

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and First
Legislature*

OF THE

STATE OF MAINE

1963

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Wednesday, May 8, 1963

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

Prayer by the Rev. Mr. Edward F. Allen of Augusta.

The journal of yesterday was read and approved.

**Papers from the Senate
Conference Committees Report**

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act Creating a Bureau of Corrections within Department of Mental Health and Corrections" (S. P. 124) (L. D. 351) reporting that they are unable to agree.

(Signed)

WHITTAKER of Penobscot
LOVELL of York
CAMPBELL of Kennebec

— Committee on part of Senate.

DENNETT of Kittery
THAANUM of Winthrop
RUST of York

— Committee on part of House.

Came from the Senate with the Report rejected and that body voting to further insist and asking for another Committee of Conference.

In the House, the Report was read.

On motion of Mr. Dennett of Kittery, the House voted to accept the Conference Committee Report and, on further motion of Mr. Dennett of Kittery, the House voted to adhere to its former action.

**Senate Reports of Committees
Leave to Withdraw**

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act Directing a Study and Pilot Program of Property Tax Administration" (S. P. 200) (L. D. 510) reporting Leave to Withdraw.

Report of the Committee on Judiciary reporting same on Bill "An Act Amending the Rules of Descent" (S. P. 274) (L. D. 788)

Report of same Committee reporting same on Bill "An Act Requiring Approval of County Commissioners of Court Term Bills" (S. P. 364) (L. D. 1030)

Report of same Committee reporting same on Bill "An Act relating to Acknowledgment and Validation of Deeds and Other Instruments Conveying Real Property" (S. P. 473) (L. D. 1325)

Came from the Senate read and accepted.

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

Ought Not to Pass

Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Resolve Appropriating Money to Encourage Maine Youth to Develop Their Potential Through Education (S. P. 172) (L. D. 471)

Came from the Senate read and accepted.

In the House, the Report was read and on motion of Mrs. Smith of Falmouth, the "Ought not to pass" Report was accepted in concurrence.

Indefinitely Postponed in Senate

Report of the Committee on Claims reporting "Ought not to pass" on Resolve in favor of Allie P. Lewis, of Palmyra, for Property Damage (S. P. 241) (L. D. 615)

Came from the Senate with the Resolve substituted for the Report and indefinitely postponed.

In the House, the Report was read and, on motion of Mr. Brewer of Bath, the "Ought not to pass" Report was accepted.

Divided Report

Majority Report of the Committee on Constitutional Amendments and Legislative Reapportionment reporting "Ought not to pass" on Resolve Proposing an Amendment to the Constitution Changing the Tenure of Office of Senators to Four-Year Terms (S. P. 2) (L. D. 2)

Report was signed by the following members:

Messrs. FARRIS of Kennebec
NOYES of Franklin
EDMUNDS of Aroostook
— of the Senate.

Messrs. SMITH of Bar Harbor
COTTRELL of Portland
PEASE of Wiscasset
WATKINS of Windham
VILES of Anson
DENNETT of Kittery

BERMAN of Houlton
SMITH of Strong
CARTIER of Biddeford
— of the House.

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

Report was signed by the following members:

Messrs. JACQUES of Androscoggin
PORTEOUS of Cumberland
— of the Senate.

Mr. PLANTE
of Old Orchard Beach
— of the House.

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

In the House: Reports were read.

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

Divided Report

Majority Report of the Committee on Public Utilities reporting "Ought to be Adopted" on Joint Resolution Memorializing Congress, Recommending Full Development of Electric Power Potential of Passamaquoddy Bay and Upper Saint John River (S. P. 129) (L. D. 442)

Report was signed by the following members:

Mrs. HARRINGTON of Penobscot
Messrs. PHILBRICK of Penobscot
BOISVERT of Androscoggin
— of the Senate.

Messrs. PITTS of Harrison
TAYLOR of South Portland
PLANTE
of Old Orchard Beach
— of the House.

Minority Report of same Committee reporting "Ought not to be Adopted" on same Resolution.

Report was signed by the following members:

Messrs. RAND of Yarmouth
WELCH of Chapman
TYNDALE
of Kennebunkport
PHILBRICK of Augusta
— of the House.

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

In the House: Reports were read.

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

Mr. DUDLEY: Mr. Speaker, I move that the "Ought to be Adopted" Report be accepted.

The SPEAKER: The gentleman from Enfield, Mr. Dudley, moves that the Majority "Ought to be Adopted" Report be accepted. Is that the pleasure of the House?

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

Mr. CURTIS: Mr. Speaker, I move indefinite postponement of this bill and all its accompanying papers.

The SPEAKER: The gentleman from Bowdoinham, Mr. Curtis, moves indefinite postponement of both reports. Is that the pleasure of the House?

Mr. Curtis of Bowdoinham then requested a division.

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

A division of the House was had. Seventeen having voted in the affirmative and eighty having voted in the negative, the motion to indefinitely postpone did not prevail.

The SPEAKER: Now the question before the House is the acceptance of the Majority "Ought to be Adopted" Report.

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

Mr. BERRY: Mr. Speaker and Members of the House: Speaking to the motion, it seems we have in here the future of the Allagash tied up with the Passamaquoddy Tidal Project, and this is the only matter that causes me some concern and why I felt that the matter should be debated a little bit further. I think the Passamaquoddy Tidal Project certainly can stand on its feet. If we pass this Memorial as it is presented here, are we not prejudging the reports on the future of the Allagash? To my mind, this is an extremely important item. I would not want to see the Memorial totally fail because of this combination, but I am seriously concerned over the future of the Allagash. I think that is going to be one of the most important problems that

we have before us at this session. If we pass this Memorial as it stands before us now, we are certainly committing ourselves to flooding the Allagash. This is a matter I think of very very serious concern to us.

The SPEAKER: Is the House ready for the question? The question before the House now is the acceptance of the Majority "Ought to be Adopted" Report. Is that the pleasure of the House? All those in favor of adoption, will please say aye; those opposed, no.

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

Fifty-three having voted in the affirmative and fifty-one having voted in the negative, the motion to accept the Majority Report did prevail.

Thereupon, the Majority "Ought to be Adopted" Report was accepted in concurrence and the Resolution adopted.

Non-Concurrent Matter

Bill "An Act relating to the Admission of Attorneys to the Bar of the State of Maine" (S. P. 62) (L. D. 112) which was indefinitely postponed in non-concurrence in the House on May 3.

Came from the Senate with that body voting to insist on its former action whereby the Bill was passed to be engrossed, and asking for a Committee of Conference.

In the House:

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

Mr. WILLIAMS: Mr. Speaker, I move we adhere to our former action.

THE SPEAKER: The gentleman from Hodgdon, Mr. Williams, moves that the House adhere to its former action.

The Chair recognizes the gentleman from Wiscasset, Mr. Pease.

Mr. PEASE: Mr. Speaker, I would respectfully move that the House insist on its former action and join in a Committee of Conference.

The SPEAKER: The gentleman from Wiscasset, Mr. Pease, moves that the House insist on its former action and join in a Committee of

Conference. Is that the pleasure of the House?

(Cries of "No")

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

Fifty-eight having voted in the affirmative and thirty-nine having voted in the negative, the motion to insist did prevail.

Thereupon, the House voted to insist and join in a Committee of Conference.

Non-Concurrent Matter Tabled and Assigned

Bill "An Act relating to Definition of 'Hotel' under Liquor Law" (H. P. 299) (L. D. 393) on which the House further insisted on May 2 on its former action whereby the Bill was passed to be engrossed as amended by House Amendment "A".

Came from the Senate with that body voting to insist on its former action whereby the Bill was indefinitely postponed in non-concurrence, and asking for a Committee of Conference.

In the House:

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

Mr. KNIGHT: Mr. Speaker, as I understand this bill now, it requires by the amendment sales other than liquor be from rooms and food of one-third and I think it would be a good idea to make an amendment up on this possibly reducing it to 30 percent or the possibility of 25 percent, but I think 30 percent to give us a chance to look this matter over again. I would like the opportunity to prepare such an amendment.

Thereupon, on motion of Mr. Jallbert of Lewiston, tabled pending further consideration and specially assigned for tomorrow.

Non-Concurrent Matter

Bill "An Act Repealing the Two Inch Clam Law" (H. P. 309) (L. D. 402) which was passed to be engrossed in the House on February 12.

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

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

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

Non-Concurrent Matter

Bill "An Act Providing for Safety Seat Belts for Automobiles" (H. P. 996) (L. D. 1437) on which the House adhered on May 3 to its former action whereby the Bill was indefinitely postponed in non-concurrence.

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

In the House:

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

Mr. TURNER: Mr. Speaker, I move we insist on our former action and ask for a Committee of Conference.

The SPEAKER: The gentleman from Auburn, Mr. Turner, moves that the House insist on its former action whereby the House adhered and ask for a Committee of Conference.

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

Mr. DUDLEY: Mr. Speaker, Ladies and Gentlemen of the House: I think this is the third time that this bill has been before us. I think for that reason, I would like to move that we adhere and I hope the motion prevails.

The SPEAKER: The motion of precedence is the motion of the gentleman from Auburn, Mr. Turner, that the House insist.

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

Mr. BREWER: Mr. Speaker, may I ask whether recede and concur would have precedence?

The SPEAKER: The motion to recede and concur has precedence.

Mr. BREWER: I so move, Mr. Speaker, and I would like to speak briefly.

The SPEAKER: The question before the House now is the motion

of the gentleman from Bath, Mr. Brewer, that the House recede from its former action and concur with the Senate.

The gentleman may proceed.

Mr. BREWER: Mr. Speaker, I will agree with the gentleman from Enfield, Mr. Dudley, that we have had this bill a long while and there are some of us that feel it is an important piece of legislation for the safety of the citizens of Maine. Now for a matter of record — and I don't want to debate this any longer, it has been well debated in the House; for a matter of record, I would like to ask for a roll call when the vote is taken.

The SPEAKER: Is the House ready for the question?

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

Mr. JALBERT: Mr. Speaker, would a motion to indefinitely postpone be in order?

The SPEAKER: The motion is in order.

Mr. JALBERT: Mr. Speaker, before I make my motion, I would say this, that if we are going to go through this ritual once more and twice more, we really will be here until Labor Day. That is my first objection to this thing. My second objection to this thing is that there is something wrong here somewhere because there has been too much steam brought behind this thing. We have dillydallied, we have killed this thing three times, it is back before us again, and I don't know but it is about time that we assert ourselves. I move we indefinitely postpone this measure and everything that goes with it.

The SPEAKER: The Chair recognizes the gentleman from Benton, Mr. Kent.

Mr. KENT: Mr. Speaker, Ladies and Gentlemen of the House: You can lead a horse to water, but I'll be doggoned if you can make him drink. Now I have got four seat belts in my own car, and I have noticed time and time again as people get into my car, they will say, oh, you have seat belts, and that is as far as it goes. They don't even bother to hook them up. I would like to see a law passed here that everybody has to take a couple of quarts a milk a day, but I don't believe anything like that

will happen. I support the gentleman from Lewiston for indefinite postponement on this thing, and I hope this time we will kill it for good and all times.

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

Mr. BRAGDON: Mr. Speaker, I believe I am correct that this bill is now before us with a Senate amendment which requires that all these little children going to school be buckled into these busses by seat belts. I suggest that this could be somewhat of a task. That is one reason why I would feel like opposing this bill.

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

Mr. MCGEE: Mr. Speaker, Ladies and Gentlemen of the House: We have had this thing before us many times. Anybody that wants to use a seat belt can, if they want to spend the money for them. There must be some reason for pushing this thing so hard. As strange as it may seem, I agree with the gentleman from across the river from where I live, Mr. Jalbert. We don't always agree, but I do with him this time. So, let's get rid of this now once and for all this year anyway.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Lewiston, Mr. Jalbert, that Bill "An Act Providing for Safety Seat Belts for Automobiles," House Paper 996, Legislative Document 1437, and all its accompanying papers be indefinitely postponed.

Mr. Brewer of Bath then requested a roll call.

The SPEAKER: For the Chair to order a roll call, it must have the expressed desire of one-fifth of the members present. All those in favor of a roll call, please rise and remain standing until counted.

Twenty-seven members arose.

The SPEAKER: Obviously, more than one-fifth of the members present having desired a roll call, a roll call is ordered.

The question before the House is the motion of the gentleman from Lewiston, Mr. Jalbert, that the

House indefinitely postpone Bill "An Act Providing for Safety Seat Belts for Automobiles," Legislative Document 1437 and all its accompanying papers.

Those in favor of indefinite postponement, will answer "Yes" when their name is called; those opposed to indefinite postponement, will answer "No" when their name is called. The Clerk will call the roll.

ROLL CALL

YES — Anderson, Ellsworth; Anderson, Orono; Baldic, Bedard, Ber- man, Bernard, Binnette, Bourgoin, Bradeen, Bragdon, Brown, Fairfield; Brown, South Portland; Bussiere, Carter, Cartier, Chapman, Childs, Choate, C o t e, Cottrell, Cressey, Crommett, Curtis, Denbow, Dennett, Dostie, Dudley, Dunn, Edwards, Ewer, Gallant, Gifford, Giroux, Gustafson, Hammond, Hardy, Harrington, Hawkes, Humphrey, Hutchins, Jalbert, Jameson, Jewell, Jobin, Jones, Karkos, Kent, Laugh- ton, Lebel, Levesque, Linnekin, Lit- tlefield, MacGregor, MacPhail, Mathieson, McGee, Meisner, Nadeau, Norton, Oakes, Osgood, P e a s e, Philbrick, Pierce, Pitts, Poirier, Prince, Oakfield; Rand, Reynolds, Roberts, Ross, Brownville; R o y, Rust, Scott, Smith, Strong; Snow, Susi, Taylor, Thornton, Townsend, Treworgy, Turner, Viles, W a l t z, Ward, Waterman, Watkins, White, Guilford; Williams, Wood, Young.

NO — Albair Ayoob, Benson, Berry, Birt, Boissonneau, Boothby, Brewer, Burns, Coulthard, Crockett, Davis, Drake, Finley, Foster, Gil- bert, Gill, Hanson, Hendricks, Hendsbee, Kilroy, Knight, Lincoln, Lowry, Maddox, Mendes, Minsky, Mower, Oberg, Osborn, P r i n c e, Harpswell; Rankin, Ricker, R o s s, Augusta; Sahagian, Shaw, S m i t h, Bar Harbor; Smith, F a l m o u t h; Thaunum, Tyndale, Wade, W e l c h, Wellman, Whitney, Wight, Presque Isle.

ABSENT — Blouin, Cookson, Cope, Easton, Henry, Hobbs, Libby, MacLeod, Noel, O'Leary, P l a n t e, Richardson, Tardiff, Vaughn.

Yes, 91; No, 45; Absent, 14.

The SPEAKER: Ninety-one having voted in the affirmative, forty-five

having voted in the negative, and fourteen being absent, the motion to indefinitely postpone the Bill and its accompanying papers does prevail.

The Chair recognizes the gentleman from Wiscasset, Mr. Pease.

Mr. PEASE: I now move that we reconsider our action whereby we voted to indefinitely postpone the Bill.

The SPEAKER: The gentleman from Wiscasset having voted on the prevailing side, moves that the House reconsider its action whereby it indefinitely postponed item 12.

All those in favor of reconsideration, will please say aye; those opposed, no.

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

Thereupon, the Bill and all accompanying papers were indefinitely postponed in non-concurrence and sent up for concurrence.

The following Communication:

THE SENATE OF MAINE
Augusta

May 7, 1963

Hon. Harvey R. Pease
Clerk of the House of
Representatives
101st Legislature
Sir:

The President of the Senate today appointed the following conferees on the part of the Senate to join the House on the disagreeing action of the two branches of the Legislature on:

Bill "An Act relating to Purchase of Lands by Atlantic Sea Run Salmon Commission" (H. P. 63) (L. D. 87)

Senators:

WYMAN of Washington
ATHERTON of Penobscot
SPROUL of Lincoln

Respectfully yours,

(Signed)

CHESTER T. WINSLOW
Secretary of the Senate

The Communication was read and ordered placed on file.

The SPEAKER: The Chair is pleased this morning to recognize in the balcony of the House, fifty-five students from the Litchfield

Academy with their teachers, Mr. Hanley, Mr. Houston, Mr. Piegrass, and Mrs. Bufalny.

On behalf of the House, the Chair extends to you a warm greeting. We trust that you will enjoy and profit by your visit with us this morning. (Applause)

Orders

On motion of Mr. Osgood of Corinna and under suspension of the rules, the House voted to reconsider its action of February 27 whereby Bill "An Act Creating a Sewer District in the Town of Corinna," House Paper 394, Legislative Document 593, was passed to be engrossed, and which was recalled from the Engrossing Department by Joint Order.

Thereupon, Mr. Osgood of Corinna offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 394, L. D. 593, Bill, "An Act Creating a Sewer District in the Town of Corinna."

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

'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, disposal of sewage is essential to the health and well-being of the inhabitants of the Town of Corinna; and

Whereas, it is imperative that action be taken at the earliest possible time to eliminate any danger to such health and well-being; 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 striking out all of the first sentence of the Referendum, including the headnote, and inserting in place thereof the following:

'Emergency clause; referendum; effective date. In view of the emergency cited in the preamble, this

act shall take effect when approved, only for the purpose of permitting its submission to the legal voters of the Town of Corinna at a special town meeting called and held for the purpose no later than 90 days after the effective date of this act.'

Further amend said Bill, in the Referendum, by striking out in the 7th and 9th lines the word "selectmen" and inserting in place thereof the words 'registrar of voters'

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

**House Reports of Committees
Ought Not to Pass
Tabled and Assigned**

Mr. Minsky from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Resolve Providing Funds for Additional Weights and Measures Inspectors (H. P. 965) (L. D. 1404)
Report was read.

(On motion of Mrs. Shaw of Chelsea, tabled pending acceptance of the Committee Report and specially assigned for Wednesday, May 15.)

Mr. Drake from the Committee on Highways reported "Ought not to pass" on Resolve Relating to Treatment of a Portion of New Meadows Lake to Eliminate Aquatic Growth (H. P. 11) (L. D. 21)

Mr. Turner from same Committee reported same on Resolve Authorizing State Highway Commission to Construct Sidewalk on Ocean-side of U. S. Route 1-A in Town of York (H. P. 580) (L. D. 818)

Reports were read and accepted and sent up for concurrence.

**Ought to Pass in New Draft
New Draft Printed**

Mr. Ross from the Committee on Highways on Bill "An Act relating to Weight Tolerances of Vehicles Loaded with Construction Materials" (H. P. 639) (L. D. 895) reported same in a new draft (H. P. 1085) (L. D. 1558) under same title and that it "Ought to pass"

Report was read and accepted, the New Draft read twice and tomorrow assigned.

Divided Report

Majority Report of the Committee on Public Utilities on Bill "An Act to Incorporate the Baileyville Water District" (H. P. 972) (L. D. 1411) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Mr. PHILBRICK of Penobscot
Mrs. HARRINGTON of Penobscot
— of the Senate.

Messrs. RAND of Yarmouth
WELCH of Chapman
PHILBRICK of Augusta
TYNDALE

— of Kennebunkport
PLANTE

— of Old Orchard Beach
PITTS of Harrison

— of the House.

Minority Report of same Committee on same Bill reporting "Ought to pass" as amended by Committee Amendment "A" and Committee Amendment "B" submitted therewith.

Report was signed by the following members:

Mr. BOISVERT of Androscoggin
— of the Senate.

Mr. TAYLOR of South Portland
— of the House.

Reports were read.

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

Committee Amendment "A", being Legislative Document 1554, was read and adopted, and the Bill assigned for third reading tomorrow.

The SPEAKER: The Chair at this time would ask the Sergeant-at-Arms to escort the gentleman from Wiscasset, Mr. Pease, to the rostrum to serve as Speaker pro tem.

Thereupon, Mr. Pease of Wiscasset assumed the Chair as Speaker pro tem amid the applause of the House and Speaker Kennedy retired from the Hall.

**Third Reader
Tabled and Assigned**

Bill "An Act relating to Taxpayers Furnishing List of Property to Assessors" (S. P. 434) (L. D. 1177)

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

(On motion of Mr. Waterman of Auburn, tabled pending passage to be engrossed and specially assigned for tomorrow.)

Passed to Be Engrossed

Bill "An Act relating to Inspection of Motor Vehicles" (S. P. 586) (L. D. 1541)

Bill "An Act relating to Use of Credit Cards" (S. P. 587) (L. D. 1540)

Bill "An Act Appropriating Funds to Aid in Dredging the Kennebunk River Harbor" (H. P. 18) (L. D. 43)

Bill "An Act Providing for Repair and Maintenance of State-owned Dam on Dead River, Androscoggin County" (H. P. 17) (L. D. 42)

Bill "An Act Authorizing the Construction of Self-Liquidating Student Dining Facilities for the Maine Maritime Academy and the Issuance of not Exceeding \$475,000 Bonds of the State of Maine for the Financing Thereof" (H. P. 357) (L. D. 531)

Bill "An Act Appropriating Monies for Maine Civil War Commission" (H. P. 408) (L. D. 561)

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

Third Reader Amended

Tabled and Assigned

Bill "An Act to Regulate Sewer Utilities" (H. P. 487) (L. D. 689)

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

Mr. Berry of Cape Elizabeth offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 487, L. D. 689, Bill, "An Act to Regulate Sewer Utilities."

Amend said Bill by striking out all of subsection II of that part designated "Sec. 2." of section 1 and inserting in place thereof the following:

"II. Person. The term "person" shall mean and include any natural person, firm, association, district, corporation, businesses, trust or partnership owning, leasing or operating any sewer system or part thereof within this State. It shall not include the owners or operators of any industrial or manufacturing plants maintaining and operating sewer systems primarily in connection with its manufacturing operations and municipal corporations."

Further amend said Bill in subsection III of that part designated "Sec. 2." of section 1 by adding at the end before the period the following underlined words:

'and municipal corporations'

Further amend said Bill in subsection V of that part designated "Sec. 2." of section 1 by adding at the end before the period the following underlined words:

'and systems owned by municipal corporations'

Further amend said Bill by striking out all of that part designated "Sec. 7." of section 1.

Further amend said Bill by renumbering section 8 of section 1 to be 'Sec. 7.'

House Amendment "A" was adopted.

(On motion of Mr. Bernard of Sanford, tabled pending passage to be engrossed and specially assigned for Tuesday, May 14.)

Third Reader Amended

Resolve Appropriating Funds for the Block House at Fort Kent (H. P. 141) (L. D. 193)

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

Mr. Bragdon of Perham offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 141, L. D. 193, Resolve, Appropriating Funds for the Block House at Fort Kent.

Amend said Resolve by adding in the 3rd line after the word "town" the following words 'under the direction of the Maine State Park and Recreation Commission'

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

Third Reader Amended

Resolve Appropriating Funds for Development of Owl's Head Lighthouse Area (H. P. 181) (L. D. 250)

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

Mr. MacPhail of Owl's Head offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 181, L. D. 250, Resolve, Appropriating Funds for Development of Owl's Head Lighthouse Area.

Amend said Resolve by striking out the period at the end of the 3rd line and inserting in place thereof the following: '; and be it further

Resolved: That the Commissioner of Mental Health and Corrections is authorized to employ prisoners in the State Prison to aid in carrying out the purposes of this resolve.'

The SPEAKER pro tem: The Chair recognizes the gentleman from Bangor, Mr. Ewer.

Mr. EWER: Mr. Speaker, Ladies and Gentlemen of the House: It seems to me that House Amendment "A" as submitted sets up a rather new procedure for the State of Maine to adopt in that it requires the use of convict labor on a state project. With our unemployment situation what it has been and still is in Maine, I feel that free labor should be given first consideration on any construction job within our boundaries. The possible saving of money by using so-called slave labor might not be as great as we might think because the matter of transportation, of furnishing guards, of furnishing meals, etc., for this prison labor might come to quite an item. It is because of this, that I move for indefinite postponement of House Amendment "A".

The SPEAKER pro tem: The gentleman from Bangor, Mr. Ewer, moves that House Amendment "A" be indefinitely postponed.

The Chair recognizes the gentleman from Rockland, Mr. Knight.

Mr. KNIGHT: Mr. Speaker, the area in question here is very near to the prison, and it is my understanding that prison labor is not allowed to be used to the detriment of other labor, meaning that if public labor can do it, then prison labor is not used. They are only used for jobs that are not done by private industry. This is a novel situation because this lighthouse area is very close to the prison, and it gives the prisoners a chance to get outside the wall to do some constructive work. Warden Robbins is in favor of this particular item, allowing his prisoners to do work and the work is work that will not be done by private labor.

The SPEAKER pro tem: The Chair recognizes the gentleman from Owl's Head, Mr. MacPhail.

Mr. MACPHAIL: Mr. Speaker, I heartily concur with the gentleman from Rockland, Mr. Knight, in his remarks that it is close by. Prison labor is also used consistently in state park work in nearby areas to the State Prison at the present time, and has been for a number of years. I trust that the motion to indefinitely postpone will not prevail.

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

Mr. CURTIS: Mr. Speaker, Ladies and Gentlemen: I hope the motion to indefinitely postpone does prevail. This sounds too much like Russia to me. Now we always have furnished some work for our prisoners within the jail confines which seems right because these idle hands can get into more trouble than hands that are busy. But when we take them out and do other work outside, it is not only damaging to the jobs of people who do not rate the jail sentence and goodness knows, we have got enough people idle in the State of Maine now. But I am principally opposed where it sounds like Russia to send them up to Siberia. We send people over there that they might not be endangering other people and somewhat for a correction. We don't send them over there to take up the jobs of the people of the State of Maine. I think this is really out

of line entirely of what we stand for as a free and democratic government.

The SPEAKER pro tem: Is the House ready for the question? The question before the House is the motion of the gentleman from Bangor, Mr. Ewer, that House Amendment "A" be indefinitely postponed.

Mr. Curtis of Bowdoinham then requested a division.

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

A division of the House was had.

Thirteen having voted in the affirmative and ninety-five having voted in the negative, the motion to indefinitely postpone House Amendment "A" did not prevail.

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

The SPEAKER pro tem: The Chair at this time would like to pause for the purpose of recognizing in the gallery of the House, eighth grade pupils of St. Dominic's School in Portland, accompanied by six mothers. These pupils are the guests of Representative Childs of Portland.

On behalf of the House, the Chair extends to you people a warm and cordial welcome and express the hope that you will enjoy your visit here today and profit by it. (Applause)

Passed to Be Engrossed

Resolve in favor of Macwahoc Plantation for School Construction Aid (H. P. 523) (L. D. 740)

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

Amended Bills Third Reader Tabled and Assigned

Bill "An Act Establishing the Uniform Commercial Code" (H. P. 79) (L. D. 95)

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

(On motion of Mr. Smith of Bar Harbor, tabled pending passage to be engrossed and specially assigned for tomorrow.)

Resolve Proposing an Amendment to the Constitution Relating to Authority of Governor as Commander in Chief (S. P. 528) (L. D. 1449)

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

Passed to Be Engrossed

Resolve for Development of Revenue-Producing Park Facilities on Mt. Battie (H. P. 414) (L. D. 567)

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

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

Mr. LITTLEFIELD: Mr. Speaker, if I am in order, I would like to request a division when this is passed to be engrossed, and I would like to make a few remarks.

The SPEAKER pro tem: The gentleman may proceed.

Mr. LITTLEFIELD: Mr. Speaker, this bill calls for \$170,000. There is an amendment which reduces it to \$156,000 of the taxpayers' money and on the back it says access roads, \$110,000. I am wondering if that shouldn't come from the Highway Department. I question whether we want to spend this amount of money. There is a good state park down there. I have been up on Mt. Battie. It is a nice view I know, but I don't think that we can have all the things we want. I would request a division.

The SPEAKER pro tem: The Chair recognizes the gentleman from Rockland, Mr. Knight.

Mr. KNIGHT: Mr. Speaker, I move this item lie on the table until the next legislative day.

(Cries of "No")

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

The SPEAKER pro tem: The Chair recognizes the gentleman from Hope, Mr. Hardy.

Mr. HARDY: Mr. Speaker, I feel that a few words are in order at this time, and I am happy that this was not tabled this morning after all. I did request my good friend, Representative Knight, to table it, however.

Mt. Battie is in the Camden Hills State Park. It is the largest park in the State of Maine. It is the highest point on the coast between Camden and Virginia. Camden I know is in the heart of our recreation business, and I realize there are some areas that are somewhat outside of it. I feel very strongly that here is an area that will do the State of Maine a great deal of good in that presently our income from recreation in the State of Maine is tremendous. You have all heard the figures somewhere between two hundred fifty and three hundred million dollars a year. You have all heard the criticism that many many of our tourists are moving very hastily through the State of Maine and, I think this is largely because we have neglected to create something for them to do. It will become more and more important as we seek the recreation business to have something for them to do and I think here is an area that would be most attractive.

I had the pleasure two years ago to serve on the Industrial and Recreational Committee, and as most of you know, our Senate Chairman, Senator Lovell asked that the committee stay together and view our winter recreation business in the interim. It was most enlightening. I was completely amazed at the way the winter enthusiasts come to our hills of Maine, and I think that here we have a few hills that our fall and summer tourists would love to see.

I got so enthused that I went to the New Hampshire hills last fall, and I was dumfounded. There were literally tens of thousands of people, and this is not in the summer season, this was in September and October. I made two trips over there. It is rather exciting to see what the New Hampshire people have done in regard to their recreation. Two years ago they had a bond issue of some ten million dollars to facilitate this project. They are constantly seeking and trying

to take from us that which we advertise on every license plate, 'Vacationland.' I feel that this is a necessary thing for our vacation travel. I feel that this is a tremendous thing for mid-coast Maine. I heartily ask that you endorse this measure.

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

Mr. JALBERT: Mr. Speaker and Members of the House: This is the first opportunity I have to commend the gentleman from Hampden, Mr. Littlefield, who attended several hearings before the Appropriations Committee, spoke his piece and made notes. However, in this measure at the hearing it was beautifully attended. Frankly, the committee did not devote too much time discussing the problem because everyone seemed to be in accord that because of the beauty of this spot, because of the worthiness of the measure, that this was one that they would go along with and they did unanimously. I would hope that the membership of the House would go along with the Appropriations Committee on its unanimous "Ought to pass" Report of the Committee because of the reasons brought forward by the gentleman from Hope, Mr. Hardy. I envy their position in that county.

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

Mrs. SMITH: Mr. Speaker and Members of the House: This park was before us last time and because of money and other items that we had to pass out, it had to be passed out "Ought not to pass." This time I don't think there was any question in any members of the committee but that this bill should go out and go onto the table for consideration if there was to be any money available. This is a beautiful area. It is an area which should be developed and perhaps some of you know that Edna St. Vincent Millay wrote a poem from the top of that hill. If we are to be in any of these areas where we develop for recreational facilities, I think this is one of the most justifiable. Now we do go along with some park development

and with some of this, and I do hope the House is going to go along with the Appropriations Committee on this one and then see what we have available for money.

The SPEAKER pro tem: The Chair recognizes the gentleman from Owl's Head, Mr. MacPhail.

Mr. MacPHAIL: Mr. Speaker, Ladies and Gentlemen of the House: There is an old saying that it pays to advertise. There is also another one that goes along with it and says you must produce the goods. So, in this instance, we have an ideal opportunity to produce the goods, so let's do it.

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

Mr. LITTLEFIELD: Mr. Speaker, Ladies and Gentlemen of the House: I agree that it is a beautiful area and it should be developed sometime. But we can't have everything that we want. Now if anyone wants to ride to see a beautiful view, they should go to Mount Cadillac at Bar Harbor. They have a wonderful park at Camden where the tourists can go and I think that it would be well if we had one mountain where we could hike up to it. If we take and build a highway to the top of them all, there is going to be no place for the hikers. This bill calls for \$156,000. I question whether that \$110,000 shouldn't come from the Highway Department rather than from the general fund. I shall vote against the measure.

The SPEAKER pro tem: The Chair recognizes the gentleman from Brooks, Mr. Wood.

Mr. WOOD: Mr. Speaker, I want to join with my good friend from Hope, Mr. Hardy, in support of this bill. This Mount Battie is one of the most beautiful spots in the State of Maine, and I believe that it will be just as the bill says a revenue-producing bill for the State of Maine. I don't believe we should delay any longer in developing this area.

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

Mr. TURNER: Mr. Speaker, of course I never was down to Mount Battie, but last session we had quite a lot of conversation on that and anybody that would go for that

kind of a deal would be 'batty.' I should think that if this piece of property or this spot down there was such a wonderful place, that if the state took it over, we would be sweating out private industry. Now the gentleman that presented this bill is quite a smart operator. I should think that he would like to operate himself and make a little money on the deal instead of giving it all to the state. I move indefinite postponement of the bill.

The SPEAKER pro tem: The question now before the House is the motion of the gentleman from Auburn, Mr. Turner, that the Resolve be indefinitely postponed.

The Chair recognizes the gentleman from Falmouth, Mrs. Smith.

Mrs. SMITH: That is not private property. This is within the confines of Camden State Park.

The SPEAKER pro tem: The Chair recognizes the gentleman from Hope, Mr. Hardy.

Mr. HARDY: Mr. Speaker, Ladies and Gentlemen: A few more words. I will be brief. This is in the confines of the Camden Hills State Park. There are 54 acres on top of the mountain that do not belong to the Camden State Park, but it has been agreed by the owners, the Mt. Battie Associates—they have owned it since around the turn of the century, that they will give this property to the Park Commission. Also the town owns a little piece where this access road would begin and they in turn have given this to the State Park for the access road.

I have Edna St. Vincent Millay's poem here, but I will not read it. Maybe you would like to later. I guess perhaps I have belabored this long enough. Thank you.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Auburn, Mr. Turner, that this Resolve be indefinitely postponed.

Mr. Hardy of Hope then requested a division.

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

Mr. BRAGDON: Mr. Speaker, I wished I could add something to what has already been said; however, I think that we in Maine would

make a great mistake if we don't continue on the development of our park program. This was a matter that was before the Legislature the last time, and it was looked upon with a great deal of favor by the committee which had it under consideration. However, as Mrs. Smith has already stated, money was not available at that time. The Appropriations Committee in evaluating this time felt that we should go ahead in the development of our parks, and they have given their unanimous consent to this proposal. I hope you will go along with the findings of the Appropriations Committee.

The SPEAKER pro tem: The Chair at this time would interrupt the debate to recognize in the gallery of the House, five pupils from the Bridgton School history class, accompanied by their teacher, Mrs. Elsie Whitman. These students and this teacher are the guests of the gentleman from Ripley, Mr. Laughton.

On behalf of the House, the Chair is pleased to recognize you folks and to extend a warm and cordial welcome to you. We trust that you will enjoy and profit by your visit with us today. (Applause)

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

Mr. TURNER: Mr. Speaker, it has been mentioned that two years ago money was short. Now some of them say that we are a little short here this time. I wonder where the money is coming from to operate this thing. I thought we were worse off this year than we were two years ago.

The SPEAKER pro tem: Is the House ready for the question? The question before the House is the motion of the gentleman from Auburn, Mr. Turner, that this Resolve for Development of Revenue-Producing Park Facilities on Mt. Battie, House Paper 414, Legislative Document 567, be indefinitely postponed. A division has been requested.

All those in favor of the motion to indefinitely postpone, will please rise and remain standing until the

monitors have made and returned the count.

A division of the House was had.

Thirty-two having voted in the affirmative and eighty-nine having voted in the negative, the motion to indefinitely postpone did not prevail.

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

Passed to Be Enacted Emergency Measure

An Act Appropriating Funds for Teaching and Maintenance Positions at Maine Vocational Technical Institute (H. P. 562) (L. D. 802)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 124 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act relating to Expenses of Fish and Game Advisory Council (S. P. 362) (L. D. 1028)

An Act relating to the Dispensing of Flammable Liquids (S. P. 556) (L. D. 1492)

An Act Appropriating Funds for Certain Equipment for Maine Vocational Technical Institute (S. P. 582) (L. D. 1535)

An Act Providing for Review of Laws of Forestry Department (H. P. 53) (L. D. 76)

An Act Classifying Certain Tidal Waters in Hancock County (H. P. 346) (L. D. 501)

An Act Providing for the Vehicle Equipment Safety Compact (H. P. 465) (L. D. 669)

An Act Permitting Spendthrift Provisions Applicable to Life Insurance Proceeds (H. P. 653) (L. D. 909)

An Act relating to Permit to Operate Certain Farm Trucks (H. P. 857) (L. D. 1244)

An Act relating to Licensing of Children's Homes and Defining Day Care Facilities (H. P. 860) (L. D. 1247)

An Act Providing Certain Fees to Registers of Deeds (H. P. 913) (L. D. 1320)

An Act relating to Liberation of Convicts Unable to Pay Fine or Costs (H. P. 915) (L. D. 1349)

Finally Passed

Resolve Authorizing Clarkeson Engineering Company to Bring Civil Action Against State of Maine (H. P. 293) (L. D. 387)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, Bills passed to be enacted, Resolve finally passed, all 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:

AN ACT to Grant a New Charter to the City of South Portland. (H. P. 344) (L. D. 529)

Tabled—April 30, by Mr. Gill of South Portland.

Pending—Passage to be Enacted.

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

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

An Act relating to Effective Date for Salary Increase for County Officers. (S. P. 543) (L. D. 1467)—Enacted in House. In Senate Engrossment Reconsidered Senate "B" Adopted in Non-concurrence.

Tabled—May 1, by Mrs. Shaw of Chelsea.

Pending—Further Consideration.

The SPEAKER pro tem: The Chair recognizes the gentleman from Chelsea, Mrs. Shaw.

Mrs. SHAW: Mr. Speaker and Members of the House: The Towns and Counties Committee had before it this session two bills concerning the effective date of salary increases for county officers. Both of these bills would have made salary increases effective two years following adjournment of the Legislature. In other words, salary increases would become effective January 1st of the year next succeeding the recess of the session of

the Legislature passing the salary increases.

As you will recall, both of these bills came out with a split report. The Committee compromised on this matter and felt that perhaps a one year deal would be much better, and would take the personality aspect out of the pay increases for county officials. The bill which we have before us would make salary increases effective January 1 of the year following the adjournment of the Legislature. At present, salary increases go in 90 days after adjournment or, if a clause is included, the salary increases can be retroactive to January 1, 1963 in this particular case.

Therefore, since the committee has voted to go along with the one year provision, I move the House insist on its former action.

The SPEAKER pro tem: The question before the House is the motion of the gentlewoman from Chelsea, Mrs. Shaw, that the House insist on its former action whereby this Act was passed to be enacted in the House. Is this the pleasure of the House?

The motion prevailed.

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

An Act Continuing the Committee on Aging. (S. P. 384) (L. D. 1087)

Tabled—May 1, by Mr. Anderson of Orono.

Pending—Passage to be Enacted.

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

Mr. ANDERSON: Mr. Speaker, I would like to lay this on the table until May 15.

The SPEAKER pro tem: The gentleman from Orono, Mr. Anderson, moves this item lie on the table pending passage to be enacted and be specially assigned for May 15. Is this the pleasure of the House?

(Cries of "No")

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

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

Mr. Wellman of Bangor requested a division.

Thereupon, a division of the House was had.

One hundred and one having voted in the affirmative and eight having voted in the negative, the tabling motion did prevail.

The SPEAKER pro tem: At this time the Chair would pause to recognize in the Hall of the House 35 pupils from Harmony High School, accompanied by their Principal, Robert Brown. These students are the guests of the gentleman from Ripley, Mr. Laughton. On behalf of the House, the Chair extends to you a warm and cordial welcome and we hope that you will both enjoy your visit and profit by it. And would you stand and be recognized. (Applause)

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

HOUSE REPORT—Ought to pass with Committee Amendment "A" (Filing H-235)—Committee on Municipal Affairs on Bill "An Act relating to a Tax Assessor for City of Bath and Amending Payment of Bonds by City of Bath." (H. P. 543) (L. D. 760)

Tabled—May 2, by Mr. Drake of Bath.

Pending—Acceptance of Report.

On motion of Mr. Drake of Bath, the "Ought to pass" Committee Report was accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 543, L. D. 760, Bill, "An Act Relating to a Tax Assessor for City of Bath and Amending Payment of Bonds by City of Bath."

Amend said Bill in the title by striking out the words "a Tax Assessor for City of Bath and Amending"

Further amend said Bill by striking out all of section 1.

Further amend said Bill by striking out in the first line of section 2 the following underlined abbreviation and figure "Sec. 2."

On motion of Mr. Drake of Bath, Committee Amendment "A" was indefinitely postponed.

Mr. Drake of Bath then offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 543, L. D. 760, Bill, "An Act Relating to a Tax Assessor for City of Bath and Amending Payment of Bonds by City of Bath."

Amend said Bill by striking out all of the last underlined 9 lines of section 1 and inserting in place thereof the following: "review."

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

'Sec. 3. Effective date. Section 2 of this act shall take effect 90 days after adjournment of the Legislature.

Referendum; effective date; certificate to Secretary of State. Section 1 of this act shall take effect 90 days after adjournment of the Legislature, only for the purpose of permitting its submission to the legal voters of the City of Bath at the next regular city election or state-wide election, whichever occurs first.

The city clerk shall prepare the required ballots, on which he shall reduce the subject matter of this act to the following question: Shall the act passed by the 101st Legislature relating to a tax assessor for the City of Bath be accepted? The voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same.

This act shall take effect for all purposes hereof immediately upon its acceptance by a majority of the legal voters voting at such election; but only if the total number of votes cast for and against the acceptance of this act at said election equals or exceeds 20 percent of the total vote for all candidates for Governor cast in said city at the next preceding gubernatorial election.

The result of such election shall be declared by the municipal officers of said City of Bath and due certificate thereof shall be filed by the city clerk with the Secretary of State.'

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

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

AN ACT Providing Access Roads to Ski Areas Open to General Public. (S. P. 570) (L. D. 1515)—Encrossed in both Branches.

Tabled—May 2, by Mr. Pease of Wiscasset.

Pending—Motion of Mrs. Lincoln of Bethel to Indefinitely Postpone.

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

Mr. SCOTT: Mr. Speaker, this is a good bill as it is drawn. The cost to the State of Maine will be very small compared to the revenue which it will receive from the sales tax, gasoline tax and so forth on these roads contemplated.

There were some minor objections to the wording of this bill, mainly, the protection of the individual towns involved. I have an amendment to the bill which I would like to introduce which will take care of this objection, and I hope that you will vote against the motion of the gentleman from Bethel, Mrs. Lincoln, for indefinite postponement and give me the opportunity of presenting my amendment. Thank you.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Bethel, Mrs. Lincoln, that this bill be indefinitely postponed.

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

Mr. MacLEOD: Mr. Speaker, Ladies and Gentlemen of the House: Last night I discussed for a short time with our Majority Floor Leader as to the advisability of his buying this wood lot that a couple of fellows and I own in Brewer, it has 170 acres. It is woods and fields, it is nice rolling high country; beautiful view. I don't think this morning that I would like to sell it to him because I think that we could make a beautiful golf course there which would be open to the public. We are back from the main road quite a bit and it is up over quite a steep hill. Now I think next time I will get a friend of mine to put a bill in here next session and have the Highway

Department build a road up to that golf course, because we are going to make some money on it and the city will make some money on it and then the state will make some money on it. I really think this bill is a private special interest bill which could be duplicated fifty or one hundred times by any of us if we started to think a little bit about some of our friends or business acquaintances that could use this type of facility. I hope the motion of the gentleman from Bethel does prevail.

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

Mr. BERRY: Mr. Speaker and Members of the House: I think this is a pretty progressive piece of legislation that has come out of the State Highway Commission and out of the State Highway Committee. Matter of fact I think it is a major breakthrough since they decided to tar roads fifty years ago.

The Province of New Brunswick has had in effect for a long time what they call their mines to market road program. And the Province of New Brunswick will construct roads if they can be shown to produce enough economic benefit to the area to be served to warrant it. This makes sense. And that is what this bill does. It requires a substantial investment on the part of the development as was said by the gentleman from Wilton, Mr. Scott, will bring in revenue, it has to be justified before it can be done. I think this is really one of the most progressive things that has come along. And if it can be shown that it would in the future help any other area or type of areas, then it too and the state too would benefit by it. I do hope that the motion of the gentleman from Bethel, Mrs. Lincoln, does not prevail.

The SPEAKER pro tem: The Chair recognizes the gentleman from Madison, Mr. Hendsbee.

Mr. HENDSBEE: Mr. Speaker, I am somewhat reluctant to oppose the motion of the lady from Bethel. I don't think I would dare to

oppose a woman at home, but I feel I am reasonably safe here.

This particular measure, ladies and gentlemen, has a tremendous amount of weight behind it. It has tremendous potentialities because the Highway Department will tell you that this past winter over the through way Route 139 into Skowhegan, Route 2 over to Farmington and thence on up to Kingfield and Sugarloaf, has increased almost two and one-half times over the previous winter.

Of course there are several ways of getting to this one area, and I do not want to have you misunderstand me to the point that I am speaking for just one area alone, but I am speaking of an area which means much to us in the area in which I live. Now people are going over to Sugarloaf more and more, and if you will recall not more than ten years ago, the townships of Carrabassett and Bigelow were almost nonexistent. Now there is almost large towns built up there. This thing has grown so large, and the people have invested such a tremendous amount of money in it, that now it is beginning to show that there will be as much demand for people to get on top of that mountain in the summer as it will be in the winter. And consequently with a bill of this sort, this helps these people immeasurably, they can go ahead and all they have to do as your amendment will tell you, is to have the towns come through with their share and then the State Highway Department will go in and help them. This can be done all over the state, ladies and gentlemen. It is not just for one area alone, and we find that much help has come to the towns along the routes which these people travel, and they can go through the number one town in the State of Maine, of course naturally that would be Madison, and on up through Route 16, over to Kingfield, or they can go over to Route 2 over to Farmington and we understand that a new road is going to be built from the turnpike or the through way up to Fairfield Center this year, and

possibly in future years another one will be continued on to Norridgewock or Skowhegan, and that will give the people access to real good roads to get to that particular area.

Now other areas have the same chance to come through and get it done. I think this is one of the finest pieces of legislation that we have had before us yet, because it is going to involve so many people and help so many people to do things that ordinarily they may have difficulty in raising the capital to do. I thank you.

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

Mrs. SMITH: Mr. Speaker and Members of the House: You know I can't help but agree with the gentleman from Brewer, Mr. MacLeod this morning.

Now this is a fine piece of risk capital if it were perhaps used as such if they wanted to borrow money on this. However, this is the state's money we are going to use for private enterprise. Pure and simple private enterprise. Now if we want to get into these programs, that is all right, but we ought to recognize that we are getting into them. When we use so-called risk capital, it is capital that you risk with only the opportunity of getting back the money that you have invested plus interest, but if you buy into an enterprise then you have the opportunity of either losing your money or receiving some of the profits. Now if this is a good and going enterprise, if these are, then there should be money available for people to buy into the corporation and then receive some of the profits, and if it isn't a going enterprise that anyone else doesn't want to risk their money in, why should the state want to? And this is only the beginning. This bill was amended out to cover just ski-ways, but certainly there are other areas that are going to come in.

In fact I am thinking about a pond in back of my barn with a dam, and a public beach on the other side, and there will have to be a road across it. Why not a road

at the state's expense? The Highway Program is in financial difficulty so we are told. This is no different from taking money out of that for this or for your bond issue of the other day. This is exactly the same type of legislation. This is exactly the same type of legislation that was around here two years ago to do this very thing. It just comes in in a different form, and I am told that one of the reasons that we don't have more venture capital is because most of the corporations and people in Maine characteristically do not want to allow anyone to buy into their enterprises, and this is quite true. It is true in our own case. So if we wish to develop these things, we must either have the money ourselves, it seems to me, or be willing to form a corporation and allow the people to buy in and do it and not expect the state to start a program for them.

The SPEAKER pro tem: The Chair recognizes the gentleman from Bath, Mr. Drake.

Mr. DRAKE: Mr. Speaker, Ladies and Gentlemen: I would just like to mention to the gentleman from Brewer, Mr. MacLeod, and the gentlewoman from Falmouth, Mrs. Smith, with regard to their golf course and their ponds, that one of the requirements of this bill is that the person or persons owning the activity must have at least \$100,000 invested therein before they can be considered for this road. Also, that the cost of construction will be paid with fifty percent from the general highway fund, twenty-five percent from the municipality in which the activity is located and twenty-five percent from Mr. MacLeod or Mrs. Smith. Thank you.

The SPEAKER pro tem: The Chair recognizes the gentleman from Hardy, Mr. Hope — the gentleman from Hope, Mr. Hardy.

Mr. HARDY: Thank you, Mr. Speaker, I do realize that I live in Hope, I truly do. I hate to disagree with my good friend Representative Smith from Falmouth on this item. I only wish to point out again to you Members of

this House that Maine has a tremendous bit of our recreation industry. Historically, this thing has been a two month industry, July and August. And here we have the opportunity to extend this period over a much longer season of our year, part of our year.

As I have already said to you this morning, we toured these areas last winter and on another day my curiosity took me over into the New Hampshire hills, and I — you just can't explain the number of people and the investment, the money that is being spent in these areas. Truly, I realize that the people that own and operate these slopes are making a living; they have got to make a living; but over and above that, it is an industry that the State of Maine really should be proud of and help out if they can. The skis, the boots and the clothes, the wools, the labor, and the labor that is involved in building these things. As has already been pointed out, the corporation that is asking for this help must have \$100,000 invested before they ask. And so they indeed have a big investment, and I urge this House to give their support to this. I think that even a ten percent increase in this \$250,000,000 or \$300,000,000 increase would be a terrific impact on the economy of the State of Maine.

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

Mr. ANDERSON: Mr. Speaker, Ladies and Gentlemen of the House: I want to go on record as being heartily in accord with the remarks made by the gentlewoman from Falmouth, Mrs. Smith.

The SPEAKER pro tem: The Chair recognizes the gentleman from Kingfield, Mr. Hutchins.

Mr. HUTCHINS: Mr. Speaker, I cannot entirely agree that this is entirely private industry concerned here. When you have a large investment, a large number of people that start to build in an area, it is to my mind definitely the responsibility of the state or some municipality to provide them a road. I think that is something to consider. If we spend a lot of money

and have a lot of people out there, they are entitled to transportation in and out. I think we should consider that.

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

Mr. JONES: Mr. Speaker, Ladies and Gentlemen of the House: I think we ought to take a good look at this bill and really bear with it and in so doing, look beyond the end of our nose. This is a very good bill and it certainly goes a long way in opening up the roads to progress in the state. This bill would provide and help with the state participating in the access to the areas here. In so doing, as my good colleague has stated, Mrs. Smith from Falmouth, that there is a price tag there and we are spending some of our state money to help possibly private enterprise. Yet in so doing, I think all of our roads in our state help private enterprise.

We here appropriate money to dredge the harbors for the places that are on our coast. We here appropriate money to maintain their docks and facilities and also provide transportation for some areas that are off of our coast. We in Franklin County and up in Oxford County and Somerset County are helping to pay these expenses, and therefore I think it is no more than fair that the State help provide for funds in making roads accessible to ski areas which is one of our most active sports during the winter season so far. Now if we stop to figure that there are thousands of people who go over our roads to get to these ski areas in the winter time and they will also be coming over the roads in the summertime to participate in the fall foliage and in the summer beauty, and in so doing, they are buying a lot of gas on which there is a tax being paid to support our highway fund; and I certainly hope that when the motion comes to indefinitely postpone this bill that you will look beyond the end of your nose and not carry out such a movement and when the vote is taken I ask for a division.

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

Mr. COTTRELL: Mr. Speaker, it is very difficult and distasteful for me to oppose the very distinguished gentlewoman from Bethel—excuse me, Mr. Speaker, I wish to also address the ladies and gentlemen of the House; but as one who has recently taken up skiing and also one who has been connected with the resort hotel business all my life, I must oppose this motion. I have quite a few notes here, but so many of them have been covered. There is one I would like to cover, and that is the financing of the ski areas. Someone may think that you get a group together and get a corporation chartered, and then take the stock and go around very easily and sell it. That is not the case. Maine's ski areas' stock will not be underwritten by any banker or any underwriter in New England. It's risky; it's not profitable, just like golf courses. And so to get these things started, the local enthusiasts have to sell the stock locally, and it's tough selling.

Now, a ski slope, a good ski slope, like they have in New Hampshire and Vermont, will entail an investment, their good ones, of a minimum of a million dollars. We have a couple of slopes here, Bridgton and Sugarloaf, which will perhaps approximate a half a million dollars. We have six others that are eligible under this bill because they have already invested one hundred thousand dollars or more. There are very few miles involved in this. Probably in the six that would apply, there are ten miles involved. That is not many miles and it is not a long distance, but it's this last long mile to the ski area which is the difficult thing. You can get from Boston, from anywhere in New England, up to these ski areas on good highways. You can get there quickly, but when you get there it takes you almost as long sometime to get into the area itself, especially in the spring. And that brings me to this other point, that the ski area and the ski road is different than any other road that we have as an access road to any of our recrea-

tional industries, because it must be traveled in the spring when the frost is coming out, and that means if you don't have a road, a fairly good road that's traveled, and that's expensive too, you are going to be cut off of three or four weeks of good skiing.

Now, we already have a report this year, an early report, that the motels and hotels have already done a 30 per cent larger business in room occupancy, and of course that means meals, it means skiing equipment, it means everything else.

I would like also to disabuse some minds of the idea that this is a local area deal. It isn't. It affects all stores in this state. When you go skiing, you have to buy ski pants, sweaters, mackinaws, hats, boots; it probably takes a good skier at least \$500 to get outfitted. Those purchases are made in all the stores in Maine. It improves the sale of real estate. It invites the summer resident to come up in the wintertime. It invites the new winter resident to come back in the summertime. We in the hotel business think that this is the greatest thing that has every happened to the recreational industry in the last fifty years; and we talk here a lot about taxes and budgets, and we will be talking about taxes and budgets, but to me the only solution to taxes and budgets is to increase our wealth, and this is one of the inexpensive ways and quickest ways to increase our wealth by developing our great recreational industry. This is an international sport. People from Maine not only ski here, they go to Switzerland in the winter, France, Austria, Italy. They go to South America in the summer, the Andes. The skier is a nut. He goes everywhere and he brings a lot of money with him. If this bill isn't passed, this is only going to cost about \$25,000 or \$30,000, I think we are a little backward.

The SPEAKER pro tem: The Chair recognizes the gentleman from Brewer, Mr. MacLeod.

Mr. MacLEOD: Mr. Speaker and Members of the House: I dislike to bring in this personal note for the second time, but thanks to the

gentleman from Bath, Mr. Drake, I have checked my investment as against the required \$100,000 and I find that I am \$97,700 short; so if there is some risk capital in this House, I will be here after the session.

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

Mrs. SMITH: Mr. Speaker, I think I tried to point out earlier that risk capital is hard to obtain, because the person risking it has nothing but his amount of money to be returned plus the interest for his risk; but if you want to form a corporation and let other people buy in so that when they risk their money, they also hope to gain some of the profits, then you give them some incentive, and I think that the Maine people are reluctant to do this sometimes, to allow other people to buy in, because when other people buy in they have some control of the project and some part of the profit.

Now when we ask the state to build part of our venture, we ask the state to put the money in without any particular return any more than they have for many other businesses that go into business. This is not a road by businesses, this is a road to an end; and I submit to you that any good motel of ten to fifteen units is \$100,000 and I would like this type of project right behind my barn, as I have an opportunity for a twenty-two acre lake and I certainly would like some Maine money if you want to throw it around, but I don't think it is good.

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

Mr. BERRY: Mr. Speaker, I am reluctant to rise again, but I certainly can't let that last comment go unanswered. In the unorganized territories in the State of Maine, in the last two or three years, I personally know of pretty close to three-quarters of a million dollars worth of property that has been constructed only for skiing. I think that's good business.

The SPEAKER pro tem: Is the House ready for the question?

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

Mr. TAYLOR: Mr. Speaker, Ladies and Gentlemen of the House: It's quite obvious that we have numerous ski enthusiasts with us today. I would like to bring to your attention the fact that the State of Maine, the businesses and the residential areas of this state were built by private capital, and this particular goal that we are seeking here on skiing areas is most inconsistent with the method in which our businesses, our cities, and our residential areas were constructed in the past numerous generations. Now it is obvious that certain of us would like to be able to ride to the ski slopes. This is a nice way to get there, have the state build you a road.

Now, the gentleman from Brewer, Mr. MacLeod, stated that he had a sizeable tract of land. Well, I have some land too that is inaccessible, has a right of way. It would be a fine thing if I could get somebody to build my road for me free of charge, but I do not feel that that is proper, and I think that we should think seriously of what we are getting into. It's nice to get up here and talk and promote skiing. Skiing is a sport where exercise is involved. That's the prime purpose of being a ski enthusiast, for the sport involved and the exercise derived from it. And a little extra skiing to the area, I don't think would hurt anybody.

It is private enterprise that's involved, and I believe that private enterprise should support their own program, and not come to the state for money. If we are going to do this, then we should open the door for all industries, housing developments, business and so on, but that does not seem to be the purpose of this bill. This specifies sports and skiing only, and for that reason I will join the gentlewoman from Bethel, Mrs. Lincoln, in asking for indefinite postponement of this bill. I thank you.

The SPEAKER pro tem: The Chair recognizes the gentleman from Auburn, Mr. Waterman.

Mr. WATERMAN: Mr. Speaker, Ladies and Gentlemen of the House: I would pose a question through

the Chair to anyone who would answer. Are these roads going to be town road improvement roads or are these state aid roads, and is this where some of the town road improvement money might be used, and to what specifications?

The SPEAKER pro tem: The gentleman from Auburn, Mr. Waterman, poses a question through the Chair to anyone who may answer if he or she wishes.

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

Mr. TURNER: Mr. Speaker, I don't know just what kind of road this would be, but it would be built under state specification as the state would be putting in 50 per cent, but just what type of road they'll build, I don't think it's called for in the bill.

While I am up, I'll say that our committee went along with this and I was kind of lukewarm, but after seeing this Mt. Battie thing go through you know, I think this is pretty good too now.

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

Mr. RUST: Mr. Speaker, Ladies and Gentlemen of the House: I am happy this morning to arise in support of this particular piece of legislation and against the motion to indefinitely postpone. It seems to me this morning that there may be some thought that this legislation is only for one particular area. However, to the Members of the House from York County I would like to remind them that we have in the process in York County a large ski development to bring winter tourists into our area and we could very well use this legislation, and I am happy to support it.

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

Mrs. HENDRICKS: Mr. Speaker and Members of the House: It seems that Maine people have very little confidence in their own industry, yet they are trying to attract industry from out of state. I think that we had better think this one over a little bit and vote against indefinite postponement of the bill.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Bethel, Mrs. Lincoln.

Mrs. LINCOLN: Mr. Speaker, probably a lot of you are wondering why I was the one that asked for this to be indefinitely postponed, coming from an area where we have two ski-ways. Both of our ski-ways were built with sweat, blood and toil and they are proud of it. I also have, — I mean it's not that I'm opposed to skiing one bit, my son was state champion two years ago, but what I am afraid of, I also want good roads to the ski-ways, but my main purpose was that this would spread and it would not be only for ski areas, it would be other things, and the door would be open and that is my only objection to this bill.

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

Mr. COTTRELL: Mr. Speaker, Ladies and Gentlemen of the House: I think we should all be acquainted with this, that our great competitors in this field are New Hampshire and Vermont, and Vermont will build access roads to any ski area. They will pay not only for half of the road; they will pay for all of the road. New Hampshire subsidizes ski areas in many ways, roads and in the investment of capital. I do not think we are opening a Pandora's box on access roads when we follow the example of our competitive states in the skiing business who go all the way on access roads to ski areas but who do not build access roads to golf courses or ponds or other things.

The SPEAKER pro tem: Is the House ready for the question?

The question before the House is the motion of the gentlewoman from Bethel, Mrs. Lincoln, that this Bill "An Act Providing Access Roads to Ski Areas open to General Public" be indefinitely postponed, and a division has been requested.

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

A division of the House was had.

Fifty-one having voted in the affirmative and seventy-three having

voted in the negative, the motion did not prevail.

Thereupon, on motion of Mr. Scott of Wilton, the House voted to suspend the rules and to reconsider its action of April 26 whereby the Bill was passed to be engrossed.

Mr. Scott of Wilton offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 570, L. D. 1515, Bill, "An Act Providing Access Roads to Ski Areas Open to General Public."

Amend said Bill by striking out all of the last underlined paragraph, before the Statement of Facts, and inserting in place thereof the following:

"No such road shall be constructed until the municipalities and counties that are involved have appropriated or raised by taxation or otherwise in such municipalities and counties a sum sufficient to pay to the State their proportionate share of the cost of such access road constructed under this section."

House Amendment "A" was adopted and the Bill passed to be Engrossed as amended in non-concurrence and sent up for concurrence.

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

Bill "An Act Requiring Persons Seventy-five Years of Age to take Biennial Examination for Motor Vehicle Driver's License." (H. P. 974) (L. D. 1302)

Tabled—May 3, by Mr. Finley of Washington.

Pending—Motion of Mr. Kent of Benton to Indefinitely Postpone.

The SPEAKER pro tem: The Chair recognizes the gentleman from Washington, Mr. Finley.

Mr. FINLEY: Mr. Speaker, I respectfully move that L. D. 1302 be tabled until Friday, May 10.

The SPEAKER pro tem: The gentleman from Washington, Mr. Finley, moves that this item be tabled and specially assigned for Friday, May 10. All those in favor will say aye; those opposed, no.

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

The SPEAKER pro tem: The Chair recognizes the gentleman from Bangor, Mr. Ewer.

Mr. EWER: Mr. Speaker, Ladies and Gentlemen of the House: I rise to oppose the motion of the gentleman from Benton, Mr. Kent, for indefinite postponement. I will be sixty-seven next October, if I live that long, and probably will qualify as one of the more elderly members of the House in years, and yet I feel that this is a good measure. I would have no objection at all to starting even now taking my examination every two years. I think in some ways we have been rather lax in our highway safety measures, and I may be one of the most lax in the House because I have voted against the seat belt bill every time I have had occasion to do so. But I do feel that people from seventy-five up, and I realize I am getting closer and closer to that age myself, should have a more frequent physical examination than anyone else should have, and for that reason, I hope that the motion of the gentleman from Benton does not prevail.

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

Mr. WELLMAN: Mr. Speaker, I wish to concur with the remarks of the gentleman from Bangor, Mr. Ewer, and I would further pose a question through the Chair to anyone who would care to answer, as to if we do not pass this law, am I not correct in understanding that we have annual examinations presently. We have just passed a biennial license program. If I am correct in the assumption that I have made, if we kill this bill, we are in an awful pickle.

The SPEAKER pro tem: The Chair recognizes the gentleman from Rockland, Mr. Knight.

Mr. KNIGHT: Mr. Speaker, as the sponsor of this bill, it is my understanding when I put it in for the Secretary of State, it was to correspond to the two-year license bill. At the present time you take an exam at the age of seventy-five. You take another exam at eighty, and each year thereafter. If this bill is killed, you will continue an-

nual exams from the year eighty and thereafter.

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

Mr. CURTIS: Mr. Speaker, as I understand the original bill, you take an examination like you do now under the regular law at seventy-five, but if this bill was enacted, that is, as it was, why you take one every two years, one at seventy-seven, one at seventy-nine and another one at eighty-one, and that is what kept it on the table for a while to see if we could get out of that seventy-seven and seventy-nine and get up to eighty as the gentleman from Rockland has said, but I didn't see how we could, and as far as I am concerned, I don't think it would do anybody any harm to take one at seventy-seven and seventy-nine.

The SPEAKER pro tem: Is the House read for the question? The question before the House is on the motion of the gentleman from Benton, Mr. Kent, that this matter, Bill "An Act Requiring Persons Seventy-five Years of Age to take Biennial Examination for Motor Vehicle Driver's License," Legislative Document 1302.

All those in favor of the motion to indefinitely postpone will say aye; those opposed, no.

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

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

The SPEAKER pro tem: At this time the Chair is pleased to recognize in the gallery of the House fifteen teenagers, members of the Young Republicans' Club from Old Town. The Chair understands that this is the only such young GOP group in Penobscot County. They are accompanied this morning by Mrs. Frances Grindle and Mr. and Mrs. Carl Pelletier, and Mrs. Ruth Young.

On behalf of the House the Chair extends to you a warm and cordial welcome, and hopes that you will both enjoy and profit by your visit here this morning. (Applause)

Mr. Birt of East Millinocket presented the following Joint Order out of order by unanimous consent:

ORDERED, the Senate concurring, that the Members of the 101st Maine Legislature, recalling their interesting trip recently to Andover, extend their sincere congratulations to the staff there of the American Telephone and Telegraph Company on the successful launching of Telstar 2; and be it further

ORDERED, that a copy of this Order be sent to the General Manager for Maine of the American Telephone and Telegraph Company. (H. P. 1086)

The Order received passage. Sent up for concurrence.

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

Bill "An Act to Increase the Term of Office of the Mayor, City Council, Board of Police and Board of Education, Warden and Ward Clerk for the City of Biddeford." (H. P. 546) (L. D. 762)

Tabled—May 3, by Mr. Wellman of Bangor.

Pending — Passage to be Engrossed.

The SPEAKER pro tem: The Chair recognizes the gentleman from Biddeford, Mr. Cartier.

Mr. CARTIER: Mr. Speaker, the reproduction of the proposed House Amendment "A" to this L. D. erroneously reports the sponsor of the amendment to be the gentleman from Wiscasset, Mr. Pease. I ask that the record be corrected since I am the sponsor, that I may present the amendment for consideration.

The SPEAKER pro tem: The gentleman is correct. The Chair would advise that Legislative Document 1557 is the printed copy of this, for the member's information, of the amendment, and that the reference to its being presented by the gentleman from Wiscasset, Mr. Pease, is incorrect and it is so noted in the record. The record does show that the gentleman from Biddeford, Mr. Cartier, has filed this amendment.

Mr. Cartier of Biddeford then offered House Amendment "A" and moved its adoption.

House Amendment "A", being Legislative Document 1557, was read by the Clerk.

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

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

Bill "An Act relating to Compensation of and Per Diem Fees of Deputy Sheriffs." (H. P. 1082) (L. D. 1549)

Tabled—May 7, by Mr. Rust of York.

Pending — Passage to be Engrossed.

Mr. Rust of York offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 1082, L. D. 1549, Bill, "An Act Relating to Compensation of and Per Diem Fees of Deputy Sheriffs."

Amend said Bill by adding at the end before the period the following underlined words 'and York County'

On motion of Mr. Dennett of Kittery, tabled pending the adoption of House Amendment "A" and specially assigned for Thursday, May 9.

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

Bill "An Act Providing Funds for Treatment, Care and Rehabilitation of Alcoholics." (H. P. 937) (L. D. 1371)

Tabled—May 7, by Mrs. Smith of Falmouth.

Pending — Passage to be Engrossed.

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

Mrs. SMITH: Mr. Speaker, I just wanted to bring to the House some information on this bill, and you may certainly take whatever action you please. This bill was before the Appropriations Committee two years ago, or one very similar to it. I haven't had time to do a great

deal of work on it, but in the first place the liquor money is not dedicated revenue. It goes into the general fund and, as such, is used as you know for your general fund appropriations.

It seems to me if we pass this bill that we are setting a very dangerous precedent. We are certainly diverting a portion of one of our basic revenue sources, and it appears to me that such action tends to undermine our basic financial structure. I would also point out that revenue thus diverted must be replaced from some source if we are to finance current recommendations.

Now, I also have letters here from the Department of Health in which he says, he refers to the bill, and he said: "We were interested in the original draft of the bill because it placed certain responsibilities on the department and yet the language of the original bill was such that it would probably have been practically impossible to administer the funds. At the request of the chairman of the committee to which the bill was assigned for hearing and the sponsor of the bill, I assisted the sponsor to redraft the bill to eliminate some of the administrative problems which could be seen as arising from the first draft. Other than assisting in the revision of the bill in the light of the responsibilities which it proposed to place on this department, we have no particular interest in the bill. Even as the bill is now rewritten it would undoubtedly have some administrative difficulties associated with any payments made under its provision. I presume the expenses associated with the administration of these funds could properly be charged against the funds, but I think that such a cost is unnecessary for it arises from the simple circumstance of having a new and special operating fund established on this legislative document."

And from Dr. Schumacher who also is mentioned in this bill—this is his quote: "It is the feeling of this department that we do not have at the present time sufficient trained professional personnel to provide an increase treat-

ment program for alcoholics. We will continue to accept alcoholics at our institutions and do all we can for them, but we are limited by our insufficient physical facilities to increase our role in this area at this time.

"We are, however, in a position to submit invoices for expenses incurred in this type of care but the money would be in undedicated revenue and would revert to the State and the general fund."

Now, it seems to me that we are getting into a rather difficult area here with this bill, and that's the position the Appropriations Committee took two years ago. It went to another committee this time. I did not realize the bill was here or I would have mentioned it to the other committee, and I do apologize, but having had it called to my attention Monday by a telephone call. I tried to get this information together.

The SPEAKER pro tem: Is the House ready for the question? The question is on the passage to be engrosed of this matter.

Mrs. Smith of Falmouth then moved the indefinite postponement of the Bill.

The SPEAKER pro tem: The Chair recognizes the gentleman from Auburn, Mr. Waterman.

Mr. WATERMAN: Mr. Speaker, Ladies and Gentlemen of the House: I think that the major original intention of it was to perhaps have some of the funds that are brought in through the sale of liquor used specifically for cleaning up the mess that it has made from the consumption of such. I think that was the purpose behind this. The statements that the gentlewoman from Falmouth read from the letters which she had are true, that Dean Fisher and the Department of Health and Institutional Services did assist in the writing of the redraft and at the direction of the members of the committee who signed the "Ought not to pass" Report, I took it down to the Attorney General and he stated that he thought it was clearly written now so there wouldn't be a question as to how the funds were used. That is about all I have to say except to ask

for a division when the vote it taken. Thank you.

The SPEAKER pro tem: The Chair recognizes the gentleman from Southport, Mr. Rankin.

Mr. RANKIN: Mr. Speaker, I would like to ask through the Chair of any member of the House, what is the state now doing towards the rehabilitation of the alcoholics?

The SPEAKER pro tem: The gentleman from Southport, Mr. Rankin, poses a question through the Chair to any member of the House who may answer if he or she chooses.

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

Mr. BRAGDON: Mr. Speaker, I would attempt to answer the question in this way, that there is an appropriation — I haven't had time to look it up—but there is an appropriation in the general fund, current services budget, for the rehabilitation of alcoholics. This bill apparently provides it from another source. So you do have, I think, I agree with Mrs. Smith, you do have some complication.

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

Mrs. HENDRICKS: Mr. Speaker, in answer to that question, the state is giving only counseling service at this time under the Department of Health and Welfare.

The SPEAKER pro tem: The Chair recognizes the gentleman from Southport, Mr. Rankin.

Mr. RANKIN: Mr. Speaker, Ladies and Gentlemen of the House: This may be a bad measure, but I would like to bring to your attention at this time that there seems to be no one in the State of Maine who is particularly interested in the problem of the alcoholics. Alcoholism today is probably the number one enemy of our country. I don't understand why those who are so opposed to the selling of liquor on Sunday, do not devote some of their time and attention to solving the alcoholic problem. Many of these people can be saved, not all of them are lost forever. I repeat, if this measure can in any way be amended so that we can take the alcoholic and rehabili-

tate him, commit him, it will be a step forward in the problem of defeating alcoholism. At the present time, as the gentleman from Perham has just said, all we do is give counseling service, and counseling service for the advanced alcoholic is practically worthless.

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

Mr. TYNDALE: Mr. Speaker, Ladies and Gentlemen of the House: I am under the impression that you can't under the general laws commit an alcoholic to the state hospital, and I would like to ask that question of anybody who might care to answer whether this is really possible.

The SPEAKER pro tem: The gentleman from Kennebunkport, Mr. Tyndale, poses a question through the Chair to any member of the House who may answer if he or she chooses.

The Chair recognizes the gentlewoman from Palmouth, Mrs. Smith.

Mrs. SMITH: Mr. Speaker and Members of the House: In answer to the gentleman's question, so far as I know that is the case. I didn't have time to go into the very very fine details of the other program, in the short time that I had after this bill was brought to my attention. As you know, it was not before Appropriations. In it, Dr. Schumacher said, we will continue to accept alcoholics at our institutions and do all we can for them, but we are limited by our insufficient physical facilities to increase our role in this area at this time.

The SPEAKER pro tem: The Chair would ask the House to pause in its deliberations for a moment so that we might recognize in the hall of the House a group of sixth, seventh and eighth grade students from the St. Edwards Parochial School of Bar Harbor, with a group of parents. These young people are the guests of the gentleman from Bar Harbor, Mr. Smith.

On behalf of the House, the Chair would extend to you a warm and cordial welcome. We trust that you will both enjoy and profit by your

visit with us this morning. Would you stand and be recognized. (Applause)

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

Mrs. HENDRICKS: Mr. Speaker and Members of the House: The State Committee on Mental Health worked long and hard on bills to help communities with their problems. And one of the bills included the provision whereby community clinics, such as alcoholic clinics, could be set up to aid in this problem of alcoholism. Now in South Portland, we had a clinic of this type, and the Department of Mental Health and Corrections gave some money to this clinic. They were doing a fine job, and they gave money to the clinic. Yet there was not enough money to work because there were so many cases and finally the house closed down. So maybe Dr. Schumacher has a good idea that they will continue to help alcoholics, but I don't know of any place where they are doing this now. This fine home that was in South Portland was created by the Portland Committee on Alcoholism and other groups and it received some money from the United Community Services, but as I say it ran into problems because the costs were so great and the groups that were working with alcoholic rehabilitation have a very fine home in Kennebunk now. I understand that Jean Gannett Williams and other people like her are working with this group and they have a very fine home, but it is very costly to run. So I think that the state should assume some of its responsibilities and pass this legislation.

The SPEAKER pro tem: The question before the House is the motion of the gentlewoman from Falmouth, Mrs. Smith, that Bill "An Act Providing Funds for Treatment, Care and Rehabilitation of Alcoholics," House Paper 937, Legislative Document 1371, be indefinitely postponed.

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

A division of the House was had.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Portland, Mrs. Hendricks, who requests a roll call. In order for a roll call to be ordered, it is necessary to have the affirmative desire of more than one-fifth of the members present. Will all those who desire a roll call, please rise and remain standing until the monitors have made and returned the count.

An insufficient number arose.

The SPEAKER pro tem: Obviously, less than one-fifth having arisen, a roll call is not ordered.

Seventy-one having voted in the affirmative and forty having voted in the negative, the motion to indefinitely postpone did prevail.

Thereupon, the bill was indefinitely postponed and sent up for concurrence.

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

Bill "An Act Transferring Duties of Commissioner of Agriculture Relating to Shellfish to Commissioner of Sea and Shore Fisheries and Revising Laws Thereto." (S. P. 554) (L. D. 1489)—Engrossed in Senate — Indefinite Postponement in House Reconsidered.

Tabled—May 7, by Mr. Jalbert of Lewiston.

Pending — Motion to Indefinitely Postpone.

The SPEAKER pro tem: The Chair recognizes the gentleman from Gouldsboro, Mr. Young.

Mr. YOUNG: Mr. Speaker, I have no intent to debate this bill as it was debated thoroughly. There was no real objection to the bill. The only objection was to the fact that there might be an appropriation on it, but there are seventy-two other bills on the Appropriations Table in the other end of the hall, so I don't see any reason why this one couldn't go along and be added to that list. I oppose the motion to indefinitely postpone and request a division.

The SPEAKER pro tem: A division has been requested on the pending motion which is the indefinite postponement. Is the House ready for the question?

All those in favor of the indefinite postponement of this bill, will please

rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Four having voted in the affirmative and one hundred and four having voted in the negative, the motion to indefinitely postpone did not prevail.

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

On motion of Mr. Wellman of Bangor.

Adjourned until nine o'clock tomorrow morning.