill at the time. I presume neither did any — this is a new machine. I presume that none of the inventors of new machines expected their first model to work perfectly. I have travelled within a limited orbit and I have to draw things from my own experience, and I think of the first telephone we had, comparing them with the Bell system as it is today, and there is a vast difference. You used to ring central and perhaps you would get them and perhaps you wouldn't; perhaps you would get your party and perhaps you wouldn't. That thing has all changed now. The thing has been perfected. Now the same would apply to Henry Ford and Elias Howe and several other inventors that I recall. The first machines don't work very good, and the only way to find out where the weak points are is to get them on the road and try them out. That is what is being done with the Sinclair Act, and some amendments which we haven't had time to fight over yet have already been proposed, that I think perhaps my take care of some of the inequities, but it will take some time.

Now I was going to — I have changed my mind since I have been sitting here, I was going to suggest that the publicity that has been given to these matters and what will be given would be a good thing because it would perhaps give people a chance to think the thing over more and not go into these things too fast. I think we are trying, I think what has happened is that we are trying to do too many things too fast, but it occurs to me now, what's going to happen to the Sinclair Bill if people find out that there is no way to get out of a trap once they get in it. How much farther is this Sinclair Act going to go if they find that it is a trap that there is no way of escaping from? Even a woodchuck if he gets into a trap and gets out, it is pretty hard getting him in a trap again, and it seems though we ought to have a little more intelligence than the woodchuck. I would think that the refusal to adopt this amendment might be a very bad thing for the future of the Sinclair Act.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Presque Isle, Mrs. Christie.

Mrs. CHRISTIE: Mr. Speaker and Members of the House: It doesn't seem to me that it is a good time to sit down in conference when your house is on fire. It seems to me this would be a comparable situation because the people in Mapleton I know are very much concerned that a decision may be made and quickly so that they will know what to do, and I feel a decision must be made even though we are not altogether ready for it because of the fact that everyone in this district is going to be inconvenienced if the decision is not made promptly.

The SPEAKER pro tem: The Chair recognizes the gentleman from Montville, Mr. Mathieson.

Mr. MATHIESON: Mr. Speaker, it is needless for me to say that I am fairly well acquainted with the situation in district number three. District number two I know little about except what has been brought to my attention. The vehicle by which this bill is brought into the House has laid on the table in the other end of the corridor for a matter of two weeks or more. It is not

our fault that that hasn't been brought to our attention before this, and we half expected that the answers that we needed so badly would be brought out in this amendment which has been offered, and there still remains some of the most important answers that we could possibly have as far as education in the State of Maine is concerned. We have a list of these questions on your desks. I have gone still further with them, I have taken them down this morning, the first chance I have had really to get out the questions, and asked the Attorney General if he wouldn't prepare these questions in such form as they could be submitted to the Law Court and for their decision, and I think we would be acting very unwisely as a Legislature to attempt at this time to make any decisive decision which would impair school work in the State of Maine simply on account of two people or two towns making mistakes as they say, and for that reason I at this time would certainly oppose the adoption of this amendment which is a back-door amendment anyway, it comes in as an amendment to a validating act, the validating act simply saying whether or not this Legislature was ready to pass on whether the directions that they have set forth have been met with to the satisfaction of their judgment. I for one will definitely oppose this until such time as I have a clear understanding as to how this thing will affect the schools in the State of Maine, and I think these questions need answers and I think we will get the answers, delayed or not, I think it is more important to delay at the time being than to go into anything quickly and disrupt the whole educational system of the State of Maine although some people say it won't. But you walk down the corridor and some say it will and some say it won't. You can take your choice. I would like to see these questions answered. I would like to have them answered by a body that we have respect for and can actually depend upon, and for that reason I am going to oppose the amendment.

The SPEAKER pro tem: The Chair recognizes the gentleman from Waldoboro, Mr. Walter.

Mr. WALTER: Mr Speaker and Members of the House: I rise in support of the motion of the gentleman from Perham, Mr. Bragdon. I happen to know these people up in Liberty pretty well. I am very sympathetic with them. I don't represent the Town of Liberty, but I know after having talked with them how they feel. They came over here yesterday, they sat here all day waiting, waiting patiently for our decision. Many of them are here today listening to the remarks that are made by us at this time. I would like to refer to the Sinclair law, this has been mentioned once but just let's look at it again, this paragraph that pertains to a district or a town withdrawing from the district. It states: when the residents of a participating municipality have indicated their desire to withdraw from a school administrative district, such withdrawal may be authorized by special act of the legislature upon such terms as shall be contained in such special act, and it further states — I want to be fair — that no such withdrawal shall be permitted while such school administrative district shall have outstanding indebtedness. Now I ask you what do you mean by outstanding indebtedness? Does it mean operational expenses in the district or does it mean bonded indebtedness? Referring to this amendment, Section 4, and I am speaking now pertaining to the Town of Liberty, the section reads pertaining to the expenses: As its proportional share of the budget for operational expenses — the sum of \$12,978. Also in Section 5 on the outstanding indebtedness: As its share of the outstanding indebtedness — the sum of \$5,000 shall be paid. Now the people of Liberty made a mistake, they are in here and they are ready to pay for their mistake to the tune of \$12,978 in one section and to the tune of \$5,000 in the other.

Referring to the gentleman from Montville, Mr. Mathieson, I know he represents Montville; he also represents Liberty, and it seemed to me that perhaps he should consider Liberty's point of view and in order to bring out Liberty's side a little stronger I would like to read from the record, and I refer to the paper that was placed on your desks

this morning, and it states by the gentleman who was a former member of this House, a gentleman who is a state official from the Town of Liberty and it was stated on the Floor at the other end of the corridor as follows: Good schools need active support of citizens of each community. Certainly we shall have something less than active interest and enthusiastic support if we in the Legislature impose our will against the express desire of these towns. If we require them to support local property taxation, schools in which they are not interested, and if locations are moved from their particular town, then I think we are heading in the wrong direction. Finally I suggest that the withdrawal of Perham from the respective districts may be accomplished without any breach of faith with the money lenders. Neither of these districts have sold any bonds or contracted for any buildings. Liberty's case, no bond issue or capital outlay program has ever been proposed by the directors of the district to the voters.

Now in reference to these questions that have been placed on our desks which was about two hours ago, it is rather difficult to answer those in such a short time, but I am sure that if we could have a little time that the answers could be, some of them at least, could be given. Anyway, I hope that the motion of the gentleman from Perham does prevail.

The SPEAKER pro tem: The Chair recognizes the gentleman from Rockland, Mr. Knight.

Mr. KNIGHT: Mr. Speaker, I represent the Town of Rockland and Rockland is in School Administrative District 5, and this is one of the most important pieces of legislation that is going to appear here this year. This and the subsequent matter of the supplemental bill to the Sinclair Act. I feel very put out to put it mildly that this legislation has waited until the last days of the session when everyone is sitting here just waiting to go home looking out at the trees and the birds and feeling as though we are entrapped here, and then become hasty in our judgment and vote not too much by our conscience

and by research of the fact, but vote with the idea of getting home as soon as possible.

Now I understood from the gentleman from Montville, Mr. Mathieson, that he was preparing a series of questions to go to the Supreme Court for the opinion of the Justices. I would ask through the Chair if that assumption is correct, and if so, when would that be sent up?

The SPEAKER pro tem: The gentleman from Rockland, Mr. Knight has asked a question through the Chair of the gentleman from Montville, Mr. Mathieson, who may answer if he chooses.

Mr. MATHIESON: In answer to the gentleman from Rockland, Mr. Knight, I will say that I have asked the Attorney General to put these questions in proper form to be submitted to the Law Court, and what time they would be submitted to us I couldn't say.

The SPEAKER pro tem: Does the gentleman consider his question answered?

Mr. KNIGHT: Partially sir, I would say that the one move at this time would be to request the Law Court to render as fast an opinion as could be made, and I think this matter is sufficiently severe enough to even warrant a special session, but rather than be rushed into a fast decision that we will repent later on and in view of the fact that these questions have been given to the Attorney General for preparation to be sent to the Law Court, I would at this time move that this matter be tabled until Monday, with the hope that these questions would be sent up in the interim and answers be obtained, as it will certainly affect my vote.

The SPEAKER pro tem: The question now before the House is the motion of the gentleman from Rockland, Mr. Knight, that this matter lie on the table and be especially assigned for Monday, June 8.

The Chair recognizes the gentleman from Perham, Mr. Bragdon, but would remind him that the tabling motion is not debatable.

Mr. BRAGDON: Mr. Speaker, it is getting terribly late.

Thereupon, on motion of Mr. Knight of Rockland, a division of the House was had.

Thirty-eight having voted in the affirmative and seventy-eight having voted in the negative, the tabling motion did not prevail.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Perham, Mr. Bragdon, that Senate Amendment "A" to Bill "An Act to Make Valid the Incorporation of School Administrative Districts Nos. 1, 2, 3, 4, 5 and 6," be adopted. A division has been requested. As many as are in favor of the adoption of Senate Amendment "A" will rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Eighty-nine having voted in the affirmative and twenty-seven having voted in the negative, Senate Amendment "A" was adopted in concurrence.

Senate Amendment "B" was read by the Clerk as follows:

SENATE AMENDMENT "B" to S. P. 285, L. D. 747, Bill, "An Act to Make Valid the Incorporation of School Administrative Districts Nos. 1, 2, 3, 4, 5 and 6."

Amend said Bill by inserting after the words and figures "15th day of August, 1958" in the 5th line after the enacting clause the following: 'as amended on the 5th day of March, 1959'

Further amend said Bill, in the 4th line from the end, by inserting after the words and figure "Administrative District No. 6," the following: 'from the date of their said incorporation to the date hereof,'

Senate Amendment "B" was adopted in concurrence.

Under suspension of the rules, the Bill was given its third reading, passed to be engrossed as amended in concurrence and sent to the Senate.

At this point, Speaker Edgar returned to the rostrum.

Thereupon, the Sergeant-at-Arms escorted the gentleman from Auburn, Mr. Wade, to his seat on the Floor, amid the applause of the House, and Speaker Edgar resumed the Chair.

The SPEAKER: Will the gentleman from Rumford, Miss Cormier, please approach the rostrum.

(Conference at rostrum)

Called to order by the Speaker.

The following paper from the Senate was taken up out of order and under suspension of the rules:

**Senate Report of Committee
Ought to Pass
Passed to Be Engrossed**

Report of the Committee on State Government, pursuant to Joint Order (S. P. 508), reporting a Resolve (S. P. 511) under title of "Resolve Providing for the Date when the Amendment to the Constitution to Provide Continuity of Government in Case of Enemy Attack shall be Voted Upon" and that it "Ought to pass".

Came from the Senate with the Report read and accepted and the Resolve passed to be engrossed.

In the House, the Report was read and accepted in concurrence and under suspension of the Rules the Resolve was given its two several readings and passed to be engrossed in concurrence and sent to the Senate.

Passed to Be Enacted

An Act to Appropriate Moneys for Capital Improvements, Construction, Repairs, Equipment, Supplies and Furnishings for Fiscal Years Ending June 30, 1960 and June 30, 1961 (H. P. 973) (L. D. 1384)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

The SPEAKER: The Chair recognizes the gentlewoman from Presque Isle, Mrs. Christie.

Mrs. CHRISTIE: Mr. Speaker, probably I am going to ask a stupid question, but does this bill include the amendments that the House adopted yesterday?

The SPEAKER: The Chair would advise the House that this Bill does include those amendments in which the other branch receded and concurred.

Thereupon the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

The SPEAKER: The House is proceeding under Orders of the Day and at this time the Chair lays

before the House, Bill "An Act Establishing a Minimum Wage," Senate Paper 472, Legislative Document 1337, which was tabled earlier this morning by the gentleman from Rumford, Miss Cormier, pending the motion of the gentleman from Old Orchard Beach, Mr. Plante, that the House insist and request a Committee of Conference.

The Chair recognizes the gentleman from Orono, Mr. Treworgy.

Mr. TREWORGY: Mr. Speaker and Ladies and Gentleman of the House: We have before us a Senate Amendment "A" to Senate Amendment "F" under filing 433. I would like to briefly explain to you what this amendment does. The sponsor of the bill originally intended that those employees, boys and girls under the age of nineteen, who were regularly enrolled in an educational institution or on vacation therefrom, should not come under the Minimum Wage Act. The Attorney General has rendered an opinion which says that as the protective section which pertains to this item, Section E, is written it does not exclude boys and girls from this Act. As E is written now only those boys and girls employed as employees of summer camps are exempt. So in order to clarify this situation, in order that those boys and girls who are employees, employed in any business, be exempt from the Minimum Wage Act, Senate Amendment "A" to Senate Amendment "F" is now a part of the package if you want it that way.

As it now reads, with the new amendment, those employees of summer camps for boys or girls under the age of nineteen, who are counselors or junior counselors or employees of any business, who are regularly enrolled at an educational institution or on vacation therefrom. This is the way the author originally intended it and I think this amendment accomplishes that purpose. I therefore move that we recede and concur.

The SPEAKER: The question before the House is now the motion of the gentleman from Orono, Mr. Treworgy, that the House recede and concur.

The Chair recognizes the gentleman from Old Orchard Beach, Mr. Plante.

Mr. PLANTE: Ladies and Gentleman of the House: Senate Amendment "A" to Senate Amendment "F" is a definite insult to the young men and women who attend our colleges. As proof, the State of Wyoming exempts, and I quote "all minors under eighteen years of age." The State of New Mexico exempts, and I quote, "students who are regularly enrolled in primary and secondary schools." The State of Rhode Island exempts, and I quote "a child under the age of twenty-one in the employ of his father or mother." However, of the thirty-four jurisdictions within the United States and its territorial possessions that have a minimum wage law, there isn't any one governmental unit that discriminates specifically against any college students, and particularly and obviously as much as Senate Amendment "A" to Senate Amendment "F" does. I would not however wish to be a participant or in any way endanger the enactment of this bill. Therefore, regardless of my feelings on this discriminatory aspect of the bill, I urge that you support wholeheartedly the motion of the gentleman from Orono, Mr. Treworgy that we recede and concur. This document will provide a minimum wage adequate for the bare necessities of life. It establishes the concept of a living wage based on a common premise. Public concern for individuals who are easily subject to exploitation. If we were to do a drastic about face today, Maine's electorate could justly write a song about us intitled "Le Legislature est mobile", which literally means the Legislature is fickle. I certainly would not wish that the Maine electorate tag us with such a title and it is because of this reason that I urge once and for all we recede and concur, and I hope that eventually this bill will be placed upon our statute books. Thank you.

The SPEAKER: The question before the House is the motion of the gentleman from Orono, Mr. Treworgy, that the House recede and concur. Will those who favor the motion to recede and concur, please say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed.

House at Ease

Called to order by the Speaker.

The SPEAKER: The Chair would advise the House that as of this moment the only business remaining before the House are the six tabled and unassigned matters. Is there

anyone in the House who has an item on the table unassigned who wishes it dealt with now?

On motion of Mr. Wade of Auburn,

Adjourned until Monday, June 8, at four o'clock in the afternoon.