

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and First Legislature*

OF THE

STATE OF MAINE

VOLUME II

MAY 10 - JUNE 22, 1963

and

SPECIAL SESSION

JAN. 6 - JAN. 17, 1964

DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE

**SENATE**

Thursday, May 23, 1963

Senate called to order by the President.

Prayer by the Rev. Elmer N. Bentley of Augusta.

On motion by Mr. Stilphen of Knox, the Journal of yesterday was read and approved.

**House Papers**

**Non-Concurrent Matter**

Resolve, Proposing an Amendment to the Constitution to Increase Municipal Indebtedness. (S. P. 4) (L. D. 4)

In Senate, May 21, Passed to be Engrossed as Amended by Committee Amendment "A" (S-238)

Comes from the House, Minority — Ought Not to Pass Report read and accepted in non-concurrence.

In the Senate, on motion by Mr. Lovell of York, the resolve was tabled pending consideration and especially assigned for one week from Monday.

Bill, An Act Relating to Use of Titles by Unregistered Persons in Practice of Architecture. (S. P. 113) (L. D. 341)

In Senate, May 10, Passed to be Engrossed as Amended by Senate Amendment "A" (S-213)

Comes from the House, Indefinitely Postponed in non-concurrence.

In the Senate, on motion by Mr. Philbrick of Penobscot, the Senate voted to insist and ask for a Committee of Conference. Subsequently the President appointed as Senate Conferees, Senators: Philbrick of Penobscot, Johnson of Somerset and Farris of Kennebec.

The PRESIDENT: The Chair, on behalf of the Senate is happy indeed to welcome in the Senate Chamber life members of the Kennebec Council of the Telephone Pioneers of America. They are reminded to me of their presence by the Senator from Cumberland, Senator Hinds, who in his spare time also works for the telephone company. I think it is fair to say that the members of the legislature feel kindly toward this company

for several reasons, two of them being the excellent magazine published on State Government and secondly for that wonderful day that we spent at Telstar and the magazine issue which followed. We are happy indeed to have you here. The representatives of your County are Senator Farris, Senator Campbell and myself. (Applause)

We also recognize a group of thirty students from Boothbay Center grammar school accompanied by their teacher, Mr. Rosenbloom. We are happy indeed always to have school students attend these legislative sessions. You will find that being here at this particular time becomes increasingly exciting not only for yourselves, we hope, but for us, too. Boothbay is an area familiar to many of us and we know that your happiest and busiest season is ahead. We are happy to introduce to you the good Senator from Lincoln, Senator Sproul. (Applause)

We are happy, of course, to recognize a balcony full of students, students from Blue Hill Consolidated School, forty-five seventh and eighth graders and eight adults, parents and friends with their principal, Philip E. Johnson. We know you will find these proceedings today very interesting and if you should have occasion to visit the other legislative body down the hall from this one, you may find some kind of a thrill in witnessing the attempt to spend \$143 and a half million. We are happy indeed to have you and will introduce to you the Senators from Hancock, Senator Kimball and Senator Brown. (Applause.)

**Constitutional Amendment**

Resolve, Proposing an Amendment to the Constitution Clarifying Provisions Governing Assumption of Office of Governor by the President of the Senate or the Speaker of the House. (H. P. 992) (L. D. 1435)

In Senate, May 8, Passed to be Engrossed as Amended by Committee Amendment "A".

Comes from the House, passage to be Engrossed reconsidered and recommitted to the Committee on

Constitutional Amendments and Legislative Reapportionment in non-concurrence.

In the Senate, that body voted to reconsider its former action under suspension of the rules, and the bill was recommitted to the Committee in concurrence.

#### Emergency Act

Bill, An Act Relating to Loans by Washington County. (S. P. 592) (L. D. 1556)

In Senate May 10, Passed to be Engrossed.

In House, May 17, Failed of Passage as an Emergency Measure.

In Senate, May 21, Passed to be Enacted in non-concurrence.

Comes from the House that body having Insisted and asked for a Committee of Conference.

In the Senate, on motion by Mr. Boardman of Washington, the Senate voted to insist and join in the Committee of Conference. The President appointed as Senate Conferrees, Senators: Wyman of Washington, Boardman of Washington and Campbell of Kennebec.

Bill, An Act Relating to Tax Exemption of Property of Veterans Not Located in Place of Residence. (H. P. 1079) (L. D. 1546)

In Senate, May 14, Passed to be Engrossed.

Comes from the House Indefinitely Postponed in non-concurrence.

In the Senate, on motion by Mr. Wyman of Washington, the Senate voted to recede and concur.

#### Joint Order

WHEREAS, Representative OWEN L. PRINCE of Oakfield has had the Honor of being elected Commander of the Old 103rd Infantry Regiment Association at its Annual Reunion held at Portsmouth, New Hampshire on May 18, 1963; and

WHEREAS, the 103rd Infantry Regiment was the famous regiment commanded by Colonel Frank M. Hume and Maine's famous 2nd Maine Infantry Regiment; and

WHEREAS, Representative Prince was honored by having as his guest at the State Capitol yesterday, MR. LEONCE JOBIN Sr., the father of Representative Leonce Jobin, of

Rumford who served with Representative Prince as color sergeants in the 103rd regiment while in France during the first world war, in 1917 and 1918, and their first meeting since the war; and

WHEREAS, both men were honored by Governor REED by being photographed together in the Hall of Flags beside the colors they once carried; now, therefore, be it

ORDERED, the Senate concurring, that the respect and best wishes of the Representatives and Senators in the 101st Legislature assembled be extended to Representative OWEN L. PRINCE and Mr. Leonce Jobin Sr., for their valor in the military service of their country and especially to Representative OWEN L. PRINCE for his recent election as Commander of the 103rd Infantry Regiment Association; and be it further

ORDERED, that a copy of the order duly attested by the Clerk of the House be immediately transmitted to Representative OWEN L. PRINCE and Mr. Leonce Jobin, Sr. (H. P. 1096)

Comes from the House read and passed.

Which was read and passed in concurrence.

#### Communications

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
OFFICE OF THE CLERK  
AUGUSTA

May 22, 1963

Hon Chester T. Winslow  
Secretary of the Senate  
101st Legislature  
Sir:

The Speaker has appointed the following Committees of Conference on the Disagreeing Actions of the two branches of the Legislature on:

Resolve, Authorizing the Disposal of Western Maine Sanatorium (H. P. 401) (L. D. 600)

Messrs. O'LEARY of Mexico  
HAMMOND of Paris  
BERRY of Cape Elizabeth

Bill, "An Act Relating to Claims of Municipalities Against State for Taxes Lost From Veterans Proper-

ty Tax Exemptions.” (S. P. 339) (L. D. 1004)

Messrs. ALBAIR of Caribou  
JONES of Farmington  
DENNETT of Kittery

Bill, “An Act Providing for the study of a State Building Code and Anti-Shack Statute” (S. P. 202) (L. D. 512)

Messrs. BRAGDON of Perham  
SMITH of Strong  
ROSS of Brownville

Respectfully,  
HARVEY R. PEASE  
Clerk of the House

Which was Read and Placed on File.

**STATE OF MAINE**  
**HOUSE OF REPRESENTATIVES**  
**OFFICE OF THE CLERK**  
**AUGUSTA**

May 22, 1963

Hon. Chester T. Winslow  
Secretary of the Senate  
101st Legislature  
Sir:

The House today accepted the resignation of MR. GILBERT of Edgington, as a member of the House Conference Committee on: Bill, An Act Relating to Requirements, Appointment and Term of Adjutant General, (H. P. 250) (L. D. 319)

The Speaker appointed MR. SMITH of Strong, to fill the vacancy caused by the resignation.

Respectfully,  
HARVEY R. PEASE  
Clerk of the House

Which was Read and Ordered Placed on File.

**ORDERS**

Mr. Cram of Cumberland presented the following Order:

ORDERED, the House concurring, that the Legislative Research Committee is directed to study the feasibility of combining those municipalities not included in school administrative districts, into such districts; and be it further

ORDERED, that the Committee Report the results of its study to the 102nd Legislature (S. P. 604)

On motion by Mr. Whittaker of Penobscot, the Order was tabled

pending passage and especially assigned for the next legislative day.

Mr. Brooks of Cumberland presented the following Order:

ORDERED, the House concurring, that bill, “An Act to Regulate Sewer Utilities, L. D. 689, be recalled from the Legislative files to the Senate. (S. P. 606)

Which was read and passed.

**Committee Reports — House Conference Committee Report**

The Committee of Conference on Bill, “An Act Relating to Salaries Fixed by Governor and Council. (S. P. 462) (L. D. 1289) reported that they are Unable to Agree.

Which report was Read and Accepted in concurrence.

**Ought Not to Pass**

The Committee on Appropriations and Financial Affairs on Resolve, Providing Funds for Additional Weights and Measures Inspectors. (H. P. 965) (L. D. 1404) reported that the same Ought Not to Pass.

Which report was Read and Accepted in concurrence.

**Ought to Pass**

The same Committee on Bill, An Act Relating to Publications Printed or Published by the State. (H. P. 252) (L. D. 321) reported that the same Ought to Pass.

Which report was Read and Accepted in concurrence, the Bill read once and tomorrow assigned for second reading.

**Majority — Ought Not to Pass**  
**Minority — Ought to Pass as Amended.**

The Majority of the Committee on Labor on Bill, An Act Relating to Partial Unemployment Benefits and Experience Rating Record Under Employment Security Law. (H. P. 372) (L. D. 1259) reported that the same Ought Not to Pass as covered by other legislation. (signed)

Senators:

JOHNSON of Somerset  
HINDS of Cumberland  
COUTURE of Androscoggin

Representatives:

BROWN of South Portland  
 PRINCE of Oakfield  
 GIFFORD of Manchester  
 EWER of Bangor  
 NOEL of Waterville

The Minority of the same Committee on the same subject matter reported that the same Ought to Pass as Amended by Committee Amendment "A"  
 (signed)

Representatives:

MENDES of Topsham  
 DUNN of Denmark

Comes from the House, Majority—Ought Not to Pass Report Read and Accepted.

In the Senate, on motion by Mr. Brown of Aroostook, the bill and reports were tabled pending acceptance of either report, and were especially assigned for Tuesday next.

Majority — Ought Not to Pass  
 Minority — Ought to Pass

The Majority of the Committee on Labor on Bill, An Act Relating to Disqualification and Claims for Benefit and Employer's Contribution Rate Under Employment Security Law. (H. P. 871) (L. D. 1258) reported that the same Ought Not to Pass as Covered by Other Legislation.  
 (signed)

Senators:

HINDS of Cumberland  
 JOHNSON of Somerset  
 COUTURE of Androscoggin

Representatives:

BROWN of South Portland  
 GIFFORD of Manchester  
 PRINCE of Oakfield  
 EWER of Bangor  
 NOEL of Waterville

The Minority of the same Committee on the same subject matter reported that the same Ought to Pass.  
 (signed)

Representatives:

DUNN of Denmark  
 MENDES of Topsham

Comes from the House — Ought Not to Pass Report Accepted.

In the Senate, on motion by Mr. Brown of Hancock, the Bill and re-

ports were tabled pending acceptance of either report and were especially assigned for Tuesday next.

Majority — Ought Not to Pass  
 Minority — Ought to Pass

The Majority of the Committee on Constitutional Amendments and Legislative Reapportionment on Resolve, Proposing an Amendment to the Constitution Prohibiting the Levying of a State Tax on Incomes. (H. P. 142) (L. D. 330) reported that the same Ought Not to Pass.  
 (signed)

Senators:

JACQUES of Androscoggin  
 FARRIS of Kennebec  
 EDMUNDS of Aroostook

Representatives:

CARTIER of Biddeford  
 WATKINS of Windham  
 COTTRELL of Portland  
 PLANTE

of Old Orchard Beach  
 NOYES of Franklin

The Minority of the same Committee on the same subject matter reported that the same Ought to Pass.  
 (signed)

Senator:

PORTEOUS of Cumberland

Representatives:

SMITH of Bar Harbor  
 PEASE of Wiscasset  
 VILES of Anson  
 DENNETT of Kittery  
 BERMAN of Houlton  
 SMITH of Strong

Comes from the House Indefinitely Postponed. Motion to Reconsider made and lost.

In the Senate:

Mr. PORTEOUS of Cumberland: Mr. President, I move that the Senate recede.

Mr. PHILBRICK of Penobscot: Mr. President, when the vote is taken, I ask that it be taken by roll call.

The PRESIDENT: The Senator from Penobscot, Senator Philbrick, has requested a roll call vote. Under the rules, a roll call may be ordered upon the affirmative vote of one-fifth of the Senators present

in the chambers. The Secretary will make a count of the Senate.

The Secretary made the count.

The PRESIDENT: The Chair will advise the Senate that six affirmative votes in favor of a roll call will be needed to order it. Therefore, the question before the Senate is this: All Senators in favor of the roll call vote on the pending question to recede and indefinitely postpone the resolve will rise and stand in their places until counted.

A division of the Senate was had.

An insufficient number having arisen, the roll call was not ordered.

The PRESIDENT: The pending question is the motion of the Senator from Cumberland, Senator Porteous, that the resolve be indefinitely postponed in concurrence.

On motion by Mr. Philbrick of Penobscot,

A division of the Senate was had.

Twenty-three having voted in the affirmative and five opposed, the motion prevailed and the resolve was indefinitely postponed in concurrence.

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#### **Committee Reports — Senate Conference Committee Report**

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Joint Order — Relative to Legislative Holiday July 20th (S. P. 590) reported that the Conference Committee agrees that it will not be necessary to adjourn the Legislature on July 20th if the following is accepted by both branches.

Since the Sun is 93 million miles from earth and the Moon is 238,000 miles from Earth and the speed of light is 186,000 miles per second and the diameter of the Sun is 865,000 miles in comparison to the diameter of the Moon which is 2160 miles and since the moon rotates around the Earth at a speed of 2287 miles per hour, therefore if NASA will shoot a space rocket direct to the left side of the Moon with the velocity of 4000 lbs., the Moon will be slowed down by 100 miles per hour for 30 minutes, so that the eclipse will be directly over the State House and the Legis-

lature will be able to see the full eclipse.

The Committee moves that the Legislature contact the Governor at once to make the arrangements and not to take the needed funds from the Current Services Budget but from the Governor's Contingent Fund. These funds to be replaced on passage of the Sunday Liquor Bill in the 102nd Legislature.

(Laughter)

Mr. KIMBALL of Hancock: Mr. President, ladies and gentlemen of the Senate, in order to correct the record, I would like to call to the attention of the Senate one figure given in this report. The Secretary read "186,000 miles per hour". This should read "186,000 miles per second."

The PRESIDENT: The Chair thanks the Senator for this vital correction. (Laughter)

Thereupon the report was accepted.

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#### **Committee Reports — Senate Conference Committee Report**

The Committee of Conference on the disagreeing action of the two branches of the Legislature on Resolve, Providing Increases in Retirement Allowances for Certain Retired Fish and Game Wardens. (S. P. 25) (L. D. 629) reported that they are Unable to Agree.

On motion by Mrs. Harrington of Penobscot, tabled pending acceptance of the report and especially assigned for two weeks from Friday.

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#### **Ought Not to Pass**

Mr. Boardman from the Committee on Judiciary on Bill, An Act Relating to Research Studies of the Department of Health and Welfare. (S. P. 492) (L. D. 1344) reported that the same Ought Not to Pass.

On motion by Mr. Porteous of Cumberland, the bill was tabled pending acceptance of the report and was especially assigned for Tuesday next.

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#### **Second Readers**

The Committee on Bills in the Second Reading reported the following:

**House**

Bill, An Act Providing for Life Preservers for Boats for Hire. (H. P. 35) (L. D. 58)

Bill, An Act Relating to Equipment and Safe Operation of Boats. (H. P. 283) (L. D. 377)

Which were Read a Second time and Passed to be Engrossed in concurrence.

**House — As Amended**

Bill, An Act to Clarify the State Boating Law. (H. P. 333) (L. D. 460)

Resolve in Favor of Margaret Sinclair of Windham. (H. P. 424) (L. D. 577)

Bill, An Act Establishing an Insurance Adviser's License. (H. P. 624) (L. D. 880)

(On motion by Mr. Stitham of Somerset, indefinitely postponed.)

Which were Read a Second time and Passed to be Engrossed as Amended, in concurrence.

Bill, An Act Relating to Search Warrants. (H. P. 1090) (L. D. 1562)

Which was Read a Second time and Passed to be Engrossed, as Amended, in non-concurrence.

**Senate — As Amended**

Bill, An Act Providing for Pilot Study of Forest Land Valuations. (S. P. 223) (L. D. 607)

Resolve, Discharging Town of Liberty from Indebtedness to Maine School District Commission for Preparation of Agreement for Dissolution of School Administrative District No. 3. (S. P. 278) (L. D. 792)

Bill, An Act Relating to the Department of Economic Development Advisory Council. (S. P. 578) (L. D. 1533)

Bill, An Act Revising Certain Laws Under the Workmen's Compensation Law. (S. P. 583) (L. D. 1548)

(On motion by Mr. Campbell of Kennebec, tabled pending passage to be engrossed and especially assigned for May 28.)

Which were Read a Second time and Passed to be Engrossed, as Amended.

Sent down for concurrence.

**Enactors**

The Committee on Engrossed Bills reported as truly and strictly engrossed the following Bills and Resolve:

Resolve, Providing Funds to the Washington County Development Authority for Development of Recreational Areas. (H. P. 565) (L. D. 804)

(On motion by Mr. Edmunds of Aroostook, placed on the Special Appropriations Table pending enactment.)

Bill, An Act Relating to Work on Shade and Ornamental Trees. (H. P. 240) (L. D. 308)

Bill, An Act Relating to Eligibility of Trustees as Directors of Trust Companies. (H. P. 657) (L. D. 913)

(On motion by Mr. Farris of Kennebec, indefinitely postponed in non-concurrence and sent down for concurrence.)

Bill, An Act Relating to County Taxes. (H. P. 689) (L. D. 945)

(On motion by Mr. Wyman of Washington, tabled pending enactment and especially assigned for Tuesday next.)

Bill, An Act Relating to the Joint Bank Account Law and the Inheritance Taxation of Joint Bank Accounts. (H. P. 1088) (L. D. 1560)

Bill, An Act Relating to Penalties for Possession of Narcotic Drugs. (S. P. 149) (L. D. 426)

Which Bills were Passed to be Enacted and the Resolve Finally Passed.

**Orders of the Day**

Mr. WHITTAKER of Penobscot: Mr. President, may I inquire whether or not the Senate is in possession of L. D. 758, bill, "An Act Amending the Charter of the City of Portland concerning Election Laws"?

The PRESIDENT: The Chair answers in the affirmative, the bill having been held at the request of the Senator from Penobscot, Senator Whittaker.

Mr. WHITTAKER of Penobscot: Mr. President, at the request of leadership, I move that the rules be suspended and that the Senate reconsider its action whereby it passed this bill to be enacted.



The motion prevailed, and on further motion by the same Senator, the Senate voted to reconsider its action whereby the bill was passed to be engrossed; and on further motion by the same Senator, the bill was tabled pending passage to be engrossed and was especially assigned for Wednesday, May 29.

Mr. FARRIS of Kennebec: Mr. President, may I inquire if L. D. 1534, An Act Creating an Allagash River Authority in the State of Maine is in the possession of the Senate?

The PRESIDENT: The Chair will state that the bill is in the possession of the Senate, having been requested by the Senator from Kennebec, Senator Farris.

Mr. FARRIS of Kennebec: Mr. President, I would like to correct the record. This was not held at my request but I understood that it is being held.

The PRESIDENT: The Chair would state that the bill is in the possession of the Senate, having been requested by the Senator from Cumberland, Senator Porteous.

Mr. FARRIS of Kennebec: Mr. President and members of the Senate, in view of the fact that we had a great many items come before us during yesterday's session and inasmuch as apparently there were a number of people who did not have an opportunity to give this particular matter all of the consideration which they felt they would like to give it, I have said that I would be willing to make a motion that we reconsider our action of yesterday whereby this measure was indefinitely postponed. I will vote, naturally, for the motion for reconsideration, but I have not, I wish to state for the record, changed my views from yesterday where I did vote to indefinitely postpone this particular measure. At this time, in order for fair play and that everybody may have an opportunity to give consideration to this if they so desire, I move that we reconsider our action of yesterday.

The PRESIDENT: The Senator from Kennebec, Senator Farris, having voted yesterday with the pre-

vailing side which was the indefinite postponement of the reports and the bill, now moves that we reconsider our action whereby we indefinitely postponed these reports and the bill.

Mr. CYR of Aroostook: Mr. President, may I inquire as to the parliamentary procedure involved here. I understand that this bill was withheld by instruction of the assistant majority leader who did not vote upon the prevailing side. May I inquire if he has the privilege of doing that?

#### Senate At Ease

The PRESIDENT: The Chair will rule, after consultation with the parliamentarian that it is time honored custom that any member of the Senate may ask that a bill be held for the purpose of securing change of heart of some other Senator who did vote on the prevailing side. The Chair will further rule that such happened in this case. This bill was held at the request of not the assistant majority leader but by the Senator from Cumberland, Senator Porteous. The motion for reconsideration, however, has been made by a Senator who did vote on the prevailing side.

Mr. CYR of Aroostook: Mr. President, members of the Senate, I have been told that I spoke for an hour and nine minutes on this subject yesterday, and I am sure that if I had realized it, I would not have so abused the patience of my colleagues in the Senate. Certainly you don't want to sit through another debate. I am told that the reason for the reconsideration move is because this came up unexpectedly yesterday afternoon. I, for one, did not expect that it would reach us yesterday afternoon either, so I was no more prepared than my opposition. So if this motion to reconsider should prevail and I should prepare myself, you had better prepare yourselves for a siege of three hours and I am sure you don't want that so you don't want this reconsideration.

Mrs. HARRINGTON of Penobscot: Mr. President, when the vote is taken I ask for a division.

A division of the Senate was had. Nineteen having voted in the affirmative and thirteen opposed, the motion prevailed and the bill came before the Senate pending acceptance of either report of the committee.

Mr. CYR of Aroostook: Mr. President, I move indefinite postponement.

Mr. FERGUSON of Oxford: Mr. President and members of the Senate, I am glad to have this piece of legislation before us again. There was so much injected into the debate yesterday regarding the building of dams, not one dam but several dams, that I was reluctant to bring in the fact that this is likely to do more to contribute toward losing of 350,000 acres of taxable property from which we enjoy revenue in the State of Maine. These townships where the national park would be established — and I understand it is a very strong move in the federal government at this time to do something along the same lines as what has been done in the White Mountain National Forest only possibly on a much broader base. As you know, in the State of Maine a few years ago, through the legislature's enactment, a good many townships in Oxford County and New Hampshire, lost their taxable property. They lost their charter and we don't receive any more tax money from these townships in that area. The same thing could happen in the Allagash area if the federal government moved in.

Where there is mature timber now that could be used for the economy of the State of Maine, we would lose all that. I am sure that a good many of you have been up there in that area. There is mature timber there and the people of Maine should be able to enjoy the economic benefits we receive from that area.

Under the proposed national park it would be closed to all hunting and timber harvesting. This Allagash authority bill would certainly have regulation of work in cooperation with timber owners. I am opposed to the motion of the Senator from Aroostook, Senator Cyr for indefinite Postponement of this bill.

On motion by Mr. Cyr of Aroostook

Recessed for five minutes.

#### After Recess

Senate called to order by the President.

Mr. CYR of Aroostook: Mr. President, I move to retract my motion for indefinite postponement.

The PRESIDENT: Is it the pleasure of the Senate that the Senator from Aroostook, Senator Cyr, be allowed to withdraw his motion for indefinite postponement in order to make another motion? It is a vote.

Mr. CYR of Aroostook: Mr. President, I now move that the Senate accept the Ought Not to Pass report of the Committee and I would like to speak to the motion.

The PRESIDENT: The Senator may proceed.

Mr. CYR of Aroostook; Mr. President, the figures that were just presented to you by the good Senator from Oxford, Senator Ferguson — he referred to 350 thousand acres of land and that the State of Maine would be losing a great amount of taxable property. He is referring to the federal recreation area. The federal recreation area — well, let me brief you a little further on this.

We have had some trial balloons coming out from the federal government with regard to this area. The first proposition was a national forest and the reaction was so violent that it didn't take very long to retract that and come out with a national park. The reason for that is that with a national forest, you can't even dig for earthworms. You can't fish, you can't have airplanes flying over it and there a lot of restrictions that I won't go into. The National park is also restrictive but not quite so restrictive as the other one. However, it does have quite a restriction on harvesting.

We gathered 50,000 signatures in opposition to that move, which we sent to Washington to kill that because of the effect of the economy of the section. The last proposal we had is a recreation area and that brings us to this right here,

the latest proposal of the government on the Allagash River, which would be 296,000 acres of land. That we oppose and let me say this publicly to anyone who is a proponent of keeping the Allagash: If that proposal should get any steam, I would be the first one to fight tooth and nail against the proposition. What I mentioned to you yesterday was in regard to the developing of all of our natural resources. When we hear of this area from the opposition, they say we should have a multi-purpose of the area. We should try to develop all of our natural resources. There is only one flaw in their argument. The natural resources that they want to develop and keep are those that they are interested in. It doesn't include anything in regard to a hydro development or flood control. And that is where I differ from them.

I told you yesterday that I am a conservationist at heart. I would like to see conservation established there. Many of these multiple purpose spokesmen will give you the history of forestry in the area and bring you up to date to selective cutting. What they don't tell you is that selective cutting, the practice of selective cutting has only been introduced within the last four or five years since pressure has been put on them in the area. Even today they talk more about selective cutting than they do. If you don't believe me, just go up there and look for yourself. They also lead you to believe that because they have sprayed trees with certain colors, those that should be removed and those that should be left, they are doing the State of Maine a great service. And they are also trying to make you believe that if we are going to have a hydro-electric project that all this will vanish. That, again, is an erroneous argument that they are presenting to you. Some of the comments that I have heard here this morning are that this is beginning to look like a political maneuver. Let me tell you this: We have to be awfully careful that we do not step in a trap ourselves. Some of the comments or the news releases that we have had from Washington

seem to lead us to believe that the recommendation that may come out of this may be a power project or a power dam at Dickey and Lincoln School, which is a compromise on Big Rapids and Lincoln School, because Dickey would include the waters of the Little Black. Now that compromise is made solely for one purpose, to keep the Allagash River as it is today. Now I have said time and again in public pronouncements that I will bow to the dictates or the results of the survey which is made by the federal government today. In the survey which is made by the Interior Department they have to appraise the benefits and the values of recreation, timbering and hydro-electric development. The Interior Department, as you know, is empowered with the responsibility of recreation, parks, forest areas, as well as hydro-electric projects, and I have full confidence that these resources will be appraised, one against the other, very carefully. In fact, knowing the department head of the Interior Department, we know that his leanings are toward conservation, and therefore why should we fear his decision?

I think I have proven to you yesterday with facts and figures and documentation that the arguments of the opposition are exaggerated and in many cases imbued with personal interests. I believe that my documentation was strong enough to show you that this area will not be destroyed as we are led to believe, that the timber interests will not be jeopardized.

I kept referring to Rankin Rapids. If I had my choice that would be the development that would be recommended for the area, but I am taking my chances, as well as any other one, and purely from the economics of it and the economics of the State of Maine, I still maintain that Rankin Rapids would offer more benefits than would be derived from keeping the Allagash as such, but, if the results of this study are convincing enough and are loaded with facts I will bow to their decision. I have said that time and time again and I will abide by it.

Now 31,000 acres, what does it mean taxwise? In this area the annual tax is approximately 17 cents an acre, so it is just a matter of multiplying 31,000 by 17 and you see what the State of Maine loses as far as taxes on these properties are concerned. On the other hand, weighing the benefits that would be derived from this, I brought out to you yesterday and I still insist and I bring it out again that in our industrial development we have limitations that should be taken care of before we proceed ahead, and those are the highest fuel cost of any state in the Union, 98 per cent above the 1958 figures. We have the highest transportation cost of any state in the Union, and we are the second highest on power cost. In fact the article that I have here in this folder says that in my section of the state we are four cents lower on the typical residential monthly bill of 250 kilowatts than Alaska, which is the highest state in the nation. Now are we going to sit on a gold mine and argue for years on where we should start the boring? Is that the kind of attitude that we should have in regard to these developments? Or are we going to sit on a gold mine and argue whether the hole should be made by Republicans or by Democrats? Is that the attitude that we are going to have in regard to this? I say to you that if these natural resources are not developed we are fooling the people of the State of Maine, and so far I would say that leadership has done nothing in regard to carrying the ball and finding out whether there is something in this.

We are told by experts that we have great potentials, but most of these experts are out-of-state experts and we have no one in the State of Maine connected with leadership that has come out and said, "We want these national resources developed if they should be developed."

I won't give you any longer talk than this and I will just go back to the bill in question. I showed you yesterday that we are not creating what they claim to be to be creating, which is an author-

ity. Let's forget all the other arguments and just look at the bill itself. You are not creating an entity, a corporation with rights and privileges, with powers to sue and powers to be sued, with power to buy land for the operation that you want to do; you are not creating anything like this, you are just creating a committee and they want \$15,000 for this operation. Just that in itself is enough to defeat this bill, plus the fact that this legislation has been before Legislative Research now for two years and they have not been able to come out with something that they could agree upon amongst themselves. They had three redrafts of this bill, and it is still not satisfactory to all of the proponents who want the Allagash kept as it is. All you are doing is you are creating an umbrella that won't even hold water over this section.

In conclusion, I would like to ask you to seriously consider what it would mean to the economy of the State of Maine and to northern Aroostook. If you will look at the map that I presented to you yesterday, all the northern part of the St. John River and all of the western part of the St. John River and of the Big Black, all of this forest is being harvested to Canada. That is the reason why there is no objection to flooding the St. John River and the Big Black and the Little Black plus the fact that most of your landowners in that area are either — there is a large landowner which is a Canadian interest, but the other landowners are mostly family-type ownership, while on the Allagash flowage the land ownership on that is mostly Great Northern and International, and that is why we are having this pressure brought onto us to try to keep that as such.

This project would bring you cheaper power, it would bring you flood control, it would bring you a tourist attraction of great magnitude. This peaking power would be marketed, for instance, outside of the State of Maine. Well, you all know we have had the privilege of visiting Telstar. Now is the product which Telstar produces marketed only in the State of Maine? Very

little of it. And yet I was talking to one of the fellows on that tour and he was telling me that they had registered so far at that time over 1,600,000 tourists since the start of the operations and they expect about 200,000 tourists a year after they are in full operation. Isn't that worthwhile for our State of Maine, our state that we are trying to make a recreation state out of? Now if we have projects such as this, plus the Quoddy project, look at the tourist attraction you would be creating in the State of Maine.

Now are we going to just wipe this out with our hands for the small benefits that would accrue by keeping it for the few fishermen who want the right of succession for their families on the few fishing holes they have found in the area? Are we going to wipe out all this for the benefit of the few white-water canoeists who want to make that trip, about twenty or twenty-five a year? Lets put sense into this, let's weigh it carefully in our minds, and I am sure that if you weigh it carefully in your minds you will see the future of this area as it should be.

Mrs. HARRINGTON of Penobscot: Mr. President, in view of the fact there is other legislation concerning this area, I now move that this be tabled until June 6th.

The PRESIDENT: The Senate may be at ease. Will the Senator from Cumberland, Senator Brooks, please approach the rostrum?

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**At Ease**

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Called to order by the President.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Penobscot, Senator Harrington that this matter lie on the table and be specially assigned for Friday, June 7th.

Mr. CRAM of Cumberland: Mr. President, I ask for a division.

The PRESIDENT: A division has been requested. All those in favor of the motion of the Senator from Penobscot, Senator Harrington, that this matter lie on the table and be specially assigned for Friday, June 7th will rise and remain standing until counted.

A division was had. Six having voted in the affirmative and twenty-five in the negative, the motion did not prevail.

Mr. STITHAM of Somerset: Mr. President and ladies and gentlemen of the Senate: Yesterday I went along with the good Senator from Aroostook, Senator Cyr. I did that for several reasons. First, I have the highest personal regard for my colleague from Aroostook, Senator Cyr, and if there is any way possible that I can go along with him I am going to. Second, I was more or less overcome by the oratory of Senator Cyr. He did a magnificent job and I enjoyed his talk. My third reason was that I was not as familiar with this redraft as I should have been at the time I voted. It is my feeling now, after considering everything, having read the bill and analyzed it, that this particular bill is entirely innocuous. We have a definite need of a study, and that is what this bill will do.

If you will refer to Section 7 of the bill, I think you will find that this does not create, as the good Senator has said, a committee that is going to actually do anything; it merely studies and reports to the legislature, and then it is up to this legislature or a future legislature at any time before June 30, 1963 to either accept or reject the study that will be made by this authority. Now we have a problem that needs study. I am firmly convinced also that by passage of this authority bill we are not closing the door to Rankin Rapids, to Cross Rock, or to any other power development up there. This would affect it in no way. I think this is needed legislation, I think, it is a step in the right direction. I am sorry that my good friend and colleague from Aroostook, Senator Cyr, feels so strongly against this bill because I think that his major premise on this is wrong. If I thought for a minute that this was going to close any discussion on the other projects I would go along right down the line with him. This is not going to. I think this is a needed thing, I think it is a good thing, and I shall go the other way this time

if we vote on it than I did yesterday.

Mr. COLE of Waldo: Mr. President and members of the Senate: I rise in opposition to the motion of the Senator from Aroostook, Senator Cyr. First, as a member of the Research Committee I feel that I should report the feelings of the Research Committee to the Senate in regard to this bill. I admit it is not a perfect one, and I will admit that I was not on the subcommittee studying this particular subject, however as a member of the committee I was well aware of its contents. I will say that it is maybe not the best bill possible but it is at least a step in the right direction, and if it will only do as the Senator from Somerset, Senator Stitham has just told us, set up a study to report to the 102nd Legislature, I think that is enough.

Now I have faith in the next legislature, regardless of whether I am a member or not. I feel they will handle this situation well. The Research Committee certainly was in favor of the continued multiple use of preserving the Allagash. I feel that this is important legislation and that we should defeat the motion of the Senator from Aroostook, Senator Cyr.

Mr. PHILBRICK of Penobscot: Mr. President and members of the Senate: I have no objection per se to L. D. 1534, but as all of you now are probably aware, I am the sponsor of L. D. 874, which is an Act to Create the Maine Power Authority. That bill, if passed by the legislature, would create a \$225,000,000 hydro-electric project, the largest single bill that has ever been presented to a Maine legislature and I feel a most important one, and I would be most unhappy if I felt that L. D. 1534 would in any way jeopardize the passage of L. D. 874, and although Senator Stitham has somewhat reassured me, I would like to ask, if I may, through the President of the Senate a question of Senators Ferguson, Cole, Reed, or any other Senator who may be closely familiar with this subject, whether or not this L. D. 1534 would indeed jeopardize the Cross Rock proposition in any manner.

The PRESIDENT: The Senator from Penobscot, Senator Philbrick, poses a question through the Chair to any Senator, who may answer if he chooses.

Mr. FERGUSON of Oxford: Mr. President and members of the Senate: I certainly feel that it would not. The Senator from Somerset, Senator Stitham, has just said that it simply sets standards for the 102nd Legislature to approve, so I feel very strongly it would not jeopardize your Cross Rock project.

Mr. CRAM of Cumberland: Mr. President, yesterday I voted with my seatmate, Senator Cyr, and he certainly deserved a vote after that fine speech. However, I think today I am going to vote the other way, and I would like to assure my friend Senator Cyr, that a vote against his proposal is not a vote against power development on the St. John at some time in the future.

Mr. REED of Sagadahoc: Mr. President and members of the Senate: I somewhat hesitate to arise here this morning and I will try not to take a whirl in the Allagash or romance it or talk about dam-sites, but I do think that a lot of minds have been changed here since yesterday. I was the only Senate member to sign the "Ought not to pass" report and I did so for several reasons.

First of all, I personally feel that if this area needs to be flooded for power development I am for it. There seems to be somewhat of a paradox in the thinking here. We hear a lot about a wilderness area, and yet we want to develop the wilderness area. Now I would feel rather odd, thinking myself in a wilderness area, paddling down in a canoe with a canoeing party ahead of me and another one in back of me and with the shores lined with picnickers. In fact, what makes a wilderness area is the fact that no one is there. Now if you start in developing and you put in a lot of tourist attractions my own feeling is that it is no longer a wilderness area.

Now the other thing that we seem to be afraid of here is the federal government. Now I agree with the Senator from Aroostook, Senator

Cyr, that if it is to be a park I would personally much rather have the State do it than the federal government. And yet I think that one of the problems with Maine is that we have an inferiority complex when it comes to the federal government.

I recall several years ago I came up to a hearing on water pollution and the late Senator Kerr was presiding over the meeting, and at that time all the department heads, Sea and Shore Fisheries and Fish and Game, all paraded before Senator Kerr, who was quite an individual, and all of them mentioned the higher type of government, and finally Senator Kerr stopped one of them right in his tracks and he said, "What, do you people mean when you talk about the higher types of government?" and he said, "Well, we mean Congress and the Senate and the House and the Presidency." And Senator Kerr laughed, and he said, "Well, you have a different concept of the federal government than the people back home do because we refer to that as the lower type of government." I think that he had a point, and I think that we should. In other words, we are farther removed, and there is less democratic action, in a sense, in the federal government than there is in the state government, and I think that Senator Kerr was correct. And I also find this in my own business, in construction. I know that I am getting a little off but I am trying to bring up the point of how we are afraid of federal government. We have in the Interstate system 90 per cent federal money, 10 per cent State money, and we have a 50-50 on our primary program, and all you hear now is the federal boys. They land on the job and they have these inspection decks recently. I came on the deck of one of the jobs and who did I see but one of these federal engineers taking pictures, or at least I assumed he was, of the reinforcing steel. Well, I had a crew who was naturally more interested in the camera than in tying the steel. I came up to him and told him to get off, I didn't want him on there, I didn't know who he was and he had no

business taking pictures. He didn't like it too well, and he told me, "I am working for the federal government and this is my job," and at the time I knew he was. We had an engineer in the shack who was his boss, and finally he did go and get him and we had quite a discussion.

My point is this: They can come on the job and do inspection if they so desire, but at the same time he should go to the superintendent on that job, introduce himself and tell him what he is going to do.

Again, I feel that what we do with the Allagash is the State's business, but if it is to be flooded I think myself that we should go along with it and I do not think that we should let politics or the fear of federal control coerce us into passing this type of legislation.

Now the other thing I would like to mention is that I personally feel that this is a poor bill. Possibly all it is is a study, and it doesn't really need to be studied any more. I think it is time on this particular issue that we either fish or cut bait. I think that the sentence that Senator Cyr read to you yesterday takes the heart right out of the bill, and I should also like to say that so far as this redraft measure is concerned a number of people who came before our committee to support the original bill did not support the redraft. Two of these were former Representative Whitman, and I believe former Senator Briggs. They were not in favor of the redraft because it is a watered-down version, and it is much more palatable to the pulp and paper industry. I am not here to criticize them. They own the land, they are interested in it, and I feel they should fight for what they think is right, but nevertheless a number of people were opposed to this redraft.

That sentence, which I will again quote, is, "The term shall not be applied to prohibit the cutting or harvesting of timber." In other words, they can cut anything they want to on the Allagash. They can cut anything, and all there will be is stumpage as you canoe down through the Allagash. "And

it shall not be applied to restrict those rights commonly known as flowage and driving rights as they now exist."

I see no reason why they cannot build a dam there in any place along the river if they so desire.

The Legislative Research Committee spent two years and they came up with this bill. I feel that the original bill that the Legislative Research Committee came up with is a better bill than this bill, and that if we are going to pass one I feel that it should have more teeth than this particular one, but again I repeat: that at this time I feel it would be unwise for this legislature to pass this type of legislation, and therefore I agree with the motion of the Senator from Aroostook, Senator Cyr.

Mr. CYR of Aroostook: Mr. President, I would like to thank the good Senator from Sagadahoc, Senator Reed. At least I have one friend left. I would also like to thank the Senator from Somerset, Senator Stitham, for his kind remarks, and I am sorry that he cannot see his way right now to come along. But I would like to bring out two or three items in regard to this. This is another study, that is true, but this just comes out of Legislative Research. How long are we going to study this? How much more money are we going to spend to study this? On Page 2, Section 3, you can see what kind of study they want. They do not have to spend \$15,000 to know the result of that. I can sit down and in half an hour I could bring you out the report or what will be the essence of this report after \$15,000 will be spent in two years. All you have to do is look at Section 3. It says: "Allagash River Authority. There is created the Allagash River Authority to administer this chapter. The Authority shall consist of five members: the Forest Commissioner, the Director of Parks, and Recreation, the Commissioner of Inland Fisheries and Game, the Director of the School of Forestry at the University of Maine, and the Attorney General" — to put the legal words to this thing here.

Now if they are sincere in appraising the natural resources available there why don't they have the Public Utilities Commission on it? They do not have it because they do not want it, that is all. I say that this is only a diversion, this is only a dodge, this thing here. They just try to make you believe that the federal government does not want to move into the area; and also they are trying to make you believe that they do not want Washington because Washington is of a different political administration than the State of Maine. But think back just a little bit. It was under the Eisenhower administration that they raised \$300,000 for a comprehensive study of Quoddy and the upper St. John, and it was at that time that the Army Engineers came out with the strong recommendation for the Rankin Rapids Development, so you cannot call this a one-party issue. All you have to do is just look at the background of this, and regardless of which party wants to take credit for it if it is developed, it just won't be so, because it is a bi-lateral movement, that is what it is.

Now the passing of this bill will be a psychological argument for the National Resources Council, for the conservationists and for the timber people that want nothing done in this area. We agree with you that this passage of this won't stop the federal government if the federal government wants to move in with any kind of program or if they want to recommend Rankin Rapids or if we pass the Cross Rock power authority, it won't make a bit of difference whether this is passed or not. But this is a psychological battle, that is what it is right now, and the effect of it will just give them that much more life to try to leave the whole thing as it is, which is what they want: no development of power, no development of parks, no development of recreational areas — all they want, and they used the right word — they say they want to preserve it. Well, in my definition preserving is just pickling something, like pickling tomatoes and putting them on the shelf somewhere and leaving them there for years



to come. That is what they want to do with this. I want to conserve it and use it, but I do not want to preserve it.

Mr. PHILBRICK of Penobscot: I would like to request that the reporter read back the reply of Senator Ferguson in answer to my question. I am sorry that I did not get the answer.

The PRESIDENT: The Senate may be at ease.

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**At Ease**

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Called to order by the President.

The PRESIDENT: Did the Senator from Penobscot, Senator Philbrick receive his answer?

Mr. PHILBRICK: Yes, thank you, Mr. President.

The PRESIDENT: The question is on the motion of Senator Cyr of Aroostook to accept the Ought Not to Pass report of the committee.

Mr. BROOKS of Cumberland: Mr. President, I ask for a division when the vote is taken.

Mr. BOARDMAN of Washington: Mr. President, so far in this thing I have said nothing but I have been sitting here doing a lot of thinking. I have been doing a lot of thinking all through the session as far as Quoddy is concerned and hydro electric power and so forth. If I were convinced that this particular bill would have no effect as far as hydro electric development is concerned in Aroostook County, I would certainly vote to pass the bill, but I am not convinced.

Mr. FARRIS of Kennebec: Mr. President and members of the Senate, as I mentioned earlier this did come up very suddenly yesterday and we have had a great deal of discussion and I would not wish to belabor any of the points. I have listened with interest to the proponents of the measure and they had a day in which to muster their arguments as to why this Authority so-called should be created, and frankly, I have not been impressed with any of the arguments which have been advanced. I am even more convinced today than I was yesterday that if we do create such an authority that we could very well jeopardize the progress of the development of power which is so important to

the entire welfare of the State of Maine.

I certainly want to support the motion of the Senator from Aroostook, Senator Cyr, that this body accept the Ought Not to Pass report and do so support it. At this time, in deference and out of respect to our Majority Leader, the Senator from Aroostook, Senator Edmunds, I would suggest that my vote be paired with his on the motion to accept the ought not to pass report for if he were here in the chamber he would vote No, and if I were to vote, I would vote Yes and thus I ask permission to be excused from voting.

Thereupon, Senator Farris of Kennebec was excused from voting.

Mr. REED of Sagadahoc: Mr. President, when I signed the Ought Not to Pass report this was one thing I said I would not have to do—speak on it because I knew it would be well taken care of by the good Senator from Aroostook. However, since the question was asked by the Senator from Penobscot, Senator Philbrick and I think I somewhat disagree with the answer given by the Senator from Oxford, I do feel that indirectly this bill is going to be waved in front of his proposal of Cross Rock by saying, "Well, let's study it" and it will at least be referred to the next legislature. I doubt if the committee, with the members it will be made up of, will favor Cross Rock. So I feel that it definitely would be a deterrent to his project.

Mr. JACQUES of Androscoggin: Mr. President and members of the Senate, at least I have found out where the Allagash is and you people found out where Taylor Pond is. I voted with Senator Cyr yesterday. I didn't believe that it was a party issue but I saw this morning that some were walking out, some were changing their minds. I certainly am not going to change my mind. If the Senator from that county tells me that this is going to be good for his county, I am going to stand up here and go along with him.

Mr. WHITTAKER of Penobscot: Mr. President, I should also like to rise to support the motion of the Senator from Aroostook, Senator Cyr. It seems to me after listening

to long debate on this matter that we will have to be very careful before we put any obstacle in the way of the development of hydro-electric power in the Aroostook County area. While I realize that this may be just a study, this Allagash bill, nevertheless it will have certain psychological effects which ought to be avoided at this particular time it seems to me.

Mr. HINDS of Cumberland: Mr. President, there has been enough debate on this but I would just like to endorse the remarks of the Senator from Aroostook, Senator Cyr and say that I shall go along with his motion.

The PRESIDENT: The motion before the Senate is the motion of the Senator from Aroostook, Senator Cyr to accept the Ought Not to Pass report of the committee. A division has been requested.

The PRESIDENT: Fifteen having voted in the affirmative and fifteen in the negative, the Chair now votes against the motion and the motion does not prevail.

Mr. JACQUES of Androscoggin: Mr. President, will you please have the Secretary count the members present?

The Secretary made the count.

The PRESIDENT: The Chair will reply to the Senator from Androscoggin, Senator Jacques, that there are thirty-three Senators now in the Senate Chambers, thirty-one having voted. The rules require that all Senators vote on the bill. The Chair will call for another vote.

Mr. PORTEOUS of Cumberland: Mr. President, would it not be that the Senator who paired his vote did not stand up, and one Senator has returned from outside the Chambers since the vote was taken.

The PRESIDENT: The Chair would answer that the vote is still one vote short. The Senator who returned to the Chambers was not counted. The Chair is in doubt and calls for another vote.

A division of the Senate was had.

Sixteen having voted in the affirmative and fifteen opposed, the motion prevailed and the Ought Not to Pass report of the committee was accepted.

On motion by Mr. Brooks of Cumberland

Recessed until this afternoon at 1:30.

### After Recess

Senate called to order by the President.

The PRESIDENT: The Chair in behalf of the Senate of this State is happy to recognize in the Senate Chamber 48 students from the Junior High School of Fryeburg, Maine, accompanied by their teacher, Mr. Doughty and four parents of the students. They are here as guests of Representative Dunn of Denmark. We are happy indeed to have you here. We hope that you enjoy these proceedings and find them educational. The two Senators from your county are here today and we would like to introduce them to you: Senator Ferguson and Senator Pike of Oxford County. (Applause)

The PRESIDENT laid before the Senate the first tabled and specially assigned matter, (H. P. 1065) (L. D. 1531) Bill, "An Act Relating to Mileage and Expenses for Members of the Legislature, which was tabled on May 16th by Senator Porteous of Cumberland, pending passage to be engrossed.

Mr. PORTEOUS of Cumberland: Mr. President and members of the Senate: I move the pending question.

The PRESIDENT: Is it the pleasure of the Senate that this bill be now passed to be engrossed?

Mr. REED of Sagadahoc: Mr. President and members of the Senate: I would like to ask a question. This is \$7.00 per night, is that correct?

The PRESIDENT: The Senator from Sagadahoc, Senator Reed, poses a question through the Chair to any Senator, who may answer if he chooses.

Mr. WHITTAKER of Penobscot: Mr. President and members of the Senate: The provision is that up to \$7.00 per night is chargeable to the State under the same regulations governing other State employees for members of the legislature who ac-

tually occupy overnight accommodations away from home on the night preceding or the night following actual attendance at the daily session of the legislature. This incorporates the amendment which is now on the bill.

Mr. REED of Sagadahoc: Mr. President and members of the Senate: I probably will be the only one who feels this way, but I think the Legislature is getting into something that is bad. I, of course, am a commuter, and I was just fooling around with some figures and I have about 35 miles one way to get here to Augusta. Now that is 70 miles both ways, and say it costs you 10 cents a mile to travel, and I think that is a realistic figure, it therefore costs me about \$7.00 a day to get here and go back.

I feel, in a sense, that this bill penalizes myself and many others that have to commute. I do not believe I could come here if I had to stay. I also feel that you are going to have a lot of changed situations in doling out this \$7.00 or whatever it might be. I am for, and was at the time I was here before, a pay raise, and I am for one now, but yet I am not for this particular bill. As I said before, I probably will be the only one that feels this way, but I would like to have a chance to vote against it and therefore I move the indefinite postponement of it.

Mr. JACQUES of Androscoggin: Mr. President and members of the Senate: I hope this is not a party issue, seeing that the two Democrats are up on their feet and I am opposing the motion.

I have been here ten years and I do not see where the members of the legislature are paid any great money for serving up here until June or maybe July, but I see every two years we have county budgets and everything else and we approve big raises for them but we do not see them up here trying to give us a little boost at any hearings to support the members of the legislature, and I think it is about time that the members of the legislature sat down and supported their own bill, because this

bill will not go into effect until 1965, so I would certainly oppose the motion for indefinite postponement.

Mr. LOVELL of York: Mr. President, I am certainly against the motion to indefinitely postpone but I might say this \$7.00 is not hit or miss for your room; there has to be a voucher properly submitted for the amount of money that it costs you per night. Now the State allows \$11.00, and certainly we would not want to have as much money as the State employs got, so we cut this down to \$7.00, and \$7.00 certainly is not exorbitant. Now on the other hand, \$5.00 per day for food, it certainly does not cost me \$5.00 per day for food, and the good Senator from Sagadahoc, Senator Reed probably can get \$5.00 per day on food to help him on his expenses because I will be willing to share crackers and coffee with him. So far as mileage is concerned, I certainly would like to see every Senator or every legislator who commutes get mileage every day but it is against the Constitution of the State of Maine, we can only get our mileage once each week to and from our homes. Now if we could have a constitutional amendment to change this I certainly would be in favor of giving mileage every day, but there is no amendment in here, so far as I know, for that, so I think this would be the next best approach to satisfy everyone in the legislature and I certainly hope that the motion to indefinitely postpone does not prevail.

Mr. WHITTAKER of Penobscot: Mr. President, when the vote is taken I request a division.

Mr. REED of Sagadahoc: Mr. President, I rise because if I come here again I would like to take the good Senator up for his crackers in the morning. They oftentimes look pretty good up there. As I said, I am probably the only one who felt this way and I will not belabor the point. I would be willing to vote for \$2,000 for our legislators instead of our \$1,600 and I would even go up to \$2,400. I am perfectly willing to go along this line, but we are getting into

a different field now and I just feel that in the long run it is bad and I sort of feel we are trying to put one over on the people back home. Certainly I think we would get less criticism for passing something like this than if we just raised our salary, but do not think I am going to use this to go back home say that I voted against a pay raise, because I wouldn't. I am for a pay raise but not this type of pay raise.

Mr. PORTEOUS of Cumberland: Mr. President and members of the Senate: To indicate to my colleague, the Senator from Sagadahoc, Senator Reed, that he is not alone or that he is opposed to it because of his political affiliation, I feel the more honest way would be to have a pay raise right across the board. This seems to be a subterfuge. The plan that has been presented is one which presents less of an income tax problem for people and I think that is a bad way to go about it. When the vote is taken I will cross the party line, or the "cracker" line, and vote for indefinite postponement.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Sagadahoc, Senator Reed, that the bill be indefinitely postponed. A division has been requested.

A division was had. 7 having voted in the affirmative and 24 in the negative, the motion to indefinitely postpone did not prevail. Thereupon the bill was passed to be engrossed.

From the House:

#### CONFERENCE COMMITTEE REPORT

The Committee of Conference on Bill "An Act to Appropriate moneys for the expenditures of State government and for other purposes for the fiscal years ending June 30, 1964 and June 30, 1965, (L. D. 1488) reports that the House recede from its action whereby it failed to pass the bill to be enacted, and concur with the Senate in the passage of the bill to be enacted.

Comes from the House, read and accepted and signed by the entire committee on the part of

the House and the entire committee on the part of the Senate.

Mr. BROOKS of Cumberland: Mr. President, I move the acceptance of the Committee report.

A division of the Senate was had.

Twenty-seven having voted in the affirmative and four opposed, the motion prevailed and the Report was accepted.

The President laid before the Senate the 2nd tabled and today assigned item (H. P. 435) (L. D. 640) bill, "An Act to Authorize the Municipalities of Detroit, Etna, Plymouth, Dixmont and Stetson to Form a School Administrative District;" tabled on May 21 by Senator Brooks of Cumberland pending enactment; and that Senator moved the pending question.

This being an emergency measure,

A division of the Senate was had.

Thirty-one having voted in the affirmative, the bill was passed to be enacted.

The President laid before the Senate the 3rd tabled and today assigned item (H. P. 862) (L. D. 1249) bill, "An Act Relating to the Educational Foundation Program Allowances"; tabled on May 22 by Senator Brooks of Cumberland pending passage to be engrossed; and that Senator presented Senate Amendment A to Committee Amendment A and moved its adoption.

Mr. BROOKS of Cumberland: Mr. President and ladies and gentlemen of the Senate, I would like to explain this amendment if I may. L.D. 1249 you all know is An Act Relating to Educational Foundation Program Allowances and the basic bill raises \$700,000 in the second half of this next biennium to maintain state subsidy at 100 percent for local communities. The Education Committee, a portion of it, excluding myself and others passed a so-called Committee Amendment A which dropped from the tables relating to state subsidy, the so-called footnotes which I am sure you are familiar with from former

discussions here. I have, by this amendment requested that with it you allow me to place back into the statutes that part of the so-called footnotes which apply to the secondary school level. The elementary school portion of the footnotes, which on the original bill was sub paragraph 1, I feel can and should be dropped as we already have done and with very little harm, actually no harm to the subsidy program.

I do feel quite strongly that the footnotes applying to secondary schools should stay in. It is basic to the law and it is most important in the financial picture we have. If we leave both these so-called footnotes out, it is going to cost an additional subsidy to the state for the second year of the biennium around \$319,000. By leaving the elementary schools out, which I recommend, but putting the secondary schools back in, it will cost the state in subsidy \$100,000. I certainly hope you will accept Senate Amendment A to Committee Amendment A.

Mr. CRAM of Cumberland: Mr. President and members of the Senate, there is one item in this amendment that I think might be improved. The amendment does say that secondary school footnotes shall apply to all units except administrative districts if within 15 miles of a school operated in a neighboring administrative district. Well, this is a little close to home. We have been trying to form a district in the town of Cumberland. We took a vote two weeks ago. The matter now is before the Secretary of State for a recount. If this recount should mean that we have lost the district—I have been in favor of a district all along—but if the recount means that we have lost it, my thought would be that it might be possible to form a community school district in that area, for a secondary school only.

So, I believe that the amendment should read "Secondary school footnotes shall apply to all units except school administrative districts and community districts if within 15 miles" and so forth. Certainly the community school

district can do just as good a job at education on the high school level or on the junior high level as the school administrative district and I think it should be recognized in the law. Therefore I move that this be tabled and especially assigned for Wednesday next.

The PRESIDENT: The Senator is out of order.

Thereupon, on motion by Mr. Porteous of Cumberland, the bill was tabled pending motion by Mr. Brooks of Cumberland to adopt Senate Amendment A to Committee Amendment A and was especially assigned for Tuesday next.

The President laid before the Senate the 4th tabled and today assigned item (S. P. 157) (L. D. 433) bill, "An Act Providing for a Full-time Chairman of the Liquor Commission and Increasing the Compensation"; tabled on May 22 by Senator Porteous of Cumberland pending passage to be engrossed; and on motion by Mr. Porteous of Cumberland, the bill was retabled and especially assigned for Tuesday next.

The President laid before the Senate, the 5th tabled and today assigned item (6-2 on page 5) Conference Committee Report on bill, "An Act Relating to Operation of Retail Store and Restaurant Prior to Application to Sell Malt Liquor" (H. P. 826) (L. D. 1213) reporting that the Senate recede from its action whereby the bill was passed to be engrossed as amended by Senate Amendment A, and recede from its action whereby Senate Amendment A was adopted, and adopt Conference Amendment A to Senate Amendment A, and adopt Senate Amendment A as amended by Conference Amendment A thereto; and pass the bill to be engrossed as amended; that the House recede from its action whereby the bill was indefinitely postponed; accept Report A, Ought to Pass, and Pass the bill to be engrossed as amended by Senate Amendment A as amended by Conference Committee Amendment A thereto; tabled on May 22 by Senator Christie of

Aroostook pending acceptance of the report; and that Senator moved the pending question.

Thereupon, the Conference Committee report was accepted and the Senate voted to recede from its action whereby the bill was passed to be engrossed as amended by Senate Amendment A; and further to recede from its action whereby Senate Amendment A was adopted; and to adopt Conference Amendment A to Senate Amendment A.

Mr. PORTEOUS of Cumberland: Mr. President, may I inquire as to the filing number of the report if there is one?

The PRESIDENT: The Chair will reply to the Senator that the reproduction appears on today's calendar only.

Mr. JACQUES of Androscoggin: Mr. President, may I explain that the amendment simply says that to be eligible for a license a person has to be a resident of the state for at least ninety days.

Thereupon, Senate Amendment A as amended by Conference Amendment A thereto was adopted and the bill as amended was passed to be engrossed.

The President laid before the Senate the 1st tabled and unassigned item (Page 10) (H. P. 963) (L. D. 1402) House Report, Ought Not to Pass, from the Commission on Appropriations and Financial Affairs on bill, "An Act to Authorize the Issuance of Bonds in the Amount of One Million Two Hundred Fifty Thousand Dollars on Behalf of the State for the Purpose of Relocating the Boys Training Center at Quoddy Village"; tabled on May 1 by Senator Boardman of Washington pending acceptance of the report; and on motion by Mr. Boardman of Washington, the bill was retabled and especially assigned for Wednesday next.

The President laid before the Senate the 2nd tabled and unassigned item (H. P. 958) (L. D. 1392) bill, "An Act Relating to the Definition of Aid to Dependent Children"; tabled on May 2 by Senator Hinds of Cumberland pending

adoption of House Amendment A to Committee Amendment A; and on further motion by the same Senator, the bill was retabled and especially assigned for June 3.

The President laid before the Senate the 3rd tabled and unassigned item (H. P. 380) (L. D. 554) House Reports from the Committee on Legal Affairs on bill, "An Act to Revise the Electrician Licensing Law"; Majority Report, Ought not to pass; Minority Report, Ought to pass with Committee Amendment A; tabled on May 3 by Senator Edmunds of Aroostook pending acceptance of either report; and on motion by Mr. Stitham of Somerset, the Ought not to Pass report was accepted.

The President laid before the Senate the 4th tabled and unassigned item (S. P. 266) (L. D. 780) Senate Report, Ought Not to Pass from the Committee on Appropriations and Financial Affairs on bill, "An Act Proposing a Study of Cost and Efficiency of Municipal and County Government"; tabled on May 7 by Senator Cram of Cumberland pending acceptance of the report.

Mr. CRAM of Cumberland: Mr. President, I now present Senate Amendment A to L.D. 780, it is S-224 and I move its passage.

The PRESIDENT: The Senator from Cumberland, Senator Cram must first move to substitute the bill for the report. Does the Chair understand that this is the motion?

Mr. CRAM: It is, Mr. President.

Mr. CAMPBELL of Kennebec: Mr. President, I rise to oppose the motion of the Senator from Cumberland, Senator Cram. Again we are confronted with a situation where the Appropriations Committee heard one bill and unanimously recommended that it ought not to pass, and by reference to the filing number available to you all, Filing Number 224. It is now apparent that the sponsor of this bill is about to attempt to water down the cost again and thereby try to get through another study bill. L.D. 780 is the bill before you, "An

Act Proposing a Study of Cost and Efficiency of Municipal and County Government". That is the bill that the Appropriations Committee heard and that is the bill which they reported unanimously ought not to pass. That bill costs you \$50,000 and what it basically does is to provide for the making of an efficiency study at the county level of government.

Now this body has already passed to the enactment stage and there is pending on the Appropriations Table L. D. 1376 and is entitled "An Act to Create a Commission in Intergovernmental Relations". Senator Cram was interested in that bill as you will recall, and it calls for the creation of a commission to make a study of problems involving municipalities and counties into governmental problems so to speak. It calls for an appropriation of \$6,000. What he obviously is attempting if you allow him to substitute the bill for the report is then to offer filing number 224 which he is proposing to take some gold out of 780 and put it into 1376. What it calls for, Senate Amendment A, is the employment of one person to be known as a research accountant at a cost of \$8,000 the first year of the biennium and \$10,000 the second year to be employed by the Intergovernmental Relations Commission.

In other words, what started out to be a fairly innocuous study bill now, if you pass Senate Amendment A to L.D. 780, it will also involve the employment of another expert again for the purpose of making an efficiency study in the case of county government.

Now I can't say that the Appropriations Committee is against the proposed amendment because of course they never heard this bill; this is something brand new but I am against it and so I am just going to tell you how I feel about it.

It seems to me that if Cumberland County or any other one county feels that there is some inefficiency in the operation of its government and wants an efficiency study, that this is something for the county to do. It doesn't seem to

me that it is anything that the state should get involved in on a permanent basis. And let me hasten to point out that this Intergovernmental Commission is being set up as a permanent thing. This is not a two year study but this is going into the statutes. It is going into current services and if you pass the bill eventually to create the Commission on Intergovernmental Relations, you will be setting up a new service on a permanent basis. Therefore, again, if you allow the bill to be substituted for the report in the case of 780, you will be creating on a permanent basis new service, you will be committing the state to the permanent employment of at least one person, this so-called Research Accountant whose job it will be to study and report from time to time on the cost and efficiency of county government.

It seems to me that this is a rather roundabout way of doing it. If there was any merit to this governmental commission making the study on a permanent basis it ought to be presented in the bill and it shouldn't be attempted in the closing weeks to shift this service out of one bill into another. I say again, in my own mind at least, if there is any inefficiency in Cumberland County and the County Commissioners want a study, I think it is fine but I don't think it is something the state should undertake.

A very minor point that I have noticed here is that if you did this, this efficiency expert would be working, according to the amendment, under the supervision of an executive secretary. However, there is no executive secretary provided in the case of the Intergovernmental Commission, so I think that is a little gap there that might cause a little problem. I would trust that the move to substitute the bill for the report does not prevail and I ask that the vote be taken by a division.

Mr. CRAM of Cumberland: Mr. President, I would thank the Senator from Kennebec, Senator Campbell for making a fairly complete explanation of this maneuver and would like to correct one or two of his misconceptions.

First the study proposed is a study in the cost and efficiency in municipal and county government. In the heading, the word "municipal" is first; in the second line it is reversed. "The Commission on Intergovernmental Relations shall study the functions of county and municipal government, the efficiency with which such functions are performed and their cost. It may consider and explore any problem affecting the cost and efficiency of county and municipal government".

Now, the executive secretary of Intergovernmental Relations is set up in that bill and it is the Legislative Financial Officer. I do not contemplate that this is a permanent office. We simply appropriate money for two years. If the work produces some results in two years, then the 102nd legislature would decide what would happen after that.

I am not particularly or as much concerned with the efficiency of counties. Having been a county official, I know that counties are one hundred per cent efficient, especially Kennebec County, but I am somewhat concerned about the constant rise in local taxes and county taxes. The total tax levy of the municipalities in the state rose from \$83 million in 1961 to \$88 million in 1962. The figures for 1963 were not available when I obtained those figures. During each biennium, each of the recent bienniums, the total tax levy has increased about ten per cent. Well, when we are talking about \$90 million dollars, approaching \$100 million dollars a year, there must be room for increased efficiency and I think this is where we should try to find ways of saving money, as well as in State government. We do our best with State government but actually the towns and the cities and counties do not have standards to go by.

The State's Auditing Department makes a summary every two years of the statistics returned to them and obtained by them from the municipalities in the counties, but these summaries do not give any efficiency studies. They merely tabulate things. I have tried by taking the sixteen county reports to make a comparison of what different counties are doing in different de-

partments. You find that from one county to another, different items are handled in different ways. You first have to become an expert on county auditing or municipal auditing in order to make such a study. That is the reason I say we should have a research accountant.

The Commissioner of Intergovernmental Relations would say to him, "We would like to investigate the cost of, for instance, town roads," or sheriff departments or anything and, if it were sheriff departments, he would make such a study and he would become familiar with the accounting processes in the different counties. If they asked him another problem it would be that much easier. If he made a study of the cost of maintenance of town roads, or ploughing town roads and city streets, he would become familiar with the different accounting procedures and reporting procedures in the different county reports and he would become an expert in that field. The longer he was on the payroll the more valuable he would become.

There is no way for the selectmen or the aldermen of a city to compare the costs of their road maintenance department with another road maintenance department. I know that in many towns without specifically naming any by name, the road commissioner is elected and he is pretty much a power unto himself. He may hire some of his relatives as chief members on the road crew and it doesn't make any difference how much the town appropriates for road maintenance, there is never a balance at the end of the year or if there is, it is so small that it is just a token balance. The same seems to be true of snow removal money and sanding money. If there is sand to be spread, it is apt to be spread.

Therefore I think this type of study, a cost and efficiency study could really give us some information on facets of local government that would enable the towns and counties and cities to save some money in the future.

Mr. CAMPBELL of Kennebec: Mr. President, just a brief word. I am sure that Senator Cram intend-



ed that this would be a two year proposition but I think I am correct in pointing out to you that the Commission, which would be the vehicle by which this man would be employed, is created under a L. D. that provides for an amendment to the revised statutes. It creates a new chapter, Chapter 10 A. There is nothing indefinite about that. That becomes a permanent commission and if the members of the Senate will look at Filing Number 224 they will find that the man who is to be employed as the research accountant is going to be employed on a permanent basis, that the figure 1 in parentheses clearly show that this is going to be part of the current services budget in two years. There is nothing temporary about that employment. It may have been intended so but if you pass this amendment you are creating a new service and you are taking it on a permanent basis.

The PRESIDENT: Is the Senate ready for the question? The question before the Senate is on the motion of the Senator from Cumberland, Senator Cram, to substitute the bill for the report. A division has been requested.

A division of the Senate was had.

One having voted in the affirmative and twenty-nine opposed, the motion did not prevail.

Mr. CRAM of Cumberland: Mr. President, I think it should be noted that the Senate has recorded itself against efficiency in local government.

Thereupon, the Ought Not to pass report of the committee was accepted.

The President laid before the Senate the 5th tabled and unassigned item (S. P. 577) (L. D. 1530) bill, "An Act Relating to Redistribution of Axle Loads on Commercial Vehicles"; tabled on May 7 by Senator Johnson of Somerset pending enactment; and that Senator yielded to Senator Farris of Kennebec.

On motion by Mr. Farris of Kennebec, the bill was retabled and especially assigned for later in the day.

The President laid before the Senate the 6th tabled and unassigned

item (H. P. 1077) (L. D. 1544) bill, "An Act Relating to Apportionment to Municipalities of Tax on Telephone and Telegraph Companies"; tabled on May 8 by Senator Wyman of Washington pending passage to be engrossed; and that Senator moved the pending question.

Thereupon, on motion by Mr. Brooks of Cumberland, the bill was retabled and especially assigned for Wednesday next.

The President laid before the Senate the 7th tabled and unassigned item (H. P. 663) (L. D. 919) House Report, Ought Not to Pass, from the Committee on Legal Affairs on bill, "An Act Exempting Hardware stores from Sunday Closing Law"; tabled on May 8 by Senator Atherton of Penobscot pending acceptance of the report; and on further motion by that Senator, the Ought Not to pass report was accepted.

The President laid before the Senate the 8th tabled and unassigned item (H. P. 662) (L. D. 918) House Report, Ought Not to Pass, from the Committee on Legal Affairs on bill, "An Act Exempting Roadside Stand Selling Farm Fertilizer and Seed from Sunday Closing Law"; tabled on May 9 by Senator Atherton of Penobscot pending acceptance of the report; and on further motion by that Senator, the report was accepted.

The President laid before the Senate the 9th tabled and unassigned item (S. P. 302) (L. D. 875) bill, "An Act Increasing the Salary of the Commissioner of Labor and Industry"; tabled on May 8 by Senator Edmunds of Aroostook pending enactment, and on motion by that Senator, the bill was placed on the Special Appropriations Table pending enactment.

The President laid before the Senate the 10th tabled and unassigned item (H. P. 860) (L. D. 1247) bill, "An Act Relating to Licensing of Children's Homes and Defining Day Care Facilities"; tabled on May 9 by Senator Edmunds of Aroostook pending enactment; and

on motion by that Senator, the bill was placed on the Special Appropriations Table pending enactment.

The President laid before the Senate the 11th tabled and unassigned item (H. P. 603) (L. D. 833) House Reports from the Committee on Municipal Affairs on bill, "An Act to Grant a Council Manager Charter to the City of Lewiston": Report A, Ought Not to Pass, Report B, Ought to pass in New Draft under title of "An Act Providing for a New Charter for the City of Lewiston" (H. P. 1087) (L. D. 1559) Report C, Ought to Pass with Committee Amendment A; tabled on May 10 by Senator Jacques of Androscoggin pending acceptance of any report; and on motion by that Senator, the bill was retabled and especially assigned for Wednesday next.

The President laid before the Senate the 12th tabled and unassigned item (S. P. 133) (L. D. 495) Senate Report, Ought Not to Pass, from the Committee on Appropriations and Financial Affairs on bill, "An Act Providing Funds for Economic Research Projects for Industrial Expansion"; tabled on May 14 by Senator Edmunds of Aroostook pending motion by Senator Lovell of York to substitute the bill for the report; and on further motion by Mr. Edmunds of Aroostook, the bill was retabled and especially assigned for Monday next.

The President laid before the Senate the 13th tabled and unassigned item (H. P. 1082) (L. D. 1549) bill, "An Act Relating to Compensation of and Per Diem Fees of Deputy Sheriffs;" tabled on May 15 by Senator Ferguson of Oxford pending passage to be engrossed; and on further motion by the same Senator, the bill was passed to be engrossed.

The President laid before the Senate the 14th tabled and unassigned item (S. P. 585) (L. D. 1542) bill, "An Act to Revise the Boating Law and Extend Boat Registration and Safety Law to Cover Coastal Waters;" tabled on May 15 by Senator Atherton of Penobscot pending consideration; and

on further motion by the same Senator, the Senate voted to insist and ask for a Committee of Conference.

The President laid before the Senate the 15th tabled and unassigned item (H. P. 24) (L. D. 48) House Reports from the Committee on Education on bill, "An Act Relating to Certificate for Teaching" Report A, Ought to Pass in New Draft under same title (H. P. 1080) (L. D. 1547); Report B, Ought Not to Pass; tabled on May 17 by Senator Farris of Kennebec pending motion by Senator Brooks of Cumberland to accept Report B, Ought Not to Pass; and that Senator moved the pending question.

The motion prevailed and the Ought Not to Pass Report B was accepted.

The President laid before the Senate the 16th tabled and unassigned item (S. P. 531) (L. D. 1452) Senate Reports from the Committee on Constitutional Amendments and Legislative Reapportionment on Resolve, Proposing an Amendment to the Constitution to Permit the Governor to Veto Items Contained in bills appropriating money, Majority Report, Ought not to pass; Minority Report, Ought to pass; tabled on May 17 by Senator Stilphen of Knox pending motion by Senator Porteous of Cumberland to accept the Majority Ought not to pass report; and on motion by Mr. Stilphen of Knox, the bill was retabled and especially assigned for Tuesday next.

The President laid before the Senate the 17th tabled and unassigned item (H. P. 883) (L. D. 1268) House Reports from the Committee on Taxation on bill, "An Act Relating to Municipal Excise Taxes on Boats;" Majority Report, Ought Not to Pass; Minority Report, Ought to Pass in New Draft under same title (H. P. 1093) (L. D. 1568) tabled on May 17 by Senator Wyman of Washington pending acceptance of either report; and that Senator moved that the Senate accept the Ought Not to Pass Majority Report.

Mr. PORTEOUS of Cumberland: Mr. President, may I inquire through the Chair, of the Senator from Washington, Senator Wyman, whether or not the amendment is on this bill as it stands now that would not remove boats from municipal excise taxes except those boats stored here or in repair here from out of state?

The PRESIDENT: The Senator from Cumberland, Senator Porteous, poses a question to the Senator from Washington, Senator Wyman, who may answer if he chooses.

Mr. WYMAN of Washington: Mr. President, if I am not confused, I think that we amended or changed the bill providing to have all boats completely exempt from tax so that just the pleasure boats are covered. I hope that answers the question. That bill is on its way through.

Mr. PORTEOUS of Cumberland: Mr. President, I thank the Senator for straightening me out.

Thereupon, the Majority Ought Not to Pass report was accepted in concurrence.

The President laid before the Senate the 18th tabled and unassigned item (S. P. 117) (L. D. 345) Senate Reports from the Committee on Legal Affairs on bill, "An Act Relating to Enforcement of Certain Codes in Municipalities"; Majority Report, Ought to Pass, with Committee Amendment A; Minority Report, Ought not to pass; tabled on May 21 by Senator Stitham of Somerset pending motion by Senator Ferguson of Oxford to indefinitely postpone the reports and bills; and Mr. Stitham yielded to the Senator from Penobscot, Senator Atherton.

On motion by Mr. Atherton of Penobscot, the bill was retabled and especially assigned for Tuesday next.

The President laid before the Senate the 19th tabled and unassigned item (H. P. 974) (L. D. 1302) bill, "An Act Relating to Persons Seventy-five Years of Age Taking Examination for Motor Vehicle Driver's License"; tabled on May 21 by Senator Campbell of Kennebec pending enactment; and on further motion by the same Sen-

ator, the bill was passed to be enacted.

The President laid before the Senate Item 5 on Page 11 (S. P. 577) (L. D. 1530) bill, "An Act Relating to Redistribution of Axle Loads on Commercial Vehicles"; tabled earlier in today's session by Senator Farris of Kennebec pending enactment.

Mr. FARRIS of Kennebec: Mr. President and members of the Senate, this particular bill relating to distribution of weight on axles is a bill as most of you well know, introduced on behalf of the Maine Truck Owners Association, and both that organization and myself wish to be very careful in proposing any legislation relating to weights that same should not be in violation with the laws of the federal government. Therefore I corresponded on several occasions with the Bureau of Public Roads and the original bill that was introduced was L. D. 516 and the entire intent of this type of legislation was to prevent an unjust penalty being invoked upon operators or owners of trucks where the load transit had inadvertently shifted from one spot in the truck to another.

There are many cases where a truck is found to be within its maximum weight limits but found to be overloaded on a particular axle and sometimes it is as little as fifty pounds or a hundred pounds and there are harsh penalties as we all know that are invoked on these overload cases. So after correspondence on at least two occasions with the Department of Commerce, I received a communication from a David Black, general counsel for the Bureau of Public Roads wherein he suggested the language of the bill now before us, L.D. 1530 but as the session moved along, it became very apparent that the highway commission was disturbed because they were definitely of the opinion that an overweight on an axle is more dangerous to the highway, does more damage than does an increased weight on the maximum allowance where you have ample tandems and precautions in the construction of the equipment.

It also of course does pose somewhat of a problem to our law enforcement officers and particularly the state police who do all the enforcing as far as I know on weights to determine whether or not this was an inadvertent shifting or whether someone was trying to get away with something.

So in view of all the controversy that has been evoked and in view of the fact that we do have a weight bill coming before us to increase our maximum weights in Maine to bring them in line with provinces to the north and east and states to the south and not wanting to cause any problems that would disturb our fine law enforcement in the state, and since I am not wishing to create any further disturbance on the part

of the Highway Commission, at this time I move indefinite postponement of the bill.

The motion to indefinitely postpone prevailed.

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The PRESIDENT: With reference to Item 14 on page 12 (S. P. 585) (L. D. 1542) bill, "An Act to Revise the Boating Law and Extend Boat Registration and Safety Law to Cover Coastal Waters"; the Chair appoints as Senate Cosponsor, Senator Atherton of Penobscot, Senator Stitham of Somerset and Senator Campbell of Kennebec.

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On motion by Mr. Brooks of Cumberland

Adjourned until tomorrow morning at 9:30.