

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Second  
Legislature*

OF THE

STATE OF MAINE

VOLUME II

MAY 17 - JUNE 4, 1965

DAILY KENNEBEC JOURNAL  
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**HOUSE**

Monday, May 24, 1965

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

Prayer by the Rev. Gary Johnson of Hallowell.

The members stood at attention during the playing of the National Anthem by the Mount View High School Band of Thorndike.

The SPEAKER: On behalf of the House the Chair would like to thank the thirty members of the Mount View High School of Thorndike under the supervision of their director, C. Patrick Michaud, for the excellent concert presented prior to the convening of the Legislature this morning. They are accompanied by their Principal, Charles Cosgrove. The members are wearing new uniforms today. The money for these uniforms was raised entirely by donations. This is a fairly new organization as Mount View High School is Maine's newest high school having been dedicated on November 11, 1964.

Again I wish to thank the members of the band for their performance and for their rendition of the Star Spangled Banner which is played on the first legislative day of each week. (Applause)

The journal of the previous session was read and approved.

Mr. Anderson of Orono was granted unanimous consent to address the House.

Mr. ANDERSON: Mr. Speaker and Ladies and Gentlemen of the House: I ask unanimous consent that, unless previous notice is given to the Clerk of the House by some member of his or her intention to move reconsideration, the Clerk be authorized today to send to the Senate, thirty minutes after the House recesses for lunch and also thirty minutes after the House adjourns for the day, all matters passed to be engrossed in concurrence, and all matters that require Senate concurrence; and that after such matters have been so sent to the Sen-

ate by the Clerk, no motion to reconsider shall be in order.

The SPEAKER: Is there objection to this being the procedure of the House? The Chair hears none, it shall be.

**Papers from the Senate  
Senate Reports of Committees  
Leave to Withdraw**

Report of the Committee on Appropriations and Financial Affairs on Resolve Appropriating Funds for Construction at Boys Training Center (S. P. 113) (L. D. 340) reporting Leave to Withdraw.

Came from the Senate read and accepted.

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

**Covered by Other Legislation**

Report of the Committee on Liquor Control on Bill "An Act relating to Definition of Restaurant under Liquor Laws" (S. P. 70) (L. D. 131) which was recommitted, reporting Leave to Withdraw, as covered by other legislation.

Came from the Senate read and accepted.

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

**Ought to Pass in New Draft**

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act to Appropriate Moneys for Capital Improvements, Construction, Repairs, Equipment, Supplies and Furnishings for the Fiscal Years Ending June 30, 1966 and June 30, 1967" (S. P. 39) (L. D. 210) reporting same in a new draft (S. P. 563) (L. D. 1575) under same title and that it "Ought to pass"

Came from the Senate with the Report read and accepted and the New Draft passed to be engrossed.

In the House, Report was read and accepted in concurrence and the New Draft read twice and tomorrow assigned.

**Ought to Pass**

Report of the Committee on Appropriations and Financial Affairs, acting by authority of Joint Order (H. P. 1128) reporting a Bill (S. P. 564) (L. D. 1576) under title of "An Act Providing Funds for Acceler-

ated Program for the University of Maine" and that it "Ought to pass"

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed.

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

#### **Ought to Pass with House Amendment "A"**

Report of the Committee on Judiciary on Bill "An Act relating to Title References in Conveyances of Real Estate" (S. P. 399) (L. D. 1224) which was recommitted, reporting "Ought to pass" as amended by House Amendment "A".

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

In the House, the Report was read and accepted in concurrence, and the Bill having already been passed to be engrossed as amended by House Amendment "A" was sent to the Senate.

#### **Divided Report**

Majority Report of the Committee on Labor reporting "Ought to pass" on Bill "An Act Authorizing Payroll Deductions for Union Dues of Certain Governmental Employees" (S. P. 446) (L. D. 1383)

Report was signed by the following members:

Mr. SMITH of Cumberland  
Mrs. CHISHOLM

of Cumberland  
Mr. O'LEARY of Oxford  
—of the Senate.

Messrs. LEVESQUE of Madawaska  
BEDARD of Saco  
DUMONT of Augusta  
GAUVIN of Auburn  
—of the House.

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

Report was signed by the following members:

Mrs. BAKER of Winthrop  
Messrs. KITTREDGE

of South Thomaston  
BENSON

of Southwest Harbor  
—of the House.

Came from the Senate with the Majority Report accepted and the Bill passed to be engrossed.

In the House, the Reports were read.

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

Mr. JALBERT: Mr. Speaker and Members of the House: Last week this House sent down by a vast majority what we considered to be not a good bill. It was calling for the union organization of state, county or municipal employees. Now, a second bill aimed in this direction is coming before us, this one here from the other House. I stated last week that as far as my labor voting record was concerned, I was proud of it in this House and I repeat myself today. This as the last bill is also in my opinion a very bad bill and I move for indefinite postponement of this bill and all its accompanying papers.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, moves that this bill and its accompanying papers be indefinitely postponed.

The Chair recognizes the gentleman from Windham, Mrs. Harvey.

Mrs. HARVEY: Mr. Speaker and Ladies and Gentlemen of the House: I could give you several reasons why I am opposed to this bill. Not the least of which, is that I know that state employees are against it generally as well as many other public employees. I do want to make this one point very clear. It would take sixty days or two months before anyone having dues deductions under this bill could withdraw from the union. On the state level only fifteen days or two weeks are required for any employee to withdraw at his own request. Not only do I think this legislation is not necessary, but I think this one feature shows the intent of someone to go way beyond the protective provisions now in effect. I support the motion to indefinitely postpone this bill.

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

Mr. EDWARDS: Mr. Speaker, Ladies and Gentlemen of the House: As I understand this bill,

this is merely permissive legislation in that it will allow the state comptroller to put another dot on his IBM card and make an automatic deduction for these employees if the employees desire it. You have heard it said that the employees don't desire it. Well, if they don't they don't have to utilize it. I suggest that we let the employees decide this.

The SPEAKER: The Chair recognizes the gentleman from York, Mr. Erwin.

Mr. ERWIN: Mr. Speaker, this appears to be a reasonably controversial piece of legislation. May I make an inquiry to any member of the committee who wishes to answer it. That is, I don't recall seeing this advertised for hearing. Will somebody tell me when this bill was heard?

The SPEAKER: The gentleman from York, Mr. Erwin, has posed a question through the Chair to any member of the House and any member of the House may answer if he so desires.

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

Mr. BENSON: Mr. Speaker, the answer to the question posed by the gentleman from York, Mr. Erwin, is this bill has not had a public hearing.

The SPEAKER: The question before the House is on the motion of the gentleman from Lewiston, Mr. Jalbert, that the bill and its accompanying papers be indefinitely postponed. Is this the pleasure of the House?

Mr. Edwards from Portland requested a division.

The SPEAKER: The gentleman from Portland, Mr. Edwards requests a division. All those in favor of the indefinite postponement of this Bill and its accompanying papers will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Eighty-six having voted in the affirmative and seven having voted in the negative, the motion prevailed and the Reports and Bill were indefinitely postponed in non-concurrence and sent up for concurrence.

Mr. Jalbert of Lewiston then moved that the House reconsider its action just taken, which motion to reconsider was lost on a viva voce vote.

#### Non-Concurrent Matter

Bill "An Act Increasing Salaries of Official Court Reporters" (S. P. 164) (L. D. 494) which was passed to be engrossed as amended by House Amendment "A" in non-concurrence in the House on May 20.

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

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

#### Non-Concurrent Matter

An Act Affecting Certain Statutes Pertaining to Court Process and Procedure in Criminal Cases and to Kindred Matters (S. P. 356) (L. D. 1140) which was passed to be enacted in the House on May 20 and passed to be engrossed as amended by Committee Amendment "A" on May 17.

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

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

#### Non-Concurrent Matter

Bill "An Act relating to Working Capital of Liquor Commission" (S. P. 377) (L. D. 1194) which was indefinitely postponed in non-concurrence in the House on May 20.

Came from the Senate with that body voting to insist on its former action whereby the Bill was passed to be engrossed as amended by Committee Amendment "A".

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

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.

#### **Non-Concurrent Matter Tabled and Assigned**

Bill "An Act relating to Qualifications for Practice of Hairdressing and Beauty Culture and to Membership on the State Board of Hairdressers" (S. P. 491) (L. D. 1456) which was indefinitely postponed in non-concurrence in the House on May 20.

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

In the House: On motion of Mrs. Ruby of Bangor, the Bill and accompanying papers were tabled pending further consideration and specially assigned for tomorrow.

The SPEAKER: The Chair at this time would like to recognize at the rear of the House the presence of Mr. Oscar Tolman of West Tremont, Mt. Desert Island, who, the Chair understands, recently celebrated his ninetieth birthday, at which time he was honored by 150 people from all corners of the State. Mr. Tolman is the guest of Representative Benson of Southwest Harbor, who informs the Chair that Mr. Tolman has always been and still remains a very active gentleman in municipal affairs. This young gentleman was working in his garden this morning at 5 A.M. while waiting for the Representative to pick him up. On behalf of the House, the Chair welcomes Mr. Tolman and we wish him many more productive years. (Applause)

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

Bill "An Act relating to Relatives' Financial Responsibility to Recipients of Aid to the Aged, Blind or Disabled" (H. P. 626) (L. D. 833) on which the House accepted the Leave to Withdraw Report of the Committee on Health and Institutional Services on May 13.

Came from the Senate with the Bill substituted for the Report and

passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

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

The Bill was then given its first two readings.

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

SENATE AMENDMENT "A" to H. P. 626, L. D. 833, Bill, "An Act Relating to Relatives' Financial Responsibility to Recipients of Aid to the Aged, Blind or Disabled."

Amend said Bill by striking out all of the 7th, 8th and 9th lines and inserting in place thereof the following:

'An application shall not be considered unless accompanied by an individual a sworn statement made on the part of the spouse, and parents and each adult child of said applicant who is under the age of 21 or is blind or permanently disabled, if residing in this State and accessible. Such statements **statement**'

Senate Amendment "A" was adopted in concurrence and the Bill assigned for third reading tomorrow.

#### **Non-Concurrent Matter Tabled And Assigned**

Bill "An Act relating to Definition of Hotel under Liquor Law" (H. P. 1063) (L. D. 1439) on which the House accepted the Minority "Ought not to pass" Report of the Committee on Liquor Control on April 14.

Came from the Senate with the Majority "Ought to pass" in new draft Report accepted and the Bill passed to be engrossed in non-concurrence.

In the House: On motion of Mr. Cote of Lewiston, the Bill was tabled pending further consideration and specially assigned for tomorrow.

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

Bill "An Act relating to the Inhalation of Certain Vapors and to the Possession of Certain Drugs" (H. P. 1123) (L. D. 1533) which was passed to be engrossed in the House on May 13.

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

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

### Orders

Mr. Ross of Brownville presented the following Order and moved its passage:

WHEREAS, the State of Maine has been faithfully served in Washington by its distinguished senior Senator Margaret Chase Smith of Skowhegan for a quarter of a Century; and

WHEREAS, Senator Smith has worked tirelessly for her fellow citizens in this State and fearlessly for good government, a strong national defense and legislation to improve the American way of life; and

WHEREAS, Margaret Chase Smith has brought credit to herself and honor to her State for her forthright stand on the great issues of the day and is highly respected throughout the free world for her deep insight into international affairs; and

WHEREAS, June 3, 1965 marks the 25th anniversary of Senator Margaret Chase Smith's service in Washington beginning as a Congresswoman from the Second District;

BE IT RESOLVED, THEREFORE, that the 102nd Legislature extend to Senator Smith congratulations on her record of service, greetings on this milestone occasion, and best wishes for the future.

BE IT FURTHER RESOLVED, That a copy of this Resolution be sent to Senator Smith. (H. P. 1154)

The Order received passage and was sent up for concurrence.

### Tabled

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

Ordered, the Senate concurring, that the Legislative Research Committee be instructed to study the adequacy of existing

law in providing for the safety of school children in the course of their transportation to and from school, and school sanctioned activities.

On motion of Mr. Levesque of Madawaska, tabled unassigned pending passage.

On motion of Mr. Peaslee of Farmingdale, it was

ORDERED, that Walter Martin, Jr. of Farmingdale be appointed to serve as Honorary Page for today.

The SPEAKER: Walter is the son of Mr. and Mrs. Walter Martin of Farmingdale. He is a nephew of the Sergeant-at-Arms, Leo Martin. Walter is a freshman at Hall-Dale High School and is visiting and observing the Legislature in order to earn the citizenship international badge in the Boy Scouts. He is a member of Troop 177 in Farmingdale. On behalf of the House, Walter, the Chair welcomes you and we hope you enjoy your duties as Honorary Page for today. (Applause)

Mr. Bishop of Presque Isle presented the following Order and moved its passage:

ORDERED, the Senate concurring, that the University of Maine, through the Bureau of Public Administration, is directed to study the need for anti-shack legislation in Maine; and to recommend to the 103rd Legislature, an appropriate State Building Code which, in conjunction with municipal ordinances, will correct the chaotic building conditions existing in certain areas of the State. (H. P. 1153)

The Order received passage and was sent up for concurrence.

### House Reports of Committees Ought to Pass in New Draft Tabled and Assigned

Mr. Richardson from the Committee on Judiciary on Bill "An Act Regulating Collection Agencies" (H. P. 888) (L. D. 1185) reported same in a new draft (H.

P. 1150) (L. D. 1582) under same title and that it "Ought to pass"

Report was read.

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

Mr. BERNARD: Mr. Speaker and Members of the House: In order to look into this bill and study it further, I move that it be tabled until the next legislative day.

The SPEAKER: The gentleman from Sanford, Mr. Bernard, now moves that this matter lie on the table and be assigned for tomorrow pending acceptance of the Committee Report. Is this the pleasure of the House?

The motion prevailed.

#### **Divided Report**

Majority Report of the Committee on Appropriations and Financial Affairs and Taxation jointly, acting by authority of Joint Order (H. P. 1128) reporting a Bill (H. P. 1152) (L. D. 1584) under title of "An Act to Extend the Sales Tax to Telephone and Telegraph Service" and that it "Ought to pass"

Report was signed by the following members:

Messrs. MAXWELL of Franklin  
LETOURNEAU of York  
HARDING of Aroostook  
DUQUETTE of York  
BROWN of Hancock  
— of the Senate.

Messrs. BIRT of East Millinocket  
ANDERSON of Orono  
COTTRELL of Portland  
BRAGDON of Perham  
CURRAN of Bangor  
HEALY of Portland  
MARTIN of Eagle Lake  
BISHOP of Presque Isle  
JALBERT of Lewiston  
HANSON of Gardiner  
— of the House.

Minority Report of same Committee reporting that the Bill which was reported by a Majority of the Committee "Ought not to pass"

Report was signed by the following members:

Mr. WILLEY of Hancock  
— of the Senate.

Messrs. ROSS of Bath  
DRIGOTAS of Auburn  
WOOD of Webster  
DUNN of Denmark  
— of the House.

Reports were read.

On motion of Mr. Jalbert of Lewiston, the House voted to accept the Majority "Ought to pass" Report. The New Draft was read twice and assigned for third reading tomorrow.

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

Majority Report of the Committee on Liquor Control reporting "Ought not to pass" on Bill "An Act relating to Liquor Fees of Hotels Serving and Not Serving Meals" (H. P. 750) (L. D. 987) which was recommitted.

Report was signed by the following members:

Messrs. FALOON of Penobscot  
SOUTHARD of Penobscot  
— of the Senate.

Messrs. LUND of Augusta  
MEISNER  
— of Dover-Foxcroft  
FAUCHER of Solon  
HAYNES of Camden  
— of the House.

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

Report was signed by the following members:

Mr. JACQUES  
— of Androscoggin  
— of the Senate.  
Messrs. BERNARD of Sanford  
ROY of Winslow  
COTE of Lewiston  
— of the House.

Reports were read.

(On motion of Mr. Cote of Lewiston, the two reports with accompanying papers were tabled pending the acceptance of either report and specially assigned for tomorrow.)

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

Report "A" of the Committee on Judiciary on Bill "An Act Revising Laws Relating to Search and Seizure" (H. P. 585) (L. D. 777)



reporting same in a new draft (H. P. 1151) (L. D. 1583) under same title and that it "Ought to pass"

Report was signed by the following members:

Messrs. VIOLETTE of Aroostook  
STERN of Penobscot  
—of the Senate.

Messrs. BERMAN of Houlton  
RICHARDSON  
of Cumberland  
DAVIS of Calais  
—of the House.

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

Report was signed by the following members:

Mr. GLASS of Waldo  
—of the Senate.

Messrs. BRENNAN of Portland  
GILLAN  
of South Portland  
DANTON  
of Old Orchard Beach  
BISHOP of Presque Isle  
—of the House.

Reports were read.

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

Mr. BRENNAN: Mr. Speaker and Members of the House: This is a bill to correct several sections of the present statute which are unconstitutional because of recent United States Supreme Court decisions and at present Professor Harry Glassman of the University of Maine School of Law is writing a revised draft which will probably be satisfactory to the entire committee and he has said that he would have that in by Tuesday so I would like to have someone table this until Tuesday.

Thereupon, on motion of Mr. Levesque of Madawaska, the two reports with accompanying papers were tabled pending the acceptance of either report and specially assigned for tomorrow.

#### Passed to Be Engrossed

Bill "An Act relating to Advisory Board on Examinations of Life Insurance Agents" (S. P. 411) (L. D. 1307)

Bill "An Act relating to Salaries of County Officers in the Several Counties of the State" (S. P. 531) (L. D. 1519)

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

Bill "An Act Providing Funds for Municipal Building at Old Orchard Beach" (H. P. 31) (L. D. 43)

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

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

Mr. JALBERT: Mr. Speaker, I present House Amendment "A" and move its adoption.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, presents House Amendment "A" and moves it be adopted. The Clerk will read the amendment.

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

HOUSE AMENDMENT "A" to H. P. 31, L. D. 43, Bill, "An Act Providing Funds for Municipal Building at Old Orchard Beach."

Amend said Bill by striking out in the 2nd line the figure \$500,000" and inserting in place thereof the figure '\$100,000' and by adding at the end, before the period, the words 'or land equivalent in value provided by the Town of Old Orchard Beach'

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

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

Mr. DUNN: Mr. Speaker and Members of the House: This bill originally called for a sum of five hundred thousand dollars from the state to aid in the building of a municipal building at Old Orchard. It was to be matched by five hundred thousand dollars raised by popular subscription in Old Orchard and according to the people that appeared before the committee, there would be a million dollars available to them in federal funds as a grant. I can see no reason why the State should

go into this and even with the changing of that sum to a hundred thousand dollars, it seems to me that we are entering a field that we shouldn't be in. I move indefinite postponement of the bill and all its accompanying papers.

The SPEAKER: The gentleman from Denmark, Mr. Dunn, moves that this bill and its accompanying papers be indefinitely postponed.

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

Mr. JALBERT: Mr. Speaker and Members of the House: Last fall I was privileged to be named by the then Speaker of the House, the gentleman from Milbridge, Mr. Kennedy, to go to legislative conference in Atlantic City. I spent most of my time stumbling over conventions and I find that without conventions they couldn't survive. Having visited both places I find also that when they call Old Orchard Beach the most beautiful beach in the world, they know what they are talking about, because I don't think that Atlantic City can hold a candle to our beautiful Old Orchard Beach. I also find that we could be a great convention state. I have had something to do with several conventions of different nature and on every occasion it has always been the same thing, housing, entertainment, and everything else. I am not saying that Bangor is not a good convention city, it is. Lewiston is. Portland is, but I am talking about having people under one roof within a very small area.

Now, as far as the objection of the gentleman from Denmark, Mr. Dunn, I respect his opinion as I have complacently all through this session serving with him on the Appropriations Committee. I voted in the past for other measures such as two hundred thousand dollars for the dredging of the beach at Wells. I voted for improvements at Rockland. I have stood and voted for several, several improvements at Casco Bay and other things that would improve the beauties of our State and possibly bring more tax dollars in. And this is a paltry sum in my humble opinion as to what

the return would be and I certainly hope that the motion of the gentleman from Denmark, Mr. Dunn, does not prevail.

The SPEAKER: The question before the House is on the motion of the gentleman from Lewiston, Mr. Jalbert, that House Amendment "A" be adopted. The Chair recognizes the gentleman from Presque Isle, Mr. Bishop.

Mr. BISHOP: Mr. Speaker, Ladies and Gentlemen of the House: Sitting on the Appropriations Committee, I think it was the consensus of the whole committee regardless of how they felt about the merits of the bill, that the people from Old Orchard Beach made the most colorful, most interesting, most moving presentation that we heard all winter long. It was an exciting thing to them and they made us share the excitement and the money that we would be appropriating here would be matched by an equal sum raised locally and the two sums combined would again be matched by the ARA loan. It is special in nature, but we felt that the whole State of Maine would benefit greatly from it.

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

Mr. JALBERT: Mr. Speaker, am I correct? I think I was wrong. The motion to indefinitely postpone is not in order. The action is on the amendment?

The SPEAKER: That is correct.

The Chair recognizes the gentleman from York, Mr. Erwin.

Mr. ERWIN: Mr. Speaker, Members of the House: It's pleasurable to me and I know to other people in York County to know that in Aroostook County that we people in York can strike a chord. We have always had a fond feeling for the county and I am happy that the gentleman from Presque Isle has supported our case. This is perhaps unique, but we talk a lot in this place about progress. We talk a lot in this place about lifting the State of Maine up by its bootstraps and getting and moving on the road to progress. This is certainly not anti-progress. It certainly isn't a lot of money and it

certainly makes it possible for the Town of Old Orchard Beach, which is one of the most progressive and wide-awake towns in southwestern Maine, to do a worthwhile job.

Now, I disagree a little bit with the gentleman from Lewiston, Mr. Jalbert, that the three cities mentioned, Lewiston, Bangor and Portland, are all good convention towns. Even they lack something for good convention facilities, not in the quality of the facilities but in the size of the available facilities. We need more and bigger places for people from out of state to gather in the State of Maine and this Old Orchard Beach bill is designed for that and I hope that you will not go along with the indefinite postponement and that you will adopt House Amendment "A" and the bill.

The SPEAKER: The question before the House is on the motion of the gentleman from Lewiston, Mr. Jalbert, that House Amendment "A" be adopted.

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

Mr. HEALY: Mr. Speaker and Ladies and Gentlemen of the House: I signed the ONTP on this measure only when it was for a half a million dollars. And I realize of course it's going to be very difficult for the population of Old Orchard Beach to match the half a million dollars. But now that they have reduced the amount to a hundred thousand dollars, I am thoroughly in accord with it. I know that they need facilities at Old Orchard Beach and as the gentleman from Lewiston said it is one of the finest beaches in the country and I believe it and I shall be glad to go along with the reduced amount.

The SPEAKER: The Chair recognizes the gentleman from Denmark, Mr. Dunn.

Mr. DUNN: Mr. Speaker and Members of the House: If you look at the amendment, I would say that the people of Old Orchard won't have to raise any money. It says or land equivalent. They can set a valuation on a piece of land for this building and they

would be performing their part of this contract. I would submit, too, that I think there is some doubt as to how successful the auditorium in Bangor is, I think there are quite a lot of problems there in making it pay or break even. I request a division on this when the vote is taken.

The SPEAKER: The Chair recognizes the gentleman from Limerick, Mr. Carroll.

Mr. CARROLL: Mr. Speaker, Ladies and Gentlemen of the House: It so happens this past year, the National Association of Artificial Breeders held a convention in Kennebunk and at this convention there were five hundred and fifty people from all over the United States. People from Canada, California and also outside the United States. And they stayed for three nights. They spent approximately seventy-five thousand dollars and many, many of these people said that they would return to the State of Maine, that this was their first visit and it had opened their eyes. And they also expressed words that they wished that there was a place to hold a large convention in that area. I also have in my desk at home a letter from Paul Brown, who is manager of the Maine Artificial Breeding Co-operative, in which he stresses also that in that area there should be a convention hall so that people could come from all over the United States, enjoy its fine beach, enjoy this extended and courteous hospitality which is something the people in Old Orchard are certainly qualified and highly able to give to anyone who goes there. And I urge you all here today to remember that the people of Old Orchard Beach turn in hundreds and hundreds of thousands dollars in sales tax money every year to the State of Maine and they are not asking for much and you are not being overly generous when all you offer them is a hundred thousand dollars. And I urge you and I can further say that I am shocked to hear a man from Oxford County get up and go against York County on this move

and I urge you all to please support this amendment.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I don't want to take issue with the gentleman from Denmark, Mr. Dunn, but just out of curiosity, I wonder just how much land, if you had a hundred thousand dollars in hand, where they want the proposed site for that beautiful auditorium they intend to build, just how much land you could really buy for a hundred thousand dollars. I think it will be more, they will be giving us two or three hundred thousand dollars. In answer to the gentleman from York, Mr. Erwin, I have got to be one of those from Lewiston, even though I say it's a fairly good convention city, to agree with him that it lacks something as Bangor lacks something, as Portland lacks something, but I think it is possible that if any city could be made if they had this auditorium and we could say it lacks not too much of anything, it would be Old Orchard.

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

Mr. COTE: Mr. Speaker and Members of the House: I am one of those in this body that deals directly with conventions all the time. In the past, since 1925, we have had national and international conventions and most of them in Lewiston, because at that time we used to have the facilities. Now I have a group of international conventions, we haven't been able to come to the State of Maine for the past six or eight years because we have not had the facilities, especially in Lewiston and now losing the DeWitt Hotel. We have some clubs in Biddeford which are directly related to our association and I feel very certain if there was such a facility in Old Orchard which is so close to Biddeford, in the very near future not later than 1968 anyway or '69 that we could have an international convention in Old Orchard Beach where all the

groups of my snowshoers would be very happy to attend.

And it has been estimated in the City of Lewiston every time we have had this international convention that they left about a quarter of a million dollars.

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

Mr. LIBHART: Mr. Speaker, Ladies and Gentlemen: It distresses me to see that we are debating a bill that is vitally important to its sponsor. The sponsor isn't here and nobody has tabled this bill for him.

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

Mr. LYCETTE: Mr. Speaker, Ladies and Gentlemen of the House: I am just asking for my own information, I take no issue on this bill, but in view of the discrepancy between the proposed million dollars which would be five hundred thousand, five hundred thousand more that would be donated and under the amendment it would be two hundred thousand dollars; it looks to me as though the original plans were too elaborate or we are not going to get much for two hundred thousand dollars.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Jalbert, who requests permission to address the House for the third time. Is there objection? The Chair hears none, the gentleman may proceed.

Mr. JALBERT: Mr. Speaker, Members of the House: I just wanted to answer the gentleman from Houlton, Mr. Lycette, that you have got to start somewhere and sometimes when you can't get a Caddy, you settle for a Chevy. And as far as the gentleman from Old Orchard Beach not being here, he is fully aware of this amendment and he has given me permission to put it in and get all the support he can for it.

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

Mr. KATZ: Mr. Speaker, Members of the House: I feel unequipped to vote yet. I understand the original request was five hun-

dred thousand to be met by local subscription, then presumably to be matched by federal funds. So, we started with a two million dollar proposition, what were we going to get for two million dollars and now with a one hundred thousand dollar appropriation, is this just going to be a start or has the program been revised? I am at sea.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Jalbert, who requests permission to answer the question, Is there objection? The Chair hears none and the gentleman may proceed.

Mr. JALBERT: Mr. Speaker, I would state that it would be a start with the federal funds that they could get and while I am on my feet I can't resist looking over the Supplemental Budget, I can't resist telling, the Capital Budget, telling the gentleman from Augusta, Mr. Katz, he is doing pretty well money-wise.

The SPEAKER: The Chair recognizes the gentlewoman from Winthrop, Mrs. Baker.

Mrs. BAKER: Mr. Speaker, Members of the House: I heartily concur with the proponent of this bill and support the amendment given and one thing that has not been brought out is the availability to the big cities, metropolitan areas in the Old Orchard Beach area, that is distance and commuting distance. We are also near, I say we because I own property there, we are also near cities in Canada and we would gain I am very sure from that section too. And as far as coming by rail, air and motorcar, we would certainly be in a much more vulnerable position for this type of thing than any other section of the state. So, we bring up such places as Bangor, there is just no comparison.

The SPEAKER: The Chair recognizes the gentlewoman from Orrington, Mrs. Baker.

Mrs. BAKER: Mr. Speaker, I rise to make a parliamentary inquiry.

The SPEAKER: The gentlewoman may make her inquiry.

Mrs. BAKER: Will we be voting on the amendment or on the bill and all its accompanying papers?

The SPEAKER: The question before the House is on the motion of the gentleman from Lewiston, Mr. Jalbert, that House Amendment "A" be adopted.

Mr. Dunn of Denmark requested a division.

The SPEAKER: The gentleman from Denmark, Mr. Dunn, requests a division. All those in favor of the motion to adopt House Amendment "A" will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Ninety having voted in the affirmative and eleven having voted in the negative, the motion prevailed.

Thereupon, House Amendment "A" was adopted.

The SPEAKER: The gentleman from Denmark, Mr. Dunn, may now make his motion if he desires to have this bill and its accompanying papers indefinitely postponed.

Mr. DUNN: Mr. Speaker, I so move and I request another division.

The SPEAKER: The question before the House now is on the motion of the gentleman from Denmark, Mr. Dunn, that this bill and its accompanying papers be indefinitely postponed. He has requested a division.

All those in favor of this Bill "An Act Providing Funds for Municipal Building at Old Orchard Beach," House Paper 31, L. D. 43 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.

Seven having voted in the affirmative and one hundred one having voted in the negative, the motion did not prevail.

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

### Third Readers Tabled and Assigned

Bill "An Act Defining Nursing Home under Health and Welfare Laws" (H. P. 688) (L. D. 925)

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

(On motion of Mr. Peaslee of Farmingdale, tabled pending passage to be engrossed and specially assigned for Wednesday, May 26.)

Bill "An Act Authorizing Qualified Licenses After Conviction for Drunken Driving if Essential to Livelihood" (H. P. 1144) (L. D. 1568)

Bill "An Act Revising Laws under the Workmen's Compensation Law" (H. P. 1147) (L. D. 1571)

Bill "An Act relating to Definition of Premises under Liquor Law" (H. P. 1149) (L. D. 1574)

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

Bill "An act relating to Appropriation to Adjust State Employees' Pay" (H. P. 184) (L. D. 239)

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

Bill "An Act to Create the Unit Ownership Act" (S. P. 194) (L. D. 766)

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

#### Passed to Be Engrossed Without Amendment

Bill "An Act relating to Expenses and Increasing Salaries of Members of Liquor Commission" (S. P. 519) (L. D. 1496)

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

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

Mr. EDWARDS: Mr. Speaker and Ladies and Gentlemen of the House: I move for the indefinite

postponement of Senate Amendment "A" under Filing No. S-244.

The SPEAKER: The gentleman from Portland, Mr. Edwards, now moves that we reconsider our action of yesterday whereby Senate Amendment "A" was adopted.

The question before the House is to reconsider our action whereby we adopted Senate Amendment "A". Is it the pleasure of the House that we reconsider our action whereby we adopted Senate Amendment "A"?

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

Mr. KATZ: Mr. Speaker, I would speak against reconsideration. What the Senate Amendment does in effect is it increases the salary of the Chairman of the Liquor Commission a very moderate amount, I think fifteen hundred dollars. You may recall that last session for the very first time the office of Chairman of the Liquor Commission was made a full-time job, and despite the fact that it was made a full-time job the salary was not increased commensurate with the responsibility. Now, this session in the bill itself you are giving expenses to the other two members of the Commission. And if you kill Senate Amendment "A" as has been requested for reconsideration, you will find yourself in the incongruous position of having one of the members of the Commission, who is a part time commissioner, drawing more money than the Commissioner himself, the Chairman of the Commission who is a full time man. That is why I say it is important for Senate Amendment "A" to remain as it is. And I would oppose reconsideration and ask for a division.

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

Mr. EDWARDS: Mr. Speaker, Ladies and Gentlemen of the House: A point of information. I think the gentleman from Augusta, Mr. Katz, has been misinformed. The part-time members of the commission now get five thousand dollars a year. They work almost two days a week for this. Since this job has been made full-time the only thing we have not done is found something for the Com-

missioner to do five days a week and yet he is receiving eight thousand five hundred now. It was the feeling of the Committee on State Government at this time that this was ample, that this was sufficient along with the expense account for the members of the Commission. This is the reason that I—this was thoroughly considered before the Committee on State Government and as you know from bills that have come before you, we have been more than generous with a number of these pay raises, but we felt that this just was not warranted and I was under the impression that this was a unanimous report.

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

Mr. KATZ: Mr. Speaker, Members of the House: Several of us were not at the hearings of the executive sessions at which this was discussed. We came in afterwards. Now, let me restate that if you kill this amendment, you are going to find that one of the out of town commissioners by the time you put his salary and travel together will earn substantially more than the Chairman of the Commission. And I can tell you very, very honestly living here that I have called the Commission every day of the week and there is not a day that goes by when the Chairman of the Commission is not in there at eight o'clock in the morning. He is usually the first one there and the last one to go home. So, I feel that there is an injustice here and I would oppose reconsideration.

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from Portland, Mr. Edwards that we reconsider our action whereby we adopted Senate Amendment "A" and the gentleman from Portland, Mr. Edwards, requests a division.

All those in favor of reconsidering our action whereby we adopted Senate Amendment "A" will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Seventy-six having voted in the affirmative and thirty-one having voted in the negative, the motion prevailed.

The SPEAKER: The question before the House now is on the motion of the gentleman from Portland, Mr. Edwards, that Senate Amendment "A" be indefinitely postponed in non-concurrence. Is this the pleasure of the House?

The motion prevailed.

Thereupon the Bill was passed to be engrossed in non-concurrence and sent up for concurrence.

#### **Amended Third Reader Tabled and Assigned**

Bill "An Act Revising the Electricians Licensing Laws" (S. P. 540) (L. D. 1538)

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

(On motion of Mr. Bussiere of Lewiston, the Bill was tabled pending passage to be engrossed and Wednesday, May 26, assigned.)

Bill "An Act Appropriating Funds for Construction of a Span on the Westport-Wiscasset Bridge" (H. P. 627) (L. D. 834)

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

#### **Amended Third Reader Tabled and Assigned**

Bill "An Act Providing for Adequate Fishways in Dams" (H. P. 1108) (L. D. 1514)

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 tomorrow assigned.)

Resolve Appropriating Moneys to Repair Runway of Rockland Airport (H. P. 120) (L. D. 144)

Was reported by the Committee on Bills in the Third Reading, read the second time, passed to be en-

grossed as amended by Senate Amendments "A" and "B" and sent to the Senate.

### **Emergency Measure Failed of Passage**

An Act relating to Trial Terms of Superior Court in Washington County (H. P. 416) (L. D. 528)

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

The SPEAKER: The Chair recognizes the gentleman from Calais, Mr. Davis.

Mr. DAVIS: Mr. Speaker and Ladies and Gentlemen of the House: This bill was quite thoroughly debated here about a week ago, but just to refresh your memory, I might state that in the Calais area around which about sixty percent of the population in Washington County gravitates, we have for the last one hundred years had one term of court of Superior Court in the month of June. Now, this bill presumes to take away this one term of court that we have had in Calais and have that term of court held at Machias where all the other terms of court are currently held.

Now, this is an emergency measure and an emergency measure as you probably know is supposedly immediately necessary for the preservation of the public peace, the public health and the public safety. Now, I ask you, in any stretch of the imagination can this movement of one term of Superior Court from Calais to Machias be absolutely necessary for those purposes and of course it is not and I am asking you, I am urging you, to vote against enactment of this bill, for the reason that the term of court in Calais is a service to a wide area of Washington County, a service which it will not have if this bill should be passed, and there is no emergency. A year ago, the term of court was held just as it had been for the last century and it will be held a couple of weeks from now in Calais if this bill should fail of passage.

Now, I really say to you that this may very well open the door to other legislation which would

seek to take away from, for instance the County of Aroostook where court is held in two separate communities. It might take away from the County of Oxford, where court is held in two separate communities. It might also be an entering wedge for some of those who are attempting to centralize all the court activities in one particular area, to point to Washington County and say why have our district courts held in different areas? Why not hold in Penobscot, hold all your district courts in one area? And in Aroostook hold it all in one area? Why have district court held in two different places? And the answer, of course, is that these courts are still necessary. They are necessary for the convenience of the public, not particularly for the attorneys but for the public at large, the public that are using these courts, and accordingly I ask you to vote against enactment of this bill.

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

Mr. KENNEDY: Mr. Speaker, Ladies and Gentlemen of the House: You have heard the earnest plea of the gentleman from Calais, Mr. Davis, and I respect him for it. He represents the City of Calais and I don't blame him a bit for making a plea in their behalf. But, I'll again point out to the members of this House, that the citizens of Washington County chose Machias as its shire town at the inauguration of the county government of Washington County. It is true that the larger percentage of the population is in the easternmost section of the county. However, I will remind you again that the one-third of the term being held in Calais was during the times of the transportation by railroads and horse and buggy. In these modern times we have paved highways and it is very accessible to any point in the county to come to Machias. I am old enough to remember when we did not have any paved highways in Washington County. But, now that our highway system is as excellent as we enjoy it now, it would seem to me that it is just as much of a hardship for the



citizens of Steuben, Maine to go to Calais as it is for the citizens of Danforth to come to Machias.

I don't think the argument today is valid. We have spent a lot of money in the last two years on our court house in the shire town. There is an extensive law library at that seat. It would be a hardship to the attorneys in the county and to the judges presiding at the terms there. Again, I respect the effort expressed here by the gentleman from Calais, but I do hope that this bill won't run into any more difficulty and that you will help me enact it. I have never come to this Legislature in the four terms I have been here and asked very much for my county. I have never had a money bill here. We have been very generous to the good counties of York and Aroostook. For God sake let's be good to Washington.

The SPEAKER: The Chair recognizes the gentleman from Eastport, Mr. Mills

Mr. MILLS: Mr. Speaker and Ladies and Gentlemen of the House: I was instrumental in talking this over with the county commissioners at a meeting that was held there in December with the idea of cutting down on the expenditures by the county commissioners to lower the tax rate to a comparable position with other counties. Now, at the figure of 3.17 we were the highest taxed county in the State. Now, this is an effort by the county commissioners to reduce their expenditures county-wise. In my opinion, when we had a population in Washington County of sixty-two thousand plus, this was something that could be afforded. But now that we are less than thirty-one thousand it can no longer be afforded. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Calais, Mr. Davis.

Mr. DAVIS: Mr. Speaker, Ladies and Gentlemen of the House: With all due respect to my good friend from Milbridge, Mr. Kennedy, I would point out that if you enact this bill, you're not doing any favor to Washington County as a whole. You may be doing a big favor to Machias and

a favor to a little group of county office holders and some lawyers in Machias, but as far as the county at large is concerned, you are not doing them any favor at all. You are doing quite a disfavor to that majority of the people that have gravitated around the Calais area. And I might also point out that the population of Washington County has never been more than forty-five thousand according to the figures in the Maine Register and our population has declined to thirty-two thousand, but we still have more than half of those in the Calais area and I feel that we are entitled to one term of court once a year for their benefit.

The SPEAKER: This bill having had its three several readings in the House and having been passed to be engrossed and having had its two several readings in the Senate and having been passed to be engrossed, the Committee on Engrossed Bills having reported it as truly and strictly engrossed, is it now the pleasure of the House that this bill be passed to be enacted? This being an emergency measure under the Constitution it requires for its enactment the affirmative vote of two-thirds of the entire elected membership of the House. All those in favor of this bill being passed to be enacted will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Eighty-one having voted in the affirmative and twenty-nine having voted in the negative, the Bill failed of passage and it was sent to the Senate.

#### Passed to Be Enacted

An Act relating to Mental Examination and Observation of Persons Accused of Crime (S. P. 513) (L. D. 1485)

An Act Increasing Compensation of Members of the Legislature, the Governor, Court Justices and Certain Department Heads (S. P. 520) (L. D. 1497)

An Act Revising the Rural Electrification Cooperative Law (S. P. 538) (L. D. 1528)

An Act relating to Agreements Between Attorney and Client (S. P. 550) (L. D. 1549)

An Act Increasing Salary of Commissioner of Labor and Industry (H. P. 23) (L. D. 26)

An Act Increasing Clerical Assistance for Justices of Superior Court (H. P. 415) (L. D. 527)

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.

An Act relating to Jurisdiction of Municipal Police Officers in Fresh Pursuit (H. P. 589) (L. D. 781)

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

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

Mr. BRENNAN: Mr. Speaker, I move that item 8, An Act relating to Jurisdiction of Municipal Police Officers in Fresh Pursuit, House Paper 589, L. D. 781, and its accompanying papers be indefinitely postponed and I wish to speak to the motion.

The SPEAKER: The gentleman from Portland, Mr. Brennan moves that this bill and its accompanying papers be indefinitely postponed. The gentleman may proceed.

Mr. BRENNAN: Mr. Speaker, I opposed this bill because I feel that the dangers which this bill would promote far outweigh any good it might do. This would facilitate or promote the engaging in high speed police chases after people who may have committed a misdemeanor or felony. I do not oppose the felony aspect, but I don't think we should encourage these high speed chases for such minor crimes. There is a more orderly way of doing it, at least in many cases, that is by using a radio and contacting another department or setting up a roadblock. This bill would encourage local constables, some of whom have no police training whatsoever, to engage in these chases. I suggest that the local departments can contact the state police who are professional policemen and are trained for these matters.

I have spoken to some people from small towns who say they would rather see the local policemen stay in the town at night to see what is taking place there rather than going out on the highway chasing hot rods. For these reasons I move that this bill be indefinitely postponed.

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

Mr. LUND: Mr. Speaker, this is the third time that the opponents to this bill have attempted to defeat it and I wonder sometimes just where the opponents feel that the public interest lies in this bill. It seems to me, having noticed the articles in the papers about highway safety and all, it seems to me that the greater hazard that we face today is from the motorists rather than from the police officers as we would be led to believe by the opposition to this bill. I would like to point out that any municipality that wishes to have its police officers not engaged in any chase outside of the municipal limits can simply instruct its officers to do so. But, under the present law, municipalities that have a problem of hot-rodders who are crossing the town line, under the present law, if the municipality wishes to have its officers try to apprehend these people beyond the line, it does not have the power to do so except through a fairly commonly used procedure which is essentially a device to circumvent the law and that is to have the county sheriff deputize the patrolman and make deputies of them. This seems like a needless effort to go through in order to have the officer have the authority to carry out what ought to be his duty.

I would like to point out one other feature to it. While the last speaker said that he was not opposed to a provision giving the police the right to stop, to chase or arrest beyond the limits in a case of felony, I want to point out that frequently, I would say in most cases, the officer doesn't know whether a felony has been committed or a misdemeanor. For instance, suppose you come out and your car is missing. Now you

don't know whether somebody has stolen that car with the intent to permanently deprive you of the ownership of it, which is a felony, or whether it's a youngster who is just joy riding with it, that's a misdemeanor. Now if the police officer comes along and he sees a youngster driving your car, if he is only allowed to stop him in a case of felony, the chances are it's not a felony, he is just taking the car without the owner's consent and that's a misdemeanor. So it seems to me the objections to this are insubstantial. This is something which the police in other states have had for many years and which many of our officers enjoy if they are deputized and a measure which we need and ought to have.

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

Mr. ROSS: Mr. Speaker, Members of the House: As you can see this is not a lawyer's bill. We have got them on both sides. And as far as a felony being committed or a misdemeanor, I don't see how the enforcement officer is going to know the difference. If he sees a car going by him exceeding the speed limit, he is not going to see a sign on the side of that car saying, "I committed a felony, come on and chase me." Or if it's a misdemeanor he wouldn't have a sign saying, "Stay there you can't chase me."

I think it is about time we quit kowtowing to these lawbreakers and gave our enforcement officers a fair shake. I think it's time we co-operated with them. We have enough hoodlums running around the country now. I don't see the harm in this bill. One of the opponents of it said that his police officers in his particular town were more or less cowboys. They might be chasing them all over the county. I would say that the solution to that would be to get better enforcement officers and I hope the motion to indefinitely postpone does not succeed and I request a division.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: I am opposed to the indefinite postponement of this bill and if I may I would like to tell you very briefly why I am. If you will visualize the young boy who may be out joyriding or just stealing a car to earn spending money when he is going through college, he goes by a policeman and he is headed toward the town line, he rolls his window down and he looks out and yells, "the last one to the town line is a rotten egg." I think that's a bad state of the law. I think we should permit our police officers an opportunity to operate effectively. I hope that you will vote against the indefinite postponement of this bill.

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

Mr. BISHOP: Mr. Speaker, Ladies and Gentlemen of the House: I am opposed to this bill and I am in favor of the motion to indefinitely postpone for all the reasons stated. I think there is one aspect of it that perhaps has escaped our attention or our discussion. And that is this, all of our municipalities have organized their police forces and budgeted on the basis of providing protection and for keeping the peace within the territorial limits of their communities. Now, if we are going to empower these local police officials to travel all over the country, you are going to have to provide more protection because the people back home need protection while these officers are chasing speeders several towns distant. I believe this is as adequately as we can afford covered by the authority which the deputies, the sheriff's deputies, and the state police have. And I just ask you to reflect that it will take more money if you are going to authorize this.

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

Mr. COTE: Mr. Speaker and Members of the House: I am very worried about the local policemen being encouraged by this bill to

chase up and down the streets and highways and over city lines just on misdemeanors. Encouraging this driving across town and city lines seems to be a pretty foolish piece of business. In the City of Auburn, Maine, just about a year and a half or two years ago, one young boy borrowed his father's car without his permission, the car was reported stolen, on one of the back streets of Auburn the policeman spied the car and started chasing the boy. The boy got panicky, ran across the road at Mechanic Falls, not into Mechanic Falls but across the road, hit a man and hit a tree and killed two or three people. Now, if this boy had been left alone, probably at the time he wouldn't have panicked and tried to run away with the car. So, I am a little bit concerned about seeing people now running through towns and maybe killing people all over the place. I hope that the motion to indefinitely postpone prevails.

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

Mr. KNIGHT: Mr. Speaker, Ladies and Gentlemen of the House: Just this morning I made a phone call home to the police chief in my community and I feel that he is one of the most capable police officers in the State of Maine. After twenty-five years of police duty in the City of Lewiston, he retired and came to Westbrook and he has been our police chief there for the past seven or eight years. And I asked him his opinion on this bill and he said he was definitely opposed to it.

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

Mr. POULIN: Mr. Speaker, Ladies and Gentlemen of the House: I have talked with our police chief and he was kind of happy about the bill. He said this gives me a wedge to get in my second car.

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

Mr. CONLEY: Mr. Speaker, Ladies and Gentlemen of the House: I too am greatly concerned

about encouraging hot rod chases up and down the state by local police. I have a good size family and I love them and I don't want their lives nor yours endangered by this wild and woolly piece of legislation. If we encourage high speed chases, when you give local police the go, go, go signal to zoom the lines in hot pursuit. I do not like this bill and I shall vote against it. I'd like to point out to the members of the House, that over this weekend, I believe it was in the Town of Auburn, that a police officer went in pursuit after a driver of a vehicle. The offender ended up going off the road, turning his car over and at the same time the officer ended up driving his car into the side of a house. I could easily point out the headlines of this morning's Press Herald, where it says "Weekend Crashes Kill Four." In this particular, in one of these accidents, I would point out that there were a fellow and a girl on a motorcycle in the City of South Portland and whereby a hit-and-run driver killed both of them and continued on his merry way. Through the efforts of the local police department of South Portland, they wired ahead to the Town of Saco where a road block was set up and the driver who hit and ran was apprehended. I think there is no reason whatsoever for this law.

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

Mr. LYCETTE: Mr. Speaker, Ladies and Gentlemen of the House: When it was talked over about me running for this job down here, I thought it over and wondered whether I would be of any good to my constituents, I wondered what knowledge I would have that would be beneficial, and I thought to myself well, gorry, I have had, as many of my friends from Aroostook know, I have had a good many years of police work, so I was wondering whether my thinking would have any influence on you people.

Normally, you would expect me to go along with a police officer,

and I am to a certain degree, but as I said the other day, or something in words to that effect, it is common knowledge that a police officer's duties are about ten percent law and about ninety percent horse sense. Now you can talk if you are a mind to about certain segments of the police having all kinds of knowledge and know just what to do, but I don't care what department it is, there are certain people in those departments that don't have too much judgment, whether they went to police school or what kind of a school they went to.

I have heard officers tell me about chasing a car for miles and the car was going a hundred miles an hour. Well now when you drive around these roads, even in the flat country, and see the places, you want the drivers to have plenty of judgment, and try to think of meeting someone coming at a hundred miles an hour. I was out here the other day and drove 186 miles, and I mentioned to my wife the places that you come over a pitch and you couldn't see a thing within twenty feet. Now if you want to meet some of those people driving a hundred miles an hour, why that's all right with me. I notice that the gentleman, Mr. Brennan, spoke about the radio. You don't have to be alone in this chase, you can call the various departments and apprehend these people. As I say, if it were a felony, all right, but common misdemeanor, I think it's all wrong. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Old Orchard Beach, Mr. Danton.

Mr. DANTON: Mr. Speaker and Members of the House: I am opposed to this bill, mainly because it is not clearly drafted, the language is not clear. And I will read from the bill so that I may point out to you why I have doubt about this bill. The title of this bill is "An Act Relating to Jurisdiction of Municipal Police Officers in Fresh Pursuit," "Arrest in other municipalities. Every municipal police officer." Now I don't know whether or not a Biddeford

police officer from Biddeford, Maine might be visiting in Augusta or in Presque Isle, does this give him the authority while he is in his car to conduct a fresh pursuit? It may be. It might be interpreted that way, "shall have the power to arrest a person beyond the limits of the municipality while in fresh pursuit," again it doesn't say anything about a specific municipality, and for that reason I am opposed to this bill and will favor the indefinite postponement.

I would be in favor of the bill if it were more clearly drafted, clearly written, and if it were confined to felonies.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I too am opposed to this type of legislation. The small towns that I represent find it very difficult to raise money to pay these officers. They hire them and raise this money so that they will be available in that town. They are quite hard to find now when you really want one. These police officers, a lot of them I know, are not very famous when it comes to — they are not very famously known when it comes to hard work. I think a bill like this just gives them another chance to goof off somewhere where nobody can find them, and I hope the motion to indefinitely postpone does prevail.

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

Mr. BUSSIÈRE: Mr. Speaker and Members of the House: I am very much opposed to this bill. I think that if the municipal police and city police would provide the protection within the city limits they would be doing just what they should do, and if this bill is passed, next year they will be coming to you and they will be saying don't you think we ought to have another big raise. We are supposed to take this, a bad bill, and I hope that the House will vote for indefinite postponement.

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

Mr. LIBHART: Mr. Speaker, Ladies and Gentlemen of the House: I have been trying to decide for some time which one of our many debates would be the proper one to clip and send to the professor of logic and semantics at the University of Maine as an example of improper application of facts to the situation, and I think probably this one has got it beat hands down.

To me, the question is simple, do we want our local police enforcement officers to be able in cases where they deem it necessary, to be able to go across a town or city line and make an arrest? Now that is the question, pure and simple. Now when you start talking about the title of the bill, fresh pursuit, and read into that the fact that these people are going to be going one hundred miles an hour when they go across the line, it seems to me you are not using your head. Suppose the fellow is on foot. The disability is there just the same, the fellow has robbed the bank and runs across the line. You have got to make a decision whether it is a felony or not, this is ridiculous. No one is going to stop to do that.

Let's think about it in its pure elements. It seems to me certainly that this is a disability we shouldn't have our police forces encumbered with. It isn't going to cost any more money one way or the other. The town is still going to appropriate the funds or not, to buy the second police car or not, or what have you.

Now a pure example of what this prevents of course is the situation that strikes us most in the Bangor-Brewer area. We have the problem of bridges up there, and one of the favorite spots for the youngsters to race is on the bridge; neither police department will go on the bridge, and coming down here this morning, I observed a drag race on the bridge.

Now the argument as to radioing ahead, who would we radio to in Brewer or out in Eddington or Holden or Orrington, they haven't got radio equipped cars, yet we can't go across the line. Think of the cases where this law is necessary that isn't involved with chas-

ing teenagers, it isn't the only thing police departments do regardless of what you read in the papers. It seems to me this is an extremely intelligent bill. I find no difficulty with it. My friend from Old Orchard Beach, Mr. Danton, seems to think there is some there. I am sure a judge wouldn't have any problem with it at all in interpreting it. It seems to me the purpose of the bill is a good one, and we shouldn't waste too much time debating it and bringing in all the completely unrelated factual situations that have nothing to do with the situation at all, in order to stir your imagination and not your logic in order to oppose the bill. I hope you will not go along with the indefinite postponement.

The SPEAKER: The Chair recognizes the gentleman from Eastport, Mr. Mills.

Mr. MILLS: Mr. Speaker, Ladies and Gentlemen of the House: I am not going to go into this thing. We have passed it before. It has been discussed thoroughly. The thing that amazes me is the sudden, tremendous opposition to this small minute bill.

One gentleman has raised the question that it is improperly drawn. That I can't understand, it was passed by the attorneys in Judiciary. Now we have got the proposition here with all arguments set aside of which way do we vote: Do we vote for law and order or do we vote for the hoodlums? I ask for a roll call vote, sir.

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

Mr. BENSON: Mr. Speaker and Members of the House: I was much interested in the remarks made by the gentleman from Old Orchard Beach, Mr. Danton. I think that the point he raised about the vacationing officer from Aroostook County down around Mount Desert chasing around after the good citizens down there might be well taken. I notice that the gentleman from Brownville, Mr. Ross, mentioned cowboys in the police department. Well I think probably there are very few of those, but I do recall several months ago read-

ing an article in an out-of-state paper and it told about a police officer on the stand in court apparently testifying that he had to drive one hundred and twenty miles an hour to stop the gentleman he had apprehended, and for that statement, the judge fined him an amount of money for imprudent driving, and I think that possibly this might pertain to this case also.

The SPEAKER: The question before the House is on the motion of the gentleman from Portland, Mr. Brennan, that this Bill "An Act Relating to Jurisdiction of Municipal Police Officers in Fresh Pursuit," H. P. 589, L. D. 781, be indefinitely postponed. The gentleman from Eastport, Mr. Mills, has requested the vote be taken by the yeas and nays. For the Chair to order a roll call, it must have the expressed desire of one-fifth of the members present. All those in favor of the vote being taken by the yeas and nays will kindly rise and remain standing until the monitors have made and returned the count.

A sufficient number did not arise.

The SPEAKER: Obviously, less than one-fifth having arisen, a roll call is not in order. The gentleman from Brownville, Mr. Ross, has requested a division. All those in favor of the indefinite postponement of this bill will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Fifty-four having voted in the affirmative and sixty-six having voted in the negative, the motion to indefinitely postpone the Bill did not prevail.

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

Mr. BUSSIERE: Mr. Speaker, in order to prepare an amendment, I wish someone would table this bill for a couple of days.

The SPEAKER: The Chair recognizes the gentleman from Old Orchard Beach, Mr. Danton.

Mr. DANTON: Mr. Speaker, I move this bill be tabled until tomorrow.

Mr. Mills of Eastport requested a division.

The SPEAKER: The gentleman from Old Orchard Beach, Mr. Danton, moves that An Act relating to Jurisdiction of Municipal Police Officers in Fresh Pursuit (H. P. 589) (L. D. 781) be tabled pending passage to be enacted and be assigned for tomorrow. The gentleman from Eastport, Mr. Mills, has requested a division. All those in favor of the tabling motion will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

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

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

An Act Revising the Savings Banks Laws (H. P. 620) (L. D. 857)

An Act relating to the Sale of Fireworks (H. P. 708) (L. D. 946)

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.

An Act Establishing the Fire Fighters Arbitration Law (H. P. 742) (L. D. 979)

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

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

Mr. BREWER: Mr. Speaker, Ladies and Gentlemen of the House: Item 11, An Act Establishing the Fire Fighters Arbitration Law. This bill has been thoroughly debated before and I am not going to belabor it. We defeated it once and it was reconsidered the next day fifty-nine to fifty-eight. I would hope that since that time some of the House members had talked with their municipal officers to see what effect this would have on municipal affairs. Now, also since this bill was reconsidered and sent to the other branch we have defeated two bills, one this

morning pertaining to check off of union dues with state municipal employees. We have also defeated the other day another bill pertaining to state municipal employees and I hope at this time you will see the pattern forming, the organization of municipal and state employees possibly on the national level.

I have no objection to organization of either state or municipal employees. I hope that they would do it on their own rather than being forced to do it by legislation that we pass. Now, I'll be brief. My objections before in debate that this sets up an arbitration law for one segment of our municipal employees and I'll repeat again the amendment that was attached to it that sets up an arbitration board which is costly to the towns and cities, states that after the decision is made the decision is not binding on either party. I will restate my previous debate that this does not make sense and I would move indefinite postponement of this bill.

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

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

Mr. JALBERT: Mr. Speaker and Members of the House: I led the debate to set aside the two bills as mentioned by the gentleman from Bath, Mr. Brewer. But I think this is a different situation. In the first place, the fire fighters in Lewiston are organized in my city at least and other communities are thoroughly organized under the AFL-CIO. I think the entire problem is different. Twenty-one states have this. Their clause still remains that if they have a dispute they can't strike. They have to protect both the public and this board would protect both the public and the fire fighters. I think this is an absolutely altogether different situation and proposition. On one hand you have a group that is organized, the State Employees Association, they can

arbitrate through their own officers and their own directors. On the other side you have the fire fighters who in my community and several other communities are organized, the state association is thoroughly organized. I think this is a good bill and I hope that the motion to indefinitely postpone will not prevail.

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

Mr. LIBHART: Mr. Speaker, Members of the House: This is an entirely different bill and it is entirely different because it has the backing of the highly organized Firemen's Association. Now, why firemen? Why not all municipal employees? Why put firemen under the minimum wage and not the police officers? Why let the firemen arbitrate and not the policemen? It's not fair. Look at this bill very closely, too. Especially the part that says when arbitration takes place the arbitrators shall refer to the wage standard of the skilled laborer in the area and the wages of firemen generally, New York City or what have you, and realize that when they do this, these arbitrators, in a wage dispute, they must come up with at least \$2.50 an hour. Multiply this by your time and a half and realize what you are going to be paying firemen in your local municipalities. This puts the minimum wage law, as far as firemen, to shame, this bill. It will give them three times as much with no question.

In my town, a conservative estimate after arbitration, the arbitrators under this bill would have to come up with over two hundred dollars a week. I strongly support the motion to indefinitely postpone.

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

Mr. COTE: Mr. Speaker and Members of the House: The last time this bill was in this House, an issue was made about section 989 of this bill. "Factors to be considered by arbitration board," and I refer to item 1 under this section, "Building trades and in-



dustry. Comparison of wage rates or hourly conditions of employment of the fire department in question with prevailing wage rates or hourly conditions of employment of skilled employees of the building trades and industry in the local operating area involved." It was stated that firefighters would receive staggering raises and shorter work weeks under this section. Since then city managers in the state have notified their selectmen making special reference to this same section 989, that if this bill passes there would be an increase in their budget in some cases up to a hundred thousand dollars a year.

Now, I am responsible to the taxpayers in Lewiston and there is a revaluation program going on and some of these taxpayers are getting hit pretty hard. So, I made it a point to check this over the weekend and this is what I found. In order to come to a decision concerning wages or hours for any group you have to have a formula of some kind. And this section of the bill which sets this formula is no different than any system used by any company which conducts wage surveys in this country. In Lewiston a few years ago, we had the Jacobs Report conduct a survey for our employees and this is exactly what they used. They checked wage rates in our textile mills, building trades, and so forth just like it calls for in this bill. I can assure you it didn't increase the cost of operating our fire department by one hundred thousand dollars a year.

I hope that you will support this bill. Let's not wait until we have a town or city burned to the ground before we pass legislation to prevent whole fire departments from walking off the job.

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

Mr. LEVESQUE: Mr. Speaker, Ladies and Gentlemen of the House: I think this bill is probably going to be before us for its last time. It has been debated in the House over and over again and I

don't think I would want to belabor the issue any longer, only to point out this. I don't think that this is going to make or break any municipality in this state, whether it be enacted today or tomorrow or whether it had been enacted ten years ago. I don't think that the amount of money involved here is going to make that big a difference in any municipality. We're talking basically of bringing the firemen under a minimum wage and hour law and also the possibility that should there be any dispute between the firemen and the municipal administration some form of setting these arguments be set up. And in order not to create a hardship on the firemen themselves or the municipality the decision of the arbitrators will not be binding depending on how they accept it.

So I don't think that this is going to be so serious a matter that the municipalities are going to be all folded up because they are going to pay a basic minimum wage to firemen. Here we find in this House, the barristers of the House say that we should eliminate these from the insurance so that we can get our three percent or two percent or five percent or whatever sum of money, which might be three percent of fifty thousand dollars. I don't think that we should deny these firemen this basic right of having a minimum wage and I hope that the motion will be defeated.

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

Mr. GAUDREAU: Mr. Speaker, Ladies and Gentlemen of the House: This bill provides for arbitration against strikes to the public. It provides for the cost of arbitration to be shared by both parties. Therefore, eliminating the possibility of fire fighters calling for arbitration every time there is a minor dispute. In the case of a major dispute, it sets a good formula for the arbitration board to come to a decision. There is a need for this legislation. Already in the past three years we have had two towns where the fire departments have

walked out leaving its citizens without fire protection. Let's not wait for some tragedy to happen. This is not binding on either party so the argument that the cost will be tripled is not valid. Thank you.

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

Mr. BENSON: Mr. Speaker, so that our various municipalities and cities may know how we vote I request a roll call.

The SPEAKER: The gentleman from Southwest Harbor, Mr. Benson, requests a roll call. The question before the House is on the motion of the gentleman from Bath, Mr. Brewer, that this bill and its accompanying papers be indefinitely postponed. The gentleman from Southwest Harbor, Mr. Benson, has requested a roll call. For the Chair to entertain a roll call it must have the expressed desire of one-fifth of the members present. All those in favor of the vote being taken by the yeas and nays will kindly rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

The SPEAKER: Obviously more than one-fifth having arisen the yeas and nays are in order.

The question before the House is on the motion of the gentleman from Bath, Mr. Brewer, that this Bill, "An Act Establishing the Fire Fighters Arbitration Law," House Paper 742, L. D. 979, be indefinitely postponed.

If you are in favor of this bill and its accompanying papers being indefinitely postponed, when your name is called you will either answer yea or yes; if you are opposed to this bill and its accompanying papers being indefinitely postponed, when your name is called you will either answer nay or no. The Clerk will call the roll.

Mr. Anderson of Ellsworth, who would have voted "yes" had he voted, was excused from voting as he paired his vote with Mr. Blouin of Sanford who was absent but would have voted "no" were he present.

#### ROLL CALL

YEA—Baker, Orrington; Beane, Benson, Southwest Harbor; Ber-

man, Berry, Bishop, Boissonneau, Brewer, Burwell, Carter, Cressey, Crosby, Davis, Doyle, Dudley, Dunn, Erwin, Evans, Farrington, Faucher, Hanson, Gardiner; Haugen, Huber, Hunter, Clinton; Katz, Kennedy, Kittredge, Lang, Lent, Lewis, Libhart, Lincoln, Littlefield, Lund, Lycette, Meisner, Millay, Mosher, Peaslee, Pendergast, Pike, Pitts, Poulin, Prince, Rackliff, Richardson, Cumberland; Richardson, Stonington; Roberts, Ross, Bath; Ross, Brownville; Sahagian, Sawyer, Scott, Storm, Stoutamyer, Waltz, Watts, White, Guilford; Whittier, Wight, Presque Isle; Wood.

NAY — Anderson, Orono; Baker, Winthrop; Baldic, Bedard, Benson, Mechanic Falls; Bernard, Binnette, Bourgoin, Bradstreet, Brennan, Bussiere, Carroll, Champagne, Conley, Cote, Cottrell, Curran, Cushing, Danton, Dostie, Drigotas, Drouin, Dumont, Edwards, Eustis, Fecteau, Fortier, Fraser, Mexico; Fraser, Rumford; Gaudreau, Gauvin, Gifford, Gilbert, Gillan, Graham, Hammond, Harvey, Bangor; Harvey, Windham; Harvey, Woolwich; Hawes, Healy, Jalbert, Keyte, Kilroy, Knight, Lamberge, Lebel, Levesque, Lowery, Martin, McKinnon, Mills, Mitchell, Nadeau, Palmer, Roy, Ruby, Searles, Starbird, Sullivan, Wheeler, Wuori, Young.

ABSENT—Avery, Birt, Bragdon, Buck, Carswell, Cookson, Crommett, D'Alfonso, Dickinson, Glazier, Hanson, Lebanon; Harriman, Hawkes, Haynes, Hoy, Hunter, Durham; Jewell, Jordan, Lane, Norton, Payson, Susi, Truman, Ward.

Yes, 61; No, 63; Paired 2; Absent, 24.

The SPEAKER: The Chair will announce the vote. Sixty-one having voted in the affirmative, sixty-three having voted in the negative, two having paired and twenty-four being absent, the motion to indefinitely postpone does not prevail.

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

Mr. Conley of Portland then moved to reconsider the action

whereby the Bill was passed to be enacted. The motion was lost upon a division ordered by the Chair with fifty-one having voted in the affirmative and sixty-two having voted in the negative.

Sent to the Senate.

An Act relating to Property Tax Exemption for Pleasure Boats in the State for Storage or Repair (H. P. 760) (L. D. 997)

An Act Classifying Certain Waters of East Branch of Sebasticook River (H. P. 842) (L. D. 1143)

An Act relating to Repeal of Sardine Tax on Exports (H. P. 848) (L. D. 1261)

An Act Establishing Clerk of Courts in Androscoggin County as Full-Time (H. P. 939) (L. D. 1275)

An Act relating to Definition of Sale Price under Sales Tax Law (H. P. 1132) (L. D. 1551)

Resolve Authorizing Estate of Grace Haskell to Sue the State of Maine (H. P. 339) (L. D. 442)

Resolve Designating Portion of Maine Turnpike as "The Maine Gold Star Memorial Highway" (H. P. 383) (L. D. 485)

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

On motion of Mr. Levesque of Madawaska,

Recessed until one-forty-five o'clock in the afternoon.

#### After Recess 1:45 P. M.

The House was called to order by the Speaker.

#### Orders of the Day

The Chair laid before the House the first item of Unfinished Business:

Bill, "An Act relating to Construction and Operation of Intra-state Natural Gas Pipelines." (H. P. 845) (L. D. 1146) (H. "A" H-328)

Tabled — May 17, by Mr. Bernard of Sanford.

Pending — Adoption of House Amendment "A." (Assigned for Thursday, May 20th)

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

Mr. PIKE: Mr. Speaker, this amendment would allow the laying of the pipeline, if there is to be a pipeline, over the rights of way of utilities, railroads, and the Maine Turnpike Authority. I must say our hearing wasn't too satisfactory but they said roughly they thought they would save about a hundred and thirty-two thousand dollars by laying this pipe over a right of way already existing. They also preferred the Maine Turnpike because it goes directly through Portland up to Lewiston. Now, I think that we'll all agree that it would be very good if you can get natural gas to Lewiston at a price that would show real saving over their present cost of gas.

But when it comes to laying a pipeline over the Maine Turnpike in the summertime when the traffic including our guests, traffic is at its heaviest, it brings up a real question. Now, the Maine Turnpike, as probably you know, owes a little over seventy-eight million dollars in bonds. I think it is about equivalent to all the other bonds that the state has outstanding. These are not obligations of the state, but the state is in a funny position. It is the remainderman and it will own the thing when the bonds get paid off, which is sometime in the future.

This is the heavy traffic period for the Turnpike. I just got their traffic figures and roughly in August last year the traffic was twenty-five to thirty thousand vehicles a day over the Turnpike. Now the boys said in the hearing that they plan to lay that pipeline right down through the middle of the median strip. That would mean for the areas where they were working considerable interruption in traffic. We are dealing of course with really a commercial operation and this, if anybody loves to study bond indentures which I do not, which I have tried to, I think he will

find that the interference in traffic with the laying of the pipeline would immediately bring the representatives of the bond holders down on the state's neck.

Now, I don't believe the state has any right to do this. The state's position is that of the sort of the remainderman who may outlive the people who have the first crack at the state or not. The bonds mature in 1989. They just started to retire them last year. There are a few hundred thousand out and this year they ought to retire a million and a half to two million of them. Now, there is one thing that bothered me in the hearing. They had not apparently looked at any other possible rights of way. Well, of course, I suggested that they might take a look at the Grand Trunk from Portland to Danville Junction right outside of Lewiston, and I believe the city owns a right-of-way in from Danville Junction where the traffic is somewhat thinner instead of twenty-five to thirty thousand vehicles, there's one train each way each day.

I just think we would get ourselves in a mess if we put this amendment in which allows the laying of pipeline along the Maine Turnpike right-of-way and it would have to be done of course in the summer in the heavy traffic season. Therefore, with some regret, I move that we indefinitely postpone House Amendment "A".

The SPEAKER: The question before the House is on the motion of the gentleman from Lubec, Mr. Pike, that House Amendment "A" be indefinitely postponed. The Chair recognizes the gentleman from Falmouth, Mr. Payson.

Mr. PAYSON: Mr. Speaker, may I ask a question through the Chair to Mr. Pike?

The SPEAKER: The gentleman may state his question.

Mr. PAYSON: Was that the last information that they wanted to come down the center strip, because I was told that they wanted to go on the outside edge?

The SPEAKER: The gentleman from Falmouth, Mr. Payson, poses a question through the Chair to the gentleman from Lubec, Mr.

Pike, who may answer if he so desires.

Mr. PIKE: Mr. Speaker, I don't know how often they change their minds, but they had apparently told members of the committee before the hearing that they were going down on one side of the right of way. At the hearing it was very definitely stated that they intended to go right down the median strip. They may have changed their minds again, that I wouldn't know.

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

Mr. COTE: Mr. Speaker, in answer also to that question that was just asked. I heard that this morning that they were going down in the center of the Turnpike, but after finding some information on it this morning, it seems that they want to go on the east side of the Turnpike which would be on the edge of the Turnpike and not in the center.

Ladies and Gentlemen of the House. One of our major concerns has always been how to attract new industry to the State in order to broaden our tax base and to give employment to our people. We want to keep our children here and we want to find work for them. If our children are to stay and find work, we, as Legislators, must do everything in our power to bring industry here. Earlier in this session, as you will recall, we downgraded the Prestile Stream in order to help the Sugar Beet Industry. There is something we can do for our children and our children's children here today by supporting my amendment.

As you well know, many plastics and chemical industries require natural gas. If we could offer that to them here, we would stand a much better chance of competing with other states for these industries.

There is one industrial plant in Lewiston which used large quantities of gas in its production. If it were to have natural gas, it could operate more cheaply and the people of the Lewiston-Auburn area would have much greater

assurance that that plant would continue to remain and expand in Lewiston.

I say that this amendment is necessary for the State, and I say that we, in our duty as legislators to the people of this State, should go along with it.

The SPEAKER: The Chair recognizes the gentleman from Manchester, Mr. Gifford.

Mr. GIFFORD: Mr. Speaker, Ladies and Gentlemen of the House: I rise in opposition to House Amendment "A" and in support of the motion of the gentleman from Lubec, Mr. Pike, to indefinitely postpone this amendment.

It is my understanding that this was first proposed to the Public Utilities Committee as an amendment to L. D. 1146, that this committee referred the bill or recommended its referral to the Judiciary Committee due to legal problems involved in it and that the proponents of this amendment then proposed it to the members of the Judiciary Committee. That the bill was reported unanimously out of that committee without the amendment in itself attests, I would submit to the feelings, to the unanimous feelings of the Judiciary Committee as to the advisability of the amendment. This is a special privilege proposal presented by private interests. It would seek to secure the use of the Maine Turnpike right-of-way for a natural gas pipeline, in contradiction to what is generally accepted public highway policy, which states that no utilities shall be located within the right-of-way of an express highway.

I think the reason for the established policy is clear. We have automobiles traveling sixty, seventy miles an hour and anything that will serve as an obstruction constitutes a traffic hazard. Certainly during the period of construction of such a pipeline there would be a number of obstructions to that traffic and from time to time thereafter as maintenance work were necessary on the pipeline. As presented to you, I would submit that the amendment is discriminatory in

that it does not propose that all utilities shall have the use of the Turnpike, but only that a natural gas pipeline company shall have that use.

It seeks a competitive advantage over other fuels and I would hope that this afternoon you would support the motion of the gentleman from Lubec, Mr. Pike, to indefinitely postpone this last minute, last ditch attempt to get this amendment onto this bill.

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

Mr. SULLIVAN: Mr. Speaker, Members of the House: In my opinion the gentleman from Lubec, Sumner Pike, knows more about utilities than any other member of this House and he also is a man of ability and integrity and I suggest you go along with Sumner Pike as I will.

The SPEAKER: The Chair recognizes the gentleman from Old Orchard Beach, Mr. Danton.

Mr. DANTON: Mr. Speaker, and Ladies and Gentlemen of the House: This bill with a Committee Amendment appeared before the Committee on Judiciary and the committee unanimously agreed that the amendment "ought not to pass" and we did not report it out. We reported the bill as a vehicle with which natural gas could come into the State of Maine. Now the reason for this was first, there was a legal question as to whether or not a pipeline could be put in alongside on the median of the turnpike. Secondly, some of the members of Judiciary felt that if the natural gas line were allowed to be laid along the Maine Turnpike, why not water lines, power lines, telephone lines and etc. Thirdly, the bill will allow the natural gas companies to come into the state and the Public Utilities Commission could regulate other franchise holders with which to serve other areas.

Now, we don't know with this amendment whether or not only one or two particular areas will benefit with natural gas and the others will be left out and for that reason and those reasons the Judiciary Committee unanimously

agreed that the amendment should be "ought not to pass" and I am in favor of the indefinite postponement of the amendment.

Mr. Payson of Falmouth requested a division.

The SPEAKER: The gentleman from Falmouth, Mr. Payson, requests a division. The Chair recognizes the gentleman from Waterville, Mr. Fortier.

Mr. FORTIER: Mr. Speaker, I would like to pose a question through the Chair to any member of that committee. Is this pipeline going to be on the surface or is it going to be underground?

The SPEAKER: The gentleman from Waterville, Mr. Fortier, poses a question to any member of the Judiciary Committee and any member may answer if he so desires. The Chair recognizes the gentleman from Old Orchard Beach, Mr. Danton.

Mr. DANTON: Mr. Speaker, the proponents of the amendment at the time of the hearing indicated that it would be underground. Another reason why we felt that the amendment should be "ought not to pass" is because of the federal government's policy not allowing any utilities to be co-ordinated together with their Route 95 roads and if and when the time comes when this highway, this turnpike, reverts back to the state any chances that we might get federal assistance will be nullified by allowing a public utility company to lay its lines along the turnpike.

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

Mr. HEALY: Mr. Speaker and Ladies and Gentlemen of the House: I am slightly confused here and that's not unusual. From one source we learn that this pipeline is going to travel up the median of the parkway and another source that it's coming up the east side. Is there any way that this thing can be established, the accuracy of where this pipeline is going to be built? That could have some effect on my vote.

The SPEAKER: The gentleman from Portland, Mr. Healy, has posed a question. The Chair recognizes the gentleman from Lubec, Mr. Pike.

Mr. PIKE: Mr. Speaker, I have just learned that they have changed their minds again and they'll probably bring it up once on the east side on one of the routes, one of the traffic lanes. Now, I would like to, while I'm up, mention the money involved. They estimated at the hearing that it would cost them a hundred and thirty-two thousand dollars less than some other alternative, the other alternative not being specified. Now, the harm that could be done, the Turnpike traffic if it took three or four months for construction could be a great deal more than that. I just got the figures for April on the Turnpike. Their increase over last year was fifty thousand dollars, about sixty thousand dollars. They are gaining each year about a half a million a year and they hope to pay these bonds off. Now, if it took four or five months to do this and you obstructed traffic enough so that the world would get around that the Turnpike, don't use the Turnpike while they're building that gas line, you would actually throw a loss on to the victim of this which would be much greater than any saving. Now, I mentioned this saving a hundred and thirty-two thousand dollars. They didn't specify what the other route was.

I only got bright after the hearing was over, I asked why they hadn't looked at the Grand Trunk, which as I say runs a train a day each way and there is no great traffic there to be interrupted. Apparently, they never thought of it. This is, as my friend in the rear says, "this is a bad bill."

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

Mr. COTE: Mr. Speaker and Members of the House: Just one comment I would like to make further, stated here by the gentleman from Old Orchard Beach, Mr. Danton, that probably we would lose federal money if ever

this Turnpike was turned over to the state. How do we know what the laws are going to be fifty or sixty years from now?

The SPEAKER: The question before the House is on the motion of the gentleman from Lubec, Mr. Pike, that House Amendment "A" be indefinitely postponed. A division has been requested. All those in favor of House Amendment "A" to Bill "An Act relating to Construction and Operation of Intrastate Natural Gas Pipelines," House Paper 845, L. D. 1146, 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-one having voted in the affirmative and twenty-seven having voted in the negative, the motion prevailed.

Thereupon, the Bill was passed to be engrossed and sent to the Senate.

The Chair laid before the House the second item of Unfinished Business:

Bill, "An Act relating to Powers of Board of Trustees of Maine Maritime Academy," (H. P. 877) (L. D. 1173) (C. "A" H-221) (H. "B" H-239)

Tabled — May 18, by Mr. Levesque of Madawaska.

Pending — Further Consideration. (In Senate, Engrossed as Amended by Committee "A" and House "B" in Non-concurrence) (Assigned for Thursday, May 20th)

On motion of Mr. Levesque of Madawaska, the House voted to recede and concur.

The Chair laid before the House the third item of Unfinished Business:

An Act Establishing Maine Scale Rule for Logs. (H. P. 1120) (L. D. 1530)

Tabled—May 18, by Mr. Martin of Eagle Lake.

Pending — Passage to be Enacted. (Assigned for Thursday, May 20th)

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

The Chair laid before the House the fourth item of Unfinished Business:

HOUSE REPORT—"Ought to pass" as Amended by Committee Amendment "A"—Committee on Legal Affairs on Bill, "An Act Providing for Registration of Land Surveyors," (H. P. 925) (L. D. 1215) (C. "A" H-334)

Tabled—May 18 by Mr. Dumont of Augusta.

Pending—Acceptance. (Specially assigned for Thursday, May 20th)

The SPEAKER: The Chair recognizes the gentleman from Belgrade, Mr. Sahagian.

Mr. SAHAGIAN: Mr. Speaker, I move for indefinite postponement of L. D. 1215 with all its accompanying papers and I wish to speak very briefly on the motion.

The SPEAKER: The question before the House is on the motion of the gentleman from Belgrade, Mr. Sahagian, that this bill and its accompanying papers be indefinitely postponed. The gentleman may proceed.

Mr. SAHAGIAN: Mr. Speaker and Members of the House: I wish to express my opposition to this bill as written currently amended for the following reasons. A professional engineer should have the right to perform such services in and related to engineering for which he feels himself qualified. By virtue of this legislation as a professional engineer, he is already legally obligated to act in the best interests of his clients and may not attempt to practices for which he is not qualified. Asking any professional engineer to furnish further proof of ability is unwarranted. Under this statute, there is no division of registration for various branches of engineering and therefore the conclusion in this bill or references to any specific branch of engineering is not in keeping with the facts.

Non-professionalism in engineering is introduced into the act. This degrades the profession and cannot be of the best public interest. Based on the above reasons

I feel that L. D. 1215 is not in the best interest of the public and the engineering profession and when the vote is taken I ask for a division.

The SPEAKER: The Chair recognizes the gentleman from Farmingdale, Mr. Peaslee.

Mr. PEASLEE: Mr. Speaker and Ladies and Gentlemen of the House: I feel that this bill is inequitable, unnecessary and could be unfair to the pocketbooks of all Maine citizens.

I would like to first take up Amendment "A" to L. D. 1215 Filing No. H-334. This is the section which I feel is inequitable because certain groups are being granted exemptions from the necessity of having a license and consequently are exempt from the responsibility of doing competent work. Just picture this situation: Here we have a plot of land which is in four parcels and they all have one common corner. It would be possible, if L. D. 1215 were passed, to have four different people with four different sets of credentials survey these four parcels. You could have a registered surveyor survey parcel one, a civil engineer survey parcel two, a forester survey parcel three, and the owner of the wood lot, would survey his own. Now let us suppose these four men don't agree on the common corner. Who would be considered correct?

It would appear that we are leaving a lot to individual interpretation when we say, through amendment, that a person working five years as a forester would be exempted. What is the definition of a forester when it is applied to this sentence of Amendment "A"? It would seem that any person working five years in forestry would be exempted. This is not good because he may never have even seen a transit during those five years. And, what is to stop anyone from telling a consumer that he has worked five years when he doesn't have to go to any agency to have his time or credentials checked?

If this bill were to pass, it would allow certain groups to work unchecked, while others would have to be examined and licensed and

these would have to sign and seal all plans. If those exempted are being so exempted because they have such superior qualifications, why shouldn't they take a test, and be made responsible to the Engineering Board?

I don't feel that this bill is necessary. I don't believe that L. D. 1215 has any public support. I know that even though surveyors have no license, as such, the surveyors pretty well police their own work and a person doing incompetent work is quickly discovered and seldom receives other jobs.

Now, I'd like to take up what I consider the most serious ramification of L. D. 1215, the cost to the consumer. Please refer to that part designated as Section 1682, page 8 of the bill, paragraphs 2 and 3. Paragraph 2 says that a person completing a course in land surveying plus two years experience shall be eligible for a test. Where can one get a surveying course in this state? To the best of my knowledge, there is none given. How can a person receive two years experience in land surveying? It seems to me that virtually the only people working in land surveying are in the consulting engineering firms. Paragraph 3 of Section 1682 says four years experience and then examination. Again I say that the only place one will receive this training is with a consulting engineering firm.

Some would have you believe that city or state highway engineering personnel are doing this work, but they're not. They are engaged in route surveying which is quite different from land surveying. Consequently, their experience will not allow their registration as land surveyors. I hope you have in mind the picture I have painted. Slowly but surely the little fellows and the good part-time surveyors are being replaced by the large engineering firms as their employees would be the only people qualifying. Then, when we wake up, it will be too late. The consultants will have a monopoly and the prices will be dictated to us. As we all know, when a product becomes scarce, the price goes



up. It is the law of supply and demand.

There are some who feel that deed descriptions will be improved by licensing surveyors, but this can't be true because we are not at the same time passing laws saying that everyone must use a surveyor. So as the price rises the people using surveyors will become less. Consequently, more deeds will be written using the rules of pacing, guessing, and inaccurate estimation. Do you want this? I'm sure I don't.

I feel that we as lawmakers have a responsibility to protect the interests of both the public and the surveying field. You may have been led to believe that this field of surveying is wide open and with no restrictions, but this is not so, as there are many laws governing this field. They deal with what constitutes acceptable accuracy and who requires the use of a surveyor, and so forth. These are the laws with teeth. So, let us enforce these and in another legislature revise and strengthen them.

In closing I'd like to say that when the model law for engineers was passed in 1961 it was found that a surveying law was unnecessary. Again, in 1963, the Legislature was asked to pass a survey law which was almost a carbon copy of L. D. 1215 and it was soundly defeated. I ask you, what has changed the situation so much that we have to have such a bill before us again this year? I am in favor of indefinite postponement of this bill and I request your full support in making that motion.

The SPEAKER: The question before the House is on the motion of the gentleman from Belgrade, Mr. Sahagian, that this bill and its accompanying papers be indefinitely postponed and he has requested a division.

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

Mr. BERRY: Mr. Speaker, Members of the House: I am a little bit reluctant to get up in the face of this learned opposition here. This is my bill and I was

afraid I wouldn't perhaps have a chance to talk about it after having listened to the gentleman from Belgrade, Mr. Sahagian, and the previous speaker. I would like to have the opportunity of explaining the bill to you and telling you why this came out with an unanimous "ought to pass" report from the Legal Affairs Committee however.

Registration is always a delicate subject. It takes away one of our fundamental rights. It tells us what to do. It puts us in a group and it regulates our activities. All of this goes against the grain of us as individual Americans. Registration for the various professions and occupations is necessitated because of a desire to serve the public welfare. And a list of the professions and occupations which are regulated in Maine will serve to emphasize the need for this in the field of land surveying. Without reading the list completely, we do register activities in such fields as accountants, architects, barbers, cosmeticians, dentists, funeral directors, hairdressers, manufacturers and sellers of lightning rods, nurserymen and arborists, oil burner men, optometrists, outdoor advertisers, pharmacists, pharmacists I repeat, physical therapists, plumbers, podiatrists, practice of healing art of science, private detectives, psychologists, sardine packers, tattoo artists, venders and veterinarians. And this afternoon ladies and gentlemen we have before us a proposal for registration of land surveyors.

The bill has a rather generous grandfather clause in it which will permit anyone remotely engaged in land surveying or any aspect of it to be registered as a land surveyor under this legislation. Thirty-two other states in the country have similar laws on the books. One of the principal features of registration of land surveyors is that if you are buying a piece of property and you are relying on a survey done by a registered land surveyor and if there is anything wrong with that survey in the future you would have recourse to that person just as

now you would have recourse to a beautician who might burn your hair if you were in a beauty shop or a barber who were to do some damage like cutting or nicking your cheek or something like that. In other words, registration does protect the public.

The other fields which are registered came about as a result of long trial periods. I think all of us will realize that this bill is not perfect. It is, however, intended to start on the road toward eventual correction of a situation where land surveying is not being done by people who are responsible for their work. I would urge you to vote against the motion for indefinite postponement.

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

Mr. RICHARDSON: Mr. Speaker, Members of the House: There seems to be some objection to the passage of this legislative document, not only in the corridors but also here in the House. But, I suggest that those who are competent surveyors and engineers have absolutely nothing to fear under this bill. The grandfather clause in this bill which has already been mentioned, will surely take care of all those who are now engaged in the business of land surveying. There has been some objection that the foresters would be included in this bill, but it is my understanding that the committee has prepared an amendment which will take care of the situation of the foresters.

I also understand that some of our rural towns are concerned about the surveying of their woodlots and wildlands. I would call your attention to the fact that surveying of wildlands and woodlots by their owners, agents, licensees or employees of the owners is specifically exempted from this bill. And surely no one would survey another person's property without permission. Accordingly the problems of these towns and townships are taken care of. I see no objection in this bill and I think its purposes are good. Accordingly, I will vote for it and I urge you all here in the House to join me in the passage of this measure

and defeat the motion to indefinitely postpone.

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

Mr. BISHOP: Mr. Speaker, Ladies and Gentlemen of the House: I am always reluctant to prescribe regulations for another profession. On the other hand, I must say that as an attorney I would be very pleased with anything that would upgrade the standards of land surveyors and make it more probable that their work would be reliable and acceptable to us. Property can only be conveyed by description and the description that the attorney uses in making his conveyance can be no better than the survey on which it is based.

I'm not—I don't pretend to be familiar with the technical aspects of this bill. My friend the gentleman from Cape Elizabeth, says it's a good bill; the surveyor in my community says it's a good bill, and I hope that you will support it.

The SPEAKER: The Chair recognizes the gentleman from Farmingdale, Mr. Peaslee.

Mr. PEASLEE: Mr. Speaker, Members of the House: Of all the bills we have had before us this year, I have received more calls on this one than any other. Many of the men who would be affected by this, I don't mean affected, I mean unaffected that are in the business and could be licensed without any trouble have said that they don't like the sound of it, because it's going to take the little fellow right out of it. They don't like it at all. So, I certainly hope that you will support the motion to indefinitely postpone.

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

Mr. LIBHART: Mr. Speaker, Members of the House: This bill when it came before the Committee on Legal Affairs had a rather extensive hearing and it was very completely discussed we felt. There seemed to be some problem with trying to fit the foresters in their profession in here and we finally decided unanimously that it couldn't be done even though the

foresters would like to have some area of protection in this surveying business. We felt that that would have to be done with a bill of their own.

Now, the bill itself is designed to raise the standards of surveying. This is the reason for it and then it would seem to me it logically follows the question for this House is, is this a business that needs regulation and if the decision is in the affirmative, then the next question is does this bill do that equitably or as equitably as possible?

It seems to me, that speaking to the original question that there is a very definite need here. Anyone in my profession has seen the cost that a poor survey or inadequate descriptions and this sort of thing eventually means to the owner when he tries to get his lines straightened out by going to court and all this sort of thing. And the way to cure this of course is to have the work done by people who are qualified. And this is what this bill seems to do.

Now, it is true and I am sure that more than one of you have felt the effect of a very small, but effective lobby against this bill and the center of this lobby seems to be from state employees who apparently are moonlighting a great deal of survey work. Now, you may have noticed as I have noticed that some of our state employees have been in the galley watching us, and they are there now, every single day that this bill has been on the calendar. Some of these people have worked in the Clerk's office, know a lot of us and have effectively lobbied a lot of us from there.

Now, in case you didn't get the subtlety of all this, this is what was being done. It was being done on State of Maine time while these people were being paid by State of Maine money so that they could protect their moonlighting, and in my opinion, ladies and gentlemen of this House, this is a wrong thing to do. And if for no other reason, I hope that you will vote against this indefinite postponement.

The SPEAKER: The Chair recognizes the gentleman from Eastport, Mr. Mills.

Mr. MILLS: Mr. Speaker, I would like to pose a question through the Chair to Mr. Libhart. This survey work that's done by these unlicensed people, is this recognized in the court of law as accurate testimony?

The SPEAKER: The gentleman from Eastport, Mr. Mills, poses a question through the Chair to the gentleman from Brewer, Mr. Libhart, who may answer if he so desires.

Mr. LIBHART: Mr. Speaker, I will attempt to. It would depend upon the particular situations. If a owner after having owned the property for a considerable length of time, having had the previous bounds pointed out—the bounds pointed out to him by the previous owners, so that some time would be involved, who became acquainted with what was generally accepted in the community as being the bounds, there would be some standing and a sufficient standing so that this person would be allowed to testify in court as to the bounds of the property. But for a person without professional qualifications to attempt to become an expert witness in our courts to determine in a line dispute, I assume this is what you are talking about, it would be an extremely difficult thing to do. Of course, this isn't the point. The point is that these people do this type of work not being qualified. The deeds get drawn, they get recorded and twenty years later after these people are gone does the dispute come up and the people who established the lines wrongly at that point are no longer available, or if they were available being non-professionals, they wouldn't be subject to suit. This is the problem in a nutshell.

The SPEAKER: The Chair recognizes the gentleman from Eagle Lake, Mr. Martin.

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: First, I will assure the gentleman from Brewer, Mr. Libhart, that I was contacted by others first then those previously men-

tioned in his discussion of the bill. Further, I might point out to the gentleman from Brewer, Mr. Libhart, that it is possible for the state employees to be here taking their vacation time to be in the galleries. Certainly, if this is so and if they are citizens of Maine they have every right of being there.

I can assure the gentleman from Cape Elizabeth, Mr. Berry, that the public has a choice as far as this is concerned. They certainly can go to courts. If we are interested in the public and interested in not increasing the costs of surveying throughout the state then we should see to it that this bill is indefinitely postponed. It seems and appears to me that this bill is class legislation for certain types of individuals and therefore, I hope the majority of the members of this House will vote for indefinite postponement.

The SPEAKER: The Chair recognizes the gentleman from China, Mr. Farrington.

Mr. FARRINGTON: Mr. Speaker, Ladies and Gentlemen of the House: I merely want to go on record as being in favor of indefinite postponement of this measure. There are a great many industries in the state, Central Maine Power Company, telephone companies, various other groups that employ engineers. They get their training from being on the job. There are also other courses that can be taken. I think the stipulation and the particular mandates in this law are not only unfair, but they do away with initiative and incentive of anyone who wants to get ahead and may be caused to take two years of college before they can do a relatively simple job that could be learned by being on the job. Thank you. I hope the motion prevails.

Mr. Berry of Cape Elizabeth requested a division.

The SPEAKER: A division has been requested.

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

Mr. JALBERT: Mr. Speaker, I wasn't going to talk on this bill. I would like to ask any member of

the committee, what was the report of the committee?

The SPEAKER: The report of the committee was a unanimous "ought to pass" report.

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

Mr. COTE: Mr. Speaker, Ladies and Gentlemen of the House: I wasn't going to speak on this bill, but when this question was asked I am one of those on Legal Affairs Committee that was against this bill, but I was not present when they passed the bill with unanimous "ought to pass." I was in Liquor Control having another meeting and I guess the committee in its zeal to close up shop the last day passed out this bill unanimous "ought to pass" when in committee I had registered my opposition to the bill and I am still opposed to it and I hope the motion to indefinitely postpone prevails.

The SPEAKER: The question before the House is on the motion of the gentleman from Belgrade, Mr. Sahagian, that this Bill "An Act Providing for Registration of Land Surveyors," House Paper 925, L. D. 1215, and its accompanying papers be indefinitely postponed. A division has been requested.

All those in favor of this 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.

Sixty-five having voted in the affirmative and fifty-four having voted in the negative, the motion prevailed.

Sent up for concurrence.

The Chair laid before the House the fifth item of Unfinished Business:

HOUSE ORDER Relative to Interim Committee to Evaluating plans for Renovations to House of Representatives.

Tabled—May 19, by Mr. Dunn of Denmark.

Pending—Passage. (Specially assigned for Thursday, May 20th)

Mr. Dunn of Denmark offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to HOUSE ORDER, Relating to the Renovation of the Chambers of the House of Representatives.

Amend said ORDER by striking out all of the last 6 lines and inserting in place thereof the following: 'necessary, for the expenses and operation of the committee.'

The SPEAKER: The Chair recognizes the gentleman from Denmark, Mr. Dunn.

Mr. DUNN: Mr. Speaker, Members of the House: When we first started talking about electronic voting equipment the cost was set at about one hundred fifteen thousand dollars. If to install that we need to go through a remodeling process and bring the cost up to three hundred and fifty thousand dollars, I believe it is more money than we should be putting into something of this sort. This amendment would allow a study to be made and it leaves the two thousand dollars for the committee to bring up a set of figures, but it does delete the three hundred and forty-seven thousand dollars that would put it into operation. I move we adopt the amendment.

On motion of Mr. Kennedy of Milbridge, tabled pending the motion of Mr. Dunn of Denmark to adopt House Amendment "A" and specially assigned for Wednesday, May 26.

The Chair laid before the House the sixth item of Unfinished Business:

HOUSE REPORT — Committee on Judiciary on Bill, "An Act relating to Shooting Human Being While Hunting." (H. P. 228) (L. D. 295) reporting same in New Draft under same title (H. P. 1133) (L. D. 1552), and that it "Ought to pass."

Tabled—May 19, by Mr. Anderson of Ellsworth.

Pending—Acceptance. (Specially assigned for Thursday, May 20th)

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

Mr. ANDERSON: Mr. Speaker, I offer House Amendment "A" to L. D. 1552 under Filing No. H-353 and move its passage.

The SPEAKER: The Chair will state that it will be necessary to accept the committee report first. Does the gentleman from Ellsworth, Mr. Anderson, now move that we accept the committee report?

Mr. ANDERSON: Yes.

The SPEAKER: The question before the House now is on the motion of the gentleman from Ellsworth, Mr. Anderson, that we accept the committee report. Is this the pleasure of the House?

Thereupon the Committee Report was accepted and the New Draft read twice.

The SPEAKER: The gentleman from Ellsworth, Mr. Anderson, now offers House Amendment "A" and moves it be adopted. The Clerk will read the amendment. The Chair will inquire, does this House Amendment belong to the gentleman from Ellsworth, Mr. Anderson?

Mr. ANDERSON: No, Mr. Lund will have to offer his own amendment.

The SPEAKER: The gentleman from Augusta, Mr. Lund, now offers House Amendment "A" and moves it be adopted. The Clerk will read the amendment.

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

HOUSE AMENDMENT "A" to H. P. 1133, L. D. 1552, Bill, "An Act Relating to Shooting Human Being While Hunting."

Amend said Bill in the 11th and 12th lines by striking out the underlined punctuation, words and figure "for a period not to exceed 5 years,"; and by striking out in the 25th and 26th lines the underlined words "for a period not to exceed 5 years"

Further amend said Bill in the 2nd and 3rd lines of the last paragraph by striking out the underlined words "for a period not to exceed 5 years"

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

Mr. RICHARDSON: Mr. Speaker, I would direct an inquiry through the Chair. I was anxious to hear the amendment read.

The SPEAKER: The Clerk will read the amendment.

House Amendment "A" was read again.

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

Mr. RICHARDSON: Mr. Speaker, Members of the House: I am not going to prolong this, but I simply wish to have you be advised that the bill as it came out of the Judiciary Committee after a long hearing provided that when a man or a woman was involved in the shooting of a human being in the woods the Commissioner is authorized under this new bill to hold a hearing and to determine whether or not this person's right to hunt should be suspended and if so the Commissioner may suspend it after hearing, after cause is shown for a period of up to five years. The apparent effect of this amendment is to permit an unlimited restriction. That is apparently the Commissioner could restrict the man's right to hunt in the woods for life. I don't pretend to be able to tell you how you should vote on it, but I simply would like to have you know that the committee felt, I believe and I can be corrected if this is not true, that five years is a sufficient period of time. I would also remind you that there is a law on the books making it a felony to negligently shoot another human being. This bill that we have is not intended to replace that. It merely adds more teeth to our laws in respect to safe hunting in the woods.

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

Mr. LUND: Mr. Speaker, Members of the House: In looking over the basic legislative document that we are concerned with, L. D. 1552, it can be seen that this is a redraft of the procedure by which the Commissioner suspends a person's right to hunt in the state following a shooting

accident. At the present time the Commissioner has the right to suspend a hunting license, or to revoke a hunting license, and there is no time limitation on that right. The bill as it is submitted would have limited that right to a period of five years. I offer this amendment because I think that there may well be situations in which it may be perfectly clear to the Fish and Game Commissioner that a person ought never to carry a gun in the woods again. I think that those may be very rare cases but I do think the Commissioner should have that right and the amendment would give him that right which is the right the Commissioner now has today.

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

Mr. ANDERSON: Mr. Speaker, Members of the House: I agree with the gentleman from Augusta, Mr. Lund. I think it certainly should be left up to the discretion of the Fish and Game Commissioner. The circumstances surrounding some accidents might warrant a longer loss of license and it might even be shorter and I certainly think it should be left up to the Commissioner's discretion.

The SPEAKER: The Chair recognizes the gentleman from Paris, Mr. Hammond.

Mr. HAMMOND: Mr. Speaker, I would pose a question to any member of this committee in regard to the decision of the Commissioner following hearing, has the respondent any right of appeal?

The SPEAKER: The gentleman from Paris, Mr. Hammond, poses a question to any member of the Judiciary Committee, who may answer if he so desires.

The Chair recognizes the gentleman from South Portland, Mr. Gillan.

Mr. GILLAN: Mr. Speaker, Ladies and Gentlemen: In answer to the gentleman's question, yes. A person has the right of appeal to the Superior Court. Also, if it hasn't been amended, after a year's suspen-

sion, the suspended party may petition the Commissioner for restoration and if denied by the Commissioner he has the right to appeal to the advisory council.

The SPEAKER: Is the House ready for the question?

The question before the House is on the motion of the gentleman from Augusta, Mr. Lund, that we adopt House Amendment "A". All those in favor of the adoption of House Amendment "A" will say aye; those opposed, no.

A viva voce vote being doubted, a division of the House was had on request of Mr. Anderson of Ellsworth.

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

Thereupon, the Bill was assigned for third reading tomorrow.

The Chair laid before the House the seventh item of Unfinished Business:

**DIVIDED REPORT — Majority (6) — "Ought to pass" as Amended by Committee Amendment "A" — Minority (4) — "Ought not to pass" — Committee on Judiciary on Bill, "An Act Permitting Certain Corporations to Hold Stockholder Meetings Outside of State." (H. P. 619) (L. D. 827) (C. "A" H-342)**

Tabled—May 19, by Mr. Richardson of Cumberland.

Pending—Acceptance of Either Report. (Specially assigned for Thursday, May 20th)

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

Mr. GILLAN: Mr. Speaker, Ladies and Gentlemen: I move acceptance of the majority "ought to pass" report and to clarify the record the minority report was "ought to pass" on the original bill. The majority report ought to pass with committee amendment. Thank you.

The SPEAKER: The calendar is in error on this. The Minority report is "ought to pass" without the committee amendment.

Thereupon the Majority "Ought to pass" report as amended by

Committee Amendment "A" was accepted and the Bill read twice.

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

**COMMITTEE AMENDMENT "A" to H. P. 619, L. D. 827, Bill, "An Act Permitting Certain Corporations to Hold Stockholder Meetings Outside of State."**

Amend said Bill by inserting after the underlined word "State" in the 4th line the following: '**except public utilities whose income is principally derived from operations within the State.**'

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

The Chair laid before the House the eighth item of Unfinished Business:

**Bill, "An Act Creating a State Transportation Commission." (S. P. 542) (L. D. 1540) (H. "A" H-343)**

Tabled—May 19, by Mr. Dumont of Augusta.

Pending—Motion of Mr. Katz of Augusta to reconsider adoption of House Amendment "A." (Specially assigned for Thursday, May 20th)

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

Mr. KATZ: Mr. Speaker, Members of the House: Very briefly, House Amendment "A" was adopted by us the other day before it had been distributed and circulated to all of us and very briefly what it would do, it would take away from this House completely the decision as to whether we should build an airport in Sidney and give it to a Transportation Commission. By so doing, it would overturn completely a unanimous report of the Committee on Appropriations and also a substantial vote of this House already taken. I hope that you reconsider.

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

Mr. DUMONT: Mr. Speaker, Ladies and Gentlemen of the House: Just a few words briefly in support of the motion of Mr. Katz to reconsider. I wholeheartedly concur and if that motion prevails I will move for indefinite post-

ponement of House Amendment "A". Thank you.

The SPEAKER: The question before the House is on the motion of the gentleman from Augusta, Mr. Katz, that we reconsider our action whereby we adopted House Amendment "A". Is that the pleasure of the House?

The motion prevailed.

The SPEAKER: The Chair recognizes the gentleman from Winslow, Mr. Roy.

Mr. ROY: Mr. Speaker, in reference to Transportation Commission, I now offer House Amendment "B", Filing No. H-355 and move its adoption.

The SPEAKER: The question before the House now is on the indefinite postponement of House Amendment "A". Is it the pleasure of the House that House Amendment "A" be indefinitely postponed?

The motion prevailed.

Mr. Roy of Winslow offered House Amendment "B" and moved its adoption. House Amendment "B" was read by the Clerk as follows:

HOUSE AMENDMENT "B" to S. P. 542, L. D. 1540, Bill, "An Act Creating a State Transportation Commission."

Amend said Bill by inserting at the end of subsection 1 of section 2, after the semi-colon, the following: 'and to study and evaluate any and all reports dealing with the feasibility of a regional airport in Sidney to service Augusta, Waterville and surrounding areas;'

The SPEAKER: Is it now the pleasure of the House that we adopt House Amendment "B"? The Chair recognizes the gentleman from Augusta, Mr. Katz.

Mr. KATZ: Mr. Speaker, I move that House Amendment "B" be indefinitely postponed.

The SPEAKER: The gentleman from Augusta, Mr. Katz, now moves that House Amendment "B" be indefinitely postponed. The Chair recognizes the gentleman from Winslow, Mr. Roy.

Mr. ROY: Mr. Speaker, Ladies and Gentlemen of the House: As you can see, House Amendment "B" all it pertains to is the two reports that was done by in-

dependent concerns in regards to the evaluation of air transportation in central Maine. This is the amount of money that was spent by the state which was twenty-six thousand dollars. All I am asking for is that the Commission evaluates these two reports and that they report it back to the 103rd Legislature. I wish you would support the amendment. I request a division.

The SPEAKER: The question before the House is on the motion of the gentleman from Augusta, Mr. Katz, the House Amendment "B" be indefinitely postponed. The gentleman from Winslow, Mr. Roy, requests a division.

All those in favor of House Amendment "B" 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.

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

Thereupon House Amendment "B" was adopted, the Bill passed to be engrossed as amended in non-concurrence and sent up for concurrence.

The Chair laid before the House the ninth item of Unfinished Business:

HOUSE REPORT — Committee on Health and Institutional Services on recommitment Bill, "An Act relating to Application to Municipalities for Support of Indigent Dischargees from the Pineland Hospital and Training Center" (H. P. 476) (L. D. 629) reporting same in New Draft (H. P. 1126) (L. D. 1536) under same title, and that it "Ought to pass"

Tabled—May 13, by Mr. Baldic of Waterville.

Pending — Motion of Mr. Hunter of Clinton to Indefinitely Postpone. (Specially Assigned for Friday, May 21st)

The SPEAKER: The Chair recognizes the gentleman from Clinton, Mr. Hunter.

Mr. HUNTER: Mr. Speaker, Ladies and Gentlemen of the House: This was the bill that I



was instrumental in having re-committed to the committee. The second hearing held, at the second hearing there was a lot of opposition to this bill. It came out of committee in a redraft, but the redraft doesn't do too much to the bill. I have contacted a lot of town officials and the town managers on this bill and I have heard from a number of them and they all feel that this is a dangerous bill for the towns and cities and could cost them a lot of money and this would come out of their poor accounts. As it stands now they are having a hard time enough to make ends meet. I feel that this is a dangerous bill and that you people of the House here, I'm in hopes will go along with indefinite postponement and eliminate this danger to the towns and the cities. Thank you.

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from Clinton, Mr. Hunter, that this bill and its accompanying papers be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed. Sent up for concurrence.

The Chair laid before the House the tenth item of Unfinished Business:

SENATE REPORT—Committee on Transportation on Bill, "An Act Revising the Motor Vehicle Dealer Registration Law." (S. P. 368) (L. D. 1135) reporting same in New Draft (S. P. 535) (L. D. 1526) under same title, and that it "Ought to pass."

Tabled — May 14, by Mr. Storm of Sherman.

Pending — Acceptance in concurrence. (Specially assigned for Friday, May 21st)

Thereupon, the Committee Report was accepted in concurrence and the New Draft read twice.

Mr. Storm of Sherman offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 535, L. D. 1526, Bill, "An Act

Revising the Motor Vehicle Dealer Registration Law."

Amend said Bill in section 4 by striking out all of the 4th line and inserting in place thereof the following:

'1. Application. Heavy equipment dealers, farm Farm machinery dealers.'

House Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

The Chair laid before the House the eleventh item of Unfinished Business:

Resolve, Proposing an Amendment to the Constitution to Require a Roll Call Vote Upon all Bills on Final Passage. (H. P. 377) (L. D. 479)

Tabled—May 14, by Mr. Kennedy of Milbridge.

Pending—Final Passage. (Specially assigned for Friday, May 21st)

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

Mr. KENNEDY: Mr. Speaker, in as much as we have an order offered by the gentleman from Orono, Mr. Anderson, of May the nineteenth relative to this, I would hope that someone would table this until the day that the previous matter was tabled, relative to the same subject matter.

On motion of Mr. Jalbert of Lewiston, retabled pending final passage and specially assigned for Wednesday, May 26.

The Chair laid before the House the twelfth item of Unfinished Business:

DIVIDED REPORT—Majority (9)—"Ought to pass" as amended by Committee Amendment "A"—Minority (1)—"Ought not to pass"—Committee on Labor on Bill, "An Act relating to Payments Under Employment Security Law for Dependent Children." (H. P. 828) (L. D. 1056) (C. "A" H-150)

Tabled — May 17 by Mr. Levesque of Madawaska.

Pending—Acceptance of Either Report. (Specially assigned for Friday, May 21st)

On motion of Mrs. Levesque of Madawaska, retabled pending acceptance of either report and specially assigned for Wednesday, May 26.

The Chair laid before the House the thirteenth item of Unfinished Business:

**DIVIDED REPORT** — Majority (8) — Committee on Retirements and Pensions on Bill, "An Act to Liberalize Credit for Out-of-State Service Under State Retirement Law." (H. P. 367) (L. D. 469) reporting same in New Draft (H. P. 1047) (L. D. 1418) under title of "An Act to Liberalize Credit for Out-of-State Service for Teachers Under State Retirement Law," and that it "Ought to pass"—Minority (2)—"Ought not to pass."

Tabled — May 18, by Mr. Levesque of Madawaska.

Pending—Motion of Mr. Kennedy of Milbridge to accept Minority "Ought not to pass" Report. (Specially assigned for Friday, May 21st)

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

Mr. **KENNEDY**: Mr. Speaker, if it is the pleasure of the House, I would withdraw my motion to accept the "ought not to pass" report.

The **SPEAKER**: The gentleman from Milbridge, Mr. Kennedy, now withdraws his motion to accept the minority "ought not to pass" report. The Chair recognizes the gentleman from Madawaska, Mr. Levesque.

Mr. **LEVESQUE**: Mr. Speaker, I now move that we accept the Majority "ought to pass" report.

The **SPEAKER**: The gentleman from Madawaska, Mr. Levesque, now moves that we accept the Majority "ought to pass" Report. The Chair recognizes the gentleman from Southport, Mr. Buck.

Mr. **BUCK**: Mr. Speaker, Ladies and Gentlemen: A gentleman in this House approached me last Friday and suggested that possibly we ought to pass this bill by and I suggested that possibly we ought. I was not, I am not wholly against the features of this bill which have to do with the present, but I am opposed to that section of

this bill in which I am told I think on good authority, that this bill covers. I have always thought if a person made an agreement with anybody that they didn't come back later on and make some retroactive agreement to compensate themselves. That is, if a person agreed in this instance here, if a person agreed to pay their proportionate share of the previous ten years of service they served out of state and they did pay it into the retirement system that the state should hold them to that obligation.

And if I am correct, and I have been told on competent authority that I am, this bill provides that any teacher coming into the State of Maine who has had from one to ten years prior service must pay into the Maine State Retirement System ten percent of their last yearly salaries for those years before they can become a member of it. Now this bill proposes to reimburse those teachers five percent of that ten percent they have to pay in the state and which they have already paid into the state. In other words, the state is picking up the tab for money they have already paid into the state. I have attempted to find out how many there are for each year and I found out the total number for one year only, 1964. And I recollect there were ninety-eight at that time.

Far be it from me to be in opposition to any member of this House other than for clarification and understanding. And I believe that if we examine clearly the proposal we will have a better understanding of it and what it does. I think that this bill for future use is nice to have, but not vital to our economy. I have, and as I say now the proposal of this bill comes along and says let us give back to these teachers what they have already paid into the system and let us the State of Maine place our money there instead and give them back what they have paid. These teachers made an agreement with the school boards when they were hired. This agreement will cost the State of Maine General Fund thirty thousand dollars per year. I do not know what the

amount is for the nine previous years as I have stated before, but an estimate would involve possibly three hundred thousand dollars. I have checked with a member of the Appropriations Committee and find that he's very reluctant to pay this money out of the General Funds of the State. And for that reason I am opposed to the state entering into such an agreement.

Here we have a group of teachers coming into the state in good faith, paying their share of what they owe into the retirement system and on the other side we have some person or persons, a group of persons telling someone they will get some money out of the State of Maine for which no service was required. I say that if any money is given by the State of Maine, give it to one of our regular State of Mainers and I think back. I went to an Appropriations Committee meeting several weeks ago and there was a gentleman there who was proposing that the State of Maine reimburse graduates of our teachers colleges at least three hundred dollars a year if they would teach the succeeding four years in the State of Maine. I think we could get more out of that than we could out of the present proposition.

Now, we have graduates of our teachers colleges and they of course come out of our colleges looking for work. I think this — the hiring of out-of-state teachers which of course may be alright, may be very fine, they are excellent people, I have no quarrel with the type of individual, but I still think it cuts down the number of jobs available for the graduates of our present teacher colleges. I have found some excellent teachers in out-of-state teachers, but I have also found very excellent teachers graduates of our Maine State colleges. I can't see the argument given to me by a lobbyist that this will offer a large financial saving to the state. As a matter of fact, our own colleges are filled with out-of-state people to the detriment of the State of Maine high school graduates. In fact, I was going to mention a personal item but I guess I won't.

Another factor which must be considered when you make an agreement to hire out-of-state teachers is that you reduce the job opportunities for in-state teachers. Here we train our own people for teachers on one hand and yet say there is no job on the other.

Finally, in summary, I would suggest that this system as proposed is costly to the State of Maine and secondly it affords less opportunity for Maine graduates of our teacher colleges in Maine. It discriminates against our own graduates and State of Maine teachers.

The SPEAKER: The question before the House is the motion of the gentleman from Madawaska, Mr. Levesque, that the House accept the Majority "Ought to pass" Report. All those in favor of the ought to pass report will say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed, the New Draft read twice and tomorrow assigned.

The Chair laid before the House the fourteenth item of Unfinished Business:

HOUSE REPORT — Committee on Labor on Bill, "An Act relating to Time of Payments of Benefits Under Employment Security Law." (H. P. 824) (L. D. 1054) reporting same in New Draft (H. P. 1092) (L. D. 1488) under same title, and that it "Ought to pass."

Tabled—May 18, by Mr. Gifford of Manchester.

Pending—Acceptance. (Specially assigned for Friday, May 21st)

On motion of Mr. Gifford of Manchester, retabled pending acceptance and specially assigned for Wednesday, May 26.

The Chair laid before the House the fifteenth item of Unfinished Business:

DIVIDED REPORT — Majority (9)—Committee on Liquor Control on Bill, "An Act relating to Retail Liquor Store Premises with Entrances to Other Premises." (H. P. 838) (L. D. 1129) reporting same in New Draft (H. P. 1141) (L. D. 1561) under same title and that it "Ought

to pass"—Minority (1)—"Ought not to pass"

Tabled—May 20, by Mr. Eustis of Dixfield.

Pending—Motion of Mr. Cote of Lewiston to Accept Majority "Ought to pass" Report. (Specially assigned for Friday, May 21st)

The SPEAKER: The Chair recognizes the gentleman from Dover-Foxcroft, Mr. Meisner.

Mr. MEISNER: Mr. Speaker, I had this bill tabled last week in order that I might further study the bill. I signed a lone minority ought not to pass report, and after studying the bill, I still would sign the minority report.

I do not like the bill for several reasons. I am not going to debate these reasons very long, just have opportunity to state them. In the first place, I do not like the definition of this bill, and the store that is going to be permitted to sell malt liquor under this definition. Now the definition of retail store under the liquor law must be self-contained, operated by owner or lessee with no doorways or entrances into another place of business. Now this particular bill, if you have read it, will allow two stores or any number of stores under a common roof to do business and these stores, one of these stores to sell malt liquor. Now this is in violation of this law which we have, on liquor law which is on the books at the present time, and I feel that this would open the doors wide for any store in the State of Maine to have a liquor store in it. It does not state here how many stores shall be under this common roof. There may be two, possibly there may be a dozen. One of these stores can apply to the commission for a license to sell malt liquor, and the commission may not refuse him because he is under the common roof with other stores.

You have heard me say before that I am absolutely opposed to the broadening of the liquor sales, the promotion of the liquor business, and I think that this is just what we are doing with this bill and for this reason I am opposed to it, one reason.

The next one is the difficulty of inspection. When this bill had

hearing, the Liquor Commission came in and opposed it very vigorously because they said it would be very difficult for them to inspect adequately this type of store. There is here, however, a clause that has been put into this new draft, there is a sentence in this clause that puzzles me a little bit. It says here that all persons organized and existing doing business under the common roof, having common entrance ways shall in writing to the commission agree to allow reasonable inspection of their premises by authorized enforcement agents of the Liquor Commission.

Now this — I am not a lawyer nor the son of a lawyer, perhaps the lawyers can set me straight on this. What is the definition of "reasonable inspection?" And who is going to decide what a reasonable inspection is? The enforcement agent or the man who leased the store? Those of us who have done business where we have had to be under inspection know how easy it is to be perturbed. We think that inspectors are coming too often, and if there is a complaint made about one of these stores that is not licensed, to the commission and he sends his agent in, if he comes once and doesn't find anything, and he thinks perhaps he must come again, and he comes the second time, what if the lessee should say: this is unreasonable, and tell him to get out. Why wouldn't he have to go? This, I think, could cause a great deal of conflict between the enforcement agent and perhaps lead to court action. And if this is granted to this person, this number of stores, it should be granted to other licensees who do not have this privilege that is going to be granted to this man under this common roof, and I think that as it is not stated here how many stores should be under this roof, it seemed to me that to begin with two stores and then progress to any number of stores, and I have understood that there are some stores now that are just waiting for this bill to pass in order that they might make application too so that they can lease one-half of their store where liquor may

be sold. This is to me a broadening of the liquor business, and I think too that just at the present time this bill was drafted with one particular store in mind, one particular person, which would be permissive legislation which is not good legislation.

I am a little bit alarmed, a little bit surprised the way these liquor bills are going down the drain under the hammer these days. I think if we are going to allow malt liquor to be sold in all of our stores everywhere that we will be having sadder reports than we had this morning of death and accidents on our highways. That is why I am going to vote against the majority report to accept this bill, and I hope you will do likewise, and when the vote is taken, I ask for a division.

The SPEAKER: The Chair recognizes the gentleman from Winslow, Mr. Roy.

Mr. ROY: Mr. Speaker, as a member of the Liquor Control Committee and as a signer of the majority report, ought to pass, it is true that this only pertains to one store in Maine, for the simple reason we only have one store that comes under this law, and this is the reason why this bill was drafted up. The store in question happens to be Bradlee's Department Store in Westbrook, and as you in this House know that this is a store which consists of about 100,000 square feet which is subleased to three or four different other departments within the building, which in turn with this type of legislation, this permits other stores of this type to be constructed in the State of Maine. This is only making the law which allows the retail store, the grocery store, to carry malt beverage on their stands like any other retail stores that we have in this state. The only reason why he can't obtain a malt beverage license is because he hasn't got a wall to divide the interior of the store from the rest of the building. I think in order for us to allow more concerns of this type to build more stores about the state, I think we should allow this bill to pass, and in regards

to the committee itself, this is about the fourth or fifth redraft. Another question came up about this bill being unconstitutional. We referred it to the Attorney General's Office and they in turn sent it back to the committee and said that the bill was all right. I hope that the House will support the Majority ought to pass Report.

The SPEAKER: The question before the House is the motion of the gentleman from Lewiston, Mr. Cote, that we accept the Majority "Ought to pass" Report on Bill "An Act relating to Retail Liquor Store Premises with Entrances to Other Premises," H. P. 1141, L. D. 1561. The gentleman from Dover-Foxcroft, Mr. Meisner, has requested a division. All those in favor of accepting the Majority ought to pass report will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Sixty having voted in the affirmative, forty-seven having voted in the negative, the motion prevailed, the New Draft read twice and tomorrow assigned for third reading.

The SPEAKER: The Chair would request the Page to escort the gentleman from Madawaska, Mr. Levesque to the rostrum to serve as Speaker pro tem.

Thereupon, Mr. Levesque of Madawaska assumed the Chair as Speaker pro tem and Speaker Childs retired from the Hall of the House.

The Chair laid before the House the sixteenth item of Unfinished Business:

DIVIDED REPORT — Report "A" (5) — "Ought to pass" — Report "B" — (5) — "Ought not to pass" — Committee on Liquor Control on recommitted Bill, "An Act Permitting Entrances from Class A Restaurants to Owners Living Quarters." (H. P. 978) (L. D. 1316)

Tabled — May 20, by Mr. Bernard of Sanford.

Pending — Acceptance of Either Report. (Specially assigned for Friday, May 21st)

The SPEAKER pro tem: The Chair recognizes the gentleman from Augusta, Mr. Lund.

Mr. LUND: Mr. Speaker and Members of the House: I move the acceptance of the ought to pass Report and I would speak to the motion.

This bill met with the objections of half of the committee. The reason for the objections chiefly I think was that if this bill were passed in the form in which it was submitted, it would permit a person who operated a class A restaurant to enter his living quarters through the portion of the premises where liquor was served. This would mean that children for instance going to and from school would have to proceed through the portion of the premises where liquor was served. Subsequent to the committee's report, I have gone over the problem with the bill's sponsor, the gentleman from Old Orchard, Mr. Danton, and he has an amendment which he will offer which I think takes care of my objection to the bill in its present form, and I think his amendment would permit this type of entrance provided the person using it did not have to go through the premises where liquor was served in order to come and go to the living quarters.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Augusta, Mr. Lund, that we accept Report "A" "Ought to pass."

Mr. Evans of Freedom requested a division.

The SPEAKER pro tem: A division has been requested. All those in favor of the acceptance of Report "A" "Ought to pass" on Bill "An Act Permitting Entrances from Class A Restaurants to Owners Living Quarters," H. P. 978, L. D. 1316 will rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Fifty-nine having voted in the affirmative and forty having voted in the negative, the motion prevailed and the Bill read twice.

Mr. Danton of Old Orchard Beach offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 978, L. D. 1316, Bill, "An Act Permitting Entrances from Class A Restaurants to Owners' Living Quarters."

Amend said Bill in the last line by inserting after the underlined word "quarters" the underlined words and punctuation **'provided that said entrance to living quarters shall be so constructed that it shall not be necessary to go through the area where liquor is served in order to enter said living quarters'**

House Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

The Chair laid before the House the seventeenth item of Unfinished Business:

HOUSE REPORT — Committee on Health and Institutional Services on Bill, "An Act Authorizing Use of Prisoner Assistance by Certain Charitable Organizations." (H. P. 805) (L. D. 1097) reporting same in New Draft (H. P. 1115) (L. D. 1522) under title of Bill, "An Act Authorizing Use of Prisoner Assistance by Charitable Organizations," and that it "Ought to pass"

Tabled — May 20, by Mr. Dunn of Denmark.

Pending — Acceptance. (Specially assigned for Friday, May 21st)

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

Mr. BIRT: Mr. Speaker and Members of the House: This bill possibly might have some merit to it in the sense that if any of you — probably most of you have at one time or another been involved with trying to get work done around charitable institutions, and this might be a source of getting some work done, but in looking it over, I wonder if some of the problems that could develop from its passage have been given any serious consideration of what the state might be

getting into if they allowed this bill to become law.

There are quite a few areas we might give some thought to. In the first place, what comes under the area of charitable institutions? Are these institutions that are authorized by charitable deductions under the income tax law? What about fraternal organizations or veterans organizations such as the American Legion, churches or colleges of which we have three or four private colleges in the state, such as Bates, Bowdoin or Colby. Do these fall into the area of charitable institutions? Would they be allowed to use prison labor under this act? Apparently it would appear that they might, because it just gives the broad interpretation of charitable institutions. Then if this is so, in the first place how will they be able to determine what are charitable institutions and what aren't? And if this is so, then who will be responsible for them? It is true that you pay the expenses of transporting them there, but what about things like escape or what about any harm that they might do if some prisoner should make a violent act against some person who — some innocent person.

This possibly is considered to be under the area of rehabilitation but I wonder how much rehabilitation, outside of exercise, this could actually be interpreted to be.

And also in another area, what about compensation? Do we have any authority to tell prisoners that they have to work for a private organization even though it is a charitable organization, without being properly compensated, or what about the area of competition with the present labor market? If you take prisoners out and put them in competition with people who might be looking for gainful employment, what is the situation that might develop there?

It seems to me that there are quite a few questions which might be developed in this, and I consequently feel that it might not be a good piece of legisla-

tion, and I would move its indefinite postponement.

The SPEAKER pro tem: The Chair recognizes the gentleman from Old Town, Mr. Binnette.

Mr. BINNETTE: Mr. Speaker and Ladies and Gentlemen of this House: I will try to attempt to answer some of the questions that my colleague from East Millinocket has brought up in regard to the use of prisoners.

We had a lengthy hearing in that regard, and I think many of you here will remember at the last session that there were a lot of help working on the grounds of the Capitol here. These were some of the boys that were confined to one of our institutions. They take them out to do a lot of profitable work at no cost to the state. Now these charitable organizations who are desirous of having this type of help know in advance that they have to take care of transportation and whatever cost is involved, and in many instances I think that they will be rather reluctant to the use of this charitable help, because they could hire some at much less cost, but as far as these people who are out and the state being responsible for them, there are many many instances where the state is doing the same thing and we haven't had any ill results, and I don't think they will take a hardened criminal out from the confines of our prisons to put them out doing some work. They will take people who are practically ready to be rehabilitated, and these people are what are known as trustees, and they have a lot of faith in them. In fact, I do myself, some of those people who have served their sentences and who I think could be doing a little bit of good for the people of the state, and I therefore move against this motion to indefinitely postpone this act.

The SPEAKER pro tem: The Chair recognizes the gentleman from Gardiner, Mr. Hanson.

Mr. HANSON: Mr. Speaker and Members of the House: I concur with the remarks of the gentleman from Old Town, Mr. Bin-

nette. This is a bill which I did present by request of some of the heads of the institutions within the state, and many of the remarks that Mr. Binnette made I was going to make, but I feel that the thousands of dollars that we are spending for rehabilitation, and the possible rehabilitation cases that might occur after these inmates are out, that it could be profitable for the state. I also feel that it is much better for these trustees to be out doing some gainful work, possibly learning something in the line of carpentry or plumbing or electrical work or working on lawns, landscaping in a minor manner, it is much better for them than it is for them to be sitting in their cell twiddling their thumbs. They get tired of reading and telling stories I presume.

The superintendent of our state prison was very much in favor of this, also the superintendent of the reformatory at South Windham. I also talked with one of the gentlemen within a department and he was very much in favor of this. As far as the cost goes, these — this help could not be obtained unless they paid the transportation to and from their work, also paid the guard for his services as well, so it would be absolutely no cost to the state and it is a form of rehabilitation. I am very much in hopes that it will pass, and I am opposed to the motion for indefinite postponement.

The SPEAKER pro tem: The Chair recognizes the gentleman from Houlton, Mr. Lycette.

Mr. LYCETTE: Mr. Speaker and Members of the House: I haven't looked into this too closely. I assumed when I first read the original bill it didn't apply to state institutions, but I notice in here somewhere in my perusal of this literature that it says something about county commissioners, and I would like to pose the question to my friend, Mr. Hanson, if it includes county prisoners?

The SPEAKER pro tem: The gentleman from Houlton, Mr. Lycette has posed a question

through the Chair to the gentleman from Gardiner, Mr. Hanson, who may answer if he so chooses.

Mr. HANSON: Mr. Speaker, the only answer that I can give on this is that I was approached by one sheriff and he has quite a number within the confines of the county jail which he allows out to work around the premises of the jail, and I understand they have worked some on the parks and like that, and he felt that it would also be very good, but there is only one sheriff that has approached me on it. Does that answer your question?

The SPEAKER pro tem: The Chair recognizes the gentleman from Houlton, Mr. Lycette.

Mr. LYCETTE: Mr. Speaker, quite some years ago someone tried to pull a fast one I guess over the sheriffs, to force the sheriffs to employ prisoners outside the jail. I happened to catch it in time and I came down here and when the other sheriffs found out what was going on, why of course in the meantime they had been adamant on this thing because they didn't understand the wording of it, and they did oppose it and of course it was beaten. Now the only thing I am interested in as far as the sheriffs are concerned, I don't know why I should worry about the sheriffs now, but I know from one sheriff's experience that he was sued quite an amount, and rather than go through the perils of a law suit, he settled. If this does include sheriff's prisoners, I am surprised that none of the sheriffs appeared against this, but if they didn't, I assume it must be all right, but I thought I would call that to you folks attention. Thank you.

The SPEAKER pro tem: Is the House ready for the question? The question before the House is the motion of the gentleman from East Millinocket, Mr. Birt that this Bill "An Act Authorizing Use of Prisoner Assistance by Charitable Organizations," H. P. 1115, L. D. 1522 be indefinitely postponed.

Mrs. Harvey of Windham requested a division.

The SPEAKER pro tem: A division has been requested. All



those in favor of the indefinite postponement of this bill will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Twenty-one having voted in the affirmative and seventy-five having voted in the negative, the motion did not prevail.

Thereupon, the "Ought to pass" in New Draft Report was accepted, the New Draft read twice and tomorrow assigned.

The Chair laid before the House the eighteenth item of Unfinished Business:

Bill, "An Act to Clarify the Motor Vehicle Laws." (H. P. 1093) (L. D. 1489) (S. "A" S-165) (H. "A" H-306)

Tabled—May 20, by Mr. Dunn of Denmark.

Pending—Adoption of House Amendment "A". (Specially assigned for Friday, May 21st)

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I now move the indefinite postponement of House Amendment "A" to L. D. 1489. I understand there will be an amendment offered, House Amendment "B" and I would support that amendment but I am opposed to House Amendment "A" as it didn't have a hearing and it covers quite a lot of ground for an item that hasn't been heard.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Enfield, Mr. Dudley, that House Amendment "A" be indefinitely postponed.

Mrs. Ruby of Bangor requested a division.

The SPEAKER pro tem: A division has been requested. All those in favor of the indefinite postponement of House Amendment "A" will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Sixty-one having voted in the affirmative and twenty-seven hav-

ing voted in the negative, the motion prevailed.

Mrs. Kilroy of Portland offered House Amendment "B" and moved its adoption.

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

HOUSE AMENDMENT "B" to H. P. 1093, L. D. 1489, Bill, "An Act to Clarify the Motor Vehicle Laws."

Amend said Bill by inserting after section 3 the following:

"Sec. 3-A. R. S., T. 29, § 581, amended. The last sentence of section 581 of Title 29 of the Revised Statutes is amended to read as follows:

"No such application for reexamination shall be accepted until 6 months after the expiration of said permit, except that the Secretary of State, in his discretion, may waive such 6-month "waiting period." "

Further amend said Bill by renumbering sections of the Bill to read consecutively.

House Amendment "B" was adopted, the Bill passed to be engrossed as amended by Senate Amendment "A" and House Amendment "B" in non-concurrence and sent to the Senate.

At this point, Speaker Childs returned to the rostrum.

SPEAKER CHILDS: The Chair thanks the gentleman from Madawaska, Mr. Levesque, for serving as Speaker pro tem and for the excellent job that he did.

Thereupon, the Sergeant-at-Arms escorted the gentleman from Madawaska, Mr. Levesque, to his seat on the Floor amid applause, and Speaker Childs resumed the Chair.

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

HOUSE REPORT — "Ought to pass" as Amended by Committee Amendment "A" — Committee on Towns and Counties on Bill, "An Act Authorizing County Commissioners for York County to Make a Loan for Construction of a Sewage Treatment and Disposal System for its Courthouse and Jail." (H. P. 571) (L. D. 741) (C. "A" H-153)

Tabled—May 17, by Mr. Carroll of Limerick.

Pending—Motion of Mr. Bernard of Sanford to Indefinitely Postpone.

The SPEAKER: The Chair recognizes the gentleman from Limerick, Mr. Carroll.

Mr. CARROLL: Mr. Speaker, Ladies and Gentlemen of the House: I went to the Water Improvement Commission and pointed out to them that the County Commissioners of York County were asking for \$100,000 for a sewage disposal plant, and I requested that they make a study, which they did, and they came back and I have here a letter from them in which they recommended that we give the County Commissioners authority to raise \$35,000, and therefore, I will offer House Amendment "A" to this, so therefore, I ask you not to indefinitely postpone this bill at this time.

The SPEAKER: All those in favor of this bill and its accompanying papers being indefinitely postponed will say aye;—

Mr. Levesque of Madawaska requested a division.

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

A division of the House was had.

None having voted in the affirmative and ninety-five having voted in the negative, the motion did not prevail.

Thereupon, the House Report "ought to pass" was accepted and the Bill read twice.

Mr. Carroll of Limerick then offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 571, L. D. 741, Bill, "An Act Authorizing County Commissioners for York County to Make a Loan for Construction of a Sewage Treatment and Disposal System for its Courthouse and Jail."

Amend said Bill in the 2nd line by striking out the underlined figure "\$100,000" and inserting in place thereof the underlined figure "\$35,000"

Further amend said Bill in the 8th line by striking out the figure "\$100,000" and inserting in place thereof the figure '\$35,000'.

House Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

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

DIVIDED REPORT — Majority (6)—"Ought to pass" as Amended by Committee Amendment "A"—Minority (4)—"Ought not to pass"—Committee on Sea and Shore Fisheries on Bill, "An Act relating to Use of Purse Seines in Taking Herring from Certain Waters." (H. P. 540) (L. D. 714) (C. "A" H-350)

Tabled—May 20, by Mr. Lowery of Brunswick.

Pending—Acceptance of Either Report.

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

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

The SPEAKER: The gentleman from Brunswick, Mr. Lowery, moves the acceptance of the Minority "Ought not to pass" Report.

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

Mr. PRINCE: Mr. Speaker, I move we accept the Majority Report.

The SPEAKER: The question before the House is the motion of the gentleman from Brunswick, Mr. Lowery, to accept the Minority "Ought not to pass" Report. The gentleman may proceed.

Mr. PRINCE: Mr. Speaker, Ladies and Gentlemen of the House: This legislative document received a good hearing and was backed up by petitions from the purse seiners, stop seiners rather, to a tune of 78, and 184 lobster fishermen, who petitioned for this protection and for this passage of this bill.

This L. D. is a very important act. It concerns the economy of the State of Maine, especially in Cumberland County, and deals with a part of our fisheries of Maine, namely the sardine indus-

try in the Casco Bay area. This bill is designed to protect the so-called stop seiner who catches herring for fish food for human consumption and for many years been the chief supplier for the sardine factories in the Portland area. Today there are other uses of fish commonly used in fertilizers, poultry oil, and pearl essence and cat and dog food, which uses many species of fish in their grinding operation, but find it very convenient to use herring or sardines. The chief supplier of this operation is another type of seiner known as a purse seiner who can set their seines most anywhere in the ocean waters around or into a school of fish. The stop seiner is restricted in his operation as he has to use two points of land either by shutting off coves, inlets, or setting off the shore line. In each instance two ends of his seine has to come to the land. The stop seiner is opposed to purse seining in certain areas in Casco Bay as defined in this document, as the purse seiner scares off and breaks up schools of herring that will not come into the coves and inlets or to the shore and shore waters. By instinct when fish are frightened they race to the open ocean just as wild animals will race to the woods for protection. In this case it is disastrous to the operation of the stop seiner, the most popular and far the best method of catching herring as a food fish in the Casco Bay area. A stop seiner can hold herring in captivity for a long period of time as plenty of space can be allowed, so that fish containing red feed which is disastrous for canning can be discharged. The red feed — or they can wait until in case of a glut with the factory that all seiners who may have fish stocked at that time can get rid of their fish by a rotating system. All the stop seiners can have their turn and get rid of the fish. Often when this condition takes place the stop seiner will sell to the eastern factories, and if the factories east don't happen to have the fish they are very happy to send their carriers to the Casco

Bay area, which I have seen many many times.

Now the purse seiner when he sets his twine around a body of fish and purses the twine together these fish which might be loaded with red feed have to go to a market as a smothering condition takes place when fish are pursed tightly together. These herring that will have to go to the grinders due to the red feed could have been held by the stop seiner until they discharged the red feed.

So you see fish that could have been useful to mankind as a food had to go to the grinders which to me is wasteful. Two disastrous things take place when purse seiners fish too close in coves and inlets. One, the stop seiner waits in vain for fish that ordinarily would have come to his cove and inlets that he could probably sell. Two, the sardine packer with steam up waits in vain for herring to be canned.

The D E D is making a great effort at a great expense to bring new industry into the State of Maine. We should make the same great effort to preserve and protect the industries we already have. In this instance, the sardine industry represents from one and one half to one and three quarter million dollars to the economy of Cumberland County, and the State of Maine. The payroll amounts to between five and six hundred thousand dollars annually. If the sardine packers can't get the fish then they will have to close their factories, and this could happen quickly if purse seining continues in the inner bay fishing area, and the cannors there will tell you so.

This bill, as amended, won't affect the purse seiner at all, and will help the stop seiner that the sardine packers in Casco Bay depend seriously on. As amended, the purse seiner can operate in October, November, December, January, February, March and April anywhere in the Casco Bay area, and at all times just outside this line, which is good fishing at all times and where the stop seiner cannot operate. Consider the effort on the part of Aroostook

County and the Legislature to help create a sugar beet industry in Aroostook County. The purpose to increase the economy of that County and the State of Maine, which I certainly concurred with as a good business proposition. And in a similar process of reasoning, we in Cumberland County want to preserve our sardine industry. This bill does not call for any money, just a restriction such as we have many of to preserve the sardine industry and allow over one hundred families in the Casco Bay area their livelihood derived from stop seining. This restriction pertains only to the catching of herring, any other top water fish can be caught at all times by the purse seiner, mackerel, pogies and so forth. The stop seiner is not looking for any economic advantage over the purse seiner, but they're asking this Legislature to protect their livelihood and the future of the sardine industry in Cumberland County, by keeping the purse seiner from fishing in the inner bay and coves, thus preventing the breaking up of schools and allowing these fish to come to the shore, from May first to October first. This will preserve a very important industry in Cumberland County. It will give 100 families their livelihood. It will protect a five to six hundred thousand dollar payroll and at the same time allow the economy resulting from a grinders market in Cumberland County to go unharmed as the purse seiner, who is the largest producer of the fish they use, can use their method of fishing just as effectively outside this inner bay boundary, thus giving both types of seiners an equal privilege to supply both markets economically for all concerned. I hope that this House will not accept the minority report and I move to accept the majority report.

The SPEAKER: The Chair recognizes the gentleman from Woolwich, Mr. Harvey.

Mr. HARVEY: Mr. Speaker, this is the old fight between the purse seiners and the stop seiners trying

to get their squabble settled for them before the Legislature.

Now this is strictly prejudice against the purse seiner who has to have anywhere from forty to seventy thousand dollars worth of equipment tied up in his boat and purse seines, and it also is restriction against free enterprise. Now if the stop seiner wants to invest capital in equipment, there is nothing to prohibit him from buying equipment, the boat and the seines; and competing with the purse seiners, nothing in the world.

Now as far as the purse seiners breaking up a school of fish and preventing them from coming in to the stop seiners seine, I have investigated this with the Sea and Shore Fisheries and there is no evidence whatsoever that this is true, so I think it appears to me that this is just a local squabble. There was a bill introduced to this Legislature two sessions ago, same type, same restrictive measures, and it was repealed last session, so as I believe that this is against free enterprise and it shows prejudice to the purse seiner. I will go along with the report of Mr. Lowery that this minority report should be accepted. Thank you.

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

Mr. JALBERT: Mr. Speaker, I think the time and the date has arrived where lengthy debate is out the window. I move the previous question.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, has moved the previous question. For the Chair to entertain the previous question it must have the expressed consent of one-third of the members present. All those in favor of entertaining the previous question will kindly rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

The SPEAKER: Obviously, more than one-third having arisen, the previous question is in order. The question before the House is shall the main question be put now, which is debatable—

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

Mr. LIBHART: Mr. Speaker and Members of the House: Here we go again limiting debate on a bill that is important to the fishermen at least if it is not important to this House. I have often heard up and down the coast that this Legislature does not care about the fishermen. I think we have demonstrated it this term in our very rapid ignoring of other bills meant to either help them out or ease some of the conditions in their industry.

I don't care when we get out of here, whether we are paid or not. As I said the other day, I would like to get out just as soon as the rest of you, but when these things come up and you have got one person speaking for and one person against and then you limit debate, it seems to me that you are not doing the State of Maine the justice it deserves. You are derelict in the duties that you swore to do when you came into this House back in January, and regardless of when we want to get out of here, whether we are paid or not, I for one feel that we should do the job the way it should be done, and I hope you'll defeat this motion to limit this debate.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I have been here since 1945. I have never had a member who has questioned my being derelict in my duties.

Now as far as ignoring over the years or going along with the good wishes of the fishermen, I think the gentleman from Harpswell, Mr. Prince, will bear me out, that I helped to protect the lobster industry as much as any member in this House, and I didn't care how much time I took doing it.

Now the gentleman from Brewer, Mr. Libhart, may say he doesn't care if he is here until August; I do! Now I have made up my mind on this thing and I think most of the members have; I have listened to both sides, I have questioned the lobbyists on

both sides, and I think this is it. After all, this isn't the current services budget, it's a fish bill.

The SPEAKER: The Chair recognizes the gentleman from Eastport, Mr. Mills.

Mr. MILLS: Mr. Speaker, Ladies and Gentlemen of the House: In previous legislation we have been setting up a Sea and Shore investigating committee to report back to the next legislative session. I think this should go by indefinite postponement.

The SPEAKER: The question is shall the main question be put now.

The merits of the bill are not debatable. The Chair recognizes the gentleman from Harpswell, Mr. Prince.

Mr. PRINCE: Mr. Speaker, is it debatable to speak of restrictions that are made along the coast of Maine?

The SPEAKER: It is not. The only question before the House now is, shall the main question be put now? All those in favor of the main question being put now will say aye; those opposed, no.

A viva voce vote being taken, the main question was not ordered.

The SPEAKER: The question before the House now is the motion of the gentleman from Brunswick, Mr. Lowery, that the Minority "Ought not to pass" Report be accepted.

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

Mr. RICHARDSON: Mr. Speaker and Ladies and Gentlemen: As a representative from the coast of Maine, I would feel remiss if I just didn't say a few words concerning this bill. I think that L. D. 714 has the support of many of the thinking fishermen on the coast of Maine.

Now this bill does not of itself mean that the entire coast would be closed, because as the gentleman from Harpswell, Mr. Prince has already pointed out only a section of the Maine coast would be closed. I think that this would be very wise and very well to put into effect to try if for nothing more than as an experiment, because the bill is limited

to two years of life. I would point out that the study which my good friend from Eastport, Mr. Mills pointed out as being made, was limited by the order to the lobster industry and not to the herring industry.

There has been much discussion on the part of the Department of Agriculture and also on the part of many of the factories of the fact that fish should be held in twine before taking in to be packed for at least twenty-four hours in order to clean the feed out of these fish. This is an utter impossibility in the purse seine, I would hope that you would go along with the bill and against the motion to indefinitely postpone to give this an opportunity to be tried to see if it is worthwhile. Thank you.

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

Mr. PRINCE: Mr. Speaker, Ladies and Gentlemen; I would like to remind my good friend from Woolwich that this is not a brawl that is taking place in Casco Bay, this is a very serious situation, and it is not based on anything but facts, and I would like to remind the members of this House that restrictions are not anything that is new in the State of Maine.

For example, I would like to remind this House of one act, section 32, use of purse and drag seines in the waters of Sargentville Harbor: the use of purse and drag seines is prohibited in the waters of Sargentville Harbor, known as Billings Cove. That is one restriction. And there is a reason for it, and it is a good reason. I would like to remind the members of the House of another restriction, section 36, otter or beam trawls prohibited in Washington County. The use of either otter or beam trawls within the territorial waters of Washington County is prohibited. That is another restriction. And the same thing holds true at Monhegan Island, which most of you are familiar with, and in this book there are many restrictions, and you have to have restrictions pertaining to the fisheries protection.

I have introduced a good many pieces of legislation for the fishermen in my six terms here at the legislature, and I have never put my name to a piece of legislation that wasn't good legislation for the majority of the fishermen or for the good of the industry. I think that this House would be very unwise not to go along with this as a test case, and it would only be in 1966 that these purse seiners would be deprived for just five months so that the catch of sardines could be put up in Cumberland County. When one isn't familiar with marine problems and fishermen's problems it is not easy for them to understand why things like this come to the legislature, but when 275 fishermen appeal to this legislature with petitions for help, it should not be disregarded, and I hope that you will give this bill an OTP. Thank you very much.

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

Mr. HEALY: Mr. Speaker, Ladies and Gentlemen of the House: I am going to be brief in my remarks and I am sure you are going to like it that way, and especially the gentleman from Lewiston, Mr. Jalbert.

The gentleman from Harpswell, Mr. Prince, has suggested that this is going to affect the economy in Cumberland County or in Casco Bay because of the sardine packers—the people employed in the sardine factories will not get employment this year. I am pretty familiar with the number of sardine factories in Cumberland County, I believe there are five. There are three of them that are already closed up that are not going to do any packing this year. The other two haven't opened yet, and it is questionable in my mind as to whether one more at least will open.

Now insofar as the purse seining affecting the stop seiners, the stop seiners are the seiners who seine in the harbors and close to the harbors, and the purse seiners seine outside of the harbors usually in quite deep water, and I can't believe, and I don't think Mr. Prince does either, that the

fish can't get by those purse seiners and come in there to satisfy the stop seiners. There are a great many fishermen on the coast of Maine who are dependent upon the catch of this purse seining fishing, and incidentally that is going to be the plan of fishing in the future, purse seining. Therefore, I would suggest that the members of this House accept the minority ought not to pass report. Thank you.

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

Mr. PENDERGAST: Mr. Speaker, Ladies and Gentlemen of the House: L. D. 741 with the House Amendment "A" is a good bill by insuring a good sardine pack for the cannery for this season. As the gentleman from Harpswell, Mr. Prince pointed out, the sardines caught by the purse seiners during the summer is smothered and have to be sold to the catfood factories, thereby cutting down the fish to be packed by these factories. Therefore I urge your support of L. D. 714 and the accompanying amendment filed under H-350 and vote against the motion before the House to accept the "ought not to pass report. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Harpswell, Mr. Prince, who requests permission once more to address the House. Is there objection? The Chair hears none, the gentleman may proceed.

Mr. PRINCE: Mr. Speaker, Members of the House: I would like to remind my good friend, Mr. Healy from Portland, that there are not five sardine companies in Cumberland County. There are only three. And two of those companies' top men have reported that this is a very important bill and if it is not passed it is only a matter of a couple of years when there will be no pack in the Portland area.

Now there is one thing that I would like to bring out here and that is that this amendment goes only from May until October and from May until October is when these herring in the process of their migration are filled with this

red feed. In October there have been instances where the purse seiners have caught a few of these fish, the water is colder, the fish are firmer and some of them have been canned. But from May until October it certainly is not hampering in any way, shape or manner with the purse seiner and it means a tremendous thing to the stop seiner that represent a hundred families in Casco Bay.

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

Mr. HEALY: Mr. Speaker, Ladies and Gentlemen of the House: I don't wish to belabor this issue here, but the gentleman from Harpswell, Mr. Prince, suggested that I wasn't familiar with the number of factories that are operating in this area. I didn't say companies, I said factories. Conceivably there could be only one company that would own all five factories, but there is only two of them that are planning to open this year and it's questionable in my mind as to whether one of them will. The sardine companies have not been doing too well, that is the main packers of sardine. They are enjoying considerable red ink in their statements. So, I am sure that it's not the sardine companies that are concerned about the fishing in the Casco Bay areas. I would hope that you folks would go along with the "ought not to pass" report.

The SPEAKER: The Chair recognizes the gentleman from Frankfort, Mr. Mitchell.

Mr. MITCHELL: Mr. Speaker, Ladies and Gentlemen of the House: As a signer of the minority report, I think I should explain my stand. About the best thing that you can say for this bill is that it is an experiment. It boils down to this. Are we willing to experiment at the direct expense of perhaps four or five people, purse seiners, who have invested quite a number of thousand dollars with the idea that they were going to make this money and pay it back, and earn a living from fishing in Casco Bay. Now, I think that if we are willing to sell those people down the

drain, for the sake of running an experiment, we should vote for the bill. But, I should hope that we should accept the minority "Ought not to pass" report.

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

Mr. RICHARDSON: Mr. Speaker, I think perhaps that my good friend from Portland, Mr. Healy, has hit the nail right on the head. One of the major problems of the sardine industry in the State of Maine today is that the carry-over pack from 1964, which was primarily arrived at through purse seining, is still in the hands of the packers, because they are exceedingly large fish. The majority of the people in this country today want smaller fish which you do not catch purse seining.

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from Brunswick, Mr. Lowery, that we accept the minority "ought not to pass" report. The Chair will order a division. All those in favor of accepting the Minority "Ought not to pass" Report on Bill "An Act relating to Use of Purse Seines in Taking Herring from Certain Waters," House Paper 540, L. D. 714, will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had. Forty-five having voted in the affirmative and sixty-six having voted in the negative, the motion did not prevail.

Thereupon, 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. 540, L. D. 714, Bill, "An Act Relating to Use of Purse Seines in Taking Herring from Certain Waters."

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

Further amend said Bill by striking out all of the 5th line and inserting in place thereof the following:

**'It shall be unlawful from May 1st to October 1st to take herring by use of purse seines inside'**

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

**'Sec. 2. Effective date.** This Act shall become effective October 1, 1965 and shall remain in effect for 2 years only.'

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

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

Bill, "An Act relating to Sales and Use Tax Liability of Lessors of Tangible Personal Property." (S. P. 269) (L. D. 817)

Tabled — May 20, by Mr. Pendergast of Kennebunkport.

Pending — Passage to be Engrossed.

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

Mr. PENDERGAST: Mr. Speaker, Ladies and Gentlemen of the House: I have studied this bill and talked to Mr. Johnson, the State Tax Assessor, and I understand what they are trying to do here. It is still hazy in my mind, but I will move that we pass this to be engrossed.

Thereupon, the Bill was passed to be engrossed and sent to the Senate.

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

SENATE REPORT — Committee on Labor on recommitted Bill, "An Act Revising the Minimum Wage Law." (S. P. 416) (L. D. 1313) reporting same in New Draft (S. P. 526) (L. D. 1504) under same title, and that it "Ought to pass" (S. "B" S-191) (S. "A" to S. "B" S-194)

Tabled — May 21, by Mr. Levesque of Madawaska.

Pending — Acceptance in concurrence.

On motion of Mr. Levesque of Madawaska, retabled pending acceptance in concurrence and specially assigned for Tuesday, May 25.



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

SENATE DIVIDED REPORT—Report “A” — “Ought to pass”—Report “B” — “Ought not to pass”—Committee on Education on Bill, “An Act Requiring All Municipalities to Join School Administrative Districts by 1970.” (S. P. 349) (L. D. 1115)

Tabled — May 21, by Mr. Gifford of Manchester.

Pending — Acceptance of Either Report. (In Senate, Report “A” “Ought to pass” accepted.)

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

Mr. LEVESQUE: Mr. Speaker, I now move we accept Report “A” ought to pass.

The SPEAKER: The gentleman from Madawaska, Mr. Levesque, now moves we accept the Report “A” of the committee.

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

Mr. KENNEDY: Mr. Speaker, I feel that this is a very dictatorial bill and at this time I move that both reports and bill be indefinitely postponed.

The SPEAKER: The question before the House now is on the motion of the gentleman from Milbridge, Mr. Kennedy, that the Reports and Bill be indefinitely postponed.

The Chair recognizes the gentleman from Manchester, Mr. Gifford.

Mr. GIFFORD: Mr. Speaker, Ladies and Gentlemen of the House: I rise in opposition to the enactment of this bill and in support of the motion of the gentleman from Milbridge, Mr. Kennedy to indefinitely postpone it.

This is the much publicized so-called mandatory school districting bill which is designed to force every municipality with fewer than 700 resident secondary school students, not now in a school Administrative District, into one by January 1, 1970.

Let us look rather closely at the proposal, for it has much broader implications than many of us

suspect. It states that the State Board of Education and I quote “shall develop a master plan for school administrative district organization and reorganization for the State of Maine.” This is not a proposal simply to force a few stubborn towns to form districts as others have done. This proposal would, in effect, turn back the calendar to 1957 and redo, under compulsion, all that has been voluntarily done since the Sinclair Act was passed by a former Legislature. As was clearly brought out at the committee hearing on this bill, it is intended that towns would be added to existing districts and that some towns might well be taken from existing districts and transferred to other districts, all in conformance with the master plan. Notwithstanding the “grass roots” approach of the Sinclair Act with its emphasis upon local initiative, local district development and local decision, when under this act new districts should be formed or existing ones reformed, there would be no voice at the local level for all would be done and again I quote “in accordance with the terms and conditions which shall be submitted by the board to such municipalities after January 1, 1970 pursuant to the master plan.”

No appeal procedure is provided in the bill and there would be no escape for any town now within or without a district from the grasping tentacles of the compulsory master plan.

It seems strange indeed, moreover, that we are here in effect, being asked to buy the proverbial pig in the poke. This proposal has an effective date that is four and a half years away, with plenty of time for preliminary or intermediate steps if they be desirable, before we must come to final decision. Yet we are being asked to make that decision today, leaving to others the preliminary steps which should logically precede and lead to that decision, to sign a blank check in effect and trust that it will later be filled in to our satisfaction. We do not know, for example, what this master plan

is that we are considering imposing upon the people of the State of Maine. How could we? It has not yet been developed. Should we adopt mandatory districting in principle, leaving it to the next Legislature to work out the details? I would even suggest that under this bill, as fuzzy in its composition as it is in its concept, the State Board might well be empowered to impose upon the towns its master plan whether or not the next Legislature enacts it. It would seem far more logical and far more forthright for the districting plan first to be developed in full detail, and then to be presented to a Legislature for adoption and implementation if that appears desirable, and there is plenty of time before 1970 for this more proper procedure.

This would also give time for prior solution of the biggest problem involved today in school district formation—acceptability of the financing formula by the towns considering entering into districts. This problem L. D. 1115 callously disregards. Under existing statute the state board can prevent no variation from the one formula which requires the towns shall share in capital and operating costs in proportion to their state valuation. The inflexibility of this formula makes it virtually impossible for wealthy towns to join voluntarily with poorer ones. To force them to under the present rigid formula, as this bill would propose, would be almost criminal.

It is interesting to note that there is apparently no public demand for this legislation. Although the hearing for this bill was well advertised and much publicized only two proponents appeared to speak for it, the sponsor of the bill and a House Member of the committee hearing the bill. A number of opponents spoke against it.

Now is there any clear cut need for its passage? Since enactment of the Sinclair Act in 1957 district formation has steadily accelerated, and is currently proceeding at the most rapid pace ever. Legislation enacted and to be enacted this year

will insure that it continues. Deputy Commissioner Kermit Nickerson, appearing before the Education Committee in reference to district formation, stated "some individuals and some reports have indicated that progress has been disappointingly slow. I do not share this opinion. I think it has been excellent." Mr. Asa Gordon of the Education Department stated at the hearing, "At the speed of current school district reorganization, it is my belief that most of the towns in Maine will have voluntarily joined districts before the 1970 deadline anticipated in the proposed legislation." Why then this legislation?

One final point I should like to make. This country came into being, flourished, and produced the richest civilization that man has ever known because it offered opportunities for individual initiative and local self-government. These are integral parts of the American dream, the American heritage, and the American way of life. Their preservation for the generations of Americans who will follow us is far more important than the satisfaction of our own impatience with those who move too slowly to please us. For every time that we, at a higher level of government, take away a freedom of action, a right to decision, of individuals or of lower levels of government, we contend in effect the failure of individual initiative or of local self-government—and we destroy a little part of the American dream, diminish the significance of our American heritage, and endanger the American way of life. L. D. 1115 is not worth the risk of this.

The SPEAKER: The Chair recognizes the gentleman from Limerick, Mr. Carroll.

Mr. CARROLL: Mr. Speaker, Ladies and Gentlemen of the House: If this was the year of 1893 I would say these are the same reasons they gave to the State of Maine in 1893 opposing the consolidating of those little district schools in that year. Now you speak of democracy and its pace. Why, in 1893 did the legislature mandate school districts

then? Because there were too many one-room school houses. In 1893 there were 4,000 school districts, they consolidated them into 485. Now I think you have thrown up a wonderful smoke screen here trying to cloud the issue by the title of the bill. I'm sorry we couldn't find a more gullible or more suitable title for this bill, but we wanted to give you the cold facts of what we need to do in the State of Maine, and the cold facts are: the faucet is dripping, time is rolling by, yet you say wait, wait, wait. Our youth are our greatest asset in the State of Maine today, our youth are the ones who are paying the price because we do not want to face up to our task. The task is before us today and you are being asked to do what you should have been asked to do ten years ago. We are only moving fifty years behind the times in the State of Maine.

If the board of directors of the General Motors Corporation were to go to a meeting and a head of a department was to come in to them and say, I can show you where I can save you a million dollars a year. What do you think the answer would be? Ladies and gentlemen, General Motors would say: we will save that one million dollars per year. Now the State Department of Education has shown your committee that we can save one million dollars per year by consolidating all of our schools into school districts. Now I hear you crying many, many times money, money, money. I want to save the money for the State of Maine. This is your opportunity. Do you really want to save money for the State of Maine, do you really want to move the boys and girls ahead in the field of education? How do you think that band that played this morning came into being? It came into being because that band was taught in a school district. My children go to school in a school which has three rooms in the basement of that school. Those rooms were designed for playrooms, not classrooms. They are going there to learn their studies. They have no

opportunity to play in bands. They sacrifice much, very much indeed when I compare what they have with what others have in other communities.

Now I would like to point out to you the fact that we leave the poor community aside. Our committee heard a bill to allow the formation of a district and when I inquired about another town this town was undesirable, not wanted. How would you like to be a young boy or a young girl growing up in that town today? How would you like to have your parents have to say to you, son or daughter, we wanted to join with them but we're too poor, they don't want us. Isn't that horrible folks, isn't it awful? Can you imagine turning to a community and saying you're too poor, you don't have money enough to come in and be allowed to form a district. I don't want to throw up a smoke screen, I don't want to cloud the issue. I want you to face up to the facts of life and the facts of life are: we can save one million dollars, we can move our state ahead, we can provide the education that every boy and girl, rich or poor town needs and this is the vehicle that we can do it and we want to do it, we want to move ahead, and you're not going to do it until 1970. Is this asking too much? I don't believe it is.

I had a man tell me that in his little town they have five honor students. Well, I talked to some teachers just recently and four years ago in that little town of ours we had five honor students that went on to college and did a tremendous job, but we've had four classes come along behind that one that had very few honor students. Now just where is the trouble? It shows you that these little towns, these small high schools are not doing the job. Their tuition rate, if they are sending their children to other towns to school, I hear it said we are dictating to them. What kind of dictation do you think you are getting if you're sending your children to a neighboring school? You have noth-

ing at all to say about what they are taught; you make no decisions on their school committee, you just pay the tuition. Many of our school districts tuition runs—the average cost per pupil is around \$350.00. We have many children being sent away to school out of town and they are paying around \$600.00, \$650.00. The issue is quite clear to me today. Do we want to move ahead in the State of Maine or do we want to stand still and let that faucet drip and let the sands of time run out? I urge you, I urge you to face up to your responsibilities here today, to do what you must do at the right time and don't wait for Johnny, because Johnny won't be here when you are ready.

The SPEAKER: The Chair recognizes the gentleman from Bristol, Mr. Lewis.

Mr. LEWIS: Mr. Speaker, Ladies and Gentlemen: I'm certainly not opposed to school districts, the formation of school districts. I think we all will agree that the small high schools due to changing times and due to the change in our economy are fast becoming a thing of the past. What I do object to is the method proposed in this bill whereby we will be forced to form school districts. I know, if you look back over the session, there were many bills introduced during the session by towns who were desirous of forming school districts. I would venture to say there were fifteen or twenty towns who signified their intention of forming school districts. They did it on their own and I feel they should have that decision to make on their own. Now I don't want to bore you with personal or regional problems but I represent eight towns, included in one of those towns is my home town of Bristol. We are maintaining a small high school for 120 pupils. We have tried to form a school district. Up to the present time we have been unsuccessful, due to the fact that we have a private academy situated about 14 miles from Bristol, and they tell us that they would be glad to become the regional high school, but they can-

not assure us that we will have any representation on their board. They tell us that it might happen, but we can't be sure. We don't want taxation without representation. As a result of this decision at our last town meeting, we voted to build an addition onto our high school at the expense of \$140,000. Personally, I am in a dilemma, I don't know what to go back and tell my folks at home. Do we throw the \$140,000 away at the end of four to six years or are we to maintain our own high school? I say that this thing is being crammed down our throat and this is not the time to accept such legislation. Thank you.

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

Mr. RICHARDSON: Mr. Speaker, Members of the House: As a signer of Report "B" "ought not to pass" I would just like to outline to you the one or two points which affected my thinking in signing the report this way.

One of the major considerations was the fact that L. D. 1115 does not provide for any consideration of the disparity between the high and the low subsidy towns. This to me is the big stumbling block at the present time and has been ever since the Sinclair Law was passed. Regardless of the fact that the larger towns are generally of high valuation low subsidy units, it does not follow that their ability to pay is greater. A larger town must provide greater and more expensive services to their citizens. Figure seven hundred which is quoted in this bill has always disturbed me somewhat. I have never yet been shown by any member of the Department of Education where this seven hundred figure arrived from, whether they have reached into the air and brought it out or what. This would mean that anyone in this House who represents a school, secondary school of six hundred and ninety-nine pupils would be affected by this bill regardless of what may be said.

It does not to me necessarily mean that you have a better school. Some of our very small schools are turning out excellent students who

go on and do well in college. On the other hand, some of our larger schools are turning out pupils who are not fully qualified. I would also submit that when the bill becomes law, the state must raise substantial amounts for construction, unless the Department of Education is authorized to select the site of a proposed school construction. This also at the present time is perhaps one of the big stumbling blocks in the formation of districts.

Fancy new buildings do not necessarily make for a good education. It would make much more sense to me to strengthen the teaching staffs throughout our schools in the State of Maine and to improve the equipment in our various schools. Therefore, I would like to support the motion of Mr. Kennedy for indefinite postponement.

The SPEAKER: The Chair recognizes the gentleman from Sherman, Mr. Storm.

Mr. STORM: Mr. Speaker, Members of the House: I was not a member of this Legislature in 1893, but I was a member of it in 1957 when the Sinclair Act became law. And one of the things that we were assured over and over again by the proponents of that measure at that time was that this was purely permissive legislation and there was no idea of forcing any town into a district. Since 1957, as has been mentioned here, there have been many districts formed. My own town is one of a group of four which are in a district and are in the process of trying to build a high school during this summer. And I certainly don't want to help pass any legislation here that will disrupt any of these plans that are under way and throw us into confusion. And I sincerely support the motion for indefinite postponement.

The SPEAKER: The Chair recognizes the gentleman from Hampden, Mr. Littlefield.

Mr. LITTLEFIELD: Mr. Speaker, Ladies and Gentlemen of the House: A few years ago, in the Town of Hampden we tried to form a school district with a number of towns in our area, to upgrade the education of our schools. The Town of Winterport refused to join the district. Now we have this bill, our district is formed with the

Town of Newburgh and we are getting along very well. Under the terms of this bill, it is dictated that the Town of Winterport shall join our district and we shall accept. I certainly support the motion to indefinitely postpone this bill.

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

Mr. ANDERSON: Mr. Speaker, Ladies and Gentlemen of the House: I concur with the gentleman from Milbridge, Mr. Kennedy, in indefinite postponement and when the vote is taken I move it be taken by division.

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

Mr. LEVESQUE: Mr. Speaker, Ladies and Gentlemen of the House: I shall be brief in view of the debate to this point. But I feel that this is something that has been missing in the original Sinclair Law of setting a date as to when these different towns and municipalities can get together and form a district. And after that date all areas in the state would be covered under one district if they have got less than seven hundred population. My feeling is this, that we should get this information together and compile it in the Department of Education into a master plan and between now and the time that this comes out in 1970, any individual or any group of individuals in this state will have a chance to put their thoughts together and the municipalities that want to join a district now without having to be told to join one will have a chance to do so. Come 1970 this master plan will be before the Legislature and then that Legislature in their wisdom can study it, look it over and then if they see fit to adopt the complete plan of mandating all the towns and municipalities of seven hundred population, then they would have the responsibility of putting it into practical operation. So, therefore, I hope that the motion to indefinitely postpone this bill does not prevail.

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

Mr. BENSON: Mr. Speaker, Members of the House: On March 29th this year, the four towns on Mount Desert Island voted to join in a regional school district. I have long been a proponent of this measure. I was extremely happy and over the years I have been a bit frustrated by their reluctance to join it, but I respect their right of choice. I feel that the towns should retain this prerogative and I join in supporting the motion to indefinitely postpone.

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from Milbridge, Mr. Kennedy, that this bill and its accompanying papers be indefinitely postponed. A division has been requested.

All those in favor of this Bill "An Act Requiring All Municipalities to Join School Administrative Districts by 1970," Senate Paper 349, L. D. 1115, and all 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.

Sixty-two having voted in the affirmative and fifty having voted in the negative, the motion prevailed.

Sent up for concurrence.

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

HOUSE JOINT ORDER Relative to a Committee Appointed to Study Legislation Providing for New Classifications of Motor Carriers.

Tabled—May 21, by Mr. Levesque of Madawaska.

Pending—Passage.

On motion of Mr. Levesque of Madawaska, retabled pending passage and specially assigned for Tuesday, May 25.

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

DIVIDED REPORT — Majority (9) — Committee on Labor on Bill, "An Act to Revise the Workmen's Compensation Law." (H. P.

894) (L. D. 1253) reporting same in New Draft (H. P. 1146) (L. D. 1570) under same title, and that it "Ought to pass" — Minority (1) — "Ought not to pass"

Tabled—May 21, by Mr. Levesque of Madawaska.

Pending—Acceptance of Either Report.

On motion of Mr. Levesque of Madawaska, retabled pending acceptance of either report and specially assigned for Wednesday, May 26.

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

DIVIDED REPORT — Report "A" — "Ought to pass" — Report "B" — "Ought not to pass"—Committee on Liquor Control on Bill, "An Act Directing Review of the Liquor Laws." (H. P. 988) (L. D. 1342)

Tabled—May 21, by Mr. Birt of East Millinocket.

Pending—Motion of Mr. Bernard of Sanford to accept Report "B" "Ought not to pass"

On motion of Mr. Lund of Augusta, retabled pending the motion of Mr. Bernard, and specially assigned for Tuesday, May 25.

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

Bill, "An Act relating to Relocation Assistance in State Highway Projects." (H. P. 1139) (L. D. 1559)

Tabled—May 21, by Mr. Brennan of Portland.

Pending — Passage to be Engrossed.

Mr. Dunn of Denmark offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 1139, L. D. 1559, Bill, "An Act Relating to Relocation Assistance in State Highway Projects."

Amend said Bill in section 2 by inserting after the word "General" in the first line the word 'Highway'

Further amend said Bill in section 2 by striking out all of the last 2 lines and inserting in place thereof the following:  
 'unexpended balances on June 30, 1957 shall lapse.'

House Amendment "A" was adopted, the Bill passed to be engrossed as amended and sent to the Senate.

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

Bill, "An Act Establishing the Maine Insurance Advisory Board and Reserve Fund for Uninsured Losses." (H. P. 1142) (L. D. 1562)

Tabled — May 21, by Mr. Pitts of Harrison.

Pending — Passage to be Engrossed.

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

Mr. SCOTT: Mr. Speaker, Ladies and Gentlemen of the House: The State Government Committee worked hard on this bill and it is not my intention to quarrel with their sincere intentions.

I think what distresses me most is the effort on the part of the Majority Party to make state insurance a political issue. This will not benefit the citizens of the State of Maine. The publicity that has been given, the method of handling state insurance would have the public believe that agents in general, especially Republicans have been on the gravy train so to speak if they participated in the state's schedule. The truth of the matter is, the present method of handling the state insurance has been excellent and generally bi-partisan. In fact, we in Maine have enjoyed one of the best plans in New England. During the past few months, the multi-peril package policies have been developed by the insurance industry and have been approved for use here in Maine. These package policies are now designed to insure the large risk and therefore the State of Maine

should take advantage of these broader coverages and thereby save considerable money.

The Governor, recognizing that these plans were available, appointed a special committee in January of this year. It was a bi-partisan committee to study the whole state insurance plan. I say it was bi-partisan because the late Paul Julian, one of the most prominent Democrats in the State of Maine, served on this committee.

The bill which you have before you is a far departure from the report of this committee. I have checked with the Attorney General's office on this particular bill and I have proved what I felt. There are several inconsistencies in the bill and right now there is a memorandum on the Attorney General's desk pointing these out. So until these can be straightened out, I would hope someone would retable this bill for the present time. Otherwise, I would have to ask for indefinite postponement. Thank you.

On motion of Mr. Cottrell of Portland, retabled pending its passage to be engrossed and specially assigned for Tuesday, May 25.

On motion of Mr. Kennedy of Milbridge, the House voted to take from the table the fifth tabled and unassigned matter:

HOUSE REPORT — "Ought not to pass" — Committee on Taxation on Bill, "An Act Repealing Trade-in Credit for Motor Vehicles Under Sales Tax Law and Payment of Tax." (H. P. 982) (L. D. 1320)

Tabled — May 7, by Mr. Kennedy of Milbridge.

Pending — Acceptance.

On further motion of the same gentleman, the "Ought not to pass" Report was accepted and sent up for concurrence.

On motion of Mr. Levesque of Madawaska,

Adjourned until nine-thirty o'clock tomorrow morning.