

# 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**

Tuesday, June 4, 1963

Senate called to order by the President.

Prayer by the Rev. Alton E. Maxell of Augusta.

On motion by Mr. Brewster of York, the Journal of yesterday was read and approved.

The PRESIDENT: The Chair is happy to appoint as President pro tem to preside over the Senate today, the good Senator from Knox, Senator Stilphen.

**House Papers****JOINT ORDER —**

WHEREAS, the members of the 101st Legislature and other guests thank Representative Sahagian of Belgrade for the Legislative Cook-out held at his home in Belgrade last Tuesday afternoon and evening; and

WHEREAS, the fine hospitality of the host and Mrs. Sahagian cannot be excelled; and

WHEREAS, the weather was fine, the setting fine and the food wonderful; and

WHEREAS, it came at just the right time to relieve a little bit the tensions and monotony of a long and arduous session; now, therefore, be it

ORDERED, the Senate concurring, that Representative Sahagian be commended for his thoughtfulness and hospitality. H. P. 1100

Comes from the House read and passed.

Which was read and passed in concurrence.

**Communication**

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
Office of the Clerk  
Augusta

June 3, 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:

Bill, "An Act Amending Certain Provisions of the Employment Security Law." (S. P. 453) (L. D. 1345)

Messrs: GIFFORD of Manchester  
BROWN of South Portland  
EWER of Bangor

Bill, "An Act to Revise the Boating Law and Extend Boat Registration and Safety Law to Cover Coastal Waters." (S. P. 585) (L. D. 1542)

Messrs: LOWERY of Brunswick  
PRINCE of Harpswell  
CROCKETT of Freeport

Respectfully,

HARVEY R. PEASE

Clerk of the House

HRP sr

Which was read and ordered placed on file.

**Committee Reports — House****Conference Committee Report**

The Committee of Conference on the disagreeing action of the two branches of the Legislature on House Joint Order Relating to Search and Seizure (H. P. 1081) reported that the House recede, adopt Conference Committee Amendment "A" and pass the Order as amended by Conference Committee Amendment "A"; that the Senate recede, adopt Conference Committee Amendment "A" and pass the Order as amended by Conference Committee Amendment "A" in concurrence.

Which report was read and accepted in concurrence, and the Senate voted to recede, adopt Conference Committee Amendment A and pass the Order as amended.

**Ought Not to Pass**

The Committee on Appropriations and Financial Affairs on Bill, "An Act Relating to Deficiency Appropriation for Division of Veterans Affairs." (H. P. 407) (L. D. 560) reported that the same Ought not to pass.

Comes from the House, Bill substituted for the Report and passed to be engrossed.

In the Senate:

Mr. CAMPBELL of Kennebec: Mr. President, I move acceptance of the Ought Not to Pass report.

Thereupon, on motion of Mr. Jacques of Androscoggin, the bill was tabled pending motion by Mr. Campbell of Kennebec to accept the Ought Not to Pass report; and was especially assigned for later in today's session.

The same Committee on Bill, "An Act Increasing Working Capital of Liquor Commission." (H. P. 262) (L. D. 356) reported that the same Ought to pass.

On motion by Mr. Brown of Hancock, tabled pending acceptance of the report, and especially assigned for tomorrow.

The Committee on Judiciary on Bill, "An Act Providing for Holding District Court for Western Aroostook at Fort Kent." (H. P. 52) (L. D. 75) reported that the same Ought to Pass as amended by Committee Amendment A.

Which report was read and accepted and the bill read once.

Mr. EDMUNDS of Aroostook: Mr. President, being by nature lazy, I have not yet had a chance to look up Committee Amendment A. I wonder if some member of the Judiciary Committee could explain what this amendment does to this bill.

The PRESIDENT pro tem: The Senator from Aroostook, Senator Edmunds, poses a question to any member of the Judiciary Committee, who may answer if they wish.

Mr. CAMPBELL of Kennebec: Mr. President, I have not the least idea what this does and I suggest that it lie on the table and I will try to find out.

Thereupon, the bill was tabled pending adoption of Committee Amendment A.

The same Committee on Resolve Appropriating Money to Supplement Federal Vocational Funds for Area Education Programs for Apprentices and Other Adult Workers. (H. P. 324) (L. D. 451) reported that the same Ought to pass.

Which report was read and accepted in concurrence, the Bills read once and tomorrow assigned for second reading.

### Ought to Pass — As Amended

The same Committee on Bill, "An Act Appropriating Funds for Sewage Treatment Plant and Purchase of Equipment at Gorham State Teachers College." (H. P. 410) (L. D. 563) reported that the same Ought to pass as amended by Committee Amendment "A" (H-404)

The same Committee on Resolve, Appropriating Moneys to Match Federal Funds Provided Under Title VIII of the National Defense Education Act. (H. P. 412) (L. D. 565) reported that the same Ought to pass as amended by Committee Amendment "A"

### Ought to Pass in New Draft

The Committee on Taxation on Bill, "An Act Increasing Excise Tax on House Trailers." (H. P. 257) (L. D. 326) reported that the same Ought to pass in New Draft under New Title: "An Act Relating to the Excise Tax on House Trailers." (H. P. 1099) (L. D. 1576)

Which report was read and accepted in concurrence, the bill read once and tomorrow assigned for second reading.

The Committee on Industrial and Recreational Development on Bill, "An Act to Clarify and Revise Laws of Department of Economic Development." (H. P. 834) (L. D. 1221) reported that the same Ought to pass in New Draft under New Title: "An Act to Reorganize the Department of Economic Development." (H. P. 1089) (L. D. 1561)

Comes from the House passed to be engrossed, as amended by House Amendment "A" (H-407)

In the Senate:

Mr. NOYES of Franklin: Mr. President, I move that the Senate accept the Ought to Pass report.

The motion prevailed, the Ought to pass report was accepted and the bill read once.

Thereupon, on motion by Mr. Noyes of Franklin, House Amendment A was indefinitely postponed and the bill was tomorrow assigned for second reading.

### Majority — Ought to Pass

### Minority — Ought Not to Pass

The Majority of the Committee on Municipal Affairs on Bill, "An

Act Relating to Establishment of a Personnel Law for Certain Employees of the City of Lewiston." (H. P. 544) (L. D. 801) reported that the same Ought to pass.

(Signed)

Senators:

CYR of Aroostook

Representatives:

LINCOLN of Bethel  
MacGREGOR of Eastport  
KILROY of Bangor  
CHOATE of Windsor  
HARDY of Hope

The Minority of the same Committee on the same subject matter reported that the same Ought not to pass.

(Signed)

Senators:

JACQUES of Androscoggin  
CRAM of Cumberland

Representative:

DUDLEY of West Enfield

Comes from the House Majority —Ought to Pass Report read and accepted.

In the Senate:

Mrs. SPROUL of Lincoln: Mr. President, having served a term on Legal Affairs when we had a good many Lewiston bills before us, I know that there is always conflict. I read this bill and I do not see anything particularly wrong with it. It also provides for a referendum. I would move that the majority report be accepted.

The PRESIDENT pro tem: The question before the Senate is the motion of the Senator from Androscoggin, Senator Jacques that the bill and report be indefinitely postponed.

Mr. JACQUES: Mr. President and members of the Senate: This bill had a pretty good hearing. The reason that myself and other members were against it is it does not include the fire department, it does not include the police department. The association has taken a vote and they have voted against it. It does include the Public Works employees, but I do not believe it does any good for them because I do not see how they can have a personnel test when a fellow has to use a pick and shovel or drive a truck, so I hope my motion does prevail.

Thereupon, on motion by Mr. Jacques of Androscoggin, the bill was indefinitely postponed.

### Second Readers

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

#### House

Bill, "An Act Reactivating the State Committee on Children and Youth." (H. P. 1098) (L. D. 1574)

Which was read a second time and passed to be engrossed in concurrence.

#### House — As Amended

Bill, "An Act Revising the Administrative Code." (H. P. 922) (L. D. 1356)

Which was read a second time and passed to be engrossed, as amended by Committee Amendment "A" as amended by Senate Amendment "A" (S-268) thereto — in Non-concurrence.

### Enactors

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

Bill, "An Act Relating to Fees of Arresting Officers for Warrants." (H. P. 655) (L. D. 911)

Bill, "An Act Relating to Boundaries of Western, Eastern and Central Aroostook District Court Divisions." (H. P. 814) (L. D. 1201)

Bill, "An Act to Promote Merchandising of Maine Sardines." (H. P. 817) (L. D. 1204)

Bill, "An Act Relating to Operation of Retail Store and Restaurant Prior to Application to Sell Malt Liquor." (H. P. 826) (L. D. 1213)

Which bills were passed to be enacted.

### Orders of the Day

On motion by Mr. Campbell of Kennebec, the Senate voted to take from the table Item 6-7 (L. D. 75) tabled by that Senator earlier in today's session.

Mr. CAMPBELL of Kennebec: The question was posed through the President as to the purpose of Committee Amendment "A" and I can explain it briefly as follows:

The original bill sought to divide the Western Aroostook First District so that there would be two places at which the court would sit, Madawaska and Fort Kent. The present law provides only one place for the court to sit, namely Madawaska. Filing No. H-392, which is Committee Amendment "A" does provide for the court to sit in Fort Kent as well as Madawaska. However, the business to be conducted at Fort Kent is limited to criminal business, and as I now recall the hearing on the bill it was determined that the real pressing need for having a court in Fort Kent was to accommodate the criminal business.

The PRESIDENT pro tem: Does the Senator from Aroostook, Senator Edmunds consider his question answered?

Mr. EDMUNDS: I do, Mr. President.

Thereupon, Committee Amendment A was adopted, and the bill as amended was tomorrow assigned for second reading.

Mr. BROOKS of Cumberland: Mr. President, may I inquire if we have L. D. 689 in the possession of the Senate.

The PRESIDENT pro tem: The Chair would answer in the affirmative, the bill having been recalled by Joint Order from the files.

Mr. BROOKS: Mr. President, I move that the rules be suspended for the purpose of reconsidering our action whereby this bill was indefinitely postponed.

Mr. PHILBRICK of Penobscot: Mr. President, I would hope that this body will not go along with the motion. The reason I offer is that this bill had a very long and thorough hearing by the Committee on Public Utilities, it received a unanimous "Ought not to pass report," the bill was indefinitely postponed in both the House and the Senate, and we felt that this was just an invasion of municipal authority by the State government, even as it might be if we were to decide how their police and fire departments were to be run. For those very brief reasons, I hope that the motion by the Senator from

Cumberland, Senator Brooks, does not prevail.

Mr. EDMUNDS of Aroostook: Mr. President, may I say at the outset I am very much in favor of the motion of the Senator from Cumberland, Senator Brooks and I hope his motion would prevail.

I note the absence from the Senate of the Senator from York, Senator Letourneau, who is suffering not perhaps the same affliction but is confined in the same place that I was just a week ago, and I do know his opposition to this bill. Therefore I would ask to pair my vote, should a division be had, with the Senator from York, Senator Letourneau. If he was present he would vote "No" and I would vote "Yes."

The PRESIDENT pro tem: The Senate hears the request of the Senator from Aroostook, Senator Edmunds, that he be allowed to pair his vote in the event of a division. Is this the pleasure of the Senate?

Permission was granted Senator Edmunds to pair his vote with that of Senator Letourneau.

Mr. FERGUSON of Oxford: Mr. President and members of the Senate: I rise in opposition to the motion of the Senator from Cumberland, Senator Brooks, inasmuch as this came out of the Public Utilities Committee with a unanimous "Ought not to pass" report and because of the fact we are involved here with federal funds. With the Water Improvement Commission setting up plans there would be a tremendous conflict of overlapping of jurisdiction, and not only with the Water Improvement Commission but with the New England Interstate Water Pollution Control Board where they regulate to some extent interstate waters, namely the Piscataqua waterway and the Androscoggin River, which will likely be before the next session of the legislature. As you know, federal funds are involved here, the Water Improvement Commission receives the money for the matching funds for the various municipalities and allocates them to the various towns, and certainly so far as some of the members are concerned I find they are very much opposed to this type of legislation.

At the present time some of the towns around the Piscataqua River in York County are arranging with some of the towns in New Hampshire for the construction of a joint sewage disposal plant where the Berwicks in the State of Maine and towns in New Hampshire would share in the cost, and I do not see how we are going to regulate at the state level here this sort of a project.

I would like to remind you also that there are only two states in the Union that regulate sewerage districts by the Public Utilities, namely Wisconsin and West Virginia. Therefore I hope that the motion of the Senator from Cumberland, Senator Brooks, does not prevail.

Mr. BROOKS of Cumberland: Mr. President and ladies and gentlemen of the Senate: This matter before us this morning was exhaustively studied by the Legislative Research Committee and unanimously they favored its adoption. This bill, if passed, would protect of course the individual who is paying the bills now with no controls, no protection whatsoever. Perhaps that is why some at this time do not favor passage of L. D. 689.

This bill definitely assists the person who has to pay the bill and at the present time has no protection. I have an editorial which appeared the February 7th issue of the Lewiston Sun, explaining quite well the reasons why this particular L.D. should be passed, and I would like to quote excerpts from this editorial. They state: "Currently the Public Utilities Commission which protects the public interest in the operation of various types of utilities has little or nothing to say about sewerage systems and how they are constructed and operated or what charges are made for the services."

This L. D. 689 would give the Commission authority to supervise such utilities in the manner they now supervise other utilities.

Quoting further from the editorial: "Cities and towns along the various waterways of the State are going to feel the pressure of anti-pollution laws more and more. We know of no community which is in

a financial position to undertake the expense of modern sewage treatment and disposal within its current tax structure. The obvious answer is going to be the creation of sewer districts to get such work under way without crippling other municipal services."

My interest, ladies and gentlemen, in this bill is to protect while we still can the persons, as I said before, who are living in and paying under these sewer districts and have no recourse. That is why I hope you will support my motion for reconsideration.

Mr. LOVELL of York: Mr. President and members of the Senate: I had some material on this but I cannot find it. I thought this bill had been laid to rest, where it belongs, some time ago, but now I see it is revived.

I might say that I had a good deal of correspondence from the Sanford Sewer District and the Urban Renewal Authority as well as the industrial development group in Sanford, which has a sewer district which was founded back in 1951, and through their local efforts they re-piped all their sewerage in various areas of the town, and then with the government and state funds, which are matched on something like 30 per cent by the State and 60 per cent by the federal government, we have established an excellent sewerage district. At no time have the rates been questioned. We did have a bill in this Senate two years ago on the sewer district in the town of Berwick, and I asked for ten or twelve years extension, I believe, for them to complete their sewerage district and this was opposed greatly by the Water Improvement Commission and the selectmen of Berwick felt that the cost was exorbitant and for them to do this in a matter of six years it would result in some thirty dollars per family. On the other hand, the rivers of our state are very important not only for recreational development but for industrial development and power and so on. So consequently it was the feeling of many that we should try to get away from centralization of many of these things on the state level as well as the federal level

and that they should be run by their own communities, and in this matter of a sewerage district I do not believe that the average sewer district in any community is going to charge customers exorbitant rates, and I think if this comes under the Public Utilities Commission if a sewer district wants to put out bonds or some such thing as that for improvements it is going to take a good deal of red tape, thirty or sixty days for them to accomplish this. I think the Public Utilities Commission has about all the work they can handle without putting on a large staff, and certainly this would create a large new staff. For that reason, I feel that we should not reconsider this bill and I think definitely we should leave our sewerage districts in community hands where they are at present.

Mr. EDMUNDS of Aroostook: Mr. President, I rise to make a parliamentary inquiry: Having been permitted to pair my vote, is it all right that I should be permitted to speak again on this bill?

The PRESIDENT pro tem: The Senator may proceed.

Mr. EDMUNDS of Aroostook: Mr. President, I would just make this observation: that this would give the Public Utilities Commission some authority in this particular area, and seeing that most of these sewer districts are largely funded by the state and the federal government it seems to me it is only logical that the Public Utilities Commission should have some authority in this particular area.

The remarks of the Senator from York, Senator Lovell, are rather interesting to me, seeing that the Appropriations Committee will probably be considering this afternoon the small sum of \$600,000 for the town of Saco, which is in York County, and if he feels that the state government should put up all the money but there should be no authority provided in the state government I will be very happy to pass those feelings along to the Appropriations Committee.

Mr. STITHAM of Somerset: Mr. President and members of the Senate: A few years ago when I was chairman of the board of selectmen

in the town of Pittsfield we had a considerable amount of money raised for the study of both the water and sewer systems, which was done by a very eminent firm from Boston, and I went into this matter quite extensively and found that the supply of water and the sewerage system are very much tied together. The water system takes the water to your house and the sewer system takes it away. There are very similar problems all along the road. Now the reason for the Public Utilities Commission having jurisdiction over your water districts is very plain: it is for the protection of the public, and the sewer districts for the same reason should have that protection. The two go together. The rate should be subject to being set by the Public Utilities Commission, and the financing of any of the districts should be gone over and it should be made sure that they are sound at their inception. I feel strongly that this is a very desirable bill to have, and I hope the motion to reconsider will prevail.

Mr. PIKE of Oxford: Mr. President and fellow Senators: Only yesterday I told you something about the campaigning program that the good Senator from Oxford, Senator Ferguson, and I have carried out for quite a number of years. I made quite a start towards eliminating that yesterday and today I am going to complete it.

Only last week I was called into the Council Chamber and I had this thing explained to me in detail, and I am going along with the leadership on it.

Mr. CYR of Aroostook: Mr. President and members of the Senate: I rise to support the motion against the reconsideration of this bill. Some of the thoughts that the good Senator from Somerset, Senator Stitham, has just mentioned has brought to my mind a similar proposition in regard to my own community when they established a water district. A water district was established and bonds for \$400,000 were raised without any discussion whatsoever, but when the rates came into the picture it increased the rates by 60 per cent. Sometime later I took it up with the Public



Utilities Commission up there and asked them why they allowed this to go through, and the answer I was given was that they had no jurisdiction on what the people of a community want or need; their jurisdiction is entirely on the rates. Now I cannot see where by passing this bill that the public will be protected any more than they are today. The Public Utilities Commission will only have jurisdiction on the rates that the sewer district may charge.

The arguments that were presented that this would protect the public are legitimate enough, however we should remember that we already have that protection now through the Water Improvement Board and the Water Improvement Board have jurisdiction not only on the type of sewerage system you are going to have, treatment plant or what have you, but also they have a guiding hand in regard to the construction of some of the plants, particularly the treatment plants, and they also have charge of the matching funds that are available for such treatment plants.

Now if we go back to the reasons for all these different districts, water districts or sewer districts, or what have you, the main reason is in the financing of these districts. The main reason why these districts are organized is to help communities whose credit is either over-extended or would be over-extended by the construction of these districts. Their credit being over-extended, by the organization of a district you are eliminating the credit burden from your general appropriation on your town affairs. However, there is a bill right now to increase the borrowing capacity of those communities from seven and a half to ten per cent, which will answer a lot of these financial troubles. And one thing we have to remember is that whenever you are creating a district you are multiplying the services, you are increasing the expenses. If your general public departments can take care of all this, your water, your roads, your construction, your street repairs and everything else, then you have everything concentrated into one organization: you have the same man-

ager, the same administration, the same personnel for a lot of that, and the same equipment can be used for any of these services. Now if you split them up into a sewer district, a water district, a public works department separate from all this you are just multiplying the expenses. For that reason I am opposed to putting these sewer districts under the Public Utilities Commission. Any community that wants to now may organize a district to take care of the credit rating of the community.

The PRESIDENT pro tem: The question before the Senate is on the motion of the Senator from Cumberland, Senator Brooks, that the rules be suspended, and a division has been requested.

Mr. FERGUSON of Oxford: Mr. President and members of the Senate: I would like to make a few more remarks regarding this bill. One thing is that these sewer districts are operated at no profit. You can very well see control for utilities such as electric lights, telephones and water companies. Water companies are in business to make a profit. We have a good many of them in the State of Maine here, some of them from New York, Pennsylvania and other places. For that reason, I don't see that we need any controls. If the cost is so much for each unit for installation and operation of a sewer district that is what its users are charged for. This bill certainly takes away the concept of home rule that these things should be handled at the local level where they can be better done. Another thing is that the public has got no protection.

The last part of the bill provides for a \$41,000 appropriation to set up a Division of Sewerage within the Public Utilities Commission, and I want to remind you people that you will have to find another \$41,000 if this bill becomes law.

Mr. LOVELL of York: Mr. President, just one more word. I would like to say to the good Senator from Aroostook, Senator Edmunds, that I certainly do not want to jeopardize Saco's plans for a complete sewerage district because they have quite a problem there and there is a good deal of sewage

floating around, but I do feel that the survey as taken by the City of Saco, by a group of expert engineers, has definitely come out with a sum that is needed to do this Saco sewerage district, and under the federal government Public Works program, if they can get in on that, it will save the community a great deal of money. Nevertheless, the rates of the sewerage district, being a non-profit organization, will be adjudged as to what the city owes in the way of a bond issue and to pay it off, and what it will cost for their employees they will need to hire. I do not feel that Saco needs to come under the jurisdiction of the Public Utilities Commission as to their rates because they are only going to charge what they have to charge to get the money to pay off the bond issue and run the sewerage district, and, being a non-profit organization, I do not feel that they are going to exorbitantly charge the people at any time.

Mr. PHILBRICK of Penobscot: Mr. President, it should be further pointed out too that a city with a good credit rating can borrow money at a much lower rate of interest than a sewer district which would depend on revenues which would not be a general obligation of the city involved. That is another saving that one may consider.

Mr. CRAM of Cumberland: Mr. President and members of the Senate: I think this is another one of those cases where it is well to keep in mind a few principles. I think one principle involved is that the closer government is to the people the better it is more apt to be, and that it is good to have home rule, and this is certainly infringing on home rule. It has been said that the citizens need protection. Well, the citizens involved within the limits of a sewer district certainly have as much protection as the citizen in any town as they have a vote for the officials of the sewer district, which is as much as the ordinary citizen has in the City of Portland, South Portland or Westbrook where they vote for their city officials and keep things in their hands. Also, from everything that I have read recently fragmen-

tation of government is supposed to be bad, that is the formation of various districts, water districts and sewer districts which can be just as well handled by one municipal government is considered bad because you have duplication of purchases, duplication of supervision, duplication all along the line where you have fragmentation of government. I do not think that we should encourage fragmentation of government; I think we should encourage efficient government. If a municipality is large enough to have its own sewers it certainly would be better to increase the municipality's borrowing capacity than to encourage the formation of sewer districts and water districts. If a multi-town or a multi-city district is necessary to handle the sewerage that might be all right, but I think it would be more proper to expand the powers of the counties as they have in many other states, in New York State, for instance, and let sewer utilities be handled by the counties. For example, in Portland we have at least half a dozen towns involved in the same sewerage problem in our greater Portland area, and in our water problem we have at least a dozen or fifteen towns involved in the same water system and the possibilities of pollution of the same water supply.

The PRESIDENT pro tem: The motion before the Senate is the motion of the Senator from Cumberland, Senator Brooks, that the rules be suspended for the purpose of a reconsideration motion.

A division of the Senate was had.

Mr. EDMUNDS of Aroostook: Mr. President—

The PRESIDENT pro tem: For what purpose does the Speaker rise?

Mr. EDMUNDS: Mr. President, I forgot that I promised to pair my vote and unthinkingly I stood up. I think I should not be included in favor of the motion.

Fifteen having voted in the affirmative and thirteen opposed, and fifteen not being two-thirds of the members present and voting, the motion to suspend the rules did not prevail.

The PRESIDENT pro tem: At this time the Chair would like to

recognize in the Senate Chamber a group of students from the Village School in the town of Denmark, accompanied by their teacher, Mrs. Smith. The Senate is happy indeed to have you young folks with us today and we hope that you are enjoying the proceedings as they are going along. It is with a great deal of pleasure that I now present to you the two Senators who represent your county, Senator Pike and Senator Ferguson. (Applause)

The President pro tem laid before the Senate the 1st tabled and today assigned item (H. P. 907) (L. D. 1315) Bill, "An Act Establishing a Division of Foreign Trade in the Department of Economic Development" tabled on May 27 by Senator Edmunds of Aroostook pending adoption of Senate Amendment A; and on further motion by that Senator, Senate Amendment A was adopted, and the bill was tomorrow assigned for second reading.

Mr. JACQUES of Androscoggin: Mr. President and members of the Senate, out of order and under suspension of the rules, I present a Resolution and move its passage:

STATE OF MAINE  
SENATE  
STATE LEGISLATURE  
RESOLUTION

WHEREAS, the members of the Senate of the One Hundred and First Legislature have been saddened by the death of JOHN XXIII, known to the world as the Pope of Unity and Peace; and

WHEREAS, we are aware of the great efforts and lasting influence of this religious leader of all men toward lasting unity and peace; and

WHEREAS, Pope John XXIII will go down in history as the first of a new type of leadership for the world,

NOW, THEREFORE, BE IT RESOLVED that the State of Maine mourns the loss of this great and simple man,

AND BE IT FURTHER RESOLVED, that the members of the Senate stand for a moment of silent meditation, each in his own way.

Dated at Augusta this fourth day of June in the Year of our Lord One Thousand Nine Hundred and Sixty-three.

The Resolution received passage, and the members of the Senate rose and observed a moment of silence.

The President pro tem laid before the Senate the 2nd tabled and today assigned item (S. P. 47) (L. D. 97) Senate Report Ought Not to Pass, from the Committee on Appropriations and Financial Affairs on Bill "An Act Relating to Matching Funds with Local Chambers of Commerce to Obtain New and Aid Expansion of Present Industries"; tabled on May 27 by Senator Lovell of York pending acceptance of the report; and that Senator moved that the bill be substituted for the report.

Mr. LOVELL of York: Mr. President and members of the Senate, the Committee on Industrial and Recreational Development in the past one and a half years has traveled from Portland to Houlton and throughout various areas of the state, holding public sessions in order to find out the feeling of the various people in the state, and the people invited in industrial development, the general public, labor, and so on down the line. It was the feeling of the committee that in some way through industrial development in Maine we should in Augusta here do something really constructive in order to increase new industries and expansion of the present industries here. Now I will not go into the various facts and figures, but I will simply remind you again briefly that Maine is the lowest paid state in the east per capita and the highest per capita in taxes, that we have lost manufacturing jobs consistently for the past twelve years, so that our employment in manufacturing is down to a dangerous low of some 103,000 people working in industry, and actually the entire Maine economy has suffered to the extent that the Maine Employment Security Commission funds are down very low, some twenty-two million. So it was felt that we should in some way come up with a program that would bring new industry into Maine over and above what the Depart-

ment of Economic Development was doing, and, as you know from reading the report of the Department of Economic Development they got some fifteen new industries last year. I know one of them is in Sanford; I think they are up to seven employees. We have lost industries this past year as well, notably Raytheon and several other industries. So the Industrial Development Council of Maine, which is made up of industrial development specialists from Presque Isle to Portland met, and this bill L. D. 97 is completely endorsed by them. If my motion carries, I have an amendment to make the bill constitutional, as the good Senator from Kennebec, Senator Campbell has suggested to me.

At the present time the Department of Economic Development has ten men who are working on industrial development, seven working in the State, one is a director, and two are working out-of-state. Now the two working out-of-state, one new man has gone on, and at one time there was just one working out-of-state. Now a state that is not meeting competition with southern states in getting in new industry — if a state is to get new industry, such as North Carolina and some of these other states have done — and incidentally North Carolina won a special award for industrial development and in that year they spent ten times as much money as the State of Maine did and they got in ten times as many industries. Their Governor Hodges was out working practically full time to get in new industry, and the work they have done is shown by the number of new jobs and industries they have gotten.

Now this particular bill, with only two men at the present time working out of state and seeking new industry it is not sufficient to get industry into the State of Maine and to put a great many people to work. We are not even balancing our manufacturing employees; in other words, we are still dropping on the number working in manufacturing. What has happened? Well, chiefly, one per cent of the population is leaving Maine each year, seeking employment in other states, whether they be school teachers,

people engaged in manufacturing and so on down the line. So it was felt that the various chambers of commerce and non-profit industrial development groups in the state — in the case of the larger ones they had one full-time man who was working to bring new industry into his area, but that full-time man was so handicapped — and I can mention Sanford and Biddeford because I know those two communities very well — and I suppose you all read the recent article, that both communities need new industries if we are not going to lose a great deal more of our population, as we have nearly a thousand people in Sanford working out of town, a good portion of them in New Hampshire, because they are more progressive and have more manufacturing over there than Maine does. If it were not for that we would have lost a good many more of our citizens. Consequently the Executive Secretary of the Chamber of Commerce is so tied up with its local affairs in helping the present industries that are in the community that he has very little time to travel on the road seeking new industries in the New York area and farther west, which is pretty well untouched as far as Maine is concerned. We have heard many remarks from out of state such as, "Well, we didn't know Maine was interested in new industry; we thought Maine simply wanted to go along as they have been." As the Armour Foundation report states, if you will glance at it — I have a five-volume set here on my desk: "Maine goes on today just about as it has in the past fifty years for the most part, with a little progress." If by this bill we could match funds with industrial development groups and chambers of commerce in their industrial development work only, this would give us in cases such as Portland, Biddeford, Sanford, Houlton, Presque Isle, Bangor, down along the line, that would give them another full-time man who could work his entire time out of state looking for and going after new industry.

Now you certainly can get new industry inside the state. We have seven men on DED working with

interstate industries and many of our chambers of commerce most of the time of the executive secretary is spent in in-state work in his own community. Now if we could match funds with the chambers of commerce on industrial development only, then that would give us four times as many man-hours as we now have on industrial development specialists in Maine in the chambers of commerce — and there are some twenty odd from Biddeford to Presque Isle — if we could match funds in getting a full-time man out-of-state, the records have shown that the amount of effort put in in working for industry out-of-state greatly increases the amount of industries that you get in the state, so consequently this method, in the opinion of many, including the Maine industrial development group, would bring in new industries into Maine in a much larger volume for a great deal less money than what the Department of Economic Development is doing — and I had just as soon see this money taken from the Department of Economic Development, because when a man is in his own community he is familiar with his own community and when he is working out-of-state he has the facts and figures — and I can tell you that no industry moves to a community unless they are convinced they can make more money where they are going to go, whether it be Maine or Florida. Where are they going to go unless they can make more money? So consequently with the passage of a bill such as this with four or five times more man-hours working out-of-state it could benefit the entire state.

Let's take, for example, the Biddeford area, or the Bangor area: if Bangor had another full-time man working, even if that industry came into the Bangor area people from all the surrounding communities as far as 20, 25, 30 or 35 miles can commute and work in that industry and it benefits the entire area, the same way it benefits Sanford. When we get a new industry in Sanford we have people from all over York County that come out and work in that industry, thus benefitting the

entire county, as well as payments on the sales tax and so on, which will in turn greatly increase the over-all amount of money that is brought into Maine in the form of various direct taxes and indirect taxes to the state coffers, which would a great deal more than pay for this small amount that is asked, and I do not think I need to read some of the editorials. The Governor in his inaugural address, the headlines state: "Wants Vigorous Plan for Industrial and Recreational Development." Now here is a vigorous plan for industrial development.

The various papers throughout the state have commented upon and criticized the various legislatures in recent years for not doing enough to get new industry into Maine, which, in not creating sufficient manufacturing jobs has cost the state a great deal more money all along the line from the Department of Health and Welfare, Aid to Dependent Children and so on. The federal government and the state put on training programs to train personnel that might not be experienced in that type of industry. This would bring many more industries into Maine, I do not dare estimate how many it would bring in from the effort put in by that local representative.

Now this is matching funds, and the amendment to make it legal, the amendment that I would like to present would make it so this would only match the funds that were voted by the community for industrial development. Here again the local non-profit organization would have to analyze the funds that they have gotten. If they were strictly for industrial development then their application would go to the Commissioner of Industrial Development or the Department of Economic Development and those funds would be matched on the budget that they sent in and then at the end of the year the results of how they spent their money would have to be sent in to the Department of Economic Development, where it went to, before they could get money for the next year.

Now there are a great many small areas that it would benefit,

and I am thinking particularly of York County where we have the Ossipee Valley Industrial Development group in operation, which includes some five or six towns. Now Maine towns are very, very thrifty and they do not spend much money for anything, they have done a great deal so far as spending money for vacationland but so far as industrial development is concerned many people in the smaller towns think that Maine is a wonderful state that industry should be knocking at our doors to come in. But such is not the case. The five or six towns in the Ossipee Valley industrial development group, each town puts up anywhere from a hundred to five hundred dollars by their vote at their town meeting which goes into a fund which gives them some three thousand dollars, which is not enough to hire a full-time man or maintain an office, but with matching funds from the state if they voted a little bit more then they could have a full-time man who could go out and seek new industry as well as keep his towns well organized, prepare dossiers for them through the help of Augusta here, in the department. So I think it is probably not necessary to go into any more details on this particular bill because Senator Edmunds seems to have a little problem here, but nevertheless I think the progress in small towns the progress is very, very slow in the way of industrial and recreational development.

I would hope that my motion to substitute the bill for the report would pass so I could present this amendment to make it so that it would be simply funds voted by the municipalities for the non-profit organization.

Mr. EDMUNDS of Aroostook: Mr. President, first, I believe that some of the remarks that were made by the Senator from York, Senator Lovell, with respect to the other body are out of order and I would move that they be stricken from the record.

The PRESIDENT pro tem: Is it the pleasure of the Senate that those remarks be stricken from the record?

It was so voted and the remarks were stricken from the record.

Mr. EDMUNDS of Aroostook: Mr. President, I would like to make an unusual request, that we recess for five minutes in the middle of debate.

(Recess)

#### After Recess

Senate called to order by the President pro tem.

The President pro tem: The question before the Senate is on Item 2, L. D. 97, a motion by the Senator from York, Senator Lovell that the bill be substituted for the report.

Mr. CAMPBELL of Kennebec: Mr. President and members of the Senate, as one of the signers of the unanimous ought not to pass report, I rise in opposition to the motion of the Senator from York, Senator Lovell. I don't know that the price tag on this bill has yet been divulged but it should be. It calls for an appropriation of \$400,000.

I think you might get the impression from listening to Senator Lovell, that the state is not spending enough money for industrial development. That may well be, and the Appropriations Committee might well be among those who agree that a better job could be done if more money could be appropriated, but our feeling was that this particular bill was not the best one and wasn't designed to do the best job. As introduced, the bill called for matching funds with local Chambers of Commerce and Boards of Trade to obtain new industry, or in aid of expanding existing industries. We felt that there was serious question as to the propriety if not the legality of having money appropriated to the Department of Economic Development in the first instance and then have it spent at a local level by non municipal organizations such as local Chambers of Commerce or Boards of Trade.

We felt that if this money was being expended by the state on a statewide basis or perhaps an area basis, it would be more successful in obtaining new industry. In effect we felt that this was a shotgun approach because you are propos-

ing that the money be spent on the local level in any of the towns or cities that might be interested.

In a way, this seems to be one of the things that has caused the department the great trouble when you analyze it. It is a fact that Maine towns and cities are provincial and right they might be, and they are in competition for new industry and when the Department of Economic Development does something for Town A, and Town A gets the new industry, and Town B doesn't get it, there is naturally resentment, friction and feeling. And so again I say that I think the success of this program depends on our ability to keep it at a reasonably high level and not to dissipate the energy getting it down to the point of municipalities. I think that at least covers the objections and the feelings of the Committee on Appropriations and I would ask that when the vote is taken it be taken by division.

Mr. NOYES of Franklin: Mr. President, I sometime wish we did not have an appropriations committee merely because if there is a price tag on something, the principle involved is lost. Most certainly as far as the philosophy of economic development is concerned in this state, whether it be recreational or industrial we cannot create a central agency which can be all things to all men. We must in the future of this state match communities with money and with man power so that they will go to work. One of the things that ran through all the community meetings we had was, "Would the state match funds?" It was not a question of how much, but the mere fact. It is very similar in the recreation business to your Maine Publicity Bureau. The towns appropriate the money and the Publicity Bureau have raised these towns up to the point where they recognize the problem. This is a principle of self help and, if you want, cut the price tag down to ten cents, but I think it is time in looking at economic and industrial and recreational development in the state that we recognize the principle that we must match manpower, ideas, human capital and money with the

communities that want to help themselves. Then we are going to get an effort not only here in Augusta but in all the small communities and that is going to raise the entire economic level of this state.

I really didn't mean what I said in one way, about the committee, but these bills call for appropriations and too many times the principle is decided because it calls for some money. Senator Lovell said in his remarks that he would be willing to take the money out of DED. I would say that I would reduce the amount of the price tag and certainly the Appropriations Committee who manage all things and particularly the last night of the session here, could perhaps integrate this program into the money which will be allotted to DED. The big issue is the principle of self help, and that is the principle that we must inculcate throughout the State of Maine. Augusta cannot do it all. The same as Washington; the Great White Father cannot do it all.

If we can have a matching fund of money and later a matching fund of talent, a matching fund of information, then we are going to build a network of industrial — and this applies to recreational development in the state too — and for that reason I support the motion of the Senator from York, Senator Lovell.

Mr. EDMUNDS of Aroostook: Mr. President, I would say that I agree with the Senator from Franklin, Senator Noyes in one respect. Having served five months on the Appropriations Committee, I wish it were possible not to have one because I assure you we have considered something like \$300 million of legislation so far this session and we have had to make some decisions which invariably make some people unhappy.

I merely arise to point out, as did the Senator from Kennebec, Senator Campbell, that there is a price tag, a \$400,000 price tag, on this bill and we just do not see where the money is coming from. I would remind the Senate that this is a unanimous ought not to pass report and I would hope that the motion of

the Senator from York, Senator Lovell, would not prevail.

Mr. LOVELL of York: Mr. President, I would like to mention to the good Senator from Kennebec, Senator Campbell, in going communities this fund is actually on an area basis. It has been proven beyond the shadow of doubt that the men in the Department of Economic Development are so diversified trying to help to bring in industry—I don't know how many industries they have brought in this year, but I don't think very many—but in their efforts they are so diversified that communities battle back and forth and say, "You didn't treat me right" and so on.

Now in going into an area such as Sanford, Biddeford, Bangor, Presque Isle, Lewiston, Augusta, this helps that entire area. The time has come, in my opinion—I don't mind seeing \$28 and a half million as we spent last year for education or \$26 million for Health and Welfare, those are worthy projects, but the time has come when we must spend more money to get industry into Maine if we are going to keep our population here. We have already lost one representative to Washington, and why? Because our population increase in the last census was only 6.1 percent compared to a national average of 18 percent and just as sure in your lifetime you will see us with one representative in Washington in another ten years unless we do something for industrial development. Recreational development is fine. It is seasonal and we'd like to make it year round. But industrial development is the utmost importance to the State of Maine. If a community has sufficient stamina and is willing to vote to get that community interested to go after industrial development, then the state should match the funds.

The late Carl Broggi, for example, sat in this seat and was Commissioner of the Department of Industry and Commerce,—his thought was on the local basis. He traveled through every Chamber of Commerce and every group in the state in the larger communities that had a Chamber of Commerce,

to interest them in going after industry.

The Maine Business Index, for example, indicates that our average increase has been only 1.4 percent a year. That is way behind the rest of the nation. If we want to continue to stay way behind the rest of the nation, then all we have to do is defeat these bills for industrial and recreational development. We aren't asking for more than one to one and a half percent of the total budget. If we can't spend one or two percent of the total budget to bring more jobs into Maine to help pay our taxes so we won't have to be raising taxes, then we are very, very remiss.

The Area Development Bulletin in Washington shows that Maine is one of the lowest states in the country on loss of manufacturing employment. The shift of industry, not only from Maine but from all New England, has been to the south. And there is only one way that we can defeat that—by proper men out in the field seeking new industry, by the Constitutional Amendment that you passed to build modern factory buildings two years ago, which the people of Maine voted on and passed against a certain amount of opposition, which will prove itself as time goes on because no industries want to go into a multi-story factory building, or very few of them.

We have got to the point in the State of Maine, just as the Governor has said, that industrial and recreational development should be the foremost thought of the 101st Legislature and if no one is going to bring this to the legislature, I certainly am going to. Whether you vote against this bill or for this bill—and if you vote against this bill, you are voting against progress in industrial development in the State of Maine—I don't say that Maine can keep up with the national average of \$56 in new pay roll for every dollar spent but Sanford and Biddeford are way above that average and I can't vouch for Portland, I haven't seen their figures.

My friends, you have read the Armour Foundation Report—I hope



— and I certainly don't want to go into the details of that report because I feel confident that this Senate is progressive enough to pass a bill like this which will mean many new industries in Maine and millions of dollars worth of payroll, and that payroll turns over five times before it leaves the area, and every time it turns over the state bites from the sales tax, the liquor profit, the cigarette tax, the gas tax and so on down the line.

Now it is wonderful to have the State of Maine one of the top states in the country with people 65 years of age or over, some 11 percent, 110,000 out of 969,000 population. It is wonderful to have those elderly people here but it is also necessary and progressive to get industry into the state to keep our young people from leaving the state. 77 percent of the graduates of the University of Maine last year had to go out of state to find a job. They couldn't find a job in Maine, and if we don't bring industry in and we don't put on an all out effort, not a soft sell program, but a hard fighting, hard driving program to bring industry into Maine as the southern states have done, then you are going to keep raising taxes and raising taxes until you've lost the population you have now and we will be a state of children and a few people that exist alone in their middle years and the elderly people will be predominant in the state. Now maybe that is what the people of Maine want. I don't know. But down in my area they don't want that. The articles I have read and the editorials in various newspapers, they don't want that.

I don't want to bore you. I could talk on industrial development. I have traveled the world — in Europe, Africa — studied and lectured on industrial development. This is a progressive bill. I have a tax measure that I will bring up in a day or two that would pay for this bill. I hope that the Senate will go along with my motion.

The President pro tem: The question is on the motion of the Senator from York, Senator Lovell, that the bill be substituted for the report.

A division of the Senate was had.

Fifteen having voted in the affirmative and thirteen opposed, the motion prevailed, the bill was substituted for the report and read once.

Mr. LOVELL of York: Mr. President, I would like to present Senate Amendment A, thank the Senate for its progressiveness which I am sure they will never regret, and move the passage of the amendment.

Thereupon, Senate Amendment A was adopted and the bill as amended was tomorrow assigned for second reading.

The President pro tem laid before the Senate the 3rd tabled and today assigned item (H. P. 871) (L. D. 1258) House Reports from the Committee on Labor on Bill, "An Act Relating to Disqualification and Claims for Benefit and Employer's Contribution Rate under Employment Security Law"; Majority Report, Ought not to pass as covered by other legislation; Minority Report, Ought to Pass; tabled on May 28 by Senator Brown of Hancock pending acceptance of either report; and that Senator yielded to the Senator from Aroostook, Senator Edmunds.

On motion by Mr. Edmunds of Aroostook, the bill was retabled and especially assigned for Thursday, June 6.

The President pro tem laid before the Senate the 4th tabled and today assigned item (H. P. 872) (L. D. 1259) House Reports from the Committee on Labor on Bill, "An Act Relating to Partial Unemployment Benefits and Experience Rating Record under Employment Security Law"; Majority Report, Ought not to Pass as covered by other legislation; Minority Report, Ought to pass as amended with Committee Amendment A; tabled on May 28 by Senator Brown of Hancock pending acceptance of either report; and that Senator yielded to the Senator from Aroostook, Senator Edmunds.

On motion by Mr. Edmunds of Aroostook, the bill was retabled and especially assigned for Thursday, June 6.

The President laid before the Senate the 5th tabled and today assigned item (H. P. 978) (L. D. 1417)

Bill, "An Act Authorizing the Maine Port Authority to Establish Foreign Trade Zones in Maine"; tabled on May 28 by Senator Edmunds of Aroostook pending passage to be engrossed; and that Senator presented Senate Amendment A and moved its adoption.

Mr. EDMUNDS of Aroostook: Mr. President, I would like to take just a few moments and explain to the Senate the intent of this amendment to this particular legislative document. If I have been in a rather confused state today, it is because I received some rather disquieting news over the telephone and perhaps haven't been thinking as clearly as should be, which is not too good to begin with.

What this amendment proposes to do, and it is a rather lengthy amendment, is (1) to transfer the authority to establish these foreign trade zones from the Maine Port Authority to the Department of Economic Development.

I think this is a very proper function for the Department of Economic Development to handle, and I question the propriety of having it handled under the Maine Port Authority. Now, let me make it clear that I have no quarrel with the Maine Port Authority as such. I think that in their own sphere they do an excellent job. However, I think that the Department of Economic Development is a far more logical department to handle this particular type of duty and to get the most mileage out of it than would be the Port Authority. I realize that in some other states these matters are handled by instrumentalities such as the Maine Port Authority. However, I do not know whether those states have departments such as the Department of Economic Development so the bulk of my amendment merely strikes out reference to the Maine Port Authority and substitutes the Department of Economic Development.

The second part of my amendment would be to exempt agricultural products insofar as this legislation is concerned. Again let me say that it would be very difficult as this legislative document is drawn, for discrimination to be

practiced against agricultural products for any agency whether it would be the Port Authority or the Department of Economic Development to take any action which might be detrimental to Maine agriculture. However, I would state that the possibility very definitely does exist and frankly, if agricultural commodities or products were included in this, I think it possible that you would be posing a very distinct threat to the potato industry.

In my opinion, and this opinion is shared by many people, the biggest threat to the Maine potato industry is not Idaho or the Red River Valley of the North, the states of Minnesota and North Dakota, California, Florida or other leading producers of potatoes. The biggest threat that we face in the eyes of many of us is the competition from our very good neighbors to the north, the Dominion of Canada and I think the fear is very well founded. They have cheaper prevailing wages than we do and we are protected at this time by a duty. Now processing in potatoes is becoming extremely important. It is expanding by leaps and bounds and apparently the two areas where processing is going to concentrate are Idaho and the State of Maine. I think it would be extremely unfortunate if as a result of this legislation it became possible to bring Canadian potatoes into the State of Maine, duty free, to have them processed and thereby compete with the potatoes produced by the more than 4,000 commercial potato growers that we have in this state at this time.

For that reason, Mr. President and members of the Senate, I would hope that my amendment would be adopted.

Thereupon, on motion by Mr. Porteous of Cumberland, the bill was laid upon the table pending the motion by Mr. Edmunds of Aroostook to adopt Senate Amendment A, and the bill was especially assigned for tomorrow.

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The President pro tem laid before the Senate the 6th tabled and today assigned item (S. P. 281) (L. D. 795) Bill, "An Act to Correct the Name of Heron Lake Dam Com-

pany and Relating to Its Powers"; tabled on May 28 by Senator Philbrick of Penobscot pending enactment.

Mr. PHILBRICK of Penobscot: Mr. President, L. D. 795 had rather a routine hearing before the Committee on Public Utilities. There were several proponents who appeared in favor of the bill and there were no opponents. Consequently the Committee gave it a unanimous ought to pass report.

However, as time went on, the Chairman of the Committee, became uneasy and I had a few theories in my own mind that this bill might in some way jeopardize power development down the Allagash and St. John Rivers. In order to protect myself I did have an amendment drawn which was Senate Amendment B, Filing S-271 which I had intended to introduce to accompany this bill. That amendment said the following:

"Nothing in this section shall be construed to impair the authority of any public body heretofore or hereafter created by the legislature in the exercise of the powers granted to any such public body"

Yesterday morning I received a telephone call from John T. Mains, who is vice president of the Great Northern Paper Company and is president of the Heron Lake Dam Company. After rather a lengthy conversation, he assured me that the furthest thing from the minds of Great Northern Paper Company was in any way to obstruct any such project as L. D. 874, "An Act to Create the Maine Port Authority" might bring about. At my request, he wrote me a letter of intent, more fully explaining himself so that I might include it in the record. I would like to read the letter from Mr. Mains.

" Heron Lake Dam Company  
6 State St.  
Bangor, Maine

June 2, 1963

"Senator Samuel W. Philbrick  
Chairman Public Utilities Committee  
Augusta, Maine

"Dear Sir:

In connection with the proposed broadening of powers of the Heron Lake Dam Company, it is not this company's intention to obstruct in

any way future downstream power developments on the Allagash or St. John. Development of hydro electric power at this dam site would benefit downstream hydro power sites as well as the recreation attraction of the Allagash River.

Yours truly,  
John T. Mains, President"

Mr. President, I would now move the pending question.

Mr. CYR of Aroostook: Mr. President, I, too, was a little disturbed on this bill as you know, and I have been doing some research on the thing. As yet I haven't been able to pinpoint the exact reason for this bill. I have a memo here from the PUC and I will read just one sentence:

"It seems evident that the existing company could have rebuilt the old dam to its existing height without any further action by the legislature."

At the debate that we had last week on this, it was mentioned by somebody that the main purpose of this was to control flooding on the St. John River. Now as I see this, there are two things that may be involved here. (1) If this is to control flooding on the St. John River it means that they have to build a fairly high dam or substantial dam and by doing that they will be diverting the waters away from the St. John River. In doing that they are violating the international treaty existing between Canada and the United States. Point (2) If the State of Maine, through this legislation, gives away its water rights and its power rights, even though the Heron Lake Company doesn't utilize these rights of either building a dam — they say that they have no intention of building a dam — or intention of manufacturing power, through this legislation we are still giving away the State's rights to these waters and the power rights. Assuming that Rankin Rapids or Cross Rock would be affected, then either one of these organizations you might call them, would have to buy out the rights that this company has acquired, the water rights and the power rights that this company has acquired for nothing. And they could pay a substantial tab on it.

So, I feel that there is not enough information in regard to this bill and I would move that this bill be referred to the 102nd Legislature.

Mr. EDMUNDS of Aroostook: Mr. President, I would rise in opposition to the motion of my colleague, the Senator from Aroostook, Senator Cyr, and hope that his motion to refer this bill to the 102nd Legislature would not prevail.

The PRESIDENT pro tem: The question before the Senate is the motion of the Senator from Aroostook, Senator Cyr, to refer this item to the 102nd Legislature. A division has been requested.

A division of the Senate was had.

Ten having voted in the affirmative and eighteen opposed, the motion did not prevail.

Thereupon, the bill was passed to be enacted.

The President pro tem laid before the Senate the 7th tabled and today assigned item (S. P. 426) (L. D. 1169) Bill, "An Act Relating to Discrimination in Rental Housing"; tabled on June 3 by Senator Farris of Kennebec pending passage to be engrossed; and that Senator yielded to the Senator from Aroostook, Senator Edmunds.

Mr. EDMUNDS of Aroostook: Mr. President, I note the absence of the sponsor of this legislation in the Senate Chambers this morning and I know it is because he has commencement exercises at his seminary, the Senator from Penobscot, Senator Whittaker, and for that reason I would move that this be retabled and especially assigned for Thursday, June 6.

The motion prevailed and the bill was so tabled and assigned.

Mr. STITHAM of Somerset: Mr. President, at this time I would like to inquire of the Chair if L.D. 1086 is in the possession of the Senate.

The PRESIDENT pro tem: The Chair answers in the affirmative. L. D. 1086 is in the possession of the Senate.

Mr. STITHAM of Somerset: Mr. President, having voted on the prevailing side of this question yesterday, and by way of explanation this is an Act Relating to Vocational Centers. In view of the fact that

the vote was very close and in view of the many absentees yesterday, and in order to be fair, I now move reconsideration of our action of yesterday.

The PRESIDENT: The Chair will inform the Senator from Somerset, Senator Stitham that the last action on this particular bill was the acceptance of the Ought Not to Pass report. The Chair understands that the Senator now moves that the Senate reconsider its action whereby it accepted the Ought Not to Pass report.

Mr. EDMUNDS of Aroostook: Mr. President, I move that this item be tabled and especially assigned for tomorrow.

Mr. FARRIS of Kennebec: Mr. President—

The PRESIDENT pro tem: For what purpose does the Senator rise?

Mr. FARRIS of Kennebec: Mr. President, the Senator rises to a point of personal privilege to inquire of the Chair as to whether a vote on this measure tomorrow would require a two-thirds vote rather than a simple majority vote.

The PRESIDENT pro tem: The Chair would rule that inasmuch as there is a pending motion to reconsider, it would take only a majority vote.

Thereupon, the bill was tabled and especially assigned for tomorrow, pending motion by Senator Stitham of Somerset, that the Senate reconsider its previous action.

The President pro tem laid before the Senate, Item 6-2 on Page 3, Committee Report from the Committee on Appropriations and Financial Affairs, Ought not to pass, on Bill, "An Act Relating to Deficiency Appropriation for Division of Veterans Affairs"; (H. P. 407) (L. D. 560), tabled earlier in today's session by Senator Jacques of Androscoggin pending motion by Senator Campbell of Kennebec to accept the Ought not to pass report; and on further motion by Mr. Jacques of Androscoggin, the bill was retabled and especially assigned for tomorrow.

On motion by Mr. Edmunds of Aroostook

Adjourned until tomorrow morning at ten o'clock.