

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred and First Legislature

OF THE

STATE OF MAINE

VOLUME II

MAY 10 - JUNE 22, 1963

and

SPECIAL SESSION

JAN. 6 - JAN. 17, 1964

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Wednesday, June 5, 1963

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

Prayer by the Rev. Mr. Robert Canfield of Gardiner.

The journal of yesterday was read and approved.

**Papers from the Senate
Non-Concurrent Matter
Tabled and Assigned**

Bill "An Act Revising the Administrative Code" (H. P. 922) (L. D. 1356) which was passed to be engrossed as amended by Committee Amendment "A" in the House on May 27.

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

In the House: On motion of Mr. Rust of York, tabled pending further consideration and specially assigned for Friday, June 7.

From the Senate: The following Communication:

THE SENATE OF MAINE
Augusta

June 4, 1963

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

The President has appointed as conferees on the part of the Senate to join with the House on the disagreeing action of the two branches on:

Bill, "An Act relating to Eligibility of Trustees, Executors and Administrators as Directors of Trust Company" (H. P. 657) (L. D. 913)
Senators:

FARRIS of Kennebec
CAMPBELL of Kennebec
STITHAM of Somerset

Bill, "An Act relating to Definition of 'Hotel' under Liquor Law" (H. P. 299) (L. D. 393)

Senators:

KIMBALL of Hancock

CHRISTIE of Aroostook
JACQUES of Androscoggin
Respectfully,

(Signed)

CHESTER T. WINSLOW
Secretary of the Senate

In the House, the Communication was read and ordered placed on file.

Orders

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

Mr. CHILDS: Mr. Speaker, I would like to inquire if the House has in its possession L. D. 1563?

The SPEAKER: Would the gentleman inform the Chair as to when the last action of the House was taken upon this matter?

Mr. CHILDS: The last legislative day.

The SPEAKER: Did the gentleman make the request that it be held in the possession of the House?

Mr. CHILDS: I did not.

The SPEAKER: The Chair will inform the gentleman that it was sent to the Senate in its regular course as of yesterday.

The Chair would inquire of the gentleman from Portland, Mr. Childs, if the title was Shortening the Period of Real Estate Mortgage Foreclosure?

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

Mr. BERRY: Mr. Speaker, that is the correct title, in the absence of the gentleman from Portland, Mr. Childs.

The SPEAKER: It is in the possession of the House.

The Chair will inquire of the gentleman from Portland, Mr. Childs, if he has reference to Senate Paper 298, Legislative Document 871, "An Act Shortening the Period of Real Estate Mortgage Foreclosure?"

Mr. CHILDS of Portland: Yes I do, Mr. Speaker.

The SPEAKER: The Chair would also inform the gentleman that as of yesterday, both Reports and Bill were indefinitely postponed. And 1563 has never been before the House.

Mr. CHILDS: I would like to move at this time, Mr. Speaker,

that we reconsider our action whereby this Bill and Reports were indefinitely postponed yesterday.

The SPEAKER: The gentleman from Portland, Mr. Childs, now moves that the House reconsider its action whereby as of yesterday the House indefinitely postponed both Reports and Bill. Is that the pleasure of the House?

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

Mr. RUST: Mr. Speaker, the reason that reconsideration is being asked on this particular piece of legislation is that it has been proposed to make an amendment to exclude farm property from the bill under which it was felt it would make it very satisfactory to a great majority of the members of the House. I hope the motion to reconsider prevails.

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

Mr. BERMAN: Mr. Speaker, the mere fact that a proposed amendment may presently only wish to exclude farm property, it is really the first foot in the door. Now we had a considerable debate on this yesterday, both sides had a fair hearing, and I hope the motion to reconsider to shorten the period of foreclosures will not prevail.

The SPEAKER: Is the House ready for the question of reconsideration?

Mr. Rust of York then requested a division on the motion to reconsider.

The SPEAKER: A division has been requested. Is the House ready for the question? The question is the motion of the gentleman from Portland, Mr. Childs, that the House reconsider its action whereby it indefinitely postponed both Reports and Bill "An Act Shortening the Period of Real Estate Mortgage Foreclosure," Senate Paper 298, Legislative Document 871. A division has been requested. All those in favor of reconsideration, will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Sixty-four having voted in the affirmative and forty-nine having vot-

ed in the negative, the motion to reconsider did prevail.

Thereupon, on motion of Mr. Childs of Portland, the Bill was tabled pending indefinite postponement and specially assigned for later in today's session.

Mr. Noel of Waterville was granted unanimous consent to briefly address the House.

Mr. NOEL: Mr. Speaker, I wish to thank all the members of the House and everybody else that sent cards or anything that they sent while I was in the hospital. Thank you very much.

House Reports of Committees Divided Report

Majority Report of the Committee on Constitutional Amendments and Legislative Reapportionment reporting "Ought not to pass" on Resolve Proposing an Amendment to the Constitution to Apportion the House of Representatives (H. P. 432) (L. D. 637), as it is covered by other legislation.

Report was signed by the following members:

Messrs. PORTEOUS of Cumberland
FARRIS of Kennebec
NOYES of Franklin
EDMUNDS of Arroostook
— of the Senate.

Messrs. BERMAN of Houlton
PEASE of Wiscasset
WATKINS of Windham
VILES of Anson
SMITH of Bar Harbor
DENNETT of Kittery
SMITH of Strong
COTTRELL of Portland
— of the House.

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

Report was signed by the following members:

Mr. JACQUES of Androscoggin
— of the Senate.

Messrs. PLANTE
of Old Orchard Beach
CARTIER of Biddeford
— of the House.

Reports were read.

The Majority "Ought not to pass" Report was accepted and sent up for concurrence.

Divided Report

Majority Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act relating to Statute of Limitations on Actions for Malpractice of Physicians" (H. P. 918) (L. D. 1352)

Report was signed by the following members:

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

Messrs. RUST of York
PEASE of Wiscasset
SMITH of Bar Harbor
— of the House.

Minority Report of same Committee on same Bill reporting same in a new draft (H. P. 1102) (L. D. 1581) under title of "An Act relating to Statute of Limitations" and that it "Ought to pass"

Report was signed by the following members:

Messrs. CHILDS of Portland
BERMAN of Houlton
THORNTON of Belfast
KNIGHT of Rockland
— of the House.

Reports were read.

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

Mr. CHILDS: Mr. Speaker, I move that we accept the Minority "Ought to pass" Report.

The SPEAKER: The gentleman from Portland, Mr. Childs, moves that the House accept the Minority "Ought to pass" Report.

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

Mr. JONES: Mr. Speaker and Ladies and Gentlemen of the House: I think the committee hearing this bill used excellent judgment in coming out with a Majority "Ought not to pass" Report. This bill, if passed, would open up an area of legal battle which would be and could be disastrous to the people as well as the doctors. And I therefore move for indefinite postponement of the bill and the papers.

The SPEAKER: The gentleman from Farmington, Mr. Jones, now moves the indefinite postponement of both Reports and Bill.

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

Mr. KNIGHT: Mr. Speaker, not to draw this out but I prepared a brief statement which I left in everyone's mailbox here in the Legislative Post Office which set forth the Supreme Court's opinion of a certain case, namely that of Marjorie Tantish vs. Doctor Andrew Szendey, and that case is the reason this law is here before you. Each and everyone of you here today are responsible for your wrongful acts for a period of six years. The only people who are not responsible for six years are those in the healing arts. They're only responsible for two years, and it was always assumed that the two years did not start until you had knowledge that something had been done wrong.

The Supreme Court set it forth very nicely in their report when it said: "How says the patient, may I as a practical matter bring an action until the wrong, that is to say," in this case, "failure to remove the foreign substance is known to me." You were operated on, and two years after your operation, you find that something had been left behind by the surgeon or by the doctor. You have no knowledge until then. The Supreme Court of Maine has said, you are out of luck, even though you had no knowledge of it. But the Supreme Court went further and stated: "it is more properly material for the Legislature to consider." They have said that it's up to us to decide when can a person bring suit in this one instance, and this is all it applies to, it applies to the instance when you have an operation and a wrong is done and you have no knowledge of it, you must bring action within two years of knowledge so that's our exact law as it is today, but it goes further and says "that under no circumstances can you bring an action later than four years from the actual time of the happening."

So, in substance, if you're operated on, and something goes wrong or something is left within you, and you have no knowledge for two years, three years later you get knowledge you can bring suit. If

four years and one day later you get knowledge, you're out of luck. So each and everyone of you here today who is not in the healing arts are responsible for six years for your wrongdoings.

All this bill would say is that those in the healing arts are responsible for their wrongdoings two years from time of knowledge and not more than four years from the actual happening. So they still have two years grace more than we do. Now this is not a doctor's versus attorney's bill. This is simply doctor and patient.

The attorneys on the Judiciary Committee, six of them, voted against it. I would say this, that if this was an attorneys' bill we would have lowered the statute of limitation for attorneys down to two years, which we did not do, and this bill was entered to overcome a wrong that I feel has been done. Now, you say it cannot happen. It did happen, and this is the case that I gave you that happened very recently. In fact, the case is as late as June 30, 1962 that a woman did not discover until six weeks before two years had expired that a drain had been left in her. There's no questioning about that. That's all admitted in the case by the doctor, by the doctor's attorney. She waited until two years from that time because the assumption, and it was a wrong assumption, now it's known, before bringing suit because negotiations were going on. They didn't want to go into court with it right away. So, within a two-year period they bring suit, and lo and behold the Supreme Court says, the time started to run the day the doctor left the drain in there. They went further and said the fact that the woman had no knowledge of this, has no bearing on it. They cannot take it into consideration. This woman is out of luck and out of court simply because she did not go into court within the two-year period.

Now, you have heard from doctors probably considering a six-year statute. What is before you is not a six-year statute. It is two years from the time of knowledge, because how can you sue on something unless you have knowledge

of it? But for further protection for the medical profession, it's got to be within four years under any circumstances from the time of the actual happening.

I do not feel that this is unfair. I'm putting it before you for your consideration, and if you see fit that a person should be out of court because they have no knowledge of a wrongdoing then vote against this bill. If you think a person should have their day in court once they get knowledge or should have had knowledge, then you'll vote for this bill. I hope that the motion for indefinite postponement does not prevail.

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

Mr. JONES: Mr. Speaker and Ladies and Gentlemen of the House: What my good colleague, Mr. Knight, has just said is true. However, the course that he has taken to take care of this correction is not proper. He is bringing charges against the doctor for something in which I believe, if you look through it deep enough, you will find that the hospital where this surgery was being taken place would be the one who would be at fault. The doctor performs the surgery; the hospital, the institution provides the nursing service towards the operation, and this act was due to the lack of the nurse in charge of the instruments and things during the operation. It was the nurse's fault who works for the hospital and not the doctor's fault. Therefore, I say that this charge is incorrect.

Number two: by going onto a longer period of time, let's face the facts. People are human and part of the human characteristic is to try to place the blame upon somebody else many, many times to try to get something out of the other person. That is why we have many doctors being sued because some people feel as though there is a chance to get some easy money.

Now if we delay or lengthen this period of time as requested here, who knows, many people could have an operation and subsequently there would be something show up which had nothing to do with the actual operation or the trouble at the

time that the operation was being made, it would be something that would come in subsequently. Then you would have a battle in the courts to determine when this trouble actually happened. Whether it was there during the operation or subsequently. Therefore, I hope you will go along with me in defeating this bad bill. Thank you.

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

Mr. RUST: Mr. Speaker, Ladies and Gentlemen of the House: I rise in support of the motion of the gentleman from Farmington, Mr. Jones, that this Bill and its Reports be indefinitely postponed. As a member of the Committee on Judiciary which heard this bill and as a signer of the Majority "Ought not to pass" Report and as I feel a responsible citizen, I must oppose this particular piece of legislation.

To me a good piece of legislation must have two basic requirements. First, there must be a real need for it and secondly, it must do something for the public at large. This bill to me does neither of these things. On the other hand, the bill will, I feel, do a great deal of harm to those persons who are engaged in the healing arts, for this bill covers not only physicians but persons engaged in the healing arts. Now the phrase healing arts is a very broad term. It includes registered nurses, practical nurses, public nurses, and those good neighbors in every community who help with the sick.

The general field of healing arts today is a difficult field to work in. Maine has a serious shortage of doctors, skilled nurses; these people are dedicated to rendering the best service that they can and to exercise the best judgment they know how. They deal with a variety of symptoms, ailments and operations. They treat people under all kinds of conditions and under all circumstances and the human being possessing bodies of a complex and variable nature, inevitably results or reacts differently to similar treatment.

This fact, the doctors and nurses and persons engaged in the healing arts cannot avoid. That is a fact

of life. As a result of these circumstances, there are rare occasions when the treatment and the results are not to the patient's entire satisfaction. Doctors and nurses don't guarantee perfect results. They do the best they can and they exercise the best judgment they know how, and unfortunately as human beings, on occasion, they do make errors and the results are not perfect.

The bill before you today would allow a patient to bring a suit against a doctor or a person who was engaged in the healing arts, up to four years after the act complained of. Now they say two years from knowledge or four years in any event. As a practical result, what is proposed here, is a four-year statute. Our present law which is now on the books and has been on the books for some twenty or thirty years, provides that a two-year statute and if something goes wrong in the treatment, you must bring an action against the doctor or the person who was engaged in the healing arts within two years from the time of the act.

Maine is not alone in having a two-year statute. Forty-four other states have statutes of the same length of Maine or less. Thirty-seven states have the same two-year statute that Maine has.

Now why do so many states have a so-called two-year statute limitation for persons engaged in the healing arts? I say they do so as a matter of good sound public policy. To emphasize that I will quote to you from the opinion of the Supreme Judicial Court of Maine in the case which the gentleman from Rockland, Mr. Knight, spoke specifically about. And the Court said: "It is well understood that the purposes of such statutes is to bring repose and security to persons who might otherwise be faced for long periods with the possibility of meeting claims under more difficult conditions. The decision here rests upon the choice to be made between two competing policies." And our Court has taken the policy of public responsibility.

I say to each of you here this morning that as a matter of good sound public policy, our doctors and

our people engaged in the healing arts need protection. I say that our existing two-year law is a good law. It has worked well for our people. There is no need for a change. I hope the motion to indefinitely postpone prevails.

The SPEAKER: The Chair would interrupt debate just for a moment to recognize in the balcony of the House, forty students from the Brewer Junior High School, accompanied by their teacher, Mrs. Charles Heddericg and three parents, Mrs. Ames, Mrs. Rogers and Mrs. Atherton. These are the special guests in the House this morning of Representative MacLeod of Brewer.

On behalf of the House, the Chair extends to you a most gracious welcome. We are pleased that you are here to see your Legislature in operation. We trust that you will benefit by and enjoy your visit with us this morning. (Applause)

The SPEAKER: The Chair recognizes the gentleman from Winthrop, Mr. Tha anum.

Mr. THA ANUM: Mr. Speaker, Ladies and Gentlemen of the House: Probably like a great many of you, I have received some letters from some rather prominent physicians in the matter of this bill, and I have one here from the Maine Medical Center signed by fifteen M.D.'s from that fine institution. One from Doctor Loring Pratt of Waterville, but I have one in particular from a doctor for whom I have great respect and I think he holds a very high position in his field here in the State of Maine, and with your permission, I would like to read it into the record.

This letter is from Doctor Frederick T. Hill, M. D. at the Thayer Hospital, Waterville, Maine, and I quote: "Because of personal association on the matter of Statutory Limitations and Malpractice cases many years ago when I was President of the Maine Medical Association, I am sending this letter to certain of my personal friends, or former patients.

"In 1937 when I was President of the State Medical Association, malpractice cases were a source of a

great deal of confusion and trouble. Personally I am disturbed both by the number of cases heard in the courts and, very frankly, what seemed to be an attitude on the part of some members of the organization to fight these cases even when there was good evidence to indicate malpractice.

"Through the cooperation of the late Herbie Locke, we were able to work out a policy which was followed for years with a great deal of success and fairness. At that time it was determined that any case of malpractice would be carefully and objectively studied by a Committee of impartial and qualified physicians, and if there were any justification for suit, these would be settled without argument. At the same time, because of certain cases of long standing in which it was difficult, and sometimes impossible, to accurately judge whether or not there had been malpractice, we were able to get two-year limitation incorporated in the statutes. It is my feeling that this has worked very well indeed and in fairness to all concerned. There is good reason for this period of time because in the natural history of disease it is very unlikely that any condition indicating previous malpractice would not become evident considerably before the two-year limitation, in which case I would hope it would be settled.

"Beyond two years it is extremely difficult and hazardous for the most expert person to accurately assess any such condition. In addition, I am disturbed that, with this extended period to what might be described as a fuzzy or gray area, for evaluation, there might well be a tendency for a physician to hesitate to undertake what might be a life-saving procedure in a desperate type of case, rather than involve himself with the possibility of litigation over this extended period. I have heard this discussed among physicians since this proposal has come up, and I feel this is really a serious matter. Personally I am old enough so that this does not really concern me a great deal but I know it does concern many of the younger physicians. I certainly am in favor of preserving the rights

of all individuals. I, myself, have in many cases advised settlement where there was any doubt of liability.

"But, I am fearful of this extended period and hope that the present limitations could be preserved. I feel there might be a very serious effect in the health care of many, many patients if this is extended as proposed.

kindest personal regards."

I thank you.

The SPEAKER: The Chair recognizes the gentlewoman from Guilford, Mrs. White.

Mrs. WHITE: Mr. Speaker and Members of the House: The present President of the Maine Medical Association is from my town, Guilford, a man of great pride to us. He is naturally against this bill, and I hope that the motion to indefinitely postpone will prevail.

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

Mr. MacPHAIL: Mr. Speaker, malpractice suits against doctors, surgeons, is one of the growing rackets in the country, and it would seem that this bill would further open up a fertile field for the promotion of these rackets. I am more than amazed at the things that surgeons can do with resulting miraculous results. I, myself, am a living testimony to one of those miracles, and I sincerely hope that the motion to indefinitely postpone will prevail.

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

Mr. CHILDS: Mr. Speaker and Members of the House: I certainly do not intend to take up any of your time on this matter, but I do think that a few things should be said to straighten out the record. First of all I don't have the time, I know certainly a lot of the members of this House do not have the time, to have a battle with the Maine Medical lobby; but for the record let me say this that two incorrect statements have been made which I believe should be straightened out. First of all in the particular case which was under discussion which was presented by the gentleman from Rockland, Mr. Knight, the gentleman from Farm-

ington, Mr. Jones, made the remark that the nurse was responsible for the negligence in that particular case. Let me say that that statement is correct, but also let me say to the gentleman from Farmington, Mr. Jones, under the principles of law that the doctor was the principal in this case and he is also negligent. Now as far as any particular association which the gentleman from Winthrop, Mr. Thaanum, talked about, an association which is made up of impartial doctors to determine whether there is negligence in a particular case is an untrue statement. There is no such association or commission in the State of Maine.

I have been involved in a few malpractice cases, and I can only say this to you, regardless of what happens to this bill, that I hope that you do not happen to be one of the unfortunates who happen to be the plaintiff in a malpractice case.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Farmington, Mr. Jones, that Item 2 "An Act relating to Statute of Limitations on Actions for Malpractice of Physicians," House Paper 918, Legislative Document 1352, that both Reports and Bill be indefinitely postponed.

Mr. Lowery of Brunswick then requested a division.

The SPEAKER: A division has been requested. The question is the indefinite postponement of both Reports and Bill. 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 six having voted in the affirmative and fifteen having voted in the negative, the motion to indefinitely postpone did prevail.

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

The SPEAKER: The Chair at this time would recognize in the balcony of the House, twenty-two pupils of the Sixth Grade from Central School, Union. They are accom-

panied by their teacher, Mrs. Heath; and four mothers. These people are the special guests this morning of Representative Finley of Washington.

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

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

**Order
Out of Order
Tabled and Assigned**

Mr. MacLeod of Brewer presented the following Order out of order and moved its passage:

ORDERED, the Senate concurring, that Bill "An Act Eliminating Certain Exemptions under Sales Tax Law" (H. P. 513) (L. D. 715) be recalled from the Legislative Files to the House.

(On motion of Mr. Wellman of Bangor, tabled pending passage and specially assigned for tomorrow.)

Passed to Be Engrossed

Bill "An Act to Consolidate the Maine Unitarian Association with Northeast District of the Unitarian Universalist Association" (H. P. 295) (L. D. 389)

Bill "An Act to Consolidate The Universalist Church of Maine with Northeast District of the Unitarian Universalist Association" (H. P. 296) (L. D. 390)

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

**Third Reader
Tabled and Assigned**

Bill "An Act Increasing Sales Tax" (H. P. 313) (L. D. 406)

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

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

Bill "An Act to Provide for the Reorganization of School Administra-

tive District No. 3" (H. P. 1101) (L. D. 1579)

Resolve Appropriating Moneys to Construct a Car Ferry Ramp at Peaks Island (S. P. 91) (L. D. 228)

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

Amended Bills

Resolve Appropriating Moneys to Provide for National Advertising for Maine's Recreational Industry (S. P. 95) (L. D. 232)

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

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

COMMITTEE AMENDMENT "A" to S. P. 95, L. D. 232, Resolve, Appropriating Moneys to Provide for National Advertising for Maine's Recreational Industry.

Amend said Resolve in the first line by striking out the figure "\$1,000,000" and inserting in place thereof the figure "\$200,000"; and by striking out in the 3rd line the words and figures "for the fiscal year ending June 30, 1964"

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

**Third Reader
Tabled and Assigned**

Resolve Authorizing the Establishment of a Residential and Day School for the Mentally Retarded in Northern Maine (H. P. 416) (L. D. 569)

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

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

MR. BRAGDON: Mr. Speaker and Members of the House: Relative to item 7, a Resolve Authorizing the Establishment of a Residential and Day School for the Mentally Retarded in Northern Maine, I would hope that someone would table this item for later in the week. The reason for this request, is that an

amendment is in preparation and is not now available.

Thereupon, on motion of Mr. O'Leary of Mexico, the Bill was tabled pending passage to be engrossed and specially assigned for Friday, June 7.

The SPEAKER: The Chair is pleased this morning to recognize in the balcony of the House, sixty pupils from the Johnson Junior High School of Standish, accompanied by their teachers, Mrs. Chase, Mrs. Gould and eleven parents, chaperones and drivers. These are the special guests of Representative Linnekin of Limington.

On behalf of the House, the Chair welcomes you here this morning. We trust that you will enjoy and profit by your visit with us. (Applause)

Enactor Tabled and Assigned

An Act relating to Effective Date for Salary Increase for County Officers (S. P. 543) (L. D. 1467)

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

The SPEAKER: The Chair recognizes the gentleman from Millinocket, Mr. Crommett.

Mr. CROMMETT: Mr. Speaker, I rise for a parliamentary inquiry.

The SPEAKER: The gentleman may make his inquiry.

Mr. CROMMETT: Item one, "An Act relating to Effective Date for Salary Increase for County Officers," Legislative Document 1467 has a Senate Amendment "B" dated 4-26-63. It is filing number S-183. It says that this Act shall become effective January 1, 1965. May I continue to speak on this for the purpose of—

The SPEAKER: Is the gentleman making an inquiry relative to the Senate Amendment?

Mr. CROMMETT: Yes.

The SPEAKER: And what action the House can take upon it?

Mr. CROMMETT: Yes, that is so.

The SPEAKER: Would the gentleman like the Clerk to read the Bill itself?

Mr. CROMMETT: Yes, please.

(Thereupon, Legislative Document 1467 was read by the Clerk)

The SPEAKER: The Chair recognizes the gentleman from Millinocket, Mr. Crommett.

Mr. CROMMETT: Mr. Speaker, I have this Legislative Document 1467 and in section 2, they said the Act shall take effect in 1965. It does not say on this document that I have, but the Senate Amendment yes, the effective date shall become effective January 1, 1965. Now it is my understanding that if this Senate Amendment "B" is passed, that it will nullify the intent and purpose of the Towns and Counties Committee. I would like to kill this amendment.

The SPEAKER: Does the gentleman pose a question through the Chair to any member of the Towns and Counties Committee?

Mr. CROMMETT: I would do that, sir.

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

Mrs. SHAW: Mr. Speaker, I did not understand the question. Would the gentleman restate it please.

The SPEAKER: Would the gentleman from Millinocket, Mr. Crommett, restate his question relative to the Bill.

Mr. CROMMETT: It is my understanding that Senate Amendment "B" will nullify the intent and purpose of the Towns and Counties Committee. After much discussion, we came up with a compromise that the effective date should be January 1, 1964.

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

Mrs. SHAW: Mr. Speaker, in answer to that question, the gentleman is correct. That was the decision of the Towns and Counties Committee. However, Senate Amendment was accepted by this body, and the bill was passed to be engrossed at a recent session.

The SPEAKER: Does the gentleman consider his question answered?

Mr. CROMMETT: No. I would like to know the parliamentary procedure to reconsider our action so that we could take a vote on this Senate Amendment "B."

The SPEAKER: Does the gentleman request reconsideration of the engrossment of this matter?

Mr. CROMMETT: I do.

The SPEAKER: The Chair would inform the gentleman that before reconsideration, because of the lapse of time in which this Bill has been engrossed, it will be necessary to suspend the rules which will require a two-thirds vote of the House. Does the gentleman request suspension of the rules?

Mr. CROMMETT: I do, sir.

The SPEAKER: The gentleman from Millinocket, Mr. Crommett, moves that the House suspend the rules for the purpose of reconsideration. All those in favor of suspension of the rules, will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

One hundred one having voted in the affirmative and fourteen having voted in the negative, the motion to suspend the rules did prevail.

The SPEAKER: The Chair now understands that the gentleman from Millinocket, Mr. Crommett, now moves that the House reconsider its action whereby it receded and concurred with the Senate. All of those in favor of reconsideration of the House' action of receding and concurring with the Senate—

The Chair recognizes the gentleman from Lisbon, Mr. Karkos.

Mr. KARKOS: Mr. Speaker, I would like to have this tabled until tomorrow until we straighten this thing out.

Thereupon, on a viva voce vote, the Bill was tabled pending reconsideration and specially assigned for tomorrow.

Passed to Be Enacted

An Act to Increase the Salaries of Certain Department Heads Elected by the Legislature (S. P. 548) (L. D. 1480)

An Act relating to the Department of Economic Development Advisory Council (S. P. 578) (L. D. 1533)

An Act Revising Certain Laws under the Workmen's Compensation Law (S. P. 583) (L. D. 1548)

An Act relating to Excise Taxes on Motor Vehicles Paid by Mem-

bers of Penobscot Tribe of Indians (S. P. 599) (L. D. 1566)

An Act Appropriating Moneys to Provide for Night Pay Differentials for State Employees (H. P. 85) (L. D. 129)

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

An Act Appropriating Funds to Aid in Dredging Carver's Harbor, Town of Vinalhaven (H. P. 319) (L. D. 446)

An Act relating to Transportation to Islands in Casco Bay (H. P. 611) (L. D. 846)

An Act relating to County Taxes in Places Not Incorporated (H. P. 689) (L. D. 945)

An Act relating to the Assessment of Towns in Aid to Dependent Children Grants (H. P. 788) (L. D. 1141)

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

An Act relating to Mileage and Expenses for Members of Legislature (H. P. 1065) (L. D. 1531)

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

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

Mr. YOUNG: Mr. Speaker, Ladies and Gentlemen of the House: On this item 12, An Act relating to Mileage and Expenses for Members of Legislature, I don't think that we want to pass this bill as an expense account. If we haven't got the courage to raise the salary as has been done in the past, why I think we had better leave the salary as is. I don't think that any one of us are here because of the money that we make, and I think we all like it here. We didn't have to go out and get elected if we didn't like it, so I am kind of surprised to see that no other members of the economy bloc — I might consider that I was one of them — has let this bill get this far along. It will cost the 102nd Legislature close to \$200,000 to pay for this bill, and I move indefinite postponement

The SPEAKER: The gentleman from Gouldsboro, Mr. Young, moves the indefinite postponement of item 12.

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

Mr. DENNETT: Mr. Speaker, Members of the House: I rise in opposition to the motion made by the gentleman from Gouldsboro, Mr. Young. This bill originally came out of the Legislative Research Committee and went before the Committee on State Government. The bill was heard and it was thoroughly gone over in Committee. It had some changes.

Now here is the point. I have been around here quite a long while, and constantly year in and year out, I have heard as many of you have, complaints about the expenses of the members of the Legislature, particularly when it got into a time like this when the legislative pay stopped and the expenses of the members of the Legislature continued. Many of them felt that it was a hardship and a terrific burden upon them. This bill is an honest and sincere attempt to correct an inequity which we, as members of the Committee, felt no doubt existed. Heretofore as a member of this Legislature, I stood here and many of you have heard me oppose any increases whatsoever. This time, particularly after listening to members of this Legislature and their complaints were numerous, it was felt that this might be truly an answer to a problem, because again, they felt that they didn't come down here to make money. I think everyone agreed to that. There is no money in this deal whatsoever, but they did feel that they should be reimbursed for the expenses which they actually incurred. This was an attempt to reimburse them for honest and actual expenses. I feel very strongly that this is the answer to a need, that for all time this will silence complaints by members of the Legislature. I certainly would oppose the gentleman's motion and when the vote is taken, I ask for a division.

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

Mr. BRAGDON: Mr. Speaker, Members of the House: The gentleman from Kittery, Mr. Dennett, rarely leaves much to be said after he explains any situation, and he covered pretty well some points that had occurred to me. I think to begin with, I think as we look back over the years and I have been here several sessions, I think we have always been somewhat niggardly regarding legislative salaries. I think we will all agree that they are not actually what they should be. If we adopt the alternative of setting the salaries perhaps to what they should be, we would undoubtedly be somewhat criticized. We may be with this move. However, it does cover a situation such as we are in in this session, when the session continues exceptionally long, it takes care of the situation. If we had an increase in salary up to \$3,000 or \$4,000 a year if somebody wanted to look to that, in a short session it would be the same salary. I feel this way the expense may prove to be less to the people of the State of Maine than it would by coming out with a straight salary such as the members of the Legislature should have. I hope you will go along with the gentleman from Kittery, Mr. Dennett.

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

Mr. YOUNG: Mr. Speaker, I look at this as an underhanded way of raising a salary, and I think that is the way that most of the people will look at it too. It is just nothing but a salary raise, and you can figure it no different. And our pay would not be stopped now if it had been divided over 24 weeks instead of 20 weeks. You would still be getting a pay check. I move that when the vote is taken, it be taken by roll call.

The SPEAKER: The Chair would interrupt debate just for a moment to recognize in the gallery of the House, thirty pupils from the grades six, seven and eight of the La-Grange Elementary School, La-Grange; accompanied by their teachers, Marion Cook, the Principal and Mrs. Strout. These are the

guests of Representative Cookson of Glenburn.

For the information of the House, Mrs. Cook is a teacher of thirty-eight years' experience and the last thirty-four of which has been in the same school.

On behalf of the House, the Chair extends to you a most gracious welcome. 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 Bowdoinham, Mr. Curtis.

Mr. CURTIS: Mr. Speaker, Ladies and Gentlemen: What would be the matter with a raise for the next legislature? I am reminded that legislatures of the past have been pretty much like the old saying, 'a dog in the manger,' they didn't have it for themselves and they don't want anybody else to have it. Now I think there is a lot in favor of this bill. I am not too happy with everything in it, but it does cure something. Now the argument has been in the past legislatures when raises have been proposed, that on one side that a great many people who should be coming to the legislature were unable to do it because they were not financially able. That is just as true today as it was then. Of course on the other side, it was that it could be made a racket if it got too much money. Well, there isn't any danger of it being made a racket by this bill. When we consider that some of our sister states are paying as high as \$10,000 and some of our close ones as high as \$7,000, why then you might consider that it is a racket. But I think this bill has a lot of merit, and while I may never be back in these halls again, I am in hopes that those who do come back will have the right to at least be partially paid for their time and their expenses.

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

Mr. BOURGOIN: Mr. Speaker, at this time I wish to express my feelings for the young people who are not yet retired and the sacrifices that they make to their business and their families, because I

was asked to come here. I am a freshman. I have spent the money that was paid me, and I have spent my pension of \$350 a month, and I have enjoyed myself. I hope to see that the people are recompensed for their work.

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

Mr. RANKIN: Mr. Speaker, I think it is about time that we aired this situation thoroughly, ladies and gentlemen and Mr. Speaker. The salary of this legislature—of the next legislature should be no less than \$3,000. At the present salary, we are shutting out for hundreds and hundreds of people throughout Maine who could serve in this House, the opportunity to do so. At \$1600, this represents a closed club, membership limited. I have talked to many many constituents over the years and I have found but one who thinks the salary is too high. The average person feels that \$1600 is a joke, something to laugh at.

This bill is not the best method of raising the salary of the next legislature, but it is all we have to work with. I want to remind all of you that when we sit in session, we are the most powerful body in the State of Maine. The remark has been made that this salary increase will cost \$200,000. Well, we have just voted a current services budget at \$143½ million, and if we, in the legislature, aren't worth more than \$1600 with the responsibility that this job carries, then we shouldn't be here. And I repeat, if the salary were adequate so that a man or woman running for office could come and run for this House and emerge with a few dollars left over, we might have even better qualified people. I want to say at this time, that the membership of this body is as high a calibre as anyone would want in the State of Maine, and every one of you are serving as a public duty and serving at a salary that is far from adequate. I very much oppose the motion to indefinitely postpone this bill.

The SPEAKER: Is the House ready for the question? The question before the House is the motion

of the gentleman from Gouldsboro, Mr. Young, that item 12, "An Act relating to Mileage and Expenses for Members of Legislature," Legislative Document 1531 be indefinitely postponed. The yeas and nays have been requested. For the Chair to order a roll call, it must have the expressed desire of one-fifth of the membership present. All of those desiring a roll call, will please rise and remain standing until the monitors have made and returned the count.

Twenty-four members arose.

The SPEAKER: Twenty-four having desired a roll call, not being one-fifth of the membership present, a roll call is not ordered. The Chair will order a division.

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.

The SPEAKER: Twenty-five having voted in the affirmative and one hundred three having voted in the negative, the motion to —

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

Mr. JALBERT: Mr. Speaker, I ask for a roll call.

The SPEAKER: A roll call is 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 be counted.

Nineteen members arose.

The SPEAKER: Nineteen desiring a roll call, obviously is less than one-fifth of the membership present, a roll call is not ordered.

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

Mr. JALBERT: Mr. Speaker —

The SPEAKER: The vote will be announced. Those voting in the affirmative for the indefinite postponement motion are twenty-five; those opposed, are one hundred three; the motion to indefinitely postpone does not prevail.

The Chair recognizes the same gentleman.

Mr. JALBERT: Mr. Speaker, the reason I asked for the roll call vote, I was aware that a roll call vote had been requested before, was because I wanted to say a

few words concerning this measure. I assure you, Mr. Speaker and Members of the House, that if this measure is out of our hands here, that before we adjourn, this program is in not only a little bit of danger, but I assure you it will absolutely go down the drain. This is not a good measure in its present form. I am not going to make any motion. I think that the members of the House, I feel the same way you do, are grossly underpaid. I think we are feeling it now; at least I am because I assure you one thing that right now I used to bring two sandwiches, I have stepped it up to three because I'm here a little later and I just can't afford the tariff, and I am not ashamed to say it.

This is a poorly badly drawn up piece of legislation. If you want to save something, I would very strongly suggest that someone table this measure and keep tabling it until we can come up with some agreement. Let's just remember that we may say yes here, but believe me for those of you who have not been around before, I assure you that after everything is tabled on the other side on that calendar, we are just sitting here like pawns.

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

Mr. PEASE: Mr. Speaker, the vote not having been recorded, I would move that we reconsider our action whereby we just passed this Bill to be enacted, and I do it for this reason—

The SPEAKER: The Chair would inform the gentleman that the Bill has not been passed to be enacted.

Mr. PEASE: I understood the vote had been declared.

The SPEAKER: On the indefinite postponement motion.

Mr. PEASE: I beg your pardon, sir. My seatmate and I, the gentleman from Hope, Mr. Hardy, feeling that the air was becoming somewhat tense, thought that it might be well if the Chair were to read Rule 17 of the Joint Rules to those members presently among us who intended to run for reelection that they might wish to be excused from voting on this measure.

The SPEAKER: It has been requested of the Chair to read Joint Rule 17 which you will find on Page 106 of your House and Senate Register. "No member shall be permitted to vote on any question in either branch of the Legislature, nor in committee, whose private right, distinct from public interest, is immediately involved."

The Chair will reveal to the members of the House that a previous Speaker at a special session did rule that members who had already been elected were not precluded from voting as a matter of private interest over the public interest. And this Chair will so rule.

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

Mr. BERRY: Mr. Speaker, I move that this bill be passed to be enacted.

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

Mr. JALBERT: Mr. Speaker, I move that this bill lie upon the table until June 7.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, moves that item twelve be tabled until Friday, June 7.

Mr. Dennett of Kittery then asked for a division.

The SPEAKER: A division has been requested on the tabling motion. All those in favor of tabling this matter until June 7, please rise and remain standing until the monitors have made and returned the count.

A division of the House was had. Thirty-one having voted in the affirmative and ninety-six having voted in the negative, the tabling motion did not prevail.

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

Mr. JALBERT: Mr. Speaker, I now move that we adjourn until 9:00 P.M. this evening and I would like to speak on the timing.

The SPEAKER: The gentleman may proceed.

Mr. JALBERT: Mr. Speaker and Members of the House: The reason that I am again on my feet is to try to make my plea as impassionate as I could to forewarn what

will happen. I will again repeat myself that this is not in its present form a good piece of legislation—

The SPEAKER: The gentleman should be debating his time —

Mr. JALBERT: And I wanted to have the time, Mr. Speaker, to try to discuss the thing with you and others; so on that basis, because I want to have the time to discuss with you that this is not a just bill, it would necessarily take me some time to do it so I am taking this opportunity to do it. I now move the motion.

The SPEAKER: All those in favor of adjourning until 9:00 P.M.—

Mr. GILL of South Portland: Mr. Speaker, I would like to speak on the time.

The SPEAKER: The gentleman may proceed.

Mr. GILL: The time is growing short and I am opposed to this bill. I believe that we should pass it to be enacted, send it to the other body, and let them kill it at the proper time.

The SPEAKER: The gentleman will continue debating his time only. Is the House ready for the question?

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

Mr. WILLIAMS: Mr. Speaker, I would request a roll call on this.

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 of those desiring a roll call will please rise and be counted.

An insufficient number arose.

The SPEAKER: Obviously less than one-fifth having arisen, a roll call is not ordered. Is the House ready for the question? The question is the motion of the gentleman from Lewiston, Mr. Jalbert, that the House adjourn until nine o'clock this evening. All those in favor will say "yes"; those opposed, say "no."

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

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

Mr. JALBERT: Mr. Speaker, I now move a roll call on the pending question.

The SPEAKER: The gentleman from Lewiston now requests a roll call on the pending question. The pending question is the passage of item twelve to be enacted.

For the Chair to order a roll call on the enactment of item twelve, it must have the expressed desire of one-fifth of the membership present. All those desiring a roll call on the enactment of this bill, please rise and be counted.

Twenty-two members arose.

The SPEAKER: Twenty-two having expressed a desire for a roll call, the Chair will rule that it is an insufficient number to order a roll call.

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

Mr. JALBERT: Mr. Speaker, with a dying gasp I now ask for a division.

The SPEAKER: The gentleman now requests a division. All those in favor of the enactment of this Bill, An Act relating to Mileage and Expenses for Members of Legislature, House Paper 1065, Legislative Document 1531, will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

One hundred five having voted in the affirmative and twenty-five having voted in the negative, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Mr. JONES of Farmington: Mr. Speaker—

The SPEAKER: For what purpose does the gentleman arise?

Mr. JONES: To make a comment.

The SPEAKER: The gentleman is not in order at this time. The Bill is passed to be enacted.

The Chair understands that the gentleman from Farmington, Mr. Jones, requests unanimous consent to briefly address the House. Is there objection? There is objection. The Chair will so rule.

An Act relating to Apportionment to Municipalities of Tax on Telephone and Telegraph Companies (H. P. 1077) (L. D. 1544)

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.

Finally Passed

Resolve Providing Funds for Public Landing at Islesford, Hancock County (H. P. 177) (L. D. 246)

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

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

M. MacLEOD: Mr. Speaker and Members of the House: I had a few comments I wanted to make about this bill, but after the last half hour and after having voted for the last measure — I don't have any more comments.

Thereupon, the Resolve was finally passed, signed by the Speaker and sent to the Senate.

Resolve in favor of Town of Woolwich (H. P. 1026) (L. D. 1487)

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

Orders of the Day

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

SENATE REPORT — Ought not to pass — Committee on Appropriations and Financial Affairs on Bill "An Act Promoting Scenic Attractions and Vacation Facilities in Maine." (S. P. 134) (L. D. 496)

Tabled — June 3, by Mr. Tyndale of Kennebunkport.

Pending — Acceptance of Report.

Thereupon, the Committee "Ought not to pass" Report was accepted in concurrence.

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

AN ACT Continuing the Committee on Aging. (S. P. 384) (L. D. 1087)

Tabled — June 3, by Mr. Childs of Portland.

Pending — Passage to be Enacted.

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

Mr. JALBERT: Mr. Speaker, I move that the rules be suspended—under suspension of the rules I move that we reconsider our action whereby we passed this bill to be engrossed, for purpose of an amendment.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, moves that the House suspend the rules for the purpose of reconsideration, which requires a two-thirds vote of the members present.

All those in favor of suspension of the rules, will please rise—

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

Mr. BERRY: I think, Mr. Speaker, that —

The SPEAKER: It is not debatable. For suspension of the rules all those in favor will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Mr. JALBERT: Mr. Speaker —

The SPEAKER: For what purpose does the gentleman arise?

Mr. JALBERT: I would — I will wait until you declare the vote. I would like to ask a parliamentary—

The SPEAKER: Thirty-five having voted in the affirmative and forty-six having voted in the negative, an insufficient number have voted for suspension of the rules.

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

Mr. JALBERT: Mr. Speaker, I would like to table this item until tomorrow,

Mr. Williams of Hodgdon then asked for a division.

The SPEAKER: The Chair understands that the gentleman from Lewiston, Mr. Jalbert, moves that this matter be tabled until tomorrow. A division has been requested. All those in favor of tabling this matter until tomorrow, will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Seventy-one having voted in the affirmative and thirty-one having voted in the negative, the Bill was tabled pending passage to be en-

acted and specially assigned for tomorrow.

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

HOUSE REPORT — Leave to Withdraw — Committee on Judiciary on Bill "An Act Designating Saco as the Seat of the District Court for Eastern York." (H. P. 51) (L. D. 74)

Tabled — June 3, by Mr. Cartier of Biddeford.

Pending — Motion of Mr. Bedard of Saco to Substitute the Bill for the Ought Not to Pass Report.

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

Mr. CARTIER: Mr. Speaker and Members of the House: I move that this item and the report be indefinitely postponed. I have conferred with the gentleman from Saco, Mr. Bedard, and he is in accord with the motion.

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

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

Bill "An Act Providing for Public Facilities for Boats" (H. P. 1097) (L. D. 1573)

Tabled — June 3, by Mr. Humphrey of Augusta.

Pending — Motion of Mr. Viles of Anson to Indefinitely Postpone.

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

Mr. WILLIAMS: Mr. Speaker, I move that this lie on the table until tomorrow.

Thereupon, the Bill was retabled pending the motion of Mr. Viles of Anson to indefinitely postpone and specially assigned for tomorrow.

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

Bill "An Act relating to Investigation of Motor Vehicle Accidents by Highway Safety Committee." (S. P. 492) (L. D. 1344) — Senate "B" (S-256)

Tabled — June 3, by Mr. Rust of York.

Pending — Passage to be Engrossed.

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

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

"An Act Increasing Salary of Forest Commissioner. (S. P. 374) (L. D. 1040)

Tabled — June 3, by Mr. Bragdon of Perham.

Pending—Passage to be Enacted.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: Relative to L. D. 1040, practically all of the salaries of department heads have been given consideration by this Legislature and have been given substantial increases. This particular salary is the only one that is not given such consideration. Now, for the information of the House, I would like to say that the present Forest Commissioner, Austin Wilkins, is now in his thirty-fourth consecutive year as a forestry career man in the employ of the State Forestry Department from 1929 to '63. During this period he has come through the ranks starting in 1929 as supervisor of forest fire control in the organized towns, in 1948 advanced to Deputy Forest Commissioner, and in 1958 appointed as Forest Commissioner. Last August 6 he was reappointed by Governor Reed for another four-year term. He has served under four Forest Commissioners and the administration of nine governors.

During the 99th Legislative Session several interested members approached Mr. Wilkins and suggested that he ask for a salary increase, but he understandably declined on the basis he had not been sufficiently long enough in office to justify the increase. Another attempt was made in 1961 and was passed by the 100th Legislature but went down the drain in the last night or two of the session because of lack of funds.

As I said before, he is presently the only department head who has not received substantial consideration relative to a salary increase by this session. Now, if you will permit me the reconsideration of this Act, I will offer an amendment which will provide a \$1,000 increase, which is in line with similar increases granted by this Legislature. Mr. Speaker, I now move the reconsideration of L. D. 1040, which was passed to be engrossed as amended by House Amendment "A," filing number 297. If you go along with me on this reconsideration, I will then offer an amendment which will take care of this situation which I have explained.

The SPEAKER: The Chair understands that the gentleman from Perham, Mr. Bragdon moves that the House suspend the rules for the purpose of reconsideration.

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

Mr. JALBERT: Mr. Speaker, I am in full accord with the gentleman from Perham, Mr. Bragdon, but I didn't think a motion to reconsider was debatable; and this is the only motion that has been made.

The SPEAKER: It is not debatable.

All those in favor of suspending the rules for the purpose of reconsideration, will please rise and remain standing until the monitors have made and returned the count.

For what purpose does the gentleman arise?

Mr. BERMAN of Houlton: Mr. Speaker, to make a motion.

The SPEAKER: The motion is before the House.

Mr. BERMAN: Mr. Speaker, I know —

The SPEAKER: It is not debatable. The matter of suspending the rules is not debatable. All those in favor of suspension of the rules will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had. Seventy-nine having voted in the affirmative and thirteen having voted in the negative, the rules were suspended.

Thereupon, on motion of Mr. Bragdon of Perham, the House voted to reconsider its action whereby this bill was passed to be engrossed as amended by House Amendment "A" on April 30.

Mr. BRAGDON of Perham: Mr. Speaker, I now move the indefinite postponement of House Amendment "A."

The SPEAKER: The Chair understands that the gentleman from Perham, Mr. Bragdon, moves that the House suspend the rules in order to reconsider the adoption of House Amendment "A."

For what purpose does the gentleman arise?

Mr. DUDLEY of Enfield: I would like to have the Clerk read the amendment. I can't seem to find it.

The SPEAKER: The question before the House is the motion to suspend the rules. All those in favor of suspending the rules say aye; those opposed say no.

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

Eighty-seven having voted in the affirmative and twelve having voted in the negative, the rules were suspended.

Thereupon, on motion of Mr. Bragdon of Perham, the House voted to reconsider its action whereby it adopted House Amendment "A."

The SPEAKER: The Chair recognizes the gentleman from Lisbon, Mr. Karkos.

Mr. KARKOS: Mr. Speaker, the gentleman from Enfield asked that the amendment be read so we would know what it is.

The SPEAKER: The gentleman was not in order at that time.

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

Mr. BRAGDON: Mr. Speaker. I now move the indefinite postponement of House Amendment "A."

The SPEAKER: The gentleman from Perham, Mr. Bragdon, now moves the indefinite postponement of House Amendment "A," and the Clerk will read the amendment.

Thereupon, House Amendment "A," filing number H-297, was read by the Clerk.

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

the gentleman from Perham, Mr. Bragdon, that House Amendment "A" be indefinitely postponed. Is that the pleasure of the House?

The motion prevailed.

Mr. BRAGDON: Mr. Speaker, I now offer House Amendment "B" to Senate Paper 374, L. D. 1040, which is filing number H-409, and move its adoption. I would like to comment. This amendment is somewhat complicated, but I will comment that it gives a straight \$1,000 increase to the present salary of the Forest Commissioner, with the same distribution that it now has under the present setup, two-thirds from the Forestry District and one-third from the General Fund.

The SPEAKER: The gentleman from Perham, Mr. Bragdon, now offers House Amendment "B" and moves its adoption.

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

HOUSE AMENDMENT "B" to S. P. 374, L. D. 1040, Bill, "An Act Increasing Salary of Forest Commissioner."

Amend said Bill in the 6th line by striking out the underlined figure "\$14,250" and inserting in place thereof the underlined figure "\$12,250" and by striking out the underlined figure "\$9,500" and inserting in place thereof the underlined figure "\$8,167"

Further amend said Bill in the 2nd line of section 2 by striking out the figure "\$800" and inserting in place thereof the figure "\$249.85" and by striking out in the 3rd line of section 2 the figure "\$1,000" and inserting in place thereof the figure "\$333"

The SPEAKER: Is it now the pleasure of the House that House Amendment "B" be adopted?

The Chair recognizes the gentleman from Houlton, Mr. Berman.

Mr. BERMAN: Mr. Speaker, I would like to ask a question through the Chair regarding this amendment of the proponents. I served on the committee on State Government before whom this bill came, and it is my recollection that the Committee on State Government worked out an agreement for a modest salary raise with the proponents of this measure. Now it seems as though that agreement is going by

the board and an additional salary increase is being proposed. I would like the proponents to explain the reason for going beyond the agreement that was reached with the Committee on State Government.

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

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

Mr. BRAGDON: Mr. Speaker, I am somewhat in doubt whether I am the proper person to answer. The agreement which the gentleman from Houlton speaks of in State Government was for a \$250 increase in this salary, and the reason for offering this \$1,000 increase was because of the fact as I stated earlier that all department heads with the exception of the Forest Commissioner had been granted substantial increases, and certainly I did not consider the \$250 increase a substantial increase. This \$1,000 increase which replaces the agreement which the gentleman refers to for \$250, is the proposal. I hope that answers the question of the gentleman.

The SPEAKER: Is the House ready for the question? Is it now the pleasure of the House that House Amendment "B" be adopted?

(Cries of "No")

All those in favor, will please say yes; those opposed, no.

A viva voce vote being taken, the motion prevailed.

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

The Chair laid before the House the seventh tabled and today assigned matter of Unfinished Business.

Bill "An Act to Expand Powers of Soil Conservation Districts." (S. P. 603) (L. D. 1570)

Tabled—June 4, by Mr. Tyndale of Kennebunkport.

Pending — Passage to be Engrossed.

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

Mr. TYNDALE: Mr. Speaker, with reference to item 7, there was a question posed by the gentleman from Bangor, Mr. Minsky, in regard to this legislative document. I have a note from a distinguished lady of the other body, who is the sponsor of this bill, stating that a gentleman is coming down which will enable this question to be answered. For this reason, I hope that someone will table this bill until tomorrow.

The SPEAKER: The Chair recognizes the gentleman from Scarborough, Mr. Coulthard.

Mr. COULTHARD: Mr. Speaker, Ladies and Gentlemen and the Honorable Sir from Kennebunkport: I think now I am prepared to answer the question of the gentleman from Bangor, Mr. Minsky. And with that in mind, I hope that I will be able to continue.

Yesterday we were asked what in my opinion was a legal question, which I did not desire to answer without having consulted with somebody of a legal mind. Who was responsible for damage caused by any dam that should break away under this Act. The answer I received, the party liable for the damage caused would be up to the Court. If an act of God destroys a dam, then it may be that nobody is liable unless the dam is considered to be an inherently dangerous instrumentality. In that case, the district could be liable, the contractor could be liable, or a third party could be liable. On Page 7 of Section 8, there is a section where the districts can sue and be sued. This has been on the books for twenty-two years. The law governing this is the same as that governing the power companies or anyone else. There is nothing new here in this law. So if that answers the question, I would like to go further and move that this Bill now be passed to be engrossed.

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

Mr. MINSKY: Mr. Speaker, that answer is to some degree satisfactory except that one phrase, he said that under certain circumstances the district could be responsible. I would then pose the

question as to whether or not the district is in any way funded that it could meet any court award. To the best of my knowledge, the district has no funds other than that from its normal administration which might be far less than would be necessary to pay a court damage award. If this is so, would there be any liability on behalf of the State of Maine to meet the damages that were assessed against the district?

The SPEAKER: The gentleman from Bangor, Mr. Minsky, poses another question through the Chair to the gentleman from Scarborough, Mr. Coulthard, who may answer if he chooses.

The Chair recognizes the gentleman from Scarborough, Mr. Coulthard.

Mr. COULTHARD: Mr. Speaker, Ladies and Gentlemen: Under this new act, there will be money, both state and federal, and I have here an application for prevention and flood control, and in the application it states and I would like to read part of it. The property owners of the integral area are interested in improved drainage. They are prepared to meet requirements of easements, land rights, operation and maintenance of all work and improvements as well as other responsibilities required of the sponsors of the project. This is an application for watershed located in Cumberland and Androscoggin Counties in Maine and flows into the Casco Bay at Yarmouth, Maine. It is part of the Royal River. So I would maintain that that would probably be a legal document that would hold the district and those involved responsible.

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

Mr. MINSKY: Mr. Speaker, I very much am not trying to obstruct this, this question does bother me. I think there are still some unanswered facets concerning it. I have been told that a Deputy Attorney General who has worked on this bill considerably will be returning to his office tonight or tomorrow morning, and perhaps can give me the complete answers. I

would ask that someone table this until the next legislative day.

Thereupon, on motion of Mr. Tynedale of Kennebunkport, the Bill was tabled pending passage to be engrossed and specially assigned for tomorrow.

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

AN ACT relating to Expending Aroostook County Funds for Renovating the Terminal at Presque Isle Municipal Airport." (S. P. 194) (L. D. 493) — In House Indefinitely Postponed.

Tabled — June 3, by Mr. Bragdon of Perham.

Pending — His Motion to Reconsider Indefinite Postponement.

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

Mr. BERMAN: Mr. Speaker, with regard to this matter, I would like to request a ruling on a point of order based on the following statement of facts. As I read Rule 41 of the House rules contained on page 93 of the Senate and House Register, only a member who voted with the majority may move a reconsideration motion. Now as I recall, this bill was indefinitely postponed in the House Wednesday, May 29, and I know of my own knowledge for certain that at that time the honorable gentleman who makes the motion to reconsider was absent when the vote was taken. So he could not have voted with the majority.

Now last evening, I spoke to the honorable gentleman about this and he readily admitted that he was not present—

The SPEAKER: The gentleman is arguing his case. The gentleman may raise a point of order.

Mr. BERMAN: Now I would submit to the Chair that since the Honorable gentleman could not—

The SPEAKER: What is the gentleman's point of order?

Mr. BERMAN: That the motion to reconsider would not be in order.

The SPEAKER: The gentleman's point of order is that the motion to reconsider would not be in order because of the gentleman making

the motion to reconsider having not voted on the prevailing side. The Chair, in this case, because of no record having been taken, would have to make the rule of presumption that the gentleman did vote on the prevailing side.

The Chair recognizes the gentleman from Oakfield, Mr. Prince.

Mr. PRINCE: Mr. Speaker, and Ladies and Gentlemen of the House: It is with a great deal of reluctance that I rise to disagree with my very good friend the gentleman from Houlton, Mr. Berman, but in order to retain the honor and integrity of our vast county, in the eyes of the other counties of the State, I must admit that an explanation is required.

As the gentleman has said, he was subjected to a great misfortune during this session, and did lose a very near and dear relative, and for that reason was away from our county caucuses for at least one month, and in that month, much of our delegation affairs and commitments were made, which had to be attended to regardless of the gentleman's sorrow, but as to the gentleman from Monticello, not being present as I was led to believe that he stated last week, it seems to me that he was present at most of our meetings, and so far as I know had no reason not to be.

The matter of the decision to allocate money to the City of Presque Isle to aid them in their endeavor to create and maintain a suitable base of operations for commercial transportation was agreed upon almost unanimously and supposedly settled to the satisfaction of all concerned. I fully realize the importance of this commercial airport to the citizens of Aroostook County, and personally regret that nothing has been done or agreed upon to be done. After all, Presque Isle is the nerve center of the Northern Maine area and with the situation as it so happened to be, it was the part of wisdom for them to accept and try to create for us something of this type for our almost passenger transportationless County. And certainly does deserve some encouragement. We the citizenry of Aroostook County, cannot afford to

engage in a civil war, the North and South, against the Central part. And if this type of Indian giver bargaining does continue or be allowed to continue, all harmony will be interrupted, and we will become one of the quarreling counties that we have had the benefit of seeing and overhearing during this session.

I must take the opportunity to advise the gentleman from Houlton, that the citizen Legislators from the central portion of the county did not make objection to us from the southern portion when we requested an appropriation of twenty thousand dollars for a private school, located in our part of the county.

I also believe that the gentleman is being a bit presumptuous when from the tone of his remarks—

The SPEAKER: For what purpose does the gentleman rise?

Mr. BERMAN: Mr. Speaker, I would really have to call this to a point of order.

The SPEAKER: The gentleman from Houlton, Mr. Berman, calls the gentleman for a point of order, and the Chair will so rule. The gentleman will refrain from criticizing a fellow member. The gentleman may proceed.

Mr. PRINCE: I guess I'll have to leave out that part.

I as one wholly concur with the gentleman in his ambitions to conserve and cut expense to the bone where it can be done without shame or injury, but I cannot conceive of such a method as this proposed one, which calls for us to go back on our word and if accepted will cause us more trouble county-wise than the advent of the potato bugs, or net necrosis. I sincerely hope that when the vote is taken the motion of the gentleman from Houlton will be soundly defeated.

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

Mr. BERMAN: Mr. Speaker, Members of the House: First off, to correct any misapprehension, I was absent only one week, and I suggest that this matter certainly could have waited until my return after an absence of one week.

Members of the House, I dislike debating this bill a third time on the merits after you gave me such commendable support last week in postponing this bill, but my opponents are giving no quarter in the demanding of your time and mine, and so I must reluctantly continue. I would remind you of something from a book I read when I was a little youngster, from Rudyard Kipling's *Jungle Book*, but it had some sweet words of reason in it. It went something like this: "when pack meets with pack in the jungle, and neither will go from the trail, please wait until reason has spoken, it may be fair words shall prevail."

Mr. Speaker, Members of the House, this is a dangerous bill for the people that I have the honor to represent. Any request that I may have made for my area was done because it was a continuing matter. It was not something that I initiated, but this bill is a dangerous bill. It is a very dangerous bill. Why do I say this is a dangerous bill? Because it concerns an initial demand by the owners of a multi-million dollar airport, a multi-million dollar airport—not just a landing field, for \$19,500. If this amount is allowed them, I am not naive enough to believe that this will be the end of the matter, but I know it will be only the beginning of increasing and larger demands by the City of Presque Isle, the owner of this airport.

Now, if the appetite of that fair city would be appeased in this 101st Legislature, this appeasement I suggest would only be of short duration. The great airports in this state I submit are a state and federal and municipal problem, because they involve intrastate, interstate and municipal functions. I repeat, these are municipal airports. Now, I hope that my prophecy is not like that of Cassandra because I merely say to you today that if you allow this dangerous bill to be enacted, you will confuse, muddle and complicate the focal point of municipal, state and federal responsibility by putting shire money into a bottomless pit at a time when mortgage foreclosures are running ram-

pant up home, and far heavier than they have been in many, many years. I appeal to your reason and sense of fair play to defeat this dangerous and invidious bill which strikes, I suggest like the anopheles mosquito spreading what we call the metastasis of gimmies from the initial bite, and this is only the initial bite.

Please give this bill a decent funeral this morning by at least as many votes as on Wednesday last, and have done with it now and forever. I say that let the voice of conscience and decency and honesty be your guide, and I hope that you will defeat this motion to reconsider.

The SPEAKER: The Chair recognizes the gentleman from Caribou, Mr. Albair.

Mr. ALBAIR: Mr. Speaker and Ladies and Gentlemen of the House: I rise to support the motion to reconsider, and have a few short remarks relative to this problem.

As a member of the Aroostook County delegation, I wish to inform the members of this House that yesterday, June 4th, a caucus was held by all the House members of the Aroostook delegation, with the exception of one individual who was absent, for the purpose of discussing this proposed legislation.

At this caucus, a vote was taken as to whether or not county funds should be given to the City of Presque Isle for the renovation of a building at this Presque Isle Airport to be used as an air terminal. Only a few members of the delegation voted in the negative.

It is my understanding that the City of Presque Isle consulted with the County Commissioners of Aroostook County before commencing the renovation of the terminal building and were assured that the County of Aroostook would participate as recommended in this legislation. In reliance upon this promise, the City of Presque Isle engaged the services of a contractor and work at the terminal building where this was performed. Earlier this session, when our delegation met to discuss the county budget, it was agreed by the thirteen members present to incorporate this legisla-

tion into the budget for Aroostook County.

Shortly before April 1st, our budget, together with all county budgets, was approved and enacted into law. Subsequently, all the towns were assessed their proportionate share of the budget including the City of Presque Isle, which is, in no small part, paying the cost of this legislation.

Let me say again that the money we now speak of does not come from the State of Maine, but is to be paid entirely by the people of Aroostook. I recognize, as a resident of Caribou, the need of the facilities for commercial air service at Presque Isle. In my opinion, this legislation is only fair and proper and we, the people of Aroostook County who use the facilities offered, should therefore pay our share of the expense.

I strongly urge the members of this body to reconsider this action.

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

Mr. BERMAN: Mr. Speaker, Members of the House: As I understand it, the City of Presque Isle agreed to pay half the cost of renovating this building if the county would go along. Now, the county could only go along if this Legislature went along, but what did the City of Presque Isle do when it came to pay their one-half of the share? They came down here to Augusta and they went down to see the Governor and Council, and again without any reflection upon a member of this House, a member of this House from the City of Presque Isle was on that Governor's Council. They got one-half the \$39,000 from the Governor and Council, and then, I say, they had really no right to put in this bill to get the other half from the county. They were given this building free of charge by the United States Government free of charge. They have this multi-million dollar airport up there. They said they would pay half the cost of renovating this building if the county would pay the other half. They haven't paid a nickle towards renovating this building and now they want this bill to go through.

Now we did have a meeting of our delegation yesterday, and without going into the pros and cons of it, only six of this delegation were strongly for the bill. There were at least four strongly against it. There were some that were willing to go along, and I can certainly agree that harmony is desirable; one was lukewarm and one was absent. Now, I certainly suggest to this House today, in a sense of fair play of what is occurring, that this talk of a majority can be a little lopsided, because I was brought up to believe that sometime that when you're on the side of right and moderation, that is the majority.

The SPEAKER: The Chair recognizes the gentleman from Presque Isle, Mr. Wight.

Mr. WIGHT: Mr. Speaker, Ladies and Gentlemen: Perhaps I better vindicate myself of the situation as to the council order that was passed regarding this air base. I might say that the state and federal government share in the improvements and renovations and maintenance of some of these airports. Therefore, the appropriation that was necessary to make this renovation was approved by the Aeronautics Commission of which Scott Higgins is Commissioner, and presented to the Council for passage. This was in the line of operations for this airport in making certain improvements so that this was a matter of routine business for the Council. This was not pressured by me or brought in to help any different than it was at Fryeburg and many of these other airports.

I feel this was a sort of a throw at me, that I worked for this in the Council. It was simply a matter of the formalities that the Aeronautics Commission operate on to pass the allocation for the airport the same as all others.

Some mention has been made of the city offices being in this airport terminal. Now, there are no city offices in the terminal that has been renovated. There's an industrial agent that has had an office there for many months, and this area was not renovated nor was there any expense to the coun-

ty on this bill. This bill is part of our operations to keep and maintain a suitable class airport. There are many other expenses, and this small amount which the county has agreed on, I feel should be passed and given to the city so that the county can benefit from a better airport. This is a regional airport and 95 per cent of the air traffic into Aroostook County operates through that airport. We have a very fine terminal, and we hope to make the airport there bigger and better so that the people can get to northern Maine.

The SPEAKER: The Chair recognizes the gentleman from Chapman, Mr. Welch.

Mr. WELCH: Mr. Speaker and Ladies and Gentlemen of the House: Just to make it clear to some of you that haven't asked me, Chapman is in Aroostook County. And of course it is in that area served by the Presque Isle Municipal Airport. And of the towns I represent, nine of which are organized townships, we make extensive use of these facilities. I can't say that we use them any more or any less than do the people of Presque Isle. But we do realize that to retain these facilities, we have got to broaden the base for support of this Presque Isle Airport. My towns are in favor of this bill. As the gentleman from Oakfield has stated, it is the nerve center and what helps Presque Isle, helps the rest of us.

In the delegation, the majority were in favor of this bill. This is not the first county money bill which has been before us, but to this point when a majority favored our county legislation, it came out of the delegation meeting unanimous. I, for one, was absent when a vote was taken on another bill of which I disapproved, but the majority having been for it, I remained silent. We have always tried to do this. On the present bill, the original vote came out of delegation thirteen unanimous. As of yesterday, the vote came seven in favor, two opposed, the remainder abstaining with no feelings one way or the other. In this House, we all know the majority rules, and I believe this House should accept the

majority recommendations of the Aroostook delegation. I would hope that you would support the gentleman from Perham, Mr. Bragdon.

The SPEAKER: The Chair recognizes the gentleman from Eagle Lake, Mr. Gallant.

Mr. GALLANT: Mr. Speaker, I am from an area that is not very rich, and I don't think there are very many people that are riding from or needing the airport, and I don't think we should be taxed for that property. Those that are using the airport should be taxed for it. Thank you. That is all I have got to say.

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

Mr. WILLIAMS: Mr. Speaker and Members: I was in hopes not to get into this discussion, but I happened to have the honor to be the House Chairman of the Aroostook delegation. Aroostook County in the past has been very fortunate to have many good county commissioners, good sharp businessmen, and therefore they have kept their budget down so that it hasn't been burdensome to anyone; but in this last year, we were faced owing to this district court act with an increase in our budget which was no one's particular fault. Now when we met to study over the demands, we had many requests for funds from the county. Now among those requests, were probably perhaps fifteen or twenty, the way I remember them, I am speaking strictly from memory and each one of us, I know I did, and I take it for granted that each member of the delegation had some pet projects. Among the projects were Ricker College, aid to extension of the Presque Isle Airport, and various others. Some of them I was all for. For instance, I was a graduate of Ricker; therefore I was greatly in favor of the Ricker bill. I was a long-time member of the extension; therefore I was greatly in favor of extension. We had some bills in there for recreational development which I was opposed to. I was opposed to various others. But when we all got together, I couldn't go all out for my particular pets and not go for the other bills. So I gave the other

members of the delegation the credit for having some pets of their own and wanting those pets just as bad as I wanted my pets. So I agreed to go along with the whole thing, and I think perhaps many of the others. Some of us had some reservations perhaps, but on the whole, I think we were fairly well agreed. It is true that some of the members weren't there due to various reasons beyond their control, and they have the perfect right to agree or disagree as far as I can see with what we did. Thank you.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Perham, Mr. Bragdon, to reconsider our action whereby this Bill "An Act relating to Expending Aroostook County Funds for Renovating the Terminal at Presque Isle Municipal Airport," Senate Paper 194, Legislative Document 493, was indefinitely postponed.

Mr. Berman of Houlton then requested a division on the motion to reconsider.

The SPEAKER: A division has been requested.

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

Mr. JONES: Mr. Speaker, I would like to pair my vote with Mr. Viles of Anson who is not here. He would oppose the motion for reconsideration, and I would be for it.

The SPEAKER: The gentleman from Farmington, Mr. Jones, wishes to be excused from voting. Is that the pleasure of the House?

The motion prevailed.

The SPEAKER: All those in favor of reconsideration, will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Forty-eight having voted in the affirmative and sixty-two having voted in the negative, the motion to reconsider did not prevail.

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

AN ACT relating to Claims of Municipalities Against State for

Taxes Lost From Veterans Property Tax Exemption. (S. P. 339) (L. D. 1004)

Tabled—June 3, by Mr. Birt of East Millinocket.

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

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

SENATE REPORT "A" (5) — Ought to pass in New Draft (S. P. 581) (L. D. 1534)—Senate Report "B" (5)—Ought Not to Pass—Committee on Natural Resources on Bill "An Act Creating an Allagash River Authority for State of Maine." (S. P. 65) (L. D. 115)

Tabled—June 4, by Mr. Williams of Hodgdon.

Pending—His Motion to Accept Report "A" OTP.

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

Mr. WILLIAMS: Mr. Speaker and Members: First I would like to explain these maps which I had placed on your desks yesterday. Now there are copies of maps which were made by the Forestry Department at the request of the Natural Resources Committee to show the position of the dams on the St. John and the Allagash Rivers, and also to show the amount of flooding that would occur on the forest lands behind them in case they were built.

I won't go into too much detail because you all have a supplemental sheet there that explains what would happen there much better than I can. On your maps you will see some of the townships with a darker color than the others, but that was due to the original topographical maps being dark green in color. But the shaded portions there in some of them are the actual parts that would be flooded. Now one of these maps is the Allagash Country about the way it is at the present time. There is another one that shows the amount of flooding if the Cross Rock Dam were to be built. Another one, the Rankin Rapids Dam, and another one, the two dams, one at Schoolhouse

Rapids and the other at Big Black Rapids. I think there is another one there that shows the flooding of this new Dickey proposal there.

Now to me, the forests of Maine are our only renewable asset. If you have a mountain, no matter how rich a mine may be in it, if you keep on mining the thing, you are sure sooner or later to mine out the minerals and all you have left is the hole in the ground. But on that same mountain, it is covered with trees. If they are wisely cut and protected from fire, the trees there will be as good or better a thousand years from 1963.

Now this Allagash Authority is an attempt to preserve the natural beauty of the water course without seriously interfering with the forest cutting practices of the owners.

Now this is a normal proposal. It proposes to set up an Authority and the bill contains three main objectives. It creates a five-member Allagash Authority and a seven-member Allagash Advisory Committee with powers to outline a positive course of action. That is number one.

Number two, it establishes a cooperative agreement between the State of Maine and the private landowners for the Allagash River water course.

Third, it assures the continued use for the public of the water course preserving the natural beauty and wildness characteristics of the Allagash.

The findings of the Allagash River Authority would be reported to the 102nd Legislature. Presently, the proposed area of the Allagash wilderness water course cannot be definitely defined. Presumably, a small protective strip of forestland would be preserved along the entire water course of lakes, streams and rivers in the proposed area of the wilderness recreation water course.

Now this is an novel proposal; as far as I know it's never been tried anywhere. If the State of Maine sets up an Allagash River Authority, let me point out who will make up that authority. There will be the Forest Commissioner, the State Director of Parks and Recreation, the Commissioner of

Inland Fish and Game, the Director of the School of Forestry at the University of Maine and the Attorney General. Now for my money, this is a very able and competent authority.

This proposal does not call for the purchase of any land, but rather for cooperative agreements or leases to be worked out with timberland owners. The Legislature finally reserved for itself the authority to make the final approval of all such arrangements. And I for one do not think that the state could pick up a better trade, and I urge you to accept it and vote in favor of the bill.

Now I have a letter here from Mrs. Edmund M. Socec of Augusta who is the President of the Garden Club Federation of Maine. They have seventy clubs and over 4,000 members. I won't bother you with reading the whole of it, but the last paragraph I would like to read. "We request that you make this support" the support of the Allagash "known to the members of your Committee, and we hope that the House, in its wisdom, will pass this bill and help preserve the Allagash Region."

Now I had placed on your desks last week two amendments that I would like to propose to this bill, one of which tries to allay the fears of some of the people that this Authority would stand in the way of a big power dam up there either at Cross Rocks or Rankin Rapids which would flood at least part of the Allagash, and this tries to say in the amendment that if that circumstance was to take place, that the Authority would go along with it.

And the second one, by this time you people have all surmised that I am not in favor of any of these new committees with expense accounts, so I think these people that I read off their names, and the other members who may be appointed, would be well advised to pay their own expenses; so I've presented an amendment that will take the \$25,000 which the bill originally carried out of it, and they'll have to finance their budget in some other way, which I don't think will be hard to do.

Now, if you will go along with me in accepting Report "A" and passing this bill, when the third reading comes, I will introduce these amendments. Thank you.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I too was a member of the Committee on Natural Resources that heard this bill, and have been hearing about it ever since. First, I think a lot of people have asked the question, what is the Allagash? That's a good question because a lot of people don't know what is the Allagash. Well, let me try to enlighten you just a bit on what is the Allagash. First of all, the Allagash, in itself, is a river that runs into the St. John River. The Allagash region, so-called, is a large part of the State of Maine in the northern part of Aroostook, the northern part of Penobscot, and even a little bit of Piscataquis County extends up into this region. Now this region makes up approximately 200 townships of wildlands, woods, mountains and streams in the State of Maine, that is to say about 4,800,000 acres of the mainland. Now, for your information, Maine has 33,215 square miles of area in the total State of Maine according to an encyclopedia that I consulted. The Allagash region would have 7,500 square miles. You can put the State of Rhode Island six times into this and have some acres left over. So just to show you the size of the piece of ground we are talking about, it's a little bigger than six times the size of the whole State of Rhode Island.

Now, another question that has been asked me many times in relation to the bill, What are the natural resources? Well, they are many. There are power potential, forest products, recreation, might even be a national park like Acadia National Park, where we are all welcome and the federal government pays the bills. There are many proposals in the Allagash. Now this bill that's before us today tends to slam the door in the face of all these proposals. In other words, I am not saying that

I'm too strong for such and such a proposal, but I'm not for slamming the door in anybody's face. Now there's great hydro-electric potential there, flood control which is greatly needed in Aroostook County, and it's highly supported by the people from that area. As you will probably hear in a few minutes, every legislator from that area, the immediate area, is opposed to this bill, the Allagash Authority. Also some people would like to see this put into a national park, certain areas of it.

Now, you've heard about the dams flooding it. Well, now I have before me a map that was prepared some time ago that shows all the dams on the area. There are more than one as has already been stated. There's Big Rapids, Dickey, Cross Rock, Rankin Rapids, Lincoln School. Now at least two of these proposals don't even affect the Allagash, Big Rapids and Dickey. However, personally, I think if I was going to support a project, I would support Cross Rock or Rankin Rapids because they're bigger projects, and I think Maine needs big projects. We need something to save us. I'd say this, that this area probably looks like California did in 1849 when some of our ancestors went there and were able to settle, and now they have what is becoming fast the largest state in the Union; and if they had looked at it in the same light that we intend to look at the State of Maine, we would have ended up with not a big state like California. Because 1849 was only 114 short years ago.

Now they speak about this bill, this Allagash Authority Bill, to make it more pleasing and more absorbent to your ears, they are willing to take away the fund or the money temporarily let's say that is for this session. Don't worry, they'll be back next year for an appropriation, and probably a good one. I'd be opposed to that too. They'll surely be back for the appropriation.

Now let's take a specific project, we'll say like Rankin Rapids Dam, for instance. I have already told you there are 4,800,000 acres there

and Rankin Rapids Dam would take 31,000 acres. I must submit that this is a small part of 4,800,000. This would still leave 4,769,000 acres. I think these people need some help to be taken from the wilderness, and it is the experts opinion that we have the most unique dam site in the whole eastern coast, and certainly would be a tourist attraction in many ways, and it proposes to raise about eight and a half million annually for flood—it would make available about eight and a half million dollars worth of flood control a year.

This bill has been rewritten, re-drafted if you want to call it that, it's not the original, and I don't see as it's any better. You could rewrite it a dozen times, all it does is tend to act as a block or a trig or a double-cross or whatever you want to call it, to keep everybody out. So what are we trying to protect in the Allagash? Near as I can see, we are trying to protect a few emotional and sentimental feelings there, and I would like to tell you one of the stories that were told before the Committee. The man had a newspaper clipping, and he went before the Committee, and it said something like this. In substance, it said that for all of the people that have visited the Allagash, there are thousands, maybe hundreds of thousands, that would like to visit the Allagash, and he asked the Committee please do not take this dream away from them. I submit they're dreaming it's true, but that the rest of the people in the State of Maine may be dreaming also. Now we have—this is June, the month of June, 1963, we have large classes of children graduating from high school, and I know they have dreams of some day raising a family, and being gainfully employed in the State of Maine. I know there's others that have left in the last ten years for other states in the Union, and they have dreams that some day they could return to gainful employment, and raising a family and making their home in the State of Maine.

These are the things that we've got to do. We can't turn our backs on progress. This is one of the

chances in this legislature that we have a chance to vote for or against progress. Do we want to stay in the woods or do we want to come out of the woods? Do we want to find a job for these children that's graduating this very month in 1963? Do we want to find a job so some more of our talent that's moved out of the state can return to the good old State of Maine and be gainfully employed? I say we do. I am one of those people that wants progress. I want to see things developed. I want to see these people have a job and be able to return to the State of Maine, and be gainfully employed, and I know they are dreaming of that day when the day comes.

Now, I just didn't come down here and occupy this seat number 142 just to tax the people and spend their money. For sure, I had other things in mind. I'd like to do something that would be progressive for the people, for the State of Maine, and the people living in the State of Maine, and the people that's living out of the State of Maine that would like to return to the State of Maine. I don't see how people can sit in this House, occupy a seat in this House, and vote against progress. I know that some will, and actually a vote for this bill, for the passage of this Allagash Authority bill is a vote against development, against progress in the State of Maine. There's absolutely no way out of it. There's no other way out.

Now, so far as I could see before the Committee, in this whole vast area, there was one man making a good living, Zeke Dwelley. He brings the boy scouts down on a trip with a few others, and his cost is pretty exorbitant. As I remember it, this is—this figure don't hold me to, but as I remember it, it was \$275 for one week and about \$600 for a little longer trip per head, and he does bring a lot down so he does have a pretty good business there to protect, and I didn't blame the man for trying to protect his business; but I submit that when over 4,000,000 acres of the State of Maine is involved and only one man, insofar as I can see, was gainfully employed, this is a pretty small amount.

I don't want to belabor the question any longer. It's getting along, I'm sure. I wish I had the whole afternoon because I certainly would like to enlighten you on a lot of things in the Allagash.

The only thing I would like to say in closing, for the time being, I may have to get up and defend some accusations that will be made here. No doubt they'll want to make some more surveys. Before me here, I have stacks of surveys all made, some of them three-quarters of an inch thick. There's one on Rankin Rapids in the Allagash region, and one made by the Fish and Game Department which has several pages. I submit to you there's been surveys enough made. Then there'll probably be others get up and say this is the only Allagash trip in the world and I would like to say the Department of Economic Development has a nice little folder where they list and explain all about twenty-seven of these such trips, and it's available in the Department of Economic Development, and I hate to delay the question because I know we all want to go to dinner, but I just want to point out that in Section III of the original bill or the bill in general, they acknowledge who's going to be on this Committee, but they obviously don't want no development. They want to put the Forest Commissioner on there and the Fish and Game Commissioner, and so forth and so on as you can read it in Section III. I won't go into it, but they never thought to put anyone on from the Department of Economic Development. They certainly didn't want it developed. They left them out all right.

All I want to say in closing is if you would like to see some of these children that's going to school today and going to be graduating this very month, let's try to do something for them. Let's see if we can't defeat this bill for the Allagash Authority, and I might say that the report from the Committee was five and five. In other words, I signed the bill "Ought not to pass" as well as did four other members and after very careful consideration, and I don't believe I've ever signed a bill in this

House that I had any more pleasure in signing "Ought not to pass" than this one. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Belgrade, Mr. Sahagian.

Mr. SAHAGIAN: Mr. Speaker, Ladies and Gentlemen of the House: I wish to make clear my present position in regard to L. D. 1534. You will note that I originally signed in Committee Report "B" "Ought not to pass." My reason for doing so was because I did not agree on the present form of the bill, L. D. 115. Since that time, this bill has been redrafted to its present form, and this clearing up my opposition, and presenting a bill that I can support, this new draft L. D. 1534 and hope you will go along in supporting it in its new form.

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

Mr. WELLMAN: Mr. Speaker, Ladies and Gentlemen of the House: I would like to bring to your attention the report of the Legislative Research Committee of which I was a member, and I would like to answer I believe some of the points that have been raised by the gentleman from Enfield.

If you have your Legislative Research Reports in front of you, I wish you would turn to Page 76; for those of you who don't, if you will permit me, I will read to you: "No other area of the state has been the subject of so much controversy or so many proposals as to its ultimate use. It was the aim of the Committee to evaluate all of these diverse recommendations, bringing them into focus at the State level in order to determine what action would be best for the State of Maine and of greatest benefit to its citizens. It is the unanimous conclusion of the Committee that the area could be of tremendous value to the State of Maine because of its unique wilderness character, but only if this unique aspect can be preserved will these benefits be fully realized. This can be accomplished without sacrificing the equally important economic value of the timber and water resources. With proper management

of the area by a State agency, a genuine multiple use plan could provide for preservation of the wilderness aspects of the area while allowing controlled use of the natural resources. Such a plan would not necessarily require outright ownership of vast amounts of land by the State."

Having reached this conclusion, the Committee decided that because of lack of funds on its part and also because of lack of time on its part, that it would be impossible to present to this Legislature a plan, an actual outline plan, so many acres, what methods of acquisition would be used by the State. It therefore felt that it would be in the best interest of the State to propose a recommendation establishing a legal entity composed of various officials of the State, advised by various persons in the public who are interested in the preservation of this area. This legal entity would be then empowered to conduct negotiations with the many different land owners along the water course, and would then present to the 102nd Legislature a program which that Legislature would or could, if it so desired, accept, knowing and being able to judge better the full cost and the full impact, or it could if it so desired turn it down. This is all that is being asked of you today. Are you willing to accept a legal entity which can provide a program for the preservation of a water course?

Now why should you preserve this particular water course? I suggest to you that if you asked people all over this Country what two things do you recognize or do you associate with the State of Maine, I suggest that they think of lobsters and I suggest they think of the words "the Allagash." The Allagash has been famous in Maine history all the days ever since Thoreau first went into the country. I suggest that you re-read Thoreau's book on the first trip into Maine, and I suggest to you that this is why that this is a famous name throughout this Country. The gentleman from Belgrade some time ago discussed that we had thrown away an important promo-

tical aspect of the State of Maine when we changed our date of election. I suggest to you that we should not throw away another, another promotional name that we have which is associated with the State.

I again repeat to you that this is not a proposition against progress. Even if you do not ultimately agree with the concept of the preservation of this natural water course; even if you believe firmly that the area should be flooded for a large dam; even if you believe that the other dam projects that are proposed for the St. John-Allagash area are not feasible, I suggest to you that by adopting this piece of legislation before you today, you will then be providing a vehicle whereby an intelligent decision can be made in the next Legislature. Thank you.

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

Mr. TAYLOR: Mr. Speaker, Ladies and Gentlemen of the House: I have studied the Allagash problem considerably, as the Public Utilities Committee, of which I am a member, has heard the Cross Rocks Dam quite thoroughly.

Now it is my opinion that this bill before us today is definitely a detrimental piece of legislation to the progress of Maine, and I say this after just listening to the comments of the gentleman from Bangor, Mr. Wellman, a member of the Research Committee who studied this problem, and recommended that this bill be passed and the preservation of the Allagash be preserved for the future.

Now ladies and gentlemen, I like to preserve memories too, and I believe we all preserve the memories of Daniel Boone and Custer's Last Stand as glorious memories in the history of our Country. Now as far as the Allagash goes, let us preserve that in our minds and in the history books, but let's not hold progress back. If and when the Federal Government should decide that a project was feasible in this area along with the Passamaquoddy, it would no doubt be the greatest benefits to the people of

the State of Maine that could be imaginable. Now the figures presented to us of the people visiting the Allagash region on a yearly basis was only 500 to 600 per year, and this is actual count. Now if only 500 or 600 people are to visit and benefit from the beautiful natural surroundings of the Allagash, and perhaps a large portion of the State of Maine could benefit in another way through its commercial development, also other New England states would certainly benefit from the power if and when it is developed, because the figures and the surveys show that the State of Maine could never utilize all the power that a project developed in this area could produce.

Now the Ladies Garden Club, which has been emotionally swayed to preserve this area, I doubt very much have ever visited or even flown over this area. Now progress is what we, as members of this Legislature, should certainly keep foremost in our minds, the progress of Maine and progress of Maine people, and the passage of this legislation would block federal participation in this area, and I certainly hope that when the vote is taken that this bill will be defeated and leave this Allagash region open for possible federal development in the near future. I thank you.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: Because I come from near to the Allagash area which we are discussing and also because I was a member of the Legislative Research Committee to which this proposal was submitted for an interim study, I feel that I would like to make a few remarks, although I have nothing prepared, on the matter.

I frequently find myself agreeing with the gentleman from Enfield, Mr. Dudley, who expresses himself very ably, and also the gentleman from South Portland, Mr. Taylor. However, in this case — well, let me back up a little. Why was this thing submitted to the Legislative Research Committee for a study? It was because, in my opinion, of

a demand by the people of the State of Maine that something must be done to preserve these wilderness areas. Apparently the feeling was general that the landowners were cutting the land and in a short period it would be a devastated area, which I hardly agree with because I think they are doing a good job of work in the area, but it was submitted to the Legislative Research Committee to come up with some kind of a proposal that would attempt to preserve the area and that is exactly what we attempted to do.

Where I find that I am in disagreement with the gentleman from Enfield, is that it is a — the proposal is a proposal against progress. I certainly can't buy the idea that you can't have both. By that I am saying assume that if we buy this proposal that we are barring for all time any consideration of a power development which has had considerable discussion here in this session of the Legislature. That, I cannot buy. I believe there is a place for both, and even though this committee, this committee may be slanted to the idea of preservation of these natural attractions, certainly they are not going to stand in the way of progress at the National level which should dictate that perhaps power development was the paramount thing. Proposals have recently been submitted, I think from the federal level, that alternate sites for power development might be very practical, and go along and tie in with a combination of these two things. For these reasons, I find it difficult to agree with the gentleman from Enfield, that this is a useless and a do-nothing proposal, I think it is a desirable proposal. Certainly in future years this may have a much higher price tag than we put on it today if we preserve it and I certainly — I would just like to dispel from anybody's mind if I possibly could that these two proposals do not have some area where they can be operated together for the good of all; and certainly in the next few years developments will come which will point the way whether or not we will have power developments or what we will have. I don't see any

harm in setting up this commission to study this during the next two years and come back and report to the incoming legislature and certainly they will be able to evaluate the findings of this committee. If they are all haywire, they certainly will be able to throw them out, and I don't think that they are going to be — I don't think they are going to bar the development of any federal project which might be in the making.

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

Mr. LEVESQUE: Mr. Speaker, Ladies and Gentlemen of the House: You have heard this morning that redraft of L. D. 115 has come out of Committee five to five on this redraft 1534. In committee, this bill, this original bill 115 went through a series of no more than two or three redrafts before they finally decided that they were going to pass out 1534 for the discussion on the Floor of the House and the other body at the other end of the corridor.

Now this bill, ladies and gentlemen, as I see it, is something that is going to create a committee to do nothing, for the simple reason that committees have already been made in the State of Maine to try to find out what to do with the Allagash. Now the name of the Allagash, as you very well know, has been in existence since the State of Maine. People have praised it, people have damned it and people have done everything else with it; but yet nobody has been able to come out economically to try to produce something with the Allagash or with the northern part of the State of Maine that is going to be progressive for the people of the State of Maine. Two or three hundred tourists in the Allagash region for the benefit of one owner that has been named by the gentleman from Enfield, Mr. Dudley, certainly does not promote the economic benefits of northern Maine and its people or the rest of the State of Maine. This committee that this authority is going to establish is going to be purposely for just one reason of developing the fish, the land areas, the Forest Com-

missioner, the Director of State Parks and Recreation, the Commissioner of Inland Fisheries and Game, the Director of Schools of Forestry of the University of Maine and the Attorney General.

Now just how much development that they are going to do with the Allagash with a committee like this, purposely leaving out the Department of D.E.D. who is here in the State of Maine to try to help us to promote ourselves to the rest of the country? We have got one potential in the Allagash and we have got a hundred potentials in the Allagash that's been there for years, but still by this authority, which has been standing on the Floor of this House is to create an entity to protect and preserve the Allagash, but yet by the same token by the same entity, this Allagash authority gives no power to the authority at all to sue or be sued, gives no power of this authority to raise money, to expend money, to buy land, to lease land, or what have you. What this authority as I see it is going to do is going to preserve a part of land along the Allagash for the simple reason that the landowners in the areas that are now owning those lands around the Allagash are going to give this land or lease this land or in any other way that you want to put it to the authority, and by the same token in this same bill the landowner still retains the right to cut timbers, the use of the waters and those timbers around the area. So what are they going to do with it? They are going to give the land to the State of Maine; they reserve the right to cut the timber, but then they don't have to pay on the land because they have given it to the State of Maine and they have retained the rights to cut the timbers without any cost to them whatsoever. And now what they are paying now I think is 17c an acre to the State of Maine for land, they are going to give this land to the State of Maine and by the same token retain the right to cut the timbers at no cost to the landowner.

Another part of this bill here, we have got the natural beauty of the area that everybody is talking about. I ask you ladies and gentlemen to try to put those natural beauties for the benefit of the State of Maine and if there is at all any possibility that we can develop the area for the betterment and the economic betterment of the whole State of Maine, let us do so, let us not try to pass an authority that gives no authority to nobody. It is just something that is created to block any development in the St. John River Valley and also the Allagash. Now the Allagash you called people romancing the Allagash and also the able President of the other body last week mentioned the State of Maine as being a sleeping giant. In his wisdom that gentleman has just about put the State of Maine in its proper perspective, it is a sleeping giant, and what this authority under L. D. 1534 is going to give to the State of Maine another shot of Novocain for two years or until 1965, June 30, 1965, and I think personally that the Allagash itself has had enough shots of Novocain since the 1800's and it does not need another two years sleeper in order to protect it. The original bill called for an appropriation of \$20,000 for this committee. The committee saw fit to take this \$20,000 and reduce it to \$15,000 because they thought it was an awful lot of an amount of money. Now this morning the gentleman from Hodgdon, Mr. Williams, has proposed through an amendment to delete the part of the appropriation. In other words, no appropriation at all. Yet in the same part of the bill there is a few lines that says the members of the advisory committee shall receive no compensation for their services but may be allowed actual and necessary expenses for attendance of all meetings. So who is going to pay for the expenses if there is no appropriation? Purely and simply this is going to be another one of those do-nothing committees. They have got no appropriation, so if they are going to meet they are going to meet

at the mercy of the landowners of the area in order to protect their water rights all the way from the St. John River to the Allagash and Little Black and Big Black in that particular area. By the same token that they have left off this appropriation from this bill, a few weeks ago we enacted a bill to correct the name of Huron Lake Dam Company and relating to its power. The same power interests, the same woodland interests in the area saw fit to have this amended after the original was made, the original proposal for this Huron Lake Dam was made in 1839, and then amended in 1846. All of a sudden this mass of the State of Maine comes up to us for the protection of the people of the Allagash region, its lakes, its waterways, its dams and everything else, they sleep on it for a hundred years and then all of a sudden it is all so important that we should have an authority to protect the rights of those Allagash regions.

Ladies and Gentlemen, I certainly don't want to belabor this thing too long because we could go on this here for a day and a half. They call this a novel bill, as the gentleman from Hodgdon has pointed out this morning, it is a novel bill, it is novel in the sense that they eliminate the appropriation, the committee is to meet at whose expense? Nobody's expense. The committee is going to be named of particular people that are not looking for the development of that area, but purely for the simple reason of keeping it in its present form of a sleeping giant with another shot of Novocain for two years to remain it a sleeping giant. The people of Aroostook County in the last seventeen years have migrated from Aroostook County because they were not in any economic position to remain in the County. We educate the people up to the age of sixteen years old; after they graduate, we send them down to Massachusetts, Connecticut and New York. We have got something in the Allagash to capitalize that can change that economy, for the simple reason that if the economy of the County and the State

of Maine is not changed, somewhere along the line there will be another great movement for these people to get out of the County and the State of Maine. These people, I might point out, are still in the predicament that now the farmers of Aroostook County have got better than eighty-eight thousand acres of land in the soil bank. Now ladies and gentlemen I ask you, why are they putting this land into the soil bank? Because they cannot keep up with the trend that is now today of economic struggle for them in the area. It would be well to note by the same token that maybe we should put the Allagash region into the soil bank so that nobody can touch it, nobody could cultivate it, nobody could capitalize on it. Certainly we have got an area there we want to protect for its natural beauty, definitely, but we should also leave some parts of it that if there is any area that we would like to develop for the potential power of the area and the whole State of Maine, we should be able to do that. The development of power in the State of Maine which would change our position, we now are the second highest rate payers in the Country as far as electric power is concerned, that this bill provides for no development of any hydro electric power for the people of the State of Maine or Aroostook County, they certainly leave out the potentials as far as the development of that particular phase of it is, and if we had a coal mine in the area I am sure that it would have been developed a long time, but this is a natural resources of developing power, but not under this authority we can't do it because the landowners want to reserve that right that they have had for years and years and keep it sleeping.

Ladies and Gentlemen, for those remarks that I have made and quite a few more, and I know that your stomachs must be getting just about the same as mine, I will now move the indefinite postponement of this bill and all its accompanying papers.

The SPEAKER: The gentleman from Madawaska, Mr. Levesque, now moves the indefinite post-

ponement of the Bill and both Reports.

The Chair recognizes the gentleman from Oakfield, Mr. Prince.

Mr. PRINCE: Mr. Speaker, Ladies and Gentlemen of the House: I have not pestered the Members of this House to any great extent during my sojourn here, so I hope that you will hear me through without becoming too bored with my attempt to describe my feelings toward this what I consider a very inconsistent bill, which is being discussed here today and known as L. D. 1534, an act to create an Allagash Authority bill. What this Commission would hope to create for an alternative for our growing needs for power and territory development is beyond my power of understanding and I believe that many others here are affected in the same way. My personal conviction is that this is another attempt to create another Quoddy project such as we have had for over a quarter of a century now. Nearly every National election has seen the mummified body of Quoddy brought to light again with some sort of promise to breathe into its nostrils and restore it to life. Then when the election was over it would be conveniently laid away pending the coming of another election.

It seems now that we are in need of a new Quoddy. So why not take the Allagash, which is becoming a thorn in the sides of the power companies and a threat to their prestige, by selecting a State Authority, that would prevent the Federal Government from taking any action that might materialize this much needed utility. Then again the land interests are as always along with the pulp companies, always looking for some breach where they can profit from tax-free lands; and as I understand it, thirty thousand acres of timberland would be exempt under this agreement. This is quite a juicy plum to them and with no loss of timber rights. The creation of this commission is a wonderful opportunity to throw a monkey wrench in the gears and create another wonderful block of obstructionism and then wail

crocodile tears because our prosperity is waning.

Ladies and gentlemen of this House, the northern portion of our state is on the brink of starvation. Our economy is based on the growing and marketing of potatoes. For four long years now we have worked at a loss and our credit has become exhausted. Four hundred farmers have been evicted from their farms and homes this last spring. Faces that were once wreathed in smiles are no longer so; and today it is a rare thing to see a smile on a farmer's face. They are just lingering along, hoping that something will come about that will restore life and prosperity into this dying potato industry.

This St. John River and Allagash project has restored hope among them for a better future; but if we blockade the chances of the Federal Government from coming in there and taking over and developing this great potential, then the last chance or promise of a better future for our stricken land will have faded away into nothingness. So please when you vote think of the people that are placing their hopes for a better future in this development and will be let down should we approve of this landowners' piece of legislation.

I am at a loss to understand why we, the State of Maine, go any further in granting immunity from taxation to this great land-owning alliance. Please, if you can, tell me what the power of landowners do for our state to warrant the great power that they wield over the people of our state. It is true they are the largest operators in the state of any kind. They also operate from the natural resources of the land, which they have secured by various methods in the past. Also it might be well to check and see what the pulp and paper companies have done to keep in step with the continuous raise in the cost of living over the past ten years. How much have they raised the price to independent operators from whom they buy the wood outright? The cost of living has nearly doubled in that amount of time and I doubt if the price per cord to small operators has advanced over

one dollar. Is this the type of people that we should offer concessions?

After you have analyzed that one, let us turn to Senator Bob Marden's speech in the Senate on the date of May 29. Bob goes on to dramatize the great potentialities of our state, our lakes, rivers, and places of amusement, and the coming demand for lots along our lake shores and rivers, and various other places where summer homes can be located. Then he explains what the demand will be when the labor scene changes to a thirty-five hour week and more time for recreation will be required. Then he explains to us how these God given potentials will revert back to our common good and what they will net us as a whole.

He likens our potentials to a sleeping giant waiting to be awakened. Some cartoonist in the Bangor Daily News has depicted him as a sleeping Paul Bunyan. In my way of thinking this is a poor likeness of the real giant as affects us. It would be better should we use the story of Gulliver in Lilliput, when he laid down to rest on a warm beach and later awoke to find himself bound hand and foot by a race of diminutive people of dwarf size that had taken advantage of his sleepy spell to bind him hand and foot. These Lilliputians are the various powers that hold the lands of our state at their disposal. It is easy to talk about our great potentialities and try to make ourselves believe that it is only a matter of time when the world will realize what we have and come running, only to find that in order to locate here they must abide by the sinister rules of the landowners regime. In most cases they cannot buy and in some can rent at the will of the owners. Then again why would they sell what they can rent at an enormous price or lease, and for an acre of land that they pay a price of taxation of seventeen cents an acre, they can rent that acre for from two to four camps at whatsoever price they choose to ask, which ranges from ten dollars to fifty and upward.

We might as well realize at this time that the vacationland prosperity of our state is in the hands of the landowners, and the average person wishing to locate here will look long and carefully before they will listen to the "come into my parlor said the spider to the fly" temptations offered here. People do not have the confidence in these land barons that might be expected, and the spirit to own and not be dependent on the whims of others even the mighty owners of the lands is not influence enough to entice clear thinking people to take chances.

We, the Legislature of this state, are being asked to create here today a commission or authority that would benefit only our already overstaffed land industries in the state. Ladies and gentlemen, there remains much to be said and much will be said on this subject in days to come, for eventually the people of the State of Maine are going to become weary of these lordships and the lands will revert to the state to which they should rightfully belong. Then and only then will our state become the Vacationland of America and then our own people will feel safe to live their own lives, and independently as God meant it. Thank you.

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

Mr. EWER: Mr. Speaker, there is a historical fact connected with the Allagash Country which some of the Members of the House may not be familiar with. On my mother's side of our family, the men for several generations were dam builders. One of my uncles was doing some work around Chamberlain Lake and he found the remains of the records of one of these early commissions or committees or authorities or whatever you call them that ever operated in that area. This was in the early days of the last century when the Webster-Ashburton group were surveying the proper line of the boundary between Canada and the United States. My uncle found the records of the group which had operated in this area all during

two summers, and in order to show to you ladies and gentlemen the thoroughness and the diligence with which they did their job, I want to give you just this one fact, and that was that the records showed that the amount spent during those two summers for rum by the committee was almost three times the amount spent for food, so you see the first commission that operated in this country really did a thorough job.

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

Mrs. LINCOLN: Mr. Speaker, Ladies and Gentlemen of the House: Because of the lateness of the hour and so much that has been said, I won't say what I had planned to say, but there is one important factor that I wanted to bring out about the bill. It is that any and all such plans, proposals, and tentative agreements must be approved by the Legislature before they can become final and binding, and I think that is quite important, and I heartily support the motion of the gentleman from Hodgdon, Mr. Williams, to accept the "Ought to pass" Report.

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

Mr. LITTLEFIELD: Mr. Speaker, Ladies and Gentlemen: I only want sixty seconds. A week or so ago, Associate Bureau Director, Lawrence N. Stevens of the United States Interior Department told the Maine State Society of Washington, D. C. that the Federal Bureau of Outdoor Recreation will soon submit a report to the Interior Department on the Allagash River. The report will cover the proposed preservation of the Allagash, and it will be made a part of the general Interior Department report on the Passamaquoddy Tidal Power Project and its relation to the St. John River. Undoubtedly, this report will cover all we need to survey and know about the Allagash, and any attempt to create an Allagash River Authority for the State of Maine at this time would be practically useless, and the money to

survey and support it, regardless of the amount, might as well be thrown into a bonfire, and I support the motion to indefinitely postpone this bill.

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

Mr. JONES: Mr. Speaker, Ladies and Gentlemen of the House: I rise in support of this bill and I am heartily in accord with it. I am a frequent visitor to the area under discussion. In fact, I was in the area last Saturday, and last Thursday in fact I went there and Friday and Saturday, and I left Sunday.

From the discussion that has gone on on the Floor, it would appear to me as though there was a lack of knowledge about the bill, an extreme lack of knowledge, and it looks to me as though people were making commitments without knowing the full impact. Then again there is the point of view, but first to go back to lack of knowledge. It speaks about it would bar if this authority was created, it would bar the possibility of power being produced on location. To me that is wrong. This authority would not prohibit the setting up of power plants in the area.

Now relative to point of view as to what is good for the State of Maine and what has been said, I would question the statements as to the end result. The authority, if created, and if we vote for it here, would be a vehicle and the regulations of this vehicle subsequently would be earmarked and spelled out by the Legislature following, and to my knowledge this authority would serve as a head through which the land would not be taken over by the state or by the authority, the land under consideration would still remain in the hands of the owners. The only thing is that the authority would set up an area of selective cutting and harvesting of the timber on certain areas near the flowage. I think we would be wise to have this authority operating for us. Presently, I could take you into the famous area known as Desolation Pond, the place that has had much

discussion here in the past, and in fact I was there a few years ago, long before the big event, and subsequently. There the timber has been cut, and so help me, you can almost — on the shore of the lake and right up to the very water's edge you won't find anything standing that is three inches left standing. It is all clean.

Now this authority, if we accept this measure, would set up restrictions on cutting and therefore pass on selective cutting. The end result would be no loss of value to the present owners. It would only mean that when this timber is cut there it would be performed on a selective basis. They would still get the same return out of the land. The only thing is these trees would grow to be of bigger size and the end result would be more income per acre to the landowners than they are getting at this time.

I think also if we are to have control of this area why it would be much better for us to have control of it as a state rather than the Federal Government. I think we can handle our own state affairs very nicely and far better than we can have them controlled by the Federal Government coming in here and telling us what to do and what not to do. So therefore, I hope Mr. William's motion to accept the Report prevails. Thank you.

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

Mr. CURTIS: Mr. Speaker, Ladies and Gentlemen: I have listened with a great deal of interest to my good friends who are against this measure, and I have listened to their ideas; I haven't heard too much about facts and figures, so I just want to give you a few facts and figures and regardless of what I think, I will not come into it.

The facts and figures are, take the great Wyman Dam which employed a great number of people at a great cost. There are less than a dozen people employed there now. That is what will happen undoubtedly to any provision we do for dams. Now at least seventy-five percent of the power that will

be developed by the federal dam proposal will be shipped out of the state, and since there won't be probably over a hundred people employed after this is built, I don't know how it is going to help Aroostook County out greatly. The paper manufacturing business is the largest income producing program for the citizens of the State of Maine which we have. I have not only been to the Allagash, I have cruised considerable of the area. To flood this area as desired by the Federal Administration's desires would be the kiss of death for our paper industry, and I would just advise offhand to my good friends who are crying about progress, that we have great progress. I just visited a town of 75,000 people where there are no slums, there are no poor houses, the streets are just fine, and everybody is getting much more money than any other employees in the state, and that is the great city of Millinocket. The great Allagash timber is being harvested properly by the owners there now, being selectively cut and they are taking only the current growth of the timber. With the great improvement in the use of steam and producing electric energy, it makes it extremely questionable to even consider developing water power sites at this time. Now you can check these things. This is the last great timber area in the hands of the people of the United States that the people themselves control. Just think this over before you vote.

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

Mr. LEVESQUE: Mr. Speaker, Ladies and Gentlemen of the House: Again I notice the time and you ladies and gentlemen certainly want to go and have something to eat. I only wanted to point out a few things in regard to the remarks made by the gentleman, Mr. Jones from Farmington in regard to his selective cutting, and also in regard to this authority not preventing the development of the area. Nowhere in this bill have they got any mention of developing the Allagash area with the exception of

development rights, means the right to construct buildings or improvements on land and the right to lease such constructed buildings or improvements to any person, corporation or governmental authority. The term shall not be applied to prohibit the cutting and harvesting of timber or removal of minerals and shall not be applied to restrict the exercise of those rights commonly known as flowage and driving rights as they may now exist." If this is a bill to develop the area and its potential it certainly fails to mention anything about developing the area. And there is also no mention of selective cutting. The only mention that there is here that the landowners after they have given this land to the authority reserve the right to cut timber on those lands and also the usage of the flowage and the rights of water as they now exist. And there again there is absolutely no provisions in here for the development of the area. Thank you.

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

Mr. JONES: Mr. Speaker, Ladies and Gentlemen of the House: This bill is not intended to take care of the problems in Aroostook County and it doesn't intend to create any industrial authority there. The bill doesn't intend to build any electric plants in itself. That's not the purpose of this measure.

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

Mr. BOURGOIN: Mr. Speaker, so much has been said already, there is very little left for me to say. I live in Fort Kent and I have lived in St. Francis for twenty-four years; I am from that locality, so I should stand up and say a couple of words.

The cutting around Desolation Pond was done about ten or twelve years ago and at that time the companies did not leave any natural strips, but in the last four or five years the Great Northern Paper Company leaves a quarter of a mile strip along the waterways and lakes and the International Paper does the same and the Oxford Paper does too now leave a strip along

their roads and along the natural waterways and lakes for beauty. The companies have built various ramps and places for launching boats, parking areas, tenting grounds and are very cooperative to the public traveling on their roads, giving them permits and some of them do not restrict any traveling whatever. I don't see where this authority would help us in any way. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Eagle Lake, Mr. Gallant.

Mr. GALLANT: Mr. Speaker, Ladies and Gentlemen: I was going to speak on this matter but I think I won't, it is getting late and I will request a division on the matter.

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

Mr. HENDSBEE: Mr. Speaker, Ladies and Gentlemen of the House: I had a lengthy speech made up on this item today, but out of respect to my colleagues here, I am going

to be a true politician; stand up, speak up and shut up.

The SPEAKER: The question before the House is the motion of the gentleman from Madawaska, Mr. Levesque, that both Reports and Bill "An Act Creating an Allagash River Authority for State of Maine" Senate Paper 581, Legislative Document 1534 be indefinitely postponed, and a division has been requested. All those in favor of the motion to indefinitely postpone will rise and remain standing in your places until the monitors have made and returned the count.

A division of the House was had.

Seventy-one having voted in the affirmative and sixty having voted in the negative, the motion did prevail.

On motion of Mr. Wellman of Bangor,

Adjourned until ten o'clock tomorrow morning.