

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 28, 1963

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

Prayer by the Rev. Mr. Christopher Ives of Hallowell.

The journal of yesterday was read and approved.

**Papers from the Senate
Tabled**

From the Senate: The following Order:

ORDERED, the House concurring, that the Legislative Research Committee is directed to study the printing requirements of the State, and the cost thereof, to determine the need, if any, for improvement in printing services and for the purpose of promoting economies in the same; and be it further

ORDERED, that the Committee report the results of its study to the 102nd Legislature (S. P. 611)

Came from the Senate read and passed.

In the House, the Order was read. (On motion of Mr. Wellman of Bangor, tabled pending passage in concurrence and unassigned.)

**Senate Reports of Committees
Leave to Withdraw**

Covered by Other Legislation

Report of the Committee on Towns and Counties on Bill "An Act Increasing Salaries of County Officials of Hancock County" (S. P. 73) (L. D. 123) reporting Leave to Withdraw as covered by other legislation.

Report was read and accepted and sent up for concurrence.

On motion of Mr. Jalbert of Lewiston, Senate Reports Leave to Withdraw Items 3 through 11, being identical reports, were accepted without further reading.

Report of Committee on Towns and Counties on Bill "An Act Increasing Salaries of County Officials of Lincoln County" (S. P. 195) (L. D. 494) reporting Leave to Withdraw as covered by other legislation.

Report of same Committee reporting same on Bill "An Act Increasing Salaries of Certain County Officials of Somerset County" (S. P. 303) (L. D. 876)

Report of same Committee reporting same on Bill "An Act Increasing Salary of Judge of Western Somerset Municipal Court" (S. P. 342) (L. D. 1007)

Report of same Committee reporting same on Bill "An Act Increasing Salaries of County Officials of Penobscot County" (S. P. 378)(L. D. 1044)

Report of same Committee reporting same on Bill "An Act Increasing Salaries of Treasurer and Deputy Treasurer of Cumberland County and Certain Municipal Court Judges in Cumberland County" (S. P. 402) (L. D. 1105)

Report of same Committee reporting same on Bill "An Act Increasing Salary of Clerk of Courts of Androscoggin County" (S. P. 406) (L. D. 1109)

Report of same Committee reporting same on Bill "An Act Increasing Salaries of Certain County Officials of Androscoggin County" (S. P. 407) (L. D. 1110)

Report of same Committee reporting same on Bill "An Act Increasing Salaries of the County Attorneys and the Assistant County Attorneys" (S. P. 436) (L. D. 1179)

Report of same Committee reporting same on Bill "An Act Increasing Salaries of Officials of Piscataquis County" (S. P. 465) (L. D. 1292)

Came from the Senate read and accepted.

In the House, the Reports were accepted in concurrence.

Ought Not to Pass

Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Bill "An Act Extending Duration of Subsidy for Newly Formed School Administrative Districts" (S. P. 92) (L. D. 229)

Report of same Committee reporting same on Bill "An Act Appropriating Moneys to the Employment Security Commission to Match Federal Funds under Manpower Development and Training Act of 1962" (S. P. 224) (L. D. 608)

Came from the Senate read and accepted.

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

Divided Report Tabled and Assigned

Majority Report of the Committee on Judiciary on Bill "An Act relating to Percentage by Weight of Alcohol of Blood of Operators of Motor Vehicles" (S. P. 275) (L. D. 789) reporting same in a new draft (S. P. 607) (L. D. 1571) under same title and that it "Ought to pass"

Report was signed by the following members:

Messrs. FARRIS of Kennebec
CAMPBELL of Kennebec
BOARDMAN of Washington
— of the Senate.

Messrs. THORNTON of Belfast
KNIGHT of Rockland
CHILDS of Portland
PEASE of Wiscasset
SMITH of Bar Harbor
— of the House.

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

Report was signed by the following members:

Messrs. RUST of York
BERMAN of Houlton
— 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 Mr. Jalbert of Lewiston, tabled pending acceptance of either report and specially assigned for Monday, June 3.)

Non-concurrent Matter

Bill "An Act Amending Certain Provisions of the Employment Security Law" (S. P. 453) (L. D. 1345) on which the House accepted the "Ought not to pass" Report of the Committee on Labor, as covered by other legislation, in non-concurrence on May 23.

Came from the Senate with that body voting to insist on its former action whereby the Bill was passed to be engrossed as amended by Senate Amendments "A" and "B"

and asking for a Committee of Conference.

In the House: On motion of Mr. Gifford of Manchester, the House voted to insist on its former action and join the Senate in a Committee of Conference.

Non-Concurrent Matter

Bill "An Act Revising the Maine Employment Security Laws" (H. P. 778) (L. D. 1151) which was passed to be engrossed as amended by Committee Amendment "A" in the House on May 22.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

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

Mr. MENDES: Mr. Speaker, I move that we recede and concur, and request a division.

The SPEAKER: The gentleman from Topsham, Mr. Mendes, moves that the House recede from its former action and concur with the Senate. Is that the pleasure of the House?

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

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

The SPEAKER: Receding and concurring having precedence, a division has been requested. All those in favor of receding from our former action and concurring with the Senate, will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

The SPEAKER: Fifty-five having voted in the affirmative and forty-seven having voted in the negative, the — the Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker, I move we have a roll call.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call, it must have the expressed desire of one-fifth of the membership present. All those desiring a roll call, will please rise and remain standing until the monitors have made and returned the count.

An insufficient number arose.

The SPEAKER: The roll call is not ordered. There are an insufficient number desiring a roll call.

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

Mr. MENDES: Mr. Speaker, I move that we reconsider our action, and hope that you will vote against me.

The SPEAKER: The gentleman from Topsham, Mr. Mendes, moves that the House reconsider our action whereby we receded and concurred with the Senate.

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

Mr. JALBERT: Mr. Speaker, on this motion, I call for the yeas and nays. Is the measure debatable, Mr. Speaker?

Mr. Speaker, this is a measure that we passed a few days ago. This House was in favor of this measure. I am calling for a roll call now because I want again to have the count taken.

The SPEAKER: Does the gentleman request another count of the people in their seats?

For the Chair to order a roll call on the motion to reconsider, it must have the expressed desire of one-fifth of the membership present. All those desiring a roll call, will please rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

The SPEAKER: Obviously, more than one-fifth having expressed a desire for a roll call, a roll call is ordered.

The Chair will restate the question. The pending question is the motion of the gentleman from Topsham, Mr. Mendes, that the House reconsider its action whereby it receded from its former action and concurred with the Senate in the indefinite postponement of Bill "An Act Revising the Maine Employment Security Laws," House Paper 778, Legislative Document 1151. All those in favor of reconsidering our action, will answer "yes" when his name is called. All those opposed to reconsideration, will answer "no" when his name is called. The Clerk will call the roll.

ROLL CALL

YES — Albair, Anderson, Orono; Ayoob, Baldic, Bedard, Berman, Binnette, Birt, Blouin, Boissonneau, Bourgoin, Burns, Bussiere, Childs, Cookson, Cote, Cottrell, Coulthard, Crommett, Dennett, Dostie, Dudley, Edwards, Ewer, Finley, F o s t e r, Gallant, Gifford, Gill, Giroux, Gustafson, Hanson, Harrington, Hendricks, Hendsbee, Hobbs, Hutchins, Jalbert, Jameson, Jobin, Karkos, Kilroy, Lebel, Levesque, Littlefield, Lowery, McGee, Nadeau, Osgood, Pierce, Pitts, Poirier, Prince, Harpswell; Prince, Oakfield; Rand, Reynolds, Ricker, Ross, Brownville; Roy, Rust, Scott, Smith, S t r o n g; Susi, Taylor, Thaanum, Thornton, Turner, Tyndale, Wade, Waltz, Waterman, Wellman, Whitney, Wood.

NO — Anderson, Ellsworth; Benson, Berry, Boothby, Bradeen, Bragdon, Brewer, Brown, Fairfield; Carter, Chapman, Choate, C r e s s e y, Crockett, Davis, Denbow, D r a k e, Dunn, Easton, Gilbert, Hammond, Hardy, Hawkes, Henry, Humphrey, Jewell, Jones, Kent, Knight, Laughton, Libby, Lincoln, Linnekin, MacLeod, MacPhail, Maddox, Mathieson, Meisner, Mendes, M i n s k y, Mower, Norton, Oakes, Oberg, Osborn, Pease, Philbrick, Rankin, Richardson, Roberts, Ross, Augusta; Sahagian, Shaw, Smith, Falmonth; Snow, Townsend, Treworgy, Vaughn, Viles, Watkins, White, Guilford; Wight, Presque Isle; Williams, Young.

ABSENT — Bernard, B r o w n, South Portland; Cartier, Cope, Curtis, MacGregor, Noel, O' L e a r y, Plante, Smith, Bar Harbor; Tardiff, Ward, Welch.

Yes, 74; No, 63; Absent, 13.

The SPEAKER: Seventy-four having voted in the affirmative, sixty-three having voted in the negative, with thirteen being absent, the motion to reconsider does prevail.

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

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

The SPEAKER: The pending question before the House is the motion of the gentleman from Topsham,

Mr. Mendes, that the House recede and concur. All those in favor will please say yes; those opposed, no.

A viva voce vote being taken, the motion to recede and concur did not prevail.

Thereupon, on motion of Mr. Jalbert of Lewiston and on a viva voce vote, the House voted to insist on its former action and request a Committee of Conference.

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

Orders

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

WHEREAS, the House has learned with deep sorrow of the death of the infant son of Representative Keith H. Anderson of Orono; now, therefore, be it

ORDERED, that this House extend its sincere and heartfelt sympathy to Representative and Mrs. Anderson.

Mr. Sahagian of Belgrade was granted unanimous consent to briefly address the House.

Mr. SAHAGIAN: Mr. Speaker, Ladies and Gentlemen of the House: I proudly arise today to bring to mind the heroism of the people from whom I proudly derive my parentage—the Armenian nation. You will forgive me for doing this because during these days our Armenian American neighbors nation-wide are commemorating the 45th anniversary of the founding of the Armenian Independent Republic on May 28, 1918, and are taking inspiration from that event for the grim struggle of reliberation which again faces these brave people.

To peer back into history in this regard would be instructive.

In 1915, exploited, abused and persecuted, the Armenian nation, chattels of the Ottoman Turk from 1375, were dealt what was meant to be a final blow by their oppressors. In perhaps the fiercest genocidal operation mankind has ever

seen, the Turks systemically put the Armenians to the sword, sacrificing more than 1,500,000 innocent victims to their militant gods.

But the nation that suffered this terrible blow which destroyed almost overnight the flower of the nation refused to curl up and die—and here is the story from which we take hope, instruction and inspiration.

In 1917, Germany's ally, Turkey, was in a grim war for survival against the armies of Tsarist Russia. With the Russian army were Armenian contingents recruited from all over the world — young men who had returned to the parental homeland to requite a measure of revenge for what the Turk had done to their compatriots.

When the Communist Revolution erupted in Russia, Lenin, leader of the victorious Bolsheviks, immediately withdrew the Russian military units from all fronts. In Turkey the vast strategic Caucasian front, of such enormous interest to the Allied powers which had been lately joined by the United States, was denuded of Russian contingents.

The Armenian units however refused to disband. Led by the great Dashnakstakan party, the anti-Communist Armenian Revolutionary Federation, these units were molded into a hard-hitting, well-led army. Although enormously outnumbered by the Turko-German force that faced it, the Armenian army skillfully waged a withdrawal of attrition until on May 20-28, in a series of battles fought in eastern Armenia and on terms dictated by the tactical prowess of the Armenian forces, the Turkish army was thrown into a final and precipitous rout.

The Armenian nation, having defeated its age-old enemy on the honorable field of battle, immediately declared itself a free and sovereign nation thus giving Armenia its first native free civil government since 1375.

If the mighty battles in eastern Armenia fought by David against Goliath are not sufficiently instructive and inspirational what then can we say for the astonishing fact that here was a nation, which in 1915 had lost more than a quarter

of its whole, that rebounded from the shadow of the grave to field an army and but three short years later met its enemy and defeated him so thoroughly as to constrain the Turk to be the first of all nations to recognize the independence of Armenia.

Often, when I recall the glorious achievement of May 28, 1918, I ask myself why is it that there are some people in these mighty United States who are so craven as to indicate some fear of the Soviet. I ask my distinguished colleagues to note that the event of the establishment of the Independent Republic of Armenia was not without its direct impact on the safety and security of the free world and on the ultimate victory of the United States and its Allies in World War I.

Early in that war, well aware of the strategic importance of the Armenian front as well as the priceless natural resources which would be made available to the Central Powers should that area fall to their forces, Germany dispatched to Turkey one of the most brilliant of its Prussian generals, Liman von Sanders, to lead the Turkish forces to the gates of the Caucasus. The Turkish army, led by its German officers, would have achieved its objectives if the young Armenian manhood had withdrawn from the front along with the Russians in 1917. Instead, in defeating the Turks, the Armenians (referred to by President Wilson as the 'Little Ally' of the Allies) prevented the Turks from seizing the oil fields of Baku, an event which, in the testimony of Generals Ludendorff and von Sanders as well as such Allied leaders as Clemenceau, Generals Haig and Allenby and General Pershing, prevented needed petroleum from reaching the Kaiser's armies in Europe thus materially shortening the war and ensuring the Allied victory in that great conflict.

It distresses me to report, however, that the free Armenian state, which was almost immediately recognized by the United States, two years later was to fall the first victim of Soviet Communist aggression. The Red Army destroyed the sover-

eignty of mighty little Armenia as the Western powers twiddled their thumbs and tried to straighten out their little family quarrels. The sum total of this shortsightedness is that Armenia, instead of being a strong and resolute ally of the West facing the Soviet Union, is today a part of that Soviet Union, fettered, chained, restless and in bondage—one of the tragic group of "captive nations" of Communism.

To properly remember the achievement of May 28, 1918, and to give hope to the great people of Armenia in bondage today that some day they will once again throw off their chains, I offer the following Resolution and move its passage.

Thereupon, Mr. Sahagian of Belgrade presented the following Resolution and moved its adoption:

STATE OF MAINE HOUSE RESOLUTION

WHEREAS, Armenian Americans nationwide are these days marking the forty-fifth anniversary of the establishment of the Independent Republic of Armenia, a nation conceived of the resolute determination of the Armenian people to prevent the enemies of the West and of freedom from securing the resources of Caucasian Armenia; and

WHEREAS, the event of the anniversary of the Independent Republic of Armenia is of a nature to inspire the American people to added efforts to preserve their own freedom and that of the free world; and

WHEREAS, the deserving Armenian nation became the first victim of Soviet aggression and was forcibly incorporated into the Federal structure of the Soviet empire; and

WHEREAS, it has ever been the tradition of the American nation to offer hope and succor to those nations which aspire to throw off their colonial bonds in order to reaffirm their status as a free and sovereign nation under God; and

WHEREAS, today in Washington there is a growing awareness of the problem of the captive nations as one intimately tied to the peace and the security not only of the United States but of the free world; we therefore,

RESOLVE, that the good people of the sovereign State of Maine are enjoined to remember the heroism of the Armenian nation in 1918, and during this week of May 28, 1963 take steps to inform their federal representatives of the sympathy of the American people to the cause of the captive nations of the USSR, of which Armenia is one; and that the establishment and maintenance of a Special Committee on Captive Nations from the House of Representatives, long proposed by friends of the captive nations in Congress, be achieved so that the American people may be given the opportunity to learn of the true nature of the captive nations' problem in context with the best interests of the security of the United States and the free world, and that

RESOLVE, the people of the sovereign State of Maine congratulate and commend their Armenian American neighbors on the occasion of the happy anniversary of Armenian Independence Day.

The Resolution was adopted.

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

Mr. **GILL**: Mr. Speaker, may I inquire if we still have in possession of the House, "An Act to Increase the Salaries of Certain Department Heads Elected by the Legislature," Senate Paper 548, Legislative Document 1480?

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

Mr. **GILL**: Mr. Speaker, Ladies and Gentlemen of the House: I would now move that we reconsider our action by which we passed this Bill to be engrossed.

The **SPEAKER**: The gentleman from South Portland, Mr. Gill, moves that the House reconsider its action whereby Legislative Document 1480 was passed to be engrossed on May 27. Is that the pleasure of the House?

The motion prevailed.

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

Mr. **GILL**: Mr. Speaker, I now move that we reconsider our action

whereby House Amendment "B" was indefinitely postponed.

The **SPEAKER**: The gentleman from South Portland, Mr. Gill, now moves that the House reconsider its action whereby House Amendment "B" was indefinitely postponed. Is that the pleasure of the House?

The motion prevailed.

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

Mr. **GILL**: Mr. Speaker, I now move that we adopt House Amendment "B."

The **SPEAKER**: The gentleman from South Portland, Mr. Gill, now moves that the House adopt House Amendment "B." All those in favor will please say aye; those opposed, no.

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

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

Mr. **GILL**: Mr. Speaker, I would like to suggest to the members of the House that they consider this amendment which is an increase for the State Treasurer of our state. I voted on the prevailing side yesterday in voting to indefinitely postpone this matter. However, after giving it more consideration, I believe this particular matter should be passed at this time. I would request a division at the time the vote is taken.

The **SPEAKER**: All those in favor of adopting House Amendment "B," will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Sixty-one having voted in the affirmative and fifty having voted in the negative, the motion to adopt House Amendment "B" did prevail.

Thereupon, House Amendment "B" was adopted, and the Bill passed to be engrossed as amended by House Amendment "B" in non-concurrence and sent to the Senate.

House Reports of Committees Divided Report

Majority Report of the Committee on Education reporting "Ought not to pass" on Bill "An Act Permitting Municipalities Choice of Grades

in Forming School Administrative Districts" (H. P. 801) (L. D. 1188)

Report was signed by the following members:

Messrs. BROOKS of Cumberland
WHITTAKER of Penobscot
HICHBORN of Piscataquis
— of the Senate.

Messrs. McGEE of Auburn
TREWORGY of Gorham
LEVESQUE of Madawaska
EASTON of Winterport
BRADEEN of Waterboro
— of the House.

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

Report was signed by the following members:

Messrs. SNOW of Jonesboro
CURTIS of Bowdoinham
— of the House.

Reports were read.

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

Mr. KENT: Mr. Speaker, Ladies and Gentlemen of the House: You have before you this morning a bill, 1188, permitting municipalities a choice of grades in forming a school administrative district. The first part of this bill reduces the requirement from 300 to 250, the number which is required to form a school administrative district without permission of the Legislature. In that category, I would say to you this that the number of districts on the secondary level now which have formed with the enrollment under 300 and which have had permission from the Legislature, is fourteen districts. Three of these between the number of 300 and 250.

The next part of this change, it allows, with this amendment, towns of two or more to form a district either from sub-primary through grades 12 or if they so desire just on the secondary level, of grades 9 through 12. In other words, to form a district on the high school level only. I would like to tell you why this bill was presented.

Back in 1957 the Town of Benton and the Town of Fairfield tried to join, soon after this Sinclair Act went into effect, into a district, and at that time we had built a con-

solidated school of eight classrooms and an all-purpose room, and we found the people did not want to give up control of their grammar school. After this, I thought many times why was this not allowed if the towns wanted to join in a high school, why were they not provided this privilege in the Sinclair Act. I also noticed as time went by that when your people from the Department of Education spoke, that they always based their proposals for joining the Sinclair Act the group of towns, that it was the small high school that was the trouble, and it was the small high school which caused so many more drop-outs, and it was the problem and the reason why that the Sinclair Act was first initiated. Only the other day as I read in the paper Dean Mark Shibles from the University of Maine spoke to a group of people, and he noted the number of small high schools which was in effect, and he blamed this on the drop-outs. And as I have talked with different people over the state, I find that in a great many instances they would like to be able to form this district on the high school level and still maintain control of their grammar schools; not have their children, these small children conveyed from town to town — transported, but that they would like to be able to form a district on the high school level.

Now, it was very obvious when I came down here and talked with the Department of Education that they did not want this, because they wanted to have the whole thing go through and control right down to the sub-primary grade.

I say to you ladies and gentlemen, this is a permissive piece of legislation. If towns so desire, they may form a district clear down through to the sub-primary grade, but if it so warrants and they feel that they want to form a district on a high school level, under this Act, they would have the authority to do so.

This received, in committee, people from all over the State of Maine. They came in here and spoke for this bill. Way up in the other side of Bangor in Washington County and Sorrento, superintendents, we had a member of the

School District Commission who spoke for it. We had members of this House who came in and spoke for it, and the hearing room was really filled; while the minority opponents to the thing were strictly confined to the Department of Education and one or two superintendents. I think the committee would certainly vouch for this this morning that when they were asked for the proponents and opponents to stand, that the room was filled with proponents of this bill.

I do not feel that this is a bill damaging in any way to the Sinclair Act, and also I feel it is a move of economy as far as dollars are concerned in the State of Maine. For instance, if they desire to form this district on a high school level only with two or more towns, this means that the State of Maine will not be obligated to put any money in toward building elementary schools whatsoever. This actually is an economy move as far as the State of Maine is concerned, because many of your districts formed with two or more towns, some as high as eleven towns, supposing that a consolidated grammar school had to be built in each one of these towns, this would be eliminating the responsibility of the State of Maine for their part in it.

I am very concerned over this piece of legislation and I believe it is a move not that will hurt the Sinclair Act, but will help the Sinclair Act, and something that will give the people of the State of Maine a chance to do what they want to do, and not be confined to take this whole package unless they so desire.

I think before I say anything more on this bill, I know there will be opponents to it, and I would rather I think wait and maybe have a chance to speak again on it after I find what may be said. I move to accept the Minority "Ought to pass" Report with the Committee Amendment.

The SPEAKER: The Chair recognizes the gentleman from Waldoboro, Mr. Waltz.

Mr. WALTZ: Mr. Speaker, Ladies and Gentlemen of the House: I arise in support of the motion of the representative from Benton, Mr. Kent. To those of you who are al-

ready participating in a school administrative district or coming from a metropolitan area, this particular thing offers no problem to you, but believe me out in the rural areas the situation is acute. Permit me if I may to cite the instance of my home town of Waldoboro. Shortly after the Sinclair Act became effective, we endeavored in our area to form an administrative district. There were one or two things of importance down there that prevented us from so doing. One, at that particular time it was felt that to transport these little tots in the elementary grades quite some distance to a consolidated school, would not be satisfactory. Two, and believe this or not as you will, there was one town down there that was free from debt, and they were extremely reluctant to participate in a consolidated school whereby they would have to assume some of the obligations of the less fortunate towns who were in debt.

Our high school in Waldoboro was built over twenty-five years ago. As of the moment it is barely adequate. Tomorrow, it will be obsolete. We are definitely interested in forming a secondary school provided the number required is reduced from 300 to 250. In that way, these towns or this one particular town that I cited that has no debt, would be perfectly happy to participate with us in a high school building whereby they would not go along with us insofar as a strict administrative district is concerned.

I know that everyone in this House is definitely interested in seeing that all of our youngsters in our state have equal educational opportunities. I think that Bill, 1188, provides this opportunity, and I urge all of you, whether or not you are interested in a school of this nature in your own community or whether or not you already have that particular setup, to go along with us in accepting the Minority Report. When the vote is taken, I ask for a division.

The SPEAKER: The Chair recognizes the gentleman from Dexter, Mr. Harrington.

Mr. HARRINGTON: Mr. Speaker and Members of this House: This is a good bill. It's good because it

allows towns to share the load of the high school, and as we listen to the Education Department, we find that that's where they are interested in consolidating. I will not elaborate on it. It has already been very well covered by the two previous gentlemen, but I certainly hope that you will —to help the small towns that need this, I hope that you will go along with accepting the "Ought to pass" Report with Committee Amendment "A."

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

Mr. EASTON: Mr. Speaker, I find myself in the somewhat anomalous position of agreeing with the Department of Education, and disagreeing with my good friends who have just spoken, and unfortunately, this is the case. This particular bill, as you know, provides for an alternative method of becoming a school district. One may create a school district of high schools alone, or one may create a school district of grammar schools alone. Now I have the greatest of sympathy for the aims of the sponsor of this bill, but I am afraid that in this particular case the game is not necessarily worth the candle.

Let's first look at a combination of schools, a school district on the elementary level. I do not believe that even the most ardent proponents of the district system claim that a combination of schools on the elementary level educationally, necessarily accomplishes a great deal. So I hope we would reluctantly agree that the major purpose of this portion of the proposed statute, would be to increase subsidy through the increased subsidies presently payable to school districts under our Sinclair Act.

With respect to the high school combination, so far as educational advantages are concerned, all of these may now be obtained through the present community school district law. Granted, there is no extra subsidy, but the educational advantages can be and almost by definition would be attained by a bare high school combination through the community school district law.

I am concerned as we all are with our mounting, ever mounting,

education costs through education subsidies. This year our bare current service subsidies alone, the increase is in the neighborhood of seven and seven and one-half million dollars. We may look forward to a similar increase next year.

If this bill passes I fear that the amount of subsidies, extra subsidies we will be paying in the future, will be even more astronomical. If this bill provided for Sinclair Act subsidies to community school districts, I must confess that despite the cost, I would feel it only fair, to favor such legislation. Nevertheless, this is not the case, and for this reason I very reluctantly have signed the "Ought not to pass" Report.

The SPEAKER: The Chair would interrupt debate for just a moment to recognize in the gallery of the House thirteen students from the Dixmont School accompanied by their teacher, Mrs. Smith. These young people are the special guests of Representative Carter of Etna.

On behalf of the House, the Chair will say to you folk that we are delighted that you are interested in seeing your Legislature at work, and we trust that you will enjoy and profit by your visit with us here this morning. (Applause)

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

Mr. YOUNG: Mr. Speaker, I arise in support of this L. D. 1188. In my area we formed a community school district in 1952, and we were one of the first to form a school district or community school district on just the high school level and we were promised nothing and we had no bribes offered us to do it. Now, our school district we consist of six towns. We've taken in two new towns in the last year. It was impossible to form a district under the Sinclair Act because of the distance involved in transporting our small children. Also, we have four new elementary school buildings in the district which would be hard to form a district on account of debts in these towns. The other two towns have no debts so they would be reluctant to go

along and accept the debt of these other four towns, which I don't blame them myself; and we supposed that the Sinclair Law, the purpose of it was to do away with small high schools. They weren't so much concerned about the elementary schools, because they were being taken care of pretty well. I can't add much to what has already been said, but I wholeheartedly agree with the gentleman from Benton, Mr. Kent, and I hope that this motion prevails.

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

Mr. HAMMOND: Mr. Speaker, Ladies and Gentlemen: I arise in support of this bill. I believe it is a good bill, and I believe it will correct what is in my opinion a glaring fault of the so-called, the present Sinclair Act. This will allow a division, a division which will affect and be of benefit to towns which want to join on this level. I believe that this bill will go a long ways toward improving conditions, and I heartily support it.

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

Mr. MCGEE: Mr. Speaker, as a signer of the "Ought not to pass" Report from the Education Committee, I would oppose this motion for this reason, that the most of the desires of the different gentlemen who have spoken in favor of this bill, will be taken care of in the uniform effort bill, and the more bills we add to this school opposition, the more we are going to get mixed up in those other bills. The number in the uniform effort bill required to form a district has been reduced from 700 to 300, and that number alone would allow a lot of these towns for the benefits which they desire this bill, 1188. Therefore, as a signer of the "Ought not to pass" Report, I would oppose this motion and I hope it will be defeated.

The SPEAKER: The Chair recognizes the gentleman from Dexter, Mr. Harrington.

Mr. HARRINGTON: Mr. Speaker and Members of this House: I am, too, reluctant this morning as the gentleman from Winterport, Mr.

Easton, is, and my reluctance stems from a different source. I am reluctant to be involved in school districts at all. I am reluctant to be involved with the incentives that go with it, which I hope stays where it is. But fortunately or unfortunately, I do recognize the fact that there is merit in high school consolidation. It has merits in it. I feel it is just and I feel it is good, and I fail to see why anybody can debate the fact that these towns want to join these districts purely to get their incentive. That is already an established fact. We all know it. The facts are that in my own particular case, I represent two towns that have good — we asked for a district, but you have granted us permission to have — we have three towns up there and two of them have new elementary schools. In our case, the reluctance is going to be the vote that will never be made to pass because the new schools in towns and one of them is out of debt and they don't want to get mixed up with debt-ridden debts of the other two towns. You can't blame them. So I feel if the proponents of the Sinclair Act and the proponents of consolidation, I fail to see why that they wouldn't want this to pass. It would be a step forward. I believe that.

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

Mr. LEVESQUE: Mr. Speaker, Ladies and Gentlemen of the House: As a signer of the "Ought not to pass" Report on this bill, I feel that I am duty bound to get up and say the reason why I signed the Majority "Ought not to pass" Report.

Now you have heard the remarks of the different gentlemen from different areas of the state this morning signifying that this is a good bill. It might very well be a very good bill for some small towns that want to keep their two school systems separate. You would have a school board for your elementary school, and then you would have to have another school board for your school administrative district for your high school. Now these towns are not so big that they would

need two school committees in order to be able to administer the school systems, and certainly under this bill here, if the schools are too small to be consolidated on the overall picture, just what are we trying to get, smaller school unions or smaller school districts which will prove inefficient and uneconomical? Certainly, the gentlemen's arguments are justified that they would like to see some certain consolidations but leave out the rest of it.

In other words, we are leaving it free for the high school to join a school administrative district, yet we are tying the hands of the smaller schools. Certainly if it is good to have the high school in a district, it should be also good to have the school district for the elementary school rather than to have smaller schools and should be able to perform more economically on a school administrative district because of its size. So for the benefit of the members of this House, I signed the Majority "Ought not to pass" Report because this would be dividing our school system into different categories which to my estimation would not be economical at all. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Manchester, Mr. Gifford.

Mr. GIFFORD: Mr. Speaker, Ladies and Gentlemen of the House: I rise in support of the gentleman from Benton, Mr. Kent and of this proposed legislation. In my opinion, this is as the Sinclair Act should have been in the first place. At the time of its enactment, the Legislature faced a high school problem, but for some reason, it chose to carve out a substantially larger educational empire.

Today, the state still faces a high school problem. I believe that this proposal would expedite its solution by eliminating one of the principal objections over the state to the Sinclair Act. I hope that when the vote is taken, the motion of the gentleman from Benton, Mr. Kent, will prevail.

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

Mr. RUST: Mr. Speaker, I rise to ask a question of anyone on the

Education Committee who may choose to answer.

The SPEAKER: The gentleman may state his question.

Mr. RUST: I understand that it is now possible for several communities to join together on the high school level and form what is known as a community high school and I would like to stand corrected if I am wrong.

The SPEAKER: The gentleman from York, Mr. Rust, poses a question through the Chair to anyone who may answer if he chooses.

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

Mr. EASTON: Mr. Speaker, in answer to the question of the gentleman on my right, this is absolutely correct. The major difference of course is that of subsidy. Community school districts which are the high school combinations alone receive no extra subsidies as the Sinclair Act districts do.

The SPEAKER: Is the House ready for the question?

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

Mr. BRADEEN: Mr. Speaker, Ladies and Gentlemen of the House: As one of the eight signers of the Majority "Ought not to pass" Report on this bill, it seems rather fitting and proper that I should make a comment or two. Now it seems to me that we may at the moment be arriving at sort of a crossroads in education here in Maine. You will recall that within the last two weeks, this body has passed in conjunction with the body on the other end of the corridor, a Joint Order. As a matter of fact, two Joint Orders, one having to do with a study of teachers certification and the other having to do with accreditation. Now it is entirely within the bounds of possibility, I might say probability, that you people will be presented with a third Order in the not too distant future, an Order which will involve a study of the provisions of the Sinclair Act itself, and possibly of an entire setup of the Department of Education as we now know it. Personally, I think something of that sort is overdue.

Now in this particular case in connection with this bill, we should

not at the moment in my opinion make any attempt to make any further change in the Sinclair Act until we know what we are doing and in what direction we are going. You have, I think, tabled now one at my request, one at the request of the gentleman from Perham, Mr. Bragdon; two bills having to do with the all-important matter of state subsidy which costs the people of this state about a million and one-half every thirty days. One of those bills is the so-called Cram-Mendes Bill I believe; the other is the Brooks Bill on local uniform tax effort or uniform local effort as I believe it is now called. Those bills will undoubtedly be recommitted to the Committee on Education for further study, as will a bill which will come along in the not too distant future covering a revision of the subsidy as it presently appears, and an amendment removing the footnotes to that particular subsidy bill. Those bills will go to Education for a thorough examination. My thought would be that probably two out of the three would be marked "Ought not to pass," although I am not going to try to look into the crystal ball and see things that aren't there; but that might well be the case. And one bill would come out providing for a new subsidy program. But the thought that I wish to get over to you people this morning is that there are many of us who are profoundly disturbed at the spiraling cost of education in Maine. In the interest of the people who sent us here, before we go to our homes, we hope, we hope to be able to do something about it. I naturally support the Majority Report of our Committee. I thank you.

The SPEAKER: The Chair will interrupt debate for a moment to recognize in the gallery of the House, thirty-five pupils from the seventh grade of the Elm Street School of Mechanic Falls, accompanied by their Principal, Mr. Fernald; teacher, Mr. Bangors, and three mothers. These are the special guests of Representative Foster of Mechanic Falls.

Also, forty-five pupils from the Turner Center Elementary School, accompanied by their teachers, Mr.

Dyke and Mr. Nason. These are the guests of Representative Boothby of Livermore.

On behalf of the House, the Chair extends to you folk a warm welcome. We are delighted that you are here to see your Legislature in action. We trust that you will enjoy and profit by your visit with us this morning. (Applause)

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

Mr. SNOW: Mr. Speaker, I happen to be one of the Minority signers on this bill as "Ought to pass." If my memory serves me correctly, more representatives and more senators appeared for this bill almost than any other on our table this year. Therefore, my Minority name and I think everybody will realize that I am not an energetic supporter by any means of the Sinclair Act. On the other hand, I still take the position I have taken several times on the Floor of this House, that we deserve a choice. This seems to be a choice of many people and of many towns. I think they deserve the opportunity to make their choosing as to their own educational needs. Thank you.

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

Mr. KENT: Mr. Speaker, Ladies and Gentlemen of the House: It has been mentioned during this debate, the cost which this bill might create. I say to you again, it is an economy bill; definitely not something that will spiral the cost, because you are only accepting this on a high school level and you are not accepting the grammar school part which you may get into in building funds.

In answer to the gentleman from Madawaska, Mr. Levesque, in regards to two different school boards in small towns, is there any reason why that the same school board in the town could not serve as the board on the high school level as well as the grammar school level? I see no reason whatsoever why that this could not be the case.

As far as dividing your grammar schools and high schools, I can see

no division whatsoever, because the people, if they are so interested in wanting to hold control over their grammar schools, but yet the high school is their problem, why should they not have this privilege?

I am quite sure that the leadership of this House has had many communications from different people regarding this bill. I am also quite sure of something else, that are we here to do as the Department of Education wants wholly, or do we represent the people of this great state? And when people come in to a hearing from all over this state and practically fill a hearing room, is it not a sign that they are interested in having a choice whether they want to have a district on a high school level or not? It is true they may form a district, but they do not have any subsidy for building under the Sinclair Law as they do if they take this whole thing into consideration. Why should they not deserve this if they so desire?

I urge you very strongly to support this bill this morning. I believe it is something that the people of the State of Maine want. I believe it is something that should have been initiated when the Sinclair Act was first put into law, and I believe it is high time today that we give these people permission to form these districts on a high school level if they so desire. Thank you.

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

Mr. LEVESQUE: Mr. Speaker, Ladies and Gentlemen of the House: I think you ladies and gentlemen of the House this morning in your judgment will see fit to vote against this "Ought to pass" Report for the simple reason that unless somebody has got a better substitution of what we now have in the Sinclair Act, we are going to divide and split and make the Sinclair Act almost impossible to administer. So unless somebody in this House or in the other body at the other end of the corridor has got a substitute for the Sinclair Act, we will have to live until such substitute is here before us. Thank you.

The SPEAKER: The Chair recog-

nizes the gentleman from Gorham, Mr. Treworgy.

Mr. TREWORGY: Mr. Speaker, as a signer of the Majority "Ought not to pass" Report, I would urge you to support that Report. I think Representative Easton and Representative Bradeen have very well explained the reasons for our attitude on this Report.

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

Mr. JONES: Mr. Speaker, Ladies and Gentlemen of the House: I rise in opposition to this bill. Number one, I believe if it should pass, it would be practically impossible to administer. Number two, let's not lose sight of the fact that before the so-called Sinclair Bill was passed, the matter was put before the Committee on Legislative Research and a lot of study went into that bill before it was actually passed. I believe I am right that in order to qualify as a school administrative district and obtain the so-called ten percent bonus, the bonus is there because the district is required to perform additional services and this ten percent is there in order to compensate for the additional services that are supplied and provided for under the so-called Act.

Now if you divide the educational department in your respective towns, you are going to run into extreme difficulties as I said before on administration because in many towns and many places you have one building in which the primary and the elementary grades are taught, primary grades whichever way you want to call it, one to eight, and the high school. Now when you come to break down the costs, what share of the electricity bill are you going to apportion to each? What share of the heating bill are you going to apportion to each? How are you going to account for the fact that under the Sinclair Act you are supposed to have, I believe it is called, a kindergarten level or sub-primary level in order to qualify for your subsidy? Another act is of course on your high school level, you are supposed to give high school children the transportation. Those are some of the things

which I think you will run into a great problem should a bill like this pass. I certainly hope you will not go along with it. Thank you.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Benton, Mr. Kent, that the House accept the Minority "Ought to pass" Report on Bill "An Act Permitting Municipalities Choice of Grades in Forming School Administrative Districts," House Paper 801, Legislative Document 1188, and a division has been requested.

All those in favor of accepting the Minority "Ought to pass" Report, will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Thirty-six having voted in the affirmative and eighty-three having voted in the negative, the motion to accept the Minority "Ought to pass" Report did not prevail.

Thereupon, the Majority "Ought not to pass" Report was accepted and sent up for concurrence.

Passed to Be Engrossed

Bill "An Act relating to Claims of Municipalities Against State for Taxes Lost from Veterans Property Tax Exemptions" (S. P. 339) (L. D. 1004)

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

Amended Bill

Bill "An Act Increasing Salaries of Jury Commissioners of Lincoln County" (H. P. 169) (L. D. 218)

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

Passed to Be Enacted

An Act relating to Age in Criminal Offenses (S. P. 79) (L. D. 187)

An Act Revising the Laws Relating to Apothecaries and the Sale of Poisons (S. P. 419) (L. D. 1162)

Were reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be en-

acted, signed by the Speaker and sent to the Senate.

Enactor

Tabled and Assigned

An Act Providing for Life Preservers for Boats for Hire (H. P. 35) (L. D. 58)

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

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

Mr. OBERG: Mr. Speaker, Ladies and Gentlemen of the House: I come from an area that has a very high concentration of boats, housekeeping cottages primarily, and have been following these safety bills, boat safety bills. We have before us this morning three of them, and we probably will have one back in here soon, that is L. D. 1542, "An Act to Revise the Boating Law and Extend Boat Registration and Safety Law to Cover Coastal Waters." It was my original intention this morning to move for indefinite postponement of this item; however, in deference to the sponsor of the bill, I would hope that someone would move to table this item. I believe there is duplication in this item with the two so-called department bills, and I would like time to further study this particular Legislative Document.

Thereupon, on motion of Mr. Waterman of Auburn, the Bill was tabled pending passage to be enacted and specially assigned for tomorrow.

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

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

Enactor

Tabled and Assigned

An Act relating to Equipment and Safe Operation of Boats (H. P. 283) (L. D. 377)

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

(On motion of Mr. Oberg of Bridgton, tabled pending passage to be enacted and specially assigned for tomorrow.)

An Act to Clarify the State Boating Law (H. P. 333) (L. D. 460)

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

Finally Passed

Resolve in favor of Lloyd Talbot of Portland (S. P. 205) (L. D. 515)

Resolve in favor of Margaret Sinclair of Windham (H. P. 424) (L. D. 577)

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

Bill "An Act Repealing Supplemental State Aid for Reorganized School Districts." (H. P. 25) (L. D. 49) C. "A" (H-362)

Tabled — May 22, by Mr. Levesque of Madawaska.

Pending — Passage to be Engrossed.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: I move that this bill House Paper 25, L. D. 49, be recommitted to the Committee on Education. I make this motion for the reasons which I explained last week, and which have been further amplified this morning by the gentleman from Waterboro, Mr. Bradeen, in his remarks on a measure which has just been debated.

Thereupon, the Bill and accompanying papers were recommitted to the Committee on Education and sent up for concurrence.

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

HOUSE REPORT — Ought not to pass as covered by other Legislation — Committee on Labor on Bill "An Act Repealing Certain Portions

of the Employment Security Law." (H. P. 1) (L. D. 7)

Tabled — May 22, by Mr. Wellman of Bangor.

Pending — Acceptance of Report.

On motion of Mr. Jalbert of Lewiston, on a viva voce vote, retabled pending acceptance of the report and specially assigned for Monday, June 3.

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

Bill "An Act relating to Transportation to Islands in Casco Bay." (H. P. 611) (L. D. 846) — In House Reports and Bill Indefinitely Postponed. — In Senate Report "A" Accepted, Engrossed with Committee "A" (H-216) as amended by Senate "A" (S-168) thereto in Non-concurrence.

Tabled — May 23, by Mr. Wellman of Bangor.

Pending — Further Consideration.

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

Mrs. HENDRICKS: Mr. Speaker, I move we adhere to our former action whereby this bill was indefinitely postponed.

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

Mr. MINSKY: Mr. Speaker, I move we recede and concur with the action of the Senate.

The SPEAKER: The gentleman from Bangor, Mr. Minsky, moves the House recede from its action whereby the Reports and Bill were indefinitely postponed and concur with the Senate in accepting Report "A" of the Committee as amended by Senate Amendment "A".

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

Mr. LIBBY: Mr. Speaker, Ladies and Gentlemen: I rise because I feel it is my duty to do so as being a Representative from Portland.

First, I would like to say I have no connection with the Casco Bay lines in any way, shape or manner; matter of fact, I do not even know the people, so I can speak very freely.

My thoughts are very simply expressed when I say that a common carrier on the water in Casco Bay

loses money in the wintertime, and unless they are protected in the summertime, their total figures for the year of course would not be in black. Therefore, this bill here places the Public Utilities Commission in a position to see that fairness of operation prevails in the bay. Now failure of a common carrier to remain in business means that either the city or the state will have to take over. I can assure you that the City of Portland is in no position to do so. Therefore, I hope that the motion of the gentleman from Bangor, Mr. Minsky, to recede and concur will prevail. Thank you.

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

Mr. TAYLOR: Mr. Speaker, Ladies and Gentlemen of the House: This bill was heard before the Public Utilities Committee of which I am a member, and in listening to both the pros and cons on this subject, we determined that this bill should not pass and become law. It is an extremely discriminatory bill, and by its passage, you will place several other carriers that are now in operation in Casco Bay completely out of business.

Now we killed this bill once and I believe that we all realized at that time that it was not to the benefit of anyone concerned to pass it, that more harm and injury would be done by its passage than any good that would be derived from it.

Now I certainly hope, as the conditions have not changed any since the original indefinite postponement of this bill, I certainly urge every member here to go along with the gentlewoman from Portland in adhering to our former action, and when the vote is taken I request a division. Thank you.

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

Mrs. HENDRICKS: Mr. Speaker and Members of the House: The islanders do not want this bill, and this is one among many letters that I have received from the islanders, and it is from the Calends Study Club of Peaks Island, an affiliate of the National Federation of Womens Clubs, and representing

around twenty-five families on Peaks Island, is unanimously opposed to the enactment of this bill into law and respectfully asks you to vote against it. If passed, this bill would work very great hardships and a grave injustice on island residents for the following reasons: 1. It would cause a substantial raise in the prices of all necessities, as many business men here have been forced to provide their own boats at considerable cost to bring supplies to the island as Casco Bay rates are prohibitive and it would also affect fishermen and lobstermen. 2. In our judgment, the people here in favor of this monopoly are, in the main, summer transients, and conduct no business enterprises here, so it would not affect them. 3. The not always dependable service of the Casco Bay Lines sometimes results in our not getting needed supplies on time. 4. Most of us own our own homes and have spent large sums in improvements and want to stay here and it is an excellent place to raise children. 5. Much money was spent by the city enlarging and improving the school here and due to bad transportation, many families have left the island so all these new school facilities are not being used. We feel this monopoly bill would wipe out a lot we have gained over the years as transportation is the life line of the islands as competition is the life of trade. The islanders don't want this bill, and I have many more letters opposing the bill. This battle has been going on for a long time and I feel very sorry that the lobbyist who worked on this many, many years passed away; therefore the islanders have been unable to present their case, but I do hope this bill will not be passed.

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

Mr. LIBBY: Mr. Speaker, it is my opinion that there are as many people on the island in favor as against. That has been my — from the calls that I have had and the letters that I have received. I do not wish to disagree with Mrs. Hendricks from Portland, but that is my impression. Thank you.

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

Mr. MINSKY: Mr. Speaker, I do not wish to prolong this debate. I would just like to point out certain facts. The impression was left on the Floor of the House this morning that this was — that it was the Committee Report that this bill should not pass, and I would point out that this was a split report, and my recollection is that it was a five to five report and therefore there was not a unanimous report against this bill.

Secondly, it has been said that this bill is a discriminatory bill. If this bill is discriminatory, then I would suggest that it is time that we review and investigate the entire Public Utilities Commission, for we are seeking nothing more here than has been done on our highways and with our railroads since 1933. It gives them the same right to franchise or disfranchise as they see fit. It protects the common carrier. It is no more regulation than we now do on land. We saw fit in 1933 to apply this to land. I hope that in 1963 we will see fit to apply the same regulations onto this. I would point out to you my own interest in this matter, and my own interest is generated from the fact that as a member of the 100th Legislature, I was appointed on the interim committee to study the transportation problems of Casco Bay. I would like to read one paragraph of that report. It reads as follows: "At the outset, the committee is firm and unanimous in its conclusion and recommendation to the 101st Legislature in favor of the adoption without delay of legislation designed to give the Public Utilities Commission jurisdiction over common carriers by water to the same extent that it presently holds over the operations of common carriers by land."

I would just like to point out to you as a matter of record, who the members of this committee were. I will not give you them by name but I will give you them by position. Six of the eleven members of this committee who recommended the passage of this bill are from Cumberland County.

Five, of which I am one, are from other counties where we have no direct interest. One is a past city councilman of the City of Portland. One of them is a resident of one of the islands in the Bay. One is a resident of an island in Penobscot Bay. One of them is currently the Majority Leader in the Senate. One is currently the Assistant Majority Leader in the Senate. One later became the Democratic Candidate for Congress in the First District. One of them was the sponsor of the bill which gave ferry service to Penobscot Bay. I think this cross section of people studied this problem very closely. As far as the statement made that the people of Casco Bay do not wish to have this, I have here a newspaper called Nor' by East, it is the only paper put out in the Casco Bay region by Casco Bay people. It is the instrument of the Island Development Association, an association that I think is the largest of the several associations. I would read their statement which reads as follows: "Our thanks to the study committee for their efforts. We support their recommendations. Although the report doesn't eliminate all of our problems, it is definitely a step in the right direction. We advocate support for legislation which would implement the suggested improvements set forth in the conclusions of the committee. Signed: Island Development Association Steering Committee, Winthrop K. Dean, Chairman and Associate President."

It is my honest belief that this is an attempt to bring some regulation into Casco Bay, to allow them to set up a ferry service which can give adequate service to the people of the islands, and if they cannot, to disfranchise that operator and bring in another. I believe that if we do not have this authority in Casco Bay that we will have a series of small companies, none of whom can succeed, and if none can succeed, then surely we will have to envoke the laws already on the books that will say the Maine Port Authority will take over

service in Casco Bay. Need I remind you of the cost of this? Two to three million dollars for boats perhaps, a hundred or two hundred thousand annual deficit like we now run in Penobscot Bay. I do not want this. I can only urge you to vote for this to save future Legislatures the chance or the opportunity not to spend the money they would have to spend. This oddly enough has no appropriation with it. I can only say this could be the most expensive bill you failed to have passed should you not adopt it. I hope that you will recede and concur with the Senate.

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

Mrs. HENDRICKS: Mr. Speaker, I don't wish to prolong this debate, but I would like to add this to my previous remarks. The panel discussion of L. D. 846 at Portland Chamber of Commerce March 16 brought out the generally held view that, while this document appears to be equitable on the face of it, its practical application would be an invitation to Casco Bay Lines further to harass all the fringe activities in the Bay in a manner to add to the misery and ill will it has already engendered.

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

Mr. BERRY: Mr. Speaker and Members of the House: Along with the gentleman from Bangor, Mr. Minsky, it was my privilege to serve on the study committee which held a series of meetings over a period of approximately twelve months. These were all-day sessions. I think they were extremely exhaustive. I think the members of the committee were dispassionate in their analysis and the conclusions which they reached as a result of this study.

I think I may safely say that every member of the committee has the feeling in the back of his mind that this operation in Casco Bay, unless it is handled carefully, is headed for governmental state ownership. This is something I feel also I might easily

say that no one on the committee felt this is what we want. There is no question, as has been said, that this is an extremely important vote and there is going to be a lot of money tied to this in the not too distant future.

I feel that the impression given that there is unanimity in the islanders in opposition to this bill is erroneous. To say it is split may be simplifying it too much, but there are significant groups on the islands that are in favor of an orderly operation of these ferries. No more than we would build two competing railroads running side by side, no more than we would build two separate telephone systems down each side of the street, any more than we would duplicate facilities of water mains or electric lines, should it appeal to us that we would have competing facilities in Casco Bay; a monopoly of itself must be a monopoly, and if it is a monopoly, it must be regulated. I think that we felt in the committee that we would be bringing order out of chaos if we put the operations of the ferries in Casco Bay under the Public Utilities Commission, and I strongly urge your support of the motion of the gentleman from Bangor, Mr. Minsky, to recede and concur.

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

Mr. TYNDALE: Mr. Speaker, Ladies and Gentlemen of the House: I heartily concur with the remarks of both the gentleman from Bangor, Mr. Minsky and the gentleman from Cape Elizabeth, Mr. Berry.

As a member of the committee, House Chairman of Public Utilities, I was at first in opposition to this bill, but I attended many meetings with both the islanders and also the members of the Research Committee, and after all the facts were resolved, I certainly came to the conclusion that this was a good bill.

I feel that you must have some regulation of service to these islanders in order that we can promote them particularly in the

tourist business. I hope you will go along with the motion of the gentleman from Bangor, Mr. Minsky.

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

Mr. TAYLOR: Mr. Speaker, Ladies and Gentlemen of the House: Perhaps I should elaborate somewhat more on this bill. After considerable lobbying—after having received considerable lobbying on this bill both pro and con, and having studied it very thoroughly, the leader of the proponents to this Casco Bay bill, who was in favor of its passage, just before this bill came out of committee, he called me one evening and asked if I would go along with this bill. I asked him if he understood what this bill would do to the carriers, the independent carriers that are now operating in Casco Bay. He said that he did not feel that it would hurt them in any way. I told him, I said I do not believe you have read this bill very carefully. By the passage of this bill, recognizing Casco Bay Lines only, you will by the stroke of a pen, by placing this bill into law, wipe out every independent carrier in Casco Bay Harbor. Now you have at least three or four independent carriers who started in operation well after Casco Bay Lines were in operation for many years, and the only reason that these independent lines started to operate was for the reason that Casco Bay gave such poor service to the islanders, that it became necessary for other means of transportation if these islanders were to get back and forth to the mainland.

Now with these three or four independent carriers who have their life savings and many thousands of dollars tied up in their equipment, I do not feel that I wish to be a party to wiping them out of business, and that is just what this is going to do, the passage of this bill, regardless of what anybody tells you, you will wipe them out. If that is the process and the desire of this Legislature,

go ahead and vote for this bill. I will not. Only will I vote for a bill of this sort when some form of financial remuneration is granted these independent carriers so that their life savings shall not be wiped out. And that is not provided for in this bill, and until such time as it is provided for, I will not go along with it. I thank you.

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

Mrs. SMITH: Mr. Speaker and Members of the House: I shall go along this morning with the gentleman from Bangor, Mr. Minsky and the two gentlemen from my own county who have spoken. Definitely, the islanders will either have to be reconciled to all free competition and take their chances on service, or they will have to be reconciled to regulation by the P.U.C. There cannot be an in between.

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

Mr. MADDOX: Mr. Speaker, independent operation without regulation would lead to chaos in Casco Bay. The operation of a carrier who is regulated by the Public Utilities can best supply the public and I wish to support the motion of the gentleman from Bangor, Mr. Minsky.

Mrs. Hendricks of Portland was granted unanimous consent to address the House a third time.

Mrs. HENDRICKS: Mr. Speaker and Members of the House: For quite a few years now I have watched the islanders being squeezed out of their homes, and many of them are being sold for very little. Now this is an out-of-state bill and many of these people from out of the state will come in and buy these homes up and they will certainly take advantage of something that we were asleep and didn't even recognize, so I hope this bill will not pass.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Ban-

gor, Mr. Minsky, that the House recede from its former action whereby it indefinitely postponed both Reports and Bill, and concur with the Senate in accepting Report "A" "Ought to pass" as amended by Committee Amendment "A".

Mr. Lowery of Brunswick requested a division.

The SPEAKER: A division has been requested. All those in favor, will please rise and remain standing in your places until the monitors have made and returned the count.

A division of the House was had. Seventy-three having voted in the affirmative and fifty-eight having voted in the negative, the motion did prevail, Report "A" "Ought to pass" as amended by Committee Amendment "A" was accepted and the Bill read twice.

Committee Amendment "A" was read by the Clerk as follows: Committee Amendment "A" to H.P. 611, L.D. 846, Bill, "An Act Relating to Transportation to Islands in Casco Bay."

Amend said Bill in that part designated "Sec. 10" of section 1 by striking out all of the 4th underlined sentence of the first paragraph and inserting in place thereof the following underlined sentence: 'All authorized carriers shall maintain safe and adequate service to the islands of Casco Bay under rules and regulations promulgated by the Public Utilities Commission as to rates, schedules and safety.'

Further amend said Bill by inserting after the underlined word "count" in the 4th line of the second paragraph of that part designated "Sec. 10" of section 1 the following underlined punctuation and words: ', except that carriers of petroleum fuels in bulk may include as part of the bulk shipment, allied lubricants in cans or containers'

Further amend said Bill in that part designated "Sec. 10" of section 1 by adding before the last paragraph the following underlined paragraphs:

'Such rules and regulations as to schedules shall take into con-

sideration the daily service needs of the inhabitants of the islands of Casco Bay.

The rates of transportation of property established by such rules and regulations shall be comparable to rates established for the comparable services of other authorized water carriers in the State.

In the case of any medical emergency, transportation may be obtained from a person, firm, corporation or transportation company other than one which has been issued a permit under this section.

Subject to the provisions of this section, a temporary permit may be issued by the Public Utilities Commission to other persons, firms, corporations or transportation companies to better serve the needs of the residents of the islands of Casco Bay.

Any vessel authorized to be used under this section shall be examined at least once each year by the Public Utilities Commission or its authorized agent.

Upon the effective date of this act, a certificate of public convenience and necessity shall issue to any duly authorized carrier for rights covering any and all services which said carrier was presently required to perform on the day preceding the effective date of this act.'

Further amend said Bill by striking out all of that part designated "Sec. 12" of section 2 and inserting in place thereof the following:

"Sec. 12. Injunction. In addition to any other remedy set forth in this chapter for the enforcement of this chapter or any rule, regulation, order or decision of the Public Utilities Commission issued with relation to the operations of any transportation company within Casco Bay covered by this chapter, the Superior Court shall have jurisdiction upon complaint filed by the Public Utilities Commission to restrain or enjoin any person, firm, corporation or other transportation company from committing any act prohibited by this chapter or prohibited by any rule, regulation, order or decision of the Public Utilities

Commission with relation to the operation of transportation facilities in Casco Bay. It is the intention of the Legislature that the Public Utilities Commission may seek the injunction set forth in this section without first resorting to any other form of administrative proceedings or procedure as a condition precedent to the granting of said injunction.' "

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

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H. P. 611, L. D. 846, "An Act Relating to Transportation to Islands in Casco Bay."

Amend said Amendment by striking out all of the 2nd paragraph and inserting in place thereof the following:

"Further amend said Bill by inserting after the underlined word **"count"** in the 4th line of the second paragraph of that part designated **"Sec. 10"** of section 1 the following underlined punctuation and words: **' , except that carriers of petroleum fuels in bulk may also transport other products and accessories integral to the operation of motor vehicles and boats when the same are included as part of the bulk shipment' "**

Senate Amendment "A" to Committee Amendment "A" was adopted in concurrence.

Committee Amendment "A" as amended by Senate Amendment "A" thereto was adopted in concurrence and the Bill assigned for third reading tomorrow.

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

SENATE JOINT ORDER Recalling from the Governor's Office L. D. 308 and L. D. 1523. (S. P. 610)

Tabled—May 27, by Mr. Jameson of Bangor.

Pending—Passage.

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

Mr. JAMESON: Mr. Speaker, could I ask why these two orders that have no connection whatsoever be placed on the same order?

The SPEAKER: The Chair has no knowledge of the matter.

The Chair recognizes the gentleman from Bangor, Mr. Wellman. Would the gentleman from Bangor, Mr. Wellman, answer the gentleman's question?

Mr. WELLMAN: I would attempt to do so, sir. These two items were on the Governor's desk due to be signed today and be passed into law. It was discovered with both items that certain things were left unsaid in the bills, or perhaps things were said that should not have been said in the bills. They were both requested to be withdrawn. The order was drafted in the other body, and were both included in the withdrawal order from the Governor's desk.

Mr. JAMESON: I would still ask, why were they placed on the same order?

The SPEAKER: The gentleman from Bangor, Mr. Jameson, is not satisfied with the answer. The question is posed to any member of the House who may answer if he chooses.

Mr. JAMESON: My bill had nothing to do with the gentleman from Freeport, Mr. Crockett's, but anyway I'll go along with the Floor Leader, Mr. Speaker.

Thereupon, the Order received passage in concurrence.

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

Bill "An Act relating to the Assessment of Towns in Aid to Dependent Children Grants." (H. P. 788) (L. D. 1141)—House Amendment "B" read.

Tabled—May 27, by Mr. Bragdon of Perham.

Pending—Adoption House "B".

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

Mr. BRAGDON: Mr. Speaker and Members of the House: I tabled this matter yesterday because I was not entirely sure that the amendment did what I had hoped it would do. However, I have had a chance to look further into the amendment, and I have no objection to the passage of this bill as amended by House Amendment "B".

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

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

Bill "An Act relating to Eligibility of Trustees as Directors of Trust Companies." (H. P. 657) (L. D. 913) — In House, Receding and Concurring with the Senate in the Ind. Postponement Reconsidered.

Tabled — May 27, by Mr. Pease of Wiscasset.

Pending — Receding and Concurring.

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

Mr. PEASE: Mr. Speaker, I believe that it was my motion to recede and concur and I would ask permission to withdraw that motion and move that the House insist on its former action and ask for a Committee of Conference. The purpose that I have for doing this is so that between the two branches we may work out the proper wording for a bill which the House could then consider.

The SPEAKER: The gentleman from Wiscasset, Mr. Pease, withdraws his motion to recede and concur and moves that the House insist on its former action and ask for a Committee of Conference.

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

Mr. RUST: Mr. Speaker, I will make the same motion which the gentleman from Wiscasset, Mr. Pease, withdrew, that the House recede and concur with the Senate.

The SPEAKER: The gentleman from York, Mr. Rust, now moves that the House recede and concur with the Senate.

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

Mr. BERRY: Mr. Speaker, speaking to the motion to recede and concur which I hope will not prevail. I should like to explain to the gentleman from York, Mr. Rust, that in recent deliberations

in this body, that it seems that something can be done here which will be a fair and equitable solution to the problem, and I give him my assurances that if his motion is defeated, I think he might be satisfied with the end results.

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

Mr. RUST: The gentleman from York thanks the gentleman from Cape Elizabeth for his remarks, but there is nothing that can be done to patch this bill up.

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

Mr. JALBERT: Mr. Speaker, I would like to ask whether or not this is the only procedure that we can take, a Committee of Conference. I mean I think it is both time-consuming and expensive. I wonder if there would be another motion that could be made whereby both groups could get together without having to formally go through a Committee of Conference. Consequently, I would like to table this item until Monday next.

The SPEAKER: The motion is not entertained.

Is the House ready for the question of receding and concurring?

Mr. Rust of York requested a division.

The SPEAKER: A division has been requested. All those in favor of receding from our former action and concurring with the Senate, please rise and remain standing in your places until the monitors have made and returned the count.

A division of the House was had.

Thirty-two having voted in the affirmative and seventy-two having voted in the negative, the motion did not prevail.

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

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

Bill "An Act relating to Operation of Retail Store and Restaurant Prior to Application to Sell Malt Liquor." (H. P. 826) (L. D. 1213) — Senate "A" (S-151) — Conf. Com. "A" (S-231.)

Tabled — May 27, by Mr. Wellman of Bangor.

Pending — Passage to be Engrossed.

The Bill was passed to be engrossed as amended by Senate Amendment "A" as amended by Conference Committee Amendment "A" thereto and sent to the Senate.

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

Bill "An Act relating to Definition of 'Hotel' Under Liquor Law." (H. P. 299) (L. D. 393) — In House Bill Substituted for ONTP Report, Engrossed with House "B" (H-345) — Senate Receded from Indefinite Postponement, Adopted House "A" (H-146), Indefinitely Postponed House "B", and Adopted Senate "A" (S-239).

Tabled—May 27, by Mr. Pierce of Bucksport.

Pending — Further Consideration.

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

Mr. PIERCE: Mr. Speaker, I believe that the Members might be interested in a very few brief remarks by a member of the Liquor Control Committee and I specifically refer to the gentleman from Skowhegan, Mr. Wade.

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

Mr. WADE: Mr. Speaker, Ladies and Gentlemen of the House: L. D. 393 was presented to the Liquor Control Committee to change the reading, as I interpreted it at that time and still do, of the rules and regulations of the Liquor Commission. Under Chapter 61, the following definition was given: each such hotel shall be open for the convenience of the traveling public seven days per week, and a reasonable proportion of the gross income of each such hotel shall be derived from the rental of rooms and sale of food. The committee felt that the wording "a reasonable proportion" was somewhat indefinite, but listening to the Enforcement Division of the Liquor Commission, we agreed that possibly it could be handled directly by the Commission.

The bill which was presented would change that phraseology from "a reasonable proportion" to "one-third of the gross income of each such hotel shall be derived from the rental of rooms and the sale of food." I think that the Committee realized that the intent was to take out that questionable portion which was the reasonable part, and the Committee reported the bill "Ought not to pass." However, it was then amended by House Amendment, filing H-146 which would change section II of the Act that the effective date would not become effective until those licenses issued for the calendar year 1965 or any part thereof or thereafter. It was further amended by House Amendment, filing number H-345, that "each such hotel shall be open for the convenience of the traveling public seven days per week and a reasonable proportion of the gross income of such hotel but not less than one-third shall be derived from rental of rooms and sale of food." The effective date under Section II, "this Act shall become effective for all licenses issued for the calendar year 1965 or any part thereof and thereafter." Further amended from the body at the other end of the corridor, filing number S-239, which would change Section II of the limitations: "This Act shall not apply to premises for which a hotel liquor license was issued in 1963 prior to the effective date of this Act." Or in other words, a grandfather clause which, in my opinion, doesn't help the bill one iota or perhaps it reverts it to its original standing, and for that reason I move the acceptance of the "Ought not to pass" report of the committee.

The SPEAKER: The Chair would inform the gentleman that his motion to accept the "Ought not to pass" report has been disposed of a long time ago. If you wish to dispose of the bill in its entirety, a motion to indefinitely postpone is in order.

Mr. WADE: Mr. Speaker, is a motion to indefinitely postpone Senate Amendment S-239?

The SPEAKER: Senate Amendment "A" is not before the House at this time.

Mr. WADE: Then I will withdraw my motion, Mr. Speaker.

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

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

The SPEAKER: The gentleman from York, Mr. Rust, moves that the House insist on its former action and request a Committee of Conference. Is that the pleasure of the House?

The motion prevailed.

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

HOUSE MAJORITY REPORT (7)
—Ought not to Pass — MINORITY REPORT (3)—Ought to Pass With Committee Amendment "A" (H-391)
—Committee on Appropriations and Financial Affairs on Bill "An Act to Provide Funds for Evaluating Existing Commercial Waterfront Facilities and Feasibility of Additional Facilities at Maine Ports." (H. P. 318) (L. D. 445)

Tabled—May 27, by Mr. Jalbert of Lewiston.

Pending — Motion of Mrs. Smith of Falmouth to Accept Majority ONTP Report.

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

Mr. JALBERT: Mr. Speaker, I had tabled this matter because a member of the — a signer of the minority report of the Appropriations Committee was absent Friday, the gentleman from Perham, Mr. Bragdon. I now yield to him.

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

Mr. MADDOX: Mr. Speaker, our national transportation systems, now overtaxed, as well as the state transportation system, must in the near future look for other ways of expansion. We have for some time, in fact for a long time, neglected one of our most obvious sources of cheap transportation, namely, water-borne. The State of Maine once had a prominent part in that national effort of water-borne transportation. I expect the rebirth of

coastalized transportation within a few years. It's inevitable. We are spending astronomical sums for the development of highways, constantly overtaxed, to carry our increasing traffic. We have our railroads overtaxed in the transportation of freight while at our front door awaits a medium upon which we need only the rebirth of Yankee ingenuity to come to our relief.

Our Maine ports since the heyday of our marine transportations have declined, facilities have been allowed to deteriorate. Many ports have never been developed. The purpose of this bill, and it has great merit, is to institute a study of our existing facilities, our ports at present in operation: Portland, Searsport, Rockland, Bangor, Eastport, also of ports that are adequately endowed by nature with natural facilities to be developed, that Maine may be ready when this renaissance of shipping occurs. However, I realize that while it has merit it has a large price tag. I am not surprised at the report that was returned. At this time we are conscious of money matters, very much so. However, there is an amendment offered with the Minority "Ought to pass" Report. This amendment would cut this sum very considerably, and allow private industry, and many private industries are interested, to participate in the expense of this survey. And in order that we may consider the amendment ladies and gentlemen of the House, I would ask you to defeat the "Ought not to pass" report, that we may consider the minority report.

The SPEAKER: The Chair would interrupt debate for a moment. The Chair has been informed that there is an officer of a sister state in the Hall of the House. Will the Sergeant-at-Arms retire to the rear of the Hall of the House and conduct Joseph Sylvano to the rostrum please?

Whereupon, the Honorable Joseph Sylvano was escorted to the rostrum by the Sergeant-at-Arms, amid applause of the House, the Members rising.

The SPEAKER: The Chair would introduce to the Members of the

House, Joseph Sylvano, the Labor Relations Commissioner of the Commonwealth of Massachusetts. Mr. Sylvano is a former Representative and a former Senator of the Commonwealth of Massachusetts. He is now the guest of Representative Sahagian of Belgrade. Our House, sir. (Applause)

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

Mrs. SMITH: Mr. Speaker, I would like to explain the position of the Appropriations Committee on this particular bill. The report from the committee was a seven to three "Ought not to pass." Now, with all due respect, and I do have respect for the gentleman from Vinalhaven, Mr. Maddox, I certainly feel that this bill should not pass. This particular type of thing has been happening consistently around here. I mentioned it to you the other day. These studies and surveys come in. There are many of them. They have a price tag on them. When there seems to be no hope of their passing with the price tag they have on them, they are then watered down to make them a little more palatable. This one, I believe, from \$95,000 to \$25,000. I intended to check those figures, but I'm quite sure they're right.

I would also call to your attention that I have here on my desk, and this does not apply only to this study, but to many others, a list of the number of studies that were passed in the 100th, two pages of this long sheet. We now have before us in various stages four pages for this Legislature. I believe you have on your desks and in your desks copies of many studies which have never been implemented. I certainly do not overlook the value of some studies, but I certainly feel we have not been very discriminatory in how we selected them.

We have a Port Authority. We have a Director. It seems to me that if a study of this need is to be made that he has plenty of time and the facilities to do this. This was the feeling of the seven majority of the Appropriations

Committee, that this was a function that should be carried out by these people themselves. Now, if we have an interest in something, we had better be doing a little of the work ourselves because money is not that plentiful around here to be putting into all these surveys and reports and printing when we don't have much intention of doing anything with them.

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

Mr. RUST: Mr. Speaker, Ladies and Gentlemen of the House: I am very pleased this morning to arise to support the motion of the gentleman from Vinalhaven, Mr. Maddox. I think this particular piece of legislation has considerable merit in that it applies to the State of Maine. We have along our coast one of the greatest natural assets the state has, but these assets are in a deplorable condition as they exist today. I dare say that on the coast of Maine there are not more than two decent terminal facilities as are required under modern shipping conditions today. We stood here in this House two years ago and accepted without question a gift of a wharf and a terminal facility in Portland Harbor, and I dare say that there are very few people here who know what it is or where it is, or what good it is, or what use can be made of it.

Now, this study proposes to investigate some of the terminal facilities along the coast of Maine in some of these key harbors to see what can be done to update them and upgrade them, and make them useable and desirable for shipping facilities on the waters. Now, there has been some discussion here this morning that the Maine Port Authority should do this on its own. They will be doing some of it on their own, but they have a great many functions which have been heaped upon them by the Legislature over the years. They operate the Maine Port Authority. They operate the ferry services. They cooperate and coordinate the activities of all the local towns who are interested in the harbor facilities with the

federal government, and I can assure you that they are a very busy organization, and I hope that the motion to accept this report prevails. Thank you.

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

Mr. PEASE: Mr. Speaker, perhaps Mr. Speaker and Ladies and Gentlemen of the House, I have misunderstood what I hear this morning or I am misreading the bill, but L. D. 445 is the evaluation of existing commercial waterfront facilities and the study of economic and engineering feasibility of additional commercial waterfront facilities at certain named points: Kittery, Portland, Rockland, Clam Cove, Rockport, Searsport, Bangor, Brewer and Eastport. I concur with the gentleman from York, Mr. Rust, that there are many areas on the coast of Maine and on some of the rivers of the coast of Maine which could provide more than suitable and adequate harbor facilities. They would not be included in this study if my reading of the bill is correct. I am therefore going to vote against the motion of the gentleman from Vinalhaven, Mr. Maddox.

The SPEAKER: For the information of the House, the pending question is the motion of the gentleman from Falmouth, Mrs. Smith, that the House accept the Majority "Ought not to pass" Report.

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

Mr. COPE: Mr. Speaker and members of the House: I guess about several weeks ago I didn't have much concern whether we had a feasibility study or not because I felt that the ports were on the decline and no matter what we did, we couldn't support it. However, if my memory is correct, last week a historic decision was brought forth whereby the freight rate differentials for the Atlantic Seaboard were equalized, which means that the ports of Maine have the same rates as the midwest and from the west coast. Now, we know for a fact that Maine is the cheapest economical

run to Europe, and I feel that because of that historic decision that we will have more and more impact on freight, and wheat and other resources coming from the midwest and from the west coast, and I feel that because of that, that this bill would have merit.

The SPEAKER: The Chair recognizes the gentleman from Eastport, Mr. MacGregor.

Mr. MacGREGOR: Mr. Speaker and Ladies and Gentlemen of the House: I arise in opposition to the pending motion before us, the indefinite postponement or the acceptance of the "Ought not to pass" report, I should say, excuse me.

Obviously, I would be in support of this measure by virtue of the fact that I am representing Eastport. Obviously I'll support this by virtue of the fact that I know what the Maine Port Authority has been endeavoring to do to develop the ports of Maine. This, I have made a point to find out. I realize that they are very limited in their abilities and in the scope of study that they can accomplish, with the personnel and provisions at their hands. They need assistance. Our neighbors to the north of us, the maritime provinces, have busied themselves a number of years ago to search out their potential; not only search it out, but implement it, and today they are sniping the business right out from under our noses here in the State of Maine. When are we going to arise to the facts of life? When are we going to realize that in order to develop this state that we must exploit what natural resources we own? How much natural resource do we have in this state? A few raw materials, yes; a few facilities, yes. One of these facilities is our water transportation, our coastal transportation. Come the day that we realize this benefit and exploit it, this state will have started its day of advancement. In order to acquire this privilege, we're going to have to study and understand what direction we are striking in as have our maritime friends. They today are enjoying the privilege of shipping to European markets and receiving

shipments from European markets. This isn't desirable as far as the shippers involved are concerned. Why? These shipments are being received in Canadian ports, then in turn transferred to our American markets. We are derelict. Why isn't this same commerce passing through our ports directly into our American markets? Why aren't we employing more people along our coast today rather than let the communities along the maritime coastlines take this business away from us? Let's get on it. Let's wake up to the facts of life. Let's use the facilities that we do have, our God's gift, our water transportation of the State of Maine.

In order to have this privilege, yes, we're going to have to spend money, but it's money well invested for the return of the future. Please bear these points in mind in your vote. Thank you.

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

Mr. BRAGDON: Mr. Speaker, as a signer of the Minority "Ought to pass" Report, which is somewhat watered down by the committee amendment from the original bill, I think that I was influenced by a great many conditions which affect our state at the present time, and the gentleman from Portland touched on one, and very ably. I think that we have got to look to the waterfront in our struggle to exist. The other point which I would like to bring out is the fact that we are now presently very much discriminated against in our poultry and our dairy industry by discriminatory freight rates from the west. I think there again in that particular area, we might well look to the development of our ports. I realize this amount of money that is provided by this minority report of this committee is probably not enough to do the kind of a job that perhaps we ought to do, but however, if you look at the amendment you will note at the bottom of it it says, "the Maine Port Authority is authorized to accept on a voluntary basis funds from any private source to aid in carrying out the

purpose of this act." I think it has been suggested that such funds will be available. I would hope that you would go along with the Minority "Ought to pass" Report on this bill.

The SPEAKER: The Chair would interrupt debate for a moment to recognize in the gallery of the House the graduating class of St. Augustin of Augusta accompanied by Richard Dumont and Senior Mother Alice Therese, the Principal Senior Mother St. Narcisse, and Senior Sister Laure. These are the guests of Representatives Ross, Humphrey and Philbrick.

We are delighted to welcome you here this morning and we are very pleased that you are anxious to see your Legislature in session.

On behalf of the House I extend to you a warm welcome. We trust that you will enjoy and profit by your visit with us. (Applause)

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

Mr. EWER: Mr. Speaker, Ladies and Gentlemen of the House: I hesitate about daring to throw cold water on the emotionalism that has been displayed in the debate on this matter, but I would ask you to consider just one feature of this measure, and that is the system under which this Country is operating. It may seem peculiar for a union man to speak of socialism, state socialism, as opposed to the capitalistic system, but I suggest to you people that at present we are operating under a system which provides for our ports which form a useful purpose succeeding in their efforts. I refer particularly to the international ferry terminal at Bar Harbor, which is economically feasible, and therefore successful. I would refer you also to the port of Searsport which has been developed by private capital wholly, without any state surveys as to necessary accomplishments. This has been successful also because there is an economic demand and use for it. I think any port in the State of Maine, which has an economic

basis for its development, will be developed by private interest. I suggest that this is a means by which the state could save a little tax money, and I hope the present motion to accept the Majority "Ought not to pass" Report prevails.

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

Mr. ANDERSON: Mr. Speaker, Ladies and Gentlemen of the House: I go along somewhat with the remarks made by the gentleman from Eastport, Mr. MacGregor. We had a bill in session last year where they wanted to create a new job in the Maine Port Authority at \$10,000 a year. I took it on myself to investigate and found that the Port Authority employees were not overburdened. I think it is a good idea, but I think that the Maine Port Authority, I go along with the lady from Falmouth, the gentlewoman, Mrs. Smith, that the Maine Port Authority has plenty of time to investigate these facilities without another price tag.

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

Mr. JALBERT: Mr. Speaker and Members of the House: As a signer of the Majority "Ought not to pass" Report, I did it in a lukewarm fashion and I did it because I also had in mind some of the thinking of the gentleman, Mr. MacGregor, looking to and for it insofar as progress is concerned. I certainly wouldn't have any strenuous objection if this would eventually wind up in the Senate Calendar wherein it concerns the last few days or the last day of the session. However, I would very bitterly oppose this amendment if and when there was need to present it for two basic reasons. The first one is the deletion of the sum of \$95,000, the watering down version to \$25,000, I don't think any kind of a job could be done. I think it would be an absolute waste of money number one; and it would just mean what the Maine Port Authority is so successful in doing, going to the Governor and

Council later on and say the House okayed this, now we need more money. Let's remember, this happened two years ago, and personally, I want no part or being any part of such legislative action. I have always felt that our decisions should be final and if there is any real emergency, that we should be called back into session.

The second phase of the amendment reads, the Maine Port Authority is authorized to accept on a voluntary basis, funds from any private source for aid in carrying out the purposes of this Act. Also, I want no part of the Maine Port Authority making any deals for me with any private industry.

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

Mr. MacLEOD: Mr. Speaker, Ladies and Gentlemen of the House: One of the towns named in this study is my own town of Brewer, and they are going to participate in this \$95,000, but I agree with the people that have spoken previously that this study, if needed, should be made by the Maine Port Authority. \$95,000 is an awful lot of money to spend for this purpose.

Since January, I have been in agreement with the members of the Appropriations Committee very few times, so it is a pleasure this morning to be in agreement with the majority of that Committee, and I hope that the "Ought not to pass" Report is accepted.

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

Mr. WADE: Mr. Speaker, may I ask a question through the Chair—

The SPEAKER: The gentleman may state his question.

Mr. WADE: — of the gentleman from Bangor, Mr. Ewer or perhaps somebody else in the House who might be able to answer my question. Do I understand correctly that the so-called Bar Harbor Ferry is owned by the Canadian National Railways System which is the Canadian Government? Do I further under-

stand that at its inception, the State of Maine loaned I believe the figure \$1,000,000; and I am just wondering if anybody can answer those questions. I do not have any great particular interest. I am very doubtful that the day will come when the Kennebec River will be navigable to Skowhegan, but in case that that should come about, I would just like to know what we might be able to do under those circumstances. Could I have my questions answered, sir?

The SPEAKER: The gentleman from Skowhegan, Mr. Wade, poses a question through the Chair to any member who may answer if he chooses.

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

Mr. EWER: Mr. Speaker, the gentleman from Skowhegan, Mr. Wade, is perfectly correct. The Canadian National Railroad is a part of the Canadian Governmental system. They are repaying the State of Maine for the loan which was made at the certain annual figure. The point I was making, perhaps I wasn't clear in making it wholly, is that private industry as it is exemplified by the trucks and tourists, private cars, etc., that are using this facility, constitute a capitalistic trend.

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

Mr. JALBERT: Mr. Speaker, I would like to make a comment concerning the gentleman from Brewer, Mr. MacLeod, 'Welcome Aboard.'

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

Mrs. SMITH: Mr. Speaker and Members of the House: I would only make this comment for your consideration that I think that many of the remarks that have been made by the gentleman from Eastport, Mr. MacGregor, although I am not sure this would apply blanketwise to all he said, are the very duties that I think we have had a Maine Port Au-

thority to do for many years. I submit to you that after this many years if they do not know where their ports are or what needs to be done, they have been derelict in their duty. If they have specific legislation and specific areas that require legislation, they should submit it. They should not submit a survey that will cost \$95,000 and then have it watered down to \$25,000. I would ask for a division when the vote is taken.

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

Mr. BERRY: Mr. Speaker and Members of the House: To the gentleman from Brewer, Mr. MacLeod and to the gentleman from Lewiston, Mr. Jalbert, all I can say is, it is a motley crew that the ship of state has at the present sailing.

I think in fairness to the bill and to the Representative, the gentleman from Vinalhaven, Mr. Maddox, and those others who have spoken in favor, we cannot expect in all honesty to have the Maine Port Authority provide the technical assistance which is necessary in an investigation as contemplated by this bill. Certainly the soil surveys and the engineering appraisals would have to be made by outside agencies, and I think that the reduced figure which is proposed in the amendment is a rather realistic one. I certainly second the thoughts of the gentleman from Eastport, Mr. MacGregor, that we can look to our shoreline to help out the whole state in its development of the future.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentlewoman from Falmouth, Mrs. Smith, that the House accept the Majority "Ought not to pass" Report on Bill "An Act to Provide Funds for Evaluating Existing Commercial Waterfront Facilities and Feasibility of Additional Facilities at Maine Ports," House Paper 318, Legislative Document 445. A division has been requested.

All those in favor of accepting the Majority "Ought not to pass" Report, will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had. Seventy-nine having voted in the affirmative and fifty-six having voted in the negative, the motion to accept the Majority "Ought not to pass" Report did prevail.

Thereupon, the Majority "Ought not to pass" Report was accepted and sent up for concurrence.

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

Bill "An Act relating to Right of Electric Power Companies to Take Lands for Lines by Right of Eminent Domain." (S. P. 395) (L. D. 1098)—House "A" read (H-396)

Tabled — May 27, by Mr. Levesque of Madawaska.

Pending—Adoption House "A".

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

Mr. LEVESQUE: Mr. Speaker, Ladies and Gentlemen of the House: I tabled this bill yesterday on request to have a closer look at it purely for my own benefit. I find in this bill that they are asking for the right of eminent domain to put power line or power lines to within 100 feet of your inhabited house or dwelling. Now I think probably that this is a great step for a public utilities company to take in establishing a power line of 4,000 volts next to your dwelling. Certainly I would not like to see this close to my house at this stage of the game where it has been in the law now I still feel that within 100 feet, it could have the right of eminent domain 300 feet within a dwelling. Although it somewhat behooves me to find that they have also included an amendment yesterday to eliminate that part of the bill that says the Public Utilities Commission could give them the right to go even closer than 100 feet, certainly the amendment takes a little bit of the sting out of it but I still feel that within 100 feet, it is pretty close to an inhabited dwelling to have a 4,000-volt power line to run to. Thank you.

The SPEAKER: Is it the pleasure of the House to adopt House Amendment "A?"

(Cries of "No")

The SPEAKER: All those in favor, will say yes; those opposed, no.

A viva voce vote being taken, House Amendment "A" failed of adoption.

The SPEAKER: Is it now the pleasure of the House that this Bill be passed to be engrossed in non-concurrence?

The Chair recognizes the gentleman from Denmark, Mr. Dunn.

Mr. DUNN: Mr. Speaker, I agree with the sentiments of the gentleman from Madawaska, Mr. Levesque, and I move indefinite postponement of this bill.

The SPEAKER: The gentleman from Denmark, Mr. Dunn, now moves indefinite postponement in concurrence of Bill "An Act relating to Right of Electric Power Companies to Take Lands for Lines by Right of Eminent Domain," Senate Paper 395, Legislative Document 1098. All those in favor of indefinite postponement, will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had. One hundred four having voted in the affirmative and twenty having voted in the negative, the motion to indefinitely postpone did prevail.

Thereupon, the Bill was indefinitely postponed in concurrence.

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

Bill "An Act relating to Excise Taxes on Motor Vehicles Paid by Members of Penobscot Tribe of Indians." (S. P. 599) (L. D. 1566)—House Amendment "A" read (H-390)

Tabled—May 27, by Mr. Levesque of Madawaska.

Pending—Motion of Mr. Cookson of Glenburn to Indefinitely Postpone House "A".

The SPEAKER: The Chair recognizes the gentleman from Glenburn, Mr. Cookson.

Mr. COOKSON: Mr. Speaker, Members of the House: After having checked this amendment over,

I see nothing wrong with it, and at this time, I would like to withdraw my motion for indefinite postponement and go along that it and the accompanying Act be passed.

Thereupon, 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.

On motion of Mr. Wellman of Bangor,

Adjourned until nine o'clock tomorrow morning.