

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

Saturday, June 13, 1959

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

Prayer by the Rev. Mr. Earl Waterman 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 Bill "An Act relating to Effective Date for Salary Increase for County Officers and Judges and Recorders of Municipal Courts" (H. P. 869) (L. D. 1237) reporting that they are unable to agree.

(Signed)

KNIGHT of Rockland
EMMONS of Kennebunk
ERVIN of Houlton

— Committee on part of House.

WYMAN of Washington
PARKER of Piscataquis
FARLEY of York

— Committee on part of Senate.

Report was read and accepted and sent up for concurrence.

Paper from the Senate Non-Concurrent Matter

An Act Providing for a State Tuberculosis Annex to Community General Hospital in Fort Fairfield (H. P. 890) (L. D. 1259) which was passed to be enacted in the House on May 12, and passed to be engrossed as amended by Committee Amendment "A" on April 21.

Came from the Senate indefinitely postponed in non-concurrence.

In the House: On motion of Mr. Edmunds of Fort Fairfield, the House voted to recede and concur with the Senate.

Orders

Mr. Jalbert of Lewiston presented the following Order and moved its passage:

ORDERED, the Senate concurring, that there be created an interim joint committee to consist of 2 Senators and 3 Representatives appointed respectively by the President of the Senate and the Speaker of the House who shall be members

ex officio, to study and report to the 100th Legislature such recommendations concerning revision of the Senate and House rules and the joint rules as may accomplish efficiency and expediency of the legislative process in Maine; and be it further

ORDERED, that the committee shall have the authority to employ such expert and professional advice and counsel and such clerical assistance as in its judgment may determine within the limits of the funds provided; and be it further

ORDERED, that the members of the committee shall serve without compensation but shall be reimbursed for their expenses incurred in the performance of their duties under this order; and be it further

ORDERED, that there is appropriated to the committee from the Legislative Appropriation the sum of \$1,000 to carry out the purposes of this order. (H. P. 982)

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

Mr. JALBERT: Mr. Speaker and Members of the House: The Order is self-explanatory; it is aimed at shortening our sessions; it would mean that the Committee would contact various states for their rules, and their suggestions. Insofar as the expert advice that the order indicates that could be required by the Committee, I am sure we wouldn't have to look too far for that. It is aimed solely at getting away from the date June 13 and I hope that the order receives passage.

The SPEAKER: The Chair recognizes the gentleman from Cumberland, Mr. Call.

Mr. CALL: Mr. Speaker and Ladies and Gentlemen of the House: I will heartily endorse the order of the gentleman from Lewiston, Mr. Jalbert. I hope it receives passage.

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

Mr. ERVIN: Mr. Speaker, I think this is a very worthwhile order. At the beginning of the session perhaps as many of you will remember there was quite a few instances where suggestions were made as to possible rule changes that would expedite the session and shorten it as well as working things

out a lot better. I think this is a very good committee and I think it will come up with an excellent report and one that I think the Legislature will be glad to have.

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

Mr. WINCHENPAW: Mr. Speaker, I know this is an unpopular stand, but this has a price tag on it and part of our trouble this winter was we had so many jobs from so many committees that we couldn't buy and I am afraid this committee would come up with more jobs and the legislature would buy them and that would prolong the Legislature rather than shorten it. We could have shortened this a long time ago if we wanted to and I move the order be indefinitely postponed.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Friendship, Mr. Winchenpaw, that this Order be indefinitely postponed. Will those who favor the motion to indefinitely postpone the order please say aye; those opposed, no.

A viva voce vote being taken, the motion did not prevail.

Thereupon, the Order received passage and was sent up for concurrence.

The SPEAKER: To the interim committee and pursuant to the authority given to the Speaker by the Order, the Chair will appoint the gentleman from Houlton, Mr. Ervin, the gentleman from Bath, Mr. Mayo, and the gentleman from Lewiston, Mr. Jalbert.

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

Passed to Be Enacted

An Act to Correct Errors and Inconsistencies in the Public Laws (S. P. 403) (L. D. 1171)

Was 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.

On motion of Mr. Wade of Auburn,

Recessed until the sound of the gong.

After Recess

11:45 A. M.

Called to order by the Speaker.
The SPEAKER: The Chair would appoint a Conference Committee that is anxious to get to work. The Chair will appoint the following Conferees on the part of the House on the disagreeing action of the two branches on House Paper 981, Legislative Document 1394, Bill "An Act to Clarify Procedure for Reorganization of School Administrative Units," the gentleman from Houlton, Mr. Ervin, the gentleman from Lee, Mr. Frazier, and the gentleman from Scarborough, Mr. Clark.

The House will be at ease.

House at Ease

Called to order by the Speaker.

The SPEAKER: The Clerk will read a Committee of Conference Report appearing on Supplement Number 1.

Paper 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 to Create a Parking Commission for City of Lewiston" (H. P. 843) (L. D. 1206) reporting that they are unable to agree.

(Signed)

BOUCHER of Androscoggin
ST. PIERRE

of Androscoggin
LESSARD of Androscoggin
— Committee on part of Senate.

JALBERT of Lewiston

COTE of Lewiston

TRUMBULL of Fryeburg

— Committee on part of House.

Came from the Senate read and accepted.

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

Mrs. Hendricks of Portland presented the following Order out of order and under suspension of the rules and moved its passage:

Order Out of Order

ORDERED, the Senate concurring, that the Legislative Research

Committee be, and hereby is, authorized and directed to study county jail operations in the several counties in the State for the purpose of determining strengths and weaknesses in the county jail system with a view of resolving such reforms as are necessary to promote the best interest of the State, and consistent with this objective to make such recommendations to the 100th Legislature as it concludes necessary for the more efficient administration of its functions, including consolidation, elimination and assumption of such functions by the State, or other alternatives as it deems necessary. (H. P. 983)

The Order received passage and was sent up for concurrence.

The SPEAKER: At this time the Chair would appoint the members of the House to the interim Joint Committee to study the entire salary system at the County level, the gentleman from South Portland, Mr. Earles, the gentleman from Rockland, Mr. Knight, and the gentleman from Bethel, Mr. Saunders.

The SPEAKER: The Chair has a vacancy to fill on the Atlantic States Marine Fisheries Commission, and to that vacancy the Chair will appoint the gentleman from Verona, Mr. Walsh.

On motion of Mr. Wade of Auburn,

Recessed until 1:30 this afternoon.

After Recess

1:30 P. M.

The House was called to order by the Speaker.

The following Communication was taken up out of order and under suspension of the rules:

STATE OF MAINE SENATE CHAMBER

June 11, 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 members of

the Senate to join with members of the House in a Committee of Conference on the disagreeing action of the two branches on:

Bill "An Act to Clarify Procedure for Reorganization of School Administrative Units" (H. P. 981) (L. D. 1394)

Senators:

HILLMAN of Penobscot
CHARLES of Cumberland
LESSARD of Androscoggin

Respectfully,

(Signed) CHESTER T. WINSLOW
Secretary of the Senate

The Communication was read and ordered placed on file.

Passed to Be Enacted

An Act relating to Salaries of County Officials and Clerk Hire (S. P. 491) (L. D. 1369)

Was 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.

House at Ease

Called to order by the Speaker.

On motion of Mr. Wade of Auburn,

Recessed until the sound of the gong.

After Recess

3:40 P. M.

The House was called to order by the Speaker.

Order Out of Order

Mrs. Harrington of Patten, presented the following Order and moved its passage:

ORDERED, the Senate concurring, that the Legislative Research Committee be, and hereby is, authorized and directed to study that part of the State welfare program relating to the administration of the Aid to Dependent Children to determine to what extent the present program meets existing legal and social requirements and to what extent the recipient is aided by the program; and be it further

ORDERED, that the committee report the results of its findings to the 100th Legislature. (H. P. 984)

The Order received passage and was sent up for concurrence.

The SPEAKER: At this time the Chair would announce the appointment to fill a vacancy on the Committee to study the relocation of the State School for Boys, and to that place on the Committee the Chair will appoint the gentleman from Scarborough, Mr. Clark.

Conference Committee Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act Repealing the Two Inch Clam Law" (H. P. 177) (L. D. 248) reporting that the House recede from its action whereby the Bill was passed to be engrossed as amended by Committee Amendment "A", reconsider adoption of Committee Amendment "A", indefinitely postpone Committee Amendment "A", adopt Conference Committee Amendment "A" and pass the Bill to be engrossed as amended by Conference Committee Amendment "A"; that the Senate recede from indefinite postponement, accept the Report of the Committee reporting "Ought to pass" as amended by Committee Amendment "A", indefinitely postpone Committee Amendment "A", adopt Conference Committee Amendment "A" and pass the Bill to be engrossed as amended by Conference Committee Amendment "A" in concurrence.

(Signed)

WINCHENPAW

of Friendship

DENNISON of East Machias

— Committee on part of House.

WYMAN of Washington

COLE of Waldo

MARTIN of Kennebec

— Committee on part of Senate.

Report was read.

The SPEAKER: The Chair recognizes the gentleman from Lubec, Mr. Pike.

Mr. PIKE: Mr. Speaker, this is a small object to be taken up at this time, and I can't think it ought to be allowed to stand in the way of the more important business we have this last day. I move we accept the Committee Report.

The SPEAKER: The question before the House is the motion of the

gentleman from Lubec, Mr. Pike, that the House accept the Committee Report.

The Chair recognizes the gentleman from Southport, Mr. Rankin.

Mr. RANKIN: Mr. Speaker, Ladies and Gentlemen: The name which you do not see is mine. I wanted the repeal of the Two Inch Clam Law, and it was upon my urging that the gentleman from Friendship, Mr. Winchenpaw, sponsored the bill. We have been working on this bill for about ten days in the Committee of Conference. I assume that when we repeal a law, we repeal it with no strings attached, and if the next Legislature feels that the repeal was unwise, it is their duty in their wisdom to once again put the law on the books. Now, if you will read filing amendment number 11 on the reverse side, section 3, the effective date has been changed from June 1, 1960 to March 1, 1960. If you will remember, we agreed in the House, after the bill had been sent back to Committee, that we should give time for those towns that wished to keep the law on the books an opportunity at their town meetings to keep it there. We have just found that we cannot use the date June 1, 1960 because the town meetings would have nothing to work on, so the date has been changed to March 1, 1960, and I have no argument with that. However, the rest of the sentence says: and shall remain in effect until January 1, 1962. In other words, the clam digger from the first of March, 1960 until January 31, 1961 can dig any size clam. If he digs above ten per cent of clams measuring less than two inches on the first day of January, 1960, he will be arrested and fined. What would happen? They will want to know why the law still is not in effect. There will be no Legislature meeting in 1962. I think it will cause the utmost of confusion.

If this is a good bill, a good repeal, I say it should stay on the books until such time as a Legislature decides it should once again be in effect, but the way it is written now, I consider it the poorest kind of legislation and Lord knows there is no one in this House that wanted the repeal of the two inch clam law more than I did,

but if we can't take the bill off the books and leave it off the books until some later date, I think, well, we don't think much of the Legislatures that will follow. I now move that we of the House reject the Committee Report.

The SPEAKER: The Chair must advise the gentleman from Southport that the pending question is the motion of the gentleman from Lubec, Mr. Pike, that the House accept the Committee Report.

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

Mr. WINCHENPAW: Mr. Speaker and Ladies and Gentlemen of the House: This is not an unusual procedure because in 1957, I think it was, we changed the lobster law. We changed the short lobster law to take effect on January 1, 1958, and we also added a provision in that law that is still in force that the five inch measure, a large lobster now can be five and three-sixteenths inches, but come January 1, 1960, a large lobster legal size can no longer be five and three-sixteenths inches, it drops back to five inches, and I am very much pleased with this. We have kept this alive all winter, and I was afraid it was going to die by the final adjournment of this House, and I move that we accept the motion made by the gentleman from Lubec, Mr. Pike, and when the vote is taken, I request a division.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Lubec, Mr. Pike, that the House accept the Conference Committee Report. A division has been requested.

Will those who favor the acceptance of the Report please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Eighty-three having voted in the affirmative and twenty-six having voted in the negative, the motion did prevail.

Thereupon, the House voted to recede from its action whereby the Bill was passed to be engrossed as amended by Committee Amendment "A", to reconsider the adoption of Committee Amendment "A", to indefinitely postpone Committee

Amendment "A", to adopt Conference Committee Amendment "A" and to pass the bill to be engrossed as amended by Conference Committee Amendment "A". Sent up for concurrence.

The following Communication was taken up out of order and under suspension of the rules:

STATE OF MAINE
SENATE CHAMBER

June 12, 1959

Hon. Harvey R. Pease
Clerk of the House
99th Legislature
Sir:

The President of the Senate today appointed Senator Wilmot Dow of Lincoln County to serve on the Atlantic States Marine Fisheries Commission.

Respectfully,

(Signed)

CHESTER T. WINSLOW
Secretary of the Senate

The Communication was read and ordered placed on file.

The SPEAKER: The Chair has been advised that the House will receive a request for a Joint Convention at approximately four o'clock. Until that time the House may be at ease, but please be in your seats at four o'clock.

House at Ease

Called to order by the Speaker.

At this point, a message came from the Senate borne by Secretary Winslow of that body proposing a convention of both branches of the Legislature to be held forthwith in the Hall of the House for the purpose of inviting His Excellency, Governor Clinton A. Clauson, to attend and address the Convention.

The House voted to concur in the proposal for a joint convention and the Clerk was instructed to convey the message to the Senate.

House at Ease

Called to order by the Speaker.

The Clerk subsequently reported that he had discharged the duty assigned him.

At this point, the Senate entered the Hall of the House and a Joint Convention was formed.

In Convention

The President of the Senate, Honorable John H. Reed, assumed the Chair and called the Convention to order.

On motion of Mr. Lessard of Androscoggin,

ORDERED, that a Committee of ten be appointed to wait upon His Excellency, Governor Clinton A. Clauson, and inform him that the two branches of the Legislature are in convention assembled in the Hall of the House of Representatives, and to extend to him an invitation to attend and to address to the Convention such remarks as he may be pleased to make.

The Chairman appointed as members of such Committee:

Senators:

LESSARD of Androscoggin

HILLMAN of Penobscot

Representatives:

WADE of Auburn

EMMONS of Kennebunk

CORMIER of Rumford

PLANTE

of Old Orchard Beach

KNIGHT of Rockland

EARLES of So. Portland

JALBERT of Lewiston

Convention at Ease

Called to order by the Chairman.

Mr. Lessard for the Committee subsequently reported that the Committee had attended to the duty assigned it, and that the Governor would forthwith attend the Convention.

Whereupon, His Excellency, Governor Clinton A. Clauson entered the Hall of the House of Representatives amid prolonged applause, the audience rising.

The CHAIRMAN: It is a real pleasure for me as Chairman of this Joint Convention to welcome to the Convention, the Chief Executive, His Excellency, the Governor of the State of Maine, Governor Clinton A. Clauson. We are very pleased to welcome Governor Clauson here this afternoon, and without further comment it is a real pleasure for me

to present to you the Chief Executive of the State of Maine, the Honorable Clinton A. Clauson. (Prolonged applause, Convention rising) Governor Clauson then addressed the Convention as follows:

Mr. President, Ladies and Gentlemen of the 99th Legislature:

The Legislature has been in session for 23 weeks and now appears to be nearing adjournment. Considerable confusion has arisen at this critical time and I believe it is timely for me to appear before you once again in joint session to state my views in an attempt to be helpful to you in your deliberations.

The program which I outlined to you last January 8th must be extremely familiar to you after 23 weeks so I do not think there is any necessity for me to go into its details again. I believed the program to be sound when I presented it to you and I believe it to be sound today. It appears to have won general acceptance among the people of the state.

However, at this late date in the legislative session a possibility has emerged that the Legislature might not approve a tax measure. In order to be helpful, I think I should describe to you what will be the results if no tax measure is passed.

More than one-million dollars in bills and resolves are pending final action in the Senate. These measures have been deemed worthy by the Legislature. If a tax measure is not passed in these closing meetings, those bills and resolves — and all the work that brought them to the stage of final action — will go down the drain.

Shortly, there will be placed upon the desk of each legislator an itemized tabulation showing the supplemental items and legislative documents that of necessity, for the lack of a tax measure, would be killed.

Word has come to me that a plan has been proposed whereby the estimates of revenue might be increased above those which the best state tax advice tells me is sound. I want to make it very clear that I am opposed to arbitrarily increasing estimates of revenue as a matter of convenience to pass any program.

In my opinion, such an approach would be complete fiscal irresponsibility.

I have told you that a tabulation will be on your desks shortly to show you what must go if there is no tax. I should like to mention just a few of those items now.

1. There would not be money to implement formation of some 20 school district bills either pending or signed.

2. I shall be disappointed if money is not found in a legitimate manner to provide what I believe to be reasonable requests upon the part of our State Personnel Department and state employees to provide a salary adjustment.

3. The tax study which I have recommended will be at stake, a study which I have hoped will provide answers in the future to the tax problems of not only the state government but of local governments also.

4. Funds would not be available to give additional monies to the University of Maine.

5. An Act creating Urban Renewal Authorities could not be financed.

6. A salary adjustment for teachers at our teacher colleges and addition of some needed teacher positions at those colleges could not be provided.

7. Provisions for expanding our mental health program would die.

8. Provision in the ensuing biennium to retire a general fund bond issue for construction purposes could not be made.

There are many, many more such items that could not be finally passed under a no-tax program. You will see them all before you when the tabulation being prepared is placed upon your desks. I recommend them to your close attention.

I appreciate this opportunity to appear before you. I know that we are all interested in good government and that we are all here to serve the best interests of all the people of our State.

I am confident that your final decisions will follow that philosophy. Thank you. (Applause)

At this point, the Governor withdrew amid the prolonged applause of the Convention, the audience rising.

The CHAIRMAN: By unanimous consent, we have a very important occasion to take place during the remainder of this Joint Session, and to handle this particular ceremony, I am happy to turn the rostrum over to the Speaker of the House, the Honorable Joseph Edgar. (Applause, audience rising)

Whereupon, Hon. Joseph T. Edgar, Speaker of the House, assumed the Chair as Chairman of the Convention.

At this point, Hon. Harvey R. Pease, Clerk of the House, entered the Hall of the House amid prolonged applause, the audience rising.

The CHAIRMAN: Ladies and Gentlemen of this Joint Convention: As Speaker of this House, I have on more than a few occasions had the opportunity to perform some pleasurable duties as Speaker. Today, I have the opportunity to perform a function that probably surpasses any of the others in pleasure and sincerity.

As you all know, the Honorable Harvey Pease, the venerable Clerk of this House, is about to embark on a new venture, and without in any way trying to be facetious or funny, because it comes from the bottom of the hearts of every one of us here, I want to tell you, Harvey Pease, that the members of the Senate and the members of the House, the members of the Third House, and everyone I know within the reach of my voice wants to extend to the future Mrs. Pease the utmost in happiness and to you our heartfelt and most sincere congratulations. And to make the evidence of those wishes a bit more concrete, it gives me a great deal of pleasure to present to you and the future Mrs. Pease, this token of our affection and our sincere good wishes.

Whereupon, Mr. Pease was presented a chest of silverware.

Mr. PEASE: Mr. Speaker, President of the Senate, the Senate, the House, and the Third House: I think that you are setting a precedent here in this Joint Convention. Now there may be other precedents that you are establishing, but I am heartily in favor of this one. I guess I am probably too tired to be witty, but I am not too tired to be happy. This job that I have has a few

compensations and this is one of them, of course. This chest of silver is beautiful.

Now for just two or three minutes I am going to speak for the future Mrs. Pease. She, not being here, can't object, and I am sure I can't tell you whether beginning tomorrow I'll speak for her or whether she will speak for herself all the time. I know she would want me to express to you her sincere, heartfelt thanks for this gift. I know that if she could be here, she would express to you the regrets that she has had all through these winter weeks and these beautiful spring weeks also, that she has been unable to visit the Maine Legislature. Incidentally, I might say that she has been very much interested in legislative procedure because she was the Director of the 1948 model legislature that was conducted by the Maine State Teachers Association. I am sure she is going to be very, very happy at receiving this chest of silver, and I am sure I am also very, very happy.

I am happy to be with the Maine Legislature whether I received a gift or not, but I have been wondering when you could go home. I have seen this box around. It has been around a week perhaps, and I don't know why you kept it so long because you certainly weren't going to be permitted to go home until the box changed hands. Now, if everything goes right, at least the way I have planned it, you are going to start for home in not too many hours. You have done about all that you need to do, as far as I am concerned, so I am going to let you go home.

But to be serious, I am sure that down through the years, as this chest and the contents adorn the Pease home, both Mrs. Pease and myself will be reminded of the kindness and generosity of the members of the House and Senate, the Third House Group, and the Lobby.

I just want to say that I thank you again on behalf of the future Mrs. Pease and myself.

The CHAIRMAN: The Chair might add that in view of the interest in legislative procedures as described as being possessed by the future Mrs. Pease, the Chair sincerely hopes that she will be able

to keep the members of her house in order. (Applause)

PRESIDENT REED: On behalf of the members of the Maine Senate, we certainly extend our very hearty congratulations to our very good friend, the Honorable Clerk of the House, Harvey, and of course to the Honorable Speaker, Joe Edgar, for keeping us in mind so that the Senate could be in on this very memorable occasion.

The purpose for which the Convention was assembled having been accomplished, the Chairman declared the same dissolved, and the Senate retired to its Chamber.

In the House

The House was called to order by the Speaker.

The SPEAKER: The House will be at ease for ten minutes.

House at Ease

The House was called to order by the Speaker.

The SPEAKER: The Chair will now lay before the House the first item of unfinished business, Bill "An Act Increasing Tax on Cigarettes," House Paper 78, Legislative Document 116, tabled on June 12 by the gentleman from Auburn, Mr. Wade, pending further consideration. In the House, this bill was indefinitely postponed. In the Senate, the Bill was substituted for the Report and passed to be engrossed.

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

Mr. WADE: Mr. Speaker, in line with the original action of the House on this bill and further discussions on it, I now move that the House adhere.

The SPEAKER: The gentleman from Auburn, Mr. Wade, moves that the House adhere to its previous action whereby it indefinitely postponed this bill.

The Chair recognizes the gentleman from Rumford, Miss Cormier.

Miss CORMIER: Mr. Speaker, very briefly, I would like to concur with the gentleman from Auburn, Mr. Wade.

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

Mr. COUSINS: Mr. Speaker, I am very much against this tax. It is an unfair tax. Right now you have a five cent tax, state tax, and you have an eight cent federal tax on cigarettes, thirteen cents a pack which with the price being from twenty-six to thirty cents a package is approximately one hundred per cent. The justification for the tax seems to be that it is on something that is not a necessity, and that is poor thinking because there are many other things that are not necessities. However, I am going to vote for the tax, in effect, against the motion of the gentleman from Auburn because at this point I am voting for the various things which we would have to cut out if we do not have a tax, and I just cannot do that, so I am voting for the tax, and I hate to do it.

The SPEAKER: The Chair recognizes the gentlewoman from Lebanon, Mrs. Hanson.

Mrs. HANSON: Mr. Speaker, I too am going to vote for this tax. I came here with no tax on my mind. Most of my constituents have said, above all things, no trade-in. Some have said, please no motels. Nobody has said, no cigarettes, so I have come to the conclusion we must have a tax. There are things which I can't see go down the drain, so I will vote for a cigarette tax.

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

Mr. BERMAN: Mr. Speaker, Ladies and Gentlemen of the House: I too am not in favor of any taxes, but I call to the House's attention the fact that this is one of the two remaining taxes that I believe are still alive. We all know the situation regarding motor vehicles. This may be a good compromise, and may be a good chance to get some of the L. D.'s through and go along to final adjournment. Before we defeat the tax, I request that everyone give it their close consideration, and when the vote is taken, I request a roll call.

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

Mr. KNIGHT: Mr. Speaker, in line with the thinking of the gentleman from Auburn, Mr. Berman, and also the gentleman from Bangor, Mr. Cousins, I too am not highly in favor of it, but I feel that it is a tax that the people can stand, and I believe the motion would be in order at this time to recede and concur and, if so, would make that motion.

The SPEAKER: The Chair understands the gentleman from Rockland, Mr. Knight, to move that the House recede and concur with the Senate whereby this Bill was substituted for the Report and the Bill passed to be engrossed.

The pending question is the motion of the gentleman from Rockland, Mr. Knight, that the House recede and concur with the Senate action which was to substitute the Bill for the Report.

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

Mrs. CHRISTIE: Mr. Speaker and Members of the House: My thinking has consistently been, since my coming here, that I would like to vote for no tax whatever. On the other hand, as I look over the picture, and have been told repeatedly that there are so many things that would be lost if we did not have a tax, I am about ready to yield to something, but we are discussing this tax, and this is one tax which I could go for. The other possibility, I could not. I do want to bring this thought to the House though, I read yesterday in an editorial, there is and must be, a relationship between taxes and ability to pay. There must be for industry a profit leeway. When your political expenses exceed the comfortable point, you are in industrial trouble. There is no magic exception to this, to be explained away by worthy politicians. No matter how glibly increased taxes are argued by the best dressed, and most likely to go places legislators in Augusta, you cannot get away from the plain truth, and I do feel that we should be very careful about taxation, but I would favor this rather than any other tax that I can think of at the present.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Lubec, Mr. Pike.

Mr. PIKE: Mr. Speaker, I was told that cigarette smoking was a bad habit as a boy. After having been an addict for some fifty years, I am beginning to think that was right. However, it does seem to me that for all that, let us say this is an unfair tax, as is of course the tax on liquor. I do think that this is a practical tax, and it is a tax that will stand up without much diminution of consumption of the article, if after all the last two or three years of scares, and they are not all scares. There is a connection between cigarette smoking and cancer. If this additional tax should serve to cut down the consumption of cigarettes, it will have served one worthy purpose although it may not bring in all the revenue. Personally, I don't believe it will. Frankly, this tax does not yield the revenue that seems to me may be necessary, and perhaps a cent and a half would be better than a cent. It would cost me another couple of cents a day probably, but as I say, for quite different reasons from Mrs. Christie, I would go along with the motion to recede and concur.

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

Mr. COUTURE: Mr. Speaker and Members of the House: I feel this is one of the most unfair taxes to give to the people of the State of Maine. I have heard people's mention of cigarettes to cancer; others the habit of smoking. I am going to ask three questions to the members of this House. What is the difference of a person in the habit of tobacco if he chooses to have chewing tobacco? Second question, what is the difference of a person smoking cigarettes, and one in the habit of smoking tobacco in a pipe instead of cigarettes? Third, what is the difference of being in the habit of using tobacco and smoking cigars? I would like to have any member of the House to answer these three questions, in the habit of smoking tobacco.

The SPEAKER: The Chair would inquire of the gentleman from Lewiston, Mr. Couture, whether he was addressing specific questions or

whether those were purely argumentative questions.

Mr. COUTURE: Yes, if anybody wishes to answer.

The SPEAKER: If anyone chooses to answer, they may.

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

Mr. COUTURE: If the question cannot be answered, when I claimed that this was the most unfair tax to tax the people of the State of Maine against, if you do remember a few years back that we had a statewide referendum to give a bonus to our veterans in the State of Maine, and they voted against it for the simple reason that they had to tax the cigarettes and they were to pay back the State anyway, but not long afterwards, the tax went on cigarettes without a bonus. The tax went on cigarettes as we go along as we did, the people operating motor vehicles on highways. Now, there is a move pending on this Floor over here now to go along and tax the cigarette smoker again. I am in the habit of smoking tobacco. It is rolled in paper. Others of you members in the House here are in the habit of smoking tobacco that is rolled with tobacco leaves. Others are in the habit of smoking tobacco in a pipe, and others are in the habit of chewing tobacco mixed with mixtures, including mixing with molasses.

Why are we taxing the people of the State of Maine only of those that they are rolled cigarettes with papers? Why? I felt that it was a most unfair tax to the cigarette smoker of the State because you are discriminating against the people using tobacco in the State, in the habit in the State of Maine, discriminated those people using tobacco rolled with paper shall be taxed, and those that don't will be tax exempt. I will heartily vote against this tax for that reason. Mr. Speaker, I have an amendment ready to attach to this if we are going to tax cigarette smokers that everybody should be taxed as equals, and not discriminated against whether they use it with paper, whether they use it with molasses, or whether they use it in their pipes, or whether they use it with tobacco leaves, and I certainly will fight

hard for this amendment because I feel if we are going to tax them, to tax them equal, and I am forced to vote against this tax.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Rockland, Mr. Knight, that the House recede and concur. The Chair will order a division.

The Chair recognizes the gentleman from Bath, Mr. Mayo.

Mr. MAYO: Mr. Speaker, I would request a roll call.

The SPEAKER: A roll call has been requested.

The Chair recognizes the gentleman from Sebago, Mr. Good.

Mr. GOOD: Mr. Speaker, would you kindly explain what the vote would mean if they should vote in the affirmative or in the negative?

The SPEAKER: The Chair will explain that the action of the other branch on this Bill was to substitute the Bill for the Report and pass it to be engrossed. If you vote in favor of the motion to recede and concur in substituting the Bill for the Report, and then giving the Bill its several readings and passing it to be engrossed, we will be in agreement with the other branch in effect that the Bill is favored. A roll call has been requested.

For the Chair to order a roll call, the Chair must have an expression of a desire for a roll call on the part of one-fifth of the members of the House.

Will those who desire a roll call please rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

The SPEAKER: Obviously a sufficient number having arisen, a roll call is ordered.

The Chair will state the question. The question before the House is the motion of the gentleman from Rockland, Mr. Knight, that the House recede and concur in the substitution of Bill "An Act Increasing Tax on Cigarettes," House Paper 78, Legislative Document 116, for the Report.

If you favor receding and concurring and substituting the Bill for the report, you will say "yes" when your name is called. If you are opposed, you will say "no."

The Clerk will call the roll.

ROLL CALL

YES — Baxter, Berman, Brown, Ellsworth; Christie, Clark, Cousins, Cox, Davis, Calais; Dean, Dodge, Emmons, Good, Hanson, Lebanon; Knight, Letourneau, Lindsay, Mathieson, Moore, Perry, Hampden; Pike, Walter, Whiting.

NO — Aliberti, Bacon, Baker, Barnett, Beane, Boone, Bragdon, Briggs, Brockway, Brown, Bangor; Brown, Cape Elizabeth; Cahill, Call, Caron, Caswell, Chapman, Gardiner; Chapman, Norway; Choate, Cormier, Cote, Couture, Coyne, Crockett, Curtis, Cyr, Augusta; Danes, Davis, Westbrook; Dennett, Dennison, Desmarais, Dostie, Dudley, Dufour, Dumaine, Dumais, Dunn, Earles, Edgerly, Edmunds, Edwards, Raymond; Edwards, Stockton Springs; Ervin, Frazier, Gallant, Graves, Hancock, Hanson, Bradford; Hardy, Harrington, Healy, Hendricks, Hendsbee, Hilton, Hobbs, Hodgkins, Hughes, Jacques, Jalbert, Jewell, Jewett, Johnson, Karkos, Kellam, Kennedy, Kilroy, Kinch, Lacharite, Lancaster, Lane, Lantagne, Lemelin, Linnell, Lowery, Maddox, Mathews, Maxwell, Mayo, Miller, Monroe, Morse, Nadeau, Parsons, Perry, Easton; Pert, Philbrick, Pitts, Plante, Porell, Prue, Rankin, Reed, Rollins, Rowe, Limerick; Rowe, Madawaska; Russell, Saunders, Smith, Exeter; Smith, Falmouth; Stanley, Storm, Tardiff, Treworgy, Trumbull, Turner, Wade, Walsh, Warren, Weston, Wheaton, Whitman, Williams, Winchenpaw, Young.

ABSENT — Carter, Carville, Cyr, Fort Kent; Dow, Doyle, Harris, Haughn, Heald, Hutchinson, Knapp, Lebel, Sanborn, Walls.

Yes 22; No 113; Absent 13.

The SPEAKER: Twenty-two having voted in the affirmative and one hundred and thirteen having voted in the negative, with thirteen being absent, the motion to recede and concur does not prevail.

The pending question now before the House is the motion of the gentleman from Auburn, Mr. Wade, that the House adhere to its previous action whereby it indefinitely postponed this Bill. Is this the pleasure of the House?

Does the gentleman from Auburn, Mr. Berman, still desire a roll call on the motion to adhere?

Mr. BERMAN: Mr. Speaker, I withdraw my motion.

The SPEAKER: The gentleman withdraws his motion. Is it the pleasure of the House that the House adhere?

The motion prevailed.

On motion of Mr. Wade of Auburn

Recessed until 7:30 o'clock this evening.

**After Recess
7:30 P. M.**

The House was called to order by the Speaker.

Conference Committee Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act to Clarify Procedure for Reorganization of School Administrative Units" (H. P. 981) (L. D. 1394) reporting that the House reconsider its action whereby Senate Amendment "A" was indefinitely postponed, adopt Senate Amendment "A" and pass the Bill to be engrossed as amended by Senate Amendment "A" in non-concurrence; and the Committee recommends that a special committee be created for the purpose of specifically studying the problems of school construction aid.

(Signed)

ERVIN of Houlton

FRAZIER of Lee

— Committee on part of House.

CHARLES of Cumberland

HILLMAN of Penobscot

LESSARD of Androscoggin

— Committee on part of Senate.

Report was read.

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

Mr. ERVIN: Mr. Speaker and Ladies and Gentlemen of the House: I think perhaps this Conference Report needs a little bit of explanation particularly with reference to the last sentence in this order, and that is the Committee recommends that a special committee be created for the purpose of specifically study-

ing the problem of school construction aid. This report that I signed, and I am speaking now personally for myself, was one of the hardest things that I have ever had to do in my two sessions of the Legislature, and I signed it with the greatest of reluctance, and I say that in all sincerity. I have felt for some time that there was considerable inequity in the Sinclair Act regarding school construction aid and, in my humble opinion, that one of them was the seven hundred resident pupil section, which to me was completely unfair for all of the rest of the towns in the State, not just the ones between three hundred and seven hundred, but to all of the towns. It was my humble opinion that every town should be put on the same basis as every other town, and the mere fact that you had seven hundred resident pupils did not entitle you to any more school construction aid than the school with three hundred, but in the interest of better education and the fact that we could lose the whole educational bill that we are trying to pass here tonight, I reluctantly signed the report.

The House members of this Conference Committee had three propositions. None of them were accepted, and they were hardly listened to. Their jaw was set, and you take what we say, or else, and as far as I was concerned, I could not take the "or else," because that meant \$700,000 that was to go to education would go right down the street and into the drain and out, and you would have been short \$700,000 more. I would now move that we accept the Conference Committee report.

The SPEAKER: The pending question is the motion of the gentleman from Houlton, Mr. Ervin, that the House accept the Committee report. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: Is it now the pleasure of the House to recede and concur?

The motion prevailed.

The SPEAKER: The Clerk will now take up an enactor which appears on supplement number four.

Emergency Measure Fails of Enactment

An Act relating to Sales Tax on Motor Vehicles Traded In (H. P. 179) (L. D. 250)

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

The SPEAKER: The pending question on this measure is the passage for enactment. This Bill, having had its three several readings in the House and having been passed to be engrossed, and having had its two several readings in the Senate and having been passed to be engrossed, and the Committee on Engrossed Bills having reported it as being truly and strictly engrossed, is it now the pleasure of the House that this Bill shall be passed to be enacted?

This being an emergency measure, it requires under the Constitution the approval of two-thirds of the House.

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

Mr. COUSINS: Mr. Speaker and Ladies and Gentlemen of the House: This is our last chance to enact a tax measure. This is it. This is down to the wire. We either do it on this one, or we don't, and I request a roll call vote.

The SPEAKER: The Chair has been requested to order a roll call. For the Chair to order a roll call, the Chair must have an expression of the desire for a roll call on the part of at least one-fifth of the members of the House.

Will those who desire a roll call please rise and remain standing until the monitors have made and returned the count.

Obviously more than one-fifth having arisen, a roll call is ordered.

The Chair recognizes the gentleman from Falmouth, Mrs. Smith.

Mrs. SMITH: Mr. Speaker, I am not aware that a motion is before the House. I did not understand the gentleman from Bangor, Mr. Cousins, to make a motion.

The SPEAKER: Mr. Cousins from Bangor did not make a motion, and the pending question is on the passage for enactment of this bill.

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

Mr. DUMAIS: Mr. Speaker and Members of the House: I have stood still just about as long as I can. It is about time that I blow off. I don't like the position that some of my friends have been urged to take in this matter. A few sessions back we had come back and taken this tax off. This tax means that we would tax possibly everybody that is of taxable age in this State about \$3.50. They will tell you that it is either this tax or no tax at all. Well, I wish to state to you that it is my belief that when they evaluated the budget and they boosted it up six per cent, they were totally wrong. Up to June first of this year approximately 52,000 people traded automobiles with the anticipation that this tax would go through and a sales strike would happen. Whereas a year ago approximately 28,000 people had traded automobiles. That difference alone would bring into this State, as near as I can estimate, between ten and ten and three-quarters per cent higher than we have estimated. In the Wall Street Journal of a week ago last Thursday, there was a question there that the clothes that had been ordered, going from automobiles to other items that you pay tax on, that the stores and practically all over New England, had sold their summer clothes at this early date, and I believe that we have been misled as to—that we would have to vote a tax here and go home.

I, for one, would like to attend one of these legislative sessions without a tax, and I certainly want to stand firm when I say to each and every member of this House that I think that when they are voting this automobile tax, we are taxing ourselves approximately, each and everyone of us, \$15.00 a year, with the exception of very few of us. I certainly don't agree with the concensus that has been passed saying that you have to vote a tax. I am not convinced of it until I have further proof than I have at present. I certainly hope that this House would not vote this tax on automobiles. I think it is an awful turn-about for the Democrats in this House to go and vote for this. I certainly think that they are not consistent with the way they have been thinking, and certainly

the Republicans should not vote for a tax like this, as I believe it was from their side that this tax was repealed, and it is no more popular now, rest assured, than it was a few terms ago, so I myself believe that we don't have to have a tax, and certainly not this one. I certainly would rather pay a penny a pack on cigarettes than I would to have somebody tap my pocketbook for \$15.00 in one shot. I think I would feel it a little less. I can give a penny, but when I come to give fifteen bucks, I am a little short too sometimes.

The SPEAKER: The Chair recognizes the gentleman from St. Albans, Mr. Hughes.

Mr. HUGHES: On the Senate Calendar today was the tax on transient rentals. I would like to ask a question. What is the condition of that tax now? Where is it and what action has been taken?

The SPEAKER: The Chair did not hear the gentleman's question. Would you repeat it please.

Mr. HUGHES: On the tax on transient rentals, it was on the Senate Calendar this morning. I would like to ask a question. Has any action been taken on it, or where is it at the present time? If anybody could answer that.

The SPEAKER: The gentleman from St. Albans, Mr. Hughes, has addressed a question through the Chair to anyone who may answer if he chooses.

Mr. JALBERT of Lewiston: Before I speak on this measure, I could answer the question.

The SPEAKER: The Chair will recognize the gentleman if he is rising to answer the gentleman's question.

Mr. JALBERT: It is on the table on the other side of the alley.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, states that that measure is still on the table in the other branch.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I might also state that it will be a long ways before it comes over here. I might also state after the fact the gentleman from Lewiston, Mr. Dumais, in his closing remarks said that "I would rather vote for a penny on

cigarettes," before adjournment to-night, he had a chance to, according to the tally sheet, he voted "no" against a penny on cigarettes, but that is aside and I don't know if I should waste my time even in stating it, but I have to get it in.

Now wherein it concerns this bill itself, there has been a great deal of conjecture wherein it concerns the fact that we did not need a tax, that we could operate out of estimates that could be stepped up in our various departments. I have here a memo signed by the Commissioner of Finance sent on to the Executive Branch, and I will read it: "In accordance with your request, Mr. Ernest H. Johnson, State Tax Assessor, has reviewed the major revenue estimates for the next biennium of both the general fund and highway fund administered by the Bureau of Taxation, and finds no basis on which to make any further revision of such estimates either upwards or downwards." It is to be recalled that the estimate on cigarettes was since then stepped up. It is also to be recalled that in the estimates wherein it concerns revenues, a general three per cent increase was included for the first year of the biennium, and a six per cent increase was included for the second year of the biennium.

Now wherein it concerns these sheets that were distributed upon our desks, the total figure of these sheets amounts to \$3,441,146.69, based on the premise, if we would look at the other sheet, that the surplus is gone, if we do not have a tax, it would leave us \$709,334 of money to play with. Should a bond issue be passed, the amount to retire the bonds would be \$317,000, subtracting that without having a tax from \$709,334, it would leave us \$392,000 to play with \$3,441,169. In other words, no tax, this goes into file 13. Now those are the cold, hard, turkey facts. If you will look at all these sheets and see all the names behind them, you will see that unless we have money in the form of taxation, which is as displeasing to me as to any other member of this branch, you will find, again I repeat, the cold facts that these are dead, also the supplemental budget which includes in it other pet projects, old age assistance, mentally

retarded, added educational subsidies, surveys, studies, additional increases of salaries for our state teachers' colleges, and I could go on and on.

Now some will tell you that the estimates should be revised. They have been revised, and we have been told by at least those that we should believe, both in the Finance Office and State Tax Assessor's Office, that it cannot be raised or tampered with up or down, and if we do not have a tax that would yield three and a half million dollars, then this package becomes a grab bag to the tune of one million dollars. It may be your project. It can't be mine, because the only measure that I put into this Legislature that called for money was one, in my opinion, a project that you people are all close to, vocational training, and because of lack of the funds, I withdrew it from the Appropriations Committee, and took my lesson gracefully. Outside of that, my name does not appear on any of these at all. Those are the facts. I don't think we should spend an additional week or hours thrashing it out, and Mr. Speaker, I certainly hope that this measure will have final enactment so that you people can give to your people in your areas the services that they want, and so that we can give to the people of Maine the services that they deserve.

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

Mr. WADE: Mr. Speaker and Members of the House: Because I still believe that this tax is the right answer to our tax problem, I am going to repeat some of the things I said about it back on May 27. "Months before we came here last January the executive branch in the persons of the then Governor-elect and his assistants had carefully canvassed the available major sources of new revenue and they had decided, and I believe correctly, that this tax was the least objectionable of the available sources of revenue." Quote further, I said: "It is obvious that if we are going to do the things in the supplemental budget, and there is general agreement that these things are necessary, and if we are going

to have the money to enact a reasonable number of other worthwhile L. D.'s, and if we are going to provide the money to service a capital construction bond issue during the next biennium, we must have a substantial amount of new revenue.

"The Republican leadership in this House believes that this measure should be enacted to provide that revenue — so, and although we Republicans don't like taxes, and although the Democratic members of this House don't like taxes, and although I am sure that the executive branch of this government doesn't like to recommend new taxes," this was in connection with the Majority Report, "I move the acceptance of the Majority Report," and I went on to say that "I hope that it will go on to enactment on a bi-partisan basis which is the only basis upon which any bill that needs an emergency clause can be enacted in this Legislature."

I repeat, I hope this bill will go on to enactment tonight.

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

Mr. PHILBRICK: Mr. Speaker, I think we should be eternally grateful to the Governor for bringing to our attention these various L. D.'s and itemizing them in such a fashion that we can see just exactly what they do entail. To my way of thinking, there is nothing more important than having an L. D. which refers to an act increasing taxes on cigarettes \$11,150 and we have just killed it; an act relating to tax on transient rentals \$30,904 for one year and \$29,467 for the next year. Another extremely important item, an act to reactivate the State Committee on Education on Television \$14,000 one year, \$26,000 the next year. I can go on and on down that list, and I find very little to upset me if we should lose them. My! May I also say we have found tonight that one Democrat was forced to attack another Democrat, brother against brother you might say, and I am rather, I won't say rather, I am very unhappy that I must, in similar fashion, attack a very good friend of mine outside of politics, the gentleman from Bangor, Mr. Cousins, when he says we are under the wire on this tax.

This automobile tax was killed, yet we revived it. I would have let it rest in peace, but we have other taxes on the line. We can bring this one back if we must. I feel nothing urgent about voting for this tax to provide for these very dubious items. Thank you.

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

Mr. ROLLINS: Mr. Speaker, Members of this House: We have been here nearly six months, and now we are going to throw our work all away. This list of L. D.'s that lies in front of you are dead issues. That represents six months of hard work by this body, and if we kill this tax, we throw away six months' work for which the people of the State of Maine are certainly criticizing us even for the last two or three weeks for the longevity of this session. This is the tax that came out of the Taxation Committee nine to one. They heard the arguments for and against taxes, and of course if you have no faith in your Taxation Committee, you might as well not have one. Make one a house of the whole, but this is a program that this House should adopt, and otherwise we will be stagnated. We will be here two or three more weeks and still we will get nowhere. I trust that the tax is accepted.

The SPEAKER: Is the House ready for the question? The Chair will state the question which is on the passage for enactment of this measure.

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

Mr. DUMAIS: Mr. Speaker, Members of the House: Before this is put into a vote, I wanted everybody to have their say about it. I certainly for one am not convinced, and I know that a lot of others are not convinced in this House yet. This tax was killed. They will tell you the cigarette tax is dead. The transient tax is dead. This will be alive; this is the only tax. It is a great feat to stand up here when you don't pay taxes, and you don't own an automobile and say tax the suckers, but it is not so crazy when you have to go out and pay \$60 and \$80 every two years. Now, they will use all kinds of arguments. I

don't believe that this sheet that was distributed to us is just an ax to stand over our heads, and say either you vote this one or by George, your neck is going to be cut off. Well, I am all ready, and as the gentleman from Belfast said, if we have to stay three more weeks, I had just as soon stay three more weeks, and I don't believe that it is costing the State of Maine too very much to keep us here right now and give these things a fair shake. That is my opinion. When twenty-two per cent more automobiles are sold throughout the country, we certainly are in a better position financially than what we have been told. Incidentally, if some of you people here don't happen to know Ernest Johnson, he is the hardest man in the world to get the truth from that I ever saw, and therefore I hope that this tax goes down in defeat, and I certainly am of the opinion, not that I distrust the people that we are employing, but they certainly can do a good cover up job whenever you sit them into a corner and you want to get a question out of them, and I know that there are a lot of you in this House who are not sold yet on the idea that the true picture that we got is the truth.

I have been here three sessions, and every time that I have come in, they have always told me we've got about \$300,000 or \$500,000. A month later we've got \$2,000,000. Two months later we've got \$5,000,000. Three months later we've got \$7,000,000, and I remember one time that somebody gave me a job to go after this \$13,000,000 to pay the veterans a bonus. Only I was a freshman to find out that this money is earmarked for something else. I firmly believe in balancing the budget, and I think that we can balance it all right, and we certainly don't need this axe over our heads to tell us how to vote, and I know that I will go right down the line. If the people in my party don't think that I am doing the right thing, then it is up to them, but firmly my own conviction tells me that this tax is not needed.

The SPEAKER: Is the House ready for the question?

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

Mr. STANLEY: Mr. Speaker, and Ladies and Gentlemen: It is very seldom that my seatmate, Mr. Jalbert, and I agree on the same items. On this particular one, I agree entirely with what he has said. The gentleman has put the picture to us very frankly and very honestly. What has been laid before us are things that we have worked on for the last six months and they are bills which we have passed our opinion upon saying that these are the things that we think the people of Maine should have, and now we are not willing to come up with a tax measure to pay for it. That is as far as I will go on that. I think that everyone knows of my stand on this thing.

I would like to take this opportunity to protect a gentleman who cannot protect himself on the floor of the House, and that is the State Tax Assessor, Ernest Johnson. We are very fortunate to have a man of his capabilities and of his stature who is working for the salary that we pay our State employees. He has done an excellent job in my opinion. I have been here for three sessions, and I never have gone into a \$5,000,000 picture of surplus, or \$6,000,000 picture. I have not gone into the second stage, first stage, and I am not into orbit yet as the gentleman in back of me has been. Those figures are ridiculous as you all know, but they do make funny reading, so I will go along with my good friend, Mr. Jalbert from Lewiston. He has presented the picture, and I would hope that the legislators who are sitting here tonight would act in a very responsible position and pass this tax bill to pay for the things which they think the State should have.

The SPEAKER: The Chair recognizes the gentleman from Freeport, Mr. Crockett.

Mr. CROCKETT: Mr. Speaker and Ladies and Gentlemen of the House: I understand that our revenue for January, February, March, April, May is far ahead of any year we have had in the last twenty-five years. Now, they are our lean months in Maine, January, February, March, April, May. Now we are coming into a season where we

have all been talking about for the last five months about our tourist business. If we had 6.7 ahead of that, what can we expect between now and the fifteenth or the first of October? I don't go into a lengthy speech because I never do. I just want to give you some facts. What can you and I expect in the next three and four months? We can expect a grand upset — a rise in our income. Therefore, you and I know that we have got to come back here between now and the last of September or the first of October, and if we need any money then, you and I, the members of this Legislature, have a right to ask for any additional tax to run our government.

The SPEAKER: The Chair recognizes the gentleman from Southport, Mr. Rankin.

Mr. RANKIN: Mr. Speaker, I am glad that the gentleman from Freeport, Mr. Crockett, brought up the point of the summer business. It does bring in \$250,000,000 a year. We depend on it, but we have had a very dry spring. I believe in this last month the rainfall was three or four inches under normal. We may have a very wet summer, and on the seacoast and in the mountain resorts, rain keeps people away. I do not think it entirely proper to depend upon the summer tourist business because it does rest largely on the weather we have.

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

Mr. KELLAM: Mr. Speaker and Members of the House: We cannot possibly do the job that we were sent here to do without raising some more tax revenue. I believe that we should consider ourselves fortunate to have the opportunity to remove a present unfair discriminatory provision of the law rather than to have to pass a new tax measure, and we should take and remove this trade-in exemption.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Kennebunk, Mr. Emmons.

Mr. EMMONS: Mr. Speaker, I will be brief, but I would like to remind this House, perhaps I can't

quote the gentleman from Bangor because I have forgotten just the occasion on which he said this, it was in the last few days, but I am quite sure that he said that although our income, our revenue has been considerably greater in the last few months, it was still running about six per cent below the estimates. In other words, the estimates have been put up there pretty high. The gentleman from Freeport says we can come back here in three or four months, and we can do something about it. It is my understanding that if you come back in three or four months, you will have these forty-seven items in the supplemental budget, you will have forty-three more items in the L. D.'s which you will have to advertise again. You will have to have hearings again. You will have to go through that whole process and go through that whole expense, and the gentlemen in this House who are so strong for economy might consider this a little bit. There was an appropriation for this Legislature of \$566,000. We are running considerably over that now, figuring that estimate on a basis of twenty weeks, I would say that would be \$28,000 a week. We have run over two or three weeks. There is now probably an additional \$50,000 more of expense running over \$600,000, and I would guess, and this is certainly a guess, that your hearings for these L. D.'s and for your supplemental budget and the time that you have put in has cost us perhaps a third, and you are throwing that \$200,000 down the drain. You should remember also that when you have had these hearings, you have had a lot of people come in from all over the State. They have spent their time and money, and these L. D.'s in this supplemental budget are not going to be signed unless there is money provided, and the only way to provide that money is by taxes, a tax measure. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Freeport, Mr. Crockett.

Mr. CROCKETT: Mr. Speaker, I hate to differ with my assistant floor leader. I have been a pretty good member of the Party for a

good many years. However, I have in my thoughts my people back home. This is not a publicity stunt. I want you to know it. This tax, the auto trade-in tax, is the most unpopular tax that I have ever seen. It hits the man who needs an automobile to go to work to make a livelihood, and I am the last man in the world to give the pet projects to you and I who are here representing the people of Maine, and forgetting those people back home. I don't go for it.

The SPEAKER: Is the House ready for the question? The Chair will state the question, and remind the House that a roll call has been ordered. The question is on the passage for enactment of this measure. If you favor the enactment of this measure, you will say "yes" when your name is called; if you oppose the enactment of this measure, you will say "no" when your name is called.

The Clerk will call the roll.

ROLL CALL

YES — Aliberti, Bacon, Barnett, Baxter, Beane, Berman, Briggs, Cahill, Caron, Cormier, Cote, Cousins, Couture, Cox, Coyne, Cyr, Augusta; Davis, Westbrook; Dean, Dostie, Doyle, Dudley, Dufour, Earles, Edmunds, Edwards, Raymond; Emmons, Frazier, Gallant, Good, Graves, Hanson, Lebanon; Harrington, Healy, Hendricks, Hendsbee, Hilton, Hobbs, Jalbert, Jewett, Johnson, Karkos, Kellam, Kilroy, Kinch, Lacharite, Lancaster, Lane, Lantagne, Lemelin, Lowery, Mathieson, Maxwell, Miller, Morse, Nadeau, Perry, Easton; Perry, Hampden; Pert, Pike, Pitts, Plante, Porell, Prue, Rankin, Reed, Rollins, Rowe, Madawaska; Russell, Saunders, Smith, Exeter; Stanley, Storm, Tardiff, Treworgy, Wade, Warren, Wheaton.

NO — Baker, Boone, Bragdon, Brockway, Brown, Bangor; Brown, Cape Elizabeth; Brown, Ellsworth; Call, Caswell, Chapman, Gardiner; Chapman, Norway; Choate, Christie, Clark, Crockett, Curtis, Danes, Davis, Calais; Dennett, Dennison, Desmarais, Dodge, Dumaine, Dumais, Dunn, Edgerly, Edwards, Stockton Springs; Ervin, Hancock,

Hanson, Bradford; Hardy Hodgkins, Hughes, Jacques, Jewell, Kennedy, Knight, Letourneau, Lindsay, Linnell, Maddox, Mathews, Mayo, Monroe, Moore, Parsons, Philbrick, Rowe, Limerick; Smith, Falmouth; Trumbull, Turner, Walsh, Walter, Weston, Whiting, Whitman, Williams, Winchenpaw, Young.

ABSENT — Carter, Carville, Cyr, Fort Kent; Dow, Harris, Haughn, Heald, Hutchinson, Knapp, Lebel, Sanborn, Walls.

Yes 77, No 59, Absent 12.

The SPEAKER: Seventy-seven having voted in the affirmative and fifty-nine having voted in the negative, with twelve being absent, the bill fails of enactment not having obtained the necessary two-thirds.

On motion of Mr. Wade of Auburn,

Recessed until the sound of the gong.

After Recess 10:45 P. M.

The House was called to order by the Speaker.

The SPEAKER: Is there objection to suspending that part of Rule 26 which requires that no business shall be transacted in the House after 9:00 o'clock? The Chair hears none and it is so ordered.

The SPEAKER: Is there objection to taking up out of order the items appearing on supplement number seven? The Chair hears none and the Clerk will proceed.

Paper from the Senate Non-Concurrent Matter

An Act relating to Tax on Transient Rentals (H. P. 962) (L. D. 1364) which was indefinitely postponed on its passage to be enacted in the House on June 12.

Came from the Senate passed to be enacted and signed by the President.

In the House:

The SPEAKER: The pending question is to recede and pass this bill to be enacted in concurrence.

The Chair recognizes the gentleman from Sebago, Mr. Good.

Mr. GOOD: Mr. Speaker, Ladies and Gentlemen of the House: I

rise in opposition to the passage of this tax, a tax on transient rentals. There is a little more to this particular bill than the name would imply. I would like to clear my records, however, on my voting on taxes. I have this afternoon voted in the interest of the welfare of the State to provide a program that I feel that this State needs, for a cigarette tax which has been defeated in this House. I have voted for automobile trade-in tax which has also been defeated in this House. I voted on both of those measures in the interest of good government, and producing under this Legislature a program that I felt was for the benefit of the citizens of this State.

On the same basis I also oppose the passage of the bill now before us. As I have pointed out several times before, you are bringing in an entirely new group of people to pay a tax under an existing law. Now, the cost of administering the cigarette tax has been estimated to be only \$11,152, but the cost of the transient rental tax, due to the fact that it is going to make it necessary for the investigators and the inspectors from the tax division to visit an entirely new set of taxpayers, the cost of administering this particular tax is not \$11,150 but \$60,371.

Now, I oppose this tax for several reasons. First of all, I believe that it would be a hindrance to the economy of a group of people engaged in the summer business who depend for a livelihood on the business for about nine weeks out of the year, and as the gentleman from Southport, Mr. Rankin, pointed out earlier in the day, it may rain some of those weeks during the summer, and therefore, their income will be further decreased. Now this tax goes right down to the little fellow. You take—it imposes a tax on the transients who are staying at an establishment which has four or less rooms. Now, let us take a little bit of mathematics, and let us say that a lady or a man has a small home and they are renting four rooms, and let us say they are getting \$10 a week for the rooms, which you know is very, very high. That is a total of \$40. Now the tax on that

would be at three per cent \$1.20. Now you want the person who is handling an establishment this small to fill out the papers and mail the forms for \$1.20 to the State. I think you will find that your sales tax today is usually on a business which is doing a far greater gross business than this particular tax would hit.

I could point out many other reasons why that I oppose this particular tax. For instance, it does not apply to apartment houses. That I do not know why. You aren't exempt from the payment of this tax if you are in the State for the first ninety days. That is, you have to pay the tax for the first ninety days. After the first ninety days, then the tax does not have to be paid. However, someone could stay at one establishment for sixty days and another establishment for another sixty days, and so on and so forth, and never be subject to the tax. For this reason, and particularly for the cost of administration of the tax, and for the harm that I feel that it would do a business which only has eight or nine weeks to do business in, I oppose the passage of this bill. Now this sort of a tax might be well in Florida where they do business for eight or nine months out of the year, or even in New York City where they do a convention business twelve months out of the year, but when you pick on the State of Maine where your transient rental business is only eight or nine weeks, you are getting into an entirely different situation, and for those reasons, and not to prolong the debate any longer, I oppose the bill which is now before you.

The SPEAKER: The Chair recognizes the gentleman from Freeport, Mr. Crockett.

Mr. CROCKETT: Mr. Speaker, I have heard the wonderful oration that my friend gave from my County, Sebago Lake that he represents. This is a tax on the people that come into the State of Maine, not a tax the people themselves have to pay. For instance, let me give it to you what happens. We, in the State of Maine, gave the finest coastline, the finest range of mountains that you and I in this Legislature gave the name to in this session,

the Longfellow Mountains. Are we as legislators going to be sold down the river because we will not allow our State of Maine to be subsidized? I say this, that we should protect our State morning, noon and night, which we do, and I am quitting.

The SPEAKER: The Chair recognizes the gentleman from Pittsfield, Mr. Baxter.

Mr. BAXTER: Mr. Speaker, Ladies and Gentlemen of the House: it seems we have come to the wire again. I think the gentleman from Sebago, Mr. Good, has actually made an excellent case for this tax, except that he feels that he must protect a certain industry and perhaps a certain area. Mr. Good has said that he has been voting for taxes consistently all though this tax voting roundelay that we have had, and he voted for it because he felt that some tax was necessary for good government. Now, he evidently feels that the weight of evidence against this particular tax outweighs the necessity for good government. I think I agree with the gentleman from Sebago that a tax is necessary for good government. We have before us the sheet which lists the L. D.'s which we have enacted, and which are laying upon the table in the other branch. They add up to 3.4 million dollars, and we know that this tax will not raise that much, and for those of you who think that the 3.4 million is high and that there are things in here that should be cut, I would say it looks as though there would be a million dollars that would have to be cut out even with the passage of this tax.

Now, we also have the problem of the general fund bond issue, the service money for which is included in the outlines on the blue sheet. Nobody has yet told me how, if we pass no tax, we are to pass the general fund bond issue. As you know, I have supported the bond issue very reluctantly as time has gone on, but I have compromised for the same reason as Mr. Good has spoken of, and that is I felt that perhaps it was inevitable for good government, and in the bond issue we have over a million dollars, nearly two million dollars' worth of teachers' college buildings. We have the Maritime Academy.

We have \$900,000 at the University of Maine. We have a lot of things in there that it seems to me we need.

As reluctant as I was to bond the general fund debt, I felt we needed them and that the requirements of good government were overriding enough so that I would have to swallow my objections and go along with them. I feel the same way about taxes as every legislator does. Taxes are a legislator's burden like the white man's burden. If good government requires them it seems to me that we have to shoulder them. If those legislators who have come before us had refused to face the issue of raising taxes, knowing as we do that taxes are unpopular, you send a tax to the people and they will vote against it. Nobody wants to be taxed. The people who are affected always object to taxes, but still somehow we must keep the state going, we must provide certain services and buildings that we feel are necessary and therefore there frequently comes a time when despite the unpopularity in any particular area of any particular tax we have to enact one. I feel and I have felt in all the caucuses and all the times that these taxes have been before us that this particular tax best suited our needs. I think it is the least obnoxious to the electorate. I think it raises nearest the amount of money we need.

We were given a sheet some time ago with three programs on it, one three and a half million, one two and a half million and one with no tax, and the two and one-half million tax program seemed to me to be a compromise that would give us what we could go back to the people with and justify the tax money, that the tax bill we passed would raise the money to pay for it. Included in this is the half million dollars for the University of Maine operating funds which I believe is quite necessary. I do hope when the vote is taken on this tax that it will be enacted. I understand it has already enjoyed considerable support in a great many corners this evening and when this comes up for a vote let's at least come to the wire and get the horse's nose across and take back to the people

a reasonable and conservative spending program and also incidentally adjourn this session. Thank you.

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

Miss CORMIER: Mr. Speaker and Members of the House: In January the Democratic Party came out with its program. We felt at the time that the economy of the state would not warrant a major tax. However, we felt we must continue current services and that in the field of education and other fields we had to go a little beyond current services.

Upon examining various avenues of taxation, we determined that the exemption of the trade-ins to the sales tax was to us the most equitable and the one we wanted to endorse. We felt it was a tax that never should have been taken off or an exemption that never should have been removed from the sales tax. We were so sure it was the tax necessary to carry out our program that we were willing to assume full responsibility for its being enacted. However, even though we are a growing party we didn't have the necessary votes to pass it through this House.

The work we have done this winter has accumulated in the form of L. D.'s many of which are very worthy and are for services for the best interest of the people of this State. They now lie on the table in the other end of the corridor, and feeling that as responsible legislators we have a definite responsibility to our constituents and to the citizens of this State to carry out in the last moments of this session the work that we have done. We now feel that we cannot be obstructionists, and as much as we of the Party dislike this transient tax, we feel now that we have a responsibility of facing up to the work that we have done and to the needs and services of this State, and therefore it is with reluctance that we are going along with the transient tax tonight. Again I speak as a Party, we do not like it, but since we do not have the necessary votes to carry out the program which we would like, we feel that our duty now is to accept or to salvage what

we can of this program, and consequently we are going along with the transient tax.

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

Mr. CASWELL: Mr. Speaker and Ladies and Gentlemen of the House: I find myself a little bit confused, as I frequently am, in looking over this tabulation of the needed L.D.'s that will be lost which total three million, four, roughly. I don't see on the third page of this, I can't quite understand, I assume that these figures are in the total. Down at pretty near the bottom of the page, the cost I assume is to be of the administration of the tax on transient rentals which we have not as yet passed which would be roughly \$60,000, also the cost of an act increasing the tax on cigarettes of \$11,150. It leads me, I haven't found yet the cost of administering the tax on automobile trade-ins, I don't know whether it is in here or not, but I can't quite understand why those figures are added into the necessary expenses that we are going to need to meet the shortage that appears to be the difference between the budget and the amount that we have raised. That actually leads me to wonder if there aren't other things in this thing that are either entered in twice or are unnecessary.

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

Mr. COUSINS: Mr. Speaker and Ladies and Gentlemen of the House: Again I am up supporting a tax, which I do not like to do. However, I cannot in good conscience go home knowing that I have voted against the one half million dollars that we still have left for the University of Maine for operating expenses, and if we do not pass the tax that will go. I can't vote against the \$909,000 for the renovations to Wingate Hall and the College of Education Building and contingencies at the University of Maine, and if we do not pass a tax, those will go. I can't go against Farmington State Teachers' College, the Fort Kent State Normal School, Gorham State Teachers' College and the Maine Vocational Technical Institute. They have large sums of money for vari-

ous buildings, and if we do not pass a tax, those will go. I can't go against a small sum like \$5,000 for an executive secretary for the Highway Safety Committee, and if we do not have a tax, that will go, and there are many other bills listed on this sheet that we just won't have unless we have a tax.

It seems to me that if we are going to be responsible legislators, we must have a tax. That being so, I voted for the cigarette tax. I voted for the trade-in tax, and I will vote for this transient rental tax. I like the transient rental tax. I didn't like the cigarette tax. The transient rental tax is a good tax. It is not an unpopular tax. When we had our hearing before the Tax Committee, there were a number of people who appeared against the tax, but they were all people in the business of renting rooms of one sort or the other. We did not have any outpouring of sentiment from the public in any way, shape, or manner. I have spoken to a number of groups during the course of this Legislature, and in no instance have I come up against any kind of opposition to the transient rental tax.

We have heard much in previous debate about the poor, little old lady who has a home and she rents out a room or two, and you know now from the debate that has gone before that there is a four unit basis in this bill. Unless there are four units or over, they are not liable to the tax. There is a ninety day basis in the bill. If they stay in any particular place for ninety days or more, they do not pay the tax. The State of Vermont has recently passed this tax. The City of New York has this tax. The City of New York has a five per cent transient rental tax. They have been considering a ten per cent transient rental tax. I did not know there was a transient rental tax in the City of New York, and I have stayed there many, many times in hotels for the simple reason that, like everybody else, when I get a hotel bill, I look at it and I see room, and miscellaneous and phone calls, and whether there is a tax or not, I don't know. It is a painless tax, which really isn't a reason for a tax, but it makes it more palatable. We have so much at

stake that we must have a tax, and I certainly am going to go along with this, and I hope that the tax does prevail.

The SPEAKER: The Chair recognizes the gentleman from Enfield, Mr. Dudley.

Mr. DUDLEY: Mr. Speaker and Members of the House: I find myself in more or less of a peculiar position. I am going to vote for the transient rental tax because of the fact that we do need so many of these L. D.'s. I am opposed to the tax for several reasons, and three of them being: First of all, I think we are departing from a tax on sales. Now we are getting into a tax on services. Now this could very well be a tax on an electrician, or a plumber, or an undertaker or any other service, because we are departing now from a sales tax to a tax on a service, and I am a little concerned and worried we might say on who is going to cut the pie. I am afraid these are going to be cut in the other end of the hall. This, I would like to take part in. This is another thing that I wish that I had some control over. However, I intend to vote for this tax because it is better than none at all.

The SPEAKER: The Chair recognizes the gentleman from Lubec, Mr. Pike.

Mr. PIKE: Mr. Speaker, we all know the situation on taxes. There seems to be some feeling that the Lord will provide if we don't have any taxes. That one I go back to the old maxim that "The Lord helps him who helps himself." I think we ought to do the very best we can to keep this State on an even financial keel. I think we ought to have a tax. Again on that basis, I voted for the cigarette tax although I am an addict of long standing. I voted for the trade-in tax, and I shall vote for this tax. I have been trying to analyze the objections to see what weight they had. Now, there is objection to any tax. There is a valid objection by the people, particularly if they have not had to pay any taxes before, and there is an objection to an additional tax to one already imposed.

Now the first objection which has been mentioned several times is that it's a tax on a service. It is a

tax on the sale of a service. Whether that is just quibbling with words or not, I don't know. I don't believe that objection has any valid weight. The other one is that it is a nuisance to collect. It is hard on folks who have to, not pay it but collect it from the people who do pay it. This is not a tax on the hotel, motel owner. It is a tax on the people who use their facilities, and I think most of you will recognize that in practically all hotels, and in some motels, they are already collecting service taxes on the stuff they sell at their counter and on their meals, and they already have the machinery set up in their accounting systems or their bookkeeping to arrange for taxes on almost every other item, other than rooms, that they sell; and the units are fairly large, it isn't like collecting a tax on a Hershey bar 15 cents where you have to put a cent to one side. The units are comparatively large, they are in terms of dollars and much less burden on the collector than the burden of the sales tax is on the retail merchant.

The argument has been made that it will discourage tourists. It will hurt our summer business. That does not seem to have very much weight. The tax is small. It is a tax that is collected in a great many states. I wish I could remember the number of states that I have been in and cities where the tax was on, and like holly, it comes about to the cost of a local telephone call, and you pay your bill and you forget it. You don't resent it, and of course Vermont has just put it on. I don't suppose we have to follow Vermont, but they also put 2 cents on cigarettes at the same time last week and 20 per cent on cigars and tobacco. We are being very easy in our suggestion.

First, a little bit in the point of the unjust discrimination between the person who has only three rooms to rent and the one who has four rooms to rent, but it is probably there has to be a cutoff point. You should not go down to the person who has one room. Four was probably taken more or less arbitrarily. There has to be one, and that is as good as any other it seems to me, and probably was carefully thought

out in Committee. Then, there is the argument which has never very much appealed to me, the one that they should not be taxed because they have never been taxed before, and they are not used to it and they can't stand up under it. That almost seems to me to be an argument in reverse. The person who sells a service of this kind, used by the traveling public, open to all, who has not had a sales tax on his hands of one kind or another, has been a very much benefited and pampered citizen and it is pretty near time he learned some of the facts of life. I hope you will go along with the tax.

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

Mr. WINCHENPAW: Mr. Speaker, I would just like to say a few words against this tax. I am very much afraid of this tax because it is not a sales tax. It is a service tax, and on our budget sheet here there is quite a generous sum for collecting it, and I am afraid that if we put this tax on, you will wind up paying a tax on a haircut; that is a service. You will pay a tax when you get your suit pressed; that is a service. You will pay a tax when you get your car greased; that is a service, and I don't think this tax should pass. I have felt up until this time that we needed no new taxes, and I haven't been convinced at this moment that we need this tax. We have heard quite a bit about Party here. Well, I don't think our Party should be tagged with this tax, and therefore I am going to vote against it.

The SPEAKER: The Chair recognizes the gentlewoman from Paten, Mrs. Harrington.

Mrs. HARRINGTON: Mr. Speaker, I have said right along that I would vote but for one tax, and I have done that and it was defeated. However, for fear that education will suffer if we go out of here tonight without having some tax, I am going to vote for this tax.

The SPEAKER: The Chair recognizes the gentleman from St. Albans, Mr. Hughes.

Mr. HUGHES: Mr. Speaker, I believe as all others do, most of us at least, that all taxes are evils, but I believe this tax to be the

lesser of the other evils that have been before us. It does not hit the working man who carries a dinner pail. It will hit a percentage of the State's inhabitants, but it will be a smaller per cent than the other taxes would hit, and I will support this tax although I have voted against all other taxes. I realize now that I do believe we will need a tax.

The SPEAKER: The Chair recognizes the gentleman from Moscow, Mr. Cahill.

Mr. CAHILL: Mr. Speaker, I would like to make just one comment. I believe that it was mentioned here by the previous speaker that this tax is not going to hit the man with the dinner pail. I would ask that gentleman if he has taken into consideration the thousands of construction workers we have here in the State of Maine who work with a dinner pail and room out somewhere else.

The SPEAKER: Does the Chair understand the gentleman to be asking a specific question or is that a rhetorical question? The Chair understands it was a rhetorical question.

Is the House ready for the question? The question before the House is that the House recede and pass this bill to be enacted in concurrence.

The Chair recognizes the gentleman from Cumberland, Mr. Call.

Mr. CALL: Mr. Speaker, I request a roll call vote.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call, the Chair must have an expression of a desire for a roll call on the part of at least one-fifth of the members of the House.

Will those who desire a roll call please rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

The SPEAKER: Obviously more than one-fifth having arisen, a roll call is ordered.

The Chair will state the question. The pending question before the House is that the House recede and pass to be enacted in concurrence Bill "An Act relating to Tax on Transient Rentals," House Paper 962, Legislative Document 1364. This

being an emergency measure it requires under the Constitution the approval of two-thirds of all the members elected to the House.

If you favor the passage for enactment of this measure, you will say "yes" when your name is called; if you oppose the passage of this measure, you will say "no."

The Clerk will call the roll.

ROLL CALL

YES — Aliberti, Bacon, Barnett, Baxter, Beane, Berman, Boone, Briggs, Brown, Cape Elizabeth; Brown, Ellsworth; Cahill, Caron, Chapman, Gardiner; Choate, Christie, Clark, Cormier, Cote, Cousins, Couture, Cox, Coyne, Crockett, Curtis, Cyr, Augusta; Davis, Westbrook; Dean, Desmarais, Dodge, Dostie, Dudley, Dufour, Dumais, Earles, Edgerly, Edmunds, Edwards, Raymond; Emmons, Ervin, Frazier, Gallant, Good, Hanson, Bradford; Hanson, Lebanon; Hardy, Harrington, Healy, Hendricks, Hendsbee, Hilton, Hodgkins, Hughes, Jacques, Jalbert, Jewell, Jewett, Johnson, Karkos, Kellam, Kennedy, Kilroy, Kinch, Lacharite, Lancaster, Lane, Lantagne, Lemelin, Letourneau, Lindsay, Linnell, Lowery, Maddox, Mathews, Mathieson, Maxwell, Miller, Monroe, Morse, Nadeau, Perry, Easton; Perry, Hampden; Pert, Pike, Porell, Prue, Rankin, Reed, Rowe, Madawaska; Russell, Smith, Exeter; Stanley, Storm, Tardiff, Treworgy, Wade, Walsh, Warren, Weston, Wheaton, Whiting, Whitman, Young.

NO — Baker, Bragdon, Brown, Bangor; Call, Caswell, Chapman, Norway; Danes, Davis, Calais; Dennett, Dennison, Dumaine, Dunn, Edwards, Stockton Springs; Graves, Hancock, Heald, Hobbs, Knight, Mayo, Moore, Philbrick, Pitts, Plante, Rollins, Rowe, Limerick; Smith, Falmouth; Trumbull, Turner, Walter, Williams, Winchenpaw.

ABSENT — Brockway, Carter, Carville, Cyr, Fort Kent; Dow, Doyle, Harris, Haughn, Hutchinson, Knapp, Lebel, Parsons, Sanborn, Saunders, Walls.

Yes 102, No 31, Absent 15.

The SPEAKER: One hundred and two having voted in the affirmative, thirty-one having voted in the neg-

ative, with fifteen being absent, the Bill does attain the necessary two-thirds and is passed to be enacted. It will be signed by the Speaker and delivered by the Clerk to the Secretary of the Senate.

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

Mr. BROWN: Mr. Speaker and Members of the House: This afternoon we had the pleasure of listening to the Governor speak to us, and I assumed it was sort of a spanking speech. I am somewhat disappointed in the Republican Party because we have now sold ourselves to the Democratic Party. We were in here as a group. We had an organization organized here in this House as a no tax program. We had gone along through the winter months with a no tax problem, and I feel that we were in the financial status that it was not necessary for a tax at this time. In our communities, in our cities, the tax burden has been raised and the people are loaded with their tax problems, and I am very disappointed with the fact that because we have been scolded by the other Party that we now have sold and been bought by that organization. I am very sorry for the fact that this matter has occurred because I am sure that this State would continue in a very healthy and financial condition without any additional taxes at this time.

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

Mr. JALBERT: Mr. Speaker, I merely want to approach the rostrum.

The SPEAKER: The gentleman may approach the rostrum.

(Conference at rostrum)

Thereupon, on motion of Mr. Jalbert of Lewiston,

Recessed for ten minutes until sound of the gong.

After Recess

Called to order by the Speaker.

Final Report

Final Report of the Committee on Towns and Counties.

Came from the Senate read and accepted.

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

The SPEAKER: The Chair now lays before the House item number two of unfinished business on this morning's printed Journal, House Report of the Committee of Conference on Bill "An Act to Authorize General Fund Bond Issue in Amount of Ten Million Dollars to Provide Major Repairs, Construction and Equipment," Senate Paper 200, Legislative Document 539, tabled on June 12 by the gentleman from Auburn, Mr. Wade, pending acceptance.

The Chair recognizes the gentleman from Bath, Mr. Mayo.

Mr. MAYO: Mr. Speaker, a question first please. Is this the Committee of Conference report that has the ten member committee on the capital construction bond issue?

The SPEAKER: That is correct.

Mr. MAYO: I wish to speak on that when it is proper, please.

The SPEAKER: The question before the House is the acceptance of the Committee report, and it would be in order for the gentleman to speak now.

Mr. MAYO: Mr. Speaker, Members of the House: Many of us agree with the major parts of the Conference report, but we would also like to make a very small modification. In order to present this modification in the form of an amendment which you would have found on your desks several days ago, it is now probably in the wastebasket, deleting Fort Fairfield hospital wing, I would move that the House reject the Committee of Conference report, follow the proceedings of Reed's Parliamentary Laws, Section 245, Page 184. I will not bother to quote the passage. If the House will go along with me and reject this Conference report, I will at that time move the Speaker name a new Committee of Conference and instruct this Committee to bring in a new report with my amendment attached. I feel that after what has happened here this evening, I could say a lot of strong words, but I will not use them. I will just say that in all true respect and in all faith to both

Parties, that we should definitely delete that Fort Fairfield private wing. I certainly hope that you will reject the Committee of Conference report. I ask for a division, Mr. Speaker.

The SPEAKER: Does the gentleman move that the Committee of Conference report be rejected?

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

Mr. COUSINS: Mr. Speaker, I ask a question to the Chair, does the motion to accept the Committee of Conference report take precedence over a motion to reject?

The SPEAKER: The Chair must advise the gentleman that the pending question must be the motion to reject.

The Chair recognizes the gentleman from Fort Fairfield, Mr. Edmunds.

Mr. EDMUNDS: Mr. Speaker, my remarks will be very brief. I would certainly hope that the motion to reject the Conference Committee report would not prevail. We are in the closing hours of the session. This Conference discussed a matter of a \$3,500,000 bond issue as opposed to a \$5,500,000 bond issue. They came up with a package to which there is general agreement of 3.95 million dollars. It seems to me that it is very consistent with the thinking of this House, and I would certainly hope that this motion does not prevail, and I would certainly state that the objections raised by the gentleman from Bath, Mr. Mayo, do not concern a private wing at the Community General Hospital in Fort Fairfield.

The SPEAKER: The Chair recognizes the gentlewoman from Patten, Mrs. Harrington.

Mrs. HARRINGTON: Mr. Speaker and Members of the House: I feel that if you reject this Conference report and accept the amendment of the gentleman from Bath, Mr. Mayo, you will be doing a terrible injustice to the people of the St. John Valley. It has been stated in this House previously that the St. John Valley is a world of its own. All along the river there are parallel towns with the river separating them. These towns have the same affiliations, the same interests, and the same social activities. If we

demand that these patients be brought three hundred miles to an English speaking sanatorium, I feel that we are creating for the State of Maine a health hazard. Now, this is Doctor Fisher's plan that this year we have a wing in the northern part of Maine, and at the next session, he recommends a wing built either in the southern or western part of the State. I think that this plan is a well founded plan, and I hope that when you vote you will not vote these people on the St. John Valley out of existence.

The SPEAKER: The Chair recognizes the gentleman from Pittsfield, Mr. Baxter.

Mr. BAXTER: Mr. Speaker, Ladies and Gentlemen of the House: The Fort Fairfield San has been with us, as you all know, for some time. It has been debated at considerable length. It was in the Governor's capital construction program. It was in the original Stanley amendment to the capital improvement budget. It was in an L. D. which was passed by this House and sent to the other branch. It was, I know, taken up in one Party caucus and approved, and the Committee members acted accordingly. I assume — I can't assume, but quite obviously there were members of the other Party upon the Committee of Conference, and it was likewise approved by them. It seems to me that the Northern Maine San, for all the criticism that has come to us, has generally received approval by both branches of this Legislature. The pros and cons, as I say, of the San have been debated in the past. It does seem to me that Aroostook is an isolated area, and that it is reasonable to have this facility up there.

It is my understanding as I have listened to the various debates here that the general trend in tubercular treatment is to wings on general hospitals. It is my understanding, and I may be wrong, that even the Western, the plans in the distant future were to consolidate with a general hospital, and it was my understanding that the area could not agree what general hospital to put the wing on, and it seemed for that reason that it would be another two years before that was author-

ized, if it were, and that it would be another two years before it was ready; hence, the consolidation at that point.

I understand Doctor Fisher has said before the Appropriations Committee that the cost of treating tubercular patients who are now in the Northern Maine Sanatorium, when they are treated in a wing on a general hospital, will be \$100,000 a year cheaper. It seems to me that that is a reasonable investment. It has repeatedly been said that this is a private wing on a private hospital, and I think you all know that it is not that. The hospital is a community hospital. The wing will rest upon State-owned land, and the wing will be owned by the State, and therefore I think this is a good investment for the State. I think it is needed in Aroostook County, and I certainly hope that the Conference Committee which worked on this thing and which represented both Parties, and certainly what we felt was the wishes of the Party as evidenced to us in caucus, I hope that the Conference Committee report will be accepted.

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

Mr. BRAGDON: Mr. Speaker, I only wish to comment that this bill was heard before the Appropriations Committee, and was reported out, I believe, unanimously "Ought to pass," and has the approval of this House. The field has been very well covered by other gentlemen. I need not comment further. It has also gone before a Conference Committee, and apparently that Committee has approved. I hope you will go along with the report of the Conference Committee.

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

Miss CORMIER: Mr. Speaker and Ladies and Gentlemen of the House: This project was in the Governor's program. We feel that it is a very worthwhile project. Those of us who are in Oxford County were very much disturbed that our San was closed at Hebron, and we certainly would not wish to see the same thing happen at Fort Fairfield, and therefore I hope the motion of the

gentleman from Bath, Mr. Mayo, will not prevail.

The SPEAKER: The Chair recognizes the gentleman from Milbridge Mr. Kennedy.

Mr. KENNEDY: Mr. Speaker and Ladies and Gentlemen of the House: I will not preface my remarks with the usual cliché that I will not belabor this issue, because contrary to that I do intend to belabor this issue. I certainly would be derelict in my duty to my constituents did I not stand here and oppose the expenditure of a half a million dollars of State money in Aroostook County which will be attached to a community hospital as a wing. It is true that I regret having to oppose this measure, but I must do it because of the reasons I have just stated. I can't, I am not equipped to defend my point with the skill, intelligence and cunning with which this issue has been proposed before this House of Representatives. I have not had the support of lobbyists, and money and entertainment to oppose this, so I am only opposing it for the people, and the members of this House must be the lobby to decide what shall be done with this money. Shall we give fifty cents out of every man, woman, and child's pocket for an institution in Aroostook County, which I will admit is isolated from the rest of the sixteen counties which we do have. This is one county out of sixteen. This little area up there has twenty-six TB patients in the hospital. Now, I sympathize with twenty-six TB patients. I certainly do, but not to the point of spending a half a million dollars, and it has been just stated here a few minutes ago, we would save \$100,000 by having this attachment to a community hospital. It seems to me that even \$100,000 is a lot of money to spend on twenty-six sick people.

It is very obvious to me that there have been some deals going around about this private hospital in the corridors, in the halls of this House, but I don't change my vote until I see that I am an obstructionist. When I find that I am, then I am willing to accept the will of the majority, which I did this evening. I am not trading with anyone, and it does seem to me that

there has been some trading on this particular issue.

I think the gentleman from Bath, Mr. Mayo, has raised a point. I was not satisfied with the Committee of Conference. Many in this House were not satisfied with the Committee of Conference. The question tonight will be, how many were not satisfied with this Conference. The things I am saying, I hope, is with malice toward none but justice for the whole people of Maine. It is a peculiar situation we have in the State of Maine because we have active TB patients to the number of 1,370 and only 201 members hospitalized because of their illness. Now the reason for this, ladies and gentlemen, is the vast strides that the professions have made in care of TB patients in this era. These patients, many of them now are staying for a very short period of time at a TB installation, put on chemicals of isoleucine, the antibiotic streptomycin, sent home and continue their treatment under the care of a nurse or some member of their family.

I predict in a five-year period that there will be less and less patients hospitalized. I don't say this to have people complacent about the dangers of tuberculosis. The incidence probably is greater than it has ever been in the history of the United States, but it is under control.

Now there has been something mentioned about the ownership of this institution, and I will agree that the State can be deeded a plot of land for one dollar and they can build an institution for half a million, and it is all well and good. That can be done. There are only a few legal and bookkeeping technicalities that will enter into the situation because when we don't have twenty-six patients there, we only have five or ten and if they don't think it is feasible, the State of Maine still can legally deed back this land to a community hospital. I object to this rule strenuously. This is a half a million dollar gift going to one community, going to a community and attached to a hospital that is not even accredited by the Hospital Association. It has been mentioned that this hospital can be accredited. Of course, it can,

and this wing will assist in accrediting this hospital.

The Trudeau Society's report to the Public Health Committee of this House stated emphatically that they do need, and I know and physicians know that they have lofty ideals. They are not as practical as we are as taxpayers, and I don't blame them because if they did not have lofty ideals, they would not be able to accomplish the things that they do, but they did say that they needed some sort of an installation in Aroostook County, but by all means the only place for it to be was in Presque Isle or Caribou. They did not say Fort Fairfield, but I say to you ladies and gentlemen that we do not need to spend one half million dollars, fifty cents out of the pockets of every man, woman and child in this State to build a half million dollar institution in Aroostook County. Don't you realize that with six people in the family that that is a half a case of milk that will feed their children. That means quite a lot to the poor people in this State. I guess we don't have many of them in the House of Representatives, but we do have them in the rural areas of our country towns, and I will support the motion of Mr. Mayo of Bath, and I hope it does prevail.

The SPEAKER: The Chair recognizes the gentleman from Bowdoinham, Mr. Curtis.

Mr. CURTIS: Mr. Speaker, I know the hour is late and I don't intend to prolong this discussion, but as Chairman of the Public Health Committee of this House, and having been a member of that Committee — this is the fourth session, I feel that I should give a report on what I found on my going up there this winter, and I have been up there every winter as I thought it was my duty to do. I was the only one of the Committee who went up to the San in Caribou. Now, I believe that Aroostook County should have a San. I have got nothing against it, but there is no reason just now why we should build one. There is nothing wrong with the one in Caribou or Presque Isle, which is between Caribou and Presque Isle. I guess it is in the City of Presque Isle though. There

is nothing wrong with it but what it can go along a couple of years more, and then it can be seen what to do. It would be my recommendation, from what I have seen over the past eight years, that if they are going to have a San there that they should tear down a lot of those old buildings they don't need out there in Presque Isle, and fix them up, what they have got, because they have got some very fine buildings there and they can do it for much less.

Secondly, I think it is a very unfair thing to put a tuberculosis person into a village or a city where there is clatter and clamor going on all the time, and when they do get out of bed, and get out to walk, they have to down in the streets and breathe the gasoline and all the things of all the traffic that is there. I happen to know something about this from my younger days. I did have tuberculosis and the doctors said that I could not get better, but by the grace of God I did. Now when you go to the hospital, you check this and you will find that the stay in the hospital throughout the State of Maine is about twenty-one days, but when you go in the hospital with tuberculosis, the stay is anywhere from a year. You are awful lucky if you get an arrested case within a year, and a lot of times it will be three or four years.

Now we have made some advance, but we have not made enough advance but what if you go to the hospital you are going to be there nine or ten or twelve months, and it is no place for a person with tuberculosis to be stuck into a city place where there is a lot of travel and a lot of gasoline smoke going on all the time. Now, Aroostook County I think should have one, and I think perhaps in two years to come that there should be one fixed up, and I think that one in Caribou you could fix it up for less money than you could build a new one, and after you did build a new one, the only person it would be any advantage to whatsoever would be the doctor, and he would not have to drive quite so far as he would to drive out in Presque Isle.

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

Mr. LINNELL: Mr. Speaker and Ladies and Gentlemen of the House: I arise to support the motion of the gentleman from Bath, Mr. Mayo. I realize that the very eloquent remarks of the gentleman from Milbridge, Mr. Kennedy, leave very little to be said. My only point is this, what is there so special about this bill that it could not be treated as in L. D. with other L. D.'s? Instead, we find it now in the bond issue. I do not believe that it is that special. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Madawaska, Mr. Rowe.

Mr. ROWE: Mr. Speaker and Members of the House: This will probably be the last time that I will address you in this Legislature. I hope so, anyway. I would like to point out that I was born in Portland, Maine. That is my home town, the fair city by the sea. I have chosen Madawaska. I love it. I love my people up there, and I will always stand by their needs. The only honest objection that has been mentioned here is possibly the site or location. There has been other talk about our needs, whether or not we should shut down the whole thing and do just as well, and this in my judgment is not true. The membership of the House here has been very kind to me this year. They have supported me on some very important issues, and I can tell you in my judgment, my thinking, that I know that the people in Madawaska, from the St. John Valley, and Aroostook and northern Maine will not travel south for TB treatment. I, as a legislator, have tried to do the best thing by my area, the northern part of Maine, and I have tried to do the best by the southern area, and in the last Legislature, the 98th, I voted for the setting up of the U. of M. in Portland simply on the basis that I knew if the U. of M. were made available in Portland that we would increase enrollment in that university and provide more opportunity for those who desire a higher education.

The same is true of TB treatment. The small number of people

who are presently enrolled in the Presque Isle TB Sanatorium is because of the poor treatment. They feel that they can be better treated at home. It is known on the basis of statistics that in the area, there are eighty active TB cases who are presently being treated in the home. If the sanatorium were shut down, if we didn't build this wing, we only accent the problem. Our needs will not be handled. The only honest objection is the matter of location, but I find that I think in the general discussion and the arguments that have been advanced against the building of the wing in Fort Fairfield, except for the gentleman from Bowdoinham, Mr. Curtis, is not on the matter of location but on the general proposition of building the TB wing in the north. I think we have friends here in the central part of Maine and in the southern part of the State, and I do hope that, as we at times have tried to vote for the needs all around the State, that you will support us and vote against the motion of the gentleman from Bath, Mr. Mayo.

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

Mr. MILLER: Mr. Speaker, Ladies and Gentlemen of the House: The hour is getting late, and the subject has been pretty well covered. Being from the southern part of the State, I want to go on record as heartily endorsing the new wing for the hospital in Fort Fairfield, and hope that the other members of the delegation from the southern part of the State will go along with this worthy project. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Lubec, Mr. Pike.

Mr. PIKE: Mr. Speaker, we in Washington County, at least in my end of Washington County, are pretty much isolated, and I think it is not too easy to appreciate until you get up into the northern part of Aroostook, what peculiar conditions they live and operate under. The comparison between Hebron and Presque Isle, as a person who has been in both, not as a patient, it is almost grotesque to compare them. I have a feeling we have

been beating over old straw here this evening on this subject. They had proper hearings. It has been through the mill, into a Conference Committee. We have got a report back. I can't pretend to discriminate between the various experts, one of whom has said this, the other one has said that, but it seems to me on general principles it has had a pretty good fair hearing, and I do hope that the motion to reject will not prevail.

The SPEAKER: The Chair recognizes the gentleman from Pittsfield, Mr. Baxter.

Mr. BAXTER: Mr. Speaker, Ladies and Gentlemen of the House: I would just like to make one short comment on the remarks of the gentleman from South Portland, Mr. Linnell. In his closing remarks, he asked why this could not be handled on the L. D. table along with the other L. D.'s, and I would point out to you that it was the understanding of the Conference Committee and it has been carried out in the Conference Committee report that two-thirds of the cost of this wing has been taken from the L. D. table although you find this in its entirety under the bond issue. Actually, there was a credit of some three hundred odd thousand dollars picked up out of surplus brought over to the bond issue bill which has two parts, Part A and Part B. The three hundred odd thousand dollars was credited to Part B, which was the amount to be taken from surplus. I believe two items were moved out of the bond issue, two or three items were moved out of the bond issue and down into the surplus part, Part B, and the San put into the bond issue in its entirety merely as an accounting convenience, and so it has been taken, at least two-thirds from the L. D. table and one-third from the bond issue.

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

Mr. KELLAM: Mr. Speaker and Members of the House: It has been my opinion for some time that tuberculosis should be treated in hospitals. I keep to that opinion regardless of the location of the hospital. I hope that the members of this House will reject the motion of

the gentleman from Bath, Mr. Mayo.

The SPEAKER: The Chair recognizes the gentleman from Exeter, Mr. Smith.

Mr. SMITH: Mr. Speaker and Ladies and Gentlemen of the House: I realize that the hour is getting late, but I certainly haven't imposed on this group very much during this entire session. I think it is very doubtful that there is any man who lives outside the County of Aroostook who has made any more trips to Aroostook or has spent more time in that County than I have. I am entirely familiar with the area. It is almost two hundred miles from where we are now sitting, where you open out of a long woods into a different country. Apparently a different country than anything else that we have in New England or even in the northeast. I have been a patient at the Fort Fairfield hospital. The service there is wonderful. The hospital is run most efficiently, and so far as I know there are very few hospitals in this country that are operated in black ink as the Community Hospital in Fort Fairfield. I think the site is excellent although I had nothing to do with its choice. We have upset many committee reports here during this session, and I doubt if that is the proper thing to do as a general thing. The committees take time to look over these cases, and usually come up with pretty good judgment, and I hope that the motion of the gentleman from Bath, Mr. Mayo, does not prevail.

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

Mr. ERVIN: Mr. Speaker, Ladies and Gentlemen of the House: I will make one short comment regarding the site of this hospital as far as Aroostook County delegation is concerned. There are four possible hospitals that could have had this new annex. All four towns were eligible, of which my own town was one. The Aroostook County delegation met in an executive session, talked it over and voted, and after a reasonable length of time, they unanimously adopted the site of Fort Fairfield, and I can assure

you that the entire delegation of Aroostook County is solid that the site should be Fort Fairfield.

The SPEAKER: The Chair recognizes the gentleman from Waterville, Mr. Coyne.

Mr. COYNE: Mr. Speaker, Members of the House: Having served on the Health Committee four years, having lived in Presque Isle where the sanatorium is located, I feel thoroughly familiar with the whole affair entirely. I would never think, in any way, of depriving those people from having service for the sick tuberculosis people, but also I feel that the gentleman from Bowdoinham, Mr. Curtis, is thoroughly familiar and that his proposition is the true and proper one, and as we are in a period of economy and so forth and so on, I hope his proposition does prevail.

The SPEAKER: The Chair recognizes the gentleman from Bath, Mr. Mayo.

Mr. MAYO: Mr. Speaker and Members of the House: We have certainly heard an awful lot of speeches here tonight regarding this. I am not going to say the hour is getting late because I don't think it is ever too late to save a half a million dollars. After all, we have been throwing it away here all day. Several weeks ago, this House closed Hebron Sanatorium as an economy measure. That was the idea. As I look around this House I can see people right now who voted for the idea and agreed to close Hebron Sanatorium as an economy measure. Several of them when the vote is taken will now turn around and take that approximately half a million dollars and spend it up in Aroostook County. You have heard members of the Committee, Health Committee, say it was not necessary. There is one gentleman in this House who, I'm afraid, is not going to support me but two days ago said he would. He talked with Dr. Fisher. I did not ask him what he found out, but he told me what he found out would be on my side, but I don't think he is going to get up and support me now, and I asked the people in this House several months ago to give them tax relief because they had State property in their town. Did this House go along and give it to them? No.

I certainly hope those people will not vote to spend a half a million dollars up in Aroostook County. Our bond issue now stands at 3.950, a half a million dollars dropped from that bringing it down in the neighborhood of three million and a half at the time that we are going to finance it will add considerably to the saving. A lot more than a half a million dollars will be saved when you figure the interest on that extra half a million dollars.

It seems very strange that in the town that I come from when we wanted to put a wing on our hospital, which we are breaking ground for now, we went out and raised it from the public. We didn't go to the taxpayers of the State of Maine and ask them to furnish us a wing. We paid for it with our own money, and I do not see how anyone who says that they are interested in their constituents who sent them up here can honestly spend the taxpayers' and the constituents' money up in an area where we all know it is not necessary at this time. I sincerely hope that my motion will carry.

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

Mrs. CHRISTIE: Mr. Speaker and Members of the House: I wonder what is so bad about Aroostook County that there is so much said about spending it up there in Aroostook County. There is just one thing that is difficult about Aroostook, and that is that it is so far from the center of the State. It would be practically out of the question for people to bring their patients to Fairfield, for instance, to a tubercular hospital. For that reason, and that is the only one I will give, we need an institution like this in Aroostook County.

The SPEAKER: The Chair recognizes the gentlewoman from Portland, Mrs. Hendricks.

Mrs. HENDRICKS: Mr. Speaker and Members of the House: Having served on the Public Health Committee for two terms and having studied the problems of tuberculosis in our State, I strongly support this location for the hospital.

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

Mr. JALBERT: Mr. Speaker, the gentleman from Bath states it is never too late to save a half a million dollars, and I don't think I agree with him as far as the hour is concerned. I feel it is never too late to help care for our people, and if we can save a life and help to bring happiness, I am all for it. I don't think there is anyone here who was hurt any more deeply than I was when Hebron San was closed. I feel that time will adjust itself. This is part of the Governor's program. It is sound, and I am going along with the Committee's report, and I would like to commend the members of the Committee for having brought out a fine report.

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

Mr. STANLEY: Mr. Speaker and Ladies and Gentlemen: As a member of the Conference Committee report, I would heartily endorse it. The fact that the bill for the wing at Fort Fairfield was enacted by this House and was on the table in the Senate certainly showed the intent of this body as to how it felt on that particular issue.

The fact that it is being built in Fort Fairfield has brought a great deal of confusion to the idea. I would say that perhaps when we came back with our Conference Committee report, the majority of the Republican Party was in favor of it. Because of some little issue, because it was in Fort Fairfield, there have been a number of them who have gone against it. I think that is a poor way to provide legislation. The money for the hospital \$533,000, will be provided by the State. Some \$306,000 will be provided by the federal government, and I think it will give us quarters which we can be proud of, and the Northern Maine San will be closed. I think that we should accept the Conference Committee report, and I would go against the motion of the gentleman from Bath.

The SPEAKER: The Chair recognizes the gentleman from Sebago, Mr. Good.

Mr. GOOD: Mr. Speaker, in support of the gentleman from Bath,

Mr. Mayo, I will state that my information is that there are about twenty-six patients at this particular time in Presque Isle, and that some of those patients of course will require chest surgery and that will be done at Fairfield, so it might be that in three or four years it would only be twenty patients. It seems quite an expenditure of money, \$533,000, to take care of approximately twenty patients. Furthermore as I understand it, there has been no money guaranteed from the federal government to go to this facility. It has not been promised as yet. There is a facility now where these patients are stationed in Presque Isle, and it is possible that in a few years the number of patients may be reduced to such a point that they can be contracted out to the hospitals which are now in Presque Isle, and in Caribou, and in Fort Fairfield, and then it may be that the number would get so small that they can be brought down to Fairfield where they have much better facilities than they do in Aroostook County. Therefore, I support the gentleman from Bath, Mr. Mayo.

The SPEAKER: The Chair recognizes the gentleman from Union, Mr. Heald.

Mr. HEALD: Mr. Speaker, Ladies and Gentlemen of the House: Let's vote!

The SPEAKER: Does the Chair understand the gentleman to move the previous question? The gentleman does not move the previous question.

The Chair recognizes the gentleman from Milbridge, Mr. Kennedy.

Mr. KENNEDY: Mr. Speaker, and thank you ladies and gentlemen for giving me an opportunity to rebut this problem that we have. For many years I have heard about the power of the Aroostook delegation. Believe me, hearing the speakers here this evening, it is not discounted. It is a potent force to deal with. I know how weak I am standing here and it is not that I object to \$500,000 being spent on the ill in this State. I object to the place where it is being spent, at a private hospital in Aroostook County. I would be willing and vote here to spend \$500,000 at Fairfield, Maine,

tonight or tomorrow morning, but a half a million dollars, ladies and gentlemen, for anywhere from ten to twenty-six patients is a lot of money. It is a wonderful gift, and that is what it amounts to.

It has been mentioned here about travel. Now I wonder how the people feel over in Kittery about traveling in to Fairfield; how the people in Calais, Maine feel about traveling in to Fairfield? We have Indian reservations down there. They don't speak very good English either, but if they are ill with tuberculosis they bring them to Fairfield, Maine. Who would go into Fort Fairfield? Who would go into Arrostook County except those people perhaps out of Lincoln? This County TB unit will not serve the State of Maine. It will serve one county, and we have fifteen other counties that should be protected. If you want to spend a half a million dollars in Fort Fairfield, Maine, and can do it in good conscience, that is what you should do.

It has been mentioned that this problem has been handled in all fairness, and I won't belabor it, but I do contest that statement. I don't believe it has and it amazes me the expert opinions that have been given here tonight about hospitals and about treatment. I have been in institutional service for a good many years, and I am not a physician, but I feel that I do know something about hospital administration. It has been mentioned that it is the opinion of many that this is a wonderful place, but I still point to you the Trudeau Report, and these people are qualified I believe, if anyone should be qualified, to judge what is good or what is not good for the ill of this State. I repeat again, I would rather see a half a million dollars spent in Fairfield, Maine, and that is where it should be spent.

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

Mr. BERMAN: Mr. Speaker, I will move the previous question.

The SPEAKER: The previous question has been moved. For the Chair to entertain a motion for the previous question the Chair must have the authorization of at least one-third of the members of the

House. Will those who desire to authorize the Chair to entertain the motion please —

Obviously more than one-third having arisen, the previous question is in order.

The question now before the House is, shall the main question be put now? This motion is debatable with a time limit of five minutes for any member who may wish to speak.

The Chair recognizes the gentleman from Poland, Mr. Dunn.

Mr. DUNN: Mr. Speaker, Ladies and Gentlemen of the House: I think we are a little confused. We are talking about moving the patients—

The SPEAKER: The Chair must remind the gentleman that the only debatable question at the moment is shall the main question be put now.

Is it the pleasure of the House that the main question shall be put now?

The SPEAKER: The Chair recognizes the gentleman from Ashland, Mr. Prue.

Mr. PRUE: Mr. Speaker, I request a division, please.

The SPEAKER: A division has been requested. Did the gentleman mean a division on whether the main question shall be put now or on the main question?

The question before the House is, shall the main question be put now? Is this the pleasure of the House?

The SPEAKER: The question before the House is the motion of the gentleman from Bath, Mr. Mayo, that on Bill "An Act to Authorize General Fund Bond Issue in Amount of Ten Million Dollars to Provide Major Repairs, Construction and Equipment," Senate Paper 200, Legislative Document 539, the House reject the Committee of Conference report, that a new Committee of Conference be appointed and that the new Committee be instructed to strike out the matter pertaining to the Northern Maine Sanatorium. The Chair would inquire of the gentleman from Bath if that is a correct statement of his motion?

Mr. MAYO: Mr. Speaker, that will do. Thank you.

The SPEAKER: The question before the House is the motion of the gentleman from Bath, Mr. Mayo,

that the House reject the Committee report, that a new Committee of Conference be appointed and that the new Committee of Conference be instructed to strike out the matter pertaining to the Northern Maine Sanatorium.

Will those who favor the motion to reject the Committee report please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Thirty-three having voted in the affirmative and eighty-seven having voted in the negative, the motion to reject the report did not prevail.

The SPEAKER: Is it now the pleasure of the House to accept the Committee of Conference Report?

The motion prevailed.

Thereupon, the House voted to recede from its action whereby the Bill was passed to be engrossed; to recede from the adoption of Senate Amendment "A"; to indefinitely postpone Senate Amendment "A"; to adopt Conference Committee Amendment "A" and to pass the Bill to be engrossed as amended by Conference Committee Amendment "A" in non-concurrence. Sent up for concurrence.

Out of order and under suspension of the rules, Mr. Good of Sebago presented the following Order and moved its passage:

Order Out of Order

ORDERED, that the Clerk of the House be paid for his services in connection with the preparation and printing of the Register of Bills that he was directed to have prepared by Joint Order (S. P. 513), and for other services to the House of Representatives performed by him above and beyond his statutory duties, the sum of five hundred (\$500) dollars.

The SPEAKER: The Chair recognizes the gentleman from Sebago, Mr. Good.

Mr. GOOD: Mr. Speaker, a word of explanation, when the order was put in for the printing or the assembly of the bills the compensation was left out. The amount mentioned in this particular order is the same as the Clerk received for 1957 and also the same that he

received for 1955. Therefore, I move the adoption of the order.

The SPEAKER: The question before the House is the passage of the Order. Is it the pleasure of the House that this Order shall receive passage?

The motion prevailed and the Order received passage.

Mr. JALBERT: Mr. Speaker?

The SPEAKER: For what purpose does the gentleman arise?

Mr. JALBERT: Point of information, Mr. Speaker.

The SPEAKER: The gentleman may state his point of information.

Mr. JALBERT: I have been missed a few times during this session by the Honorable Speaker and the Clerk. I can't see the clock. I presume it is 11:55?

The SPEAKER: The Chair would advise the gentleman that some time ago the House suspended the rule regarding the time beyond which it cannot do business.

The SPEAKER: Would the gentleman from Orono, Mr. Treworgy, please approach the rostrum?

(Conference at rostrum)

The SPEAKER: The House will be in order. At this time the Chair would request the gentleman from Old Orchard Beach, Mr. Plante, to approach the rostrum.

Mr. PLANTE: Mr. Speaker, Ladies and Gentlemen of the House: On behalf of the House, it gives me a great deal of pleasure to have the honor to present to our very able and effective Speaker, the most articulate, erudite and alert individual, Mr. Joseph Edgar, this token of our appreciation for the tremendous manner in which he presided over the 99th session of the Legislature.

Mr. Speaker, it is with heartfelt thanks for all of your help on behalf of the entire House that I present you with this token of our appreciation. (Applause)

Thereupon, Joseph T. Edgar, Speaker, was presented with a flash camera amid the applause of the House, the members rising.

SPEAKER EDGAR: I don't know by what stretch of the imagination at least at this hour, I have been referred to as an alert Speaker.

I want you all to know that I appreciate very much what is in this package and I will open it in just a minute to find out for myself and for you too. One of the finest experiences of my life has been to serve as Speaker of this House both in the 98th and the 99th Legislatures. I feel that I have made friends in both sessions whom I shall cherish for the rest of my life, and I want you all to know that regardless of whatever differences we may have had on the issues that may have come before this group, as far as I am concerned, those differences stay inside those swinging doors and when I go outside, I hope and trust that we are all still friends and always will be.

I want to thank you again very much and tell you what an honor and a privilege it has been to serve and work with you, and I hope that we shall have occasion to cross paths frequently in the future, and now I can't wait any longer to see what's in here. (Opening gift)

For some time now, I have been wishing that somehow I could bring this Legislature into focus, now I can do it. (Applause)

I know nothing about taking colored pictures, but I am certainly going to learn with this, and once again, thank you all very, very much. (Applause)

Mr. Call of Cumberland was granted permission to address the House.

Mr. CALL: Mr. Speaker and Ladies and Gentlemen of the House: A few years ago in a sarcastic remark to one of my good friends I said I hoped this is the last time I would hear him speak, remarks of the good friend from Lewiston, Mr. Jalbert, I said I considered it his swan song. Tonight, I consider this my swan song. To me sitting here through the years, the oration that I have heard in this House, in other years it has been outstanding by such men as Judge McGlauffin from Portland, who I thought was a peer in his profession. This year we have had the pleasure of listening to three great speeches, and I cannot let it go by unnoticed tonight without giving a brief honor to three men who I thought gave the

finest addresses in this House, and I will lead off by speaking about Mr. Earles of South Portland on his talk on discrimination. Secondly, one of the finest that I ever heard and second to none, was Mr. Brown of Cape Elizabeth on the moose law. And thirdly, and not least and last, Mr. Frazier of Lee on education. Thank you. (Applause)

The SPEAKER: The Chair would request the gentleman from Belfast, Mr. Rollins, to approach the rostrum.

Mr. ROLLINS: Mr. Speaker, Ladies and Gentlemen: I have an honor and a pleasure to present to our esteemed Clerk of the House, a man who has served us well and long, and who tonight both he and I saw history made in this House. Harvey, I've got to change my program. When I started down here I was going to say that you could use this and then come back and show us the pictures. We all know what's going to happen tomorrow. But still, perhaps some of us or at least you can come back and show the pictures to the Democrats next session.

It gives me great pleasure Harvey, to present you this gift on the part of the House. (Applause, members rising)

Mr. PEASE: Mr. Speaker, Ladies and Gentlemen of the House of Representatives of the 99th Legislature: You know there is such a thing as "legislativeitis" and I caught it many years ago, and I haven't recovered from it yet. You people who are here for the first have been exposed to it and you will no doubt catch it. There is something about it that you can get mad, you can be as mad as you can be about the injustice that is being done to others, and even the injustice that is being done to you, but still you just enjoy being here. Now I have been mad tonight, but I am still happy to be your Clerk of the House. And perhaps if I have some money left that I don't know what to do with, and the 100th Legislature should want me to come back, I might come back even if it did cost me about the equivalent of a three months' Florida vacation for myself and the future Mrs. Pease. (Applause)

I don't know what's in this; it doesn't make any difference. I have been happy many, many times with the Legislatures in the past. Every one that I have served with has been the best, all wonderful gentlemen and wonderful ladies. There may be times when it appears that they aren't getting results, but by and large if you look back over the years you will find that the Maine Legislature before the final gavel falls does a pretty good job, and I am going to make the prophecy that in the not too distant future we will be looking back at what this Legislature has done, and we won't be ashamed of it.

I'm going to open this box because I'm wondering what's in it. I don't think you have given me another camera because you gave me one last year. (Opening gift of slide projector)

Well, now I can really look at the pictures that I have already taken with the camera that you gave me last session and the pictures — well, I'm going to take some or have some taken tomorrow, and I am sure that I will enjoy looking at the pictures in the future. Many, many thanks. (Applause)

The SPEAKER: Would the gentleman from Cumberland, Mr. Call, approach the rostrum?

Mr. CALL: May, here is an orchid to you dear, and if the one was here that I love the most dear, I wouldn't be giving this orchid to you dear. (Applause)

Mrs. CHAPMAN: Thank you so very much for your many kindnesses. It has been a real pleasure to serve as your Assistant Clerk, and I certainly appreciate your thought and thank you very much for the gift. (Applause)

The SPEAKER: The Chair would request the gentleman from Southport, Mr. Rankin, to approach the rostrum.

Mr. RANKIN: Ida, you have always been kind and courteous and promptly dispatched our telephone calls to our constituents. As an expression of our appreciation on the part of the House for all you have

done for us, we present you with this gift. (Applause)

And before you depart, in appreciation for all the services Miss Barbara Hinkley has done, we wish you to give this little gift of our appreciation to her.

Thereupon, gifts were presented to Miss Ida Gagnon and Miss Barbara Hinkley amid applause of the House, members rising.

Miss HINKLEY: Thank you very, very much everyone. I will give Barbara her gift tomorrow. Thank you. (Applause)

The SPEAKER: The Chair notes that with one exception, the lady members of the House each have a gentleman member of the House sitting beside them, so at this time the Chair would ask the gentleman, Mr. Dunn, to escort to the well of the House Mrs. Baker; and the gentleman from Harrison, Mr. Pitts, to escort Mrs. Harrington; the gentleman from South Portland, Mr. Linnell, to escort Mrs. Dean; the gentleman from Orono, Mr. Treworgy, to escort Mrs. Hanson; the gentleman from Sidney, Mr. Bacon, to escort Mrs. Kilroy; the gentleman from New Sharon, Mr. Caswell, to escort Mrs. Smith; the gentleman from Bangor, Mr. Philbrick, to escort Mrs. Christie; the gentleman from Old Orchard Beach, Mr. Plante, to escort Miss Cormier, and the gentleman from Madawaska, Mr. Rowe, to escort Mrs. Hendricks. Have I missed any? If there is any lady in the House whom I have missed, my apologies, but will the gentleman next to the one I missed please escort her to the rostrum. All the ladies must be escorted to the well of the House.

Thereupon, the lady members of the House were escorted to the well of the House by their escorts, amid applause of the House the members rising.

The SPEAKER: For the benefit of those of you who have not been in the House before, not only are you to be presented with a token of esteem together with a pretty speech, but each lady gets a kiss from her escort.

Thereupon, amid the applause of the House, corsages were presented to the lady members of the House by their gentleman escorts.

Order Out of Order

Mr. Lee of Frazier presented the following Order and moved its passage:

ORDERED, the Senate concurring that the present Clerk of the House be, and hereby is, authorized during 1959 and 1960 to attend any conference outside the State which pertains to legislative procedure and problems; and be it further

ORDERED, that the funds necessary for such attendance be charged to the legislative appropriation.

The Order received passage and was sent up for concurrence.

The SPEAKER: Would the gentleman from Augusta, Mr. Barnett, approach the rostrum?

Mr. BARNETT: We have an excellent staff that has very efficiently carried out their duties, and at this time I would request those members of the House who have been appointed to go up back and escort the staff members to the Hall of the House please and present them with their corsages at this time.

Thereupon, amid applause of the House, corsages were presented to the staff members by the gentlemen members of the House as follows: Mrs. Bertha Johnson by Mr. Baxter of Pittsfield; Mrs. Dorris Kenerson, by Mr. Knight of Rockland; Mrs. Regis Strout by Mr. Pert of Bath; Mrs. Jane Delahunty by Mr. Reed of Woolwich; Miss Jeanette Dunn by Mr. Aliberti of Rumford; Mrs. Greta Merrill by Mr. Curtis of Bowdoinham; Mrs. Lucille Tillotson by Mr. Berman of Auburn; Mrs. Betty Benner by Mr. Hardy of Hope; Mrs. Edna Clement by Mr. Beane of Augusta, and to Miss Ruth Clark and Mrs. Joan Gerald, not present during presentation.

*The SPEAKER: At this time the Chair would request the gentleman from Bangor, Mr. Cousins, to serve as Speaker pro tem.

Thereupon, Mr. Cousins assumed the Chair as Speaker pro tem amid the applause of the House and Speaker Edgar retired from the Hall.

Order Out of Order

On motion of Mr. Good of Sebago, it was

ORDERED, that the sum of two hundred dollars (\$200) be paid to the Assistant Clerk of the House in compensation for extra length of the session.

On motion of the gentleman from Orono, Mr. Treworgy, the House voted to take from the table the first tabled and unassigned matter, "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," House Paper 976, Legislative Document 1386, tabled by that gentleman on June 11 pending passage to be enacted.

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

Order Out of Order

Mr. Earles of South Portland presented the following Order and moved its passage:

Whereas, August 27, 1959 will mark the One Hundredth Anniversary of the completion of the first successfully drilled oil well; and

Whereas, this historic event ushered in a new era of progress and comfort for the peoples of the world; and

Whereas, the many products of petroleum have benefited the economy of the State of Maine through the development of our tourist industry and improvements in methods of transportation, agriculture and fisheries; and

Whereas, adherence to a basic principle of democracy, free competitive enterprise, has been responsible for this industry's dramatic progress during the past century; now, therefore, be it

ORDERED, the Senate concurring, that the 99th Maine Legislature join in celebrating the oil industry's 100th birthday and that the Governor be, and hereby is, authorized and requested to designate the Week of August 24, 1959 as "Oil Centennial Week" in Maine (H. P. 986)

The Order received passage. Sent up for concurrence.

Senate Report of Committee Ought Not to Pass

Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Resolve Providing for a Vocational Technical Institute in Eastern Maine (S. P. 315) (L. D. 877)

Comes from the Senate with the Report read and the Report and Resolve indefinitely postponed.

In the House: The Report was read and accepted in concurrence.

From the Senate: The following Order:

ORDERED, the House concurring, that there be created an interim joint committee to consist of 2 Senators and 3 Representatives from the Committee on Appropriations and Financial Affairs and 2 Senators and 3 Representatives from the Committee on Education appointed respectively by the President of the Senate and the Speaker of the House to study and report to the 100th Legislature on the problems of school construction aid to municipalities; and be it further

ORDERED, that the members of the Committee shall serve without compensation, but shall be reimbursed for their expenses incurred in the performance of their duties under this order; and be it further

ORDERED, that there is appropriated to the committee from the Legislative Appropriation the sum of \$1,000 to carry out the purposes of this order (S. P. 517)

Comes from the Senate read and passed.

In the House: The Order was read and passed in concurrence.

The SPEAKER pro tem: It is the pleasure of the Chair to announce to the members that the Clerk just informed me that we have now reached the stage in our proceedings where we have nothing further to do and so the House will be at ease until the sounding of the gong.

House at Ease

The House was called to order by the Speaker.

Conference Committee Report

Report of the Second Committee of Conference on the disagreeing ac-

tion of the two branches of the Legislature on

Bill "An Act Increasing Salary of Members of the Legislature" (H. P. 15) (L. D. 24)

Reporting that the Senate recede and concur with the House in passage to be engrossed as amended by House Amendment "A".

(Signed)

ROLLINS of Belfast

JALBERT of Lewiston

— Committee on part of House.

HILLMAN of Penobscot

ROSS of Sagadahoc

LESSARD of Androscoggin

— Committee on part of Senate.

In the House, the Report was read.

The SPEAKER: Is it the pleasure of the House to accept the Report?

(Cries of "No")

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

Mr. ROLLINS: Mr. Speaker, the reason that Mr. Trumbull didn't sign this Report was that he had to leave, he left the Hall, and he was unanimous on it, this was a unanimous report of the Conference Committee and I move we accept it.

The SPEAKER: The pending question is the motion of the gentleman from Belfast, Mr. Rollins, that the House accept the Report. Will those who favor the acceptance of the Report please say aye; those opposed, no.

A viva voce vote being taken, the motion did prevail.

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

Mr. PHILBRICK: Mr. Speaker, is that item two that we were about to act on?

The SPEAKER: The House has acted on it, yes.

Mr. PHILBRICK: L. D. 24?

The SPEAKER: That is correct.

Mr. PHILBRICK: Well I ask for a roll call on that vote.

The SPEAKER: The gentleman has requested a roll call and the gentleman is in order with his request. For the Chair to order a roll call, the Chair must have the expression of a desire for a roll call on the part of one-fifth of the members of the House.

Will those who desire a roll call please rise and remain standing un-

til the monitors have made and returned the count.

Less than one-fifth having arisen a roll call is not in order.

Mr. HUGHES of St. Albans: I request a division, Mr. Speaker.

The SPEAKER: A division has been requested. Will those who favor the acceptance of the Committee Report please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Seventy-seven having voted in the affirmative and thirty-seven having voted in the negative, the Report was accepted.

Passed to Be Enacted

An Act to Clarify Procedure for Reorganization of School Administrative Units (H. P. 981) (L. D. 1394)

Was 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.

Papers from the Senate Final Report

Final Report of the following Committees:

Agriculture
Appropriations and Financial Affairs
Education
Highways
Labor
Sea and Shore Fisheries

Came from the Senate read and accepted.

In the House, the Reports were read and accepted in concurrence and ordered placed on file.

Order Out of Order

From the Senate: The following Order:

ORDERED, that the members of the Joint Standing Committees on Judiciary and Legal Affairs be given the copies of the Revised Statutes of 1954, as amended, that they have used this session (S. P. 516)

Came from the Senate read and passed.

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

Non-Concurrent Matter

Joint Order relative to Authorizing the Clerk to Attend Conferences Outside the State in 1959 and 1960 which was read and passed in the House earlier in the day.

Came from the Senate indefinitely postponed in non-concurrence.

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

Order Out of Order

On motion of Mr. Frazier of Lee, it was

ORDERED, that the present Clerk of the House be and hereby is authorized to attend the meetings of the National Legislative Conference,

AND BE IT FURTHER ORDERED, that the Clerk be reimbursed for his necessary traveling expenses.

The SPEAKER: The Chair recognizes the gentleman from Lee, Mr. Frazier.

Mr. FRAZIER: Mr. Speaker, I might point out that the other order was issued as a Joint Order and should have been just a House Order.

(Off Record Remarks)

The SPEAKER: The House may be at ease until the sound of the gong.

House at Ease

Called to order by the Speaker.

Passed to Be Enacted Enactor Requiring Two-Thirds Vote

An Act to Authorize General Fund Bond Issue in Amount of Three Million Nine Hundred and Fifty Thousand Dollars and to Appropriate Moneys for Capital Improvements, Construction, Repairs, Equipment, Supplies and Furnishings for Fiscal Years Ending June 30, 1960 and June 30, 1961 (S. P. 200; (L. D. 539)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. In accordance with the provisions of Section 14 of Article IX of the Constitution a two-thirds vote of the House being

necessary, a division was had. 98 voted in favor of the same and 2 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

An Act Repealing the Two Inch Clam Law (H. P. 177) (L. D. 248)

Was 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.

House at Ease

Called to order by the Speaker.

Passed to Be Enacted

An Act Increasing Salary of Members of the Legislature (H. P. 15) (L. D. 24)

Was 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.

Papers From the Senate Non-Concurrent Matter

An Act Appropriating Moneys to Effectuate Pay Plan for State Employees (S. P. 505) (L. D. 1387) which was passed to be enacted in the House on June 11, and passed to be engrossed as amended by House Amendment "A" in non-concurrence on June 4.

Came from the Senate passed to be engrossed as amended by House Amendment "A" and Senate Amendment "A" in non-concurrence.

In the House: On motion of Mr. Plante of Old Orchard Beach, the House voted to recede and concur with the Senate.

The following Order was taken up out of order and under suspension of the rules:

From the Senate: The following Order:

ORDERED, the House concurring, that the Committee on Appropriations and Financial Affairs be and hereby is authorized to report a Bill that will provide a General Fund Appropriation for such measures as are enacted by the Legislature and approved by the Governor without appropriation pro-

visions. It is the intent of the Legislature that by this procedure the Legislature will avoid the necessity of amending measures not having appropriation clauses contained in the individual bills and resolves (S. P. 591)

Came from the Senate read and passed.

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

House Orders Out of Order

On motion of Mr. Morse of Oakland, it was

ORDERED, that the Chaplains of the House be paid in accordance with a payroll list submitted by the Clerk of the House.

On motion of Mr. Bacon of Sidney, it was

ORDERED, that the Clerk of the House mail to each member of the House of Representatives the balance of the Legislative Record not received before final adjournment.

The SPEAKER: The Chair must advise the House that for the time being we will have to wait for work from the Senate. The House may be at ease until the sound of the gong.

House at Ease

Called to order by the Speaker.

Out of order and under suspension of the rules, the following papers from the Senate:

Passed to Be Engrossed

Bill "An Act Making Additional Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1960 and June 30, 1961" (S. P. 520)

Came from the Senate received pursuant to Joint Order (S. P. 519) and passed to be engrossed without reference to a Committee.

In the House, was received pursuant to Joint Order and passed to be engrossed without reference to a Committee in concurrence.

Non-Concurrent Matter

Resolve Providing Matching Funds for Federal National Defense Education Allotments (H. P. 580)

(L. D. 827) which was finally passed to be engrossed as amended by Committee Amendment "A" on May 26.

Came from the Senate indefinitely postponed in non-concurrence.

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

Non-Concurrent Matter Tabled and Assigned for Later in Today's Session

An Act relating to National Defense Education Program (H. P. 383) (L. D. 566) which was passed to be enacted in the House on May 19, and passed to be engrossed on May 13.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Madawaska, Mr. Rowe.

Mr. ROWE: Mr. Speaker, I rise not to oppose the Senate motion, but there are two different bills in there, one is a permissive bill, and the other one provides funds. In the event, in the next biennium there, one of the two years if the Governor and the Council would vote to provide funds to match these federal funds, it would be necessary for them to have permissive legislation, and both bills are indefinitely postponed. One is merely permissive and the other one requires funds.

Now I would like to check my L. D. calendar here to find out which is permissive and which isn't, and I would like to table this just for a few minutes and I hope the first one we just accepted wasn't the permissive one because it is very important that the permissive one —

The SPEAKER: The gentleman is debating a tabling motion.

Mr. ROWE: I haven't made the tabling motion yet, Mr. Speaker, I said I would make it, so may I table this bill here and possibly reconsider, I would like to find out which one is permissive here.

The SPEAKER: With respect to this matter, the gentleman from Madawaska, Mr. Rowe, moves that this matter be tabled and specially assigned for later in today's session pending further consideration.

Will those who favor the tabling motion please say aye; those opposed, no.

A viva voce vote being taken, the motion did prevail.

Non-Concurrent Matters

An Act to Create the Bureau of Maine Archives (H. P. 785) (L. D. 1117) which was passed to be enacted in the House on April 22, and passed to be engrossed on April 14.

An Act relating to Automobile Travel by State Employees (S. P. 408) (L. D. 1176) which was passed to be enacted in the House on May 5, and passed to be engrossed on April 21.

An Act to Reactivate the State Committee on Educational Television (S. P. 493) (L. D. 1371) which was passed to be enacted in the House on May 21, and passed to be engrossed on May 19.

An Act relating to Taxation on Sparkling Wines (H. P. 821) (L. D. 1159) which was passed to be enacted in the House on April 24, and passed to be engrossed on April 15.

An Act Providing for a State Committee on Natural Resources (H. P. 966) (L. D. 1372) which was passed to be enacted in the House on May 22, and passed to be engrossed on May 18.

An Act to Create a Law Revision Commission (H. P. 644) (L. D. 935) which was passed to be enacted in the House on April 17, and passed to be engrossed on April 10.

Resolve Providing Funds for a Referral Center at Farmington State Teachers' College for Assistance to Teachers (H. P. 711) (L. D. 1016) which was passed to be enacted in the House on May 29, and passed to be engrossed as amended by Committee Amendment "A" on May 26.

Resolve Appropriating Funds to Public Utilities Commission for Water Resources Investigation (H. P. 713) (L. D. 1018) which was passed to be enacted in the House on May 19, and passed to be engrossed as amended by Committee Amendment "A" on May 13.

An Act Appropriating Moneys for Municipal Planning Assistance (H. P. 737) (L. D. 1056) which was passed to be enacted in the House on May 19, and passed to be en-

grossed as amended by Committee Amendment "A" on May 13.

Came from the Senate indefinitely postponed in non-concurrence.

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

Non-Concurrent Matter

An Act relating to Survivor Benefits and Budget Estimates under Maine State Retirement System (H. P. 217) (L. D. 308) which was passed to be enacted in the House on March 26, and passed to be engrossed as amended by Committee Amendment "A" on March 20.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

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

Mr. JALBERT: Mr. Speaker, I have additional information on this and I move we insist on our former action whereby L. D. 308 was passed to be enacted and ask for a Committee of Conference.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, moves that the House insist and request a Committee of Conference.

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

Mr. WHITMAN: Mr. Speaker, I move we recede and concur.

The SPEAKER: The gentleman from Woodstock, Mr. Whitman, now moves 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 to recede and concur did prevail.

Non-Concurrent Matter

An Act relating to Travel Allowance for Members of the Legislature (H. P. 16) (L. D. 25) which was passed to be enacted in the House on February 25, and passed to be engrossed on February 17.

Came from the Senate indefinitely postponed in non-concurrence.

In the House: The House voted to recede and concur on a viva voce vote.

Non-Concurrent Matter

An Act Increasing Compensation of Clerks of the Law Court (H. P. 506) (L. D. 719) which was passed

to be enacted in the House on May 1, and passed to be engrossed on April 27.

An Act relating to School Taxes in Unorganized Townships (H. P. 466) (L. D. 684) which was passed to be enacted in the House on May 1, and passed to be engrossed as amended by Committee Amendment "A" on April 27.

Resolve to Increase Retirement Benefit of Clyde P. Walker of Stratton (H. P. 46) (L. D. 66) which was passed to be enacted in the House on March 4, and passed to be engrossed as amended by Committee Amendment "A" on February 24.

Came from the Senate indefinitely postponed in non-concurrence.

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

The SPEAKER: The Chair now lays before the House item number one on supplement number 12, Bill "An Act relating to National Defense Education Program," House Paper 383, Legislative Document 566, tabled by the gentleman from Madawaska, Mr. Rowe, and specially assigned for later in the session, and the Chair recognizes that gentleman.

Mr. ROWE: Mr. Speaker and Members of the House: I tabled this because it seems that the Senate has its appropriation bills mixed up. This bill that is before you requires no money, it was passed unanimous "ought to pass" by the Appropriations Committee. It is doing something which is already being done by both the Governor and the Council and it permits the State to accept federal monies to be spent upon our public school education. The other bill that was probably before this, L. D. 827, was a money bill and rightfully they divided up the pie and I was not among the favored few, though I would like to comment I think it was a real bargain for the State of Maine. We had to spend \$100,000 and in return the State of Maine received \$1,600,000 to be spent on our public school education, and why this decision was made, I do not know. However, L. D. 566 is merely permissive and it gives our state government permission to accept national defense monies which have already

been appropriated and monies which Congress has already collected the taxes for.

Now we have already given our state government permission to collect monies from the federal government for vocational education and our state government at this time is also collecting money in other areas with an agreement with the federal government that we would pass other legislation which would permit them to accept monies which should be spent outside of other fields other than vocational education. We are already doing this and they have gone along with the agreement — with the understanding that we would pass this permissive legislation. I think — I am not trying at this late hour to pull anything here, I think the Senate has made a mistake and I am not quite sure what motion to make here in order to get this back to the Senate and see if they take proper action upon it.

The SPEAKER: The Chair would advise the gentleman that the only motion he can make which would keep the matter alive would be to insist and request a Committee of Conference.

Mr. ROWE: Without any delay, Mr. Speaker, and I think this could be cleared up within a matter of three minutes with the Committee of Conference, I move we insist and request a Committee of Conference.

The SPEAKER: The gentleman from Madawaska, Mr. Rowe, moves that the House insist and request a Committee of Conference.

The Chair recognizes the gentleman from Presque Isle, Mrs. Christie.

Mrs. CHRISTIE: Mr. Speaker, I would like to ask the gentleman from Madawaska or someone else, what this section 222-D in this Bill means. It says "Appropriation. The Legislature shall appropriate for national defense education services such sums as it finds necessary."

The SPEAKER: The gentlewoman from Presque Isle, Mrs. Christie, has addressed a question through the Chair to the gentleman from Madawaska, Mr. Rowe, who may answer if he chooses.

Mr. ROWE: Yes, there have been funds which have been authorized for the State of Maine. For

instance if I may read them for you. There are loans to college students of \$180,000, I am rounding the figures off, there are for strengthening our program in both the elementary and secondary school level in the areas of science, mathematics and foreign language instruction, \$406,000, \$27,000 and \$57,000. In guidance and counselling \$82,000 and an area vocational program which we already have permissive legislation to accept, \$92,000 and then under other areas of \$847,000.

In order to accept this money from the federal government, the state must provide certain monies on a matching basis. The Governor and the Council, I think it was in February, accepted money which was not to be applied in the vocational area and the federal government agreed at that time that they would provide monies which were to be applied to the general secondary educational school level program provided that this would be changed, and this is permissive legislation in the event that the Governor and Council should decide to do this thing as they have been doing and have done during this last winter. This is merely permissive. There is no money tag involved in it. It is an executive decision which we as legislators leave during the interim between one Legislature to another. If the Governor and Council should care to do this they can provide the monies to match federal monies and bring that to be spent upon our public school education.

The SPEAKER: The Chair recognizes the gentleman from Scarborough, Mr. Clark.

Mr. CLARK: Mr. Speaker, I would like to ask a question through the Chair. These sums of money just mentioned by Mr. Rowe, the gentleman from Madawaska, I would ask if it does not require an additional appropriation in addition to the sum just mentioned to match these funds?

The SPEAKER: The gentleman from Scarborough, Mr. Clark, has addressed a question through the Chair to the gentleman from Madawaska, Mr. Rowe, who may answer if he chooses.

Mr. ROWE: I will give an example, Mr. Speaker, if I may. If we were just to match one title of the act which being the secondary school level for one biennium, we would spend \$27,000 state money, and then for that \$427,000 in round figures would be provided in federal funds to be spent in these areas. Now in order for the state government to appropriate these funds to a local community, the local community must match these federal funds dollar for dollar.

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

Mr. BRAGDON: Mr. Speaker, I don't wish to appear uncooperative at this late hour in the long day that we have had, but I am thoroughly convinced that there is no misunderstanding about this, and I am just as thoroughly convinced that nothing can be accomplished by a Committee of Conference. I would feel that we should go along with the Senate.

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

Mr. DUMAINE: Mr. Speaker and Members of the House: You probably know that a very few years ago I was connected with the County Civil Defense. What the gentleman from Madawaska, Mr. Rowe has said, is absolutely true. We get back twice the amount of money in the state or more than twice the money back from the federal government expended.

The SPEAKER: The question before the House is the motion of the gentleman from Madawaska, Mr. Rowe, that the House insist and request a Committee of Conference.

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

Mr. BRAGDON: I move we recede and concur.

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

The Chair recognizes the gentleman from Madawaska, Mr. Rowe.

Mr. ROWE: I want to emphasize upon the members of the House, this is something that we are already doing and I would ask for a division and I do hope you vote

against the motion to recede and concur.

The SPEAKER: A division has been requested. The question before the House is the motion of the gentleman from Perham, Mr. Bragdon, that with respect to Bill "An Act relating to National Defense Education Program" the House recede and concur. Will those who favor the motion 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.

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

The SPEAKER: The pending question now is the motion of the gentleman from Madawaska, Mr. Rowe, that the House insist and request a Committee of Conference. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The Chair recognizes the gentleman from Pittsfield, Mr. Baxter.

Mr. BAXTER: Mr. Speaker, may I approach the rostrum?

The SPEAKER: The gentleman may approach the rostrum.

(Conference at rostrum)

The SPEAKER: Would the gentleman from Madawaska, Mr. Rowe, approach the rostrum?

(Conference at rostrum)

The SPEAKER: To the Committee of Conference with regard to Bill "An Act relating to National Defense Education Program," the Chair will appoint the following conferees on the part of the House: The gentleman from Madawaska, Mr. Rowe, the gentleman from Kennebunk, Mr. Emmons, and the gentleman from Southport, Mr. Rankin.

The SPEAKER: The Chair recognizes the gentleman from Pittsfield, Mr. Baxter.

Mr. BAXTER: Mr. Speaker, with regard to supplement number 13, item number 5, "An Act relating to Taxation on Sparkling Wines," House Paper 821, Legislative Document 1159, this was a bill which came before the Taxation Commit-

tee. It was presented by the State Liquor Commission. They were the only people who appeared, and it was their bill asking that the taxation on wines be reduced — on sparkling wines be reduced. The reason for this was that they had recently very markedly increased the taxation on this beverage to the point that it had reduced sales far beyond what they gained from the increase on the tax. And they came before us and asked that we bring this tax back down. There was no opposition. So I would like to move that we reconsider our action whereby we receded and concurred with the Senate.

The SPEAKER: The gentleman from Pittsfield, Mr. Baxter, moves that the House reconsider its action whereby it receded and concurred with the Senate.

The Chair recognizes the gentleman from Bath, Mr. Mayo.

Mr. MAYO: Mr. Speaker and Members of the House: I would like to take just two or three minutes of your time and explain that I was at this hearing; I have talked with the commissioners; I went over the L. D. with the sponsor, Earl Brown of Bangor. The gentleman from Bangor, and I really and truly feel that if we indefinitely postpone this bill we are going to lose revenue. At the time of the original — this bill was before the House originally, and Mr. Brown explained why this was put in here at this time. We have many ports on our seacoast in which we have many boats from out-of-state on cruises. They put in to Rockland, Bangor, Portland and areas like that and at one time we used to sell tremendous amounts of sparkling wines to these boats, and I mean cases of it, but since the increase was put on, the tax was raised — the price was raised, the sale of these wines has gone down tremendously, and it is definitely a revenue - producing product, and it is — ninety percent of it goes right out of the State of Maine on these yachts. It is out-of-state money being spent in the State of Maine and I certainly hope we will not indefinitely postpone it, and have a Committee of Conference.

The SPEAKER: The Chair recognizes the gentleman from St. Albans, Mr. Hughes.

Mr. HUGHES: Mr. Speaker, I would just like to pose a question. If this is a revenue measure, what was it doing on the special appropriations table?

The SPEAKER: The Chair recognizes the gentleman from Pittsfield, Mr. Baxter.

Mr. BAXTER: Mr. Speaker, as far as I can find, I cannot find L. D. 1159 on the sheet the Governor gave us. If you can find it there — Howard, do you know the answer to that question?

The SPEAKER: The Chair recognizes the gentleman from Bath, Mr. Mayo.

Mr. MAYO: It is not on the sheet which the Governor sent out to us yesterday, but — I do not have it with me; I have taken everything down to the car, but it was on the original long sheet that we have looked at so many days, the long narrow sheet that had the surplus L. D.'s and the other L. D.'s; it was on there and it was marked as some of those L. D.'s were marked, 'loss of revenue.'

The SPEAKER: The Chair recognizes the gentleman from Biddeford, Mr. Caron.

Mr. CARON: Mr. Speaker, it is my understanding that the leaders and several other members of both branches met and discussed the cutting down of these L. D.'s. If we had passed the original tax all these L. D.'s would have been included. We knew and we realized when we passed the transient tax that some L. D.'s would have to be cut down. The Committee spent a considerable amount of time, practically all night, attempting to keep the L. D.'s that were of the most importance.

I want to take this opportunity now to move the previous question.

The SPEAKER: The gentleman from Biddeford, Mr. Caron, has moved the previous question. For the Chair to entertain a motion for the previous question the Chair must be authorized to do so by at least one-third of the members of the House. Will those who favor the Chair entertaining the motion for the previous question please rise and remain standing until the mon-

itors have made and returned the count.

An insufficient number arose.

The SPEAKER: Obviously, less than one-third having arisen, the Chair is not authorized to entertain the motion.

The Chair recognizes the gentleman from Kennebunk, Mr. Emons.

Mr. EMMONS: Mr. Speaker, the gentleman from Biddeford, Mr. Caron, suggested that there was some time spent. I think that was probably so and an error could have been made. I think that this is a matter of a point of diminishing returns by increasing the price and I would suggest that we go along with the gentleman from Pittsfield, Mr. Baxter, so that this matter can be checked and definitely taken care of. I feel this would be if we indefinitely postponed it, it might be very definitely a loss of revenue.

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

Mr. MILLER: Mr. Speaker and Members of the House: I think that this is a lot more important than what probably most of us would think. Even with all the study that probably has been done I think there is some merit in the Committee of Conference and I wholeheartedly go along with the reconsideration made by the gentleman from Pittsfield, Mr. Baxter.

The SPEAKER: The question before the House is the motion of the gentleman from Pittsfield, Mr. Baxter, that the House reconsider its action whereby earlier today with reference to Bill "An Act relating to Taxation on Sparkling Wines," the House voted to recede and concur. Is it the pleasure of the House to reconsider its action?

The motion prevailed.

Thereupon, on motion of Mr. Baxter of Pittsfield, the House voted to insist on its former action and request a Committee of Conference, to which Committee of Conference the Speaker appointed the following Conferees on the part of the House:

Messrs. BAXTER of Pittsfield

MAYO of Bath

WALSH of Verona

The SPEAKER: The Chair recognizes the gentleman from Woodstock, Mr. Whitman. Does the gentleman request unanimous consent to address the House?

Mr. WHITMAN: I wish to make a motion.

The SPEAKER: In connection with what?

Mr. WHITMAN: I would like to propose reconsideration of item eleven, supplement thirteen, and I would speak to my motion.

The SPEAKER: The gentleman from Woodstock, Mr. Whitman, in connection with item eleven at the bottom of supplement thirteen, Bill "An Act relating to Survivor Benefits and Budget Estimates under Maine State Retirement System," House Paper 217, Legislative Document 308, moves that the House reconsider its action whereby it receded and concurred.

The gentleman may proceed.

Mr. WHITMAN: Mr. Speaker and Members of the House: In view of the length of the session which we are endeavoring to get through here, I think perhaps we are being a little mite hasty at times, and I for one would be guilty of such hastiness. It has been pointed out to me by the people interested in this bill that perhaps they do have further arguments to present in favor of this bill. Therefore, I would move to reconsider this bill to allow them to present their side of the argument and perhaps avert an injustice being done in haste in the last minutes of this session.

The SPEAKER: The Chair recognizes the gentleman from Cumberland, Mr. Call.

Mr. CALL: Mr. Speaker and Ladies and Gentlemen of the House: Being on the Retirements and Pensions Committee, about two years ago the last session we passed a bill for the survivor benefit that went along with the retirement system, and unfortunately we did not recognize the fact of the people who were killed in the service of the state, so — excuse me, four years ago we put the bill in, so last session we put the bill in and it was defeated on account of the high amount of money. But this year the people have either remarried, the widows are either remarried or left the state so it is only

down to four now, and that is the reason we cut it back to fifty-five only to take care of those four people whom the committee felt should be given the survivor benefits, the widows, and it came out of committee unanimous "ought to pass." I hope you will go along with the motion to reconsider.

The SPEAKER: The Chair recognizes the gentleman from Rumford, Mr. Aliberti.

Mr. ALIBERTI: Mr. Speaker and Ladies and Gentlemen of the House: I would oppose the motion to reconsider. I am not against widows or anybody else that needs it, but the gentleman from Cumberland, Mr. Call, has opposed every tax measure knowing that some of these things were going to hit him, and now he is up here asking us to reconsider something and I don't believe it's fair.

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 receded and concurred. Will those who favor the motion to reconsider please say aye; those opposed, no.

A viva voce vote being taken, the motion to reconsider did not prevail.

The SPEAKER: At this time pursuant to the Joint Order that was passed earlier in this session today that there be created an interim joint committee to consist of two Senators and three Representatives from the Committee on Appropriations and Financial Affairs and two Senators and three Representatives from the Committee on Education, to study and report to the 100th Legislature on the problems of school construction aid to municipalities, the Chair will appoint the following members of the House to that Committee. On the part of the Committee on Appropriations and Financial Affairs, the gentleman from Bangor, Mr. Stanley, the gentleman from Perham, Mr. Bragdon, and the gentleman from Raymond, Mr. Edwards.

On the part of the Committee on Education the Chair will appoint the gentleman from Montville, Mr. Mathieson, the gentlewoman from Leb-

anon, Mrs. Hanson, and the gentlewoman from Rumford, Miss Cormier.

The SPEAKER: The Assistant Clerk will proceed with the item on supplement number fifteen.

The following Enactor was taken up out of order and under suspension of the rules:

Passed to Be Enacted

An Act Appropriating Moneys to Effectuate Pay Plan for State Employees (S. P. 505) (L. D. 1387)

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

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

Mr. WHITMAN: Mr. Speaker, I would just ask a question for information only. The Enactor shows no amendment. I have an amendment filing on my desk. I wondered if the amendment had been adopted in the Senate.

The SPEAKER: The Chair is advised that the amendment was adopted in the other branch.

Mr. WHITMAN: Thank you sir, it was not noted on the supplemental number 15.

The SPEAKER: The amendment, the Chair is advised, was Senate Amendment "A" and was adopted in both the Senate and the House earlier this session. Number 512 is the filing number of the amendment.

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

The gentleman from Rockland, Mr. Knight, was granted unanimous consent to address the House.

Mr. KNIGHT: I wish to extend an invitation to one and all in the House to the Maine Seafoods Festival which is held annually in Rockland on the first weekend in August. As you know, Rockland is the lobster capitol of the world. (Applause)

The SPEAKER: The House will be in recess until the sound of the gong.

After Recess
11:00 P. M.

The House was called to order by the Speaker.

**Order Out of Order
Indefinitely Postponed**

Out of order and under suspension of the rules, the gentleman from Cumberland, Mr. Call, presented the following Order and moved its passage:

ORDERED, the Senate concurring, that Bill "An Act Making Additional Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1960 and June 30, 1961" (S. P. 520) be recalled from the Engrossing Department to the House for the purpose of reconsideration.

The SPEAKER: The Chair recognizes the gentleman from Scarborough, Mr. Clark.

Mr. CLARK: Mr. Speaker and Members of the House: This appears to me to be a last minute attempt to salvage something, and at this time I would move the indefinite postponement of this order.

The SPEAKER: The gentleman from Scarborough, Mr. Clark, moves that the order be indefinitely postponed. Is the House ready for the question?

Will those who favor the indefinite postponement of this order please say aye; those opposed, no.

A viva voce vote being taken, the motion to indefinitely postpone the Order did prevail.

(Off Record Remarks)

House at Ease

Called to order by the Speaker.

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 National Defense Education Program" (H. P. 383) (L. D. 566) reporting that the Senate recede from indefinite postponement and pass the Bill to be enacted in concurrence.

(Signed)

ROWE of Madawaska

EMMONS of Kennebunk
RANKIN of Southport

— Committee on part of House.

DOW of Lincoln

ROGERSON of Arrostook

LESSARD of Androscoggin

— Committee on part of Senate.

Report was read.

The SPEAKER: The Chair recognizes the gentleman from Scarborough, Mr. Clark.

Mr. CLARK: Mr. Speaker and Members of the House: I became a bit concerned over this, and I feel at this time that I should read into the record that I owe somewhat of an apology to the gentleman from Madawaska, Mr. Rowe, as I was confused on the two bills which pertain to somewhat similar circumstances. I now move that we accept the Committee of Conference Report.

The SPEAKER: The pending question is the acceptance of the Committee of Conference Report. Is this the pleasure of the House?

The motion prevailed, the Report was accepted and sent up for concurrence.

Order Out of Order

Out of order and under suspension of the rules, Mr. Crockett of Freeport presented the following Order and moved its passage:

ORDERED, the Senate concurring, that the Legislative Research Committee be, and hereby is, authorized and directed to set forth appropriate plans and to make arrangements for the celebration of the 100th Anniversary of the Maine Legislature; and be it further

ORDERED, that the Legislative Research Committee be authorized to expend a sum not to exceed \$100, such funds to be used for decorations and other purposes customary to such celebrations. Funds for this purpose shall come from the legislative appropriation (H. P. 987)

The SPEAKER: Is it the pleasure of the House that this Order shall receive passage? The Chair recognizes the gentleman from Bangor, Mr. Philbrick.

Mr. PHILBRICK: Mr. Speaker, I don't want to be any kind of an obstructionist, but I do want to ask a question of the gentleman from

Freeport, Mr. Crockett, that is, he says the 100th anniversary. Do you mean the 100th Legislature or have we only had a Legislature since 1859?

The SPEAKER: The gentleman from Bangor, Mr. Philbrick, has addressed a question through the Chair of the gentleman from Freeport, Mr. Crockett, who may answer if he chooses.

Mr. CROCKETT: You and I now, Mr. Philbrick, are serving in the 99th Legislature. I ask this order for the 100th Legislature coming in. If you have any objection to that, please tell me.

The SPEAKER: Is it the pleasure of the House that this Order shall receive passage?

The motion prevailed.

Passed to Be Enacted

An Act Making Additional Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1960 and June 30, 1961 (S. P. 520)

Was 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.

The gentleman from Bangor, Mr. Stanley, was granted unanimous consent to address the House.

Mr. STANLEY: Mr. Speaker and Members of the House: You probably remember at the beginning of the session there were two men who sat down here before us and took down the notes as we spoke, and lately there has only been one there and at times there has been a young lady with him. They have been working under extreme difficulties during the session having their recording system go on the blink and having to have it fixed several times.

You will notice Mrs. Merrill up in the window who runs the machine and corrects the proof. I would like at this time to ask the House to acknowledge the fine job done by Ray Gidney, Mrs. Merrill, Mrs. Tillotson and also Mr. MacDonald, who used to sit at the table, and was loaned to us by the Public Utilities Commission for a short while.

I would also like to say that of course Ray Gidney has worked through since yesterday morning as have the rest of them, but during that time without any interruption from his work, he has an increase in his family of a little boy which makes the fourth boy in his family. I think we should express our thanks to the gentleman for a fine job. (Applause, members rising)

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

Mr. JALBERT: Mr. Speaker, I would ask that this House direct Ray to put "applause, vast applause" after the comments.

The SPEAKER: The Chair will so direct the Reporter.

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

Mr. STANLEY: When I found out yesterday that he had a new son, I asked him "Why don't we have the House name it?" and he said: "Well, I guess you had better, because we only planned on a daughter."

(Reporter's note: The boy was named Bernard Charles Gidney)

Mr. Crockett of Freeport was granted permission to address the House.

Mr. CROCKETT: Mr. Speaker and Members of the House: I want to say in the waning hours before we close, it has been a great pleasure to me to meet such a fine body of ladies and gentlemen, and I hope we meet again. (Applause)

The SPEAKER: The House will be in recess until the sound of the gong.

After Recess 11:30 P.M.

The House was called to order by the Speaker.

A message came from the Senate borne by Senator Woodcock of that body informing the House that the Senate had transacted all business before it and was ready to adjourn without day.

On motion of Mr. Wade of Auburn, that gentleman was charged with and conveyed a message to the Senate informing that body

that the House had acted on all matters before it and was ready to adjourn without day.

Mr. Call of Cumberland was granted permission to address the House.

Mr. CALL: Mr. Speaker and Ladies and Gentlemen of the House: It now gives me great satisfaction having known the Acting Clerk for many years, in behalf of the House I wish to compliment the Acting Clerk, Mrs. E. May Chapman, on her fine job, and I now ask the House to stand and give her a round of applause. (Applause, members rising)

Mrs. CHAPMAN: Thank you very much.

Mr. Weston of Farmingdale was granted permission to address the House.

Mr. WESTON: Mr. Speaker and Members of the House: You will remember at the start of the session I had the unfortunate accident to break my leg, and during my stay in the hospital I received a bouquet of flowers from this House, and being in rather a shook-up mood when I did appear here I forgot to thank the House very much for their flowers and I appreciated them very much.

Also, I would like to say that I have enjoyed a most pleasant winter here even in this condition, which might have otherwise been very dull, I want to thank you. (Applause)

House at Ease

Called to order by the Speaker.

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 a Committee of three on the part of the Senate, with such as the House may join, be appointed to wait upon the Governor and inform him that both branches of the Legislature have acted on all matters before them and are now ready to receive any communication that he may be pleased to make. (S. P. 518)

Came from the Senate read and passed with the following members appointed on its part:

Messrs.

LESSARD of Androscoggin
WOODCOK of Penobscot
MARTIN of Kennebec

In the House: The Order was read and passed in concurrence.

The Speaker appointed the following members on the part of the House:

Miss CORMIER of Rumford
Mr. PLANTE of
Old Orchard Beach
Mrs. KILROY of Portland
Messrs. WADE of Auburn
EMMONS of Kennebunk
BERMAN of Auburn
BACON of Sidney

Subsequently Miss Cormier, for the Committee, reported that the Committee had delivered the message with which it was charged, and that His Excellency, Governor Clinton A. Clauson, would attend forthwith.

Whereupon, His Excellency, Governor Clinton A. Clauson, entered the Hall of the House amid applause of the House, the members rising, and delivered the following communication:

G O V E R N O R C L A U S O N: Mr. Speaker, Members of the House:

It is my pleasure to submit to you a tabulation of the work of the 99th Legislature.

Acts Approved: 559
Resolves Approved 127
Vetoes Presented: none

It was twenty-three weeks ago that the Maine Legislature commenced its session which this morning came to an end. The 99th Legislature has set a record for longevity. No other Maine Legislature has labored so long. All of you who have come here to serve your areas in the Legislature have profited much, I am sure, in knowledge of State Government by participation in this Session.

Both Mrs. Clauson and myself have enjoyed our association with you members of the Legislature in the past few months.

No Legislative Session is a picnic. True, there is the enjoyment of new friends and good fellowship...the pleasure of studying, and dealing with, the problems of State Government. On the other hand...and we have all experienced them

...there are disappointments, frustrations and disagreements. It is all part of the legislative process. No one of us, I am sure, is fully satisfied with the results of the Legislative Session coming to a close here today. But I am confident that all of us are glad that the battle is done.

Both as Governor, and as a citizen of Maine, I deeply appreciate the many sacrifices you have made to come here to Augusta to represent your districts in the Legislature. It is not an easy task. I wish you God-speed on your journeys home. In the years ahead, I hope that the friendships made here will remain close and lasting.

Good day...and the best of luck, and thank you all very much (Prolonged applause, the Members rising)

Thereupon, Governor Clauson retired from the Hall of the House.

The SPEAKER: The Chair recognizes the gentleman from Brewer, Mr. Lindsay.

Mr. LINDSAY: Mr. Speaker, Ladies and Gentlemen of the House: As this is to be my swan song, I wish to take this opportunity to thank everyone in this House and the office for their kindness and courtesy to me during my three sessions of membership in the House.

Now Mr. Speaker and Ladies and Gentlemen of the House, I move that the 99th Legislature adjourn without day.

The SPEAKER: The gentleman from Brewer, Mr. Lindsay, moves that since the record now shows the time to be 11:59 P.M. on June 13, this House now adjourn without day. Is this the pleasure of the House?

The motion prevailed and at 11:59 P.M., Eastern Daylight Time, Saturday, June 13, 1959, the Speaker declared the House adjourned without day.