

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One-Hundredth Legislature

OF THE

STATE OF MAINE

VOLUME II

MAY 12 - JUNE 17, 1961

and

SPECIAL SESSION

NOV. 27 - DEC. 2, 1961

DAILY KENNEBEC JOURNAL

AUGUSTA, MAINE

HOUSE

Friday, May 12, 1961

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

Prayer by Captain Milley of the Salvation Army, Augusta.

The journal of yesterday was read and approved.

Conference Committee Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Resolve Authorizing Study of Road from Allagash Plantation to the Canadian Border (H. P. 746) (L. D. 1032) reporting that they are unable to agree.

(Signed)

GALLANT of Eagle Lake
PRUE of Ashland
PHILBRICK of Bangor

— Committee on part of House

COLE of Waldo
BROWN of Hancock
FERGUSON of Oxford

— Committee on part of Senate

Report was read and accepted and sent up for concurrence.

The SPEAKER: At this time the Chair would like to recognize the presence in the gallery of eleven students from Erskine Academy, the Senior Commercial Club, accompanied by Miss Beverly Hancock, teacher. Miss Hancock is the daughter of the Representative from Nobleboro, Mr. Hancock.

On behalf of the House, the Chair extends to you a most hearty and cordial welcome and we are sure that you will enjoy and profit by your visit with us here today. (Applause)

Papers from the Senate

From the Senate: The following Orders:

ORDERED, the House concurring, that the Secretary of the Senate be and hereby is directed to purchase from the School of Business Administration, University of Maine, 200 copies of the report, titled — "A Study of the Vacation Industry in Maine.", to be distributed to the members of the 100th Legislature (S. P. 553)

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

From the Senate: The following Order:

ORDERED, the House concurring, that the Legislative Research Committee be authorized and directed to study the feasibility of having the Maine Port Authority charge and collect tolls for the use of the ferry service for North Haven, Vinalhaven, Islesboro, Swan's Island and Long Island Plantation by vehicles, freight and passengers subject to the approval of the Public Utilities Commission; and be it further

ORDERED, that the Committee report the results of its study to the 101st Legislature (S. P. 554)

Came from the Senate read and passed.

In the House, the Order was read.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Wellman.

Mr. WELLMAN: Mr. Speaker, this is new to me and I would like to ask a question of anybody in the House, through the Chair, as to the purpose of this study.

The SPEAKER: The gentleman from Bangor, Mr. Wellman, has asked a question through the Chair of anyone who may choose to answer.

The Chair recognizes the gentleman from Vinalhaven, Mr. Maddox.

Mr. MADDOX: Mr. Speaker, a bill was presented at the request of the Port Authority to have the toll structure of the Maine State Ferry Service placed under the Public Utilities Commission. Whether this would meet the requirements of the question there has been some doubt in the minds of the people in the area served.

Therefore, they would, rather than have legislative action upon the question in this Legislature, have it studied by the Research Committee and report made to the 101st Legislature.

The SPEAKER: The Chair recognizes the gentleman from Bridgton, Mr. Haughn.

Mr. HAUGHN: Mr. Speaker, this bill was introduced by me in conjunction with the Maine Port Au-

thority and the PUC Commission. This is a departmental bill which was nurtured between those two commissions for the purpose of setting rates on the PUC, which is now done by the Maine Port Authority. In discussion, debate, was brought out the fact that the PUC is set up to establish rates where the Maine Port Authority are not so equipped with the necessary department or experience. So that bill was introduced, passed and accepted, and because of that there seems to be some dispute arising as to whether it is feasible or not, and I do believe it does need further consideration. That is the reason for this bill.

The SPEAKER: Is it now the pleasure of the House that this order shall receive passage?

The motion prevailed and the Order was passed in concurrence.

Papers from the Senate Senate Reports of Committees Leave to Withdraw

Report of the Committee on Education on Bill "An Act to Authorize the Withdrawal of Town of Liberty from School Administrative District No. 3" (S. P. 318) (L. D. 1071) reporting Leave to Withdraw

Came from the Senate read and accepted.

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

Ought Not to Pass

Report of the Committee on Education reporting "Ought not to pass" on Bill "An Act Establishing Regional Technical and Vocational Centers" (S. P. 413) (L. D. 1455)

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 Inland Fisheries and Game on Bill "An Act to Clarify State Boating Law" (S. P. 420) (L. D. 1300) which was recommitted, reporting same in a second new draft (S. P. 547) (L. D. 1591) under same title and that it "Ought to pass"

Report of the Committee on Judiciary on Bill "An Act relating to Operation of Motor Vessels" (S. P. 230) (L. D. 634) reporting same in

a new draft (S. P. 549) (L. D. 1595) under title of "An Act Regulating the Operation of Motor Vessels" and that it "Ought to pass"

Report of the Committee on Legal Affairs on Bill "An Act relating to Work on Shade and Ornamental Trees" (S. P. 201) (L. D. 534) reporting same in a new draft (S. P. 548) (L. D. 1592) under same title and that it "Ought to pass"

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

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

Ought to Pass

Report of the Committee on Legal Affairs reporting "Ought to pass" on Bill "An Act Repealing Certain Limitations on Elliottsville Plantation" (S. P. 532) (L. D. 1573)

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 assigned the next legislative day.

Ought to Pass with Committee Amendment Amended in Senate

Report of the Committee on Highways on Bill "An Act relating to Outdoor Advertising on the Interstate System" (S. P. 417) (L. D. 1356) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 417, L. D. 1356, Bill, "An Act relating to Outdoor Advertising on the Interstate System."

Amend said Bill by inserting before the enacting clause the following:

'Emergency preamble. Whereas, Title 23, U. S. Code, Section 131, paragraph (c) provides that any state which enters into an agreement with the Secretary of Commerce of the United States for the control of outdoor advertising devices adjacent to the right-of-way of certain sections of the Interstate System will receive additional federal funds for the construction of the Interstate System to the extent of $\frac{1}{2}$ of 1 percent of the cost of construction of those sections; and

Whereas, the State of Maine would receive approximately \$700,000 under section 131, paragraph (c) referred to above if it entered into such an agreement with the Secretary of Commerce of the United States; and

Whereas, under the terms of section 131, paragraph (c) such an agreement must be entered into prior to July 1, 1961; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,'

Further amend said Bill in that part designated "Sec. 147-A," by inserting at the end of subsection II the following:

'No such sign shall be permitted which:

A. Attempts or appears to attempt to direct the movement of traffic or which interferes with, imitates or resembles any official traffic sign, signal or device.

B. Prevents the driver of a vehicle from having a clear and unobstructed view of official signs and approaching or merging traffic.

C. Contains, includes, or is illuminated by any flashing, intermittent or moving light or lights.

D. Uses lighting in connection therewith unless it is so effectively shielded as to prevent beams or rays of light from being directed at any portion of the main traveled way of the Interstate System, or is of such low intensity or brilliance as not to cause glare or to impair the vision of the driver of any motor vehicle, or to otherwise

interfere with any driver's operation of a motor vehicle.

E. Moves or has any animated or moving parts.

F. Is erected or maintained upon trees or painted or drawn upon rocks or other natural features.'

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

'Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.'

Committee Amendment "A" was adopted in concurrence.

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

SENATE AMENDMENT "E" to S. P. 417, L. D. 1356, "An Act relating to Outdoor Advertising on the Interstate System."

Amend said Bill by striking out subsection III of section 3 thereof and inserting in its place a new subsection III to read as follows:

"III. Areas adjacent to Interstate System. Advertising signs or advertising structures or devices in areas adjacent to segments of the Interstate System which traverse commercial or industrial areas legally designated as such by incorporated municipalities on or before September 21, 1959. Advertising signs or advertising structures or devices in urban areas as established by the State Highway Commission as of April 1, 1961, or subsequently enlarged, adjacent to segments of the Interstate System which traverse commercial or industrial areas legally designated as such by incorporated municipalities after September 21, 1959. The Commission shall regulate outdoor advertising in industrial and commercial areas as set forth in this paragraph under the provisions of Sections 137 to 146 inclusive and Section 148."

Further amend said Bill by adding to section 3 a new subsection to be numbered VI and to read as follows:

"VI. Municipal Ordinances. The provisions of this section shall not affect any advertising sign or advertising structure on segments of the Interstate System within the limits of an incorporated municipality which at the time of passage of this act or hereafter itself regu-

lates or controls outdoor advertising by municipal ordinance."

Further amend said Bill by striking out all of section 4 thereof and inserting in place thereof the following:

"Sec. 4. R.S., c. 23, Sec. 147-B, additional. Chapter 23 of the Revised Statutes is amended by adding a new section, to be numbered 147-B, to read as follows:

'Sec. 147-B. Agreements. The State Highway Commission is authorized to enter into agreements with the Secretary of Commerce of the United States to control outdoor advertising in accordance with national standards and sections 143, 144, 147-A, 148, and 150.'"

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

Committee Amendment Indefinitely Postponed

Report of the Committee on Legal Affairs on Bill "An Act relating to Zoning in the City of Lewiston" (S. P. 295) (L. D. 906) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted, Committee Amendment "A" indefinitely postponed, and the Bill passed to be engrossed.

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

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

COMMITTEE AMENDMENT "A" to S. P. 295, L. D. 906, Bill, "An Act relating to Zoning in the City of Lewiston".

Amend said Bill by striking out Sec. 3 thereof in its entirety and inserting in place thereof the following:

'Sec. 3. Building inspector. The board of appeals shall appoint a building inspector and shall prescribe his duties and tenure of office. Said board shall set his salary subject to the approval of the board of finance and he shall receive no other compensation or emoluments for the performance of his official duties. He shall issue building permits and receive fees therefor, in accordance with the re-

quirements of the zoning ordinance. He shall account monthly under oath and pay over to the City Treasurer all fees received by him for building permits or payable to him by virtue of his office which may be receivable by the City.'

Thereupon, Committee Amendment "A" was indefinitely postponed in concurrence, and the Bill assigned for third reading the next legislative day.

Non-Concurrent Matter

Joint Order re Recalling from Files H. P. 354, L. D. 506, Bill "An Act Permitting Counties to Expend Money for Advisory Organizations" (S. P. 545) which was indefinitely postponed in non-concurrence in the House on May 10.

Came from the Senate with that body voting to insist on its former action whereby the Order was passed, and asking for a Committee of Conference, with the following Conferees appointed on its part:

Messrs. LOVELL of York

NOYES of Franklin

PORTEOUS of Cumberland

In the House: On motion of Mr. Berry of Cape Elizabeth, the House voted to adhere.

Non-Concurrent Matter

Report of the Committee on Industrial and Recreational Development on Resolve Providing for Survey to Determine New Projects for Recreational Areas (S. P. 286) (L. D. 887) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith. Which Report and Resolve were indefinitely postponed in non-concurrence in the House on May 3.

Came from the Senate with that body voting to insist on its former action whereby the Report was accepted and the Resolve passed to be engrossed as amended by Committee Amendment "A", and asking for a Committee of Conference, with the following Conferees appointed on its part:

Messrs. BROOKS of Cumberland

NOYES of Franklin

MARDEN of Kennebec

In the House:

The SPEAKER: The Chair recognizes the gentleman from Mount Desert, Mr. Kimball.

Mr. KIMBALL: Mr. Speaker, I move that we insist and join in a Committee of Conference.

The SPEAKER: The question now before the House is the motion of the gentleman from Mount Desert, Mr. Kimball, that the House insist and join in a Committee of Conference. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The Chair will request that those interested in serving as conferees see the Speaker in the Speaker's office immediately following this morning's session.

Non-Concurrent Matter

Bill "An Act to Amend the Charter of the City of Bath" (H. P. 680) (L. D. 958) which was passed to be engrossed as amended by Committee Amendment "A" in the House on April 27.

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

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

On motion of the gentlewoman from Falmouth, Mrs. Smith, 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 Specifying Insurance and Other Benefits in Contracts for Sales Financing of Motor Vehicles" (H. P. 920) (L. D. 1268) which was passed to be engrossed as amended by House Amendment "B" in the House on April 5.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Oakland, Mr. Morse.

Mr. MORSE: Mr. Speaker, I notice that the gentleman from Farmington, Mr. Jones, the sponsor of this bill, is absent this morning;

and I think we should, in respect to him — I will move to have it tabled until Tuesday next.

Thereupon, the Bill was tabled pending further consideration and specially assigned for Tuesday, May 16.

Non-Concurrent Matter

Bill "An Act relating to Compensation for Injuries under Workmen's Compensation Law" (H. P. 937) (L. D. 1285) which was passed to be engrossed as amended by House Amendment "A" in the House on May 10.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

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

Mr. BREWER: Mr. Speaker, this bill had good debate here on the floor, and I proposed what I thought was a modest amendment. I believe that we should insist and ask for a Committee of Conference, and I so move.

The SPEAKER: The question now before the House is the motion of the gentleman from Bath, Mr. Brewer, that the House insist and ask for a Committee of Conference. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The Chair will request that the gentleman from Bath, Mr. Brewer, see the Speaker in the Speaker's office immediately following this morning's session for the purpose of discussing the matter of conferees.

Non-Concurrent Matter Tabled and Assigned

Majority Report of the Committee on Transportation on Bill "An Act relating to Notification for Renewal of Operators' Licenses and Providing for a Two Year License" (H. P. 949) (L. D. 1297) reporting "Ought to pass" as amended by Committee Amendment "A" and Minority Report reporting "Ought not to pass" which Reports and Bill were indefinitely postponed in the House on April 20.

Came from the Senate with the Majority Report accepted and the Bill passed to be engrossed as amended by Committee A m e n d -

ment "A" and Senate Amendment "A" in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mr. Turner.

Mr. TURNER: Mr. Speaker, I move that we adhere.

The SPEAKER: The question now before the House is the motion of the gentleman from Auburn, Mr. Turner, that we adhere.

The Chair recognizes the gentleman from Woodstock, Mr. Whitman.

Mr. WHITMAN: Mr. Speaker. I move that we recede and concur.

The SPEAKER: The question now before the House is the motion of the gentleman from Woodstock, Mr. Whitman, that the House recede and concur.

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

Mr. BERRY: Mr. Speaker and Members of the House: This matter was discussed fairly fully when it first came up in the House, but I think at that time it was a package proposition only orally and not written. It is now amended to put before us in one L. D. the package proposition, which we did not have before.

I have some additional information here which I think would be of interest to the members of the House. As far as the term of the license — a two-year term — is concerned, there are only eight states now in the United States which have a one-year term for a license, which is a rather surprisingly low figure. Twenty-three states issue licenses for two years; twelve states issue licenses for three years; four states issue licenses for four years; one state for five; and two states issue licenses for life, which are good unless revoked.

The poll tax proposition, which appears to be somewhat of a serious objection in the minds of some of us, can be handled by submitting evidence of the poll tax payment at the time the application is made for the license. The amount of money which would accrue in the biennium is almost a million dollars. In my mind there is cer-

tainly some question as to where this million dollars should go and I would think perhaps that it might well be placed some other place than where it goes now, and accrue to the general economic welfare of the General Fund.

The matter of notification seems to be a matter which would benefit the State in addition to benefiting the individual. Now we have figures from the State Police that twenty-five percent of the people, within a short period after the expiration of their license, are driving the highways without a license. This isn't a good situation. I know personally, and I think perhaps several of you people do too, of people who are out of the state when they unfortunately find they don't have licenses. For identification purposes or for all sorts of reasons, this is not a good situation.

The benefit to the State of having licenses emanate from the state office instead of being originated with the individual concerned, I think has a tremendous advantage in removing from the hands of the public blank application forms which can be forged. The cost of the system has been very carefully gone into and it is estimated that the cost for one year would be \$18,000. Now this considering the benefits to be accrued all round would warrant, I believe, a favorable action on the part of the House; and I would hope that the motion of the gentleman, Mr. Whitman, would prevail.

The SPEAKER: The Chair recognizes the gentleman from Auburn Mr. Turner.

Mr. TURNER: Mr. Speaker, well first, I think it is one of the most foolish pieces of performances that we could pull off here. Two years ago, when this went along with this notification of this birthday deal, that was why they changed it to birthdays, so everybody would remember when their license came along. And as far as notification, I think your petroleum industry could do us a good job if they just put a little sign on each one of the gas stations or each one of the pumps around, just to let you know that you may have a birthday in a few days.

I can't see where spending this money and passing this foolish deal is going to stop these fellows on the road not having their license. I think when you go from two dollars to five there are going to be a lot more who can't afford to buy a license at the particular time that they should buy it, so I hope that this thing dies.

The SPEAKER: The Chair recognizes the gentleman from Pittsfield, Mr. Baxter.

Mr. BAXTER: Mr. Speaker and Members of the House: In regard to the words of the gentleman from Auburn, Mr. Turner, I would like to point out that this isn't going from two to five, it's going from two to two and one-half. Obviously the five dollars is for two years and not one year; so the change is from two to two and one-half. Also, I believe that the reason for changing to birthdays was so as to spread the work out in the department in issuing the licenses rather than to make it easier for the people to remember to get their license. One thing that has impressed me about this is, my conversation with the chief law enforcement officer of the Liquor Commission, who tells me that those under twenty-one are particularly adept at license forgery and they really do a very fine job at it. With license blanks available, they make a practice of forging licenses; and it is one of his major headaches in enforcing the problem of drinking by the under age group.

Now obviously if this is a license which comes from the Secretary of State which you fill out and it originates with the State, we could have a built-in protection against this type of forgery, which I think would be important.

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mr. Turner.

Mr. TURNER: Mr. Speaker, do I understand that they are going to buy this license on an installment plan, pay two dollars and a half the first year, then two dollars and a half the next year? I think when you first get your license you have got to pay five dollars instead of two and a half, haven't you? Well, how do you get by that deal?

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

Mr. BRAGDON: Mr. Speaker and Members of the House: Again the question occurs to me and it would be this, I assume I see a method of saving money in this matter of change of method in issuing these licenses. I would inquire if anybody knows whether provision is being made to reduce the personnel in all the regional offices in the state which now issue licenses. I assume that will have to be done.

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

Mr. BERRY: Mr. Speaker, and Ladies and Gentlemen of the House: There seems to be some differences here in the administrative cost. As a member of the Transportation Committee, we were quoted one set of figures, you have heard another. Now at this time there seems to be also a problem of clerical administration. Therefore, to straighten out these problems and to see if the figures correspond with the later figures that have been quoted here, as a member of the Transportation Committee I would like to table this until Thursday next, if I may.

The SPEAKER: The gentleman from Portland, Mr. Berry, moves that this bill be tabled until Thursday next, pending the motion of the gentleman from Woodstock, Mr. Whitman, the House recede and concur in accepting the Majority "Ought to pass" Report on Bill "An Act relating to Notification for Renewal of Operators' Licenses and Providing for a Two Year License," House Paper 949, Legislative Document 1297. Is this the pleasure of the House?

All those in favor say aye; those opposed, no.

A viva voce vote being doubted by the Chair, a division of the House was had.

Ninety-one having voted in the affirmative and seventeen having voted in the negative, the motion to table prevailed.

Non-Concurrent Matter

Bill "An Act relating to the Dissolution of Corporations" (H. P. 1143) (L. D. 1575) which was

passed to be engrossed in the House on May 3.

Came from the Senate passed to be engrossed as amended by 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 Inventory of Tax Exempt Property by Assessors" (H. P. 1152) (L. D. 1586) which was passed to be engrossed in the House on May 5.

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

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

The SPEAKER: At this time the Chair would like to announce the appointment of the following conferees in reference to Legislative Document 926, Resolve Appropriating Funds for Capital Improvements at East Corinth Academy, H. P. 926, whereby on May 11 the House insisted and asked for a Committee of Conference.

The Chair will appoint the following members of the House as conferees:

Messrs. HUGHES of St. Albans
WELLMAN of Bangor
Mrs. HARRINGTON of Patten

The SPEAKER: At this time the Chair will request the Sergeant-at-Arms to escort the gentleman from Vinalhaven, Mr. Maddox, to the rostrum to serve as Speaker pro tem.

Thereupon, Mr. Maddox assumed the Chair as Speaker pro tem and Speaker Good retired from the Hall.

Orders

On motion of Mr. Jalbert of Lewiston, it was

ORDERED, that the members of the House of Representatives extend their sympathy and their hopes for a speedy and complete recovery to Mr. Malenfant of Lewiston; and

BE IT FURTHER ORDERED, that the Clerk of the House be directed to send flowers to Mr. Malenfant together with a note of sympathy from the members.

On motion of Mrs. Hendricks of Portland, it was

ORDERED, that Mark Jobin of Rumford be appointed to serve as Honorary Page for today.

The SPEAKER pro tem: The Sergeant-at-Arms will escort the Honorary Page to the well of the House.

Thereupon, Mark Jobin was escorted to the well of the House amid applause.

On motion of Mr. Edwards of Stockton Springs it was

ORDERED, that Mr. Dennett of Kittery be excused from attendance for the duration of his illness.

Senate Order Out of Order

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, May 16 at ten o'clock in the morning. (S. P. 555)

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

House Reports of Committees Ought to Pass in New Draft New Draft Printed

Mr. Jameson from the Committee on Natural Resources on Bill "An Act Authorizing Lucerne-in-Maine Village Corporation to Dam Outlets to Phillips Lake" (H. P. 526) (L. D. 724) reported same in a new draft (H. P. 1161) (L. D. 1601) under title of "An Act Authorizing Lucerne-in-Maine Village Corporation to Construct Dams and Fishway on Phillips Lake" and that it "Ought to pass"

Report was read and accepted, the New Draft read twice and assigned the next legislative day.

Divided Report

Majority Report of the Committee on Towns and Counties on Bill "An Act Providing for Additional

Washington County Taxes for the Year Nineteen Hundred and Sixty-one" (H. P. 1108) (L. D. 1532) which was recommitteed, reporting same in new draft (H. P. 1162) (L. D. 1602) under title of "An Act Authorizing Funds for Construction of Machias Landing Field" and that it "Ought to pass"

Report was signed by the following members:

Messrs. WYMAN of Washington
PIKE of Oxford
— of the Senate.
Messrs. TWEEDIE of Mars Hill
JONES of Farmington
MacGREGOR of Eastport
DANES of South Portland
— of the House.

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

Report was signed by the following members:

Mr. ERWIN of York
— of the Senate.
Mrs. BAKER of Orrington
Mrs. SHAW of Chelsea
Mr. BEANE of Moscow
— of the House.

Reports were read.

The SPEAKER pro tem: The Chair recognizes the gentleman from East Machias, Mr. Dennison.

Mr. DENNISON: Mr. Speaker and Members of the House: In speaking of this airfield—I'm like Mrs. Smith, I can't hardly talk. In speaking of this airfield, this airfield is in a location in the very central part of the county, that is, the location which we wish to have it, and everyone that knows anything about Washington County knows that it is in a way surrounded by airfields, four in number, and this area, the most important area in the whole county, has no airfield whatever.

Now this bill in the New Draft calls for \$10,000 from the county, and it is a bond issue to be paid off \$2,000 until maturity. Now I can see no reason why this Legislature would vote against anything like this. I want to remind you, some that oppose this airfield, let's go back a little ways to highways, the use that—that we have been used to getting in Washington County. In '51 where we were allocated \$8,280,000 for highways, the second

greatest in the state. We were denied \$3,000,000 and naturally that was divided among the other counties of the state.

Now when we come up this year for highway money we find we get just a little bit over a million and we just step over into our neighboring county, and I don't mean Hancock, and we find they have over \$4,000,000. Now that isn't right, because that in no way has anything to do with the 91 highway. So that is the way we generally get used on most things.

Now this money of course isn't coming from the state, it is a county affair. Now the county commissioners have been working against it all the time, not simply because it will take from the county now \$10,000. There are other reasons, and they are still working against it, even the one right in Machias, because he had to sign his name just a ditto mark to the other two, and that is all that it did amount to there, so I move we accept the Majority ought to pass Report.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from East Machias, Mr. Dennison, that the Majority "Ought to pass" Report be accepted.

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

Mr. PIKE: Mr. Speaker and Members of the House: It grieves me very much to disagree with my friend from East Machias, but there are some things here that are not only a departure from precedent but that I don't think are quite right.

In the first place, I have a general grouch against county affairs and this, that when a city or a town wants to borrow money, it borrows the money with the consent of the people involved and if the people don't agree, the money is not borrowed. Whenever the state wants to borrow money on bonds, it goes to referendum and if the people don't agree with the bond issue the money is not borrowed. The county is sort of betwixt and between and there is no mechanism — this is nothing new to any of us, there is no mechanism whatsoever as far as I can find out, by which the people of the county can

express their willingness or unwillingness to enter into the obligation. If we say they have to have the money way up here in Augusta, then down there the people in the county are stuck with it and don't have a single, solitary thing to say about it. So this is a general observation.

Now on this particular bill, we have four other airfields in the county and it is true, just as true as can be, that the area around Machias and Jonesport and so forth is not well served, and perhaps one reason is that in the other four airfields either private or town money or city money has gone in, in some cases to the construction, in other cases the rehabilitation of airfields that were originally put up with federal money, but in each case there has been community money put in to a substantial amount.

Now when this bill first came up at the hearing, the sponsorship was woefully lacking; the town was not willing to put up a dime and there wasn't a single person from Machias who came up here for the bill. One person from Machias who happened to be a county commissioner came up against the bill. As it is now, the town or the surrounding areas are given the privilege of putting up a little over ten percent of the proportion that the locality is supposed to put up on an airfield. As I remember it, it is fifty percent federal, twenty-five percent state and twenty-five percent the community involved. It doesn't seem — it seems to be getting away from a precedent which I think is probably a pretty good precedent. I visualize all the rest of our towns, those of us who have little inadequate strips and those of us who don't have any, trotting up here in the next Legislature and asking the county to put up the share that they are by law supposed to put up. Again, I have great distaste for opposing anything which would be for the benefit of an area in Washington County which has had and is still having hard sledding, but I can't bring myself to go along with this bill as now drawn, and so I

must oppose the motion to accept the majority report.

The SPEAKER pro tem: The Chair recognizes the gentleman from East Machias, Mr. Dennison.

Mr. DENNISON: Mr. Speaker, what I am going to say, I am sorry that I have to say it. Now Mr. Pike has an airstrip right in his own town, so perhaps he doesn't have to think about the whole central part of the county. And another thing, when these two bills came up, one for \$12,500 county money and another one for \$160,000 county money, he didn't say anything against the county voting for it. They are not voting for it. It went through and they have got to spend \$160,000.

Now it seems funny on this little \$10,000 that he would come up this way. Another thing, as you all know the \$275,000 that was formerly intended for the Eastport Swimming Pool, Machias received \$6,000 of that money, Lubec is to have \$20,000, more than three times as much. I want to impress you people with the difference. Now when you come to the \$10,000 for the county and the part of the county that serves the two biggest — one of the biggest airports and the biggest Navy station, then he comes up and speaks against it.

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

Mr. DAVIS: Mr. Speaker and Members of the House: On most occasions, Washington County and its delegation are in agreement, and once again I think we find ourselves in agreement inasmuch as we have sort of agreed to disagree on this matter.

For my part, I would like to support the motion of the gentleman from East Machias, Mr. Dennison, that the Majority Report be accepted. Now this is a well-planned and well-engineered project. This is a part of the national airport plan, and is approved by the Federal Aviation Agency. The funds from the federal government are available in the amount of approximately \$24,000. There are state funds available according to the Maine Aero-

nautics Commission in the amount of \$11,858. That means that in order to establish it, it will be a turf landing field there at Machias in the central part of the county, we need to raise \$1,858. Under the terms of this bill, the local towns or communities will put up the \$1,858 and the remaining \$10,000 will be paid for through the county on a bond issue at \$2,000 per year. Now it has been said here that this might establish a precedent, that other towns would come in and want money from the county. Well, there is nothing new about this mode of financing airports. I have looked into it a little bit and find that Aroostook County at the Portage Lake airport and at the Fort Kent Airport has participated in those two. Now down at Bar Harbor in Hancock County, the County of Hancock has twice gone into airport improvements and have put in the full amount of the money and the Town of Bar Harbor has not participated at all. Down in Lincoln County the Town of Wiscasset has gone into airport improvement on a one-third basis with the County of Lincoln at two-thirds. So I don't think there is any precedent that has been established here. This has been on the airport improvement program for some years, and it becomes all the more important now, because I think most of you are aware that within some ten or fifteen miles of Machias is the Navy's new radio station, which is the largest radio station in the world, and there is a constant coming and going there of government personnel and of contractors and of persons who have business there at that huge installation. There also is another radar station at Bucks Harbor which is within five or ten miles of Machias and there is a good deal of government official intercourse there, and there is no place for those people to come with their planes unless they land over at Eastport or Lubec, forty or fifty miles distant, so I feel that this strip which will be a 2,000 foot strip and will be capable of taking small planes, and twin-engined jobs could land there with-

out any trouble. It is also so situated that it can be expanded later on to make a much longer strip, so in view of this, I think there is a definite need for this, and I feel that the county can well afford to go into this. In many ways I don't think we can afford not to go into it. For that reason, I hope the motion of the gentleman from East Machias, Mr. Dennison, will prevail.

Mr. DENNISON: I request a division, Mr. Speaker.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from East Machias, Mr. Dennison, that the Majority "Ought to pass" Report in New Draft, Bill "An Act Authorizing Funds for Construction of Machias Landing Field" be accepted. A division has been requested.

All those who favor the acceptance of the Majority "Ought to pass" Report, please rise and remain standing until the monitors have made and returned their count.

A division of the House was had.

Sixty-nine having voted in the affirmative and thirteen having voted in the negative, the motion did prevail, the Majority "Ought to pass" Report was accepted, the New Draft read twice and assigned for third reading the next legislative day.

Passed to Be Engrossed

Bill "An Act relating to the Pine Tree State Forest Products Council" (S. P. 546) (L. D. 1590)

Was 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 to Create a School Administrative District in the Town of Fort Fairfield" (H. P. 471) (L. D. 671)

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

The SPEAKER pro tem: The Chair recognizes the gentleman from Portland, Mr. Estey.

Mr. ESTEY: Mr. Speaker, in respect to item two, this bill went through two readings yesterday and had a divided report; two

members of the House Committee on Education signed the "ought not to pass" report. This is a situation which in applying the law you have to discern the difference between the feeling in your heart and the direct application of the law. The Sinclair Law does provide for single town administrative units where there is a geographical situation such that there is no other town for them to join with, and this has been granted in a couple of cases such as the formation of the school district in Allagash and one in Lubec.

I had to sign the "ought not to pass" report, simply on the principle that this was an exception to the law. In all other respects Fort Fairfield conforms to the law, in the number of pupils, the function of its schools, curriculum, and so on; except that it is denied subsidy because it is not geographically isolated. The majority of the committee felt, however, that there was an isolation factor in that this is a double township and all of the surrounding communities are in organized districts that could not conceivably meet — or get together with Fort Fairfield with one exception. This town — the town of Easton — could form, but under present conditions they do not wish to. Because the Sinclair Act does provide home rule and because it is the option of the town of Easton to join or not to join, the committee felt that they should not deny Fort Fairfield that privilege.

Because I have taken a position of not allowing specific exemptions, I had to sign the "ought not to pass" report. But because apparently there was a majority feeling of this House yesterday in giving this two readings with no debate and because there was a majority feeling of the Committee on Education that this was an exception that should actually be granted, I reluctantly now feel that we ought to give this bill its third reading and pass it to be engrossed.

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

Resolve Authorizing Bureau of Public Improvements to Study Desirability of a Dam Across Taunton River (H. P. 1158) (L. D. 1598)

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

Amended Bills

Bill "An Act to Revise the Civil Defense and Public Safety Council Law" (H. P. 811) (L. D. 1126)

Bill "An Act relating to Weight Tolerances for Motor Vehicles Carrying Firewood, Pulpwood, Logs or Bolts" (H. P. 861) (L. D. 1175)

Were 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.

At this point, Speaker Good returned to the rostrum.

SPEAKER GOOD: The Chair wishes to thank the gentleman from Vinalhaven, Mr. Maddox, and compliment him on the excellent performance of his duty as Speaker pro tem. (Applause)

Emergency Measure Tabled and Assigned

An Act Regulating the Taking of Alewives in East Machias (H. P. 1130) (L. D. 1557)

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

(On motion of Mr. Whitman of Woodstock, tabled pending passage to be enacted and specially assigned for Tuesday, May 16.)

Enactor Tabled

An Act relating to Second Injury Fund and Vocational Rehabilitation under Workmen's Compensation Act (S. P. 37) (L. D. 79)

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

(Upon request of Mr. Bragdon of Perham, placed on Special Appropriations Calendar.)

Passed to Be Enacted

An Act relating to County Appropriations for Industrial Development in Washington County (S. P. 531) (L. D. 1570)

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

The SPEAKER: The Chair recognizes the gentlewoman from Yarmouth, Mrs. Knapp.

Mrs. KNAPP: Mr. Speaker, I would like to table until May 18, item three.

The SPEAKER: In reference to item three, Legislative Document 1570, the gentlewoman from Yarmouth, Mrs. Knapp, moves that this be tabled until May 18 pending passage to be enacted. Is this the pleasure of the House?

The Chair recognizes the gentleman from Calais, Mr. Davis. Does he object to the tabling motion?

Mr. DAVIS: Mr. Speaker, would you advise me the item?

The SPEAKER: Item three, Legislative Document 1570, is the one to which the tabling motion has relationship, and the tabling motion is not debatable.

Is it the pleasure of the House that this be tabled? All those in favor say aye; those opposed, no.

A viva voce vote being taken, the motion to table did not prevail.

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

An Act relating to Actions for Injuries Causing Death (H. P. 316) (L. D. 468)

An Act Removing Hurricane Island from Territorial Limits of Town of Vinalhaven (H. P. 410) (L. D. 585)

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.

Tabled

An Act Creating a Lien on Real Property of Beneficiaries of Old Age Assistance, Aid to the Blind and Aid to the Disabled (H. P. 501) (L. D. 700)

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

(Upon request of Mr. Bragdon of Perham, placed on Special Appropriations Calendar.)

An Act relating to Certain Property of Town of Union, Knox County, Acquired under Will of Francis E. Thompson (H. P. 886) (L. D. 1221)

An Act relating to Recording of Conditional Sales (H. P. 1148) (L. D. 1580)

An Act relating to Place for Recording Certain Chattel Mortgages (H. P. 1149) (L. D. 1581)

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.

Tabled

Resolve Appropriating Moneys to Match Federal Funds Provided under Title VIII of the National Defense Education Act (S. P. 270) (L. D. 871)

Resolve Appropriating Funds for Advisory Committee on Education (H. P. 227) (L. D. 341)

Resolve in favor of School Administrative District No. 14, Danforth-Weston, for School Construction Aid (H. P. 573) (L. D. 793)

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

(Upon request of Mr. Bragdon of Perham, placed on Special Appropriations Calendar.)

Resolve in favor of John W. McGuire, of Houlton (H. P. 951) (L. D. 1254)

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

Tabled

Resolve in favor of Walter Lanoue of Limerick (H. P. 1134) (L. D. 1565)

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

(Upon request of Mr. Bragdon of Perham, placed on Special Appropriations Calendar.)

Orders of the Day

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

Bill "An Act Continuing the Committee on Aging." (H. P. 1116) (L. D. 1538)—In House Read the Third Time.

Tabled — May 9, by Mr. Briggs of Portland.

Pending — Adoption of House Amendment "A" (Filing H-276)

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

Mr. KENNEDY: Mr. Speaker, Ladies and Gentlemen of the House: I would ask permission of the House to withdraw House Amendment "A" contingent upon the presentation of House Amendment "B."

The SPEAKER: The Chair understands that the gentleman from Milbridge, Mr. Kennedy, withdraws House Amendment "A."

The Chair recognizes the gentleman from Old Orchard Beach, Mr. Plante.

Mr. PLANTE: Mr. Speaker, it is with the concurrence of the Majority Floor Leader, the Minority Floor Leader, the sincere supporters of the Committee on Aging and the sincere supporters of the Committee on Children and Youth, the gentleman from Milbridge, Mr. Kennedy, and myself that I submit House Amendment "B" to L. D. 1538, and move its adoption.

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

HOUSE AMENDMENT "B" to H. P. 1116, L. D. 1538, Bill, "An Act Continuing the Committee on Aging."

Amend said Bill in section 2 by adding at the end of the 3rd paragraph the following sentence: 'Such staff shall act as the staff for the Maine Committee on Children and Youth.'

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

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

HOUSE DIVIDED REPORT—Majority Ought to Pass, with Committee Amendment "A" (Filing H-273) — Minority Ought Not to Pass — Committee on Legal Affairs on Bill "An Act relating to State Valuation of Town of Bristol for School Subsidies." (H. P. 691) (L. D. 969)

Tabled — May 9, by Mrs. Sproul of Bristol.

Pending — Acceptance of Either Report.

The SPEAKER: The Chair recognizes the gentlewoman from Bristol, Mrs. Sproul.

Mrs. SPROUL: Mr. Speaker, Ladies and Gentlemen of the House: This bill appeared before the Legal Affairs Committee and received a report of eight "Ought to pass" and two of them signed the Minority Report.

This bill would provide that the state subsidy for the Town of Bristol remain as it was in '58 with Committee Amendment "A" taking care of the next two years until the new figures are filed in the next biennium.

Bristol's valuation about four years ago was one million three hundred thousand, and I have the town report to show this. Then after revaluation, it was close to eight million dollars. Now we, in the Town of Bristol, thought that we were doing a good thing, we had the town revalued, spent ten thousand to map the town, spent ten thousand for revaluation. We were assured by the tax department and others that that in no way would affect our state subsidy. And yet, as you can see, that very thing we believe has happened and has caused this loss.

It also has increased the tax on the estates of deceased persons. Bristol wants a little time to work this out. We do not agree with the state tax assessor, we have tried to work this out with him, the selectmen have asked him if he would go around and see these places, see that they are not worth what they are taxed at. We criticized the valuation as made by Cole-Layer-Trumble which is supposed to be one of the best firms. We just can't agree with it, we want a little time to work

this thing out, if we have two more years maybe we can do something about it.

I sincerely hope that the House will accept the Majority "Ought to pass" Report.

The SPEAKER: The question now before the House is the motion of the gentlewoman from Bristol, Mrs. Sproul, that the House accept the "Ought to pass" Report.

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

Mr. ESTEY: Mr. Speaker, Ladies and Gentlemen of the House: Having heard Mrs. Sproul, I realize that Bristol has made a sincere attempt to up-grade its own valuation. I checked with the Tax Assessor's Department yesterday. This is a direct attempt to evade the state subsidies and the adjustment of those subsidies made under the state evaluation. As Mrs. Sproul has told you, the valuation in 1956 was a little over a million dollars. State valuation that same year was two million nine. This is a recreational area and like every other community in our state that has recreational potentials, has faced increased valuation every biennium, as well as those towns and cities that have grown both residentially and industrially. Upon reevaluating the property, the local valuation went to 7.9 million in 1958, and 8.14 million in 1960, an increase of about eight times. This of course brings much more revenue from local taxation to the community. The state evaluation in 1958 went from 2.9 to 3.1 million and in 1960 to 4.4 million which is a figure you will find this subsidy was based on. This means that because of its increase in valuation, the state subsidies paid to education were decreased, and I'll admit that they were decreased probably a little more drastically than most other towns. If you will note in the Sly report, Dr. Sly suggested some kind of a regional system of training assessors so that assessments throughout the state would be more nearly equal. However, I think each town and city has the obligation to raise its valuation. It's been done in many towns and cities in the past.

The point that bothers me is that Bristol is now asking for an exception on its subsidy so that it can get its school subsidies based on its 1958 valuation. Every other town, city, and hamlet in the state will receive its school subsidies based on its 1960 valuation and probably most of them went up. Another thing that bothers me is that Bristol ranks 376 out of 472 towns and cities in this state in its effort in subsidy on education, which means that 375 towns are making a greater effort as far as their educational efforts are concerned in taxation. Therefore, I move the indefinite postponement of this bill and all its accompanying papers.

The SPEAKER: The question now before the House is the motion of the gentleman from Portland, Mr. Estey, that the Reports and the Bill be indefinitely postponed.

The Chair recognizes the gentlewoman from Bristol, Mrs. Sproul.

Mrs. SPROUL: Mr. Speaker, Ladies and Gentlemen of the House: If Bristol is 300th in its school effort, I would like to know what one would have to do to be number one, I really would. Several years ago the Education Department came down to the Town of Bristol. At that time we were a small town with one and two rooms schoolhouses, fairly happy with what we had. We were strongly urged to consolidate which we did. We were no sooner consolidated than down came the Education Department again and the same man, I can top that, and said now you want the Sinclair Act. We are spending pretty close to one hundred thousand dollars a year on our schools. We sincerely feel that we have made just about all the efforts that we can. Added to that we have a four thousand dollar raise in our county tax. We can't do much more, and I sincerely hope that the other towns that are considering revaluation won't find themselves in the same boat.

The SPEAKER: The Chair recognizes the gentleman from Nobleboro, Mr. Hancock.

Mr. HANCOCK: Mr. Speaker, Ladies and Gentlemen of the

House: I don't go along with the thinking of the State Tax Department. I was a selectman of a small town for twelve years, and I was willing to let the rate go. If the people want to raise a lot of money, if they raise it up to 120 let it go, we'll still have our low valuation. Now in the Bristol circumstance, I hope the people of Bristol will forgive me, but I'd say I think that they made a mistake. The cost of their revaluation was \$20,000, immediately they are losing \$7,000 school subsidies. It cost them around four or five hundred dollars a year to keep their maps and one thing or another up in order. Immediately their county tax went up four thousand dollars, so to me that adds up to about \$31,000. Now I think that I can honestly say that I've been conservative in my voting on L. D.'s that had a price tag. But I don't think that the Town of Bristol should be penalized for a mistake that I believe was an honest one to the tune of \$31,000.

The SPEAKER: The Chair recognizes the gentleman from Guilford, Mr. Dodge.

Mr. DODGE: Mr. Speaker and Members of the House: This case of Bristol I have no knowledge of whatever, but what I would like to ask a question of if anybody could answer it, if the revaluation of the town has anything to do with the state valuation. I have been assured by the state assessor that if we revalued our town, that he would not pay any attention to the way we revalued it. He would still value the town the way he had been doing it. And would the valuation of Bristol have gone up if they hadn't been revalued? Did the state take into consideration the revaluation? If they did, it is contrary to what I have been told that the state assessor would do.

The SPEAKER: The gentleman from Guilford, Mr. Dodge, has asked a question through the Chair of anyone who may choose to answer.

The Chair recognizes the gentleman from Bristol, Mrs. Sproul.

Mrs. SPROUL: Mr. Speaker, I think in all fairness that it's only just to say they contend that it

won't affect the state valuation, but when it goes up from one million to pretty close to eight, it is bound to affect the state valuation. That is the position that we take.

The SPEAKER: The Chair recognizes the gentleman from Nobleboro, Mr. Hancock.

Mr. HANCOCK: Mr. Speaker, I'm quite familiar with the construction work and the new building and other things that have been going on in Bristol over the years. My business is — I do a lot of business in that town, and I can say that I don't think that they've had over the years enough construction, new work, new cottages or new homes, they haven't any industry, that would warrant such a raise in valuation as that.

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

Mr. ESTEY: Mr. Speaker, Ladies and Gentlemen of the House: I'm not going to belabor the equities of state evaluation. The point I would make to you is that state evaluation has increased one and one-half times in this particular case, whereas the local evaluation increased eight times. South Portland recently reevaluated, Portland is facing an evaluation, many other towns and cities are doing the same thing. The cost of education increases each year. The point I wish to make is that many other towns have this same problem, and will continue to face this same problem, and I don't think we can make an exception for one town.

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

Mr. LEVESQUE: Mr. Speaker, Ladies and Gentlemen of the House: For the benefit of the members interested in the tax effort on the part of Bristol, I have here Bristol has made a tax effort in the last year and ranks 376 as far as the subsidy program is concerned out of a possible 445. And out of the state for the whole tax effort of the town of Bristol, their tax effort ranks 320 in comparison to a 445. I thought that might be of some interest to some of you.

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

Mr. KELLAM: Mr. Speaker and Members of the House: I will today break one of my rules, I don't talk about other people's bills; but it would seem to me that the problem that Mrs. Sproul has is based upon the state valuation figures increasing so drastically and it's these very figures that are used to determine what the tax effort is, so it would be unfair to me to use the standing on the tax effort to defeat the bill when it's the very problem that the bill is designed to correct that creates the low standing on the tax effort. As to the revaluation problem, in theory there should be no change whatever in the state valuation because of a revaluation of the town. But as one of the speakers has pointed out in opposition to this bill, that the state valuation only went from one to one and one half million, but the town assessment went from one to eight. Well obviously the town assessment for tax purposes should have no bearing on the state valuation, but it's very difficult in this case to see how that did not in fact affect the state valuation, and without going into the other parts of the bill, it just seems to me that these arguments are not fair to present in this particular case.

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

Mr. LEVESQUE: Mr. Speaker, Ladies and Gentlemen of the House: Maybe I should have given the complete tax structure of the Town of Bristol, but I didn't think it was necessary, although the total tax effort on the part of the Town of Bristol as far as the whole school program in Bristol, on a percentage average in 1960, has been 25.7 tax effort on the part of the education of the Town of Bristol.

The SPEAKER: The Chair recognizes the gentleman from Raymond, Mr. Durgin.

Mr. DURGIN: Mr. Speaker, Ladies and Gentlemen of the House: I rise in opposition to this bill. My small town's state valuation

increased from three million six to four million seven between 1958 and 1960. Now the \$500,000 that the state department found during the winter was brought about by this increase in valuation. In other words if all of our small communities and small towns could have our valuation frozen at the 1958 level, then the state department wouldn't have found that \$500,000.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Friendship, Mr. Winchenpaw.

Mr. WINCHENPAW: Mr. Speaker, I would just like to go on record as favoring this bill because I'm from a small town, and most of you know, or if you don't know you can find out easily by reading the legislative records of the year we passed the Sinclair Law, that the Sinclair Law has never really favored the small towns like it was intended to, it favored the larger places. If you read that record, I think it was the 1957 record or maybe '55, there were only a few of us that opposed the Sinclair Law, there was a handful of us that came from the small towns and I've always kicked myself that we didn't have a roll call on it, but if you dig into the records you can see it was loaded — it was absolutely loaded for the bigger places. Now every small town is going to be faced with this problem, and I think we should pass this measure.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Portland, Mr. Estey, that the Reports and Bill, "An Act relating to State Valuation of Town of Bristol for School Subsidies," House Paper 691, Legislative Document 969, be indefinitely postponed.

Mr. WELLMAN: Mr. Speaker, I request a division.

The SPEAKER: A division has been requested. All those in favor of indefinite postponement, please rise and remain standing until the monitors have made and returned their count.

A division of the House was had.

Forty-eight having voted in the affirmative and forty-nine having voted in the negative, the motion did not prevail.

The SPEAKER: Is it now the pleasure of the House to accept the Majority "Ought to pass" Report?

The motion prevailed.

Thereupon, the Bill was read twice and Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to H. P. 691, L. D. 969, Bill, "An Act Relating to State Valuation of Town of Bristol for School Subsidies."

Amend said Bill by adding at the end before the period the following:

'until the board of equalization certifies and deposits in the office of the Secretary of State its assessed valuation for the next biennium'.

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

The SPEAKER: At this time the Chair would like to compliment the members of the House who are in attendance on a Friday and we have well over one hundred here. It, of course, is your duty to be here, but you deserve to be complimented on the fact that you are here. It is necessary that you be here in order to conduct the state's business.

The Chair laid before the House the third tabled and today assigned matter of Unfinished Business:

HOUSE REPORT — Ought to Pass in Second New Draft (H. P. 1155) (L. D. 1593) — Committee on Public Utilities on Bill "An Act to Create the Fort Kent Sewerage District." (H. P. 528) (L. D. 726)

Tabled — May 10, by Mr. Cyr of Fort Kent.

Pending — Acceptance of Report.

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

Mr. BERRY: Mr. Speaker, there is still some work to do on this Act and the gentleman from

Fort Kent, Mr. Cyr, is absent today, I move that this be tabled until next Tuesday.

Thereupon, the Report and Bill were tabled pending acceptance of the report and specially assigned for Tuesday, May 16.

The Chair laid before the House the fourth tabled and today assigned matter of Unfinished Business:

An Act Providing for Civil Service for the Old Orchard Beach Police Department. (H. P. 614) (L. D. 831) — Engrossed in Both Branches.

Tabled — May 10, by Mrs. Hanson of Lebanon.

Pending — Passage to be Enacted.

The SPEAKER: The Chair recognizes the gentlewoman from Lebanon, Mrs. Hanson.

Mrs. HANSON: Mr. Speaker, Ladies and Gentlemen of the House: The objections which I had seem to be pretty well removed, so I move that this bill be passed to be enacted.

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

The Chair laid before the House the fifth tabled and today assigned matter of Unfinished Business:

Bill "An Act relating to Chiropractic Treatment Under Workmen's Compensation Law." (S. P. 325) (L. D. 1000) — In Senate Indefinitely Postponed.

Tabled — May 11, by Mr. Philbrick of Bangor.

Pending — Motion of Mr. Estey of Portland to Recede and Concur.

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

Mrs. HENDRICKS: Mr. Speaker and Members of the House: The gentleman from Bangor, Mr. Jameson, is very interested in this bill, and he being absent today, I request that this matter be tabled until Tuesday next.

Thereupon on a viva voce vote, the Bill was tabled pending the motion of Mr. Estey of Portland to recede and concur and specially assigned for Tuesday, May 16.

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

JOINT ORDER Relative to printing the Legislative Record in Pamphlet Form. (H. P. 1160)

Tabled — May 11, by Mr. Wellman of Bangor.

Pending — Passage.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Wellman.

Mr. WELLMAN: Mr. Speaker, I seem to have run into a little snag on this, I still have hopes of doing something, saving a little money, I hope by Wednesday I can straighten it out, and I would request permission to table it until then.

Thereupon, the Joint Order was tabled pending passage and specially assigned for Wednesday, May 17.

The SPEAKER: At this time the Chair would like to recognize the presence in the gallery of a group of seventh and eighth grade students from Moscow Elementary School. They are accompanied by their Principal, Mr. Gerald Hamilton and school bus driver, Cliff Berry.

On behalf of the House, the Chair extends to you a most hearty and cordial welcome and we hope that you will enjoy and profit by your visit with us here today. (Applause)

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

Motion of Mr. Lowery of Brunswick that the House Reconsider its action whereby it Indefinitely Postponed Bill "An Act Requiring Persons Seventy-Five Years of Age to Take Examination for Motor Vehicle Driver's License." (S. P. 387) (L. D. 1197) — In House Read the Third Time and Indefinitely Postponed. (Amendment Filings S-64 and S-173)

Tabled — May 11, by Mr. Karkos of Lisbon.

Pending — Consideration.

The SPEAKER: The Chair recognizes the gentleman from Lisbon, Mr. Karkos.

Mr. KARKOS: Mr. Speaker, Members of the House: According to the latest reports we have, drivers over sixty-five are responsible

for only 3.8 percent of the accidents, in other words there were 3,070 killed. People from twenty-five to sixty-four there were 31,100 killed, drivers from eighteen to twenty-four, 10,760 were killed. I think we should leave this alone, I can't see where the older persons are really responsible for too many accidents, and I think Mr. Lowery had a motion to make for reconsideration. I'll let him go on from there on the basis of this information.

The SPEAKER: The pending question is that the House reconsider its action whereby it indefinitely postponed this bill.

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

Mrs. HENDRICKS: Mr. Speaker and Members of the House: I support the motion to reconsider. This bill is a product of the Maine Highway Safety Committee that gave the bill quite a bit of thought. And I hope that the motion to reconsider prevails.

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

Mr. BRIGGS: Mr. Speaker, I have before me a chart that perhaps could make it a little clearer. I hope the motion does not prevail for reconsideration. Now drivers between the ages of 45 to 54, have 23.4 percent of all accidents; however drivers between the ages of 75 and over have only 1.5 percent of accidents. Seems to me that they are safer. Perhaps, myself in the 45 to 54 age group should take a test each year instead of these people. Thank you.

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

Mr. BUSSIÈRE: Mr. Speaker, being a member of the Transportation Committee, when this bill came to us first, it called for sixty-five instead of seventy-five, and I thought myself that sixty-five didn't make sense. So we all agreed to compromise on seventy-five years old. Even if this bill passes, there won't be too many of them that will have to take a physical exam because most of the people don't reach that age. I believe they are safe drivers. They

are in the class of the safest drivers, and I hope that the motion of Mr. Karkos prevails.

The SPEAKER: For the information of the House, the gentleman from Brunswick, Mr. Lowery, made the motion that the House reconsider its action whereby this bill has been indefinitely postponed.

Now if the motion to reconsider does prevail, then the pending motion will be on the passage to be engrossed.

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

Mr. BERRY: Mr. Speaker, Ladies and Gentlemen of the House: We in the Transportation committee, had two bills presented to us, one for sixty-five years of age and one for seventy-five. Now you have heard facts and figures presented here this morning—you have heard one side of the facts and figures. Granted, there are more accidents in the forty-five year bracket; granted that there are also more drivers on the road in this bracket, but their neglect here is to tell you the cause of the accidents. We are not going to go into the cause entirely, our Transportation committee gave this bill thorough consideration. Many people seventy-five years of age and older have eye difficulty that can be corrected, if they are found in due time. We felt that the seventy-five year age bracket by examination at this time would help to find out if any of these people had eye difficulties.

Now with the amendment on this bill as it prevails now, it will require a person seventy-five years of age to take an examination. And again at eighty years to take an examination and every year thereafter, not every year from seventy-five, seventy-six, so on up to eighty. He would skip the five years between seventy-five and eighty.

Therefore, I hope the motion of Mr. Lowery to reconsider our action prevails. This has been given a lot of consideration by both the Highway Safety Committee. Doctors throughout the state appeared at the committee hearing in support of the bill. We also had people seventy-five, eighty and eighty-five years of age at this

hearing to support this bill. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Bowdoinham, Mr. Curtis.

Mr. CURTIS: Mr. Speaker, Ladies and Gentlemen of the House: As an insurance agent whose principal business is writing insurance, I'm not so much concerned with the cause of an accident as I'm concerned with the accident because that's where we get in trouble with the accident which costs my companies a lot of money and I do find that perhaps our safest drivers percentage-wise are the older drivers. That's our experience. Now if this bill provided that these youngsters would have to take a drivers' test every six months, I'd be all in favor of it because they are the lads who are costing us all the money. In fact a great many companies will not take them at all unless they put them under assigned risks which then the companies have to take their share, unless they have killed somebody, then perhaps no one has to take them. But I can see no good reason as far as the insurance companies are concerned, and they are most seriously concerned because they are the ones who pay the bills. Of course that eventually comes back on the assured statewide or nation-wide because they are the ones that furnish the money to pay the bills with. I don't see where there's any use of this bill, and I hope that we do not reconsider. But I think it's useless and bad for everyone concerned.

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

Mr. LOWERY: Mr. Speaker, I do feel that the reconsideration of this is quite necessary. I do not believe that this bill is an unreasonable bill. It is true that these charts show that only 1.5 percent of the accidents are caused by those at seventy-five and over, but we also have to take into consideration that the number of drivers seventy-five years and over are much fewer than those even from fifteen to twenty-four. Now I have personally been in the automobile business, the filling station business

before I entered my present business; I have driven the highways myself since I was sixteen; I would like to see more rigid bills passed regarding examinations for driving. However, I think that this is a step in the right direction, and I firmly believe that it is not an unreasonable bill. I therefore earnestly ask for reconsideration.

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

Mr. BRIGGS: Mr. Speaker, I would just like to address a question through the Chair to whom-ever could answer. How many additional jobs in the state will this create, and how many thousands of dollars will this cost the State of Maine per year if we adopt this program?

The SPEAKER: The gentleman from Portland, Mr. Briggs, has asked a question through the Chair of anyone who may choose to answer, and the Chair recognizes the gentleman from Portland, Mr. Berry.

Mr. BERRY: In answer to my colleague's question from Portland, this will not increase any additional costs or personnel. We already require an examination at age eighty today. The additional examinations can well be taken care of with this force that we have prevailing now.

The SPEAKER: The Chair recognizes the gentleman from Rumford, Mr. Jobin.

Mr. JOBIN: Mr. Speaker, Ladies and Gentlemen of the House: I rise in support of the motion of my colleague, Mr. Lowery from Brunswick, for a reason that I think is a little bit different than some of those that have been given here this morning. I hesitate to attach any sort of a price tag on human life of course, and this seems to me to be one way to prevent certain accidents whether it costs us a little more or a little less. I think we all agree that at age seventy-five is the time when a good many of our faculties begin to diminish, and would be a proper time to run a check on these drivers as much for their own good as anyone elses' and I feel it would give an opportunity to both those that are driving the

cars other than this seventy-five year old group and the seventy-five year old group also to, through these examinations, eliminate some of the accidents that happen. Even though this age group is in the minority of accidents, if we can prevent some of those, I think it is certainly worthy of our attempt to do so. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Mil-bridge, Mr. Kennedy.

Mr. KENNEDY: Mr. Speaker, Ladies and Gentlemen of the House: I didn't intend to get mixed up in this, but being in the allied field of health protection, I am amused by this bill. It reminds me of the honorable Mr. Dudley in the last session when we were discussing the inspection of automobiles, are we going to be a bunch of "sticker lickers"?

This reminds me very much of that type bill. People who are seventy-five years and older are usually under medical attention. Now all this is going to do is create a nuisance. These people are only going to their family physician and have their license endorsed by that physician. Now if you want to subject the people of the State of Maine to this inconvenience, we should reconsider the bill; if you don't want to put them in this position, why let's go along with the indefinite postponement. I am heartily in accord with the proponents of the bill that we do need to protect the people in the State of Maine from the hazards that do exist, but I don't see that this bill is going to do it unless the police departments do set up the medical examination.

The SPEAKER: The Chair recognizes the gentleman from Guilford, Mr. Dodge.

Mr. DODGE: Mr. Speaker and Members of the House: In the report from the Maine State Police, we have about almost 25,000 accidents reported; of that number, you have 378 in the seventy-five age group. Now if by this examination you could stop every one of those 378 accidents which many of those were not caused by the driver of seventy-five but by the other driver, you would decrease your number of accidents from

24,946 down to about 26,000. You aren't going to do that of course. You will decrease very few accidents, and from the number of accidents that we have and where there is a problem driver, it is much more the mental attitude of the driver than it is his physical condition that causes accidents. And if all the drivers on the road would use ordinary courtesy, we could cut these accidents one-half, but you aren't going to cut them by any physical examination.

The SPEAKER: The Chair recognizes the gentleman from Hampden, Mr. Littlefield.

Mr. LITTLEFIELD: Mr. Speaker, I rise for some information to know what I'm going to vote upon here. The bill says any person upon reaching his seventy-fifth birthday shall be required to take an examination to qualify him to operate a motor vehicle and shall be required to take such examination annually thereafter. Now I saw an amendment, something about eighty years of age. If this bill is indefinitely postponed, then the law will remain at eighty just as it is now, is that what I am to understand?

The SPEAKER: The gentleman from Hampden, Mr. Littlefield, has asked a question through the Chair of anyone who may choose to answer.

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

Mr. BERRY: Mr. Speaker, in answer to the original bill, it required an examination at seventy-five years of age. Now you have an amendment on this bill, and if you put the amendment with the bill and read them both together, which you must do, you will come out with an examination at age seventy-five. Now your next examination will be taken at age eighty. In the Senate Amendment "A", Senate Paper 387, L. D. 1197, "Persons seventy-five years of age to take examinations for motor vehicle drivers examinations. Amend said bill by striking out in the sixth line the underlined word annually and inserting in place thereof the underlined words every five years."

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

Mr. LOWERY: Mr. Speaker, I would like to clarify one point here made by the gentleman from Milbridge, Mr. Kennedy, the requirement here is for a driver's examination and not a physical examination.

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

Mr. HINDS: Mr. Speaker, I am going to be very brief. I think we have had quite a lot of discussion on this, but we have a lot of good drivers between these age brackets, I know, but there is always an exception to the rule. In South Portland we had a lady who was seventy-eight years old, and for two years she had twenty accidents, and you can check this with the Chief of Police in the City, and she had twenty accidents in the two year period. After the first five or six approximately, the insurance companies didn't continue to insure her, but she happened to be a very wealthy lady and so she was able to take care of all the claims. But she did hit one child and seriously injured that child with the loss of a leg, and I know probably that shouldn't enter into the thing, but there is an exception in every case to these people driving at that age.

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

Mr. ESTEY: Mr. Speaker, Ladies and Gentlemen of the House: As it has already been stated, this is a program endorsed by the Maine Highway Safety Committee. I think we will agree that driver licensing is considered to be the starting point of any traffic safety program.

I would call to your attention that the driver licensing program started in the State of Maine in 1937, and it means that there are an awful lot of people in this state who are over thirty-nine years of age who have never had an examination. I had the good fortune of sitting on the Governor's Advisory Committee on Aging and I don't believe that this is a blanket discrimination against our senior citizens in any way, and I think many of them feel a responsibility when they drive a motor vehicle

just the same as you and I do. All this asks to do is for them to submit or resubmit to a re-examination. I don't believe this is in any way an attempt to discriminate against our older people at all.

We have many people working and profitably engaged and as useful citizens and taking responsible leadership in our communities who are over age seventy-five, and those that are keen and physically able should be permitted to drive an automobile and they will be, but it is only those who are a menace to themselves and to other citizens that are asked to be re-examined.

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

Mrs. HENDRICKS: Mr. Speaker and Members of the House: I would like to read in part a statement of the Maine Highway Safety Committee. This was in a letter signed by Arlyn Barnard, the Chairman. "In our opinion, these measures can be of considerable aid to those who are working in behalf of safety. We are certain they are in the public interest, and their defeat can only result in more unnecessary traffic tragedies. They won't cure them all, of course. No

legislation in itself can do that. But they will prove to be an important factor in certain types of accidents if you will give them your support and pass them. In the name of the entire Committee I ask for your cooperation. Sincerely, Arlyn E. Barnard, Chairman."

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Brunswick, Mr. Lowery, that the House reconsider its action whereby it indefinitely postponed this Bill "An Act Requiring Persons Seventy-Five Years of Age to Take Examination for Motor Vehicle Driver's License." The Chair will order a division. All those in favor of the motion to reconsider please rise and remain standing until the monitors have made and returned their count.

A division of the House was had. Forty-eight having voted in the affirmative and fifty-two having voted in the negative, the motion did not prevail.

On motion of Mr. Baxter of Pittsfield,

Adjourned until Tuesday, May 16, at ten o'clock in the morning.