

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

SENATE

Friday, May 12, 1961

Senate called to order by the President.

Prayer by Rev. James Waugh of Hallowell.

On motion by Mr. Couture of Androscoggin, Journal of yesterday was read and approved.

On motion by Mr. Noyes of Franklin, out of order and under suspension of the rules

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

Which was read and passed.

Sent down for concurrence.

Papers From The House Approved by a Majority of the Committee on Reference of Bills

Bill, "An Act Relating to Care and Supervision of Planes of Department of Sea and Shore Fisheries." (H. P. 1159) (L. D. 1600)

Comes from the House referred to the Committee on Appropriations and Financial Affairs, and ordered printed.

In Senate, referred to the Committee on Appropriations and Financial Affairs in concurrence.

Non-concurrent Matters

Resolve, Providing Funds for Public Landing at Islesford, Hancock County. (H. P. 571) (L. D. 791)

In House, May 4, Reports and Bill Indefinitely Postponed.

In Senate, May 9, Passed to be Engrossed in non-concurrence.

Comes from the House, that body having adhered in non-concurrence.

In the Senate, that body voted to recede and concur.

Resolve, Appropriating Funds for Capital Improvements at East Corinth Academy. (H. P. 648) (L. D. 926)

In House May 9, Passed to be Engrossed, As Amended by House Amendment "A".

In Senate, May 10, Majority Ought not to pass report accepted in non-concurrence.

Comes from the House, that body having insisted and asked for a Committee of Conference.

In the Senate, on motion by Mr. Davis, the Senate voted to insist on its former action and join in the Committee of Conference, and the President appointed as Senate members of such committee, Senators: Davis of Cumberland, Stanley of Penobscot, Bates of Penobscot.

Bill, "An Act to Reactivate a Maine Committee on Problems of the Mentally Retarded." (S. P. 77) (L. D. 177)

In Senate, May 4, Passed to be Engrossed.

Comes from the House, Passed to be Engrossed, as amended by House Amendment "A" in non-concurrence. (Filing H-289)

In the Senate, on motion by Mrs. Lord of Cumberland, the Senate voted to recede and concur.

Bill, "An Act to Create the Development Fund." (S. P. 541) (L. D. 1588)

In Senate, May 9, Passed to be Engrossed.

Comes from the House referred to the Committee on Appropriations and Financial Affairs in non-concurrence.

In the Senate, referred to the Committee on Appropriations and Financial Affairs in concurrence.

House Committee Reports Leave to Withdraw

The Committee on Education on Bill, "An Act to Dissolve School Administrative District No. 2, and to Authorize the Municipalities of Mapleton, Castle Hill and Chapman to Form a School Administrative District." (H. P. 612) (L. D. 829) reported that the same should be granted Leave to Withdraw.

The same Committee on Bill, "An Act to Provide for the Dissolution of School Administrative District No. 3. (H. P. 618) (L. D. 835) reported that the same should be granted Leave to Withdraw.

The same Committee on Bill, "An Act to Authorize the Withdrawal of the Town of Brooks from School Administrative District No. 3. (H. P. 738) (L. D. 1178) reported

that the same should be granted Leave to Withdraw.

The same Committee on Bill, "An Act to Permit the Town of Perham to Withdraw from School Administrative District No. 2. (H. P. 796) (L. D. 1110) reported that the same should be granted Leave to Withdraw.

The same Committee on Bill, "An Act Clarifying Withdrawals from School Administrative Districts." (H. P. 968) (L. D. 1333) reported that the same should be granted Leave to Withdraw.

Which reports were read and accepted in concurrence.

Ought Not to Pass

The Committee on Education on Bill, "An Act Relating to Number of Residents Voting on Organization of and Withdrawal from School Administrative Districts." (H. P. 873) (L. D. 1208) reported that the same Ought not to pass.

The Committee on Legal Affairs on Bill, "An Act Relating to Operating Business on Memorial Day and Veterans Day." (H. P. 766) (L. D. 1052) reported that the same Ought not to pass, covered by other Legislation.

The same Committee on Bill, "An Act Repealing the Laws Prohibiting and Regulating Work and Business on Sunday." (H. P. 823) (L. D. 1138) reported that the same Ought not to pass.

Which reports were read and accepted in concurrence.

The Committee on Appropriations and Financial Affairs on Resolve, Appropriating Funds for Publication of Civil War History in Maine. (H. P. 569) (L. D. 819) reported that the same Ought not to pass.

In House, Bill substituted for the report, and read once. House Amendment "A" (Filing H-277) read and adopted, and the Bill, as amended, Passed to be Engrossed.

In the Senate, on motion by Mr. Davis of Cumberland, the bill was substituted for the report, read once, House Amendment A read and adopted, and the bill tomorrow assigned for second reading.

The Committee on Sea and Shore Fisheries on Recommended Bill, "An

Act Regulating Lobster Traps on Trawls." (H. P. 900) (L. D. 1234) reported that the same Ought not to pass.

In House, Bill substituted for the report, and read once, House Amendment "D" (Filing H-284) read and adopted, and the Bill, as amended, Passed to be Engrossed.

In the Senate, on motion by Mr. Chase of Cumberland, tabled pending acceptance of the report and especially assigned for Tuesday next.

Ought to Pass

The Committee on Natural Resources on Bill, "An Act Classifying Certain Surface Waters in Lincoln County." (H. P. 1015) (L. D. 1416) reported that the same Ought to pass.

In House, Report read and accepted, and the Bill Passed to be Engrossed as amended by House Amendment "B" (Filing H-287)

In the Senate, the report was read and accepted and the bill read once.

On motion by Mr. Ferguson of Oxford, House Amendment B was indefinitely postponed and the bill was tomorrow assigned for second reading.

The Committee on Public Utilities on Bill, "An Act Increasing the Authorized Indebtedness of the Lincoln Water District and Clarifying its Power to Borrow." (H. P. 1139) (L. D. 1572) reported that the same Ought to Pass.

Which report was read and accepted in concurrence, the Bill read once and on motion by Mr. Bates, the rules were suspended, the bill read a second time and passed to be engrossed in concurrence.

The Committee on Legal Affairs on Recommended Bill, "An Act Clarifying Electricians' Licensing Law." (H. P. 821) (L. D. 1136) reported that the same Ought to pass, as amended by Committee Amendment "A" (Filing H-168)

Which reports were read and accepted in concurrence, Committee Amendment "A" read and adopted in concurrence, and the Bills, as amended, read once and tomorrow assigned for second reading.

The same Committee on Bill, "An Act Relating to Exits in Buildings." (H. P. 1006) (L. D. 1407) reported that the same Ought to pass, as amended by Committee Amendment "A" (Filing H-167)

In House, Reports and Bill Indefinitely Postponed.

In the Senate:

Mr. FARRIS of Kennebec, Mr. President, inasmuch as there are two other measures, L. D. 32 and L. D. 1306, which are on the table and which apply to this same proposition, I would move that this lie upon the table to come off at the same time the other measures do.

The motion prevailed and the bill was tabled pending acceptance of the report.

Ought to Pass — New Draft

The Committee on Judiciary on Bill, "An Act Relating to Possession or Transporting Liquor by Minor in Motor Vehicles." (H. P. 1012) (L. D. 1413) reported that the same Ought to pass in New Draft, under New Title: "An Act Relating to Transporting Liquor by Minor in Motor Vehicles." (H. P. 1153) (L. D. 1587)

In House, Passed to be Engrossed, as amended by House Amendment "A" (Filing H-286).

In the Senate, the report was read and accepted in concurrence, the bill read once, House Amendment A read and adopted and the bill was tomorrow assigned for second reading.

The Committee on Natural Resources on Bill, "An Act Classifying Certain Surface Waters in Kennebec River Basin." (H. P. 1016) (L. D. 1417) reported that the same Ought to pass in New Draft, under same title (H. P. 1151) (L. D. 1585)

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

The Committee on Towns and Counties on Bill, "An Act Increasing Certain Fees to Registers of Deeds." (H. P. 1040) (L. D. 1441) reported that the same Ought to

pass in New Draft, under the same title: (H. P. 1140) (L. D. 1569)

In House, Passed to be Engrossed, as amended by House Amendments "A" (Filing H-263) and House Amendment "B" (H-274)

In the Senate, the report was read and accepted and adopted in concurrence, House Amendment B read and adopted in concurrence, and the bill tomorrow assigned for second reading.

**MAJORITY — Ought Not to Pass
MINORITY — Ought to Pass**

The Majority of the Committee on Education on Bill, "An Act to Authorize the Municipalities of Corinna, Hartland and St. Albans to Form a School Administrative District." (H. P. 1122) (L. D. 1549) reported that the same Ought not to pass.

(Signed)
Senators:

BATES of Penobscot
BROOKS of Cumberland
SAMPSON of Somerset

Representatives:

HANSON of Lebanon
ESTEY of Portland
HICHBORN of Medford
CURTIS of Bowdoinham
SIROIS of Rumford
LEVESQUE
of Madawaska

The Minority of the same Committee on the same subject matter reported that the same Ought to pass.

(Signed)
Representative:

DURGIN of Raymond

In House, Ought not to pass report accepted.

In the Senate, on motion by Mr. Bates of Penobscot, the Ought not to pass report was accepted in concurrence.

Second Readers

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

House

Resolve in Favor of the Town of Minot. (H. P. 58) (L. D. 99)

Resolve, to Reimburse the Town of Woodland for Aid Extended to Ronald Tirrell. (H. P. 294) (L. D. 446)

Resolve, to Reimburse the Town of New Sweden for Aid Extended Ronald Tirrell. (H. P. 295) (L. D. 447)

Resolve, in Favor of Levite Pelletier of St. David. (H. P. 463) (L. D. 663)

Bill, "An Act Revising the Laws Relating to Auctioneers." (H. P. 1147) (L. D. 1579)

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

Senate

Resolve, Providing Funds for Thayer Hospital, Waterville to Aid its Rehabilitation Program. (S. P. 223) (L. D. 628)

Bill, "An Act to Clarify the Nursing Law." (S. P. 321) (L. D. 996)

(Which was read a second time, and on motion by Mrs. Lord of Cumberland was laid upon the table pending passage to be engrossed.)

Bill, "An Act to Exempt Industrial Disposal Systems from Property Tax." (S. P. 550) (L. D. 1596)

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

Sent down for concurrence.

Bill, "An Act Relating to Operating Business on the Lord's Day and Certain Holidays." (S. P. 552) (L. D. 1599)

Mr. EDGAR of Hancock: Mr. President, there are several amendments in the making and for that reason I would move that this bill be tabled and especially assigned for Tuesday next pending engrossing.

The motion prevailed.

Enactors

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

Bill, "An Act Providing for Local Option to Transport School Children to Other Than Public Schools Without State Subsidy." (S. P. 377) (L. D. 1188)

Mr. GILBERT of Kennebec: Mr. President and members of the Senate, again today L. D. 1188 is back with us. I feel that this bill has had severe tests especially with our good neighbors. The bill has

been tested in every way, shape and manner. I also feel as far as the Constitution is concerned, practically every line and word have been checked. It has had two months' discussion.

I will be very brief and I do feel that after the several votes we have heard that have been counted up to now, that this bill is good. We feel it should go on a home rule basis. We feel that those who want a referendum can have it and those that do not want a referendum don't have to. We still feel that as far as the purchasing of extra buses is concerned, we do not have to have them. We also feel that after the severe tests where this bill has been strangled, wrestled, manhandled and everything else it has passed the test up to now, and I do hope that the members of the Senate will keep on voting the way they have, and after the debate, I will move for a division.

Mr. CHASE of Lincoln: Mr. President, I would move that this be tabled unassigned.

Mr. CARPENTER of Somerset: Mr. President, I ask for a division on the tabling motion.

The PRESIDENT: The question before the Senate is on the motion of Senator Chase of Lincoln that the bill be tabled unassigned; a division has been requested.

A division of the Senate was had.

Twelve having voted in the affirmative and nineteen opposed, the motion did not prevail.

Mr. CHASE of Lincoln: Mr. President, this bill is a principle. It opens the door to something that may get away from us. I feel that this 100th Legislature should not open the door. I move for the indefinite postponement of the bill at this time.

Mr. CARPENTER of Somerset: Mr. President, I will be very brief on this particular bill. I would like to go on record as saying I am in favor of it. I am in favor of towns and counties having local option to transport parochial school children. The reason I am in favor of such a bill is first, the Maine Supreme Court has stated that the measure would be legal.

Reason number two is the safety angle. This type of bill would provide for our children a good and safe transportation system to and from the schools. Reason number 3 is that ever since the public school system went into effect the parents of these particular parochial school children have helped to pay their proportional part by taxation for capital construction of our public schools and for the maintenance of our transportation system.

Another reason and one of the most important ones in my belief, is that if this bill does not receive passage, you will build up in the minds of our youth a great enmity towards each other, which will throw our entire state in a chaotic condition. As it is today, this would not be a good thing.

I realize the school bus issue is a delicate one and one which must be solved by calmness and plain common sense on the part of each member of this Legislature. We do not want our unfortunate children caught innocently in the crossfire of argument.

The fact is that regardless of many high principles that may involve those responsible for governing Maine communities the affected children and their parents deserve to have this matter settled.

Religion and sectarianism should have absolutely no connection with this issue. But, I am afraid both may enter strongly into the thinking of people on it.

This unfortunately is an inflammatory atmosphere, fraught with much danger. In a climate such as this fanaticism blossoms, passions are nurtured and old sores which mankind has laboriously striven through the years to heal are reopened.

In considering this question, primary consideration must be given to our State, its people, neighbors, workers in all walks of life, which go to make up the economic and social side of this great State we live in.

This issue could create a "Little Rock" in the State of Maine.

Mrs. LORD of Cumberland: Mr. President, may I ask a question through the Chair. Would the

Secretary read the status of the bill. Am I right that there is one amendment on the bill?

The PRESIDENT: Does the Senator from Cumberland, Senator Lord, wish the amendment read?

Mrs. LORD: Mr. President, I just wish to know if there is an amendment on the bill.

The SECRETARY: In the Senate, on May 2, passed to be engrossed as amended by House Amendment C in non-concurrence.

Mrs. LORD of Cumberland: Mr. President, for the purpose of making an amendment that would nullify this amendment which asks for twenty percent of the people to sign a paper to get the amendment before the people, I would ask that this be tabled so I could prepare the amendment.

Mr. CARPENTER of Somerset: Mr. President, I ask for a division.

A division of the Senate was had. Seven having voted in the affirmative and twenty-two opposed, the motion did not prevail.

Mr. GILBERT of Kennebec: Mr. President and members of the Senate, if I am in order, I move that we concur with the House in the enactment of the bill.

Mr. MAYO of Sagadahoc: Mr. President, a point of order. I think there is a motion before the Senate for indefinite postponement. I would therefore ask for a division on the motion before the Senate.

Mr. CHASE of Lincoln: Mr. President and members of the Senate, the Constitution of the United States clearly states that there shall be separation of church and state. We have lived for the entire life of our country with that principle and I think it would be a sad day at this time to break that principle and be the first state in the union to do it. The Supreme Court in this state has said that it would be permissible for the state to do this. But they did not say we had to do it.

There is a principle involved here. There are many many private schools in our land. If the people that run these private schools feel that their children should get special training or special learning in these private schools and they do not send them

to our local public schools, why should we start paying for the transportation of these children to private schools? I still say that there is a principle here and if we break it we are opening the door to God only knows what. This is a very important thing to me. I certainly hope that you will vote to indefinitely postpone this bill.

Mr. CYR of Aroostook: Mr. President and members of the Senate, in answer to our good Senator from Lincoln, Senator Chase, all he has to do is to read the newspapers that have published the rulings of the highest Court of the land, the United States Supreme Court which ruled on the very same question he is raising right now on the Constitution, that this is Constitutional. It has been raised in several other state courts and it has been ruled Constitutional. In February of this year the Supreme Court of the United States upheld the ruling of the issue in Connecticut and ruled that it was Constitutional so why should we put ourselves above the Supreme Court of the land?

Mr. CHASE: Mr. President, our own President of the United States says that this is unconstitutional. Can a man of this caliber be wrong? Our Congress in Washington would change this law if it should be changed.

Mrs. CHRISTIE of Aroostook: Mr. President and members of the Senate, as has been said, this is just opening the door. This is one group here especially concerned about this bill now, but there are many other groups that conduct private schools. There are many other private institutions. If we open the door in this regard we are simply opening the door to further breakdowns in regard to the use of public money for private purposes. The people who are conducting private schools at present, some of them are opposed to this bill even though they themselves have children to transport to their own private schools. I feel that we should be very careful before we open the door to anything that could have a serious repercussion.

There has been through the years, a move—and this isn't any different—to grant public money to a private institution which is of my own denomination. I am opposed to that because I am opposed to giving public money for any private school purpose. Even though they may say that transportation is not education, it is contributing to education because it is carrying children to the schools. I feel that when there is any private institution involved, whether it be Baptist or Catholic or any other, that we should not open the door to the use of public money to a private institution.

Mr. CYR of Aroostook: Mr. President and members of the Senate, in answer to my colleague from Aroostook, all we have to do is look through the statutes of the State of Maine and we find out time and time and time again public money has been appropriated from this great Body for private purposes. We did it yesterday. Not only that, but the Senator, my colleague from Aroostook voted on it for one institution in Aroostook County herself this session right here.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Lincoln, Senator Chase, that the bill be indefinitely postponed; and a division has been requested.

Eight having voted in the affirmative and twenty-three opposed, the motion to indefinitely postpone did not prevail.

The PRESIDENT: The question now before the Senate is the motion of the Senator from Kennebec, Senator Gilbert, that the bill pass to be enacted.

The motion prevailed and the bill was passed to be enacted.

The PRESIDENT: In the Senate Chambers we have eleven students from Erskine Academy, the Senior Commercial Club accompanied by Miss Beverly Hancock, their teacher. Miss Hancock happens to be the daughter of Representative Hancock of Nobleboro. It is a pleasure to have you with us. We hope that your stay is enjoyable and educational, and we hope that

some day you will be sitting the Senate Chamber representing the County where you live. We have two lady Senators you realize now. At this time I would like to introduce to you the Senator from Kennebec County—I believe Nobleboro is in Kennebec County.

Mr. CHASE of Lincoln: Mr. President, I might say that the academy, Erskine Academy is in Kennebec County, but the leader of the group, Miss Hancock, comes from my county.

The PRESIDENT: Thank you Senator Chase. I will introduce the Senators from Kennebec County. Senator Farris and Senator Marden. Senator Gilbert happens to be absent. It is a pleasure to have you girls with us. Would you rise so the Senate can recognize you? (Applause)

The President laid before the Senate the first tabled and specially assigned matter, (H. P. 78) (L. D. 121) Bill, "An Act Extending the Powers of the Maine-New Hampshire Interstate Bridge Authority," tabled on May 10th by the Senator from Sagadahoc, Senator Mayo, pending enactment.

Mr. MAYO: Mr. President and members of the Senate I would move that the Senate reconsider its action whereby this bill was passed to be engrossed.

The motion prevailed.

Mr. MAYO: Mr. President, I now yield to the Senator from Kennebec, Senator Marden.

Mr. MARDEN of Kennebec: Mr. President and members of the Senate: I had so many things that I wanted to say about this bill and these bridges that I could not possibly take the time and remember them all, so, with your permission, I drew a picture and it has been reproduced and is now on your desks.

Strange as it may seem, I am not going to debate which of these two bridges is better. It strikes me as being a little unusual that a freshman lawyer from Waterville should be standing in the Senate of the State of Maine arguing about a bridge 140 miles away, and it may well be that we should all react this way.

We are talking about the expending of millions of dollars. We are trying to discuss damage, when it will be constructed and so forth, and I wonder if we are qualified to do so.

You understand by now, of course, the two sides to this, if there are two sides. I know I understand the position of my friends, Senator Erwin, Senator Lovell and Senator Brewster, who represent York County which has the location and the interest of the local merchants involved in this issue. But I am suggesting to you gentlemen that this is not a local problem, and you know this. This is not even the type of issue that the Town Road Improvement Fund might be, and the Deer Isle-Sedgwick Bridge or Skindivers or Symphony Orchestras or bridges to islands or alewives is Damariscotta. My friends, we are talking here about the front door to the State of Maine. I hope I am not oversimplifying this issue if I suggest that somehow it is wrong to open your arms and say "Welcome to the State of Maine" while at the same time you open up your palm for a ten cent piece and hope they can get across the bridge if the draw isn't open.

Are we in the position in this state where we do all in our power to induce outsiders to come here, both for recreation and for industry, where we allow a moat around our castle? I do not mean to overdramatize this but it appears this way to me:

I was originally going to move for indefinite postponement of this bill and perhaps I should. I recognize, however, that there are great advantages in compromise and I recognize that the other side has arguments.

One of the senators with whom I discussed this particular problem indicated to me that it did seem a little bit unusual for thirty-one, thirty-two or thirty-three laymen to discuss the technical aspects of the construction of a bridge costing millions of dollars. And it is obvious, of course, that before anything is done and before any construction takes place somebody somewhere, sometime is going to

have to do a lot of study and surveying for facts and figures, not only for specific details as to how a bridge shall be constructed and where but how it shall be financed, and what is best not for the residents of York and Kittery but what is best for the people of the State of Maine.

I am therefore going to offer an amendment which in effect will authorize a survey of this entire problem. The cost of this survey will not be paid for out of general funds of the State of Maine but will be paid for from the funds of the State Highway Commission. The results of this survey will be reported to the Legislative Research Committee and in turn will be re-reported back to this Legislature. The purpose of this survey will be not only to discuss our basic issue, where should the bridge be, but comparative analyses of bridge financing: Which will be better, a toll bridge or a bridge financed by state and federal funds? Where should it be located? Traffic count, details—all a matter for experts and not for the Senate of the State of Maine.

The idea of this amendment, gentlemen, seems reasonable to me. I would hope that it would seem reasonable to you. I would hate to think that we did anything here today which might have the effect of severing the umbilical cord of this state by the continuation of a bridge similar to the bridge that we now have down there. I would simply ask you that you vote your common sense and conscience.

I offer Senate Amendment "A" and move its adoption.

Senate Amendment "A" was read by the Secretary.

The PRESIDENT: Do the Senators wish to have a short recess so that you may read this amendment. (Recess)

Called to order by the President.

The PRESIDENT: The Chair would like to state that day before yesterday when we had the wonderful potatoes given to the Senate I made a statement in regard to Aroostook potatoes being sent to my daughter in Chicago,

and I mentioned inadvertently the Senator from Aroostook, Senator Cyr, when I intended to say, and I was looking right at him, Senator Edmunds. I want to take this opportunity of thanking Senator Edmunds and of correcting this mistake.

Mr. EDMUNDS of Aroostook: Mr. President, I just wanted to make sure that Senator Cyr did not get any credit that he was not entitled to.

The PRESIDENT: The question before the Senate is on the motion of the Senator from Kennebec, Senator Marden, that the Senate adopt Senate Amendment "A".

Mr. ERWIN of York: Mr. President, I am tempted to say "here we go again", and if I thought that a chorus from the Whiffenpoof song would do any good I would try it.

It is not easy, as all of you must realize, to rebut the arguments of my articulate and logical friend, Senator Marden, but I have to, or at least I have to try.

First of all, in regard to this particular amendment, it does two things, and of course the first thing is the most obvious thing, and that is that it successfully kills the L. D. which it amends with pigeonhole treatment. The purpose of putting this to an engineering survey as contemplated in Senate Amendment "A" is simply doing what we have been asking to have done in a different fashion.

I have to refer again briefly to the nature of the Maine-New Hampshire Interstate Bridge Authority and to point out to you that it is also an agency of the State of Maine just as the State Highway Commission is an agency of the State of Maine, and the powers of the Interstate Bridge Authority are about to cease because its mission has been accomplished. This mission was to build the existing draw-bridge, which is a toll facility over the Piscataqua River, to collect tolls on this bridge to pay for the bridge and the carrying charges, and to create a maintenance fund which would produce in revenue a sum sufficient to maintain the bridge and its approaches forever. That point will be reached, I can-

not tell you the exact date, but within a year or two or possibly three, and at that time the Interstate Bridge Authority will go out of existence.

Now if the problem were ended that would be the logical and proper thing for the Interstate Bridge Authority to do, go out of existence. But bear in mind that this has been a very successful tool as an agent of the state. It has built and maintained a bridge and is about to deliver it intact to the State of Maine as it was given a mandate to do. It has done it well and fairly and has done it without costing you and me one penny in taxes. Of course it costs me a little bit more than it costs you because I use the bridge quite frequently.

The L. D. which is involved here asks for an extension of the powers of the Interstate Bridge Authority to permit it to continue its existence with a new mandate to bring up to the modern traffic requirements the bridge, or the traffic part of it, over the Piscataqua River. In so doing, it enables the Interstate Bridge Authority to have an engineering survey and if the engineering survey proves that what they have in mind is feasible it is contemplated that the bridge to be built is a span parallel to the existing span and it will double the traffic lanes: one will be one way and the other will be the other way. It will continue on both ends and approaches in the same general area where it now is and it will continue to be serviced by the smaller industries and businesses, if you can call one million dollar business a small business, which have come there in reliance upon the continued existence of the road. That, basically, is the reason for the L. D.

Now this amendment says—and I think you have to realize that built into this amendment is an implied criticism of the New Hampshire-Maine Interstate Bridge Authority, as though there was something either sneaky or incompetent about this bridge authority which makes us feel here in the Senate that it is not proper for them to continue to have the same kind of mandate which they have

carried on successfully for over twenty years. Now the amendment, as I recall having read it, states that this will all be completely arranged to everyone's satisfaction by having the Research Committee direct a survey. I think, if you will note in the amendment, the survey is to be arranged for by the Highway Department. I do not think it is any secret to to anyone in the State of Maine that the Highway Department surveys, while always done on the finest engineering bases and always done by very competent men, generally come out about the way they are expected to. We are asking for an alternative to what the Highway Department wants, and this amendment is of course an effective way of preventing any alternative to the Highway Department's wishes in this matter because the Highway Department admits that they are committed to the interstate system which calls for a high-level bridge at a different point.

Now some of my colleagues here in the Senate have expressed a distaste for being forced to choose between two bridges. I submit to you the question is not to choose between two bridges or two kinds of a bridge. We have got to have another bridge over the Piscataqua River. If you want to talk about whether a drawbridge is better than a fixed bridge you do not have to go very far into the technical engineering end of that question to determine in your own mind the situation.

I want to talk for a minute on that particular part of it, but first let me tell you what else the amendment does. I think it is unusual, although it is perfectly legal and it has happened before, but the amendment in effect is a new L. D., it is a rewrite of the existing L. D. It is a new bill upon which no public hearing will be had and no opportunity will be given to the people whose lives and whose financial affairs are vitally affected by what is involved in the amendment, to come to Augusta in the normal course of events to present their views, and if they have an opposition, to state

their opposition to the things that appear in this amendment. This of course you can do. I do not for a minute deny it can be done and has been done, but it seems to me, at this stage of the game, with this bill having been lying around for a long, long time, that the proponents of this amendment are a little bit late now to come to the Senate at the enactment stage, at a time when time is running out in the Legislature, with a great deal of major legislation to discuss and decide, to come up with something that is brand new. Because of that, those of us who are the proponents of this original L. D. are opposed to the amendment.

Now what about all these arguments? We have been over most of them before and I do not want to belabor them to the point of boredom, because I am well aware, having sat in committee hearings this whole session and having spent a good deal of time glued to my chair, that it is very easy to talk yourself out of a bill. Still and all, there are certain things that have to be pointed out again.

At the hearing before the Judiciary Committee, in response to a question, the Chairman of the Highway Commission stated that he thought that 100 feet above mean high water was a sufficient height for the bridge in contemplation. The smallest of the two drawbridges now over the Piscataqua River has a height of 135 feet, and within a fairly recent period of time one of our ocean-going tankers coming upriver took two feet of its topmast off at 135 feet. It is no secret either that the United States Corps of Engineers has required the Highway Department of the Commonwealth of Massachusetts to have 135 feet clearance above mean high water over the Mystic River in Boston, and there are no bigger boats plying the Mystic River than ply the Piscataqua River on the borderline between Maine and New Hampshire.

Now it has been stated on this picture—and it is a good picture—but like all pictures of this sort, I think my good friend, Senator Mar-

den, will admit that it is a schematic diagram and I think he will also admit that he like everyone else who pleads a cause has difficulty in drawing even pictures which tell the story completely. Just to illustrate the point and not to say I am accusing him of being unfair, because I am not; I think he is the fairest-minded man I know and he is my friend—I wish you to note that although there is a cloverleaf interchange drawn in at the Portsmouth end of the existing facility it is very simply drawn in and a straight line goes from the New Hampshire Turnpike to the Maine Turnpike, with no drawing-in of the complications that will be involved in approaches, abutments and cloverleaf intersections.

On this particular sheet, to which I draw your attention because it was put here for you, it says in the lower right-hand corner: "The proposed high-level bridge, no draw, no toll, will cost \$17,500,000, 90 per cent federal money, 10 per cent state money, Maine's share \$723,000. No access, no services. Favored by the two State Highway Commissions."

As far as the cost is concerned, this cost is based upon a preliminary, an admittedly preliminary study of a 100-foot bridge. You do not have to be a technical engineer to know that when you raise the height of a high-level bridge 35 per cent, which is what a 35-foot raise in the height over the river would amount to—and you can count on the fact it will have to be 35 feet higher than this plan calls for—that it will probably double the cost of the bridge. But remember we are not talking just about the cost of the bridge; we are talking about the cost of the abutments, the approaches, cloverleaves, the intersections, and all of the things that go into this particular program. We are also talking about the maintenance of them forever, and we are also talking about the fact that the 90-10 money is available for the bridge only and is not available for the approaches and the intersections because it runs from a toll road to a toll road.

All of these things make the point I would like to make, and that is that nobody right now knows the cost of this proposal of the State Highway Commission which is admittedly ten to twelve years away. That, again, was said in the hearing before the Judiciary Committee. It is not contemplated in any sense that in the near future the Highway Commission is going to do anything over the Piscataqua River.

Those of you who cross that bridge know that it is no longer adequate to the flow of traffic. Its adequacy, however, does not go to the fact that it is a drawbridge, its adequacy goes to the fact that it is a three-lane bridge. We have got to have another bridge, no one argues that, we have got to have another bridge before ten years are up. What we object to is the stifling of the development of a plan which has already worked in essence, and that is the doubling of the facilities that are already there.

Finally, and not to belabor it any further, we want this bill to go through because we want it paid for just exactly as it was paid for before. That means that if I have a normal lifetime I will probably pay five hundred to a thousand times more for my share of it than any of you people here because I use it, but that is what it should be.

Now my good friend, Senator Marden, says we do not want to build a moat around the entrance to our state. We have a moat, the moat is the Piscataqua River, we have to deal with it; we have to deal with it in terms of possibilities, abilities and just plain taxes. We feel this is the way it should be done. We feel that the motoring public in the State of Maine and in the United States of America does not care any more about toll facilities: there is not anyone anywhere who travels a long distance in the United States of America, or let's just say from the State of Maine to the City of New York, who goes down the old Post Road, Route 1. You would be out of your mind to go down Route 1. It costs you five or six

dollars in tolls to get to New York City now but still you go. Tolls do not keep you from going where you want to go; tolls do not keep people out of the State of Maine; tolls do not make people think that we are a bunch of money-grubbers up here standing at the gates of our State, waiting for them to come in and drop money into our coffers. Tolls are an accepted way of life in America, tolls pay for necessary facilities, and we want the tolls to pay for this facility.

Bear in mind, friends, that the tolls pay for something here that is not built into the federal interstate highway system. The tolls will pay the maintenance forever of the bridge and the approaches from start to finish to where the interstate highway's geographical limits end: in Portsmouth at the traffic circle, and in Maine, I cannot tell you the exact point, but somewhere near the entrance to the Maine Turnpike. These are the things that we want you to keep in mind. These are the things that make L. D. 121 a good bill unamended, and these are the reasons why we think that this amendment is the pigeonhole treatment to kill the bill simply because the Highway Department does not want to face the problem.

I therefore, Mr. President, move for the indefinite postponement of Senate Amendment "A".

Mr. MARDEN of Kennebec: Mr. President, No. 1: shed no tears for the Interstate Bridge Authority. No one will question but what they will be around at the time the next legislature convenes. Do not worry about their dying on the vine if you do not act on this bill.

No. 2: My brother's discussion of the height of a drawbridge simply points out the very thing I am trying to convince you of, and that is figures and statistics must be established as a matter of fact and not thrown about the room as a football. As a matter of fact, since someone made a speech in the Kittery area within the last two weeks about the height of this proposed bridge, a bit of investigation was done, and if any of you care to check the records which hap-

pen to be on file in our Highway Commission office, you will find that the bridge-tenders—and there are two drawbridges across the Piscataqua River—disagree as to the necessary height, and there is evidence substantiating the fact that no ship has been up there requiring a lift of 135 feet, and, furthermore, if a ship does require such a height, it would be more reasonable to require the ship owner to put a hinge on the mast at a cost of approximately one thousand dollars than to add to the height of a high-level bridge.

Double the cost of the bridge to add another 35 feet in height? If you insist it must be 135 feet in height rather than 100, change the figure from seventeen and a half million to eighteen and a half million, and that is still less money than the drawbridge.

True—and I am sorry if I have misled any of you into thinking that my pitiful sketch is intended to be either in scale or complete, because obviously it is not. As a matter of fact, if you will refer to the top part of this sketch which shows a rotary leading to the New Hampshire Turnpike. I would call your attention to the fact that if this bill is passed and the Interstate Bridge Authority has its powers extended—and they are ready to build, believe, me—the plan of their bridge is already on file in the Highway Commission office—there is on this plan a cloverleaf arrangement in the area I have designated as the rotary and in that cloverleaf arrangement each circle in the cloverleaf has a radius of 75 feet and the grade on each cloverleaf is 7 per cent. Engineers tell me, with that radius and that grade, the maximum safe speed for any traffic is about fifteen miles an hour, and, with that situation, at any reasonably busy time, the traffic on the Maine Turnpike could well be backed up for as far as three miles. I do not think that this will take place, even though it is on the Interstate Bridge Authority's plan. What I think will take place is that they will have to take additional land in that area. And what is on that land? A large Howard Johnson restau-

rant, a motel adjacent thereto and a tremendous hotel on the south-east side of this rotary. I am suggesting to you in all sincerity that that plan is ridiculous, but, forgetting my opinion of their plan, let's get some expert advice on this thing before we move ahead.

My good friend, Senator Erwin, made a very telling point both today and in our previous date, and I submit to you, gentlemen, it is the only point he has, and that is the protection of the merchants of his area. You cannot deny it, this is a good argument. I wish his side of the picture would stay with that argument because it is hard to answer. I can answer it only by suggesting that, according to the present plans, which may well be changed if you adopt this amendment, and I hope you do—but at least according to the present plans of the Maine State Highway Commission and the New Hampshire Highway Commission concerning this high-level bridge I have suggested to you on this sketch, there are good and reasonable and adequate interchanges at both ends, the distance between this high-level bridge and these commercial areas is not unreasonable, not nearly as unreasonable as you might argue the Maine Turnpike is from all of Route 1, from the City of Portland, from the City of Auburn and Lewiston and Augusta and Waterville and so forth to the Canadian border.

I would like to have someone, somewhere, somehow, convince me that the building of freeways and turnpikes really and truthfully—with one exception—has harmed the business of these communities. The exception is the fellow who runs a gasoline station, and if the traffic count is cut considerably obviously he is hurt, which does not make me happy. But when you get to this point, gentlemen, you are arguing a matter of public policy, you are arguing a matter of philosophy, and if you take the position that our individual citizen's rights and his business investment must not be damaged by a turnpike then you are arguing in effect against all turnpikes, you

are arguing against all freeways, you are arguing against progress and what has happened in these United States over the past twenty years. Someone has to suffer. You simply must weigh the equity. If someone is traveling to or from Maine and they want gasoline or to go to this New Hampshire liquor store or to go to the very fine Valle's restaurant, they will be able to do so, and I suggest they will be doing so.

Relative to the time of construction: I do not know and nobody knows. It has been said to me by one in authority, and I believe it, that there is no reason in the world why both a new bridge over the Piscataqua River and Route 95, the freeway, cannot be built thirty miles north of Bangor in 1966.

Finally, my friends, I am reminded of the conclusion of my friend, Senator Erwin, when we first discussed this matter. If I recall correctly, and he will correct me if I am in error, he said, "Gentlemen, we are not debating which bridge to build, we are simply arguing about the extension of the Authority, of this agency, in order to investigate an alternative proposal." I know he was sincere. This amendment as I propose it is entirely, one hundred per cent, consistent with his desires at that time. Let's investigate these alternatives. I will oppose therefore, and naturally, the motion to indefinitely postpone this amendment and would ask for a division.

Mr. MAYO of Sagadahoc: Mr. President and members of the Senate: I am a bit confused here this morning and I wonder if the bill as it is written is not in conflict with the federal interstate highway act. It is my understanding that a highway that is a toll highway may be absorbed into the interstate system but it is unlawful under the interstate highway act to create a toll bridge or a toll road and call it part of the interstate system. I would like to pose this question to the Senator from York, Senator Erwin: If this question has been investigated regarding this toll bridge on the interstate system?

The PRESIDENT: The Senator from Sagadahoc, Senator Mayo, poses a question through the Chair of the Senator from York, Senator Erwin, and he may answer if he wishes.

Mr. ERWIN of York: If I understand the question, Mr. President, it is: Has the question of whether or not a toll bridge can be legally made a part of the interstate system. I do not know. I do not know whether investigation has been made to that effect, but I submit to you that I do not think that it is particularly important.

There is also a federal bias against drawbridges, but, as Senator Cole pointed out in the last debate, it is not a final and ultimate flat prohibition against drawbridges; it says "except in unusual or emergency situations you won't have any drawbridges."

But let's look at it this way: if the interstate system comes up to the New Hampshire Turnpike to the traffic circle shown at the top of your schematic diagram, and if it comes down from the north, the lower left-hand corner of the diagram where it says "Maine Turnpike" and it finds there roads over which automobiles may travel, roads which are soundly designed and engineered—and that is basic in this—if it finds bridges that can be crossed, adequate to the traffic pattern—is anyone here prepared to tell us that the Interstate Highway System is arbitrarily going to say, "We admit that your facility is useable, but there is a federal regulation, sub-paragraph C, Roman numeral IV to Code 3 of Title 97 that says you cannot use it"? I really do not think that is going to prevent the interstate from tying into the facility if it is built and if it is properly engineered.

Now lest we in York County get inferiority complexes about this and feel that we are all alone, I do wish to call your attention to an editorial in the Bangor Daily News, Tuesday, April 25, 1961 together with an accompanying cartoon which I did not preserve I am sorry to say which buys what I consider to be the telling point of our position in opposition to my

friend, Senator Marden, saying our only point being the welfare of the merchants. I think that our telling point is—and I quote:

“The toll bridge would pay for itself and for future maintenance”—and then it goes on to talk about the various businesses that have been built on Route 1—this is available to anybody who wishes to see it, but editorially the Bangor Daily News, which is some distance removed from us, is no more anxious than we are to spend your taxes or their taxes in building an alternative to the highway plan.

Now one final word. I did say—and I do not correct my colleague—I did say we wanted an alternative plan. But when I say “an alternative plan” I mean an alternative, and the alternative, the choice, the difference we are talking about is from the State Highway Commission’s position, and I submit that, consciously or unconsciously, they are certainly not going to have any favorable views towards something they are on record as being absolutely opposed to. If we are talking about fairness, let’s keep that in mind.

One more thing I want to mention, and that is that Senator Marden has said that the plan of the Interstate Bridge Authority is on file in the Highway Department and that the Highway Department’s engineers have stated that it is a twenty million dollar drawbridge. The engineering and the plan will have to be spoken of as in quotation marks because they were done for nothing, they are a free plan, the Authority has no money to do a detailed engineering study of this, and one of the things in L. D. 121 is an extension of the authority of the Interstate Bridge Authority so that they can make an investigation and spend some money to determine this. Therefore we think that this amendment does not create an alternative, it merely solidifies the position of the Highway Commission that their will shall be done. To that we are opposed. Not that they are wrong, but we want something else shown so that it can be compared by the people.

Finally, the merchants of this area know that they can be sacrificed to progress. This is a small area and the Senate will do with this what it must. These people have an existence which they feel depends largely on the inducements that have been offered over past years to bring them to this area to give a service to our traveling public. They knew that they could be wiped out and they may well be wiped out. Let’s not pretend that anyone is going to come off a superhighway and go a quarter of a mile or half a mile to the east on a complicated interchange to go to have a meal at somebody’s restaurant. They are not going to do it. We ask you finally, if you will, to keep in mind that when you exercise the majesty of the law that there are situations of justice and fair play which go beyond technical engineering requirements for a bridge. We ask you to consider them.

Now politics being what they are and situations like this being what they are, I want one thing personally clearly understood: Whether this bill rises or fails, whether our position wins or loses, I ask that anybody in this room who feels that he may be committed to me in any way or committed to the York County delegation in any way to forget it. We want this to be voted on on its merits, and I do not want anyone to feel that they have been sandbagged or maneuvered into a position where they have to support us. We think it is right, we would like to have you agree with us, but if there is anyone who does not agree with us if he or she votes his or her conscience they will have no quarrel from us. Thank you.

Mr. CYR of Aroostook: Mr. President and members of the Senate: After listening to these great minds, these two great legal minds, and here I sit in judgment, I find that I am very confused and I do not know just what the answer is. I am wondering if I should ask through the Chair a question of these gentlemen whether it would not help me make up my mind. The question is: whether one of

these gentlemen took the magician's oath last night?

The PRESIDENT: The Chair will rule the question out of order.

The question before the Senate is on the motion of the Senator from York, Senator Erwin, that Senate "A" be indefinitely postponed. A division has been requested. All those in favor of the motion of the Senator from York, Senator Erwin, will rise and stand in their places until counted.

A division was had.

Eleven having voted in the affirmative and twenty in the negative, the motion did not prevail.

Thereupon Senate Amendment "A" was adopted and the bill was passed to be engrossed as amended.

On motion by Mr. Ferguson of Oxford, the Senate voted to take from the table the 63rd tabled item (H. P. 1125) (L. D. 1552) bill, "An Act Revising Laws Relating to Pollution Control"; tabled on May 11 by Senator Ferguson of Oxford pending enactment; and on further motion by the same Senator, the bill was passed to be enacted.

On motion by Mr. Farris of Kennebec, the Senate voted to take from the table the 36th tabled item (H. P. 1019) (L. D. 1420) bill, "An Act Creating the Passenger Tramway Safety Board"; tabled on May 3 by that Senator pending passage to be engrossed.

Mr. FARRIS of Kennebec: Mr. President, I offer Senate Amendment A and I might explain that this is merely to make changes to put the bill in better legal condition than it is at the present time.

Mr. NOYES of Franklin: Mr. President, through the Chair I would like to ask the Senator from Kennebec, Senator Farris, if there is not a companion bill still in the legislature which has not been enacted pertaining to ski areas and the setting up of a separate Board of Safety for ski areas which are classified as uphill transportation?

The PRESIDENT: The Senator from Franklin, Senator Noyes, poses a question to the Senator from Kennebec, Senator Farris who may answer if he wishes.

Mr. FARRIS of Kennebec: Mr. President, if I correctly understand the Senator from Franklin, Senator Noyes, this is the bill that is in the legislature that we are now amending and the purpose of offering an amendment now which is incidentally with the approval of members of the other Body who had the same interest as does the Senator from Franklin, is to move that this pass to be engrossed as amended, return it back to the House Tuesday and then we will have it back here.

Mr. NOYES of Franklin: Mr. President, I wish to thank the Senator from Kennebec, Senator Farris.

Thereupon, on motion by Mr. Farris of Kennebec, the Senate voted to reconsider its former action whereby it adopted Committee Amendment A; Senate Amendment A to Committee Amendment A was read and adopted; Committee Amendment A as amended by Senate Amendment A was adopted and the bill was passed to be engrossed.

Sent down for concurrence.

On motion by Mr. Marden of Kennebec, the Senate voted to take from the table the 23rd tabled item (S. P. 311) (L. D. 899) Senate Re-Health and Institutional Services on bill, "An Act to Transfer Northern Maine Sanatorium to Central Maine Sanatorium"; Majority report, Ought to pass; Minority report, Ought not to pass; tabled on April 12 by Senator Marden of Kennebec pending acceptance of the Majority ought to pass report (Motion by Senator Lord of Cumberland); and Senator Marden yielded to the Senator from Aroostook, Senator Edmunds.

Mr. EDMUNDS of Aroostook: Mr. President, before I make the motion I am about to make with respect to this piece of legislation, I would like to say that I have checked with the sponsor of the bill, and checked with the Committee on Health and Institutional Services which originally heard the bill, and have checked with the Committee on Appropriations and Financial Affairs and they are all in agreement with the motion I am about to make. At this time I move

that the bill be recommitted to the Committee on Appropriations and Financial Affairs.

The motion prevailed.

Sent down for concurrence.

On motion by Mr. Carpenter of Somerset, the Senate voted to take from the table the 9th tabled item (H. P. 244) (L. D. 358) Resolve, Closing Hayden Brook, Somerset County, to all Fishing; tabled on March 21 by Senator Carpenter of Somerset pending passage to be engrossed; and that Senator presented Senate Amendment A and moved its adoption.

The PRESIDENT: The Chair will inform the Senator that the amendment has not been reproduced.

Mr. CARPENTER of Somerset: Mr. President, I move that the rules be suspended so that I can discuss this bill briefly.

The motion prevailed and the rules were suspended to allow Senator Carpenter of Somerset to discuss the amendment.

Mr. CARPENTER of Somerset: Mr. President and members of the Senate, this particular bill involves a small brook in Somerset County near my community and it is a brook that leads down into Lake Wesserunset populated I am going to say mostly by suckers in the spring and the problem there has been that children go down and spear these suckers—and I believe that is the correct terminology for this type of fish—and leave them on the banks and the cottages nearby and it has a tendency to pollute the atmosphere. This came out of our committee unanimously Ought to pass. Why it did I don't know. I am not in favor of the bill actually. I am not in favor of the amendment because I don't think we should attempt this type of legislation. I feel that all brooks—and I have always had that opinion—Senator Parker has a bill on the table and I was in hopes he would take his off before I talked on this one. It is to close a certain brook and I don't believe in closing any brooks in the State of Maine to fishing. They automatically close August 15th. As for a brook being a spawning area, trout inhabit these particular areas after

August 15th. So whatever you gentlemen want to do with this bill and amendment is up to you.

On motion by Mr. Cyr of Aroostook, the bill was indefinitely postponed.

Sent down for concurrence.

On motion by Mr. Farris of Kennebec, the Senate voted to take from the table the 28th tabled item (S. P. 316) (L. D. 992) Senate Report, Ought to pass in New Draft and Under New Title of "Resolve Appropriating Moneys for Vocational and Technical Institute in Northeastern Maine"; from the Committee on Education on "Resolve Providing for a Vocational Technical Institute in Eastern Maine"; tabled on April 21 by Senator Farris of Kennebec pending acceptance of the report; and that Senator yielded to the Senator from Penobscot, Senator Bates.

Mr. BATES of Penobscot: Mr. President, I thank the Senator from Kennebec, Senator Farris. Actually we are presumably talking about the redraft which is L. D. 1542. Originally the Committee on Education had some nine bills before it dealing with vocational technical institutes in one form or another. Each and every one of the other bills connected with vocational technical institutes has been disposed of in one way or another.

I assume that each and every member of the Senate is aware of the fact that there have been some exciting and interesting developments take place at Presque Isle Air Force Base in the last week or so and two members of this Body and one member of the House were directed by the Governor to visit that base and primarily for the purpose of checking that base as having among its facilities a possibly adequate vocational technical building or buildings.

It would be my hope that the committee that is being sent to the same site on Monday, Tuesday and Wednesday of this coming week, would have some interesting information with respect to implementation of L. D. 1542 but presumably including among such recommendations the necessity for

amendment to this bill before we can adequately discuss it. I am recommending to you that we accept the Ought to pass in new draft in new title, L. D. 1542, today give it its first reading, assign it for second reading on the next legislative day at which time I would table it, and I assure you I would, so that we could entertain amendments in the future. Therefore, I move that the Senate accept the Ought to pass report of the committee.

The motion prevailed and the new draft was read once and tomorrow assigned for second reading.

On motion by Mr. Cyr of Aroostook, the Senate voted to take from the table the 38th tabled item (H. P. 1013) (L. D. 1414) bill, "An Act Classifying Certain Waters in Salmon Falls-Piscataqua River Watershed"; tabled on May 4 by Senator Ferguson of Oxford pending motion by Senator Lovell of York to adopt Senate Amendment A; and that Senator moved the indefinite postponement of Senate Amendment A.

Mr. MAYO of Sagadahoc: Mr. President I have just read this amendment and the motion is to indefinitely postpone and in reading the amendment I find it sets up tables of completion over the fifteen year span that we have been discussing in all these pollution bills. I think the amendment as it is written will eventually be adopted in most of these pollution bills when it reaches the Senate again and I think the amendment as written which gives a table of completion is a very fine amendment because it gives a town or city or area certain completion dates in which they must have a start on this pollution problem.

I think it is much better to have these completion dates spelled out than to put down a total of fifteen years and then I could visualize a tremendous haste along toward the last two or three years of this fifteen year period, whereas this amendment gives certain dates for completion of certain parts of this pollution control. We are going to be faced with many pollution prob-

lems before we finally adjourn this legislature. I certainly hope that this motion this morning to indefinitely postpone this is not the beginning of the killing of all of these pollution bills. I hope the motion of Senator Ferguson does not prevail.

Mr. FERGUSON of Oxford: Mr. President and members of the Senate, this is the first amendment that we have had on any of the pollution bills. This morning we indefinitely postponed one on Lincoln County. On the Kennebec bill it is written in the bill and the reason why the Committee on Natural Resources went along with that is that there are several watersheds in the area of the city of Augusta and in order to take advantage of matching funds over the years, both federal and state, we felt that was the way to handle it. This particular bill deals with the Salmon Falls Piscataqua River Watershed which are interstate waters. Mr. Knox, who is Executive Secretary of the Water Improvement Commission, was down here on these occasions and he did not think this would be a good amendment. Your Committee on natural resources spent a lot of time on it and we too feel it is not a good amendment to tack on to this particular bill. Certainly in the future of this session we should not have any amendment attached to any of the pollution bills. I think I can speak for the Committee and therefore I hope that my motion does prevail.

Mr. CARPENTER of Somerset: Mr. President, I dislike very much to disagree with Senator Ferguson of Oxford but I think Senator Mayo of Sagadahoc is right with his remarks. I think if we tamper with these bills and attempt to kill these amendments we are going to upset the whole water classification deal and I am very pleased to know that the other Body and the Senate have gone along with these classification bills and I certainly hope that the Senator's motion is defeated.

Mr. CYR of Aroostook: Mr. President and members of the Senate just to add a few more words of clarification as to the stand of the

committee on this. Possibly this might explain to Senator Mayo the reason why we went along on the fifteen years on the waters of the Kennebec. That bill calls for the classification of a whole river which is the first time that has been presented. That is why, the project is of such tremendous size that the committee went along on a fifteen year time limit. On other smaller projects we feel that the judgment of the Water Improvement Board will give them the time that is necessary to gather their finances and do the job whenever it is practical for the various communities to do it.

Mr. FARRIS of Kennebec: Mr. President, might I inquire of the Senator from Oxford, Senator Ferguson, if I understood him correctly, that the Water Improvement Commission, which certainly is as much interested in pollution control as any of us, has stated that they do not feel that this is a good amendment. Is that correct.

The PRESIDENT: The Senator from Kennebec, Senator Farris poses a question to the Senator from Oxford, Senator Ferguson, who may answer if he wishes.

Mr. FERGUSON of Oxford: Mr. President, the answer is yes, that is right. It was at the suggestion of the Water Improvement Commission. In fact they helped us draft the bill on the Kennebec classification and that is written right in the bill on the Kennebec River. Again, I might go back to this bill that we are discussing at this time. New Hampshire has accepted the same classification and the bill has been signed by the Governor. We could run into some real trouble. I am sure the Water Improvement Commission and the Committee doesn't want to see these other bills amended, not during this session anyway.

Mr. MAYO of Sagadahoc: Mr. President and members of the Senate, I am very happy that the

Senator from Oxford, Senator Ferguson has explained this amendment. When I read the amendment I was aware of what the amendment meant but I was not aware that the request to kill the amendment had come from the Water Improvement Commission. My main reason for objecting was principally the fact that I am very much interested in all of these pollution bills in the State of Maine. I was afraid that possibly this was just a move to hurt some of these pollution bills that are going through the Legislature. Therefore I am much clearer on the situation and do not object to killing the amendment.

Thereupon, Senate Amendment A was indefinitely postponed, and on motion by Mr. Ferguson of Oxford, the bill was passed to be engrossed.

On motion by Mr. Marden of Kennebec, the Senate voted to take from the table the 47th tabled item (H. P. 568) (L. D. 788) House Report, Ought not to pass, from the Committee on Appropriations and Financial Affairs on "Resolve Appropriating Funds for Regional Airport to Service Augusta, Waterville and Surrounding Areas"; tabled on May 5 by Senator Marden of Kennebec pending acceptance of the report.

Mr. MARDEN of Kennebec: Mr. President, with the agreement, concurrence and suggestion of the Chairman of the Appropriations Committee, I move that this bill be recommitted to the Committee on Appropriations and Financial Affairs.

The motion prevailed and the bill was recommitted in non-concurrence.

Sent down for concurrence.

On motion by Mr. Jacques of Androscoggin Adjourned until Tuesday next at 10 o'clock in the morning.