

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

Tuesday, January 19, 1960

This being the day designated in the proclamation of the Governor for the meeting of the Ninety-ninth Legislature in extra session, the members of the House of Representatives assembled in their hall at four o'clock in the afternoon and were called to order by the Speaker.

Prayer was offered by the Rev. Mr. Alton E. Maxell of Augusta.

The members stood at attention during the playing of the National Anthem.

The following Proclamation:

STATE OF MAINE
PROCLAMATION
BY THE GOVERNOR

WHEREAS, it appears advisable that the Legislature of this State should meet in special session for the following purposes:

To consider legislation to validate School Administrative Districts.

To consider legislation relating to transportation of school children to other than public schools.

To consider any other legislation to promote the general welfare of the State.

NOW, THEREFORE, I, JOHN H. REED, Governor of the State of Maine, by virtue of the power vested in me as Governor, convene the Legislature of this State, hereby requiring the Senators and Representatives to assemble in their respective chambers at the Capitol at Augusta on Tuesday, the nineteenth day of January, 1960 at four o'clock in the afternoon in order to receive such communication as may then be made to them and to consider and determine on such measures as in their judgment will best promote the welfare of the State.

(Seal) Given at the office of the Governor at Augusta and sealed with the Great Seal of the State of Maine, this fifth day of January in the year of our Lord One Thousand Nine Hundred and Sixty, and of the Independence of the United States of America, the

One Hundred and Eighty-fourth.

JOHN H. REED
Governor

By the Governor
PAUL A. MACDONALD
Deputy Secretary of State

A true copy.

Attest: Paul A. MacDonald
Deputy Secretary of State

The Proclamation was read by the Clerk and ordered placed on file.

The Clerk thereupon called the roll of the House. 140 members answered to their names and accordingly a quorum was found to be present.

Those who were absent were Messrs. Aliberti, Brockway, Brown of Bangor, Couture, Dow, Frazier, Hendricks, Mathews and Rollins.

There were nine absentees.

On motion of Mr. Wade of Auburn, it was

ORDERED, that a Committee of seven be appointed to wait upon His Excellency, the Governor, and inform him that a quorum of the House of Representatives is assembled in the Hall of the House for the consideration of such business as may come before the House.

The Chair appointed the following members to the Committee:

Messrs. WADE of Auburn
EMMONS of Kennebunk
ERVIN of Houlton
Mrs. KNAPP of Yarmouth
Mr. CASWELL of New Sharon
Miss CORMIER of Rumford
Mr. PLANTE of Old Orchard Beach

Subsequently Mr. Wade for the Committee reported that it had attended to the duty assigned to it.

On motion of Mr. Wade of Auburn, it was

ORDERED, that a message be conveyed to the Senate that a quorum of the House of Representatives is present for the consideration of such business as may come before the House.

Thereupon, Mr. Wade of Auburn was designated by the Speaker to convey the message to the Senate and he subsequently reported that

he had performed the duty assigned him.

The following Communication:

STATE OF MAINE
DEPARTMENT OF STATE
AUGUSTA

January 7, 1960

Harvey R. Pease
Clerk of the House
of Representatives
State House
Augusta, Maine

Dear Mr. Pease:

As directed by the Governor and Executive Council I am sending you a copy of the Resolution on the death of the late Clinton A. Clauson, Governor of the State of Maine. The Resolution was adopted at a meeting of the Governor and Council on January 6, 1960.

Very truly yours,
(Signed) HAROLD I. GOSS
Secretary of State

The Communication was read and with accompanying papers ordered placed on file.

The SPEAKER: The Clerk will now read the Resolution and the Chair will request all members of the House to rise and stand silently while the Resolution is being read.

Whereupon, the Resolution was read by the Clerk as follows:

STATE OF MAINE
RESOLUTION

WHEREAS, God in His infinite and inscrutable wisdom has seen fit to remove from his responsibilities as Chief Executive of the State of Maine, the Honorable Clinton A. Clauson, Governor, and

WHEREAS, this act has brought to a sudden and untimely end the useful life of a loyal, a devoted, and a highly respected public servant of this State, and,

WHEREAS, his immediate family stands bereft of a loving husband and father, and,

WHEREAS, the Executive Council that has served with him so closely for the past twelve months feels the personal loss of a good and kindly friend, and,

WHEREAS, all of the people of the State of Maine are publicly mourning, through the month of

January, the untimely passing of a charming and gracious man, and

WHEREAS, his associates in the government of this State are united in expressions of profound sorrow at the departure from their midst of one who was widely popular, genuinely beloved, and universally respected,

NOW BE IT RESOLVED, that the Executive Council of the State of Maine, in regular session in its Chambers in the State House at Augusta, Wednesday, January 6, 1960, through the foregoing Resolution, voices the deep sense of loss so widespread over the State and acknowledges the profound sympathy and condolences so genuinely expressed, and,

BE IT FURTHER RESOLVED that these Resolutions become a permanent part of the record of the Executive Council and of the State of Maine, that they be presented to the bereaved family, to the Senate, and to the House of Representatives of the State of Maine, and that they be made public.

JOHN H. REED
Governor

DAVID R. HASTINGS
ROBERT L. TRAVIS
FRANK WOOD

(Seal) ARTHUR N. GOSLINE
WILLIAM S. SILSBY
ROBERT L. BROWNE
BERNARD E. ESTERS

Members of the Executive Council
Attest:

HAROLD I. GOSS
Secretary of State

The following Communication:

STATE OF MAINE
DEPARTMENT OF STATE
AUGUSTA

To Harvey R. Pease,
Clerk of the House of
Representatives of the
Ninety-ninth Legislature:

In compliance with Section I of Chapter 10 of the Revised Statutes of 1954 notification is hereby given of vacancies in the House of Representatives as listed below:

South Portland — Henry G. Jones
of South Portland — Caused by death.

Brooklin, Brooksville, Deer Isle,
Sedgwick and Stonington — Myron

F. Shepard of Stonington — Caused by death.

Andover, Byron, Roxbury and Rumford — Joseph A. Aliberti of Rumford — Caused by resignation.

Burlington, Greenbush, Lee, Lowell, Mattawamkeag, Milford, Passadumkeag, Springfield, Winn, Plantations of Carroll, Drew, Grand Falls, Lakeville, Prentiss and Webster — Daniel J. Frazier, Jr. of Lee — Caused by resignation.

Atkinson, Milo, Sebec, Lake View Plantation and the unorganized townships of Medford and Orneville — Warren A. Brockway of Milo — Caused by death.

Eliot and York — Harold L. Dow of Eliot — Caused by resignation.

Copies of the letters of resignation of Mr. Aliberti, Mr. Frazier and Mr. Dow accompany this communication.

Respectfully,

(Signed) HAROLD I. GOSS
Secretary of State

The Communication was read and ordered placed on file, and the names stricken from the rolls of the House.

At this time, a message was received from the Senate, borne by Senator Woodcock of Penobscot, informing the House that a quorum was present and that the Senate was ready to transact such business as might properly come before it, and that the Honorable Earle M. Hillman had been elected President of the Senate.

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

From the Senate: The following Resolution:

WHEREAS: The State of Maine now is embarked upon a program to promote sources of prosperity for its citizens; and

WHEREAS: The Pulp and Paper Industry is Maine's largest in value of product, and long has been an important factor in the State's Economy; and

WHEREAS: This Industry has demonstrated its Faith in the Future of Maine by many recent Expansions, Modernizations and Capital Investments in Maine totalling sev-

eral millions of dollars; now, therefore be it

RESOLVED: That the valuable contributions to the State of Maine Economy by the Pulp and Paper Industry be and hereby are officially recognized; and be it further

RESOLVED: That in token of Appreciation a copy of this Resolution by the LEGISLATURE OF THE STATE OF MAINE be suitably engraved and presented to THE PULP AND PAPER INDUSTRY OF MAINE.

At a Joint Convention of the Ninety-ninth Legislature of Maine, in Special Session January 19, 1960.

JOHN H. REED

Governor

EARLE M. HILLMAN

President of the Senate

JOSEPH T. EDGAR

Speaker of the House

Came from the Senate today read and adopted.

In the House, the Resolution was read and adopted in concurrence.

The following Communication:

STATE OF MAINE
OFFICE OF THE
SECRETARY OF STATE

To Harvey R. Pease,
Clerk of the House of Representatives of the Ninety-ninth Legislature:

In compliance with Section 1 of Chapter 10 of the Revised Statutes, I hereby certify that special elections were held for the purpose of filling vacancies in the following Representative Districts:

On October 12, 1959 a special election was held in the City of South Portland for the purpose of filling a vacancy caused by the death of Henry G. Jones. The vote was duly canvassed by the Governor and Council and Samuel A. Hinds of South Portland received 1,417 votes; Florence E. Cavanaugh of South Portland received 834 votes; Samuel A. Hinds, having received a plurality of the votes cast, appears to have been elected.

On October 12, 1959 a special election was held in the Towns of Brooklin, Brooksville, Deer Isle, Sedgwick and Stonington for the purpose of filling a vacancy caused by the

death of Myron F. Shepard of Stonington. The vote was duly canvassed by the Governor and Council and Natalie A. Shepard of Stonington received 474 votes; Girard V. Condon of Brooksville received 240 votes; Natalie A. Shepard, having received a plurality of the votes cast, appears to have been elected.

On October 12, 1959 a special election was held in the Towns of Andover, Byron, Roxbury and Rumford for the purpose of filling a vacancy caused by the resignation of Joseph A. Aliberti of Rumford. The vote was duly canvassed by the Governor and Council and John P. Zollo, Jr. of Rumford received 859 votes; Theodore W. Sirois of Rumford received 1,532 votes; Theodore W. Sirois, having received a plurality of the votes cast, appears to have been elected.

On October 12, 1959 a special election was held in the Towns of Burlington, Greenbush, Lee, Lowell, Mattawamkeag, Milford, Passadumkeag, Springfield, Winn, Plantations of Carroll, Drew, Grand Falls, Lakeville, Prentiss and Webster for the purpose of filling a vacancy caused by the resignation of Daniel J. Frazier, Jr. of Lee. The vote was duly canvassed by the Governor and Council and William G. Whitney of Winn received 321 votes; Gilman Roe Smith of Springfield received 133 votes; William G. Whitney, having received a plurality of the votes cast, appears to have been elected.

On August 17, 1959 a special election was held in the Towns of Atkinson, Milo, Sebec, Lake View Plantation and the unorganized townships of Medford and Orneville for the purpose of filling a vacancy caused by the death of Warren A. Brockway of Milo. The vote was duly canvassed by the Governor and Council and Clyde Hichborn of Medford Township received 456 votes; John C. McDonald of Milo received 215 votes; Clyde Hichborn, having received a plurality of the votes cast, appears to have been elected.

On October 12, 1959 a special election was held in the Towns of Eliot and York for the purpose of filling a vacancy caused by the resignation of Harold L. Dow of Eliot. The vote was duly canvassed

by the Governor and Council and George D. Varney of Eliot received 782 votes; William J. Hargen, Jr. of York received 175 votes; George D. Varney, having received a plurality of the votes cast, appears to have been elected.

IN TESTIMONY

WHEREOF I have caused the seal of the State to be herewith affixed at Augusta this nineteenth day of January, A. D., 1960, and of the Independence of the United States of America the one hundred and eighty-fourth.

(Seal)

(Signed) HAROLD I. GOSS
Secretary of State

The Communication was read and referred to the House Committee on Elections.

The SPEAKER: The Chair will request the following newly elected Members of the House to assemble in the well of the House as their names are called, and the Chair will appoint the following Committee to escort the newly elected members to the Office of the Governor to receive their oath of office.

The new members will please come forward as their names are called:

- Mr. HINDS of South Portland
- Mrs. SHEPARD of Stonington
- Messrs. WHITNEY of Winn
- HICHBORN of Medford Township
- VARNEY of Eliot

The Chair would advise the House that a sixth new member-elect, Mr. Theodore Sirois of Rumford, is unable to be present and receive his oath at this time.

The Chair appointed the following members to the Committee:

- Messrs. EARLES of South Portland
- BROWN of Ellsworth
- Mrs. HARRINGTON of Patten
- Messrs. DODGE of Guilford
- DENNETT of Kittery

Subsequently Mr. Earles for the Committee reported that it had attended to the duty assigned to it.

At this time, a message was received from the Senate, borne by its Secretary, proposing a Joint Convention to be held forthwith in

the Hall of the House of Representatives for the purpose of listening to an address by His Excellency, Honorable John H. Reed, Governor of Maine.

The Clerk was charged with and conveyed a message to the Senate informing that body that the House concurred in the proposal for a Joint Convention.

The Clerk subsequently reported that he had delivered the message with which he was charged.

The following Communication:

STATE OF MAINE
HOUSE OF REPRESENTATIVES
AUGUSTA

January 19, 1960

The Hon. Joseph T. Edgar, Speaker
Maine House of Representatives
State House
Augusta, Maine

Dear Mr. Speaker:

I wish to submit my resignation from the Legislative Committee on Veterans and Military Affairs effective this date. Thank you very much for past courtesies.

Very truly yours,

(Signed) ARNOLD W. BRIGGS
Representative, Portland

The Communication was read and the resignation accepted.

The SPEAKER: The Chair at this time will appoint the gentleman from Portland, Mr. Briggs, to a vacancy now existing on the Committee on Public Health.

The following Communication:

STATE OF MAINE
HOUSE OF REPRESENTATIVES
OFFICE OF THE CLERK
AUGUSTA

January 19, 1960

Honorable Joseph T. Edgar, Speaker
House of Representatives
Ninety-ninth Legislature

Sir:

Acting under authority granted to me by House Order to appoint the subordinate officers of the House and to fill vacancies, I have today accepted the resignations of Mrs. Edna G. Clement, Secretary to the Clerk, Keith R. Foster, Public Address Operator, and appointed to

fill the vacancies, Mrs. Doris M. Elvin, Augusta, Secretary to the Clerk, Roger G. Parsons, Cambridge, Public Address Operator.

Respectfully,

(Signed) HARVEY R. PEASE
Clerk of the House

The Communication was read and ordered placed on file.

The SPEAKER: And now on behalf of the House of Representatives of the Ninety-ninth Legislature, the Chair extends to you new members a most hearty and cordial welcome and we wish you every success. (Applause)

At this time, the Chair will announce the following appointments of the new House members:

Mr. Hinds of South Portland to a vacancy on the Committee on Towns and Counties, and he will occupy Seat 120.

Mrs. Shepard of Stonington to a vacancy on the Committee on Business Legislation, and she will occupy Seat 70.

Mr. Whitney of Winn to a vacancy on the Committee on Education, and he will occupy Seat 106.

Mr. Hichborn of Medford Township to a vacancy on the Committee on Agriculture, and he will occupy Seat 6.

Mr. Varney of Eliot to a vacancy on the Committee on Public Utilities, and he will occupy Seat 17.

The Speaker designated the following members to serve as Chairmen of Joint Standing Committees to fill vacancies:

Messrs. PERRY of Hampden
Towns and Counties
HUGHES of St. Albans
Business Legislation

The Speaker announced the appointment of Mr. Heald of Union to fill the vacancy on the Maine Commission on Interstate Cooperation.

The Senate then entered the Hall of the House and a Joint Convention was formed.

In Convention

President Hillman of the Senate in the Chair.

CHAIRMAN HILLMAN: Members of the 99th Maine Legislature and guests assembled: Before we enter upon the business for which this Convention was called, I ask your indulgence by participation in an unusual and very brief proceeding. Will the Sergeant-at-Arms escort Mr. Ralph H. Cutting of Waterville, Maine to the rostrum.

Whereupon, Ralph H. Cutting of Waterville, Maine, was escorted to the rostrum by the Sergeant-at-Arms.

CHAIRMAN HILLMAN: As Chairman of this Convention, I am happy to comply with the desire of the Legislature as expressed in a Resolution adopted earlier in the day. The 99th Legislature of the State of Maine has given voice to the sentiments of our citizens and the government of the State of Maine in a Resolution of appreciation of a Maine industry's contribution toward the economy of the State. By this act, the Legislature has dramatized as no other act could, the fact that the citizens and the government of the State of Maine recognize and appreciate the value of existing industry to the State, and by this act the Legislature has emphasized the favorable industrial climate which Maine offers to new industries which may locate within its borders.

And now Mr. Ralph Cutting, President of Keyes Fibre Company of Waterville, Maine, I take much pleasure in completing the act of the 99th Legislature of the State of Maine by presenting the Pulp and Paper Industry of Maine through you, its representative, this engrossed copy of the Legislature's Resolution of Appreciation of that industry. (Applause)

Mr. CUTTING: Senator Hillman, on behalf of the pulp and paper industry of the State of Maine, thank you. (Applause)

On motion of Senator Dow of Lincoln, it was

ORDERED, that a Committee be appointed to wait upon the Honorable JOHN H. REED, Governor, and to inform him that the two branches of the Legislature are in Convention assembled in the Hall of the House of Representatives, and extend to him an invitation to at-

tend the Convention and present such communication as he may be pleased to make.

The Chairman thereupon appointed as members of the Committee on the part of the Senate:

Senators:

DOW of Lincoln
CHARLES of Cumberland
FOURNIER of York

and on the part of the House:

Representatives:

WADE of Auburn
EMMONS of Kennebunk
HANSON of Lebanon
CHRISTIE of Presque Isle
GOOD of Sebago
CROCKETT of Freeport
CORMIER of Rumford

CHAIRMAN HILLMAN: While we are waiting for the Committee to perform its duties, it is a great privilege for me to have the honor of introducing the lovely wife of the Governor of Maine, Mrs. John Reed, our first lady. (Applause, members rising)

And the two lovely daughters, Cheryl Diane Reed and Ruth Ann Reed. (Applause)

And two wonderful parents, Mr. and Mrs. Walter Reed. (Applause)

A sister, Mrs. Arthur J. Mraz. (Applause)

An uncle and aunt, Mr. and Mrs. Clarence C. Seeley. (Applause)

And a cousin, Mrs. Carvel Cronkite. (Applause)

Convention at Ease

The Convention was called to order by Chairman Hillman.

At this point, Senator Dow for the Committee reported that the Committee had discharged the duty assigned to it, and that the Governor was pleased to say that he would attend forthwith.

Thereupon, the Honorable John H. Reed, Governor, announced by Capt. Robert Packard, and escorted by Maj. Gen. Edwin W. Heywood, Adjutant General, and attended by Col. Olin E. Holmes, Veterans of Foreign Wars, Capt. Philip W. Anderson, Naval Aide, Honorary Aides de Camp Col. Raymond A. Fortin, Col. Theodore E. Lewin, Lt. Col. Clarence D. Read, Jr., Lt. Col. Lawrence B. Webster, and ac-

accompanied by the Executive Council and the Department Heads and Heads of Commissions, entered the Hall of the House of Representatives, amid prolonged applause, the audience rising.

Governor Reed then addressed the Convention as follows:

Mr. President, and Members of the 99th Legislature:

We meet on this 19th day of January, 1960, under challenging circumstances.

We have come together in the 140th year of our Statehood, at an hour when the citizens of Maine mourn the passing of a kind and capable man who was our Governor.

Whatever political faith we may avow, whatever our vocation or environment, all of us share a sense of personal loss in the untimely death of the Honorable Clinton A. Clauson. Each of us would, if he were able, take up a portion of the burden of sorrow that is being borne by the gracious lady who is his widow, by his family, and by us, who were his friends.

In a very real sense we shall today begin a work that was conceived and desired by our departed Governor. I am grateful to have been able to carry his wish into reality, with the calling of this Special Session.

The mantle of statesmanship which slipped from the shoulders of our late Governor has fallen upon mine. . . . but not upon mine alone. The robe of government and all the responsibilities which accompany it, is your inheritance, too.

If I may, with all respect, repeat the words of Abraham Lincoln, I would say this: "The world will little note nor long remember what I say here; but it will not forget what we do here."

Executive Policies

You, and all the people you and I serve, have a right to know what kind of man has suddenly been elevated to the governorship. You recognize the fact that my political faith is different from that of the man whose burden I must now carry. You are aware, also, of the fact that while Governor Clauson was elected to the highest state

office the people can give, I was called upon to succeed him under Constitutional mandate.

Under these circumstances, the responsibility which was thrust upon me is greater than that of a Governor who takes office under normal conditions. It is my duty to carry forward many of the programs in which Governor Clauson was engaged at the time of his death. I believe that the people of Maine would want me to do that.

I have been called to serve at the head of our State government for a term of one year. My single purpose within that time is to serve all the people well. This calls for the support of all. To the members of the Senate and House, and to every citizen interested in good government — Republican or Democrat — the door to the executive office will always be open, and you will be welcome. This is also true of the Governor's residence. You will always find me available and I shall welcome your ideas, whether you pay me the courtesy of a personal call or telephone or write. It is my sincere belief that only by pooling all our ideas and all our talents can we give the citizens of Maine the kind of good government they deserve.

Economic Program and Financing

You have every right to know the principles which shall be my guide. I want progress for the people of Maine. I want the services which our State provides to be the best we can give, only recommending that we pay due regard to the people's ability to pay.

In general economic development, we have made good progress; but we have only scratched the surface in prospecting for the precious metal of industrial development and the promotion of our agricultural, coastal, recreational and industrial interests, and their products. The economic inventory which is now being conducted by independent research will tell us what we have to offer, and how we should proceed to promote it. I repeat, we have only begun the campaign to bring to Maine the economic stature that our resources and our people make possible.

Legislative Purpose

As a member of this House and Senate of several years' standing, I know of the many problems that are involved in your work. Also, I know that it is your desire, as well as mine, to provide for the people the improved services they demand. I am determined, as you are, that those services will be provided, the only limitation being our financial ability to provide them.

In planning for our growth, and improvement, it is my wish that you and I may constantly work closely together.

If I could make but one recommendation today, it is that in reconciling our divergent views we never lose sight of the purpose which brought us here, the accomplishment of the greatest good for the greatest number. It is my earnest hope that we can arrive at legislative conclusions without lessening our mutual respect, and with our friendships strengthened. It is by following this course that we shall earn the respect and the gratitude of those for whom we legislate.

Special Session Problems

It will be generally accepted that our present interest is focussed upon three principal legislative areas.

There are those measures which have to do with our educational system and its administration, chiefly represented in matters affecting School Administrative Districts. There are several proposals which involve expenditures of money, either to alleviate critical municipal hardships or to relieve deficits in operating ventures undertaken by the State. And, finally, there is the question of authorizing the transportation of school children to and from non-profit, privately-operated schools.

My views on these matters will be presented in the briefest possible manner, consistent with executive responsibility.

My recommendations are given after prolonged consideration, and after the weighing of all the factors involved. It should be understood that in arriving at conclusions I have counselled with fellow citizens of all shades of opinion. However,

the recommendations I shall make are entirely and independently my own. They are set forth in the sincere belief that they represent my view of what will accomplish the greatest good for the greatest number of people.

Measures Requiring Appropriation

There are several bills requiring appropriations from the General Fund, totalling \$917,000. You should understand that although on the one hand this money is available from General Fund current revenue, it would normally, at the end of this fiscal year, revert to the General Fund Surplus of the State, and would be available to meet our construction needs which presently exist and additional needs which may be presented in the future.

To the extent that we use this excess of revenue at this time, to the same extent do we remove funds which would normally be available for construction purposes.

The appropriation of substantial sums from the General Fund is acceptable when it meets good principles of State Government and fulfills a vital need of the people.

After having reviewed various problems presented to me for this Special Session, it is my conclusion that the money bills which I am about to recommend are of an urgent nature, and should be dealt with now.

Supplemental Subsidy Payments

Let us turn now to legislation affecting the administration of our public schools. The members will find first among their Legislative Documents for this Special Session, No. 1397. This is An Act to Provide for Supplemental Payments of the 1959 Educational Subsidies to Certain Administrative Districts.

Subsidy allotment payments payable in 1959 resulted in allotment decreases to some administrative units, decreases brought about as a result of a change in state valuation pertaining to certain cities and towns, and which could not be foreseen.

The result has been unexpected financial hardship in carrying educational programs forward. This bill would authorize the State Depart-

ment of Education to pay, as quickly as possible, an amount equalling the decreases in 1959 subsidies on educational costs resulting from changes in the subsidy formula.

More than 200 municipalities and School Administrative Districts have a direct interest in and are represented in this non-recurring proposal in amounts ranging up to \$40,000 for the current fiscal year, the total amount being \$271,000. With all prudent regard to good financial practice, and in the light of the problem which clearly exists in the affected municipalities, it is respectfully urged that this Special Session give enactment to L. D. 1397.

Validation of School Districts

The agenda for this special session presents thirteen Legislative Documents with identical purposes, that of reconstituting and validating the thirteen School Administrative Districts, the validation constituting an absolute requisite for bonding purposes, essential to school construction.

The 98th Legislature in its wisdom brought into force the so-called Sinclair Act. This legislation had one principal and inspired purpose: To bring greater opportunity for education to the largest possible number of young people.

It is my conviction that there is only one proper course in this matter. I therefore recommend that these bills, validating the thirteen School Administrative Districts, be enacted.

New Districts and Withdrawals

Reference is now made to five Legislative Documents numbered 1400 through 1404, which would authorize various municipalities to form new School Administrative Districts under the authority of the Maine School District Commission.

Applying the same principles which recommend the reconstitution and validation of the thirteen existing Districts, I ask that this Special Session give enactment to these five measures.

There are those Legislative Documents concerned with withdrawal procedure from School Administrative Districts. In a program as new

and progressive as this, there are bound to be maladjustments. Before any conclusive action is taken here, it is my desire that this Legislature will give this problem its most concentrated attention, recognizing the desires of the municipalities and yet avoiding damage to the whole educational structure.

Measures With Various Objectives

In carefully examining each of the measures presented for your decision it is noted that there are some nineteen which appear chiefly to be local in character. All are important. The fact that no comment is made on them in detail does not indicate any lack of interest on my part. I know they will receive your serious consideration.

Legislative Document No. 1423, A Resolve to Provide Matching Funds for Federal National Defense Education Act Allotments, requests appropriation from the General Fund in the amount of \$55,000. This money would be matched. Its passage is recommended.

There is requested the sum of \$65,000 to be expended by the Forest Commissioner for the control of spruce budworm. A severe outbreak of this disease threatens the destruction of some 175,000 acres of Maine forest lands. The appropriation asked for would be combined with monies supplied by the Federal Government and by landowners. In the face of this very real emergency, I respectfully recommend enactment of Legislative Document No. 1398.

There is a second measure which is also aimed at control of the spruce budworm epidemic, L. D. No. 1411, which would increase the self-imposed tax upon the Unorganized Territory within the Maine Forestry District by three-quarter mills for this specified purpose. The tax increase would remain in force only for the year 1960.

Enactment of this companion measure is also recommended.

Maine Port Authority

Your attention is now called to Legislative Documents Nos. 1424 and 1425. The first would appropriate \$100,000 from the General Fund to the Maine Port Authority for dock facilities at Long Island Plantation. Of that sum \$10,000 would

be expended for a Long Island Plantation Ferry Survey, and \$90,000 for dock facilities. My comment is the fact that this appropriation would implement an action of a previous Legislature.

Legislative Document No. 1425 requests the appropriation of \$293,000 to the Maine Port Authority for Ferry Service. In this case, also, we are asked to follow through on a previous Legislative action. Elimination of the ferry service is inconceivable. It is the highway which connects the islands to the mainland.

The stated objectives of this appropriation are threefold:

1. To repay the State Contingency Account the sum of \$40,000 borrowed in 1959 to pay bond principal;
2. To meet bonds maturing, with interest up to January 1, 1961; and
3. To meet a closely considered estimate of loss in the actual operation of the ferry service up to January 1, 1961.

I recommend that both these bills receive passage.

A further expenditure from the General Fund is requested in Legislative Document No. 1428 to provide the Maine Port Authority with funds for cost of operation of the Maine State Pier in Portland. Specifically, this bill calls for \$17,000 in the current fiscal year and \$35,000 in the fiscal year ending June 30, 1961. These moneys would supplement the present income of the Pier and meet actual operating expenses between February 1, 1960, and June 30, 1961, and would also include \$20,000 to meet bond payments. This should receive favorable consideration.

Portland Airport

Appropriation from the General Fund is also reflected in Legislative Document No. 1426, which asks for \$27,000 for certain construction at Portland Municipal Airport. This sum represents 25 per cent of the cost of that construction, with the remaining 75 per cent to come from federal and other grants. This is Maine's major airport, and a principal gateway to tourist travel. It is evident that specified construction and increased costs warrant

the appropriation. Your favorable consideration of this proposal is therefore recommended.

School Bus Transportation

Your attention is now directed to that measure which has attracted wider public interest than any other, the bill relating to municipal police power to transport school children to schools other than public.

This proposal is unlike any other with which a Maine Legislature has been confronted, chiefly because of the overtones of personal feeling that have risen around it.

Since my first day in office I have given this proposal a great deal of thought. I have studied and weighed all of the arguments presented, for and against.

The following are the basic arguments which have been presented in favor of the measure. It is strictly limited to transportation. It would prohibit the use of State funds. It is constitutional, in the opinion of the Maine Supreme Judicial Court. It is enabling legislation, with the ultimate decision left with the municipalities. It would provide safety for pupils going to and from private schools.

Now for the basic arguments which have been presented against the measure. It would violate public principle. It would sanction the use of tax money for the support of private activity. It would enlarge and encourage the duplication of educational facilities now available to all in the public schools. So much for the arguments pro and con.

The conclusion left is that this clearly is an issue on which opinion is divided. Obviously it is a matter which deserves your closest attention and best possible judgment.

There is more than one honest and sincere approach to the problem. These two courses you may wish to consider:

- (1) Determine that you will oppose the Bill at the State level, thereby acting for the electorate.

If you take this position you will reaffirm that the State is the controlling political instrument and that it is the authority through which powers are granted to the municipalities.

(2) You may enact the Bill and pass the final decision on to those directly concerned.

If you take this second course, you would not necessarily be endorsing the issue, but rather, endorsing that process which gives local people the ultimate voice in their own affairs.

You, as members of this Legislature, have the right of making your decision on this Bill without being given a directive.

I have most carefully considered this matter any my responsibility in it. It is not my desire to influence any member of the Senate or House as to what his position on this measure should be, for I feel that this is a personal decision that each of you must make.

My conclusion, after serious deliberation, is that this is a question for each individual and that each should have absolute freedom in reaching a decision.

In this way the will of the majority can be expressed without prior influence from the head of the Executive Branch of the government.

I am confident that you will agree that the matter should be treated objectively and within an atmosphere of calmness and tolerance. I am equally certain that you will base your final decision on what is best for Maine.

Whatever that decision is, I will accept and abide by it.

Now I have one more thought to express. In dealing with all these Legislative matters, may all of us have the guidance of Divine Providence in reaching our decisions.

At the conclusion of the address, the Governor and his suite retired amid applause of the Convention, the audience rising.

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

In the House

The House was called to order by the Speaker.

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

Mr. CALL: Mr. Speaker, notwithstanding the Cloture Order, is Rule 25 suspended too?

The SPEAKER: Rule 25 has not yet been suspended but the Chair thanks the gentleman for reminding the Chair.

Thereupon, on motion of the gentleman from Falmouth, Mrs. Smith, House Rule 25 was suspended for the remainder of today's session in order to permit smoking.

House at Ease

Called to order by the Speaker.

Petitions, Bills and Resolves Requiring Reference

The following Bills and Resolves were received and were referred to the following Committees:

Appropriations and Financial Affairs

Bill "An Act Appropriating Moneys to Maine Port Authority for Dock Facilities at Long Island Plantation" (H. P. 1013) (L. D. 1424) (Presented by Mr. Graves of Mount Desert)

(Ordered Printed)

Bill "An Act Providing for Supplemental Payments of the 1959 Education Subsidies to Certain Administrative Units" (H. P. 988) (L. D. 1397) (Presented by Mr. Haughn of Bridgton)

(Ordered Printed)

Bill "An Act Appropriating Moneys to Maine Port Authority for Ferry Service" (H. P. 1014) (L. D. 1425) (Presented by Mr. Maddox of Vinalhaven)

(Ordered Printed)

Bill "An Act Appropriating Additional Funds for Certain Construction at Portland Municipal Airport" (H. P. 1018) (L. D. 1426) (Presented by Mr. Miller of Portland)

(Ordered Printed)

Resolve Providing Matching Funds for Federal National Defense Education Act Allotments (H. P. 1012) (L. D. 1423) (Presented by Miss Cormier of Rumford)

(Ordered Printed)

Resolve Appropriating Moneys for Spruce Budworm Control (H. P. 989) (L. D. 1398) (Presented by Mr. Stanley of Bangor)

(Ordered Printed)

Resolve in favor of the Town of Danforth for School Construction Aid

(H. P. 990) (L. D. 1399) (Presented by Mr. Wheaton of Princeton)
 (Ordered Printed)
 Sent up for concurrence.

Education

Bill "An Act to Reconstitute School Administrative District No. 13" (H. P. 1003) (L. D. 1412) (Presented by Mr. Cahill of Moscow)
 (Ordered Printed)

Bill "An Act to Reconstitute School Administrative District No. 12" (H. P. 1004) (L. D. 1413) (Presented by same gentleman)
 (Ordered Printed)

Bill "An Act to Authorize the Municipalities of North Yarmouth and Pownal to Form a School Administrative District and Contract with the Town of Cumberland for High School Education" (H. P. 991) (L. D. 1400) (Presented by Mr. Call of Cumberland)
 (Ordered Printed)

Bill "An Act to Reconstitute School Administrative District No. 11" (H. P. 1005) (L. D. 1414) (Presented by Mr. Chapman of Gardiner)
 (Ordered Printed)

Bill "An Act to Reconstitute School Administrative District No. 1" (H. P. 1001) (L. D. 1410) (Presented by Mrs. Christie of Presque Isle)
 (Ordered Printed)

Bill "An Act to Reconstitute School Administrative District No. 4" (H. P. 1006) (L. D. 1415) (Presented by Mr. Dodge of Guilford)
 (Ordered Printed)

Bill "An Act to Authorize the Municipalities of Gray and New Gloucester to Form a School Administrative District" (H. P. 992) (L. D. 1401) (Presented by Mr. Edwards of Raymond)
 (Ordered Printed)

Bill "An Act to Reconstitute School Administrative District No. 10" (H. P. 1007) (L. D. 1416) (Presented by Mr. Gallant of Eagle Lake)
 (Ordered Printed)

Bill "An Act to Reconstitute School Administrative District No. 6" (H. P. 1008) (L. D. 1417) (Presented by Mr. Good of Sebago)
 (Ordered Printed)

Bill "An Act to Reconstitute School Administrative District No.

7" (H. P. 1009) (L. D. 1418) (Presented by Mr. Maddox of Vinalhaven)
 (Ordered Printed)

Bill "An Act to Reconstitute School Administrative District No. 8" (H. P. 1010) (L. D. 1419) (Presented by same gentleman)
 (Ordered Printed)

Bill "An Act to Reconstitute School Administrative District No. 3" (H. P. 1020) (L. D. 1421) (Presented by Mr. Mathieson of Montville)
 (Ordered Printed)

Bill "An Act to Authorize the Municipalities of Dixmont, Hampden and Newburgh to Form a School Administrative District" (H. P. 993) (L. D. 1402) (Presented by Mr. Perry of Hampden)
 (Ordered Printed)

Bill "An Act to Reconstitute School Administrative District No. 2" (H. P. 1011) (L. D. 1420) (Presented by same gentleman)
 (Ordered Printed)

Bill "An Act to Increase the Indebtedness of the Town of Hermon School District" (H. P. 1021) (L. D. 1422) (Presented by same gentleman)
 (Ordered Printed)

Bill "An Act to Authorize the Municipalities of Cornish, Limerick, Newfield and Parsonsfield to Form a School Administrative District" (H. P. 994) (L. D. 1403) (Presented by Mr. Rowe of Limerick)
 (Ordered Printed)

Bill "An Act to Authorize the Municipalities of Danforth and Weston to Form a School Administrative District" (H. P. 995) (L. D. 1404) (Presented by Mr. Wheaton of Princeton)
 (Ordered Printed)

Sent up for concurrence.

Highways

Bill "An Act relating to Ferry Service for North Haven, Vinalhaven, Islesboro, Swan's Island and Long Island Plantation" (H. P. 996) (L. D. 1405) (Presented by Mr. Maddox of Vinalhaven)
 (Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act relating to Municipal Police Power to Transport School Children to other than Pub-

lic Schools" (H. P. 1022) (L. D. 1447) (Presented by Mr. Earles of South Portland)

(Ordered Printed)

Bill "An Act Regulating Certain Rockets" (H. P. 1015) (L. D. 1444) (Presented by Mr. Emmens of Kennebunk)

(Ordered Printed)

Bill "An Act relating to Juvenile Offenders in Certain Motor Vehicle Violations" (H. P. 1016) (L. D. 1445) (Presented by same gentleman)

(Ordered Printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act to Permit the Town of Perham to Withdraw from School Administrative District No. 2" (H. P. 997) (L. D. 1406) (Presented by Mr. Bragdon of Perham)

(Ordered Printed)

Bill "An Act Increasing Indebtedness of New Gloucester School District" (H. P. 998) (L. D. 1407) (Presented by Mr. Edwards of Raymond)

(Ordered Printed)

Bill "An Act Permitting Town of Hartland to Build and Maintain Dams and Sluice Ways on Sebastcook River" (H. P. 999) (L. D. 1408) (Presented by Mr. Hughes of St. Albans)

(Ordered Printed)

Bill "An Act to Authorize School Administrative District No. 5 to Take a Schoolhouse Lot by Condemnation in the City of Rockland" (H. P. 1019) (L. D. 1427) (Presented by Mr. Knight of Rockland)

(Ordered Printed)

Bill "An Act to Increase Indebtedness of Bath Parking District" (H. P. 1000) (L. D. 1409) (Presented by Mr. Mayo of Bath)

(Ordered Printed)

Sent up for concurrence.

Public Utilities

Bill "An Act to Create the Houlton Sewer District" (H. P. 1017) (L. D. 1446) (Presented by Mr. Ervin of Houlton)

(Ordered Printed)

Sent up for concurrence.

Taxation

Bill "An Act Imposing a Tax on the Unorganized Territory within the Maine Forestry District for Spruce

Budword Control" (H. P. 1002) (L. D. 1411) (Presented by Mr. Bragdon of Perham)

(Ordered Printed)

Sent up for concurrence.

The SPEAKER: Is there objection to sending the Bills and Resolves just referred to Committees to the Senate forthwith? The Chair hears none.

From the Senate: The following Order out of order:

ORDERED, the House concurring, that unless received by unanimous consent in both branches, the only bills and resolves to be considered at this Special Session, shall be those designated Legislative Documents Nos. 1397 to 1447 inclusive.

This Order shall not apply to such bills or resolves as are intended only to facilitate the business of the Special Session. (S. P. 537)

Came from the Senate read and passed.

In the House, the Order received passage in concurrence.

House at Ease

Called to order by the Speaker.

Papers from the Senate

From the Senate:

Bill "An Act Appropriating Monies to Maine Port Authority for Maine State Pier Operations" (S. P. 521) (L. D. 1428)

Bill "An Act Appropriating Monies for Office of Director of Legislative Research" (S. P. 522) (L. D. 1429)

Came from the Senate referred to the Committee on Appropriations and Financial Affairs.

In the House, referred to the Committee on Appropriations and Financial Affairs in concurrence.

From the Senate:

Bill "An Act to Reconstitute School Administrative District No. 9" (S. P. 523) (L. D. 1430)

Bill "An Act to Reconstitute School Administrative District No. 5" (S. P. 524) (L. D. 1431)

Came from the Senate referred to the Committee on Education.

In the House, referred to the Committee on Education in concurrence.

From the Senate:

Bill "An Act relating to Identification Numbers and Disposition of Fines under Boating Law" (S. P. 525) (L. D. 1432)

Came from the Senate referred to the Committee on Inland Fisheries and Game.

In the House, referred to the Committee on Inland Fisheries and Game in concurrence.

From the Senate:

Bill "An Act Authorizing Town of Franklin to Receive Legacy for Water System" (S. P. 526) (L. D. 1433)

Bill "An Act relating to Appeals from Decisions of the Joint Board in Highway Condemnation Proceedings" (S. P. 527) (L. D. 1434)

Bill "An Act to Correct Errors and Inconsistencies in the Public Laws" (S. P. 528) (L. D. 1435)

Came from the Senate referred to the Committee on Judiciary.

In the House, referred to the Committee on Judiciary in concurrence.

From the Senate:

Bill "An Act relating to Revenues, Eminent Domain and Termination of Lewiston Parking District" (S. P. 529) (L. D. 1436)

Bill "An Act to Authorize the Withdrawal of the Town of Brooks from School Administrative District No. 3" (S. P. 530) (L. D. 1437)

Bill "An Act to Authorize the Withdrawal of the Town of Liberty from School Administrative District No. 3" (S. P. 531) (L. D. 1438)

Bill "An Act to Ratify and Make Valid the Incorporation of the Wiscasset School District" (S. P. 532) (L. D. 1439)

Bill "An Act Increasing the Indebtedness of the Town of Palmyra School District" (S. P. 533) (L. D. 1440)

Came from the Senate referred to the Committee on Legal Affairs.

In the House, referred to the Committee on Legal Affairs in concurrence.

From the Senate:

Resolve Providing for Decrease in Retirement Benefit for Helen D. Perry of Rockland (S. P. 535) (L. D. 1442)

Came from the Senate referred to the Committee on Retirements and Pensions.

In the House, referred to the Committee on Retirements and Pensions in concurrence.

From the Senate:

Bill "An Act Authorizing Governor and Council to Sell or Lease Western Maine Sanatorium" (S. P. 536) (L. D. 1443)

Came from the Senate referred to the Committee on State Government in concurrence.

In the House, referred to the Committee on State Government in concurrence.

From the Senate: the following Orders:

ORDERED, the House concurring, that three hundred fifty copies of the Legislative Record for this Special Session convened on January 19, 1960, be printed and bound, one copy each for the members and officers of the Senate and House of Representatives, the remainder to be deposited in the State Library for exchange and Library purposes; and be it further

ORDERED, that three hundred fifty copies of the Legislative Record be printed in pamphlet form for distribution from day to day to members of the Legislature and the Departments, under the direction of the Document Clerk (S. P. 538)

ORDERED, the House concurring, that free telephone service be provided for each member and officer of the Senate and House to the number of twenty-five calls of reasonable duration from Augusta to points within the limits of the State of Maine, and that each member and officer of the Senate and House be provided with a card to be certified by the Secretary of the Senate and the Clerk of the House, respectively; the cost of this service to be paid to the New England Telephone and Telegraph Company at regular tariff rates; and be it further

ORDERED, that free telegraph service be provided to the number of ten messages of reasonable length from Augusta to points within the limits of the State of Maine, and that each member and officer of the Senate and House be provided with a card to be certified by the

Secretary of the Senate and Clerk of the House; the cost of this service to be paid to Western Union Telegraph Company at regular tariff rates (S. P. 539)

ORDERED, the House concurring, that the Secretary of the Senate and the Clerk of the House be directed to furnish to each member and officer of the Senate and House, a copy of the State newspaper each morning during the present Special Session of the Legislature (S. P. 540)

ORDERED, the House concurring, that the Secretary of the Senate and the Clerk of the House, respectively, be authorized to furnish wrappers and postage stamps for each member and officer of the Senate and House, not exceeding \$4.00 in amount each, for the purpose of distributing the various reports of the Departments of State and other public documents such as they may desire to mail to the citizens of the State (S. P. 541)

Came from the Senate read and passed.

In the House, the Orders were read and passed in concurrence.

Orders of the Day

Mr. Desmarais of Sanford was granted unanimous consent to address the House.

Mr. DESMARAIS: Mr. Speaker and Members of the House: At the last legislative session here, I tried to present an amendment to a bill, and I don't know, I got around so that I couldn't explain the reason for the amendment, and I have a bill here that I wish to present here tonight, and I would like to explain the reason why I want to ask notwithstanding the cloture rule, unanimous consent to accept the bill. Could I speak briefly on the bill, Mr. Speaker, or would I be out of order?

The SPEAKER: The gentleman may proceed.

Mr. DESMARAIS: This is a barbers' bill which was brought to me—the problem was brought to me only a week ago. This is going to affect all the barber shops in the State which rent out their chairs themselves. This bill here was presented in 1955 before the Legislature and was accepted, but I don't believe any of the barbers knew anything about it because the Barbers

Board left the law alone for four years and these barbers here went under this rule. And now December 12 every barber that has been renting chairs in their barber shop received this notice from the Barbers Board: "It has been called to the attention of this Board by the State Attorney General Department that issuing of licenses to individual barbers' chairs located within the confines of a licensed barber shop has not been authorized by the present Board of Barbers, and such practice may not be continued unless or until an amendment to the law has been made through a legislative process. As a result of this ruling, we are directed by unanimous vote of the State Board to issue no further licenses to the barbers' chairs located within licensed barber shops, and any such licenses previously issued will expire December 31, 1959 and may not be renewed. If any arrangements are necessary for adjustment of salaries, compensation and reports relating to earnings, this will necessarily have to be adjusted with the proprietor of the barber shop."

I have talked with some of these members of the Barbers Board. They told me they hadn't been in favor of this thing here. There was only one man that went over before the Attorney General to voice his opinion on this and said that this law should be abided by. The barbers have worked under this for four years and now they are requested to abide by the laws or the rules that the Barbers Board has made.

If I should own a barber shop like they were working before December 31, and I had four chairs in my barber shop, this is the way it was explained to me, I have rented these chairs to three other barbers, and these barbers had to get a license from the State to rent that chair from this barber. In other words, he was leasing his chair from the manager of the barber shop, and he was his own boss, he took care of his own money and his own book-keeping and everything, I mean he was his own boss; in other words, he was his own boss in another man's barber shop, and they could get a license, they were issued a license and they were working like

everybody else was for it. So now this Barbers Board came out with a rule that these barbers will not be issued a license any more, so now all of these barbers that were renting chairs from the owner of a barber shop will either have to look for an establishment and get a license or they will have to work for the barber himself and take what the barber wants to pay him, and I don't believe it is fair, and after talking with some of these barbers, it affected four barber shops in my town, and I believe that it is an emergency because these barbers are out of work. And like the Governor said, our good Governor said a few minutes ago for the health and the welfare of the State of Maine, we are here in this special session, and I believe that this is for the welfare of a lot of our people in the State, and I hope and I request notwithstanding the cloture rule by unanimous consent I could present this bill.

The SPEAKER: The Chair understands the gentleman from Sanford, Mr. Desmarais, to request unanimous consent the cloture order notwithstanding to introduce a bill. The Clerk will read the title of the bill.

The CLERK: Bill "An Act Relating to Licenses for Individuals Operating Barber Chairs within Barber Shops".

The SPEAKER: Does the Chair hear objection to the admission of this bill?

(Cries of "Yes")

The Chair does hear objection and the bill is not admitted.

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

Mr. KNIGHT: Mr. Speaker, I believe that the age of miracles is not over and with that in mind I would bring to the attention of the House—I would ask permission at this time to have unanimous consent to address the House.

The SPEAKER: The gentleman from Rockland, Mr. Knight, requests

unanimous consent to briefly address the House. Is there objection? The Chair hears none and the gentleman may proceed.

Mr. KNIGHT: I feel that I would be remiss in my duties as a Representative if I did not attempt to introduce a bill at this time. Simply the facts are this. In 1954 the City of Rockland purchased for some \$5,000 a piece of property and decided it outright to the State for an armory. That property is on a railroad siding. The State now no longer desires this for an armory. It simply takes an act of the Legislature to give it back to the City of Rockland, and the City of Rockland hopes to introduce it as an industrial site for some industry, and with that land they would hope to have industry come into the town, and for that reason, I would introduce a bill which would simply deed back this land to the City of Rockland which they bought and paid for.

The SPEAKER: The Chair understands the gentleman from Rockland, Mr. Knight, to request unanimous consent the cloture order notwithstanding to introduce a bill. The Clerk will read the title of the bill.

The CLERK: "Resolve Authorizing the State Military Defense Commission to Convey Certain Land in Rockland."

The SPEAKER: Does the Chair hear objection to the admission of this bill?

(Cries of "Yes")

The Chair does hear objection. The bill is not admitted.

Order out of Order

On motion of Mr. Graves of Mount Desert, it was

ORDERED, that Mrs. Hendricks of Portland be excused from attendance during this Special Session because of illness.

On motion of Mr. Wade of Auburn,

Adjourned until twelve o'clock noon tomorrow.