

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One-Hundredth Legislature

OF THE

STATE OF MAINE

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DAILY KENNEBEC JOURNAL

AUGUSTA, MAINE

HOUSE

Friday, May 26, 1961

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

Prayer by the Rev. Mr. Harvey Cossaboom of the Blaisdell Memorial Church, Waterboro.

The journal of yesterday was read and approved.

The SPEAKER: The Chair will recognize the presence in the gallery of a group of eighth grade pupils from the Buker School in Augusta, accompanied by their teacher, Mr. James Lewis; and they are sponsored by Representative Humphrey of Augusta, Representative Philbrick of Augusta, and Representative Beane of Augusta.

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)

Papers from the Senate

From the Senate: The following Orders:

ORDERED, the House concurring, that the Legislative Research Committee be directed to make a study of allowable sizes and weights of vehicles and loads to be permitted on public highways; and be it further

ORDERED, that the Legislative Research Committee make such recommendations as it may deem necessary for consideration of the 101st Legislature (S. P. 568) (L. D. 1619)

ORDERED, the House concurring, that free telephone service be provided after final adjournment of the Legislature, during the remainder of the biennium, for each member of the Senate and House of Representatives, to the number of 50 calls of reasonable duration from the member's home to any state department, commission or agency within the limits of the State of Maine, and that each member of the Senate and House be provided with a card to be certified by the Secretary of the Senate and Clerk of the House, respectively,

the cost of this service to be paid to the New England Telephone and Telegraph Company at regular tariff rates (S. P. 569)

Came from the Senate read and passed.

In the House, the Orders were read and passed in concurrence.

Senate Reports of Committees Ought to Be Adopted

Report of the Committee on Highways reporting "Ought to be adopted" on Joint Resolution Memorializing Congress to Extend the Northern Terminus of the Proposed Interstate Highway from Houlton to some Point Located on the Northern Boundary of the State of Maine (S. P. 557) (L. D. 1623)

Came from the Senate with the Report accepted and the Resolution adopted.

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

Ought Not to Pass Tabled Until Later in the Day

Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Resolve Appropriating Moneys to Provide Promotion for Maine's Industrial Development (S. P. 102) (L. D. 247)

Came from the Senate with the Resolve substituted for the Report and passed to be engrossed as amended by Senate Amendment "A".

In the House: Report was read.

The SPEAKER: The Chair recognizes the gentleman from Farmington, Mr. Jones.

Mr. JONES: Mr. Speaker, I move we accept the "Ought not to pass" Report.

The SPEAKER: The question now before the House is the motion of the gentleman from Farmington, Mr. Jones, that the House accept the "Ought not to pass" Report. Is this the pleasure of the House?

The Chair recognizes the gentleman from Albion, Mr. Cooper.

Mr. COOPER: Mr. Speaker and Members of the House: I am not too familiar with this, but I have been requested to table this until later in the day.

The SPEAKER: The gentleman from Albion, Mr. Cooper, moves that item four be tabled until later in the day pending the motion of the gentleman from Farmington, Mr. Jones, that the House accept the Committee "Ought not to pass" Report. Is this the pleasure of the House?

The motion prevailed.

Ought to Pass in New Draft Indefinitely Postponed

Report of the Committee on Industrial and Recreational Development on Bill "An Act relating to Purchase of Land by Municipalities for Industrial Parks" (S. P. 163) (L. D. 409) which was recommitted, reporting same in a new draft (S. P. 564) (L. D. 1616) under title of "Resolve Proposing an Amendment to the Constitution to Permit Municipalities to Purchase Land for Industrial Parks" and that it "Ought to pass"

Came from the Senate with the Report read and accepted and the Resolve indefinitely postponed.

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

Non-Concurrent Matter Conference Asked

Resolve Proposing an Amendment to the Constitution Pledging Credit of State for Guaranteed Loans for Recreational Purposes (S. P. 515) (L. D. 1535) on which the House voted to adhere on May 24 to its action whereby the Resolve failed final passage.

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

Messrs. NOYES of Franklin
LOVELL of York
MARDEN of Kennebec

In the House:

The SPEAKER: The Chair recognizes the gentlewoman from Falmouth, Mrs. Smith.

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

The SPEAKER: The gentlewoman from Falmouth, Mrs. Smith, moves that the House insist and join in a Committee of Conference. Is this the pleasure of the House?

The motion prevailed.

Non-Concurrent Matter

House Joint Order relative to Telephone Calls after Adjournment of the Legislature (H. P. 1171) which was passed in the House on May 23.

Came from the Senate indefinitely postponed in non-concurrence.

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

Non-Concurrent Matter

Report "A" of the Committee on Claims reporting "Ought not to pass" on Resolve in favor of Jim Adams, Inc. of Bangor (H. P. 464) (L. D. 664) and Report "B" reporting "Ought to pass" as amended by Committee Amendment "A" and Report "C" reporting "Ought to pass" as amended by Committee Amendment "B" which Reports and Resolve were indefinitely postponed in the House on May 4.

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

In the House:

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

Mr. MINSKY: Mr. Speaker, there is currently some attempt being made to negotiate this matter between the Highway Department and others outside of this resolve. For this reason and in order to give them an opportunity to attempt this, I would like to have this matter tabled until the next legislative day.

The SPEAKER: The gentleman from Bangor, Mr. Minsky, in reference to item eight, moves that it be tabled until the next legislative day pending further consideration.

Mr. Hughes of St. Albans asked for a division.

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

A division of the House was had. Forty-seven having voted in the affirmative and fifty-five having voted in the negative, the motion to table did not prevail.

The SPEAKER: The Chair recognizes the gentleman from St. Albans, Mr. Hughes.

Mr. HUGHES: Mr. Speaker and Members of the House: This is the same horse that we had some time ago with just a different blanket on it. I move that we adhere.

The SPEAKER: The question now before the House is the motion of the gentleman from St. Albans, Mr. Hughes, that the House adhere.

The Chair recognizes the gentleman from Bangor, Mr. Minsky.

Mr. MINSKY: Mr. Speaker and Members of the House: I was going to make a motion — or will now move that the House recede and concur with the Senate. I would like to point out that there is now on your desks Senate Amendment "A." I hope that you will all read it and read the words involved.

First of all, as you maybe know, this has been around for a long time. There was some question at the last time we discussed this here in the House as to how much longer we would have this before us. I would like to point out that part of Senate Amendment "A" says "to compensate in full." This should clear up any question as to whether or not it will be back again. This certainly would be considered compensation in full.

Reference has been made to try to get as much out of the state as possible. I would point out to you that the figure of \$9,500 is not the figure of Mr. Adams; it is the figure of the committee. Several members of the committee agreed upon this figure. The amendments before us reiterate this figure. I would also point out to you that the phraseology of the amendment, "for damage suffered by unnecessary, careless and harmful acts of state-supervised contractors and

employees, state agents and employees."

I think that if any of us in the House had a similar experience we too would be standing here today trying to receive compensation. I again wish to point out the figure of \$9,500 is a committee figure and I again point out to you that I believe the State of Maine does have a moral obligation in this situation. I hope that you will vote to recede and concur.

The SPEAKER: The question now before the House is the motion of the gentleman from Bangor, Mr. Minsky, that the House recede and concur with the Senate in accepting Report "B" "Ought to pass" as amended.

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

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen: I concur with the gentleman from Bangor who just spoke. I consider that this Mr. Adams has been most grossly misused by the State of Maine, first by the Highway Department and those who had charge of the building. When the Brewer Bridge was built, Mr. Adams's location was right at the end of that bridge and they took it as I believe by eminent domain, and they allotted him \$36,000. They dug a hole right in front there to build a pier twenty-eight feet deep and clear across the width of the bridge and of course there could be no business being done with Mr. Adams.

He had a very nice business there, he had the franchise for the sale of the Nash car and of course he was much disturbed by what — and perhaps he too was a little mite to blame because he seemed to be so put out that he got the contractor mad at him and the contractor who built it did everything in his power to make it rough for him, even on Saturdays and Sundays when they were not working they would park some of their big machinery right in front of his door so that no one could get in. Eventually the Nash people cancelled his franchise and he was not able to do any business whatever, to speak of.

He appealed to the — which

was his right by law—to the County Commissioners and they came in and awarded him enough more so that it made \$52,000. Then he brought it in to the Legislature, I think probably the 97th, and he did not get any relief. Then he asked to sue the state by the next Legislature and that was granted. And the State Highway Department spent \$11,000 as fees to two attorneys to find some loophole in the bill, which eventually they did. So that put him out of business, as far as that's concerned.

Last Legislature I was on the Claims Committee and we made a very thorough study of this thing and we went up and looked the place over, and a lot of pictures were taken; and I am convinced that we have done him a terrible wrong and should do something about it. Now this little measly amount is just peanuts to what the man has suffered, he has been practically put out of business, and of course building that bridge there where they did and raising around him why even now he hasn't got any place where you can get in and out properly.

Of course the proper thing to have done at the time was to blot the whole place right out like they did with building the highway through. And I was up there, part of the Committee on Claims was up there last Legislature. We found that the Highway Department had paid as high as \$152,000 for a place which was nowhere near, in my opinion, what this place was worth. So I think in just fairness, just measly fairness, that you should go along with this little measly amount and grant him that little bit of relief which is far, far too small in my opinion.

The SPEAKER: The Chair recognizes the gentleman from St. Albans, Mr. Hughes.

Mr. HUGHES: Mr. Speaker and Members of the House: I too hope that you will read Senate Paper 210. That is the blanket that I spoke about which is covering the same horse. This bill has been spoken about numerous times coming back, and it would be worth something to get rid of it so it wouldn't show up again. In other words, it would be worth something to get rid of

as a nuisance. To me that would mean just the fact that persistence wins. I don't believe that it is right; I have never believed that it was right. I believe he has had the compensation that was due him, and he did not exercise the right that he had to appeal or to sue the contractor, and those are the reasons that I object to this bill.

The SPEAKER: The question before the House is the motion of the gentleman from Bangor, Mr. Minsky, that the House recede and concur with the Senate in accepting Report "B" "Ought to pass" on Resolve in favor of Jim Adams, Inc. of Bangor. A division has been requested. Is the House ready for the question? All those in favor of receding and concurring please rise and remain standing until the monitors have made and returned their count.

A division of the House was had.

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

Thereupon, the House voted to adhere.

Non-Concurrent Matter

Majority Report of the Committee on Natural Resources on Bill "An Act Classifying Certain Tidewaters Bordering Thomaston" (H. P. 693) (L. D. 971) which was re-committed, reporting "Ought to pass" as amended by Committee Amendment "A" and Minority Report reporting "Ought to pass" as amended by Committee Amendment "B" which Reports and Bill were indefinitely postponed in the House on May 23.

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

In the House:

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

Mr. WHITMAN: Mr. Speaker, I move we insist and call for a Committee of Conference.

The SPEAKER: The gentleman from Woodstock, Mr. Whitman moves that the House insist and request a Committee of Conference.

The Chair recognizes the gentleman from Hodgdon, Mr. Williams.

Mr. WILLIAMS: Mr. Speaker, I move we recede and concur.

The SPEAKER: The gentleman from Hodgdon, Mr. Williams moves that the House recede and concur.

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

Mr. WHITMAN: Mr. Speaker, I dislike very much to debate this bill all over again, and I hope that will not be necessary. I would just like to remind the House that if the House does recede and concur, we will in effect be passing a declassification bill, and I hope that we will stand firm in our convictions and vote as we voted the other day.

The SPEAKER: The Chair recognizes the gentleman from Fairfield, Mr. Brown.

Mr. BROWN: Mr. Speaker, I rise to support the motion of Mr. Williams of Hodgdon. While it is true that in effect we will be voting for declassification, I still have the firm conviction that it is the prerogative of this Legislature to make up its own mind as to what its course of action shall be and to judge the merits of each case individually. I cannot see why we would be establishing any great precedent by voting our own convictions as we see them for each case.

The SPEAKER: The question before the House is the motion of the gentleman from Hodgdon, Mr. Williams, that the House recede and concur with the Senate in accepting the Majority "Ought to pass" Report.

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

Mr. WINCHENPAW: Mr. Speaker, I feel like my good friend from Woodstock, Mr. Whitman, that I didn't want to debate this all over again, but I feel that there has been an injustice done and I made quite a study of this thing, I had a lot of information the other day but I couldn't seem to get it across, but during the night I studied the classification that we passed in 1957. You have heard a lot about declassifications. Well there are fifty-three D classifications, one hun-

dred and eight C classifications and ten A classifications. Now I have gone all over this thing and the only A classification in fresh water I can find is two. Wassakeag Lake is classified as class A, that is a fresh water lake, but the tributaries that run into it are class B. Now I don't see how you can have class A water if class B-2 water is running into it. A section of Damariscotta River is class A. A little bit of tidal water in Cushing is class A; tidal waters in South Thomaston are class A; a small section of tidal water in South Thomaston is class A, tide-waters at Cape Jellison and Fort Point is class A; tidewaters in the Bagaduce River near Castine is class A. I assume that's Castine Harbor. I didn't have time to trace out the compass directions, but there is latitude and longitude directions on that, and I am assuming it is Castine Harbor. Tidewaters in Washington County not otherwise classified, class A; Sebago Lake, Town of Naples, Casco, Raymond and so-forth are class A. Now we feel it is an injustice to the town of Thomaston to consider on insisting that they be a class A, where it is tidal water it is salt water. You cannot possibly drink it, tide goes in and out of there twice a day, and in view of the fact — this is in Chapter — well it's on page 277 to page 301, there are 423 classifications. Only ten of those are A, one hundred eight C's and fifty-three D's. That's all I'll say at this time. Thank you very much.

The SPEAKER: The Chair recognizes the gentleman from Bucksport, Mr. Bearce.

Mr. BEARCE: Mr. Speaker, I certainly agree with Mr. Winchenpaw, and I don't think there is anything great and holy about a declassification, if it is an unjust situation why this Legislature certainly has the opportunity and they have to declassify and it looks to me as though that Mr. Williams has got the right idea and I certainly support his idea. Thank you.

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

The SPEAKER: The question before the House is the motion of the gentleman from Hodgdon, Mr.

Williams, that the House recede and concur, in accepting the "Ought to pass" Report. A division has been requested. All those who favor the motion to recede and concur please rise and remain standing until the monitors have made and returned their count.

A division of the House was had.

Sixty-six having voted in the affirmative and forty-one having voted in the negative, the motion did prevail.

Thereupon, the Majority "Ought to pass" Report was accepted in concurrence and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 693, L. D. 971, Bill, "An Act Classifying Certain Tidewaters Bordering Thomaston."

Amend said Bill by striking out the last underlined letter "D" and inserting in place thereof the underlined letter "C"

Committee Amendment "A" was adopted in concurrence.

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

Mr. LOWERY: Mr. Speaker, I think lowering this classification down to class C as proposed in Committee Amendment "A" is a very wrong move—

The SPEAKER: The Chair would advise the gentleman from Brunswick, Mr. Lowery, that Committee Amendment "A" has been adopted. Does the gentleman move for reconsideration?

Mr. LOWERY: I move for reconsideration.

The SPEAKER: The gentleman from Brunswick, Mr. Lowery, moves the House reconsider its action whereby it just adopted Committee Amendment "A." Is this the pleasure of the House?

The motion prevailed.

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

Mr. LOWERY: Mr. Speaker, I think dropping this classification down to class C you are dropping the classification down too low. We do have another amendment later which can be introduced, which would bring it down to a normal classification, one which I think most of us who are interested in

these clean waters bills can go along with. Therefore, I move the indefinite postponement of Committee Amendment "A."

The SPEAKER: The gentleman from Brunswick, Mr. Lowery, moves that Committee Amendment "A" be indefinitely postponed.

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

Mr. WINCHENPAW: Mr. Speaker, I don't want to debate this any further but I hope that the House still votes the way they did before and I request a division.

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

Mr. RUST: Mr. Speaker, Ladies and Gentlemen of the House: I understand that the classification of the waters as they now test out in the area covered by this bill are now actually class C and to confirm or deny this I would make an inquiry through the Chair of someone who would have actual knowledge of what the actual classification by test is of the waters we are now talking about.

The SPEAKER: The Chair recognizes the gentleman from Hodgdon, Mr. Williams.

Mr. WILLIAMS: Mr. Speaker, I think if you just give me a minute I could answer that. Now this is a report which was given to the Natural Resources Committee at the request of the Natural Resources Committee by the Water Improvement Commission, and it is a survey of tidewater, Thomaston, St. George Estuary. Now this was taken on two days, the 11th of April '61 and the 12th of April '61. Now station 1 was on the highway bridge and on the 11th of April this was taken at half flood, the tide going out. They got bacillus coli on the 11th of 15,000 which is way high, but on the 12th, they only got 430. Well 430 is a fairly reasonable amount. On station 2, which was on the Cushing River bridge on the 11th of April they got 1500, one-tenth of the 15,000, and on the 12th they got 430, the same as the other. On station 3 it was the end of the boat docks at Knox Street, that is where they look down to this Hospital Point they talk about, which is the end

of class A water, and this was all taken at half flood with the tide going out. On the 11th they got 2300 and on the 12th they got 750. Then again they sampled at the railroad bridge at the mouth of Mill Stream another test, this was on the 11th and they got 2300 and on the 12th they got 2300. Well, I can't explain why they got a lot more one day than they did the other unless the tide or the wind had something to do with it, but you average the whole thing out and it will give you about a C.

The SPEAKER: Is the House ready for the question? The Chair recognizes the gentleman from Woodstock, Mr. Whitman.

Mr. WHITMAN: Mr. Speaker, I rise to support the motion of indefinite postponement of Committee Amendment "A." There has been a great deal of confusion over the particular issue and view. Many classifications have been bandied about. The fact boils down to one item, shall we allow Thomaston to renege on previous commitments at which time they have agreed to go ahead with the clean-up of this particular water in view? One subject that has not been brought into the picture is the problem that we have with our state prison at Thomaston. If Thomaston refuses to go ahead with this project, the State of Maine will have to build an independent sewerage treatment plant for the sewerage treatment of the prison. This is entirely impractical, it is not a bit logical, it would be a duplication of effort because eventually Thomaston would have to go ahead with their own separate sewerage treatment plant.

In relation to the classification of this particular portion of water, I think you will find that immediately upstream from this section, the water is classified as B-1 classification and immediately downstream there is a B classification. This is a section lying in between two B classifications. Furthermore, it is contributing to pollution of clam flats downstream from Thomaston in South Thomaston. Those flats will not be able to be used for commercial clam digging and I submit to you that sooner or later this job will have to be done and I

would hate to think that the federal government will require us to do this job. I do know that the federal health authorities have been keeping a very close watch on the situation there and I would be surprised if we didn't find ourselves in a position where the federal government would tell us to clean this up. I sincerely hope that the motion of the gentleman from Brunswick, Mr. Lowery, does prevail.

The SPEAKER: The Chair recognizes the gentleman from Bucksport, Mr. Bearce.

Mr. BEARCE: Mr. Speaker, I wonder if the previous gentleman is suggesting to the federal government that they come in here and clean up a little town like Thomaston, when we all know that the big cities of New York, Boston and all down the line are throwing all of their refuse right into the Hudson River, the East River, right into the bay, I think it is one of the most ridiculous things I ever heard. Whenever anyone talks about the federal government coming in on this proposition, I just stew. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Hodgdon, Mr. Williams.

Mr. WILLIAMS: Mr. Speaker, I would like to read to the members what this A, B and B-1 and C really mean. Now A water is not more than 100 coli bacteria per hundred milliliters, and that is water that isn't—even in nature it doesn't get much better than that. Most any muskrat or beaver could stir up enough bacteria there at times to perhaps get quite a few bacteria. Way up in the big woods even there is a lot of A water up there, that is about what it runs, 100. Now B-1 gives them 300. B-1 is pretty good water, and B-2 gives 1,000 coli bacteria. B-2 gives 1,000. Then C there is no limit on coli bacteria but C says it shall be free from scum, slick, objectionable floating solids and be suitable for boating, fishing, but not for palatable water.

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

Mr. BAXTER: Mr. Speaker, I would call attention of the House to

the fact and I don't think it has been mentioned here, that there is minority report which amends the bill by Committee Amendment "B" which would provide for a B-1 classification in these waters which would bring them into line with the waters above and below them and it would correct the clam flat pollution problem. I think if Committee Amendment "A" is defeated that Committee Amendment "B" would be a good compromise to the situation.

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

Mr. WINCHENPAW: Mr. Speaker, I would like to take one more moment to point out some things that have been suggested here. It has been suggested that Thomaston agreed to this. As far as I know all the town meetings in Thomaston I have attended they have agreed to nothing, and as far as I know Thomaston had nothing to do with printing the report. Some people have a red-covered report. The Water Improvement Commission came into Thomaston, paid for that report, had it printed and circulated it, and Thomaston, that's why I'm here trying to get this classification lowered, I know I'm taking an unpopular stand because we are all for clean waters, but it is unfair to the Town of Thomaston, since the prison has been brought in, the prison has plenty of labor, you heard yesterday here the prison had plenty of free labor, the prison could build their own sewer at very little cost and if the prison built a sewer there would be no trouble in that river, the natural flow of the tidewater would probably wash that water clean, because just above there there is a strange situation. The river we will say is like the center aisle of this House, on one side of that aisle is Thomaston, on the other side is Warren. There is no A water in Warren, and there is no place where you can find any A water in the Town of Warren, but on the other side of the river there is A water in Thomaston. Now I can't quite go for that and I think we should be realistic, and I want to mention a clipping cut out of yesterday's paper. Classifica-

tion Kennebec River wins final House approval. What was that classification? That's D, and it says here that just above Augusta there is already a nuisance condition. Thank you.

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

Mr. BERRY: Mr. Speaker and Members of the House: I am sorry to see that the gentleman from Hodgdon, Mr. Williams, who has been in the forefront of the very courageous and creditable action which this 100th Legislature has followed in accomplishing more for pollution control than has been done for years, has changed his mind. I do hope that the motion of the gentleman from Brunswick, Mr. Lowery, prevails.

We have done a tremendous job here this year I think. The work done on the Kennebec will I think be one of the outstanding things that this Legislature has accomplished. It has taken a great deal of courage on everybody's part to arrive at this point. I think that each of us in his home section has a pollution problem. We all realize that. I think it unfair to throw into the political arena any attempt to exempt areas from it. Let us back up the water pollution control commission and turn this motion down.

The SPEAKER: The Chair recognizes the gentleman from Fairfield, Mr. Brown.

Mr. BROWN: Mr. Speaker and Members of the House: This is my first term on the Natural Resources Committee and I have been very happy to be there, but I also maintain that it is the prerogative of this Legislature to determine what course of action they shall proceed with. I see no reason why we cannot make up our own minds on an individual basis. It doesn't seem reasonable to me that we should simply be a rubber stamp for the Water Improvement Commission.

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

Mr. LOWERY: Mr. Speaker and Members of the House: I can foresee in the future almost a complete breakdown of the program which

we have as a previous speaker said courageously gone forward with this year. I know it is too late in this session, but another session I can foresee declassification requests coming in the entire length of the coast where we have classified incidentally many of the waters B-1. I urgently ask you to indefinitely postpone this amendment.

The SPEAKER: The Chair recognizes the gentleman from Easton, Mr. Perry.

Mr. PERRY: Mr. Speaker and Members of the House: I signed the class B report; there were four of us who signed that and I am still in favor of it, and when we voted the other day to indefinitely postpone this I thought that that would bring it up in the next Legislature and they would probably do a better job of it.

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 Committee Amendment "A" to Bill "An Act Classifying Certain Tidewater Bordering Thomaston," House Paper 693, Legislative Document 971, be indefinitely postponed. The Chair will order a division. All those in favor of indefinite postponement of the amendment please 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 fifty-nine having voted in the negative, the motion did not prevail.

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

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

Non-Concurrent Matter

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act Directing a Study of Property Tax Administration" (H. P. 449) (L. D. 649) reporting "Ought to pass" as amended by Committee Amendment "A" which

Report and Bill were indefinitely postponed in the House on May 19.

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

In the House:

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

Mr. BRAGDON: Mr. Speaker, I move that we recede and concur.

The SPEAKER: The question now before the House is the motion of the gentleman from Perham, Mr. Bragdon, that the House recede and concur with the Senate in accepting the Ought to pass Report.

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

Mr. KENNEDY: I sincerely hope that the motion of the gentleman State of Maine of our various defeated. The action of the House on May 19 definitely postponed this item. I would call attention to the members of the House that we have had various studies in the State of Maine of our various departments and their activities. It has cost the taxpayers a lot of money. It is true that this is only \$25,000 as I pointed out last week. However, I would call your attention to the fact that these various studies that we have had have accomplished nothing, and I say nothing because this great amount of money that we appropriated for study of the Highway Commission last session, a beautiful book was printed and it was filed in the usual place — in the wastebasket. We had a study made of the Health and Welfare Department last session at a tremendous cost to the taxpayers of the State of Maine, a report was rendered and it was filed in the usual place—in the wastebasket. Ladies and Gentlemen, I ask you in all sincerity, what will \$25,000 do for this department? What will it do for the people of the State of Maine? I say it is too little. I don't say it's too late, perhaps another session we can appropriate more money—a suitable job can be done. I feel that this is just a waste of money, and I hope the motion is defeated.

The SPEAKER: The Chair recog-

nizes the gentleman from Bangor, Mr. Wellman.

Mr. WELLMAN: Mr. Speaker and Members of the House: We now have on the statutes Chapter 16, 1957, the Laws covering the Bureau of Taxation, this phrase, "The State Tax Assessor shall investigate and examine into the system and method of taxation of other states; and also make careful and constant inquiry into the practical operation in effect of the laws of this state." Now in section sixty and sixty-one, a previous legislature in its wisdom has written into the laws, sections dealing with so-called property assessment districts. These assessment districts were established by the wisdom of that legislature in an attempt to help the non-professional tax assessors in the local communities. The time has come when we must re-examine the statutes as they established these assessment districts. Are such assessment districts still valid? Are they the way to go about helping the local communities? Or is there some better way? Why has the State Tax Assessor not been able to assess these? It is because previous legislatures in their wisdom have not given them enough money to do it. Now my good friend from Milbridge, Mr. Kennedy, says that it isn't enough money, the Appropriations Committee had a request for \$50,000—we felt that was a little too much. We felt that he could do an adequate job on \$25,000. He would necessitate hiring some people to help him to go out, see what the other states are doing with the same problems such as Oregon, some of the lake states, see how they've gotten around it, see how they've solved it. It would involve going out and talking again with the local assessors and see if we are headed in the right direction; and if we are, to come back and reaffirm the principle in the next legislature and urge implementation of the statutes as they now exist; and if they're not, to wipe these sections off the book. I plead with you today to give our State Tax Assessor a chance. Thank you.

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

Mr. TYNDALE: Mr. Speaker, I

cannot help but concur with my distinguished colleague from Bangor, Mr. Wellman, for this simple reason. In our ancient and medieval history we always found that the Macedonians were willing in their advances to take two steps forward—one step backward. Property taxes throughout the State of Maine is our most essential and important part of our taxation, and I can say this from experience having been an assessor for the last two years. It is a very much involved subject, and for laymen to come in out of the business world from whatever occupation they have and to voluntarily serve as assessors, they need all the assistance that they can get; and I believe that this modest step will be a great help not only to the local assessors in the small towns, but also in helping to get our greatest tax — the property tax straightened out. I hope that the motion made by the gentleman from Perham, Mr. Bragdon, will prevail.

The SPEAKER: The Chair recognizes the gentleman from Albion, Mr. Cooper.

Mr. COOPER: Mr. Speaker, Ladies and Gentlemen of the House: I have several notes on my desk here which is all cluttered up, and earlier in the day I asked for the tabling of item four, it was my intention of tabling this item ten in order that I could study it a little more and think about it a little more. I want to concur with my friend from Milbridge, Mr. Kennedy. I think that when the voters in the cities and towns of the State of Maine nominate and elect their tax assessors, that they seldom fail in getting the good minds of the community and the honest minds of the community, and I think that the people in the communities can estimate the values of property about as well as perhaps a Mr. Jacobs in Chicago. I believe in home rule and I don't believe in as much bureaucracy as we have, and I hope that you will go along with the idea of Mr. Kennedy from Milbridge.

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

Mr. DODGE: Mr. Speaker, this tax assessing business and valua-

tion touches all of us, I think much more than we realize. We have this morning on our desks from the Committee on Education here the different subsidies you get. Now that is based on the State Tax Assessor's valuation — not on the local assessment, and I am of two minds about this bill. I cannot see just how that is going to help. What I would like to see is the State Tax Assessor have a few more men in his department to help out the local assessors; but it is quite a problem to take a man off the street or almost out of the house, he hasn't maybe had anything to do with property values, and put him on as an assessor. He needs some training as most of these fellows have been mentioned. They have good minds, all they need is a little training on this thing to come up with some reasonable answers, but we must remember that every town, city and hamlet in this state is assessed by the State Tax Assessor, and that is where we get the valuation of the towns in regard to these subsidies that we are getting on our schools. Already the State Tax Assessor is valuing your town whether you like it or not. He values it as the usual thing on the transfers of property that have been transferred in the town, and comes up with a formula of what percentage you are taxing the town. It may be twenty five percent, it may be thirty or it may be one hundred percent. Now we have here in the Town of Bristol, which was brought up to us a short time ago, that they revalued and I have been assured by the State Tax Assessor that by revaluation that they would pay more attention to that; they would go along with their same method of valuing they did before. I don't know if they did in the Town of Bristol or not; but certainly they got a great increase in valuation — the Town of Bristol after they had had revaluation by an outside firm. Now there is something we have to watch too. I am not in favor of this because I cannot see where it is going to do any great deal of good. I am in favor of the State Tax Assessor having a larger personnel so he

can help out the local assessors more.

The SPEAKER: The Chair recognizes the gentleman from Sherman, Mr. Storm.

Mr. STORM: Mr. Speaker, first of all I want to thank my friend Mr. Cooper for the left-handed compliment to the tax assessors, he says they have got the best minds on them, and I am taking that as a pat on the back because I have been an assessor for some ten or twelve years, although unfortunately not in his town. I do think that this is a worthwhile project, and should be kept alive, and I sincerely hope that we go along with the motion of the gentleman from Perham, Mr. Bragdon.

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

Mr. TYNDALE: Mr. Speaker and Members of the House: I think there's a little bit misunderstanding about this bill. There is no desire of this bill to bring in an outside firm or outside scientists or other men — the previous studies that have been made in regards to different departments, it is a totally different thing entirely. This places it in the hands of a good man. I think we have one of the finest state assessors in the country. I have done a great deal of business with him and find him very well informed on every subject of taxation. I have often sought his advice; so if I have sought his advice during the past two years, doesn't it make sense to you that a group that he might appoint for a study of this work would certainly be of valuable assistance to us? I think it's a very worthwhile project.

The SPEAKER: The Chair recognizes the gentleman from Albion, Mr. Cooper.

Mr. COOPER: Mr. Speaker, Ladies and Gentlemen of the House: I read this word study. If this bill said, give the state tax assessors \$25,000 or \$50,000 to hire help to go around and do this thing, it would be a little different; but these studies of getting somebody to study something that somebody has studied and get somebody else to study that — I don't see where we are going to get anywhere with

this study, we have had studies enough in my opinion. I make a motion that this bill and all its accompanying papers be indefinitely postponed. I ask for a division.

The SPEAKER: The prevailing motion is the motion of the gentleman from Perham, Mr. Bragdon, that the House recede and concur.

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

Mr. WELLMAN: Earlier in this debate the gentleman from Guilford, Mr. Dodge, said that he would be in favor of hiring a few more men. The question that I now ask you in your own minds is if you did go out and hire a few more men, how would you go about establishing the laws and the regulations under which they would operate? Would they go into the town and delve through your books and tell you you're doing it all wrong? Would they be based in Augusta? Would they be based in your county? Would they run from one end of the state to the other without knowing the basis and the principles upon which your local area, your county or your community operate? Let's give the tax assessor a chance here. This is one of our greatest tax problems, let's give him a chance.

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

Mr. DODGE: In answer to the gentleman I would tell him this that the State Tax Assessor's staff that comes around and helps the local assessors do a very good job. The only thing is that they don't have enough time. Now we have schools for our local assessors, and those schools are very good. We have lecturers that come from different states and talk to us and tell us about how they tax in various states and various ways of taxation. Tax maps and all this stuff that goes with it, it's a very complicated process in some ways and in some ways it isn't; but what the local assessors need is more time with your state assessor who comes around and goes over how the assessing is done. Assessing in some ways is quite simple. In other ways it's complicated to go along with it, but what the local assessor needs is more instruction,

more help — I won't say instruction, I'll say help because that's what he wants. He wants to help do a good job. We have these schools, I don't see why a study of our method of assessing will do any good. I think we have very good methods, but I do think we need more help on them.

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

Mr. KENNEDY: Mr. Speaker, Ladies and Gentlemen of the House: I think that the gentleman from Guilford, Mr. Dodge, has really presented to you just my feelings relative to this matter. As I stated last week or earlier this week, the state tax assessing division does hold schools in various areas of the state where the local assessors attend, and they do get some valuable information. However, they do point out invariably that it is the duty of the local assessor to make his assessment on local values. Having had some years of experience as a bank director, I know the position the banks take relative to area valuations. I feel that that is the duty also of a tax assessor to consider area valuations. What might be worth \$1.00 in Thomaston might be worth \$10.00 in Augusta. This is very important ladies and gentlemen, and I think the argument that the gentleman from Bangor, Mr. Wellman, brought out was very inconclusive. He being an attorney, feels that the re-evaluation of the study should be the statutes. He seems to base his argument upon that point, and I am sure the Attorney General can evaluate the statutes and tell the State Tax Assessors what their position is.

I would call your attention too, the \$25,000 is only about \$10.00 per town in the State of Maine. I would remind you too that the Sly Report cost the State of Maine \$50,000, and I think it was a good report. But was it worth \$50,000? Our departments here in the State of Maine could have done this same job had they the time, the personnel, etc. I doubt if it would cost \$50,000. It is a valuable piece of material for legislators to have and to possess. I have no quarrel with Mr. Johnson's department, there's nothing personal to me relative to this mat-

ter except the measly sum of \$25,000. I accept the fact that this is peanuts relative to the tremendous expenditures by the State of Maine. However, I think it is a waste of \$25,000, that's the only reason I am standing here arguing against this expenditure. I just feel that it is a waste of \$25,000. I rest my case I guess on that. Thank you.

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

Mr. BRAGDON: Mr. Speaker, I would like to enlarge a little bit on one point that the gentleman from Milbridge just made. He is well aware, and I would like to make this point to the whole House that in the last session of the Legislature the Taxation Department had a similar request for a study to be made by the Taxation Department. That Legislature in its wisdom side-tracked Mr. Johnson's request in favor of the so-called Sly Report. This, as the gentleman from Milbridge well knows, this proposal is the same request that appeared originally before the previous legislature, and I believe that this if you approve this — this study will be made in the Taxation Department where I think many of us felt it should have been done before but for reasons beyond our control, other decisions were made.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Perham, Mr. Bragdon, that the House recede and concur with the Senate in accepting the Ought to pass Report on Bill, "An Act Directing a Study of Property Tax Administration," House Paper 449, Legislative Document 649.

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

Mr. KENNEDY: I respectfully request a division.

The SPEAKER: A division has been respectfully requested.

All those in favor of receding and concurring, please rise and remain standing until the monitors have made and returned their count.

A division of the House was had.

Forty-five having voted in the affirmative and seventy-five having

voted in the negative, the motion did not prevail.

Thereupon, on motion of Mr. Kennedy of Milbridge, the House voted to adhere.

Non-Concurrent Matter

Report of the Committee on Highways reporting "Ought not to pass" on Resolve Authorizing State Highway Commission to Study Feasibility of a Bridge Across the Damariscotta River (S. P. 285) (L. D. 886) which was accepted in non-concurrence in the House on May 24.

Came from the Senate with that body voting to adhere to its former action whereby the Resolve was substituted for the Report and passed to be engrossed.

In the House:

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

Mr. HANCOCK: Mr. Speaker, Ladies and Gentlemen of the House: I think the House well remembers the debate last Wednesday on this L. D. 886. I see the word study in here, and I think that is just about what it is. I think the bridge is very unnecessary at this time, and to save time, I now move that the House adhere.

Thereupon, the House voted to adhere.

Senate Order Out of Order

From the Senate: The following Order:

ORDERED, the House concurring, that when the House and Senate adjourn, they adjourn to meet on Wednesday, May 31, at ten o'clock in the morning. (S. P. 570)

Came from the Senate read and passed.

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

Petitions, Bills and Resolves Requiring Reference

The following Bill, approved by a majority of the Committee on Reference of Bills for appearance on House Calendar, less than one-tenth of the members present objecting, was received and referred to the following Committee:

Public Utilities

Bill "An Act to Provide Funds for Repairs to Landing Terminals

of the Casco Bay Lines. (H. P. 1177) (Presented by Mr. Haughn of Bridgton)

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

Mr. HAUGHN: Under the suspension of the rules, I now move that this be sent forthwith to the Senate.

The SPEAKER: The gentleman from Bridgton, Mr. Haughn, moves that this bill be sent forthwith to the Senate. Is there objection?

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

Mr. PLANTE: Could the Speaker or the Clerk kindly state which committee and the title of the L. D.

Whereupon, the Clerk read the Bill and reported that it be referred to the Committee on Public Utilities.

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

Mr. PLANTE: I move that the House reconsider whereby it moved to have it referred to the Committee on Public Utilities so that I can move that it be referred to the Committee on Appropriations and Financial Affairs.

The SPEAKER: The gentleman from Old Orchard Beach, Mr. Plante, has moved that the House reconsider its action whereby it referred this bill to the Committee on Public Utilities.

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

Mr. HAUGHN: Mr. Speaker, Ladies and Gentlemen of the House: I would like to tell my good colleague from Old Orchard, Mr. Plante, that this in general conference in the Governor's office was agreed upon by the Appropriations Committee Chairmen of the House and the Senate, the Utilities Committee Chairmen of the House and the Senate, and all parties concerned in this problem have felt that the appropriation matter is not the problem before us as it is the problem for wharves in general. With that in mind and with the recommendation of our House and Senate Appropriations Chairmen, it was agreed that it should be referred for the parts involved of

wharves with the whole facts jointly before to a certain degree as reason for sitting in on all hearings of Appropriations at their meeting when they held their hearing for the bill as an observer; the Legal Affairs when they held theirs, all of them jointly have referred it in their opinion back to the Public Utilities because it will be more or less just the taking over of the wharves under this bill than it is the appropriation involved. I hope that will clarify his mind and hope that this committee will be received the right to hear that bill again.

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

Mr. PLANTE: Mr. Speaker, Ladies and Gentlemen of the House: This is a complete surprise because in every informal discussion that we had before the Appropriations, it was almost assumed that an L. D. of this nature with a price tag of \$100,000 would be referred to the Committee on Appropriations Affairs. Irrespective of what has happened, I still feel that the committee on Appropriations and Financial Affairs should hear the bill.

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

Mr. BRAGDON: I simply rise to concur in the statements made by the gentleman from Bridgton, Mr. Haughn.

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

Mr. PLANTE: I withdraw my motion.

The SPEAKER: The gentleman from Old Orchard Beach, Mr. Plante, has withdrawn his motion to reconsider the action of the House whereby it referred this bill to the Committee on Public Utilities. Is this the pleasure of the House?

The Chair recognizes the gentleman from Bangor, Mr. Philbrick.

Mr. PHILBRICK: Mr. Speaker, I wonder if the Clerk of the House could read to the members of the House Rule 21 in the Joint Rules, page 103.

The SPEAKER: The Clerk will read Rule 21—Joint Rules to the House:

The CLERK: Every act, resolve, or order involving the appropriation or expenditure of money shall be presented to the committee on Appropriations and Financial Affairs for examination and recording before it is engrossed, and no further action shall be had on such act, resolves, or orders until proper endorsement thereon is made by said committee.

The SPEAKER: There is a request in by the gentleman from Old Orchard Beach, Mr. Plante, to withdraw his motion to reconsider the action of the House whereby it referred this bill to the Committee on Public Utilities. Is this the pleasure of the House?

The motion prevailed.

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

Mr. HAUGHN: I just want to assure my colleague from Bangor, Mr. Philbrick, that the Appropriations Committee will be involved in this at the proper and right time.

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

Mr. JALBERT: I just want to assure the gentleman from Bridgton, Mr. Haughn, that we will make sure of that.

Thereupon, the Bill was ordered printed and sent forthwith to the Senate.

Orders

Mrs. Knapp of Yarmouth presented the following Order and moved its passage:

ORDERED, that the gentlemen of the House are hereby given permission to remove their coats for the remainder of the session, if they so desire.

Thereupon, on a viva voce vote the Order received passage.

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

ORDERED, the Senate concurring, that the Legislative Research Committee is directed to study that phase of the operation of the Bureau of Purchases wherein centralized warehousing and greater standardization of requisitioned materials and supplies by the respective departments and agencies of State

Government would be desirable as a means of accomplishing greater economy in the operation of State Government. The Committee shall make such recommendations, if consistent with their findings, as will suggest either statutory amendments or changes in interdepartmental rules and regulations, or both; and be it further

ORDERED, that the Committee report the results of its study to the 101st Legislature. (H. P. 1178)

The Order received passage and was sent up for concurrence.

On motion of Mrs. Harrington of Patten, it was

ORDERED, that Mr. Berman of Houlton be excused from attendance today because of business.

Mrs. Shaw of Chelsea presented the following Order and moved its passage:

WHEREAS, Monday, May 29th, will be the 100th Birthday of Mrs. Emma A. Finley of Augusta, mother of Representative George B. Finley, be it

ORDERED, that the House extend congratulations to Mrs. Finley and that the Clerk of the House be directed to send a letter of congratulations on behalf of the 100th Legislature.

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

Mr. Baxter from the Committee on Taxation on Bill "An Act relating to the Amount of the Annual Excise Tax on Railroads and Study by Department of Economic Development" (H. P. 709) (L. D. 987) reported same in a new draft (H. P. 1176) (L. D. 1622) under same title and that it "Ought to pass"

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

Divided Report Tabled and Assigned

Majority Report of the Committee on Taxation reporting "Ought not to pass" on Bill "An Act Imposing a Tax on Gross Receipts of Trading Stamp Companies" (H. P. 1030) (L. D. 1431)

Report was signed by the following members:

Messrs. EDGAR of Hancock
WYMAN of Washington
— of the Senate.

Messrs. BAXTER of Pittsfield
ALBAIR of Caribou
MAXWELL of Jay
BRADEEN of Waterboro
— of the House.

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

Report was signed by the following members:

Mr. PORTEOUS of Cumberland
— of the Senate.

Messrs. WATERMAN of Auburn
WHEATON of Princeton
LETOURNEAU of Sanford
— of the House.

Reports were read.

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

Mr. CURTIS: Mr. Speaker, Ladies and Gentlemen: As this was my bill and it was held in committee quite some time, I did not expect it out today. It's rather a touchy bill as I think you all realize, and I do not have the data which I had prepared to present for this. I wish that you would allow me to table it until the next legislative day.

Thereupon, the Reports and Bill were tabled pending acceptance of either report and specially assigned for Wednesday, May 31.

Passed to Be Engrossed

Bill "An Act Revising the Election Laws" (H. P. 1169) (L. D. 1614)

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

Tabled and Assigned

Bill "An Act to Permit Searsport Water District to Prevent Pollution" (H. P. 1174) (L. D. 1620)

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

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

Mr. LITTLEFIELD: This bill came into this legislature some-time ago, was referred to the Committee on Natural Resources and they worked hard and long and came out with a New Draft that would be as fair as possible to both parties. Now an amendment has appeared on the desks which would change the New Draft right back to where the first bill was. This is evidence to me that the Searsport Water Company has no intentions of paying the landowners for their property around that pond, and I would like to explain a few things.

The Searsport Town and Water District or the Stockton Springs Water Company or the Town of Searsport or somebody wants the land around Halfmoon Pond, but nobody seems to want to pay the landowners for it. I'm hauled into the matter because five of the landowners are from my district, and they want to know whether they are going to have their land and privileges at the pond taken from them by a land grab deal or whether they are going to get some money for it.

The first bill proposed to prohibit their swimming, boating and fishing at the pond. The landowners charged that such restrictions would seriously reduce the value of their property. Now they formed an association since this bill came and Parker Jacoby of Dixmont is president of the landowners' association and he, at the hearing, charged that the bills were a land grab attempt, that the district does not intend to purchase the land. Mrs. Francis Lewey of Hampden Highlands, association secretary, said that when she and her husband bought a cottage at the pond in 1958, town officials did not question their building there and in 1960 the town helped construct a road to the pond. She said all camp owners in the vicinity after seeking advice from the water district had strictly complied with their sanitary regulations and that there was no hint that the district would ever move to close the pond to vacation activities. Milton Hills was the owner of the land which was divided into lots, and some years ago he offered to sell the land to

the water district at the meager price of \$600, and they didn't take it. Now they have dilly-dallied along and waited until he had divided it into cottage lots and sold it to these young people so that they could have a chance to take their children down to the pond and enjoy their weekends.

Now I would like to explain something. There have been four bills come in in regard to this water. The first one was an act to change the name of Stockton Springs to Stockton, that was withdrawn. Some of the people didn't want the Springs taken out of Stockton. Then an act to prevent pollution at Halfmoon Pond in Waldo County, this was an emergency measure and that's the one that has had most of the controversy by the Natural Resources Committee. There was an act classifying Halfmoon Pond, and I am not sure what has become of that. Then this final draft which is to permit Searsport Water District to prevent the pollution. Now this final draft satisfied each side of the controversy and as I understand it Mr. Jacoby went home feeling that everything had been settled. Now this new amendment appearing upon my desk throws the whole thing right back to where it first was. Now to settle the matter, I move the indefinite postponement of item 2, An Act to Permit Searsport Water District to Prevent Pollution.

The SPEAKER: The question now before the House is the motion of the gentleman from Hampden, Mr. Littlefield, that Item 2, L. D. 1620 be indefinitely postponed.

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

Mr. PIKE: I should like to ask a question through the Chair. I had to be out for a few moments, but is this amendment that the gentleman spoke of already before the House, or is it the bill in the form as it came from the committee? I just don't know.

The SPEAKER: The Chair assumes that the gentleman from Lubec, Mr. Pike, is asking a parliamentary question. The amendment is before the House ready to be adopted if anyone should present it. It has not been presented.

The Chair recognizes the gentleman from Stockton Springs, Mr. Edwards.

Mr. EDWARDS: Would I be in order now to present this amendment?

The SPEAKER: The gentleman would be in order to offer an amendment, since the motion to amend has priority over a motion to indefinitely postpone.

Thereupon, Mr. Edwards of Stockton Springs offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 1174, L. D. 1620, Bill, "An Act to Permit Searsport Water District to Prevent Pollution."

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

Further amend said Bill by adding at the end a new section 2, to read as follows:

"Sec. 2. P. & S. L., 1947, c. 75, Sec. 16-A, additional. Chapter 75 of the private and special laws of 1947 is amended by adding a new section 16-A, to read as follows:

'Sec. 16-A. Certain activities prohibited; penalty. No person shall swim in the water of Halfmoon Pond, in the Towns of Searsport and Prospect, Waldo County, and no person shall operate any boat thereon. Fishing in any manner, including fishing through the ice and from the shores thereof, is likewise prohibited. Whoever violates any provision of this section shall be punished by a fine of not more than \$25.'

The SPEAKER: The Chair recognizes the gentleman from Hodgdon, Mr. Williams.

Mr. WILLIAMS: I think this amendment needs some further study, and I would now like to table it until Wednesday, May 31.

The SPEAKER: The question now before the House is the motion of the gentleman from Hodgdon, Mr. Williams, that the Bill be tabled until the next legislative day pending the adoption of House Amendment "A."

A division has been requested by Mr. Edwards of Stockton Springs on the tabling motion.

All those in favor of the tabling motion, please rise and remain standing until the monitors have made and returned their count.

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

Thereupon, the Bill was tabled pending the adoption of House Amendment "A" and specially assigned for Wednesday, May 31.

Third Reader Amended

Bill "An Act relating to Harness Racing Purses" (H. P. 1175) (L. D. 1621)

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

Mr. Turner of Auburn offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 1175, L. D. 1621, Bill, "An Act relating to Harness Racing Purses."

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

'Emergency preamble. Whereas, acts of the Legislature do not become effective until 90 days after adjournment of the Legislature unless enacted as emergencies; and

Whereas, the following legislation is necessary for the harness horse race meets which may be conducted in the State of Maine during the spring and summer of 1961; and

Whereas, the following legislation will produce better harness race meets in Maine for the benefit of the people of Maine and summer visitors; 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 by adding at the end thereof the following:

'Emergency clause. In view of the emergency cited in the pream-

ble, this act shall take effect when approved.'

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

Resolve Appropriating Moneys for Vocational and Technical Institute in Northeastern Maine (S. P. 516) (L. D. 1542)

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 Bill

Bill "An Act relating to Special Deputies for All Counties" (H. P. 167) (L. D. 230)

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

Constitutional Amendment Tabled and Assigned

Resolve Proposing an Amendment to the Constitution Providing for Annual Legislative Sessions (H. P. 1163) (L. D. 1604)

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

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

Mr. DENNETT: Mr. Speaker, and Members of the House: As you are all aware, I am bitterly opposed to the passage of this bill to be enacted. However, this is Friday and as I look around this House I note there is considerable absenteeism. Now this is a constitutional amendment and requires a vote of two-thirds. I would like to be fair. I would like to have this entire House, as much as practicable, to consider this measure. And in view of this I move that this resolve lie upon the table until the next legislative day.

The SPEAKER: The question now before the House is the motion of the gentleman from Kittery, Mr. Dennett, that this resolve lie upon the table until the next legislative day pending final passage. Is this the pleasure of the House?

The motion prevailed and the Resolve was tabled pending final passage and specially assigned for Wednesday, May 31.

Enactors Tabled

An Act relating to State Retirement Benefits for Teachers (S. P. 204) (L. D. 537)

An Act relating to Amount of State Retirement Benefits for Teachers (S. P. 205) (L. D. 538)

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.)

Passed to Be Enacted

An Act relating to Inspection of Motor Vehicles (S. P. 309) (L. D. 897)

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

The SPEAKER: The Chair recognizes the gentleman from Fairfield, Mr. Brown.

Mr. BROWN: Mr. Speaker and Members of the House: In reference to item four, An Act relating to Inspection of Motor Vehicles, I wish to register my opposition to the bill, not primarily to the expense to the people of the State of Maine of some four hundred thousand additional money that it will cost, but the transferring of the duties from the Secretary of State to the State Police. This bill, I understand, has been before previous legislatures and has failed of passage. I also understand that considerable increase in State Police personnel would be required to conduct such a program.

My final objection to the change is the opportunity which it may afford for collusion between the garage owners and the State Police. There are many automobiles which are a borderline case and it is a matter of judgment whether or not such vehicles should be allowed on the highway. This affects the people who are in the category of not having sufficient money to buy a new automobile and must be content with getting along with a less modern vehicle.

At this time I would move that this be tabled until the next legislative day.

The SPEAKER: In reference to item four, the gentleman from Fairfield, Mr. Brown, moves that this be tabled until the next legislative day pending passage to be enacted. Is this the pleasure of the House?

All those in favor of the tabling motion 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.

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

Mr. KENNEDY: Mr. Speaker and Members of the House: In relation to item four, I am afraid that there has been and will be some abuses under the proposal of this document. I would like a day, a legislative day, to prepare an amendment and I would ask that this be tabled until the next legislative day.

The SPEAKER: In reference to item four, L. D. 897, the gentleman from Milbridge, Mr. Kennedy, requests that it be tabled until the next legislative day pending passage to be enacted. All those in favor say aye; those opposed, no.

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

An Act to Clarify the Liquor Laws (S. P. 353) (L. D. 1086)

Was 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.

Enactor Tabled and Assigned

An Act Creating a Constitutional Commission (S. P. 498) (L. D. 1498)

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

(On motion of Mr. Dennett of Kittery, tabled pending passage to be enacted and specially assigned for Wednesday, May 31.)

An Act Permitting Attorney General to Bring Action for Money Due Indian Tribes (H. P. 1123) (L. D. 1547)

Was 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.

Enactor Tabled

An Act relating to Appointment of Director of Indian Affairs and Planning Board for the Penobscot Tribe (H. P. 1166) (L. D. 1607)

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.)

Finally Passed

Resolve Regulating Fishing in Spencer Pond, Piscataquis County (S. P. 70) (L. D. 170)

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

Orders of the Day

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

HOUSE DIVIDED REPORT—Majority Ought to Pass — Minority Ought Not to Pass as Amended by Committee Amendment "A" (Filing H-282) — Committee on Education on Bill "An Act relating to Teachers' Salaries and Foundation Program Allowance." (H. P. 871) (L. D. 1206)

Tabled — May 24, by Mr. Whitman of Woodstock.

Pending — Motion of Mr. Hichborn of Medford to accept Majority Ought to Pass Report. (Roll Call requested by Mr. Haughn of Bridgton.)

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

Mrs. HANSON: Mr. Speaker and Members of the House; I would like to move now that the Minority Report as amended by filing H-282 be accepted and would like to speak briefly.

The SPEAKER: The pending motion is the motion of the gentleman from Medford, Mr. Hichborn, that the House accept the Majority "Ought to pass" Report.

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

Mr. HAUGHN: Mr. Speaker, for reasons stated by my colleague from Kittery, Mr. Dennett, a short while ago on a very important issue, this being a very important issue and so many empty seats and in fairness to both sides too, it could be a long controversial issue, I would request this House to table it until the next legislative day.

The SPEAKER: The question now before the House is the motion of the gentleman from Bridgton, Mr. Haughn, that item one be tabled until the next legislative day, pending the motion of the gentleman from Medford, Mr. Hichborn, to accept the Majority "Ought to pass" Report. A roll call has been requested by the gentleman from Bridgton, Mr. Haughn.

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

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

Sixty-two having voted in the affirmative and forty-one having voted in the negative, the motion to table prevailed.

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

Bill "An Act to Pay School Subsidies in Certain Administrative Units on the Basis of Uniform Local Effort." (H. P. 965) (L. D. 1330) — Amendment Filing (H-310) — In House Read the Third Time.

Tabled — May 24, by Mr. Whitman of Woodstock.

Pending — Passage to be Engrossed.

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

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

Mrs. HANSON: Mr. Speaker, for the same reasons that we tabled 1206, I would like to table this until Wednesday.

The SPEAKER: The gentlewoman from Lebanon, Mrs. Hanson, moves that item two be tabled until the next legislative day pending passage to be engrossed. Is this the pleasure of the House?

All those in favor of the tabling motion say aye; those opposed, no.

A viva voce vote being taken, the motion to table prevailed.

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

SENATE REPORT — Ought Not to Pass — Committee on Appropriations and Financial Affairs on Bill "An Act to Create the Development Fund." (S. P. 541) (L. D. 1588) — In Senate Bill Substituted for ONTP Report and Engrossed with Senate Amendment "A" (Filing S-215)

Tabled — May 25, by Mr. Bragdon of Perham.

Pending — Acceptance of Report.

On motion of Mr. Winchenpaw of Friendship, the Committee "Ought not to pass" Report was accepted in non-concurrence and sent up for concurrence.

Order Out of Order

Mr. Hague of Gorham was granted unanimous consent to present the following Order out of order and moved its passage:

WHEREAS, yesterday, May 25th, was the birthday of House Member Norman Minsky of Bangor,

BE IT ORDERED, that the Members of this House ascertain whether Mr. Minsky obtained his operator's license as provided by law.

BE IT FURTHER ORDERED, that the House extends best wishes, not only for the day, but for the entire year. (Applause)

The SPEAKER: The Chair will declare this Order unanimously passed.

Mr. Minsky of Bangor was granted unanimous consent to briefly address the House.

Mr. MINSKY: I would like to inform the gentleman from Gorham that I have my new operator's license as he well knows, because I showed it to him after he sang "Happy Birthday" to me last night. (Laughter and applause)

The SPEAKER: The Chair now lays before the House item four, which was tabled earlier in the day by the gentleman from Albion, Mr. Cooper, a Senate Report, Resolve Appropriating Moneys to Provide Promotion for Maine's Industrial Development, Senate Paper 102, Legislative Document 247. It comes from the Senate with the Resolve substituted for the "Ought not to pass" Report and passed to be engrossed as amended by Senate Amendment "A."

The SPEAKER: The Chair recognizes the gentleman from Albion, Mr. Cooper.

Mr. COOPER: Mr. Speaker and Ladies and Gentlemen of the House: First I want to apologize for my frustration in tabling this bill and I now wish to bring it from the table. Anyone who wants to discuss it, they may. Perhaps I might make the motion that it ought not to pass.

The SPEAKER: The question before the House is the motion of the gentleman from Farmington, Mr. Jones, that the House accept the "Ought not to pass" Report.

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

Mr. RUST: Mr. Speaker and Members of the House: I arise in opposition to the motion of the gentleman from Albion, Mr. Cooper. It seems to me that this bill has substantial merit. The amendment to the bill asks for less money than was originally requested and for that reason I think that this piece of legislation is worthwhile. We are doing our utmost here in the State of Maine to encourage business concerns to come into the state to create payrolls. Now you can't do these things without spending money because it takes money to bring these businesses into the State of Maine.

We are competing with all the other states in the New England area, Midwest, and the nearest part of the South, North and South Carolina. With some further appropriations to be spent in this particular field, I think it is only fair to assume that the Department of Economic Development can encourage more industries to come into the State of Maine with more payrolls. More payrolls mean more jobs and

every time a dollar is spent for jobs it circulates seven or eight times around the community, and we all get our share as it passes through each other's hands.

And for that reason I would oppose the motion and I would therefore move that the House substitute the bill for the report in concurrence with the Senate.

The SPEAKER: The question now before the House is the motion of the gentleman from York, Mr. Rust, that the House substitute the Resolve for the "Ought not to pass" Report.

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

Mr. BRAGDON: Mr. Speaker, I would move that we adhere.

The SPEAKER: This bill, not being in non-concurrence, a motion to adhere would not be in order.

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

Mr. WELLMAN: Mr. Speaker, what is the motion now before the House?

The SPEAKER: The question now before the House is the motion of the gentleman from York, Mr. Rust, that the House substitute the Resolve for the Report.

Mr. WELLMAN: Mr. Speaker, I move that we indefinitely postpone this bill and all its accompanying papers. Yesterday your Appropriations Committee laid before you the budget of the Department of Economic Development as contained in the Supplemental Budget. We feel that this is a step in the right direction. We realize it does not include all that everybody wants, but as I said yesterday we feel it would do a good job for the State of Maine in the next two years. I again repeat that I hope we will indefinitely postpone this bill and all accompanying papers.

The SPEAKER: The question now before the House is the motion of the gentleman from Bangor, Mr. Wellman, that the House indefinitely postpone the Report and the Resolve.

Mr. Rust of York asked for a division.

The SPEAKER: All those in favor of the motion to indefinitely postpone the Report and Resolve Appropriating Moneys to Provide Promotion for Maine's Industrial

Development, please rise and remain standing until the monitors have made and returned their count.

A division of the House was had.

One hundred five having voted in the affirmative and eight having voted in the negative, the Report and Resolve were indefinitely postponed in non-concurrence and sent up for concurrence.

The SPEAKER: The Chair would like to recognize the presence in the gallery of a group of eighth grade students from the Rangeley Junior High School, accompanied by their teacher, Mrs. Rupert Huntoon.

The Chair, on behalf of the House, wishes to congratulate you for making the lengthy trip to visit the House and we hope that you will enjoy and profit by your visit with us here today. (Applause)

Mr. Tyndale of Kennebunkport was granted unanimous consent to briefly address the House.

Mr. TYNDALE: Mr. Speaker, Ladies and Gentlemen of the House: I have a request from a very distinguished woman in this state who has long dedicated her life to work in the mental health field and the field of education, and I received a letter from her this morning with enclosed copies of perhaps a dozen questionnaires with five simple questions on them pertaining to our local schools. Now the reason she needs this information is that she is studying for her Masters Degree at Boston University. I think it would be a very nice thing if I could get these questionnaires back to her. They just contain five simple questions, and if I could get a group of you folks to take a copy home and mail it back to Mrs. Cole, I would appreciate it very much, and I think it would be a nice gesture to this very distinguished lady. Thank you.

Mr. Hardy of Hope was granted unanimous consent to briefly address the House.

Mr. HARDY: Mr. Speaker, Ladies and Gentlemen of the House: I have here a note from Mrs. Kenneron who as you all know is in the Augusta Hospital, and I would

like to read one short paragraph to you.

"It looks very doubtful that I will be back in time to join you again during this session of the Legislature unless it runs to the Fourth of July. However, I want you to know that I miss my association with you both in business and social."

I think that Mrs. Kenerson would appreciate visits very much from members of the House if they can find time to get over and see her, and I do know that she has to spend a great deal of time there yet. Thank you.

Mr. Crockett of Freeport was granted unanimous consent to briefly address the House:

MR. CROCKETT: Mr. Speaker, Ladies and Gentlemen of the House: I received this letter and I believe that I should let you people know the contents.

"Dear Mr. Crockett:

The members of the House Clerical Staff including the Speakers' Office and the Office of the Floor Leader want to express to you their sincere thanks and appreciation for your outstanding thoughtfulness and kindness in making it possible to present to one of our members, Mrs. Dorris Kenerson, the splendid gift of money. In such an instance as this, you may be sure no better gift could have been made. We are all agreed that ever since you came to the House as a member of the Maine Legislature, you have been one of the first to think of those who work for you and with you. We know that your generosity and donation of time, effort and energy will not be unrewarded, and feel that you must

indeed have great happiness in your own life because of your deep concern and consideration for others. May the good Lord smile upon you and may your future be filled with every blessing.

House Clerical Staff
JANE F. DELAHUNTY
REGIS STROUT
BERTHA W. JOHNSON
MARGARET B.
MISKAVAGE
BETTY FAULKNER
LOUISE LASALLE
LILA PETERSON
PAT ROLLINS"

The following Communication out of Order:

Augusta, Maine
May 18, 1961

Honorable Vinal G. Good
Speaker of the House
100th Legislature
Sir:

Please accept my resignation from the Joint Select Committee on Constitutional State Reapportionment and Congressional Redistricting.

Respectfully,
(Signed)

THEODORE W. SIROIS

Was read and ordered placed on file, and the resignation accepted.

The SPEAKER: The Chair will appoint to the Committee on Constitutional State Reapportionment and Congressional Redistricting, the gentleman from Sanford, Mr. Letourneau.

On motion of Mr. Baxter of Pittsfield,

Adjourned until Wednesday, May 31, at ten o'clock in the morning.