

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Second  
Legislature*

OF THE

STATE OF MAINE

1965

DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE

### HOUSE

Wednesday, March 31, 1965

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

Prayer by Rabbi Harry Z. Sky of Portland.

The journal of yesterday was read and approved.

#### Papers from the Senate

From the Senate: The following Communication: (S. P. 479)

#### SENATE OF PENNSYLVANIA

March 22, 1965

Edwin H. Pert, Secretary

Senate of Maine

State House

Augusta, Maine

Good Morning Ed!

At its session on March 15, 1965, the Senate of Pennsylvania unanimously adopted Resolution, Serial No. 45.

I am forwarding a certified copy of this resolution to you in accordance with the directions contained therein.

With kindest regards,

Sincerely,

(Signed)

MARK GRUELL Jr.

Mark Gruell, Jr.

Came from the Senate read and with accompanying papers ordered placed on file.

In the House, the Communication was read and with accompanying papers ordered placed on file in concurrence.

From the Senate:

Resolve in favor of Carroll Linnell of Benton for Well Damage by Highway Construction (S. P. 473) (L. D. 1425)

Came from the Senate referred to the Committee on Claims.

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

From the Senate:

Bill "An Act relating to Compensation Rates in Certain Technical and Professional Classifications" (S. P. 438) (L. D. 1426)

Bill "An Act relating to Citizenship Requirements for Certain

State Employees" (S. P. 476) (L. D. 1424)

Resolve Proposing an Amendment to the Constitution Changing the Tenure of Office of Senators and Representatives to Four-Year Terms (S. P. 475) (L. D. 1423)

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

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

#### Senate Reports of Committees Ought Not to Pass

Report of the Committee on Inland Fisheries and Game reporting "Ought not to pass" on Bill "An Act to Permit Sunday Hunting" (S. P. 17) (L. D. 336)

Came from the Senate read and accepted.

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

#### Tabled and Assigned

Report of the Committee on State Government reporting "Ought not to pass" on Bill "An Act Authorizing Expenditure from Funds of Passamaquoddy Tribe for Legal Services to Protect Lands" (S. P. 405) (L. D. 1228)

Came from the Senate read and accepted.

In the House: On motion of Mrs. Carswell of Portland, tabled pending acceptance and specially assigned for Friday, April 9.

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

Report of the Committee on Towns and Counties reporting "Ought not to pass" on Bill "An Act relating to Realty Subdivisions in Municipalities" (S. P. 388) (L. D. 1203)

Report of same Committee reporting same on Bill "An Act relating to Recording of Realty Subdivisions in Municipalities and Unorganized Territory" (S. P. 389) (L. D. 1204)

Came from the Senate read and accepted.

In the House, the Reports were read and accepted in concurrence.

### Ought to Pass

Report of the Committee on Judiciary reporting "Ought to pass" on Bill "An Act Repealing Compensation Limitation in Actions for Injuries Causing Death" (S. P. 202) (L. D. 583)

Report of same Committee reporting same on Bill "An Act relating to Title References in Conveyances of Real Estate" (S. P. 399) (L. D. 1224)

Came from the Senate with the Reports read and accepted and the Bills passed to be engrossed.

In the House, the Reports were read and accepted in concurrence, the Bills read twice, and assigned the next legislative day.

### Ought to Pass with Committee Amendment

Report of the Committee on Legal Affairs on Bill "An Act Providing for Paid Holidays for Employees of City of Lewiston" (S. P. 231) (L. D. 689) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A".

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

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to S. P. 231, L. D. 689, Bill, "An Act Providing for Paid Holidays for Employees of City of Lewiston."

Amend said Bill by striking out all of the last 4 lines and inserting in place thereof the following:

"Washington's Birthday, Patriots Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving Day and Christmas Day."

Committee Amendment "A" was adopted in concurrence and the Bill assigned for third reading the next legislative day.

### Divided Report

Majority Report of the Committee on Sea and Shore Fisheries reporting "Ought not to pass" on

Bill "An Act to Provide Special Lobster and Crab Licenses in York County and to Establish a Lobster Fund for York County" (S. P. 367) (L. D. 1134)

Report was signed by the following members:

Messrs. MOORE of Washington  
GLASS of Waldo  
— of the Senate.

Messrs. LOWERY of Brunswick  
MILLS of Eastport  
BEDARD of Saco  
PRINCE of Harpswell  
MITCHELL of Frankfort  
YOUNG of Gouldsboro  
WATTS of Machias  
— of the House.

Minority Report of same Committee reporting "Ought to pass" on same Bill.

Report was signed by the following member:

Mr. JUTRAS of York  
— of the Senate.

Came from the Senate with the Reports and Bill recommitted to the Committee on Sea and Shore Fisheries.

In the House: Reports were read.

On motion of Mr. Lowery of Brunswick, the Majority "Ought not to pass" Report was accepted in non-concurrence and sent up for concurrence.

### Divided Report Tabled and Assigned

Majority Report of the Committee on State Government reporting "Ought not to pass" on Resolve Proposing an Amendment to the Constitution to Lower the Voting Age to Eighteen Years (S. P. 153) (L. D. 394)

Report was signed by the following members:

Messrs. WILLEY of Hancock  
MAXWELL of Franklin  
— of the Senate.

Messrs. PITTS of Harrison  
DOSTIE of Lewiston  
BERRY of Cape Elizabeth  
KATZ of Augusta  
LIBHART of Bangor  
— of the House.

Minority Report of same Committee reporting "Ought to pass" on same Resolve.

Report was signed by the following members:

Mr. STERN of Penobscot  
— of the Senate.

Messrs. STARBIRD  
of Kingman Township  
EDWARDS of Portland  
— of the House.

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

In the House: Reports were read.

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

Mr. EDWARDS: Mr. Speaker, Members of the House: I move that we accept the Minority Report in concurrence.

The SPEAKER: The gentleman from Portland, Mr. Edwards, now moves that we accept the Minority "Ought to pass" Report in concurrence. Is this the pleasure of the House?

The Chair recognizes the gentleman from Cape Elizabeth, Mr. Berry.

Mr. BERRY: Mr. Speaker and Members of the House: This is one of three bills, I believe, which lower the voting age. The majority of the Committee on State Government, after listening to all the bills, felt that there was merit in lowering the voting age, but to lower it to eighteen was a little bit too much of a step. Consequently, I would hope that you would vote against the motion of the gentleman from Portland, Mr. Edwards, and I think that we can really get into this matter when these other bills come before us.

Whereupon, on motion of Mr. Edwards of Portland, the Reports and Resolve were tabled pending his motion to accept the Minority "Ought to pass" Report in concurrence and specially assigned for Friday, April 9.

#### **Non-Concurrent Matter**

An Act Authorizing the Municipalities of Cumberland and North Yarmouth to Form a School Administrative District (H. P. 48)

(L. D. 60) which was passed to be enacted in the House on February 16 and passed to be engrossed on February 9.

Came from the Senate indefinitely postponed in non-concurrence.

In the House: On motion of Mr. Richardson of Cumberland, the House voted to recede and concur with the Senate.

The SPEAKER: The Chair at this time would like to recognize in the balcony of the House forty-three pupils of the seventh and eighth grades of the Sumner Elementary School and the eighth grade of the Buckfield Elementary School, who are accompanied by their teachers Mrs. Fleming and Mr. Johnston. They are the guests of the gentleman from Dixfield, Mr. Eustis. On behalf of the House, the Chair welcomes you and we hope that your visit will be both educational and enjoyable. (Applause)

The Chair at this time would also like to recognize in the balcony of the House seventy-five pupils of the eighth grade of the Yarmouth School, accompanied by their teachers, Walter F. Monroe, Dwight Beal, Mrs. Fundenberg, and chaperone Mrs. Jillson. They are the guests of the gentleman from Harpswell, Mr. Prince. On behalf of the House, the Chair welcomes this group and we hope that your visit will be both enjoyable and educational. (Applause)

#### **Orders**

On motion of Mr. Beane of Moscow, it was

ORDERED, that Miss Marcia Gilbert of Turner be appointed to serve as Honorary Page for today.

The SPEAKER: Miss Gilbert is the daughter of Representative Gilbert of Turner and she is a senior at Farmington State Teachers College. On behalf of the House the Chair welcomes you, Miss Gilbert, and we hope that you will enjoy your duties as honorary page for this day. (Applause)

Mr. Curran of Bangor presented the following Order and moved its passage:

WHEREAS, from the six original sisters requested by Bishop David W. Bacon, 2nd Bishop of Portland, who first arrived to begin their labors in Maine at St. John's Parish in Bangor on August 5, 1865 from the nearest Motherhouse in Manchester, N.H., and since that time, succeeding groups of Mercy sisters have given one hundred years of dedicated and unselfish service in the areas of teaching; conducting schools at all levels, kindergarten through college; in nursing and medicine; establishing hospitals such as Mercy Hospital in Portland and the Madigan Hospital in Houlton; and serving the Indians in social welfare work on the reservations at Peter Dana Point, Pleasant Point and Indian Island;

BE IT ORDERED that the House of Representatives recognize, commend and congratulate the Sisters of Mercy on the occasion of their 100th year jubilee in the State of Maine; and

BE IT FURTHER ORDERED that the Clerk of the House be directed to send an attested copy of this Order to Rev. Mother Mary Evangelist and Sister Mary Emerita.

The Order received passage.

On motion of Mr. Gilbert of Turner, it was

ORDERED, that Miss Carol Beane of Moscow, be appointed to serve as Honorary Page for today.

The SPEAKER: Miss Beane is the daughter of our Representative from Moscow, Mr. Beane. She is a junior at Farmington State Teachers College. On behalf of the House, the Chair welcomes you and we hope that you will enjoy your duties as honorary page for today. (Applause)

The SPEAKER: The Chair at this time would like to recognize in the balcony of the House four pupils of the History and Government Class of Williams High School of Oakland, who are accompanied by Mr. Frank Grover. They are the guests of the gentleman from Belgrade, Mr. Sahagian. On behalf of the House, the Chair

welcomes you and we hope that your visit will be both enjoyable and educational. (Applause)

At the same time the Chair would like to recognize in the balcony of the House forty-two pupils of the Civics Class of Gardiner Area High School, accompanied by their teachers Mr. James Montell, Mr. Bradford Brown, and Mr. Frank Barrett. They are the guests of the gentleman from Gardiner, Mr. Hanson. On behalf of the House, the Chair welcomes this group and we hope that your visit will be both educational and enjoyable. (Applause)

By unanimous consent, on motion of Mr. Dudley of Enfield, the House voted to take up out of order item 1 on page 8 of today's calendar under Enactors, House Paper 1043, L. D. 1421, Resolve for Laying of the County Taxes for the Years Nineteen Hundred Sixty-Five and Nineteen Hundred Sixty-Six.

On further motion of the same gentleman, the House voted to reconsider its action of yesterday whereby the Resolve was passed to be engrossed.

Thereupon Mr. Dudley of Enfield offered House Amendment "A" and moved its adoption.

House Amendment "A" was read by the Clerk as follows:

HOUSE AMENDMENT "A" to H. P. 1043, L. D. 1421, Resolve, for Laying of the County Taxes for the Years Nineteen Hundred Sixty-Five and Nineteen Hundred Sixty-Six.

Amend said Resolve by striking out the line which reads as follows "Penobscot 366,800.00 366,800.00" and inserting in place thereof the line "Penobscot 331,800.00 366,800.00"

The SPEAKER: The Chair recognizes the gentleman from East Millinocket, Mr. Birt.

Mr. BIRT: Mr. Speaker, I would request of the gentleman from Enfield, if he would, as to why the action to bring this up out of order.

The SPEAKER: The gentleman from East Millinocket, Mr. Birt, has posed a question to the gentleman from Enfield, Mr. Dudley, who may answer if he so desires.

Mr. DUDLEY: Mr. Speaker and Members of the House: This being the 31st day of March, this bill has to be acted on and completed through both branches of this Legislature, and it is supposed to be by April 1st so that the tax assessors of each town will have the county budget so they can assess taxes on April first. I think it's a law, at least it's a precedent of this House that they were always out of here by April first. That being so, we'll have to act on it and send it forthwith to the Senate. And this would keep — if we do it this way, it will save the Senate having to wait for us — the opposite branch, I'm sorry.

The SPEAKER: The Chair recognizes the gentleman from East Millinocket, Mr. Birt.

Mr. BIRT: Mr. Speaker, and could I find out the purpose for the amendment.

The SPEAKER: The gentleman from East Millinocket, Mr. Birt, has posed another question to the gentleman from Enfield, Mr. Dudley, who may answer if he so desires.

Mr. DUDLEY: Mr. Speaker and Members of the House: I think the amendment speaks for itself. However, I will try to enlighten you. Our county budget is up — I don't have the figures before me, but some \$80,000 or something like that, and this only takes away \$35,000. I think it's absurd the amount of raise in one calendar year; however, I am willing to go along with what I think is a reasonable amount and I have talked with most of the delegation from Penobscot County. They're in agreement. I would have liked to have this amendment read \$70,000; however, the majority of the committee I talked with in Penobscot was willing to go along with just \$35,000. Thank you.

The SPEAKER: The Chair recognizes the gentleman from East Millinocket, Mr. Birt, who has spoken twice on this matter and requests permission to address the House a third time. Is there objection? The Chair hears none. The gentleman may proceed.

Mr. BIRT: Mr. Speaker, seemingly this bill came out in a new draft, out of the Towns and

Counties Committee without any objection, and this seemingly leaves some of us at loss. Now, it has been discussed with various members of the county delegation. It certainly hasn't with me. I personally am completely at loss as to the situation it is going to leave the county budget in. I had originally thought that I would like to have this tabled until Friday, and presently I would so move.

The SPEAKER: The question before the House is the adoption of House Amendment "A".

The Chair recognizes the gentleman from Southwest Harbor, Mr. Benson.

Mr. BENSON: Mr. Speaker, I request that this item be tabled until later in today's session.

The SPEAKER: The gentleman from Southwest Harbor, Mr. Benson, now moves that this matter lie upon the table until later in today's session. Is this the pleasure of the House?

The motion prevailed.

### House Reports of Committees Leave to Withdraw

Mr. Keyte from the Committee on Transportation on Bill "An Act relating to Weight of Three-Axle Trucks" (H. P. 1009) (L. D. 1341) reported Leave to Withdraw.

Mr. Jalbert from the Committee on Appropriations and Financial Affairs on Bill "An Act to Authorize the Construction of Housing for the University of Maine and the Issuance of not Exceeding \$6,000,000 Bonds of the State of Maine for the Financing Thereof" (H. P. 299) (L. D. 402) reported Leave to Withdraw, as covered by other legislation.

Mr. Bussiere from the Committee on Transportation reported same on Bill "An Act relating to Inspection of Certain Farm Trucks" (H. P. 108) (L. D. 207)

Reports were read and accepted and sent up for concurrence.

### Ought to Pass in New Draft New Drafts Printed

Mr. Mosher from the Committee on Agriculture on Bill "An Act relating to Definition of Cord un-

der Weights and Measures Law" (H. P. 985) (L. D. 1348) reported same in a new draft (H. P. 1053) (L. D. 1429) under same title and that it "Ought to pass"

Mr. Anderson from the Committee on Appropriations and Financial Affairs on Bill "An Act to Provide Funds for Expansion of Vending Stand Program for the Blind" (H. P. 10) (L. D. 10) reported same in a new draft (H. P. 1054) (L. D. 1430) under same title and that it "Ought to pass"

Mr. Bragdon from same Committee on Resolve to Purchase Fifty Copies of "History of Madison" (H. P. 194) (L. D. 249) reported same in a new draft (H. P. 1055) (L. D. 1431) under title of "Resolve to Provide Funds for the Purchase of Copies of the 'History of Madison' and that it 'Ought to pass'"

Mr. Dunn from same Committee on Resolve Providing for Purchase of Fifty Copies of History of Brownfield, Bicentennial Edition (H. P. 190) (L. D. 245) reported same in a new draft (H. P. 1056) (L. D. 1432) under title of "Resolve to Provide Funds for the Purchase of Copies of the 'History of Brownfield,' Bicentennial Edition" and that it "Ought to pass"

Mr. Jalbert from same Committee on Bill "An Act to Authorize Construction of Self-Liquidating Student Housing and Dining Facilities for the State Teachers Colleges and the Issuance of Not Exceeding \$3,650,000 Bonds of the State of Maine for the Financing Thereof" (H. P. 447) (L. D. 601) reported same in a new draft (H. P. 1057) (L. D. 1433) under title of "An Act to Authorize Construction of Self-Liquidating Student Housing and Dining Facilities for the State Teachers Colleges and Vocational-Technical Institutes and the Issuance of Not Exceeding \$3,960,000 Bonds of the State of Maine for the Financing Thereof" and that it "Ought to pass"

Reports were read and accepted, the New Drafts of Bills read twice, the New Drafts of Resolves read once, and assigned the next legislative day.

### **Tabled and Assigned**

Mr. Bernard from the Committee on Liquor Control on Bill "An Act relating to Definition of Restaurant under Liquor Law" (H. P. 754) (L. D. 991) reported same in a new draft (H. P. 1058) (L. D. 1434) under title of "An Act Defining Class A Taverns under Liquor Law" and that it "Ought to pass"

Report was read.

(On motion of Mr. Scott of Wilton, tabled pending acceptance of Committee Report and specially assigned for Friday, April 2.)

### **Ought to Pass Printed Bills**

Mr. Bragdon from the Committee on Appropriations and Financial Affairs reported "Ought to pass" on Bill "An Act Appropriating Moneys for Dredging Project at New Harbor" (H. P. 22) (L. D. 25)

Mr. Dunn from same Committee reported same on Bill "An Act relating to Non-lapsing Funds for Armory Expansion" (H. P. 116) (L. D. 140)

Mr. Healy from same Committee reported same on Resolve Authorizing Preparation and Sale of Index to Private and Special Laws (H. P. 189) (L. D. 244)

Mr. Laberge from the Committee on Business Legislation reported same on Bill "An Act to Incorporate Security Corporation" (H. P. 903) (L. D. 1213)

Mr. Binnette from the Committee on Health and Institutional Services reported same on Bill "An Act relating to Inmates at Reformatories Attending Funerals" (H. P. 800) (L. D. 1077)

Mrs. Carswell from same Committee reported same on Bill "An Act relating to Right to Hold Property of Corporations for Facilities for Elderly Persons" (H. P. 802) (L. D. 1094)

Mr. Crosby from the Committee on Transportation reported same on Bill "An Act relating to Stick-ers on Windshields of Motor Vehicles of the Department of Civil Defense and Public Safety" (H. P. 876) (L. D. 1172)



Reports were read and accepted, the Bills read twice, Resolve read once, and assigned the next legislative day.

#### **Referred to Committee on Inland Fisheries and Game**

Mr. Bishop from the Committee on Appropriations and Financial Affairs on Resolve Providing Funds for Conservation Education (H. P. 192) (L. D. 247) reported that it be referred to the Committee on Inland Fisheries and Game.

Report was read and accepted, the Resolve referred to the Committee on Inland Fisheries and Game and sent up for concurrence.

#### **Ought to Pass with Committee Amendment**

Mr. Birt from the Committee on Appropriations and Financial Affairs on Resolve Appropriating Money for Support of the Civil Air Patrol Program (H. P. 119) (L. D. 143) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve read once.

Committee Amendment "A" was read by the Clerk as follows:

**COMMITTEE AMENDMENT "A"** to H. P. 119, L. D. 143, Resolve, Appropriating Money for Support of the Civil Air Patrol Program.

Amend said Resolve, in the 2nd line, by striking out the figure "\$5,000" and inserting in place thereof the figure "\$2,500"; and by striking out in the 3rd line the figure "\$5,000" and inserting in place thereof the figure "\$2,500"

Committee Amendment "A" was adopted and the Resolve assigned for second reading the next legislative day.

#### **Recommended**

Mr. Bishop from the Committee on Appropriations and Financial Affairs on Bill "An Act to Authorize the Construction of Housing for the University of Maine and the Issuance of not Exceeding \$6,000,000 Bonds of the State of Maine for the Financing Thereof" (H. P. 264) (L. D. 346) reported

"Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read.

On motion of Mr. Anderson of Orono, recommitted to the Committee on Appropriations and Financial Affairs and sent up for concurrence.

The SPEAKER: The Chair at this time would like to recognize in the balcony of the House twenty pupils of the seventh and eighth grades of the Wayne Elementary School, accompanied by their Principal, Rene Couture and their teachers Mr. Leroy Gray and Mrs. Jennings. They are the guests of the gentlewoman from Winthrop, Mrs. Baker. On behalf of the House, the Chair welcomes you and we hope that your visit will be both enjoyable and educational. (Applause)

And at the same time may the Chair welcome in the balcony of the House thirty-three pupils of the third, fourth and fifth grades of the Portland Hebrew Day School. They are accompanied by Rabbi Bekritsky, and their teachers Mrs. Stone, Mrs. Nicol, Mrs. Wescott and Mrs. Whitten; and they are the guests of the gentlewoman from Portland, Mrs. Wheeler. On behalf of the House, the Chair welcomes you and we hope that your visit will be both enjoyable and educational. (Applause)

Mr. Sahagian from the Committee on Natural Resources on Bill "An Act Classifying Penobscot River and Segment of Millinocket Stream" (H. P. 526) (L. D. 700) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

Committee Amendment "A" was read by the Clerk as follows:

**COMMITTEE AMENDMENT "A"** to H. P. 526, L. D. 700, Bill, "An Act Classifying Penobscot River and Segment of Millinocket Stream."

Amend said Bill by inserting before the period at the end of subsection 2 of "Sec. 1," the following: '**with the added and**

**special provision that the dissolved oxygen level shall not fall below 7.0 p.p.m. at the Old Town-Milford bridge or at the Stillwater bridge'**

Committee Amendment "A" was adopted and the Bill assigned for third reading the next legislative day.

### Divided Report

Majority Report of the Committee on Business Legislation reporting "Ought not to pass" on Bill "An Act Decreasing Interest Rate for Small Loan Agencies" (H. P. 454) (L. D. 608)

Report was signed by the following members:

Messrs. BERNARD of Penobscot  
BROWN of Hancock  
CARTER of Kennebec  
—of the Senate

Messrs. HARRIMAN of Hollis  
BERNARD of Sanford  
McKINNON of South  
Portland  
AVERY of Kittery  
SCOTT of Wilton  
—of the House.

Minority Report of same Committee reporting "Ought to pass" on same Bill.

Report was signed by the following members:

Messrs. FECTEAU of Biddeford  
LABERGE of Auburn  
—of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Sanford, Mr. Bernard.

Mr. BERNARD: Mr. Speaker and Members of the House: I move that we accept the Majority "Ought not to pass" Report.

The SPEAKER: The gentleman from Sanford, Mr. Bernard, now moves that we accept the Majority "Ought not to pass" Report.

The Chair recognizes the gentleman from Portland, Mr. Sullivan.

Mr. SULLIVAN: Mr. Speaker and Members of the Legislature: I move this be laid on the table until April 9.

The SPEAKER: The gentleman from Portland, Mr. Sullivan, now moves this matter lie upon the table assigned for April 9 pending the motion of the gentleman from Sanford, Mr. Bernard, that we ac-

cept the Majority "Ought not to pass" Report.

Mr. Bernard of Sanford requested a division.

The SPEAKER: The gentleman from Sanford, Mr. Bernard, requests a division on the tabling motion. All those in favor of this matter lying upon the table assigned for April 9, will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had. Seven having voted in the affirmative and one hundred six having voted in the negative, the motion did not prevail.

The SPEAKER: The question before the House now is on the motion of the gentleman from Sanford, Mr. Bernard, that we accept the Majority "Ought not to pass" Report.

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

Mr. BUSSIÈRE: Mr. Speaker, Ladies and Gentlemen of the House: For the reason that most of you people don't know, questions that were not answered at the committee hearing, which we're entitled to, and were not answered. I think that we should be privileged to table this at least until Friday.

The SPEAKER: If the gentleman is making a motion, he is out of order.

The question before the House is on the motion of the gentleman from Sanford, Mr. Bernard, that we accept the Majority "Ought not to pass" Report. Is this the pleasure of the House?

The motion prevailed. Sent up for concurrence.

### Divided Report

Majority Report of the Committee on Business Legislation on Bill "An Act to Revise the Real Estate Law" (H. P. 579) (L. D. 771) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. CARTER of Kennebec  
BERNARD of Penobscot  
BROWN of Hancock  
—of the Senate.

Messrs. AVERY of Kittery  
 FECTEAU of Biddeford  
 McKINNON of South  
 Portland  
 HARRIMAN of Hollis  
 SCOTT of Wilton  
 LABERGE of Auburn  
 —of the House.

Minority Report of same Committee reporting "Ought not to pass" on same Bill.

Report was signed by the following member:

Mr. BERNARD of Sanford  
 —of the House.

Reports were read.

On motion of Mrs. Kilroy of Portland, the Majority "Ought to pass" Report was accepted and the Bill read twice.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT  
 "A" to H. P. 579, L. D. 771, Bill,  
 "An Act to Revise the Real Estate Law."

Amend said Bill in section 2 by inserting before the single quotation mark at the end the following underlined sentence:

**'The broker shall notify the commission within 30 days after opening any such account of the banking institution in which said account is located.'**

Committee Amendment "A" was adopted and the Bill assigned for third reading the next legislative day.

#### Divided Report

Majority Report of the Committee on Business Legislation reporting "Ought not to pass" on Bill "An Act relating to Countersigning Fees" (H. P. 684) (L. D. 921)

Report was signed by the following members:

Messrs. BROWN of Hancock  
 CARTER of Kennebec  
 — of the Senate.

Messrs. BERNARD of Sanford  
 LABERGE of Auburn  
 FECTEAU of Biddeford  
 McKINNON  
 of South Portland  
 SCOTT of Wilton  
 AVERY of Kittery  
 — of the House.

Minority Report of same Committee reporting "Ought to pass" on same Bill.

Report was signed by the following members:

Mr. BERNARD of Penobscot  
 —of the Senate.

Mr. HARRIMAN of Hollis  
 — of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Wilton, Mr. Scott.

Mr. SCOTT: Mr. Speaker, I move acceptance of the Majority "Ought not to pass" Report.

The SPEAKER: The gentleman from Wilton, Mr. Scott, now moves that we accept the Majority "Ought not to pass" Report.

The Chair recognizes the gentleman from Hollis, Mr. Harriman.

Mr. HARRIMAN: Mr. Speaker, Ladies and Gentlemen: The purpose of L. D. 921 is to eliminate the mandatory splitting of commissions that is now in the present law. The present law says that nonresident brokers shall have the policy countersigned by a Maine agent who shall receive fifty percent of the commission as a countersigning fee, although in many instances he does nothing to earn this fee and there is nothing in the present law that requires the agent to perform any service of value to obtain this commission. When premiums are small and commissions amount to only a few dollars, possibly the full fifty percent as written in the law is paid. But when this commission on large premiums runs from one hundred dollars up to several hundred dollars and the local agent has nothing to do but to sign his name, I do not believe he is ever paid fifty per cent of the commission. It just does not add up in this way.

I have talked at random to a few agents the last couple of weeks regarding these countersigning fees and these are the answers I got: "Never have received one." "Never got over three per cent." "More bother than they are worth." "Wonder if anyone ever got fifty per cent." "Most now are negotiated." There is in my mind no doubt but large commissions are now negotiated. All L. D. 921 does is face the facts

of life and put the fee for countersigning any policy on a negotiating basis and on the books a workable law. This is a department bill. I think it is a good bill. And I hope it receives passage.

The SPEAKER: The Chair recognizes the gentleman from Wilton, Mr. Scott.

Mr. SCOTT: Mr. Speaker, Ladies and Gentlemen of the House: Sounds like a good deal, doesn't it? The present countersignature law, as it is now written, has been on the books for a good many years and about all that it does is to guarantee the Maine agent a fair and equitable portion of the commission for handling insurance written in the State of Maine by out-of-state agents. The burden of the inspection of the risk, and keeping policies up to date, as well as writing the policy, rests on the Maine agent. If this law is passed as it is proposed, it will only serve to help the out-of-state brokers, who write many of the large industrial risks in the State of Maine as well as many of the seasonal risks. I feel we should do all we can to protect the agents of the State of Maine and I hope that you will support the "ought not to pass" report. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Kittery, Mr. Avery.

Mr. AVERY: Mr. Speaker, Members of the House: I would like to concur with the gentleman, Mr. Scott from Wilton. The number of large commissions to be split are very small and the number of small commissions to be split amongst the state agents is probably a great deal larger. I think we should follow the "ought not to pass" report of the committee.

The SPEAKER: The Chair recognizes the gentleman from Kingman Township, Mr. Starbird.

Mr. STARBIRD: Mr. Speaker, Members of the House: All this bill does, simply in a nutshell, is to bring up to date an antiquated and archaic statute on our books; and that's the whole thing in a nutshell. And I would concur with

my colleague, Mr. Harriman, that we should pass this bill.

Mr. Scott of Wilton requested a division.

The SPEAKER: The gentleman from Wilton, Mr. Scott, requests a division. All those in favor of accepting the Majority "Ought not to pass" Report on Bill "An Act relating to Countersigning Fees," House Paper 684, L. D. 921, will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had. Ninety-two having voted in the affirmative and twenty-five having voted in the negative, the motion prevailed.

Sent up for concurrence.

### Divided Report

Majority Report of the Committee on Sea and Shore Fisheries reporting "Ought not to pass" on Bill "An Act Limiting Number of Lobster Traps Per Person" (H. P. 160) (L. D. 334)

Report was signed by the following members:

Mr. MOORE of Washington  
—of the Senate.

Messrs. MILLS of Eastport  
BEDARD of Saco  
MITCHELL of Frankfort  
YOUNG of Gouldsboro  
PRINCE of Harpswell  
WATTS of Machias  
LOWERY of Brunswick  
—of the House.

Minority Report of same Committee reporting "Ought to pass" on same Bill.

Report was signed by the following members:

Messrs. JUTRAS of York  
GLASS of Waldo  
—of the Senate.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Brunswick, Mr. Lowery.

Mr. LOWERY: Mr. Speaker, I move that we accept the report "ought not to pass."

The SPEAKER: The gentleman from Brunswick, Mr. Lowery, now moves that we accept the Majority "Ought not to pass" Report.

The chair recognizes the gentleman from Brewer, Mr. Libhart.

Mr. LIBHART: Mr. Speaker, Ladies and Gentlemen of the House: This bill had a hearing yesterday that took the entire afternoon. The hearing was very well attended, over four hundred people there that were obviously very interested in the bill. During the course of the hearing, the committee learned that at least eighty-five percent of the lobster fishermen, and I think probably the percentage would be higher, is in favor of some kind of a bill limiting the number of lobster traps that any fisherman or any boat can fish. I suggested to the committee that any amendment which would give us a bill so that we could start regulating the number of traps fished would be acceptable to me. The large majority of the people attending the hearing were in favor of a bill that would have a larger number limit.

Now, I am very surprised that the committee on its own did not come out with an amendment to this bill indicating what I considered to be the wishes of the large majority of the people in this industry. Now this industry is in trouble and we have got to help it. Now I hope somebody will table this bill so that I can prepare the amendment that I think the committee should have prepared.

The SPEAKER: The Chair recognizes the gentleman from Harpswell, Mr. Prince.

Mr. PRINCE: Mr. Speaker, Ladies and Gentlemen of this great House: I hesitate to rise in opposition to my good friend and colleague, Mr. Libhart from Brewer. I have a great deal of respect for his ability, but I think he is fundamentally unsound in this legislative document. This legislative document is one of the most discriminating bills that I have seen come before this Legislature. This bill leads us down into an avenue of class legislation where it is telling any group of fishermen that they cannot fish more than 250 traps, lobster traps, at any one

time, violating the laws of free enterprise and robbing man's ambition to succeed.

This bill is a bad bill, poorly drafted, and could never be patched up to become a workable vehicle for conservation; nor could it ever be enforced. There is no call for a crash conservation measure in the lobster industry. The industry is productively good with a 1964 value of over fourteen million dollars, approximately twenty-two million pounds, an all time record for value. 1963 also set a new record of over twelve million dollars in value and twenty-one and a half million pounds of lobsters. Multiplying that figure by six, at least, will give you a rough idea as to what the lobster industry really means to the State of Maine. High production and drop off years are typical with all Maine fisheries. Maine herring, for example, in 1964 fell off over a million pounds in production, not uncommon; and this year's pack may run way beyond anything heard of before.

A survey of this bill has been recommended by the committee unanimously to make a study to report to the next Legislature — and I really and truly mean a study, not a polite way to kill this bill.

The demand for Maine lobsters increases yearly and has increased to the extent that the demand is greater than the supply. More lobsters, to be sure, must be made possible through propagation, making it possible to continue to grow with the demand. That method of propagation will come by distributing more egg producing lobsters and liberating them along the entire coast of Maine.

In 1920, 1921 and 1922, Maine lobster production was approximately six million pounds. The lobster fishermen got their heads together and asked themselves what they could do to help their own industry. They concluded that if they stopped saving short lobsters and threw back into the ocean all female lobsters carrying eggs, in a short time they would get results. The result is that from

1922 to date they have increased the annual catch of lobsters in the State of Maine from six million pounds to twenty-one million pounds, which shows that conservation of this type is what is needed to build up the industry, not to cut back on lobster traps.

This bill is designed to help elderly men or semi-retired men or part-time workers or summer visitors. This bill is not designed to help the dedicated fisherman, who depends on lobster fishing for his livelihood, for his year's work. This bill is designed to destroy the initiative of young, able and willing fishermen, whose initiative is to provide for his family, educate his family, pay the mortgage on his home and its costly equipment, and meet bank loans. It destroys and violates the laws of free enterprise. When I speak of a real lobster fisherman, I am thinking of a man who has a big boat with diesel engine, equipped to do a real job, not the fisherman who screws on a ten-horsepower outboard motor on a skiff and fishes in shallow water in July and August. Yet this is the group that want to haul down to their level the young, aggressive, honest-to-goodness fisherman who fishes twelve months out of the year for a livelihood.

How could you make a law like this work, when the larger boats that are operating today way beyond the territorial range of the coastal waters of Maine, or the so-called three-mile limit, where there is no law that could pertain to the number of traps that a man could fish? When you cannot legislate to improve a condition, it is best to leave it alone. This bill just shackles the real fisherman, who has large investment and produces the product, into bankruptcy. He could not make it pay if he was limited. Allow 500 traps, say some, allow 600 traps says others; you still haven't improved anything. The pot augers would still be fooling around with 15, 75 to 150 traps; and the larger fisherman would still be on the hook wondering

what is going to happen in the next legislature.

Four years ago a similar piece of legislation was presented to the legislature. That bill stated that not more than two traps could be fished on a trawl, backed up by the same group that are backing this bill. The Legislature acted upon this bill wisely. Fishermen east of Pemaquid were allowed to fish for what they asked for, not more than two traps on a trawl. Fishermen west of Cape Elizabeth who asked for two traps on a trawl were allowed to fish that way. From Cape Elizabeth to the western side of Pemaquid they were allowed to fish the way they wanted to, which was a single lot fisherman, two on a trawl, five on a trawl, ten on a trawl. In other words, they were allowed to fish the way they wanted to, and the three spots representing the coast of Maine were well taken care of by the Legislature and everyone was happy.

Now, some of these promoters of the not more than two traps on a trawl, four years ago, are producing this 250 trap bill, which is ridiculous and unscrupulous. I urge you to allow the freedom of the sea for our fishermen and allow them to act as free men who ask for so little from this Legislature. Thank you.

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

Mr. LIBHART: Mr. Speaker and Ladies and Gentlemen of the House: I think that my colleague, Mr. Prince, has failed to recognize, or will not recognize, several facts in what he has just told us. The first fact is, that this industry has been studied with research projects before the turn of the century to this date. You can go to the Sea and Shore Fisheries Department and get any number of studies on the lobster industry that you may wish to procure. The facts are there and the facts have been studied. People who will not recognize political consequences or what has to be done in this industry, tell us that the only thing that will help the industry measurably will

be to limit the number of licenses issued. You and I know that this is impractical and you and I know that we would never do such a thing.

Look at the number of licenses that have been issued over the last ten years and you will see that the number of licenses issued has been remaining rather static. There is not a large number of people coming into this industry and for my book, the summer complaint, these other folks have just as much right to fish lobsters as the lobster fishermen. Now that's their right. Whether they should or not, I don't know. I used to have a lobster license. I gave it up because I don't think that I should be in their business when they are making a livelihood from it. But this is an individual choice and I don't think that we are going to stop these folks from fishing ten or fifteen traps if they want to.

I just don't believe that they can account for the four million pounds reduction that we have had in lobster production since the 1960 peak. Now if you want to look at these facts you will see that in the last ten years we have increased the number of traps fished on the Maine coast at the rate of six and one-half per cent per year. We have gone from less than 500,000 traps being fished to nearly a million traps being fished in this last year along our coast. In 1960, which was the peak year, we landed 24.4 million pounds of lobster. This was the peak year. We have been going down ever since then. We landed 21 million pounds last year with a million traps; ten years ago less than 400,000 traps fished landed 21 million pounds. We have more than doubled the number of traps being fished without helping the number of lobsters being landed. Well this suggests, of course, that we are taking all the lobsters that we are able to take. We know that we are catching over eighty-five per cent of what the biologists call the new recruits in the industry. These are the lobsters that have shed and now become legal

size, eighty-five per cent of them. How much more can you get?

Now what is this trap measure going to do? What it is going to do is to stop these folks that are fishing a 1,000, 1,500 traps in an area, and leaving there traps there and never tending them. What happens when these traps set over for an extended length of time, particularly in shedding season, when the highest number of traps being fished are fished, is that the lobsters very frequently will shed in the trap. They are a prey to anything that comes in. Now fish can swim in these traps and they feed on lobsters in their soft period. When they try to get out in a soft condition they will lose claws and what have you, producing a large number of cripples. Now this is not good for the industry.

The other thing that is not good is these folks who cannot possibly fish the number of traps they are fishing, are hogging the bottom. Now this is what we are trying to get at. This is not an old man's bill. Don't be fooled by that. If you were down at the hearing you would have seen a lot of young fishermen there who are in favor of this bill. Now I don't care where we set the limit. You can set it at 500 or 600, so long as we set the limit at what the maximum number of traps that can be efficiently tended by these folks becomes the limit. Over that there is no need.

Now, we had a very honest young man down there who was actually opposed to this bill and he was asked how many traps he and his father, fishing two in a boat, could fish and do it justice, and he said 600. And I believed him when he said that.

Now, if someone will table this bill, I will produce an amendment that is enforceable and will be enforceable, that will produce a requirement of fishing less than 600 traps per boat, and we can debate the thing at that time.

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

Mr. KENNEDY: Mr. Speaker and Ladies and Gentlemen of the House: I would address myself to a procedure rather than to the report of the committee this morning. I hope that this will be fully debated in the House. It has pretty well taken place so far. I would hope that the report or bill would not be tabled in this body. I am an advocate of conservation. This may not be the proper vehicle for a conservation project. However, to keep this alive, I would hope that it would be sent to the Senate even though we accept either report and have it fully debated in that body and if they see fit, to make adjustments in the bill. But I do hope that this body will not table this matter this morning.

The SPEAKER: The Chair recognizes the gentleman from South Thomaston, Mr. Kittredge.

Mr. KITTREDGE: Mr. Speaker, Ladies and Gentlemen of the House: I am opposed to this bill on three considerations. First, as a conservation measure it has no basis in fact and if you doubt my words I would commend the Food and Agricultural Organization of the United Nations report on North American Lobster Fisheries which they took up in their conference in 1962 in Ottawa. Secondly, this bill is discriminatory. It penalizes the industrious for the lethargic and it penalizes the young man in favor of the old man, and finally, it would be impossible to enforce. There is nothing in this bill that provides for enforcement and the bill as it is written would be impossible to enforce. I therefore move for indefinite postponement of this bill and all its accompanying papers.

The SPEAKER: The question before the House now is on the motion of the gentleman from South Thomaston, Mr. Kittredge, that this bill and its accompanying papers be indefinitely postponed.

The Chair recognizes the gentleman from Gouldsboro, Mr. Young.

Mr. YOUNG: Mr. Speaker, Ladies and Gentlemen of the House: I will try to be very brief and to the point, but I am opposed

to this L. D. 334 for several reasons. The act limiting the number of traps per person is meaningless as written and it is completely unenforceable. Present laws regulating the lobster fishery would provide many loopholes where one person, by taking advantage of other laws and privileges, could set any number of traps and avoid prosecution.

For instance, many fishermen fishing over 250 traps operate beyond the coastal territorial waters of the state, and beyond the limits of the state they could set any number and still not be in violation of this proposed law. A fisherman who desires to set more than 250 traps could purchase licenses for relatives or friends and set an amount of 250 for each person who gave written consent.

It has been said that 250 traps would reduce the fishing effort and would provide sound conservation practices. There are presently nearly 6,000 licenses issued by the Sea and Shore Fisheries. With the 250 trap limit, this would make 1,500,000 traps that could legally be set within the territorial waters of the state; that amount far exceeds the total traps which are now being fished.

We had before the committee amendments suggested that we recommend the increase from 250 to 400. But 400 would present the same enforcement problems that 250 would. And unless many of the other laws are amended and further restrictions placed upon the Maine lobster fisherman, it would almost be impossible to violate the law, the 450 trap law. Therefore, this bill would not accomplish what has been recommended by the proponents.

At the public hearing, there were roughly 400 people, but the L. D. we are talking on and not the amendments or anything, there wasn't in my estimation over five percent of the people there that were in favor of the 250 trap law. Probably thirty per cent were for law around 400 or 500 traps limitation and the remaining were opposed to any restrictions.

Now, Mr. Speaker and ladies and gentlemen, I agree with the gentleman from Brunswick, Mr.



Lowery, in that this "ought not to pass" report be accepted and I ask for a division.

The SPEAKER: The question before the House is on the motion of the gentleman from South Thomaston, Mr. Kittredge, that this bill and its accompanying papers be indefinitely postponed and the Chair understands that the gentleman from Gouldsboro, Mr. Young, requests a division on this motion.

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

Mr. JALBERT: Mr. Speaker, I would like to ask a question of any member of the committee. As I read this bill, it states that it is unlawful for any person to set more than 250 lobster traps at one time. Could this mean then that a family of four could actually have a limit of 1,000 lobster traps?

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, has posed a question to any member of the committee. Any member of that committee may answer if he so desires.

The Chair recognizes the gentleman from Gouldsboro, Mr. Young.

Mr. YOUNG: That is correct.

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

Mr. JALBERT: Mr. Speaker, Members of the House: It appears to me on the basis of that fact the bill could be meaningless. I am not trying to stop the debate from going into the other branch. I agree with the gentleman from Milbridge, Mr. Kennedy, but I think eventually the bill, regardless of debate, the bill would prove itself to be meaningless.

The SPEAKER: The Chair recognizes the gentleman from South Thomaston, Mr. Kittredge. (Off record remarks)

The SPEAKER: The Chair recognizes the gentleman from Kennebunkport, Mr. Pendergast.

Mr. PENDERGAST: Mr. Speaker, Members of the House: I concur with the gentleman from Harpswell, Mr. Prince, in recommending a Legislative Research Committee to study this vital and serious problem and also suggest to this committee to look into

foreign competition and perhaps extend the three mile limit to protect this industry. Thank you.

The motion of Mr. Anderson of Ellsworth for the previous question failed on a division, an insufficient number having arisen.

The SPEAKER: The question before the House is on the motion of the gentleman from South Thomaston, Mr. Kittredge, that this bill and its accompanying papers be indefinitely postponed.

The Chair recognizes the gentleman from Stonington, Mr. Richardson.

Mr. RICHARDSON: Mr. Speaker, Members of the House: I think that you all realize that I come from a large lobster producing area. There are some of the fishermen that I represent that are in favor of this bill and there are some opposed just as there are anywhere on the coast of Maine. I think one fact which has not been brought out, perhaps the licenses are static in the number issued but in 1963 our Commissioner desired to know how many of the new licenses issued in that year would be renewed in 1964. There were over 1100 new licenses issued in 1963, according to his records less than 200 of these were renewed in 1964. This suggests to me that many of these small fishermen become disillusioned with fishing and no longer apply for a license the second year, selling their traps and perhaps their boat to some other person. I think P. T. Barnum said there is a sucker born every day and I think perhaps this illustrates that fact.

I think we all abhor the Russian tactic of teaching the children to inform upon their parents and I would submit that the only method of enforcing this bill would be to teach every lobster fisherman on the coast of Maine to inform on his brother fisherman. Therefore, I do not like the implications that this bill carries.

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from South Thomaston, Mr. Kittredge, that this Bill "An Act Limiting Number of Lobster Traps Per Person," H. P. 160, L. D. 334, and its

accompanying papers be indefinitely postponed, and the gentleman from Gouldsboro, Mr. Young has requested a division. All those in favor of the bill and its accompanying papers being indefinitely postponed will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Ninety-four having voted in the affirmative and twenty-six having voted in the negative, the motion prevailed.

Sent up for concurrence.

The SPEAKER: The Chair recognizes the gentleman from Orono, Mr. Anderson, and inquires for purpose does the gentleman rise?

Mr. ANDERSON: I would like to ask for a five minute recess.

The SPEAKER: The gentleman from Orono, Mr. Anderson, requests a five minute recess. It will be granted.

It is my understanding that the gentleman from Orono, Mr. Anderson, would like a caucus of the Penobscot County Delegation in the Majority Floor Leader's office.

#### After Recess

Called to order by the Speaker.

The SPEAKER: Is there objection at this time to taking up by unanimous consent item 1 on page 8 which is a Resolve for Laying of the County Taxes for the Years Nineteen Hundred Sixty-five and Nineteen Hundred Sixty-Six, which was placed on today's calendar for later in today's session. Is there objection? The Chair hears none.

The Chair recognizes the gentleman from Brewer, Mr. Libhart. And the question before the House is on the adoption of House Amendment "A".

Mr. LIBHART: Mr. Speaker, Ladies and Gentlemen of the House: I can report that the Penobscot delegation is opposed to House Amendment "A" and we would like to see the House adopt the appropriation for Penobscot as presented in the bill.

The SPEAKER: The Chair recognizes the gentleman from East Millinocket, Mr. Birt.

Mr. BIRT: Mr. Speaker, Members of the House: I move the indefinite postponement of House Amendment "A" under Filing No. H-171.

The SPEAKER: The question before the House now is on the motion of the gentleman from East Millinocket, Mr. Birt, that House Amendment "A" be indefinitely postponed.

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

Mr. DUDLEY: Mr. Speaker, I must say that we just had a delegation meeting and we voted ten to nine. The odd number being against this amendment. This is a pretty slim margin and three, Representative Bradstreet was not present, another man was not present on account of a death in the family, another man is in the hospital. Three weren't present. I don't think this is a decisive enough vote. If this amendment is defeated, I warn you people from other counties, this is a terrible raid on Penobscot County funds, the worst ever in the history of Penobscot County. And even with this amendment, it's fair, reasonable, —this is only taking out a small portion of what they're asking for an increase in Penobscot County funds. I think it's fair, just and reasonable, and if this House sees that this amendment is killed the rest of you people, I tell you from these other counties, are going to be knocking on your door for money from the county funds for education, and when they do start sneaking in the back door nobody knows where your county tax is going to go. For me, it's just sneaking in the back door, a new method of taxation on the real estate property people and I know that the people in the City of Bangor, the management and in many other towns in Penobscot County, those people in the know, those people like myself that have either served as selectmen over a long period years or are now serving, in large majority would feel the same as I do that it

is too big a step and stepping in the wrong direction when you take this amount of money, all of this from county funds in any one calendar year.

Now this doesn't cut out all the increase, far from it. It takes out a small portion of it. It makes it reasonable and as I talked before I presented this, I talked with a majority of the committee and was urged to present it because they thought it was fair and just. It wasn't taking out all of it, it was taking out what was fair and reasonable from the Penobscot thing — budget. And I hope this committee — this Legislature will not see fit to indefinitely postpone this amendment.

The SPEAKER: The Chair recognizes the gentleman from Glenburn, Mr. Cookson.

Mr. COOKSON: Mr. Speaker, Members of the House. First, I would like to apologize to this House for Penobscot County not knowing what it wants to do in advance. In fact, this is the first caucus we have held since the Legislature convened. I merely rise in support of indefinite postponement of this amendment. We have had no time — some of the Committee delegation have not discussed this with the county commissioners, the budget or anything else. I feel sorry that this situation has arisen, but until such time as somebody can prove to me that this cut isn't to do away with the school for the retarded children why I must go along and support the motion to indefinitely postpone this amendment.

The SPEAKER: The Chair recognizes the gentleman from Orono, Mr. Anderson.

Mr. ANDERSON: Mr. Speaker, and Members of the House: I feel at this present time that the Towns and Counties Committee had this county budget in front of them. Their recommendation is \$366,800 at this time, so I feel that the committee has looked at this much wider than the majority of this House, so I feel that we should indefinitely postpone this amendment at this time.

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from East Millinocket, Mr. Birt, that House Amendment "A" be indefinitely postponed. All those in favor will say aye; those opposed will say no.

A viva voce vote being doubted, the Chair ordered a division.

The SPEAKER: All those in favor of House Amendment "A" to Resolve for Laying of the County Taxes for the Years Nineteen Hundred Sixty-Five and Nineteen Hundred Sixty-six, H. P. 1043, L. D. 1421, being indefinitely postponed will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

One hundred three having voted in the affirmative and twenty-three having voted in the negative, the motion prevailed.

Thereupon, the Bill was passed to be engrossed.

The SPEAKER: Is there objection that this Resolve be finally passed? The Chair hears none.

#### **Finally Passed Emergency Measure**

Resolve for Laying of the County Taxes for the Years Nineteen Hundred Sixty-Five and Nineteen Hundred Sixty-Six (H. P. 1043) (L. D. 1421)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 123 voted in favor of same and none against and accordingly the Resolve was finally passed, signed by the Speaker and sent forthwith to the Senate.

#### **Divided Report Tabled and Assigned**

Majority Report of the Committee on State Government reporting "Ought to pass" on Bill "An Act to Authorize a Bond Issue for Purchase of Voting Machines for Resale to Municipalities" (H. P. 546) (L. D. 763)

Report was signed by the following members:

Messrs. STERN of Penobscot  
MAXWELL of Franklin  
WILLEY of Hancock  
—of the Senate.

Messrs. DOSTIE of Lewiston  
EDWARDS of Portland  
STARBIRD of Kingman  
Township  
BERRY of Cape Elizabeth  
KATZ of Augusta  
LIBHART of Brewer  
—of the House.

Minority Report of same Committee reporting "Ought not to pass" on same Bill.

Report was signed by the following member:

Mr. PITTS of Harrison  
—of the House.

Reports were read.

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

Mrs. WHEELER: Mr. Speaker, I move we accept the Majority "Ought to pass" Report.

The SPEAKER: The question before the House is the motion of the gentlewoman from Portland, Mrs. Wheeler, that the Majority Report be accepted.

On motion of Mr. Conley of Portland, tabled pending the motion of the gentlewoman from Portland, Mrs. Wheeler, to accept the Majority Report and specially assigned for Friday, April 2.

#### Divided Report

Majority Report of the Committee on State Government on Bill "An Act Creating a Department of Indian Affairs" (H. P. 777) (L. D. 1031) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. STERN of Penobscot  
MAXWELL of Franklin  
WILLEY of Hancock  
—of the Senate.

Messrs. PITTS of Harrison  
DOSTIE of Lewiston  
EDWARDS of Portland  
STARBIRD of Kingman  
Township

KATZ of Augusta  
LIBHART of Brewer  
—of the House.

Minority Report of same Committee reporting "Ought not to pass" on same Bill.

Report was signed by the following member:

Mr. BERRY of Cape  
Elizabeth  
—of the House.

Reports were read.

On motion of Mr. Katz of Augusta, the Majority "Ought to pass" Report was accepted and the Bill read twice.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT  
"A" to H. P. 777, L. D. 1031, Bill  
"An Act Creating a Department  
of Indian Affairs."

Amend said Bill by striking out in the 13th and 14th lines the underlined punctuation and words "**with the advice and consent of the Council**," and by striking out in the 18th line the underlined words "**and Council**"

Committee Amendment "A" was adopted and the Bill assigned for third reading the next legislative day.

#### Third Reader Tabled and Assigned

Bill "An Act Clarifying the Laws Relating to the Division of Geological Survey in Department of Economic Development" (S. P. 117) (L. D. 343)

Was reported by the Committee on Bills in the Third Reading and read the third time.

(On motion of Mr. Littlefield of Hampden, tabled pending passage to be engrossed and specially assigned for Tuesday, April 6.)

#### Passed to Be Engrossed

Bill "An Act to Eliminate Straight Ballot Voting in Elections" (S. P. 191) (L. D. 571)

Bill "An Act relating to School Construction Aid in Administrative Units" (H. P. 1052) (L. D. 1427)

Were reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed and sent to the Senate.

### Amended Bills Tabled and Assigned

Bill "An Act relating to Tuition for Students Attending Secondary School Outside of Residence" (S. P. 335) (L. D. 1080)

Was reported by the Committee on Bills in the Third Reading and read the third time.

(On motion of Mr. Gilbert of Turner, tabled pending passage to be engrossed and specially assigned for Tuesday, April 6.)

### Tabled and Assigned

Bill "An Act relating to Time of Ordering Liquor by Certain Licensees" (S. P. 403) (L. D. 1227)

Was reported by the Committee on Bills in the Third Reading and read the third time.

(On motion of Mr. Benson of Southwest Harbor, tabled pending passage to be engrossed and specially assigned for Wednesday, April 7.)

Bill "An Act relating to Suspension of Lobster License for Molesting Lobster Traps" (H. P. 850) (L. D. 1149)

Bill "An Act to Authorize the Adoption of a System of Marking the Waters of the State" (H. P. 952) (L. D. 1288)

Resolve to Reimburse Richard Robinson of Robbinston for Damage by Highway Construction (S. P. 142) (L. D. 383)

Were reported by the Committee on Bills in the Third Reading, Bills read the third time, Resolve read the second time, all passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

Bill "An Act relating to Hunting by Nonresident Aliens" (H. P. 699) (L. D. 937)

Was reported by the Committee on Bills in the Third Reading and read the third time.

Mr. Crommett of Millinocket offered House Amendment "C" and moved its adoption.

House Amendment "C" was read by the Clerk as follows:

HOUSE AMENDMENT "C" to H. P. 699, L. D. 937, Bill, "An Act Relating to Hunting by Nonresident Aliens."

Amend said Bill in the Title by adding before the period the following: 'and Certain Complimentary Licenses'

Further amend said Bill by inserting at the beginning of the first line the underlined abbreviation and figure 'Sec. 1.'

Further amend said Bill by adding at the end the following:

"Sec. 2. R. S., T. 12, Sec. 2601, sub-Sec. 11-A, additional. Section 2601 of Title 12 of the Revised Statutes is amended by adding a new subsection 11-A, to read as follows:

**'11-A. Complimentary licenses to persons over 70 years of age. A complimentary license to fish shall be issued to any resident of Maine who is over 70 years of age and applies therefor.'**"

The SPEAKER: The Chair recognizes the gentleman from Millinocket, Mr. Crommett.

Mr. CROMMETT: Mr. Speaker, Ladies and Gentlemen: I am sure you heard my remarks in regard to this yesterday. I ask you why if we grant complimentary licenses to the immigration officials, the Canadian officials, why can't we do this for our own?

The SPEAKER: The question before the House is on the adoption of House Amendment "C". The Chair recognizes the gentleman from Ellsworth, Mr. Anderson.

Mr. ANDERSON: Mr. Speaker, Ladies and Gentlemen of the House: I thought that we had laid to rest this matter concerning complimentary licenses to persons over seventy years of age. As I said before, this bill was soundly defeated a few days ago. As I said before, it came out of the committee unanimous ought not to pass. At that hearing there was no person on the floor that was in favor of it outside of the gentleman from Millinocket, Mr. Crommett, and at that hearing there were four gentlemen over seventy years of age that were not in favor of it. They did not want it. These older residents are proud people. They are not asking for any special privileges. Mr. Speaker, I now move the indefinite postponement of this amendment under

filing H-169 and I request a division.

The SPEAKER: The question now before the House is the motion of the gentleman from Ellsworth, Mr. Anderson, that House Amendment "C" be indefinitely postponed.

The Chair recognizes the gentleman from Portland, Mrs. Carswell.

Mrs. CARSWELL: Mr. Speaker, I hope that the members of the House will oppose this indefinite postponement motion. I think this is a good amendment. Many of the elderly people are cooped up all winter and they are just dying to get out in the summer, and this is something that they can do and enjoy. It is a little pleasure that we can well afford these people, and I hope that we don't indefinitely postpone this amendment.

The SPEAKER: The Chair recognizes the gentleman from Sanford, Mr. Bernard.

Mr. BERNARD: Mr. Speaker and Members of the House: I would like to point out something that hasn't been told to us. Now they have told us they give passes to the Canadian officials, complimentary licenses. Now I know for a fact that at the other end of this building passes are being given to anybody in the other states. I obtained three passes in the last year and they weren't Canadian officials. I go along with Mr. Crommett, the gentleman from Millinocket.

The SPEAKER: The Chair recognizes the gentleman from Millinocket, Mr. Crommett.

Mr. CROMMETT: Mr. Speaker, I thank the gentlewoman from Portland, Mrs. Carswell. I have sponsored four bills in this legislature pertaining to the aged. This is a program under the Governor's Committee pertaining to aging which I did not know at the time that I introduced this bill. In fact, I introduced this bill by request and since it has been introduced there is much sentiment for it.

This bill is not designed to force complimentary licenses on those who are able to pay or to

those who are proud, but we must remember that there are some people less fortunate and there is no difference in the desire of a man who wants to fish whether he has money to pay for his license or is unfortunate.

I asked a dependable gentleman of this House why he voted against this bill and he said to me and I quote: "I am seventy-three years old and I don't want a fishing license." That is poor reasoning to me. All I ask this House is to be consistent in their voting. The least we can do is take care of our own. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Skowhegan, Mr. Poulin.

Mr. POULIN: Mr. Speaker, I served on that committee and this came out unanimous. For one thing, we may start something here by letting these elderly gentlemen or ladies get a free license, by establishing a fact, say let's give it to the GI's, ex-GI's, which are one hundred and ten thousand.

Now this department is self-supporting, and every time you give something away out of the department you are taking away from the department. Now somebody has to pay for it. Like Mr. Anderson, the gentleman from Ellsworth said, there was no proponents for the bill outside of the gentleman from Millinocket, Mr. Crommett.

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

Mrs. CARSWELL: Mr. Speaker and Members of the House: I imagine many of these people who could enjoy these fishing licenses didn't have the money to come to the hearing and tell how much they would like them.

Now I know an elderly couple that get a chance to visit their children once in a while at camp. These people enjoy fishing together, and I think with the meager pensions that many of them are living on, this is the least we can do for them. And I am not trying to shed tears, I am just trying to look with reality. We try

to get people out of our state hospitals and institutions by trying to give them something to do besides sitting and rocking in a chair, and I think this is a means by which we can help these people.

The SPEAKER: The Chair recognizes the gentleman from Ellsworth, Mr. Anderson.

Mr. ANDERSON: Mr. Speaker, the gentleman from Millinocket, Mr. Crommett, said that we should be consistent in our voting. If we are consistent, we will kill this amendment today.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Katz.

Mr. KATZ: Mr. Speaker, Ladies and Gentlemen: I would like to rise not to discuss the merits of this bill, but to put in a strong voice for the committee system that is the strength and foundation of this House. Several times in this session I have seen Committees come out either with unanimous reports or nine to one reports and seen this House override the committee system, and I feel that every time we do this, at least to some small extent we are weakening the legislative process.

Here is a case where there was a unanimous ten to nothing report of the committee and I hope we uphold it and defeat this amendment.

Mr. Crommett of Millinocket was granted unanimous consent to speak a third time.

Mr. CROMMETT: Mr. Speaker, I would say to the gentleman from Augusta, Mr. Katz, that I disagree with his remarks. I also disagree with the remarks of the gentleman from Ellsworth, Mr. Anderson, when he questioned my statement of being consistent. For those who are so afraid of establishing a precedent, I say to you ladies and gentlemen, a precedent has been established and we are giving to able-bodied men, aliens, a complimentary license, and I refer to the immigration officials on the Canadian border with the Customs Service. I grant that it is good public relations. All I ask and I insist and I reiterate that I

wish that you would be consistent in your voting and let us take care of our own.

On motion of Mr. Jalbert of Lewiston, the motion for the previous question was entertained.

Thereupon, the main question was ordered on a viva voce vote.

The SPEAKER: The question before the House is on the motion of the gentleman from Ellsworth, Mr. Anderson, that House Amendment "C" be indefinitely postponed and he has requested a division.

All those in favor of the indefinite postponement of House Amendment "C" will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Sixty-seven having voted in the affirmative and sixty having voted in the negative, the motion did prevail.

Thereupon, the Bill was passed to be engrossed as amended by House Amendment "B" and sent to the Senate.

#### Passed to Be Enacted

An Act Providing for a Mayor-Council Charter for the City of Westbrook (H. P. 344) (L. D. 451)

An Act relating to Delivery of Liquor by Manufacturers for Sales Promotion Purposes (H. P. 841) (L. D. 1142)

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

#### Orders of the Day

The Chair laid before the House the first tabled and today assigned matter:

SENATE DIVIDED REPORT—Majority (7) — "Ought to pass"—Minority (3)—"Ought not to pass"—Committee on Labor on Bill, "An Act relating to Chiropractic Treatment under Workmen's Compensation Law." (S. P. 95) (L. D. 262)

Tabled — March 23, by Mr. Kittredge of South Thomaston.

Pending — Acceptance of Either Report.

(In Senate, Majority "Ought to pass" Report accepted)

On motion of Mr. Jalbert of Lewiston, retabled pending acceptance of either report and specially assigned for Tuesday, April 6.

The Chair laid before the House the second tabled and today assigned matter:

Bill, "An Act Authorizing the Leasing by the State of Wing of Community General Hospital, Fort Fairfield, to the Hospital." (S. P. 163) (L. D. 493)

Tabled — March 24, by Mr. Ross of Bath.

Pending — Passage to be Engrossed.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House:

I debated this piece of legislation briefly two weeks ago. At that time, I stated that I certainly had nothing against the county or its people. As a matter of fact, I will state today that I have nothing but respect for their ability to get things done for their section of the state. Very often they make the rest of us look like rank amateurs.

Once again let's briefly review the subject matter before us at this time. In 1959 the legislature authorized the Department of Health and Welfare to build a wing on the private Fort Fairfield Hospital with the idea that it would be used for a northern Maine T.B. sanatorium. This was against the advice of many persons knowledgeable in this field. Evidently, their recommendations were valid since nothing was done for a period of two years. Then in 1961, additional county legislative pressure was applied and construction was started.

The annex is now completed, but has never been used in its entirety. The total cost was \$558,000. This is a fine, modern,

beautifully constructed, split level wing. There are 30 rooms on the ground floor and 27 on the upper level. Of the total cost, \$468,000 has been paid by the State of Maine and approximately \$90,000 in Hill-Burton Funds. The Community General Hospital now requests that they lease this wing from the state for ten years without payment, at the end of which time they have the option to buy the land, buildings, furniture, fixtures, and equipment for one dollar!

During the past several years a great many of the private hospitals throughout the state have been experiencing growing pains. Their expansions have been financed by local fund raising campaigns, supplemented by the very worth while Hill-Burton Grants. Certainly in no instance has the State of Maine stepped in to offer assistance. However, this installation is now built and the problem is how to reach an equitable solution toward the efficient utilization of this wing. I believe that the method we choose should indicate a desire to be fair to all of the taxpayers throughout our state.

The Department of Mental Health and Institutions has immediate need for five rooms five days a week. They are willing to pay a fair rental figure for these facilities. They would also like to have available ten hospital beds for psychiatric patients if needed. It should be noted in this respect that these would be regular paying patients. In connection with their programs they would furnish the hospital with a salaried, clinical team. Furthermore, the Department of Health and Welfare could use two rooms one day per week for out patient service. They would also be willing to pay a fee for the use of this space.

Since this wing is now under the supervision of the Department of Health and Welfare, the Commissioner was contacted some months ago as to the possibility of the Community Hospital acquiring the wing. At that time, he suggested that an equitable figure should be arrived at to be amortized over a twenty year



period. The departments could apply off-setting credits in the lease value of the rooms they used. For example: If we should set a figure of \$400,000 as a fair value for a new building costing nearly \$600,000, the payments would be \$20,000 per year. If we use the figures set by the hospital administrator himself of \$15,000 a year from the departments, this would mean that the hospital itself would only owe the State of Maine \$5,000 a year. In this manner, over a twenty year period they would be paying only \$100,000 in cash for a building worth well in excess of one-half million dollars.

Instead of following this suggestion or any proposal along these lines, they have come out with this legislation before us today, which purports to take over the hospital, rent free for ten years with the only stipulation that they will pay for the maintenance and then acquire it at the end of that time for one dollar. This is not my idea of fair treatment to the other taxpayers throughout the state and I sincerely believe that a complete new redraft is in order.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I have had a great deal of discussion concerning this matter with the gentleman from Bath, Mr. Ross, and it's a known fact that I very rarely take issue with him. However, in this particular instance, in view of the information that I have received, it appears that it costs the state \$12,000 to maintain the buildings, so upon his statement that the hospital would sign a ten year contract with the department of Health and Welfare, and I would like to ask any member who may wish to answer this question: isn't it fair to assume that the actual saving is \$120,000? So consequently, we would have gotten \$120,000 over a ten year period and also it is my understanding that for reasons of entrances that are not needed, it will cost at least \$5,000 extra to operate any addition that may be

built. So for that reason, I have changed my thinking and I am going along with the garden spot of Maine.

The SPEAKER: The Chair recognizes the gentleman from Presque Isle, Mr. Bishop.

Mr. BISHOP: Mr. Speaker and Members of the House: I have some figures from the department which I just got this morning, which are slightly at variance with those which Mr. Ross, the gentleman from Bath cited. The amount of federal money was \$110,000, and the local contribution was nearly \$9,000, in addition to which the local people contributed the plot of land. Now this is an addition, this is a wing on an existing hospital called the Community General Hospital, which was built shortly before this wing was built.

The Community, as you well know, on these fund-raising drives can only go to the well so often. They have exhausted themselves in providing the original building and it would be very difficult for them to raise additional money if they were required to purchase this.

This arrangement provided in L. D. 493 was the result of conferences with the department, and in my recent conversation with Dr. Fisher, he indicated to me that his proposal would not have resulted in a net payment by the Community General Hospital. It was his intention that the services which they would render under the agreement would equal or exceed the yearly payment to be made by them, so this bill is a short-cut to that procedure, merely providing that they will provide the services and that the transfer will be for one dollar.

It is true that, as Mr. Jalbert, the gentleman from Lewiston in his question indicated, this is now costing the State of Maine \$12,000 a year for an empty building. This proposal is to put the building to use and save the state the \$12,000 a year they are paying, and in addition furnish a facility which will provide for a pilot mental health program in Aroostook which is needed, and also provide for any TB requirements which may come up in the meantime.

And I hope that you will vote for the passage of this bill.

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

Mr. EDWARDS: Mr. Speaker, Ladies and Gentlemen of the House: It seems to me that what we are faced with here today is not how we got in this position, but what is our position, and what should we do about it. Presently, the state owns and maintains a \$12,000 a year liability in Fort Fairfield. They can dispose of this liability, plus picking up their mental health facility at an additional savings of \$12,000 to \$15,000 per year, for a total of \$250,000 over a ten year period. This seems to me like the wisest way out of this dilemma for the state, regardless of how they got into it.

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

Mr. KENNEDY: Mr. Speaker, Ladies and Gentlemen of the House: I, in the 99th session of the Maine Legislature, opposed the original bill through a lengthy session. This bill was before us for some considerable time, it running into difficulty, was tabled several times in that session, but in the final hours before adjournment sufficient votes had been accumulated to pass the legislation that built this hospital.

The gentleman from Bath, Mr. Ross, at that time in the other body, opposed this proposition as strenuously as I did, and I can feel for his sentiments, because my sentiments have not changed. This building should never have been built at a cost to the taxpayers in Maine of better than half a million dollars. However, I will report to you ladies and gentlemen this morning that I am not a poor loser, because in the 100th session I requested some member of the Aroostook delegation to introduce a bill which would give this to the Community Hospital in Fort Fairfield, this plant for one dollar, and I would support it. Therefore, this morning, I feel that I must support L. D. 493. We made a mistake, but the water has passed over the dam

and now if we can possibly get out from under the expense of maintaining this wing, I am in hearty accord.

The only disappointment that I have in favoring this bill is that we are not out from under it for a ten year period. The State of Maine will still be obligated for a ten year period, which I oppose. However, because the bill is written as it is, I favor it this morning and hope that it receives passage.

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

Mr. BRAGDON: Mr. Speaker, I wish to go on record as concurring with the statements made by the gentleman from Presque Isle, Mr. Bishop. I, like the gentleman from Milbridge, have been through the whole procedure of this Fort Fairfield Hospital. There are some things in the bill that I possibly do not completely like, but I find that you cannot always have all the things that you do like.

I know there is a tremendous demand in Aroostook County for the mental health facility. I understand from the people in Fort Fairfield that possibly if we did not go along with this bill, they would be deprived of that facility, for which county funds have been provided, so I go along with the passage of this bill.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: Although I was not here in the 99th Legislature, I can well visualize what happened. We all agree that what happened in the 99th Legislature was not the right thing to do, otherwise we wouldn't have this matter before us here today.

What the community of Fort Fairfield now is trying to do is to acquire this building and put it to good use by providing services to the people of the State of Maine and eliminating the possibility of the state having to put additional monies in there just for maintenance and keeping the building vacant, so I think the

services that are going to be performed by the hospital after it is turned over to the Community Hospital will be more than we would be receiving if this continued to remain as it is. So I am wholeheartedly in support of this transfer of the hospital to Fort Fairfield, because I think we can derive something from it, and certainly the people in Fort Fairfield are very sincere in their accepting this hospital and providing the services, and although wrong has been done in the year 1959, I think probably that this step will be a right step in the making of the necessary corrections for the people of the State of Maine.

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

Mr. ROSS: Mr. Speaker, Ladies and Gentlemen: I don't want to defeat the entire bill, I just think we should have a different idea before us. The proponents of this hospital wing, when they presented their arguments to the Appropriations Committee and to this House, said that if at any time the state did not have use for this as a TB sanatorium, the local people would be willing to pay a fair price, and I don't believe that a dollar is a fair price.

I have recently been accused of trying to scuttle the Mental Health Program for Aroostook County. Nothing could be farther from the truth. Among other things I am a member of the Board of Directors of the Bath-Brunswick Mental Health Association. Furthermore, I have personal reasons for being very interested in all types of mental health problems.

During the last two weeks I have talked several times at length with Dr. Schumacher and fully realize the need for suitable mental health programs in the County. In the supplemental budget you will find on page 412 under the appropriation for the Bureau of Mental Health \$212,000 for trained specialists. These persons will be utilized state-wide in Bangor, Lewiston, Augusta and Fort Fairfield.

In the Fort Fairfield program they include: a physician III, psychologists III, psychiatric social

worker II, medical secretary, clinical operating expense and equipment pertaining thereto for an amount approximating \$80,000.

This, in itself, is quite an additional program for the northern part of the state. Nevertheless, I am wholeheartedly in favor of this proposed schedule. However, since they will use only four rooms out of a total of 57, with an additional few beds, I can not see that this is any justification to give them the entire wing for the proposed token payment of one dollar. In my opinion, a new proposal should be submitted which is more equitable to the taxpayers as a whole.

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

Mrs. CARSWELL: Mr. Speaker and Members of the House: I just lost an argument by about seven votes, perhaps because the bill came out of the committee with a unanimous report. This bill too came out of committee with a unanimous ought to pass report, and I hope we can vote the same way.

Mr. Ross of Bath was granted unanimous consent to speak a third time.

Mr. ROSS: Mr. Speaker I just would like to make a motion so that we will have the motion before us that I would like to see, and I would move that this bill be recommitted to the committee.

The SPEAKER: The question before the House is the motion of the gentleman from Bath, Mr. Ross, that this bill be recommitted.

Mr. Binnette of Old Town requested a division.

The SPEAKER: A division has been requested. All those in favor of this bill being recommitted will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Forty having voted in the affirmative and ninety-three having voted in the negative, the motion did not prevail.

Mr. Ross of Bath was granted unanimous consent to briefly address the House.

Mr. ROSS: Mr. Speaker, I am delighted that the county is finally getting this wing. I am sure that it will be put to good use, and I most certainly will never talk about the Fort Fairfield hospital again. (Applause)

Thereupon, the Bill was passed to be engrossed on a viva voce vote and sent to the Senate.

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On motion of Mr. Jalbert of Lewiston,

Adjourned until Friday, April 2, at 9:30 o'clock in the morning.