

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred and First Legislature

OF THE

STATE OF MAINE

VOLUME II

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and

SPECIAL SESSION

JAN. 6 - JAN. 17, 1964

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Tuesday, May 14, 1963

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

Prayer by the Rev. Mr. Roy W. Moody of Gardiner.

The members stood at attention during the playing of the National Anthem.

The journal of the previous session was read and approved.

The SPEAKER: The Chair is delighted this morning to recognize in the gallery of the House, fifty students from St. Joseph College, Standish, accompanied by Miss Tassel, teacher of the government class and Mrs. O'Connor, teacher of the Maine History class. These are the guests of Representative Hawkes of Sebago Lake.

On behalf of the House, the Chair extends to you young people a warm welcome. We trust that you will enjoy and profit by your visit with us here this morning.

And also in the balcony of the House, are seventy-four pupils from the eighth grade Maine History class of Buker School, Augusta, accompanied by Mrs. Burton, Mrs. Brooks, and Mr. Baudo.

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

Papers from the Senate Conference Committees Report

Report of the Committees of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act relating to Establishment of a Personnel Law for Certain Employees of the City of Lewiston" (H. P. 544) (L. D. 801) reporting that the Bill be referred to the Committee on Municipal Affairs.

(Signed)

- COUTURE of Androscoggin
- BOISVERT of Androscoggin
- JACQUES of Androscoggin
- Committee on part of Senate.
- JALBERT of Lewiston
- COTE of Lewiston
- WELLMAN of Bangor
- Committee on part of House.

Came from the Senate read and accepted.

In the House, the Report was read and accepted in concurrence. The House receded from its action whereby the Bill was referred to the Committee on Judiciary and referred the Bill to the Committee on Municipal Affairs in concurrence.

Senate Reports of Committees Ought Not to Pass

Report of the Committee on Education reporting "Ought not to pass" on Bill "An Act Providing for Vocational High Schools" (S. P. 5) (L. D. 5)

Came from the Senate read and accepted.

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

Ought Not to Pass Bill Substituted for Report

Report of the Committee on Legal Affairs reporting "Ought not to pass" on Bill "An Act relating to Use of Titles by Unregistered Persons in Practice of Architecture" (S. P. 113) (L. D. 341)

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

In the House, the Report was read.

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

Mr. WELLMAN: Mr. Speaker, as one member of the Legal Affairs Committee only, I would like to move to substitute the Bill for the Report. The Senate Amendment quite drastically changes the intent of the bill and I now would like to go along with it.

Thereupon, the House voted to substitute the Bill for the Report in concurrence and the Bill was read twice.

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

SENATE AMENDMENT "A" to S. P. 113, L. D. 341, Bill, "An Act Relating to Use of Titles by Unregistered Persons in Practice of Architecture."

Amend said Bill in the 7th and 8th lines by striking out the underlined words "any other qualifying words or phrases, or any other

derivative of the word architect' and inserting in place thereof the underlined words 'architectural engineer'

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

Divided Report

Majority Report of the Committee on Labor on Bill "An Act Exempting Firemen from Waiting Period under Workmen's Compensation Act" (S. P. 322) (L. D. 988) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

- Messrs. JOHNSON of Somerset
- HINDS of Cumberland
- COUTURE of Androscoggin
- of the Senate.
- Messrs. BROWN of South Portland
- PRINCE of Oakfield
- GIFFORD of Manchester
- EWER of Bangor
- of the House.

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

Report was signed by the following members:

- Messrs. MENDES of Topsham
- DUNN of Denmark
- of the House.

Came from the Senate with the Reports and Bill indefinitely postponed.

In the House: Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Topsham, Mr. Mendes.

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

The SPEAKER: The gentleman from Topsham, Mr. Mendes, moves that the House accept the Minority "Ought not to pass" Report.

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

Mr. EWER: Mr. Speaker, this majority report of the Committee on Labor was signed for this reason, that the call or volunteer fire departments are composed of people who have other jobs. They leave their usual employment in case of a fire. If they are injured while

attending this fire, they are, under the present law, out of luck for the duration of the waiting period. The professional firemen who are members of the paid fire fighting forces of the larger cities are of course covered by their own insurance. It was because of this lack of coverage for these volunteers, because of the fact that the majority of the committee felt that these people were deserving of something more than they are getting for coverage for injuries received in the call of duty, that we signed the "Ought to pass" Report. I hope that the motion of the gentleman from Topsham, Mr. Mendes, that the Minority Report be accepted will fail.

The SPEAKER: The Chair recognizes the gentleman from Bar Harbor, Mr. Smith.

Mr. SMITH: Mr. Speaker, before voting on this measure, I think there should be careful examination of the wording of the bill as originally presented and the wording of the committee amendment. Regular firemen of course are now under the Workmen's Compensation Act. The bill as originally presented seeks to except and I quote: "except that firemen shall receive compensation from the date of incapacity." The proposal there of course is to make an exception to the general rule that there shall be a waiting period of seven days with incapacity before payments become payable. However, under the existing law, if there is incapacity of more than 28 days, compensation shall be allowed from the date of incapacity.

A Committee Amendment has been filed with you, S-97, and the Committee Amendment strikes out the word firemen and replaces that word with "members of call or volunteer fire fighting departments." Under the Workmen's Compensation Act, the person who receives benefits must be an employee. The Act applies to those in the service of another under any contract of hire. Volunteers by the very definition of the word, by the word itself, are not employees. Thus the amendment takes any meaning there may be in the Act right out of it. Firemen, under the amendment, are not excepted from the Workmen's Compensation Act, but volunteers are

excepted. Well, they are not included in any event. Even if the Act as originally written were passed, there would be discrimination in favor of firemen as distinct from all other employees.

The SPEAKER: Is the House ready for the question?

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

Mr. RUST: Mr. Speaker, Ladies and Gentlemen of the House: I am heartily in accord with the statements made by the gentleman from Bar Harbor, Mr. Smith, that the purpose and the effect of this amendment is to leave us with a bill which is a nonentity, and therefore, I move the indefinite postponement of the Bill and all its accompanying reports.

Thereupon, on a viva voce vote, the Reports and Bill were indefinitely postponed in concurrence.

Divided Report

Majority Report of the Committee on Natural Resources reporting "Ought not to pass" on Bill "An Act Establishing a Forest Products Marketing Law" (S. P. 480) (L. D. 1332)

Report was signed by the following members:

Messrs. FERGUSON of Oxford
 COLE of Waldo
 REED of Sagadahoc
 — of the Senate.

Messrs. SAHAGIAN of Belgrade
 CHOATE of Windsor
 JEWELL of Monticello
 JAMESON of Bangor
 BURNS of Westbrook
 — of the House.

Minority Report of same Committee on same Bill reporting same in a new draft (S. P. 575) (L. D. 1525) under same title and that it "Ought to pass"

Report was signed by the following members:

Messrs. DUDLEY of Enfield
 WILLIAMS of Hodgdon
 — of the House.

Came from the Senate with the Minority Report accepted and the Bill indefinitely postponed.

In the House: Reports were read.

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

Mr. WILLIAMS: Mr. Speaker and Members: I was one of the signers of this Bill, "Ought to pass," and I signed it because I was in sympathy with the sponsor of this bill and what he was trying to do. But if you people would remember your history, you will find that the B&A Railroad came to Houlton, it came into Houlton, Christmas Day, 1894. Within the next few years, it pretty well covered Aroostook County. Now by 1910, there were a lot of mills all up and down the line. Davidson, which was, I think, actually in Penobscot County, they had what they called the largest clothespin factory in the world. They had a hardwood mill in Island Falls. They had saw mills in Smyrna, Dudley, Lakewood, Howe Brook, Griswold, Sheridan, Portage Lake, Eagle Lake, and the St. John Lumber Company had the largest saw mill east of the Mississippi at Keegan.

Now at the present time, many of these places are just ghost towns. If you want to find those mills, you would have to look over in the eastern township of Quebec or on the St. Lawrence River. Now this is a sizeable operation. This is from the Maine Forest Service, and the last year we exported from Aroostook County to Canada — this is all long lumber — 10,123,000 feet of hardwood logs. Of that, there were three million and over of yellow birch and five million and over of maple. As far as the softwood goes, we exported 63,230,000 feet of logs.

Now it is estimated that there were around 2500 jobs connected with this. It was twice as big an operation as the Raytheon in Lewiston, and they felt very bad when they were thinking about losing Raytheon. Now perhaps this bill is not the way to do it, but still we are losing a valuable asset and not getting much return from it in the way of jobs. But if my friend, Senator Cyr, could not convince the Natural Resources Committee or the body at the other end of the hall that this was a good bill, it is no use my trying to convince you people that it is. So I now reluctantly move to concur with the Senate that this Bill would be indefinitely postponed.

The SPEAKER: The gentleman from Hodgdon, Mr. Williams, moves that the House accept the Majority "Ought not to pass" Report.

Thereupon, the Majority "Ought not to pass" Report was accepted.

Divided Report

Majority Report of the Committee on Towns and Counties on Bill "An Act relating to Loans by Washington County" (S. P. 562) (L. D. 1502) reporting same in a new draft (S. P. 592) (L. D. 1556) under same title and that it "Ought to pass"

Report was signed by the following members:

Messrs. WYMAN of Washington
 CRAM of Cumberland
 PIKE of Oxford
 — of the Senate.

Messrs. MacPHAIL of Owl's Head
 HAMMOND of Paris
 WIGHT of Presque Isle

Mrs. SHAW of Chelsea
 — of the House.

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

Report was signed by the following members:

Messrs. CROMMETT of Millinocket
 POIRIER of Lewiston
 PHILBRICK of Augusta
 — of the House.

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

In the House: Reports were read.

On motion of Mrs. Shaw of Chelsea, the Majority "Ought to pass" Report was accepted in concurrence, the New Draft read twice and tomorrow assigned.

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

**Divided Report
 Tabled and Assigned**

Report "A" of the Committee on Taxation reporting "Ought to pass" on Bill "An Act Creating a Permanent Commission on State Tax and Financing Policy" (S. P. 401) (L. D. 1104)

Report was signed by the following members:

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

Messrs. ALBAIR of Caribou
 AYOOB of Fort Fairfield
 COTTRELL of Portland
 — of the House.

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

Report was signed by the following members:

Mr. LETOURNEAU of York
 — of the Senate.

Messrs. JONES of Farmington
 BROWN of Fairfield
 WOOD of Brooks
 WATERMAN of Auburn
 — of the House.

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

In the House: Reports were read. (On motion of Mr. Cottrell of Portland, tabled pending acceptance of either Report and specially assigned for Tuesday, May 21.)

Non-Concurrent Matter

Bill "An Act Providing for the Formation of Sanitary Districts" (H. P. 301) (L. D. 409) which was passed to be engrossed as amended by House Amendment "A" in the House on May 3.

Came from the Senate referred to the 102nd Legislature in non-concurrence.

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

Non-Concurrent Matter

Bill "An Act to Create a Mount Desert Island Regional School District" (H. P. 475) (L. D. 678) which was passed to be engrossed as amended by House Amendment "A" in the House on April 25.

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

In the House:

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

Mr. BENSON: Mr. Speaker, I move we insist on our former action and request a Committee of Conference.

The SPEAKER: The gentleman from Southwest Harbor, Mr. Benson, moves that the House insist on its former action and ask for a Committee of Conference. Is that the pleasure of the House?

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

Mr. ANDERSON: Mr. Speaker, if I am in order, I would like to debate this bill.

The SPEAKER: The gentleman may proceed. It is before the House.

Mr. ANDERSON: Mr. Speaker, Ladies and Gentlemen of the House: When sworn in to the office of State Representative, I vowed to do my best for the most, not only in my district but in the county and state as well. I feel that I am justified in opposing the stand taken by the gentleman from Southwest Harbor, Mr. Benson.

Over the weekend, a steady stream of people from Southwest Harbor came to my home, all opposed to this measure. I went down to my cottage at Bayside to work Sunday, and sixteen people arrived there all against the consolidation of schools or entering the regional school district. These are all solid citizens; not 'rabble-rousers.' They are bankers, druggists, school trustees, professions in all walks of life. Three times the citizens of Southwest Harbor have voted against this measure. On March 2, 1959 they voted 282 against to 177 for. On April 14, 1959, 384 against and 272 for. And on March 7, 1960, they voted 302 against and 142 for. Why should the people be forced to join something that they do not want to join? Long standing friendships have been broken up, neighbors are not on speaking terms, businesses have been boycotted or threatened with boycott, children and teachers in schools are emotionally disturbed. We should admire the initiative of the people in wanting to be master of their own destiny. I should hate to believe that our school department is insisting on Southwest Harbor joining the regional school district knowing

how bitterly they oppose it. If they are insisting then, ladies and gentlemen, we are nearer to Russianism than we think.

I have had over 100 letters against this measure and a petition of 315 names against it, and not one person for it. Remember this, the will of the people is the legitimate foundation of government. And evidently this is the will of the people. I move we recede and concur.

The SPEAKER: The gentleman from Ellsworth, Mr. Anderson, moves that the House recede from its former action and concur with the Senate.

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

Mr. BENSON: Mr. Speaker, I was hoping this wouldn't become necessary. I have worked on this school issue for some six years now. I have been in the middle of it, and I think that some of the impressions that my good friend from Ellsworth, Mr. Anderson, may have created here, might very well be corrected. We are not determining whether Mount Desert Island will have a regional school or whether they will not. We are merely determining whether they will vote on it or whether they will not. I have never seen a group of people fear to vote merely for the fear of voting itself. I have seen them fear voting when they feared the outcome of the vote.

Now in 1959, it is true, we tried for a four-town consolidation of our secondary schools on Mount Desert Island. At that time, my town, Southwest Harbor, did not go for it, and at that time, the other three towns did go for it to the extent that the total vote on the Island was 1331 votes for the school and 686 votes against it, better than two to one for a consolidation if you want to take the total vote.

Now what we are doing here is considering the pleas of a very small portion of the Mount Desert Island area and a very small portion of my town if you want to consider the 941 legal voters thereof. We have had sent over here, as Mr. Anderson has told you, a petition with 315 names, and I would like the opportunity to petition this same 315 people with a petition

reading exactly the opposite and I would guarantee you all ladies and gentlemen that I could get 100 of those names on that petition, and I think that this shows the true value of a petition.

Now I will admit that we have not been flooded with mail from the proponents of this measure anymore than you are flooded with mail and phone calls from the proponents of liquor issues or any other issue which comes before the Legislature normally asking for this thing to pass. I think that you will find that this group of people as Mr. Anderson has told you, they are dedicated, hard-working people, they don't want this thing to come to a vote again on Mount Desert Island because they have lost a great deal of strength and they want this legislature to do their dirty work for them. If we, on this level, take Southwest Harbor out of this bill, then they are not going to have to vote on it again. This is what they are asking, and I think that this is just a little bit ridiculous.

I think that if we look at the thing they are asking us to do, we might very well not even consider it an issue at all. They are asking us to take away the right of 941 voters. They are asking us to not allow these 941 voters to vote on a very important issue at this time. Let me further illustrate the type of people that we are dealing with in this measure. In our last annual town meeting — I should go back before this — a year ago, I presented a measure to adopt an Australian ballot in my town. Now these people thought this was much too modern for them. They had been used to voting with the old yes and no ballot of slipping it into a box upon the stage of our town meeting. A year ago I introduced this and it was defeated. This is a pretty basic improved method of voting. I had what I called a special town meeting one month prior to our annual town meeting this year, and it was voted down there, and I put the same measure into our annual town meeting this year and finally, after a long hard struggle, Southwest Har-

bor is now using the Australian ballot method of voting.

Now these people like to oppose things merely for the sake of opposing them, and I say that this is much too serious an issue at this time to allow them to get away with it. These solid citizens that my good friend, Mr. Anderson, has spoken of, are people who are opposing this type of a thing. I am probably wrong in running them down this way, but nevertheless you must understand that I have put hour upon hour upon hour into the consolidation of our schools over the past six years only to find that this group of people would like to have the legislature take my town out of this consolidation and not even allow them to vote on it again. Now they say we voted on it in 1959, why should we vote on it again? My gracious, ladies and gentlemen, merely because something was defeated four or five years ago, must we never face it again? I think this is a very improper attitude.

Let me further say in 1959 when this came to a vote before, I went to the University of Maine and talked with President Elliott who was very familiar with this thing because the University of Maine did a survey of Mount Desert Island and found it to be one of the most advantageous areas in the state for consolidation. He was at that time and still is very much in favor of this. All of the heads of the various departments at the University of Maine at that time were very much in favor of a consolidation there, and the Department of Education, I think that I can safely say is 100 percent strong in their opinion as to consolidation on Mount Desert Island.

So, without further ado, I merely plead with you to allow my town to vote on this thing again, and all I am asking today anyway is that we insist on our former action and have a committee of conference. There is a disagreement between this body and the body at the other end of the corridor, and if we can resolve this thing in a committee of conference, well and good. If we cannot, then it will go back to the Island for a vote on a three-town consolidation. Now a

three-town consolidation is not nearly as desirable naturally as it would be for all four to go along with it. I ask you now to go along with this motion to insist on our former action and request a committee of conference. Thank you. I request a division.

The SPEAKER: The Chair would remind all members at this time to be very careful of your parliamentary courtesies to other members of the House. In your points of reference, you should always refer to a member as the gentleman from such and such a town and his name or the gentlewoman. I have reminded the House several times and I know that it is just an oversight on your part, but please be careful to continue your parliamentary courtesies.

The Chair recognizes the gentleman from Winterport, Mr. Easton.

Mr. EASTON: Mr. Speaker, I think the House should be apprised of the reasons for the decision by the Joint Committee on Education on this particular bill. This is one of the very very unusual situations in which a controversial matter came out of the Education Committee unanimously. In this case it was unanimously in favor of the Committee Amendment exempting Southwest Harbor from the necessity of voting for the fourth time on this particular issue. I regret and perhaps we all regret exceedingly the apparent necessity for disagreeing with our good friend, the gentleman from Southwest Harbor, but it has become apparent to us that the proposal to require a fourth vote and under the bill if necessary a fifth and a sixth perhaps that such a procedure is just not fair.

Now the bill provides that if the other three towns or two of them as the case may be desire to form this consolidation, they may so do. This is permissive legislation, but we felt on the Education Committee that it was not permissive legislation insofar as Southwest Harbor was concerned. With the number of votes required, it is almost a mailed fist. We all know I think that if you bring a single issue up to vote enough times, gradually perhaps opposition may wear down through

sheer exhaustion. In this multi-vote situation, usually the side that prevails is the side with the — not necessarily the rights on its side, but the side that is willing to stick to the original position longest and most stubbornly. This is not necessarily the way that laws should be passed.

I feel that this brief explanation of the position of the Education Committee subject to correction from my other friends on this committee should be made, because we all, I believe, support the motion of the gentleman from Ellsworth, Mr. Anderson, to recede and concur, and I hope you do.

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

Mr. MCGEE: Mr. Speaker and Members of the House: I was a member of the Education Committee that signed this bill in here. Since this amendment, it was a committee amendment, I am more convinced than ever that that amendment is the proper thing. If this amendment should be deleted or in conference with the Senate to simply kill the bill and deny those other three towns the right to vote, I think that I support wholeheartedly the motion of the gentleman from Ellsworth, and I think it is perfectly right and should be carried in this House according to his motion.

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

Mr. BENSON: Mr. Speaker, I think it is only fair to tell this House and also in particular the members of the Education Committee if you have followed the proof of the last week, the Chairman of the Education Committee, Senator Brooks, has changed his mind about this amendment and has spoken in the Senate against it. He said that he is sorry now that he signed this amendment out, and this would be borne out in the proof. Also you would find that another member of the Education Committee, Senator Whittaker, has spoken against the amendment and feels now that Southwest Harbor should by all means be allowed the right to vote on this issue. Thank you.

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

Mr. JALBERT: Mr. Speaker, I would ask you a parliamentary inquiry or ask you to state to us before debate, as the days prolong, gets more heated than it might be on other times, just how far do we go as to reference to the other branch?

The SPEAKER: The gentleman is correct. The House should not be influenced by reference to the action of the other branch.

The Chair recognizes the gentleman from Jonesboro, Mr. Snow.

Mr. SNOW: Mr. Speaker, Ladies and Gentlemen of the House: I find myself in a position supporting Mr. Anderson, the gentleman from Ellsworth. I have not changed my mind since first signing the unanimous report that came from the committee of excepting Southwest Harbor. I also wish at this time to defend some of these people who it has been suggested that their intentions may not be quite right. I have met a greater part of these people. I had the opportunity to practice in Bar Harbor for ten years, and I know many of them personally and socially. These people are not wanting to do dirty work. They are not afraid to vote again. That is not their answer. Their town has been torn apart by three votes, the last time two-thirds of them were against, neighbor did not speak to neighbor, people did not trade in stores, the wounds have just begun to heal. They do not want them opened again to bleed over the same issue. It seems an impossibility that a town would have to keep voting. Now if by any chance they should be asked to vote again, and by any chance this should go through, I want it understood from my viewpoint, ladies and gentlemen, you have a perfect setup for another S.A.D. 3. Thank you.

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

Mr. BURNS: Mr. Speaker, I speak with reluctance on this subject. It is nothing that I know too much about. But my friend, the gentleman from Southwest Harbor, Mr. Benson, was presumably elected for the people of Southwest Harbor. He

presumably at least represents their viewpoint or a majority of them. For that reason, I concur with him and go along heartily in his thinking. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Bar Harbor, Mr. Smith.

Mr. SMITH: Mr. Speaker, I believe it is only proper that as the representative of one of the towns which is included in this proposed district, that I express my views on the issue. I remind you the only issue now before you to be voted on strictly is whether or not we should insist on a committee of conference.

Bar Harbor is one of the towns in the proposed district, and in past years it has twice voted favorably. The issue now of course insofar as Bar Harbor is concerned, is whether there would be three or four towns within the district on which we would vote. I have no assurance of course how Bar Harbor would now vote even though they have voted favorably in the past. I gather that it is not a burning issue in my town, and they would be pleased to vote on this subject of a district whether it be three or four towns. However, as a representative from the same area and the representative of a neighboring town to that of the gentleman from Southwest Harbor, Mr. Benson, I would of course feel that I should vote with him and I shall support him.

The SPEAKER: The Chair recognizes the gentleman from Waterboro, Mr. Bradeen.

Mr. BRADEEN: Mr. Speaker, Ladies and Gentlemen of the House: It occurs to me that when this body has presented to it for its careful consideration a unanimous report on a certain subject, they should give it very careful thought. It is quite a little trick, I think you will all agree, to get ten men to agree on anything in these uncertain times. I heartily agree particularly with the statements of my good friend from Jonesboro, Dr. Snow, that if this House votes in Southwest Harbor or makes it possible for Southwest Harbor to be included in a school administrative district, in two or

three years time, this legislature or others who fill the seats that we fill today, will be presented with another, a duplicate of S.A.D. 3 which indeed has had a sad record. I thank you.

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

Mr. YOUNG: Mr. Speaker, Ladies and Gentlemen of the House: I would not be doing my duty as a representative elected from Hancock County if I did not speak in favor of the motion of the gentleman from Ellsworth, Mr. Anderson. I have been contacted by a great many people from Southwest Harbor, all opposed to the joining in the regional school district. They wish to be omitted from even voting on the subject, and I concur with all that has been said against the motion.

The SPEAKER: The question before the House and the motion of precedence is the motion of the gentleman from Ellsworth, Mr. Anderson, that the House recede from its former action and concur with the Senate on Bill "An Act to Create a Mount Desert Island Regional School District," House Paper 475, Legislative Document 678. A division has been requested.

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

A division of the House was had.

Sixty-six having voted in the affirmative and fifty-eight having voted in the negative, the motion to recede and concur with the Senate did prevail.

Non-Concurrent Matter

An Act Classifying Certain Tidal Waters in Hancock County (H. P. 346) (L. D. 501) which was passed to be enacted in the House on May 8 and passed to be engrossed as amended by House Amendment "A" on April 30.

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

In the House: On motion of Mr. Anderson of Ellsworth, the House

voted to recede and concur with the Senate.

Orders

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

Mr. DUDLEY: Mr. Speaker, I would like to ask if the House has in its possession Senate Paper 543, L. D. 1467.

The SPEAKER: The Chair will inform the gentleman that the paper is in the possession of the House.

Mr. DUDLEY: I would like to move that we reconsider our action of the last legislative day.

The SPEAKER: The gentleman from Enfield, Mr. Dudley, moves that the House reconsider its action whereby on Bill "An Act relating to Effective Date for Salary Increase for County Officers," it insisted on its former action. Is it the pleasure of the House to reconsider?

The motion prevailed.

Thereupon, on motion of Mr. Dudley of Enfield, the House voted to recede and concur with the Senate.

On the disagreeing action of the two branches of the Legislature on Bill "An Act Providing for Area Directional Sign on Maine Turnpike for Rumford" (S. P. 360) (L. D. 1026) the Speaker appointed the following Conferees on the part of the House:

Messrs. ROSS of Brownville
DRAKE of Bath
TURNER of Auburn

On the disagreeing action of the two branches of the Legislature on Bill "An Act relating to the Admission of Attorneys to the Bar of the State of Maine" (S. P. 62) (L. D. 112) the Speaker appointed the following Conferees on the part of the House:

Messrs. RUST of York
MINSKY of Bangor
KNIGHT of Rockland

The SPEAKER: The Chair will pause for a moment to recognize in the gallery of the House, fifty-seven pupils from the Benton Ele-

mentary School, seventh and eighth grades, accompanied by their teachers, Mr. Flewelling, Mrs. Coverly, and Mr. Braley.

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

The SPEAKER: Also at this time, I am delighted to welcome to the House, thirty-two pupils from the American History class of the Lincoln Academy of Newcastle, accompanied by their teacher, Mr. Boynton. These are the special guests of Representative Waltz of Waldoboro.

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

House Reports of Committees Leave to Withdraw

Mr. Jalbert from the Committee on Appropriations and Financial Affairs on Bill "An Act Appropriating Funds for Regional Airport in the Gray Area to Service Central Maine" (H. P. 519) (L. D. 736) reported Leave to Withdraw.

Report was read.

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

Mr. JALBERT: Mr. Speaker, and Members of the House: We are withdrawing the Gray airport bill with the full consent of the bipartisan committee which has been promoting it.

The committee made up of the Honorable Willis A. Trafton, Jr., former Speaker of the House; Morris E. Raymond, Sr., Chairman of the L.&A. Airport Committee; Woodbury Brackett, City Manager of Auburn; Thomas W. Crowley, First Vice President of the First National Bank in Lewiston; and also the Director of the Chamber of Commerce, Judge Grover Alexander of Gray and myself and other proponents of the bill appearing before the Appropriations and Financial Affairs Committee stated our position at that time that the bill

was premature and that they would be satisfied with an impartial study of Maine's air service needs.

Such a study should be economically oriented and should be addressed first to the question, "Can Maine generate the traffic to support regional airports with trunk-line carrier service, or should existing airports be utilized for local carrier service with or without on a subsidized basis?" If the answer is for regional airports, then the next question is, "How many regional airports should there be and where should they be located?"

We believe that prompt action to improve Maine's air service is imperative and that an economically oriented study is a prerequisite. We regret that the State has wasted money in earlier piecemeal studies, but say that does not change the fact that an overall study is needed. So that when the airport program in Maine or the airport proposal have been ironed out, we hope that through a possible order the research committee with funds provided thereby that such a study will be put in effect to report to the next legislature. I now move acceptance of the Committee Report.

Thereupon, the Committee "Leave to Withdraw" Report was accepted and sent up for concurrence.

Mr. Minsky from the Committee on Appropriations and Financial Affairs reported "Leave to Withdraw" on Resolve Appropriating Funds for Certain Construction at Augusta State Airport (H. P. 358) (L. D. 532)

Report was read and accepted and sent up for concurrence.

Leave to Withdraw Covered by Other Legislation

Mr. Jalbert from the Committee on Appropriations and Financial Affairs reported "Leave to Withdraw" on Bill "An Act to Authorize the Issuance of Bonds in the Amount of One Million Nine Hundred Thousand Dollars on Behalf of the State for the Purpose of Construction and Renovating at the Boys Training Center" (H. P. 962) (L. D. 1401), as it is covered by other legislation.

Same gentleman from same Committee reported same on Resolve Appropriating Funds for Construction and Renovating at Boys Training Center (H. P. 964) (L. D. 1403), as it is covered by other legislation.

Reports were read and accepted and sent up for concurrence.

Ought Not to Pass

Mr. Bragdon from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Resolve to Provide Funds to Convert Ferry Terminal at North Haven (H. P. 323) (L. D. 450)

Mr. Humphrey from same Committee reported same on Bill "An Act Providing for Working Capital for Bureau of Purchases" (H. P. 718) (L. D. 1047)

Reports were read and accepted and sent up for concurrence.

Tabled and Assigned

Mr. Minsky from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Bill "An Act relating to Deficiency Appropriation for Division of Veterans Affairs" (H. P. 407) (L. D. 560)

Report was read.

(On motion of Mr. Wade of Skowhegan, tabled pending acceptance of the Committee Report and specially assigned for tomorrow.)

Mrs. Smith from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Resolve Appropriating Moneys for Removal of Shoal Ledge in Entrance to Wiscasset Harbor (H. P. 417) (L. D. 570)

Same member from same Committee reported same on Resolve Providing Funds for Urban Planning (H. P. 418) (L. D. 571)

Reports were read and accepted and sent up for concurrence.

Ought to Pass Printed Bill

Mrs. Smith from the Committee on Appropriations and Financial Affairs reported "Ought to pass" on Bill "An Act relating to Publications Printed or Published by the State" (H. P. 252) (L. D. 321)

Report was read and accepted, the Bill read twice and tomorrow assigned.

Ought to Pass with Committee Amendment

Mr. Jalbert from the Committee on Appropriations and Financial Affairs on Bill "An Act Appropriating Moneys to Provide for Night Pay Differentials for State Employees" (H. P. 85) (L. D. 129) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 85, L. D. 129, Bill, "An Act Appropriating Moneys to Provide for Night Pay Differentials for State Employees."

Amend said Bill by striking out in the 2nd and 3rd lines the figure "\$103,000" and inserting in place thereof the figure "\$97,000"

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

Passed to Be Engrossed

Bill "An Act to Make Allocations from the General Highway Fund for the Fiscal Years Ending June 30, 1964 and June 30, 1965" (S. P. 584) (L. D. 1536)

Bill "An Act relating to Search Warrants" (H. P. 1090) (L. D. 1562)

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

Passed to Be Enacted Emergency Measure

An Act Creating a Sewer District in the Town of Corinna (H. P. 394) (L. D. 593)

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. 125 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.

Constitutional Amendment Tabled and Assigned

Resolve Proposing an Amendment to the Constitution Eliminating Requirements Relating to Warrants for Public Money and Publication of Receipts and Expenditures (H. P. 991) (L. D. 1434)

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

(On motion of Mr. Berry of Cape Elizabeth, tabled pending final passage and tomorrow assigned.)

Passed to Be Enacted

An Act Increasing Salary of Superior Court Messenger of Cumberland County (S. P. 404) (L. D. 1107)

An Act Adjusting Salary for the Supreme Judicial Court Messenger in Cumberland County (S. P. 435) (L. D. 1178)

An Act Providing Access Roads to Ski Areas Open to General Public (S. P. 570) (L. D. 1515)

An Act relating to Refund of Excise Taxes on Malt Beverages Sold to Maine Army National Guard Training Site (H. P. 875) (L. D. 1379)

An Act relating to Junk Motor Vehicles as Public Nuisances (H. P. 1078) (L. D. 1545)

An Act relating to the Taxation of House Trailers (H. P. 1083) (L. D. 1550)

An Act relating to Disposition of Part of Tax on Pari Mutuel Pools on Running Horse Racing (H. P. 1084) (L. D. 1551)

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

The SPEAKER: The Chair would request the Sergeant-at-Arms to escort the Majority Floor Leader, the gentleman from Bangor, Mr. Wellman, to the rostrum to serve as Speaker pro tem.

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

Orders of the Day

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

SENATE REPORT — Ought to pass with Committee Amendment "A" (Filing S-199) — Committee on Constitutional Amendments and Legislative Reapportionment on Resolve, Proposing an Amendment to the Constitution Designating Procedure for Determining the Election of Governor." (S. P. 530) (L. D. 1451)

Tabled — May 7, by Mr. Childs of Portland.

Pending — Acceptance of Report. Mr. CHILDS: Mr. Speaker, I move at this time the acceptance of the Committee Report.

The SPEAKER pro tem: The gentleman from Portland, Mr. Childs, moves the acceptance of the "Ought to pass" Report. Is this the pleasure of the House?

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

Mr. RUST: Mr. Speaker, Ladies and Gentlemen of the House: I probably should not be standing up here this morning on this particular issue, but I think it is of sufficient importance that I couldn't let it go by without making a few comments on it.

As a result of the last gubernatorial election, we had a difficult and a long recount for the office of Governor. However, from my own opinion I think the parties involved in it handled the matter very well, expeditiously, and all parties concerned were satisfied with the results. I further feel that people who are involved in recounts have the decency and the sincerity to handle things in a proper manner and to give and take when they are in doubt and when they realize they are wrong.

This particular piece of legislation here as proposed would amend the Constitution to provide that on disputed elections that it would be the duty of the Legislature in joint convention to resolve that dispute. I, for one, see no particular need for this piece of legislation or this amendment to our Constitution, and I would now move the indefinite postponement of this bill and I request a division.

The SPEAKER pro tem: The question now before the House is the motion of the gentleman from York, Mr. Rust, that this matter be indefinitely postponed.

The Chair recognizes the gentleman from Bar Harbor, Mr. Smith.

Mr. SMITH: Mr. Speaker, the gentleman from York, Mr. Rust, has raised a very basic question, one which this body should give very careful attention to in any change it may choose to make.

I must disagree with the gentleman from York, Mr. Rust, when he says that there is proposed in this resolve a change in the Constitution which would place in this body the responsibility of determining who is chosen for Governor. I submit that that responsibility lies in this body at the present time and has ever since the adoption of our Constitution in 1819.

The present law is contained in Article V, Part First, Paragraph 3 of the Maine Constitution. It is with the exception of amendments not now in question, these same provisions as that contained in the Constitution, a copy of which I have here, adopted by the State of Maine when separated from Massachusetts: Article V, Part First, Paragraph 3, even the same numbering, so we are talking about a provision which I believe we must examine here, if you will bear with me, which has been in our law for some hundred and thirty or hundred and forty years. Article V, Part First, Paragraph 3 provides: "The meetings for election of governor shall be notified, held and regulated, and votes shall be received, sorted, counted, declared and recorded, in the same manner as those for senators and representatives." That is the first sentence, so we must refer to the procedure for the voting and counting of votes for senators and representatives. We look at the provision concerning senators and it says in the same manner as that used with respect to representatives, so we look to that and we find the following procedure: that the vote is to be received, sorted, counted, declared and recorded by local election officials, the vote declared after counting, and the town clerk, from a list of persons voted for and the number of votes for each person, shall form a list and send that to the Secretary of State, making a

fair copy, fair record is the word used. The Secretary of State then has a list of those who — the numbers of those who voted for and against the candidates for governor. Turning back to the Constitutional provisions: "They" meaning these lists, "shall be sealed and returned into the secretary's office in the same manner, and at the same time as those for senators", which I have just reviewed. "And the secretary of state for the time being shall, on the first Wednesday of January, then next, lay the lists before the senate and house of representatives, and also the lists of votes of citizens in the military service, returned into the secretary's office, to be by them examined, and, in case of a choice by a plurality of all the votes returned, they shall declare and publish the same". Now "they" is there referring to the House of Representatives and the Senate. They shall declare and publish the same. Now what is the "same"? The same is the choice for Governor. Now the Legislature of Maine is not a body constituted merely to count votes. It is a body constituted to declare and publish the choice. We have a Secretary of State who could do that if it is just a matter of counting. I submit therefore that the decision was placed with this body and with the Senate in the beginning and it remains there now. The Resolve, L. D. 1451, proposes in this connection to state that the ballots be brought in with these lists to assist the House and Senate obviously. But the words in a proposed amendment which I believe has been circulated points out that the words "together with the ballots cast if they so elect" are the new words in the proposed resolve on this particular question. If the House of Representatives and the Senate have the duty of declaring who has been chosen, obviously it will be of great assistance to have the ballots to examine. Under the Constitution the House of Representatives or the Senate may seek an opinion from the Justices of the Supreme Judicial Court on such solemn occasions as to the House of Representatives or the Senate seem appropriate. Certainly the

question of who has been chosen Governor is a solemn occasion and on that occasion I am sure in the wisdom of the Legislature, if there were a legal point to be clarified, it would seek the opinion of the Justices of the Supreme J u d i c i a l Court. It has in the past as recently as two years ago in a dispute concerning the election of a member of this body, the opinion of the Supreme Judicial Court was sought and received.

The Legislature, particularly the House of course, is close to the people. In the situation which we are considering the people have voted. There is some question as to how they voted in the matter of counting the votes or in the matter of the validity of the votes. It seems to me this body should adhere to the tradition, the method implicit in the wording of our Constitution at the beginning and still there; adhere to that procedure and adopt this resolve which by the wording proposed is clarified merely by providing that the ballots in dispute be brought before this House and the Senate. They would of course be considered by a committee, and any legal questions I am sure would be referred to the Supreme Judicial Court. I urge you to vote against this rather radical motion by the gentleman from York, Mr. Rust, to remove this clarifying provision which I have described to you.

The SPEAKER pro tem: The Chair will interrupt debate at this time to recognize in the gallery thirty members of the seventh grade of Stonington Memorial High School. These young people are accompanied by their teacher, Mr. Raymond Morris and chaperones Donald Cowles, Prentiss Shephard, Wallace Carter, Leroy Small and Mrs. Gordon Richardson.

These students are the guests of Representative Gordon Richardson of Stonington. The Chair, on behalf of the House, extends its welcome to you and hopes that your visit will be both profitable and enjoyable. (Applause)

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

Mr. BERMAN: Mr. Speaker, Members of the House: I rise to support my able friend and colleague, Mr. Smith from Bar Harbor, in opposing the indefinite postponement of this very sensible and worthwhile amendment. Now I seriously disagree with my friend, the gentleman from York, Mr. Rust, that there is no need for the amendment.

This amendment seeks to clarify existing law. Now under existing law if no person, as a candidate for governor, shall have a plurality of votes, the House of Representatives shall by ballot from the persons having the four highest number of votes on the list, if so many there be, elect two persons, and make return of their names to the Senate, of whom the Senate shall by ballot elect one who shall be declared the governor. Now this is why there is a need for L. D. 1451. Under existing law the House of Representatives could take the lowest two of four names on the gubernatorial totem pole, send them over to the Senate and the Senate would in effect be choosing as governor one of the people who had run for that office who had received either the third or fourth largest number of votes rather than the first or second largest number of votes. Now this proposed Constitutional amendment simply says that if no one has a majority because two people are tied, then the names of those two people shall be sent to a joint convention, and the joint convention shall do the fair and sensible thing of determining which of these two people who have been tied in the gubernatorial election shall be elected governor. Now I suggest that a simple comparison of the existing law and what this amendment proposes to do will certainly support in reason Mr. Smith's and my opposing the motion for indefinite postponement.

The SPEAKER pro tem: Is the House ready for the question? The Chair recognizes the gentleman from York, Mr. Rust.

Mr. RUST: Mr. Speaker, Ladies and Gentlemen of the House: My comments and my motion this morning having served the purpose to

evoke some discussion of this motion on this Legislative Document, I now withdraw my motion.

The SPEAKER pro tem: The question now before the House is the acceptance of the Report.

Thereupon the "Ought to pass" Report was accepted in concurrence and the Resolve read once.

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

COMMITTEE AMENDMENT "A" to S. P. 530, L. D. 1451, Resolve, Proposing an Amendment to the Constitution Designating Procedure for Determining the Election of Governor.

Amend said Resolve in the Referendum by striking out in the 7th, 8th and 9th lines the words "or special state-wide election on the Tuesday following the first Monday of November following the passage of this resolve"

Committee Amendment "A" was adopted in concurrence.

Mr. Childs of Portland offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 530, L. D. 1451, Resolve, Proposing an Amendment to the Constitution Designating Procedure for Determining the Election of Governor.

Amend said Resolve in that part designated "Section 3," by striking out in the 9th and 10th lines the underlined words and punctuation "together with the ballots cast if they so elect,"; and by striking out the single quotation mark at the end of the 19th line and inserting in place thereof the following underlined sentence:

"The Supreme Judicial Court, on appeal, shall determine the validity of any disputed ballots."

The SPEAKER pro tem: The Chair recognizes the gentleman from Bar Harbor, Mr. Smith.

Mr. SMITH: Mr. Speaker and Members of the House: I rise to oppose the proposed amendment which you have before you. It seeks to, in my opinion, remove from the Legislature the functions which I just described to you in connection with the acceptance of the report, and place in the Supreme Judicial Court on appeal the very questions

which in my opinion, this Legislature is under the Constitution as originally written and as now existing, is obliged to settle. I urge that you vote against the adoption of the amendment.

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

Mr. CHILDS: Mr. Speaker, Members of the House: When the Constitutional resolve was being debated a few minutes ago, you will notice that I had nothing to say for I believe that there is ambiguity in the Constitution as it now stands and that something should be done to correct it. You will also notice when the gentleman from Bar Harbor, Mr. Smith, read the Constitution to you, that it was expressly left out in the original Constitution that the ballots would be sent to the Legislature for their determination. I submit to you that that was an intentional act by the framers of the Constitution, for I feel that they felt in their opinion that the validity of ballots should be determined by the Court and not by the Legislature.

I believe, Members of this House, that by going along with this Constitutional Amendment without the House Amendment which I have offered to you, would be politics in its ugliest form. I certainly do not think that Members of the House, and certainly this is no reflection on the Members of the House, but I certainly do not think that Members of the Legislature should be stepping into an area which belongs to our Courts. Our Courts are trained in the law, they have had experience in the law, they have precedents to rely on, and they can determine the validity of ballots. Now in determining the validity of a ballot you are talking about the intention of a voter, and I think it would be cumbersome and I think it would not be fair to the Members of the Legislature for them to take into consideration something that they have had no experience in.

The gentleman from Bar Harbor, Mr. Smith, says that if the Legislature so desired that they could ask for an advisory opinion and I agree with him, but I submit to you that it should not be a matter of discretion. When there are dis-

puted ballots, it should be mandatory that our Courts determine the validity of them. Unquestionably, if there is a close election, close enough to have a recount, unquestionably disputed ballots could determine the outcome of the election, and the only thing that my amendment does is to have the Courts determine the intent of the voter. In our original Constitution all it said was the lists would be submitted to the Legislature and they would determine the count, and nothing in there was said about the ballots. And therefore I hope that if the gentleman did make a motion that this amendment be indefinitely postponed, I hope it will not prevail, and when the vote is taken at this time I would request a division.

The SPEAKER pro tem: The question before the House is the adoption of House Amendment "A."

The Chair recognizes the gentleman from Bar Harbor, Mr. Smith.

Mr. SMITH: Mr. Speaker, the gentleman from Portland, Mr. Childs, indicates that he seeks to remove an ambiguity from the Constitution by the proposed amendment. Well, the ambiguity, if there is one, is removed by the amendment which has been—by the resolve which has been unanimously approved by the Committee on Constitutional Amendments. As for politics in its ugliest form, I fail to see why in the vague future when some such question as we are now discussing may come up, why politics enters into it. We have no knowledge as to how this House may be constituted party-wise in the future. We only know about the present. And as for it being politics in its ugliest form to vest in this Legislature a legitimate power, it just has no meaning to speak of it in those terms. I move the indefinite postponement of House Amendment "A."

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

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

Mr. CHILDS: Mr. Speaker, I only

want to add to what the gentleman from Bar Harbor, Mr. Smith, has said, that regardless of which party is here, whether this Legislature is controlled by the Democrats or by the Republicans, I would still oppose this Constitutional Amendment as it now stands for I still feel it would be an infringement upon the Members of this Legislature to determine something which they have had no experience or knowledge of, and I hope that his motion shall not prevail.

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

Mr. BERMAN: Mr. Speaker, I again rise in support of my able colleague from Bar Harbor, Mr. Smith. To be perfectly frank and candid about this amendment, this amendment is nothing more than a political move by the Minority Party, to remove from the Legislature a power it presently has, which is to decide in a disputed election who shall be the governor of this state. Now I submit to the ladies and gentlemen of this House that this House is an honorable body, and that if any ballots should seriously be in dispute, they will ultimately be examined by the Supreme Judicial Court anyway.

Now we have seen time and again during this session of attempts to whittle away the legislative powers in this state, and I strongly urge that when you vote on Mr. Smith's motion to indefinitely postpone this amendment, that you not whittle away any more legislative powers today.

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

Mr. JALBERT: Mr. Speaker, as a member of the Democratic Party, I resent wholeheartedly the remarks of the gentleman from Houlton, Mr. Berman, when he says that this is an attempt by the Minority Party, in other words, a wheeling and dealing action by the Minority Party. As far as I am concerned, I just learned of this amendment a few minutes ago, and I assure you that I may rise here and join the opposition sometimes wherein it concerns monetary mat-

ters, budgetary matters and appropriations matters; but when it is going to either affect, good or bad, my party, you're going to hear from me and I think I'm going to know what's going on.

This is an attempt to lay the problem where it should go. There are those who feel that I have been here too long. Well I've been here long enough to remember being in the Council Chamber and seeing a stack of ballots here and a stack of ballots there and a little stack of ballots this way, these were disputed ballots that the Governor and Council had rejected, and they held two matches, one was a long one and one was a short one. You pick and you win — you lose and you lose. I don't think that's right. And if a member of the Majority Party wants to accuse us of skulduggery, I'll plead guilty; so on that basis, when the vote is taken I move it be taken by a roll call.

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

Mr. BERMAN: Mr. Speaker, Members of the House: I have no intention of accusing anybody of skulduggery, but I do wish to face the facts of political life. Now so long as this Legislature continues an honorable body, the people of the State of Maine have nothing to fear about the Legislature deciding a disputed election recount.

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

Mr. LEVESQUE: Mr. Speaker, Ladies and Gentlemen of the House: As has been mentioned by the Representative from Houlton, Mr. Berman, that eventually these disputed ballots would end up in the Judicial Courts of the State of Maine, I see nothing wrong in spelling it out that if there are disputed ballots that they should be going to the Courts rather than being on our desks and eventually landing in the Courts after innumerable time has been spent for absolutely nothing.

The SPEAKER pro tem: The question now before the House is the motion of the gentleman from Bar Harbor, Mr. Smith, that House

Amendment "A" be indefinitely postponed. A roll call has been requested. In order for the Chair to order a roll call one-fifth of the members present must arise and stand in their places and so indicate their desire. Would all those who desire a roll call please rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

The SPEAKER pro tem: Obviously, more than one-fifth having arisen, a roll call is ordered.

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

Mr. COTTRELL: Mr. Speaker, I am very, very sorry and disappointed to see or to hear rumors that a matter of the Constitution is being degraded to the point of partisanship. I would simply remind the members of the House that when we had this very tense and exciting recount this last fall, that this matter came up, and two of our most prominent attorneys in the State, Mr. Scribner, the Honorable Mr. Scribner, and the Honorable Mr. Wernick could not agree. They brought this point up, and they said it was not carefully spelled out in the Constitution, and I certainly hope that the members of this House give this sincere consideration.

The SPEAKER pro tem: The Chair will restate the question. The question before the House is the motion of the gentleman from Bar Harbor, Mr. Smith, that House Amendment "A" to L. D. 1451, Resolve Proposing an Amendment to the Constitution Designating Procedure for Determining the Election of Governor be indefinitely postponed, and a roll call has been ordered. Those in favor of the indefinite postponement of House Amendment "A" will answer "yes" when their name is called; those opposed will answer "no" when their name is called. The Clerk will call the roll.

ROLL CALL

YES — Albair, Benson, Berman, Berry, Birt, Boothby, Bradeen, Bragdon, Brewer, Brown, Fairfield; Brown, South Portland; Carter,

Chapman, Choate, Cookson, C o p e, Coulthard, Cressey, Crockett, Curtis, Davis, Dennett, Drake, Dunn, Easton, Ewer, Finley, Foster, Gifford, Gilbert, Gill, Gustafson, Hammond, Hanson, Hardy, Harrington, Hawkes, Hendsbee, Henry, Hobbs, Humphrey, Hutchins, Jewell, Jones, Kent, Knight, Laughton, Libby, Lincoln, Linnekin, Littlefield, MacLeod, MacPhail, Maddox, Mathieson, McGee, Meisner, Mendes, Minsky, Norton, Oberg, Osborn, Osgood, Pease, Philbrick, Pierce, Prince, H a r p s-well; Rand, Rankin, Richardson, Ricker, Roberts, Ross, A u g u s t a; Ross, Brownville; Rust, Sahagian, Scott, Shaw, Smith, Bar H a r b o r; Smith, Falmouth; Smith, S t r o n g; Susi, Taylor, Thaanum, Thornton, Townsend, Treworgy, Turner, Tyn-dale, Vaughn, Viles, Wade, Waltz, Waterman, Watkins, White, Guilford; Whitney, Young.

NO — Anderson, Orono; Baldic, Bedard, Bernard, Binnette, Blouin, Boissonneau, Bourgoin, Burns, Cartier, Childs, Cote, Cottrell, Crommett, Denbow, Dostie, Dudley, Edwards, Gallant, Giroux, J a l b e r t, Jameson, Jobin, Karkos, K i l r o y, Lebel, Levesque, Lowery, Nadeau, Oakes, O'Leary, Pitts, Plante, Poirier, Prince, Oakfield; Reynolds, Roy, Snow, Wood.

ABSENT — Anderson, Ellsworth; Ayoub, Bussiere, Hendricks, K e n-nedy, MacGregor, Mower, N o e l, Tardiff, Ward, Welch, W i g h t, Presque Isle; Williams.

Yes, 98; No, 39; Absent 13.

The SPEAKER pro tem: Ninety-eight having voted in the affirmative, thirty-nine having voted in the negative, with thirteen absentees, House Amendment "A" is indefinitely postponed.

Thereupon, the Resolve was assigned for second reading tomorrow.

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

Mrs. SHAW: Mr. Speaker, I move we reconsider our action of this morning on L. D. 1467 "An Act relating to Effective Date for Salary Increase for County Officers"

whereby we voted to recede and concur.

The SPEAKER pro tem: The question now before the House is the motion of the gentlewoman from Chelsea, Mrs. Shaw, that the House reconsider its action of this morning whereby the House receded and concurred with the Senate.

Mrs. SHAW: I would like to speak briefly.

The SPEAKER pro tem: The gentlewoman may proceed.

Mrs. SHAW: Mr. Speaker, this bill, L. D. 1467 would unify the dates statewide of salary increases of county officials. The bill as passed by the other body now carries with it an amendment, S-183. This amendment in effect approves the measure but says let's put it off until the next biennium. The House, before this morning's action, insisted on its former action on May 8th and voted to join a Committee of Conference on May 10. In view of these facts, I believe the amendment should be defeated, and the House should stand with its former decision to join the Committee of Conference, and I hope we so vote.

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

Mr. HAMMOND: Mr. Speaker, I arise to support the motion of the gentlewoman from Chelsea, Mrs. Shaw. This matter was gone over very carefully in the Committee which heard this bill and I sincerely trust that the House will go along with its former action.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: This wouldn't be the first time that I have opposed increases, not only for county salaries but other things.

Now in substance what we are trying to do I think is this. We are elected to the Legislature. We are not able to raise our own pay. I don't think we should be. On the other hand, these people that run for county offices, most of them are very devoted people and certainly all of them know when they are running for public office what

the office pays. Now it happens that in some counties, at least the one I live in, where only a few days after they are elected they ask for increase in pay. Now I think this Senate Amendment takes care of that if my understanding is right, it merely says that — it doesn't deny the increase, but it puts it off until they are re-elected. It does a little better than that, because in some cases where our county commissioner is elected for a long period of time, it merely says that he will only have to wait until 1965 for his increase. Now I think it is fair and just. These people, we have many devoted people running for these public offices knowing what the office pays, certainly knowing, and I think it is wrong for them as soon as they are elected and assume office to ask for an increase in pay, and this means raising county budgets and I don't believe it is called for, and it is so not all of them ask for raises, but when you start giving them to one, we end up giving raises clear across the board. I think this Senate Amendment, Section 2 in this Senate Amendment S-183 says effective date shall become effective January 1, 1965, and it seems like a very reasonable amendment and I hope that we do not reconsider our action that we took this morning. Thank you.

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

Mrs. SHAW: Mr. Speaker, Ladies and Gentlemen of the House: For once I believe the Towns and Counties Committee concurs with the gentleman from Enfield, Mr. Dudley, but the gentleman misunderstands the amendment. The amendment would not do what he says it will do. The amendment will in effect put off all salary decisions until the next biennium, and which would mean that all salaries that we enact this session can be retroactive to January 1, 1963, and this is what the Committee did not intend for the bill to do. The Committee felt that as Mr. Dudley, the gentleman from Enfield said, that salary increases should not be granted to newly elected officials, but neither did they want

to deny salary increases to those officials who were now in office. And so the bill itself would make salary increases effective one year — let's see, it would be the January 1st of the year after Legislature adjourns. In other words, all salary increases for county officials would be effective January 1, 1964. If this amendment passes, this bill would not go into effect until 1965 and salary increases would not be set until 1964, so it is quite a mixed-up sort of a procedure, but with this amendment it would not do what the gentleman from Enfield, Mr. Dudley, says he would like to have done.

The SPEAKER pro tem: The Chair recognizes the gentleman from Skowhegan, Mr. Wade.

Mr. WADE: Mr. Speaker, I move for indefinite postponement of this L. D. and all its accompanying papers.

The SPEAKER pro tem: The question now before the House is the motion of the gentleman from Skowhegan, Mr. Wade, that the man from Madawaska, Mr. Levesque.

Mr. LEVESQUE: Mr. Speaker, Ladies and Gentlemen of the House: In looking over the Senate Amendment S-183, I find as the gentlewoman from Chelsea, Mrs. Shaw, pointed out, and if my reading is correct, it reads thus: Further amend said Bill by inserting at the end, a new section, as follows: Section 2, Effective Date. This act shall become effective January 1, 1965. Now if that is not what the gentleman from Enfield, Mr. Dudley has stated, I fail to understand English that is written in black and white, that the effective date shall become effective January 1, 1965. Thank you.

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

Mr. CURTIS: Mr. Speaker, Ladies and Gentlemen: Since the 96th Legislature this has been going on, and I don't know as we can do anything about it today, it has been tried before, but it has been going on and on and on until the county people are about the best paid for what they do of anybody in the state. There don't seem to be much that can be done; perhaps nothing

can be done here today, but I think the gentleman who moved the indefinite postponement is right. In fact back amongst the people themselves, they are so disgusted with the raises that we keep giving these people that there is quite a movement going on to do away with county government entirely. Now I think that would be bad. I think there is a place for county government and I would hate to see it done away with, but I am just worried and disturbed about the way the people back home feel. I think if we could kill this thing now and stop this everlasting raise, raise, raise; I know just one year the sheriff in our county was increased \$1900 and that's a lot of raise in one year, and I would hope you would support the gentleman for indefinite postponement.

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

Mr. JALBERT: Mr. Speaker, I move this item lie on the table until Friday, May 17.

The SPEAKER pro tem: The question now before the House is the motion of the gentleman from Lewiston, Mr. Jalbert, that this Bill be tabled and specially assigned for Friday, May 17. Is this the pleasure of the House?

(Cries of "No")

Mr. Jalbert of Lewiston asked for a division.

The SPEAKER pro tem: A division has been requested. All those in favor of the tabling motion will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Sixty-four having voted in the affirmative and thirty-seven having voted in the negative, the tabling motion did prevail.

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

HOUSE REPORT—Ought to pass — Committee on Appropriations and Financial Affairs on Resolve, Providing Funds to the Washington County Development Authority for Development of Recreational Areas. (H. P. 565) (L. D. 804)

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

Pending—Acceptance of Report. Thereupon, the "Ought to pass" Committee Report was accepted, the Resolve read once and tomorrow assigned.

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

AN ACT relating to Eligibility of Trustees as Directors of Trust Companies. (H. P. 657) (L. D. 913)

Tabled—May 7, by Mr. Gill of South Portland.

Pending — Passage to be Enacted.

On motion of Mr. Childs of Portland, retabled pending passage to be enacted and specially assigned for Thursday, May 16 on a viva voce vote.

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

AN ACT relating to Motor Vehicle Registration Plates. (S. P. 569) (L. D. 1514)

Tabled—May 7, by Mr. Smith of Bar Harbor.

Pending—Passage to be Enacted.

Thereupon, having been reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

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

Bill "An Act to Regulate Sewer Utilities." (H. P. 487) (L. D. 689) House "A" (H-329)

Tabled—May 8, by Mr. Bernard of Sanford.

Pending — Passage to be Engrossed.

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

Mr. BERNARD: Mr. Speaker, I tabled this bill last week in order to present this amendment, and I offer House Amendment "B" to House Amendment "A" and I would like to speak to the motion.

The SPEAKER pro tem: The gentleman from Sanford, Mr. Bernard, moves that we suspend the rules whereby we may reconsider the adoption of House Amendment "A" which was adopted on May

8. Is this the pleasure of the House?

Mr. BERRY of Cape Elizabeth: Mr. Speaker?

The SPEAKER pro tem: Are you objecting to the suspension of the rules?

Mr. BERRY: I wish to speak on the motion of suspending the rules.

The SPEAKER pro tem: The suspension of rules is not a debatable matter. All those in favor of suspending the rules will say aye; those opposed, no. Suspension of the rules requires a two-thirds vote of the members present. The Chair will order a division on the motion to suspend the rules. Those in favor of suspension of the rules will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Sixty having voted in the affirmative and forty-three having voted in the negative, the motion did not prevail.

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

Mr. BERNARD: Mr. Speaker, I make a motion to indefinitely postpone this bill and all its accompanying papers.

The SPEAKER pro tem: The question now before the House is the motion of the gentleman from Sanford, Mr. Bernard, to indefinitely postpone this bill and all its accompanying papers.

Mr. Berry of Cape Elizabeth then asked for a division.

The SPEAKER pro tem: A division is ordered.

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

Mr. TAYLOR: Mr. Speaker, as a member of the Public Utilities Committee and having heard the pros and cons of this measure and the strong opposition to this bill that was proposed from numerous communities throughout the state, and having read and studied on it further, I am strongly of the opinion that this bill only serves to add more restrictions to a well-governed form of utilities that we pres-

ently have. The federal government has many restrictive clauses on all sewage districts when government money is involved—and no time in building sewers and getting appropriated moneys is always federal money involved, resulting in all districts finding it necessary to abide by federal rules and restrictions which are very effective.

Now it is the opinion of most towns and sewer districts that with this added restriction that this bill calls for, it would only serve to confuse and duplicate in every way the work of the districts and the cities and towns involved, and no good can be obtained from this bill. I go along with my colleague from Sanford in asking for indefinite postponement of this bill and hope that the members of the House will vote accordingly. Thank you.

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

A division of the House was had.

Sixty-three having voted in the affirmative and fifty having voted in the negative, the motion to indefinitely postpone did prevail.

Thereupon, the Bill and accompanying papers were indefinitely postponed and sent up for concurrence.

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

SENATE REPORT — Ought to Pass in New Draft (S. P. 585) (L. D. 1542)—Committee on Legal Affairs on Bill "An Act to Revise the Boating Law and Extend Boat Registration and Safety Law to Cover Coastal Waters." (S. P. 299) (L. D. 872)—In Senate Engrossed with Senate "A" and "B" (S-209 and 220)

Tabled—May 10, by Mr. Prince of Harpswell.

Pending—Acceptance of Report.

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

Mr. PRINCE: Mr. Speaker, Members of the House: In the process of studying this long bill, Legisla-

tive Document 1542, the title of which is "An Act to Revise the Boating Law and Extend Boat Registration and Safety Law to Cover Coastal Waters," and the process of studying the amendments, I cannot see that this bill provides for anything except an added tax to our fishermen and boat dealers, and a lot of red tape. However, Amendment "B" does exclude boats over 26 foot; Amendment "A" excludes boats for hire. In other words, the tax would come on boats from 26 feet down and they are already taken care of by the United States Coast Guard, and I can see that this bill provides nothing as far as extra protection is concerned to the citizens of Maine.

Therefore, I move that this bill and its accompanying papers will be indefinitely postponed.

The SPEAKER pro tem: The Chair now understands the gentleman from Harpswell, Mr. Prince, moves that this Bill and both reports be indefinitely postponed.

The Chair recognizes the gentleman from Eddington, Mr. Gilbert.

Mr. GILBERT: Mr. Speaker, Members of the House: The sole purpose of this bill was to work out the differences between the existing Maine boat law to bring it into conformity with the Coast Guard and the federal law. The bill was in fact drafted with the help of the Coast Guard and the Maine people, and its only purpose is to prevent what has happened in New Hampshire and some other states whereby their law, their individual state law is not in conformity with the federal law and as a result you get a dual registration. This is to eliminate that, and I hope that the motion is defeated.

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

Mr. PRINCE: Mr. Speaker, I appreciate the information from my colleague, but on page five it shows the exemptions, and on page six it shows those who have to pay the fees. Section two, motor boats used primarily by commercial fishermen on coastal waters, \$3.00; dealers or manufacturers certificates of number as authorized in subsection 8, \$10.00. That is the part that I don't quite understand

and would have nothing to do as far as the State of New Hampshire is concerned. Thank you.

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

Mr. YOUNG: Mr. Speaker, I oppose this L. D. number 1542. Right now as it has been said, they are taken care of by the Coast Guard. The fee is \$3.00, and if the state has control of it, it is \$3.00 for every year, every three years, and if the state takes it over there will have to be a new department set up, probably under Sea and Shore Fisheries. There will be an increased cost to the state and after a year or so I'm afraid that the fees will be increased from \$3.00 every year to probably five or ten dollars each year. There will have to be somebody to enforce these regulations, and that will be the way I understand it, it will be the coastal wardens, and the Commissioner of Sea and Shore Fisheries does not have wardens enough now to do the job that they are supposed to do; therefore, he would have to employ more which would be another expense, and I support the motion of the gentleman from Harpswell, Mr. Prince.

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

Mr. DUDLEY: Mr. Speaker, I would like to support the motion to indefinitely postpone. I believe most legislation we have a reason for passing it. In other words, there is a need for it. I see absolutely no need for this legislation. Therefore, I hope that the motion to indefinitely postpone does prevail.

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

Mr. COTE: Mr. Speaker, at the hearing on this bill there was only one opponent. The Department of Inland Fisheries and Game were for it, those people interested in real good boating were for it. At the hearing all the proponents of the bill, it seemed to me that it was a revenue for the State of Maine. The only thing that this bill really does is to transfer those same monies we have to pay out for

licenses from the federal government which will be transferred to the State of Maine. As was pointed out to us, it would be an annual revenue of about between \$60,000 and \$65,000 which is now paid into the federal government. It seems that the Coast Guard want to go out of this phase of licensing, and they would like to see the states do it. They are going to still keep patrolling the areas for the protection of the boatmen as though it was, but the way I understood the bill, and why I voted for it, I felt that this was one of the very few bills in this legislature that was a revenue producing bill, and it was just they were paying the same fee, the way I understood, to the federal government, the only difference will be that they will be paying it to the State of Maine.

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

Mr. YOUNG: Mr. Speaker, I don't think there's any money in the deal. If there was, I don't think the Coast Guard would be willing to give it up to the state.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Harpswell, Mr. Prince, to indefinitely postpone the bill and reports.

Mr. Boissonneau of Westbrook then requested a division on the motion to indefinitely postpone.

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

A division of the House was had. Sixty-six having voted in the affirmative and forty-eight having voted in the negative, the motion to indefinitely postpone did prevail.

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

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

HOUSE REPORT—Ought not to pass covered by other Legislation—Committee on Towns and Counties

on Bill "An Act relating to Compensation of Special Deputy Sheriffs." (H. P. 796) (L. D. 1149)

Tabled—May 10, by Mr. Pease of Wiscasset.

Pending—Motion of Mrs. Shaw of Chelsea to Recede and Concur in Substituting Bill for Report.

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

Mr. RUST: Mr. Speaker, Ladies and Gentlemen of the House: The pending motion is the motion to recede and concur. However, the report is an "Ought not to pass" Report as covered by other legislation, and the sum and substance of this particular legislative document is in L. D. 1549 which was passed to be engrossed in the House on Friday. On that basis, I would see no need for this legislation, and I would move it be indefinitely postponed. I request a division.

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

Mrs. SHAW: Mr. Speaker and Members of the House: This amendment passed by the Senate would cover a certain piece of legislation which would affect Kennebec County alone, and which would enable the Kennebec County Sheriffs' Department to provide social security for its deputies, and for that reason as it will not affect any other county in the state, I move that the Bill be substituted for the report and that the House recede and concur with the Senate.

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

Mr. RUST: Mr. Speaker, would the Clerk read the amendment please.

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

SENATE AMENDMENT "A" to H. P. 796, L. D. 1149, Bill, "An Act Relating to Compensation of Special Deputy Sheriffs."

Amend said Bill in the title by striking out all of said title and inserting in place thereof the following new title: 'An Act Declaring Sheriffs to be Policemen for Purposes of Social Security.'

Further amend said Bill by striking out everything after the enacting clause and inserting in place thereof the following:

“R. S., c. 65, § 1, amended. Section 1 of chapter 65 of the Revised Statutes, as last repealed and replaced by section 65 of chapter 429 of the public laws of 1957 and as amended by chapter 38 of the public laws of 1961, is further amended by adding at the end the following sentence:

‘For the purposes of bringing sheriffs and their deputies under social security, these law enforcement officers shall be deemed policemen.’”

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

Mr. RUST: Mr. Speaker, I wasn't aware of the amendment, and I now withdraw my motion to indefinitely postpone.

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

Mr. LEVESQUE: Mr. Speaker, Ladies and Gentlemen of the House:

For the purpose of information for House members only, the only county that is left out of this bill, 1149, is Cumberland County. The first few lines of the bill, the sheriffs of all counties shall respectfully appoint full-time deputy sheriffs. It has no reference specifically to only one county.

The SPEAKER pro tem: The question now before the House is the motion of the gentlewoman from Chelsea, Mrs. Shaw, that the House recede and concur with the Senate in substituting the Bill for the Report. Is this the pleasure of the House?

The motion prevailed.

Thereupon, the Bill was substituted for the Report and the Bill read twice. Senate Amendment “A” was read and adopted in concurrence and the Bill assigned for third reading tomorrow.

On motion of Mr. Tyndale of Kennebunkport,

Adjourned until nine-thirty o'clock tomorrow morning.