

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and First Legislature*

OF THE

STATE OF MAINE

VOLUME II

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and

SPECIAL SESSION

JAN. 6 - JAN. 17, 1964

DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE

**HOUSE**

Thursday, June 13, 1963

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

Prayer by the Rev. Mr. William Dunstan of Gardiner.

The journal of yesterday was read and approved.

**Papers from the Senate  
Conference Committees Report**

Report of the Committees of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act relating to Use of Titles by Unregistered Persons in Practice of Architecture" (S. P. 113) (L. D. 341) reporting that they are unable to agree.

(Signed)

PHILBRICK of Penobscot  
JOHNSON of Somerset

— Committee on part of Senate.

COPE of Portland  
GILBERT of Eddington  
PEASE of Wiscasset

— Committee on part of House.

Came from the Senate read and accepted.

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

**Conference Committees Report  
Tabled and Assigned**

Report of the Committees of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act Amending Certain Provisions of the Employment Security Law" (S. P. 453) (L. D. 1345) reporting that the Senate accept the Conference Committee Report and that the House recede from the acceptance of the Ought not to pass Report, substitute the Bill for the Report, adopt Senate Amendments "A" and "B" and pass the Bill to be engrossed in concurrence with the Senate.

(Signed) JOHNSON of Somerset

STITHAM of Somerset  
HINDS of Cumberland

— Committee on part of Senate.

BROWN of South Portland  
EWER of Bangor

— Committee on part of House.

Came from the Senate read and accepted.

In the House, the Report was read.

(On motion of Mr. Jalbert of Lewiston, tabled pending acceptance of the Conference Report and specially assigned for tomorrow.)

From the Senate: The following Orders:

**Tabled**

ORDERED, the House concurring, that the Legislative Research Committee is directed to study the matter of providing uniform municipal charters and alternative forms for adoption by municipalities without the necessity of legislative action; and be it further

ORDERED, that the Committee report to the 102nd Legislature such legislation as is necessary to accomplish this purpose (S. P. 622)

Came from the Senate read and passed.

In the House, the Order was read.

(On motion of Mr. Wellman of Bangor, tabled pending passage in concurrence and unassigned.)

**Indefinitely Postponed**

ORDERED, the House concurring, that Bill, An Act Relating to Percentage by Weight of Alcohol of Blood of Operators of Motor Vehicles (S. P. 275) (L. D. 789) be recalled from the Legislative files to the Senate (S. P. 623)

Came from the Senate read and passed.

In the House, the Order was read and, on motion of Mr. Berman of Houlton, the Order was indefinitely postponed in non-concurrence and sent up for concurrence.

ORDERED, the House concurring, that there be created an Interim Joint Committee to consist of 2 Senators, to be appointed by the President of the Senate, 3 Representatives, to be appointed by the Speaker of the House, and the Attorney General, or an Assistant Attorney General which he may appoint from his department to serve during his pleasure and in his stead, to study and report to the 102nd Legislature on the subject matter of common law, legal immunities

available as a defense in actions at law against certain nonprofit and governmental entities; and be it further

ORDERED, that the members of the committee shall serve without compensation, but shall be reimbursed for their expenses incurred in the performance of their duties under this order; and be it further

ORDERED, that the committee shall have the authority to employ clerical assistance within the limit of funds provided; and be it further

ORDERED, that there is appropriated to the committee from the Legislative Appropriation the sum of \$750 to carry out the purposes of this order (S. P. 624)

Came from the Senate read and passed.

In the House, the Order was read.

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

Mr. WELLMAN: Mr. Speaker, Ladies and Gentlemen of the House: Earlier in this session, I introduced a bill which would remove the prohibition against the liability of the State of Maine. I realize that this Order also affects item one under our Third Readers, but having talked with the sponsor of this measure, he has assured me that this is designed to cover not only, as I understand it, the items covered in item one under our Third Readers, but also the bill that I introduced. Mr. Speaker, for this reason, I move that we also pass this Order.

Thereupon, the Order was passed in concurrence.

ORDERED, the House concurring, that the members of the Joint Standing Committees on Judiciary and Legal Affairs be given the copies of the Revised Statutes of 1954, as amended, that they have used this session (S. P. 625)

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

#### Orders

The SPEAKER: The Chair recognizes the gentleman from Lubec, Mr. Denbow.

Mr. DENBOW: Mr. Speaker, I would like to ask if L. D. 1212 is in possession of the House?

The SPEAKER: The Chair would inform the gentleman that the paper is in the possession of the House. "An Act Increasing the State Liquor Tax," House Paper 825, Legislative Document 1212, and as of yesterday, the "Ought not to pass" Report was accepted.

The gentleman may continue.

Mr. DENBOW: Mr. Speaker, I would like to ask that the House reconsider its action of yesterday, and I would like to speak briefly on the subject.

The SPEAKER: The gentleman may proceed.

Mr. DENBOW: Mr. Speaker, this increase in tax on liquor was my bill and I wasn't here yesterday morning. I am not particularly concerned about the increase in tax on liquor except for one thing. I would like to have this bill reconsidered because of the fact that because of some developments yesterday and last night, we could conceivably not get the sales tax. We might need this as an instrument. If we get the sales tax, we certainly wouldn't need it, and I am now convinced that the sales tax lost enough support last night and this morning so that it can't go through. And I would like to have the House reconsider it for that purpose only.

The SPEAKER: The gentleman from Lubec, Mr. Denbow, moves that the House reconsider its action whereby it accepted the "Ought not to pass" Report. All those in favor will say yes; those opposed, no.

A viva voce vote being taken, the motion to reconsider did prevail.

Thereupon, on motion of Mr. Denbow of Lubec, the Bill was tabled pending acceptance of the "Ought not to pass" Report and specially assigned for tomorrow.

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

Mr. HAMMOND: Mr. Speaker, I rise to inquire if Senate Paper 543, Legislative Document 1467 is now in possession of the House?

The SPEAKER: The Chair would inform the gentleman that Senate Paper 543, Legislative Document 1467, "An Act relating to Effective Date for Salary Increase for County

Officers," was indefinitely postponed yesterday.

The Chair recognizes that same gentleman.

Mr. HAMMOND: Mr. Speaker, I now move that we reconsider our action of yesterday where this bill was indefinitely postponed.

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

Mr. COTE: Mr. Speaker and Members of the House: I am in opposition to reconsidering this matter as I feel that as far as salary increases for county employees, it is up to the county delegation who is represented here in Augusta. Now this would bind and take powers away from county delegations if we come here after the delegation has met in its own county, has recognized the need for some raises, has recognized the needs of the county without raising the county taxes, and we come up here and then through some committee which at this time is Towns and Counties that these salaries are restricted to the following year or to two years hence. If we go to 1965 we're usurping against some of the county delegation of that period of the next Legislature, and I feel after the county delegation has met, has passed on these salaries, has said when they should be in effect, or have agreed when they should be in effect, that this is what should stand.

If we want to take away the power from the county delegation, all we have to do is reconsider and pass this bill, but I feel that the county delegation, in this Legislature, should have its final say on its county budget and its raises of salaries. So I move that we do not reconsider this L. D. 1467.

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

Mrs. SHAW: Mr. Speaker, Ladies and Gentlemen of the House: I do not believe that this bill will take away any of the prerogatives of your county delegation as far as salary increases are concerned. In making up budgets and in considering pay raises, usually a unified system is required, and this would make your salary increases for your

county officials on an annual basis instead of as it is now which would take place any time ninety days after the adjournment of the Legislature, which would mean that it might go in the third week of the third quarter or something of this type which is very confusing to the county treasurer. This would allow the county treasurer to say on January first your county officials will receive their raises. Now to me this does not confuse the issue or does not usurp any of your county's power. The bill would put in effect in the next legislative biennium the law that salary increases would take place January first of the year following adjournment. So in 1965 when the 102nd Legislature meets here in these Halls, the raises which you vote for your county officials would take place January first, 1966. Now this does not usurp any of your powers, and I believe that this bill should be reconsidered and should be made into law, and I hope we do reconsider this bill.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I would like to wholeheartedly concur with the gentlewoman from Chelsea. I think that there's been a lot of work put into this bill, and a lot of people feel strongly. I wanted an even stronger bill than this, and I feel as though this is a fair compromise. The bill I really wanted was that they be paid the same as the Legislature, that we couldn't raise their pay for the term they are now serving, that they would have to be re-elected; and this was a compromise, and I'm willing to go along with it. I think it's a pretty good bill, and I hope we'll support the gentlewoman from Chelsea this morning.

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

Mr. KARKOS: Mr. Speaker, I want to go along with the lady, the chairman of that Committee, because in our county we don't seem to get the budget only a night or two before. We don't have much time even to look over the budget. As far as Androscoggin county is

concerned, we've had the Andros-coggin mill shut down with around 1,200 jobs gone. Now the Raytheon Corporation is also going to be shut down, and I know my town has paid \$13,000 in a county tax, and now they're paying around some \$16,000 or \$17,000. This figure is going up all the time, and I feel that if there's any raises coming, it shouldn't be during the term now. So I will support the lady to reconsider, the lady from Chelsea.

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

Mr. JONES: Mr. Speaker, Ladies and Gentlemen of the House: I wish to rise in support of the motion of our lovely lady from Chelsea, Esther Shaw, and I hope that this bill will be reconsidered.

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

Mr. BRAGDON: Mr. Speaker, I subscribe to the principle involved in this bill, and I would be glad to go as far as the gentleman from Enfield has suggested. If anyone would come up with an amendment that would provide that, I would gladly go along with that. I hope you will reconsider.

The SPEAKER: Is the House ready for the question? All those in favor of reconsideration, will please say yes; those opposed, no.

A viva voce vote being taken, the motion to reconsider did prevail.

The SPEAKER: The question before the House is the indefinite postponement of this bill. All those in favor will say yes; those opposed, no.

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

Thereupon, "An Act relating to Effective Date for Salary Increase for County Officers," L. D. 1467, was passed to be enacted, signed by the Speaker and sent to the Senate.

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

Mr. COTTRELL: Mr. Speaker, I would inquire if House Paper 1092, Legislative Document 1567 is in possession of the House?

The SPEAKER: The Chair would advise the gentleman that House Paper 1092, Legislative Document 1567, Bill "An Act relating to Exempting from Property Tax Pleasure Boats in the State for Storage," as indefinitely postponed as of yesterday is in the possession of the House.

Mr. COTTRELL: On behalf of the Taxation Committee, I would move that this matter be reconsidered. And I would like to speak on it briefly.

The SPEAKER: The gentleman may proceed.

Mr. COTTRELL: Mr. Speaker, this bill came from our committee with a unanimous "Ought to pass" Report. We had two boat taxation bills before us this year, and I think I am very truthful in saying that these two bills consumed more of our time and thought than any other matter. We finally came out with sort of a compromise bill between the two bills. The first bill we considered was, and on which we had a very long hearing, a bill to put an excise tax on boats. The second bill was a bill to have no taxation at all on boats, as they do in New Hampshire and Rhode Island and as they are considering in the present legislature in Massachusetts in their session to pass a law exempting boats there.

We felt that boating is a very important aspect of our state life with an ocean shore front greater in length than the distance from Portsmouth to Baltimore, and also with our 3,000 or more square miles of fresh water.

The Christian Science Monitor capsules this information about boating. It calls it the number one family sport. It mentions the fact that there are forty million Americans getting ready now to go on the waterways. It is a two billion and one-half recreational craft industry in the United States. And we have a civilian navy of 7,500,000 boats of all kinds, sailboats, inboard motor boats, canoes, rowboats, and miscellaneous craft, 6,250,000 outboard motors, etc.

The New York Times boat section speaks of the great pressure on marinas. For instance, New Jersey adds marina facilities to cope with a record crush. Connecticut bids for

more berths. Long Island's story is typical; boats, boats and more boats. Moorings are scarce in Westchester County.

Now the bill, but first I think I will probably give you a sample of the way the boats are being taxed today. For instance, here in our — well, we will take Kennebec County. The total valuation of the boats taxed in Kennebec County is \$159,525. Augusta, and I know there are boats in Augusta, but Augusta does not tax boats at all. Gardiner does not tax boats at all. Hallowell doesn't. Manchester doesn't. The two towns or cities in Kennebec County that tax boats to the greatest extent — there are three to the greatest extent — Belgrade, \$62,000; Monmouth, \$23,000; and Readfield, \$26,000 in value. In Androscoggin County, they tax boats in Auburn, but across the river in Lewiston, they do not tax boats.

I have here the total of every county's boat valuation in this list plus the boat valuation of every town in every county. Now we felt that while perhaps the excise tax would be the best tax, it would bring hardship on some communities which depend upon their boat taxes considerably. So we looked up the exemptions on taxation in Chapter 91-A and we found that pleasure vessels and boats in the state on the first day of each April whose owners reside out of state and which are left in this state temporarily by the owners for the purpose of repair are exempted. So we simply deleted one word and added another in that paragraph of exemptions. We took out the word temporarily and put in the word permanently and we added the word storage so that the purposes would be storage and repair.

We found that there are a great many people who along our coast are building marinas and boatyards, and we felt that this would be an incentive to build more. It would be a great incentive to keep boats here for repair so that more people could be employed and examples were given to that effect in the hearings. So I would move that this matter be reconsidered to at least give the Taxation Committee another time to meet and perhaps

if any objections appear to the bill as it is, we can put in an amendment.

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

Mr. OBERG: Mr. Speaker, Members of the House: I moved the indefinite postponement of this L. D. yesterday, and I haven't changed my mind too much today. I am in complete sympathy with the boat tax problem in the State of Maine, and as I understand it, we have an Order to refer this to the Legislative Research Committee. This bill I don't think could be amended or revised to do away with the discriminatory factor that you are exempting out-of-state boatowners from taxation and you are not giving consideration to your in-state owners. I think it is a bad bill, and I hope the motion to reconsider does not prevail.

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

Mr. BENSON: Mr. Speaker, Ladies and Gentlemen: I spoke yesterday very briefly on this bill. I told you that it would very definitely hurt some of the small coastal areas that I represent, and it definitely would. They derive a very large percentage of their taxation from the storage boats, and I think that a drastic move such as this would very definitely hurt this small town area. Now I think as the gentleman from Bridgton, Mr. Oberg, does that this bill is discriminatory. I feel that possibly we have got to be concerned with this boat taxation situation that we are now facing. I realize that we are not really competitive, but nevertheless I think that this move is much too quick, much too drastic, and I hope that this House does not reconsider the action of yesterday.

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

Mr. WATERMAN: Mr. Speaker, I would be in favor of reconsideration. This bill that we have before us now is not nearly as drastic as the one which we originally had in the committee which exempted all boats from taxation, and we felt that perhaps this might be a meas-

ure that would keep some of these out-of-state boats here through the winter for storage and repair. And as the gentleman from Portland, has already stated, would be a means of employment in some of these small coastal towns. That was the information given us by people who have boatyards and repair shops in the area. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Stonington, Mr. Richardson.

Mr. RICHARDSON: Mr. Speaker, several of the towns from which I come also derive a great deal of their tax money from boats. My simple thinking on this would be that if the towns lost taxation on the summer boats, that they would have to add it on the local boats rather than add it on the real estate property and therefore it would injure our local boatowners in two ways.

The SPEAKER: The Chair recognizes the gentleman from Freepport, Mr. Crockett.

Mr. CROCKETT: Mr. Speaker, I live on the coast that has a pretty good sized boatyard there, and I know if we could enact this bill that it would mean a lot of employment to people that really need it in my district because we have, as I said before, a good boatyard and there are a lot of people that would like to leave their boat there to be painted and certain repairs and it would help the economy of the state a great deal.

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

Mr. SAHAGIAN: Mr. Speaker, I rise in opposition to this bill because my district that I represent will stand a loss of about \$10,000 to \$12,000, and that will have to be tacked on real estate taxes.

The SPEAKER: Is the House ready for the question? The Chair will order a division on the motion to reconsider. All those in favor of reconsidering our action of yesterday whereby it indefinitely postponed this bill, will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Thirty-four having voted in the affirmative and seventy-five having

voted in the negative, the motion to reconsider did not prevail.

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

On motion of Mr. Prince of Harpswell, it was

ORDERED, that Marc and Chris Whitney of Winn be appointed to serve as Honorary Pages for today.

The SPEAKER: The Sergeant-at-Arms will retire to the rear of the Hall of the House and escort the Honorary Pages to their places. The Chair at this time would inform the House that these are the grandchildren of Representative Whitney of Winn.

Thereupon, Masters Marc and Chris Whitney were escorted to the well of the Hall of the House by the Sergeant-at-Arms to serve as Honorary Pages for the day. (Applause)

The SPEAKER: The Chair at this time is delighted to recognize a native son who has distinguished himself, the son of Representative Whitney, Captain Everett F. Whitney, who has served as Battery Commander at Barksdale Air Force Base, Louisiana, and who is now en route to the Third Armored Division Artillery of Hanau, Germany. Will Captain Whitney please rise and be recognized. (Applause)

#### **Passed to Be Engrossed**

Bill "An Act relating to Civil Liability of Legal Entities and Certain State Agencies" (H. P. 909) (L. D. 1316)

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

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

Mr. RUST: Mr. Speaker, Ladies and Gentlemen of the House: In view of the fact that the House has seen fit to agree with the other branch in referring the subject matter of this Legislative Document to a special study committee, I now move that it be indefinitely postponed with all its accompanying reports.



The SPEAKER: The gentleman from York, Mr. Rust, now moves the indefinite postponement of item one.

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

Mr. BERMAN: Mr. Speaker and Members of the House: After the inquiries that were made yesterday and what transpired, it really bothers me that the honorable gentleman from York is trying to get this bill indefinitely postponed.

Now again this is from the Bangor Daily News of just last fall October 4, 1962, and the same doctor whom I told you about yesterday who wrote in the American Hospital Association Journal of the fatal blood transfusions and who is director of the laboratories at St. Mary's Hospital in Hoboken had this to say. He said this: "carelessness on the part of any one of six individuals in the hospital involved in the mechanics of a blood transfusion may result in a transfusion reaction. Usually, the patient gets the wrong type of blood when one of six handling the transfusion fumbles. The wrong blood type causes the preventable death." He goes on to say, "even a mistake by a pathologist in the diagnosis of a breast tumor can result in the unnecessary removal of a breast."

Now we passed this bill out by a good measure yesterday, and I would like to say that this is in keeping with what's going on throughout the entire country. Quite recently, a forward looking Wisconsin decision during the flood of recent decisions abandoned the hospital immunity rule. Now as I recall, this country was founded on equality and not privilege. And this bill is trying to do away with a privilege which has existed far too long.

Now when a hospital or some other charity does good in the wrong way, it should be responsible. It should be just before it is generous and I suggest from my study of the problem that it is really intolerable to compel any innocent victim of a charity's wrong to make a coerced contribution. Now even Michigan very recently abolished what was a sixty-six year old charitable immunity privilege where a hospital there was held

responsible for the death of a wife caused by the negligence and mismatching of the patient's blood and transfusions of an incompatible blood. Now at the trial of this case which is Parker against Port Huron Hospital reported in 105 Northwestern Second Page 1, the trial judge went on to say: "Hospital services would be cheaper if immunity is granted them. Likewise the cost of operating motor vehicles would be cheaper if immunity from the negligent acts of drivers were granted. Most of our citizens are hospitalized at some time or other, and through surgery or childbirth enter into the valley of the shadow of death. I can think of no situation in which the ordinary man would care less "to practice strict economy and thereby deepen the shadow." I hope we defeat this motion to indefinitely postpone a very worthwhile bill.

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

Mr. RUST: Mr. Speaker, I can understand the attitude of the gentleman from Houlton, Mr. Berman, in defending this legislative document because it is his bill. However, I would remind the gentleman from Houlton, Mr. Berman, that it was the unanimous report of the committee that this bill have leave to withdraw which he agreed to with the understanding that this matter would be referred to a special study committee. Now this matter has been referred to a special study committee, and I would assume under those circumstances that he would be satisfied. But if we wish to go into the merits of this measure, I will make a few remarks. The principle of this legislative document or the so-called charitable immunity law, which affects charitable organizations whether it be church, hospital, civic organizations, educational institutions or any one of the others which is created under the charity laws of the State of Maine are exempt from civil suits as a result of the negligent acts of their servants. Now the reason for this is based strictly on fundamental public pol-

icy, what is good for the most people in the State of Maine?

Now these charitable corporations attempt to provide worthwhile services to many many of our citizens across the state in all walks of life and in all sorts of charitable organizations and they do so at the least possible cost. And in doing this, they attempt to get as many people to donate and to support them as they possibly can to help in their worthwhile projects. And this is one of the reasons why the so-called charitable immunity law has been founded in the State of Maine for many many years. It is to foster and to help these organizations sustain and support themselves because if we are going to lay them open to suits, we are going to be attaching the funds which you and I give to those organizations to help many people who would attempt to take undue advantage of these organizations by bringing suits against them.

Some people might say that these corporations could obtain insurance for these purposes, and in some cases they might. But in many, many cases, the liabilities of these institutions would be so overwhelming under a wide open law, that the cost of buying insurance of this nature to adequately protect them would be out of this world.

And to clarify the point one step further, I would like to read to you a few remarks from the Supreme Judicial Court of the State of Maine in the case of Jensen vs. the Maine Eye and Ear Infirmary which was decided in the year 1910, and I hope you will listen to these remarks very carefully.

"No principle of law seems to be better established both upon reason and authority than that which declares that a purely charitable institution supported by funds furnished by private and public charities cannot be made liable in damages for the negligent acts of its servants. Were it not so, it is not difficult to discern that private gifts and public aid would not long be contributed to feed the hungry law of litigation, and charitable institutions of all

kinds would ultimately cease or become greatly impaired in their usefulness." Now if this was their attitude of this court in 1910, think what it would be today in an age where litigation has increased tremendously. And I hope the motion prevails.

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

Mr. BERMAN: Mr. Speaker, I will try to be very brief. I am very, very glad that the honorable gentleman from York read from a 1910 case. That 1910 case was based on a Massachusetts case. What was the Massachusetts case based on? It was based on an English case that had been overruled, and here was the court in 1910, unfortunately not realizing the very basis of that case was overruled, went on committing error. Now I think that when we recognize the errors of our way, we should change. And I think that the gentleman from Eddington yesterday pointed out very clearly that on the basis of legal doctrine the decision in the Jensen case was wrong, and if the gentleman from Eddington would care to comment, I would appreciate it.

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

Mr. LEVESQUE: Mr. Speaker, Ladies and Gentlemen of the House: From the remarks of the gentleman from York, Mr. Rust, I would hate to think that the charitable organizations of this state are being so negligent that the cost to them of supporting an insurance policy to cover that, would be as he has stated that they would be almost impossible to bear. I would hate to think that those institutions now are being that negligent at the present time.

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

Mr. GILBERT: Mr. Speaker, Ladies and Gentlemen of the House: I am in complete agreement with the remarks made by the gentleman from Houlton and I would go even one step further. In many court decisions and keeping in mind that this doctrine was creat-

ed by the courts erroneously in England and then overturned, many court decisions across the country sometimes have indicated that it was judicially created and could only be taken away by the legislature. This is what this bill is doing.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from York, Mr. Rust, that Bill "An Act relating to Civil Liability of Legal Entities and Certain State Agencies," House Paper 909, Legislative Document 1316, be indefinitely postponed. All those in favor will please say yes; those opposed no.

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

Mr. Rust of York then requested a division.

The SPEAKER: A division has been requested. 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.

Fifty-six having voted in the affirmative and sixty-nine having voted in the negative, the motion to indefinitely postpone did not prevail.

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

**Third Reading  
Indefinitely Postponed**

Bill "An Act Establishing an Excise Tax on Livestock" (H. P. 1106) (L. D. 1587)

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

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

Mr. BRAGDON: Mr. Speaker, Members of the House; Relative to item two, L. D. 1587. "An Act Establishing an Excise Tax on Livestock." I think perhaps so you will know what my position is, I will make a motion right now to indefinitely postpone the bill and all its accompanying papers.

I spoke briefly in opposition to this bill yesterday, and I will try

to be brief and I hope that I won't cover any ground that I attempted to cover yesterday. However, I have a little more information on it, and I feel that it is a very bad bill. It came out late in the session, and we have not sufficient time to evaluate the effects at the home level. It is a departure from the present method of taxation of livestock. One thing that I would point out in the bill—as an excise tax on an automobile or a tractor, we do take into consideration values. In this particular bill, no consideration in establishing the tax is given to value. Thus, a six months old calf pays the same tax as a \$500 milch cow. I think that this is going to have some bad repercussions when the tax is assessed. I assume it is now taken out of the hands of the local assessors.

Another point that I would bring up. I recall in the debate yesterday it was pointed out that this bill was sold perhaps to the Taxation Committee on the basis that it was something to promote the beef industry. I would point out to the members of this House that I fail to see where it does anything to the beef industry except possibly someone who tries to build up a prize herd for breeding purposes, because under the present method of local taxation, an animal is not subject to taxation until it reaches the age of eighteen months. So with a beef animal that hasn't reached that age this last April, before next April comes which is the tax date, it has already gone to market and no tax is generally collected on beef animals that go to the slaughterhouse. I will grant that a tax is collected locally on animals that are kept for breeding purposes. And I have no quarrel with that part of the bill.

However, the thing that does disturb me — I have got some figures from the Taxation Department, and I will try and read them so that you will get the impact of what this will be at the local level.

These are 1962 figures. The total valuation of all livestock in the State of Maine in the municipalities was \$11,205,000. To break

it down quickly, \$6,807,000 of this was the neat cattle, which, in other words, I will say cows. Neat cattle, I understand from the Taxation Department, this is something I never knew before, are the type of cattle that you get neat's-foot oil from, that's the reason why they call them neat cattle. Now I never knew that before. If I've given any information to anybody else, I am glad to pass that on. However, they are \$6,807,000 valuation. Now at the local level, broken down, this gives a tax to the municipalities statewide of \$567,000. Now I realize these figures are not large, but I want you to bear in mind that the impact on some small communities could be tremendously out of proportion to what they might be in large communities. A community like Bangor or Auburn would probably not feel the impact of this change. However, I don't think that will apply to small local taxing units.

The average tax per animal presently statewide in 1962, this is beef animals that are taxable, these are animals over a year and a half old, was \$5.25 per animal. Now to get the comparison with the present bill, there are 50,925 animals that were exempt, so they were not taxed under the old law, but they will be taxed at a dollar apiece under this law. Breaking those figures down further, the total number reported was 160,168, so at a dollar apiece, statewide you would receive that amount of money. This represents a total loss to the municipalities of \$406,832.

Now I don't think that we should at this stage pass a bill that would have this effect on the local taxing units, and for that reason and those other reasons that I have tried to defeat this bill, I hope that you will go along with indefinite postponement.

The SPEAKER: The Chair recognizes the gentleman from Brownville, Mr. Ross.

Mr. ROSS: Mr. Speaker, I heartily concur with my good friend the gentleman from Perham, Mr. Bragdon. I spoke against this bill yesterday, but I wasn't vehe-

ment enough, and I found out that I made a terrible mistake. Yesterday, I was only thinking of my own town and the Town of Milo where there are only a few dairy herds, and then all of a sudden this morning it dawned on me that I represent Sebec and Atkinson, strictly farming communities. Now in the Town of Sebec alone, we have the largest dairy herd in the State of Maine. Now if you knock the tax from \$5 a head to \$2 a head, which is in this amendment that is going to be presented to you, you're knocking \$3 a head off this herd of dairy cattle. He is milking better than 200 a day. Just think what that is going to do to the budget in the Town of Sebec, and Atkinson is in the same position, and definitely I hope that the motion of Mr. Bragdon from Perham to indefinitely postpone prevails.

The SPEAKER: The Chair recognizes the gentleman from Dover-Foxcroft, Mr. Meisner.

Mr. MEISNER: Mr. Speaker, Ladies and Gentlemen: Yesterday I did not take part in the discussion of this document. It seemed the farmers were pretty much in favor of it. Not being a cattle raiser at the present time, I thought probably I shouldn't raise any opposition; but after going home last night and after studying the bill a little, I began to think differently. I have been a cattle raiser. I know the problems from the beginning of the cow to the end of the cow. I also know what it means to teach a week old calf how to drink. I have said that this is a test of a man's real religion. You may not know this, many of you, but if you can teach a week old calf to drink without at least losing your patience or your temper, and being tempted to say a few things that a minister, at least, should not say, you are a real good man, and I have done this job. Don't ask me any questions please.

I also know what it is to be a selectman. I have been a selectman for fifteen years and an assessor. I know how difficult it is to raise a town budget sufficient to meet the demands for

service today. Our town is a town manager form of government. We have seven selectmen and an able town manager. We have spent much time in working up a tax policy for our town which seems to work at the present time. We have a policy for industry, a policy for new building, a policy for agriculture. Now if this document is passed, we will lose some taxes. But this isn't the only thing about this bill that we object to. We feel that it is taking away from us the prerogative as a town. The people in the town have elected us to do this job. If we don't do it the way they want it done, they can dismiss us. But if it is done the way this Legislature wants it done, they can't dismiss this Legislature. Right now I feel that they are wondering if anybody can. Anyway, we like to do this job because the people expect us to do it. And another clause in this bill is, they tell us when the tax is due, and how we shall collect it. I don't know whether you noticed that or not. They said this is due on the first day of May, payable on the thirty-first day of May, and if it isn't paid then, we are to charge interest at 6 percent. This doesn't meet with our policy in our town either. Our assessing isn't done. The cattle counting wouldn't be done by the first of May, and we don't charge interest on our taxes.

In all, this bill is a poor bill. Some have said that they think it would be an incentive to beef raising. I can visualize in our town that the day may come when some of our large farms who are now in the soil bank are taken out, that this problem may confront us. But I am sure that this is a problem for the assessors of each individual town. If someone should come to us wanting to raise a large beef herd, I am sure that the assessors would cooperate with him to his satisfaction. No two towns have the same problems. I do not know how we can come down here from Fort Kent, Kittery and make a policy that is going to be suitable for all these towns. I certainly go along

with the motion for indefinite postponement.

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

Mr. COOKSON: Mr. Speaker, I am not going to try to add anything to the remarks of the previous speakers. I only wish to rise to support them and hope that this bill will be indefinitely postponed as I did yesterday.

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

Mr. WATERMAN: Mr. Speaker, Ladies and Gentlemen of the House: I don't know how I can weather the fire from so many quarters, but to begin with I will state that I can heartily concur with the gentleman from Dover-Foxcroft, Mr. Meisner in the art, if you want to call it that, of trying to teach a week old calf to drink, and all the other statements he has said are true. I will also say that in the preliminaries of this bill, I was very much inclined to agree with his thinking that we perhaps were taking the prerogative of flexibility in taxation away from the local assessors. However, the more I read the bill and the more I discussed it with various people in different areas of this state, I became more enthused with it.

I am not real quick when it comes to tallying figures and bringing rebuttal to such fluent gentlemen who have worked so many years with finance and figures as our good gentleman from Perham, Mr. Bragdon, and the experience that he has had on the Appropriations Committee and such things as that, so I will not attempt at this point to rebut statements that he has said. I am kind of slow to digest all of those things. I have some figures here that came from the same place his did. But I still believe that under the present setup, and I am not casting any remarks against local assessors, but many towns do not value according to the real value of the animals. If I had a registered herd of dairy animals, and perhaps my neighbor next door might have just some common grade cattle, many towns, and my town is one, those dairy animals are valued at

the same price right straight through. I might have a three thousand dollar bull in my barn, the actual value of that animal, the real value is just what he'd bring on the block at the slaughterhouse, but you have some of these consignment sales where maybe cattle do bring the prices that our good gentleman from Perham relates here; however, if I could get those figures for the cattle that I have, I would be mighty willing to sell.

And in discussing this bill with one of the deputy Attorney Generals, I stated the fact that all our cattle were valued at \$90 a head in Auburn. He said they are already levying an excise tax which is unconstitutional under the present law. Someone made the statement that you have the power to go to your assessors and protest, but it is much easier said than done, and it sometimes is rather expensive before you get through the process.

As far as the beef industry is concerned, I still believe that this is a possible tool and incentive that we might get some beef herds built up here in the state. I believe the gentleman from Livermore, Mr. Boothby, stated, he has both beef animals and dairy animals, and his beef animals for which he does not receive the annual income from that he does his dairy animals are valued at the same rate as his dairy animals are. For these reasons I do hope that the motion to indefinitely postpone this bill does not survive, and if it does not, then I will present House Amendment "A" which I have had drafted in the hope that it would satisfy some who favored rather coolly the bill the way it was originally written, but with these proposals they think more kindly of it. Thank you.

The SPEAKER: Does the gentleman offer an amendment? An amendment has precedence over a motion, if the gentleman cares to offer an amendment at this time.

Mr. WATERMAN: I would offer House Amendment "A" to House Paper 1106, L. D. 1587.

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

HOUSE AMENDMENT "A" to H.P. 1106, L.D. 1587, Bill, "An Act Establishing an Excise Tax on Livestock."

Amend said Bill by striking out in the first line of that part designated paragraph "C", of section 1 the underlined figure "100" and inserting in place thereof the underlined figure '50'

Further amend said Bill in that part designated subsection "I." of section 133 of section 2 by striking out in the 5th line the underlined figure "\$1" and inserting in place thereof the underlined figure '\$2'; and by striking out in the 6th line the underlined figure "25c" and inserting in place thereof the underlined figure '20c'; and by striking out in the last line of subsection II the underlined word and figure "May 1st" and inserting in place thereof the underlined word and figure 'June 1st'; and by striking out in the 2nd line of subsection IV the underlined word "May" and inserting in place thereof the underlined word 'June'; and by striking out in the 2nd line the underlined figure "31st" and inserting in place thereof the underlined figure '30th'; and by striking out in the 3rd line the underlined word "May" and inserting in place thereof the underlined word 'June' and by striking out the underlined word and figure "May 1st" and inserting in place thereof the underlined word and figure 'June 1st'

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

**Sec. 3. Effective date.** This act shall become effective 91 days after adjournment of the Legislature.

The SPEAKER: The Chair recognizes the gentleman from Livermore, Mr. Boothby.

Mr. BOOTHBY: Mr. Speaker, I rise in opposition to the motion to indefinitely postpone this bill this morning.

The SPEAKER: The amendment is under discussion. Does the gentleman care to direct his remarks to House Amendment "A," its adoption?

Mr. BOOTHBY: I will do that. This amendment, in my opinion, makes this bill a very fair one. I don't believe that the one dollar

figure was very appropriate, but when we add another dollar and bring the figure up to two, and also as this bill and amendment will do, put the \$2 excise on the young stock which get by without any tax at the moment, I don't think that it's unfair at all. Thank you.

The SPEAKER: The pending question is the adoption of House Amendment "A."

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

Mr. COTTRELL: Mr. Speaker, I might make this query to the gentleman from Perham, Mr. Bragdon, on mathematics. I think he said that the total income from this form of taxation as it is presently handled was something like a half a million to the state, or to the communities in the state. At \$2 a head, if there were 250,000 cows or cattle plus sheep in this state, that would keep the revenue on about the same level.

But I do want to make this general remark in defense perhaps of the Taxation Committee. These two bills are sort of companion bills in a sense. We find this great lack of uniformity in our state system of taxation. I know the assessors are honest, conscientious men, but the chairman of the Maine Association of Assessors pled for an excise type of tax on boats. He didn't appear as a witness on the livestock. I know you all are acquainted with the efforts being made by the federal sub-committee on Intergovernmental Affairs toward studying this whole field of taxation. If my figures are right, I think I remember that there are 175,000 different taxing units in this United States of ours, and they are trying to bring some order in that situation, and as I pointed out, I didn't point it out too emphatically perhaps, but I meant to anyway, we have the assessors in the various towns taxing boats or neglecting to tax boats. Now there may be something in favor of not taxing boats because if you live in a town or near a town, if you live in a town that doesn't tax boats near a town where they do, you have a tax shelter. A boat dealer in Auburn said that he has twenty boats that he stores. He doesn't store them in Auburn. He finds a

tax shelter in the neighborhood. In our great City of Portland, the great harbor, one of the five great harbors on the Atlantic Coast, we only have a boat valuation of \$200,000. In the total state valuation of \$1,477,650,000, we only have a boat valuation of \$2,831,224, less than two-hundredths of one per cent of our total valuation.

So what we tried to do on the Taxation Committee perhaps was to try to work towards some uniformity in our state taxation system, and we had a limited time, and I think that was why we suggested that we have a committee or a commission to study this whole matter of taxation when we are not sitting as a Legislature but that was turned down.

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

Mr. BRAGDON: Mr. Speaker, I am sure the gentleman from Portland, Mr. Cottrell, knows that I hold him and his opinions in very high regard. Of course, I wonder how many cattle there are in his particular area that he represents. He can answer if he wishes or he don't need to, and I have very high regard for the Taxation Committee. However, I think that I see angles to this move that are going to have repercussions which I do not like, and I am very close to the areas affected.

As I said earlier, this bill was set up as a beef bill and I say it is not. I say that the people who will benefit from this bill are the dairy industries and mainly the large dairy herds such as the gentleman from Brownville mentioned, of fifty, hundred or two hundred. I have them in my area. Now the average tax, for the information of the gentlemen on the Taxation Committee, the average valuation that is placed on all cattle in the State of Maine at the present time, 1962, is the amazing figure of \$63.15, and I still don't back down very much on my original estimate of the value of some of these cattle in these good dairy herds.

Now I said I live with these people. When I want a primary petition signed if somebody is running for Governor, these people,

and sometimes I have to get one when I run as a representative to the Legislature, I go to these people. I am speaking what I think is in the interest of these very men that are now willing to accept this bill which definitely reduces substantially—I don't attempt to come up with any figure, you've seen here what I have said, \$63, and probably the least figure you could put on these good dairy herds is \$250 apiece, and I still have talked with some of these fellows I mentioned and they said I wouldn't sell this one for \$500 and I wouldn't take \$450 for this one, so I still cling to my original valuation pretty much. So the local assessors are taxing these very low to arrive at the figure of a half a million dollars.

The further point that I want to make is this, first I thought I wouldn't try to make it. I have said that the dairy people are the people who will gain, the big dairy people in the State of Maine. Now it is no secret to many of the members of this Legislature that the dairy industry in Maine for the last five sessions of the Legislature, to put it mildly, has occasionally been under fire statewide. I have said that I am their friend. I think that if they continue to persist to accept this substantial reduction in taxes that it is going to react against them. I have always defended them on the Floor of this Legislature for the last five sessions when their milk control bill was passed, but if you reduce their taxes this much, and they are the people who are going to benefit. I want them to listen because I'm talking to the same fellows that signed my primary petitions, and I'm just going to say it to them when I get home. Who is going to pick up the tab? It is the little fellow that works for me for nine dollars a day and has six children and pays twenty-six cents a quart for milk. I think these are the boys that should be concerned about the passage of this bill, and that's all I have got to say.

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

Mr. DRAKE: Mr. Speaker, Ladies and Gentlemen of the House: I am the sponsor of this bill, but I am not about to stand up here and debate the merits or demerits of the cattle industry with such people as my good friend the gentleman from Perham, Mr. Bragdon or the Reverend Mr. Meisner. I sponsored this bill for one purpose, and one purpose only, and that was to try and improve the economic status of the State of Maine by developing the cattle or livestock industry. The present method of taxation of livestock dates back to at least 1847 when everybody had one cow, and one horse, and one chicken and one duck, etc. I also sponsored it because while I was aware of the fact that some of the towns would lose revenue temporarily, I felt that any loss in tax revenue through reduction in the tax method would be offset by the increase in the size of the herd. I hope that the motion of the gentleman from Perham, Mr. Bragdon, does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Brownville, Mr. Ross.

Mr. ROSS: Mr. Speaker, I would just like to make one point, we'll take a man with a big dairy herd, all right, he saves money under this bill on the tax on his herd, but a town has to have money to operate, so he is going to have to make up the difference in his real estate tax.

The SPEAKER: The Chair recognizes the gentleman from Freeport, Mr. Crockett.

Mr. CROCKETT: Mr. Speaker, under this House Amendment "A", under Section 3, I understand the effective date, this act shall become effective ninety-one days after the adjournment of the Legislature. Now doesn't our Constitution call for ninety days and is it possible there might be a little sleeper in here somewhere where it should be ninety instead of ninety-one?

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

Mr. WATERMAN: Mr. Speaker, Ladies and Gentlemen of the



House: In answer to the question of the gentleman from Freeport, Mr. Crockett, when I went into Mr. Slosberg's office this morning to have this amendment drawn, he informed me that there was another bill that has been signed by the Governor, and you will all remember the pig tax bill which has to do with this same section. That bill will become effective ninety days after the adjournment of the Legislature. This bill with this amendment would remove that pig tax bill which has already been signed. The four-month exemption of the swine comes under this in the section of the bill where it says all cattle born prior to January first. That would include swine also so the swine born after January first would still be only four months old when they would be subject to taxation. That is the reason. It was at the suggestion of our Director of Legislative Research, that the ninety-one days was put in as to the effective date of this bill, so that if this bill were passed and became law, we wouldn't have two laws on the books in opposition to one another. I don't know if the gentleman will consider his question sufficiently answered or not, but if not, I suggest he see Mr. Slosberg.

The SPEAKER: The Chair recognizes the gentleman from Freeport, Mr. Crockett.

Mr. CROCKETT: Mr. Speaker, wouldn't that mean a change in our Constitution from ninety days to ninety-one? I don't think that we have a right to say a law will become effective ninety days after the Legislature adjourns where it says now ninety-one. I believe—I'm a poor lawyer, but if a Constitution says ninety days, it's ninety days, in my book and it doesn't mean ninety-one days.

The SPEAKER: The Chair recognizes the gentleman from Livermore, Mr. Boothby.

Mr. BOOTHBY: Mr. Speaker, in answer to the gentleman from Freeport, Mr. Crockett, I can recall that there was a bill before the Agricultural Committee which was passed by this House and signed, and run into some very serious opposition from the can-

ning people, I believe, and I remember that the Committee, the Chairman probably will correct me if I'm wrong, the canning people wanted that corrected so the only way we could do that would be to add on to it that it did become effective one day later than the one that was already signed by the Governor. So, apparently, that is being done.

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

Mr. JALBERT: Mr. Speaker, in answer to the question, it could be fifty-four years if the Legislature wanted to say so. Am I correct, or am I not correct, asking a parliamentary decision?

The SPEAKER: The Chair hopes the gentleman is not asking for a ruling.

Mr. JALBERT: In all sincerity, it could be fifty years if we said so. Mr. Speaker I may add, the way we are going, it may be fifty years.

Mr. Cottrell of Portland was granted permission to speak a third time.

Mr. COTTRELL: Mr. Speaker, in closing I just want to answer my friend from Perham, Mr. Bragdon, and say that I wasn't on the cow section of the Taxation Committee, and so I don't know how many cows there are in Portland. I do know how many there are in Vermont. The number is greater than the number of people. I don't know any more about the number in Maine though.

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

Mr. PEASE: Mr. Speaker, I would direct a question through the Chair to the gentleman from Perham, Mr. Bragdon, if he has the information. I wonder if, under our present law, race horses are taxed under this section which is now being amended, and if so, will they be taxed an excise tax under this bill?

The SPEAKER: The gentleman from Wiscasset, Mr. Pease, poses a question through the Chair to the gentleman from Perham, Mr. Bragdon, and the Chair recognizes that gentleman.

Mr. BRAGDON: Mr. Speaker, I would answer the question as best I can, and if I fail I'm sure some member of the Taxation Committee to which the question should have been more properly directed, will correct me. I am told that this bill leaves out race horses, and they are taxed under another — the only horses that are taxed are some horses that the pulp and paper companies own to pull out pulpwood down in the woods, and they get off with a dollar apiece. However, if you have a race horse you have to dicker, I think, still with the local assessors. I am fairly close to that because in my own town, and excuse me for taking this extra time, we have a gentleman who raises Arabian horses, and presumably sells them at very high prices, and I know our local assessors have had trouble with him. I suppose, under this bill they are going to continue to have trouble, but I think he may decide they're work horses and want to get them off at a dollar apiece. I think there are many inconsistencies in this whole bill.

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

Mr. JONES: Mr. Speaker and Ladies and Gentlemen of the House: This is a very, very bad bill, and I hope the motion to indefinitely postpone will prevail. Of course, we are working on this amendment now, and first I hope we will indefinitely postpone the amendment. Yesterday there was a statement made that I had made a misstatement before you as to the value of sheep. Of course, I was being compared with sheep and lambs at the time. Before me I asked one of the gentlemen to give a price for which he sold sheep, which was a little higher than I had given as a value, and there is another gentleman here by the name of Mr. Jewell. If I could call upon him, I think he has had some experience, and Mr. Speaker, through you, I would like to call upon Mr. Jewell to see if he has had any experience in sheep, and in selling, what price he got for them.

The SPEAKER: Does the gentleman move indefinite postponement of House Amendment "A"?

Mr. JONES: I do

Mr. Waterman of Auburn then requested a division on the motion.

The SPEAKER: A division has been requested.

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

Mr. KENT: Mr. Speaker, I spoke on this bill yesterday and I did mention that I felt that the value was too low, and that is why I felt it should be amended which has been done with this amendment. It has been mentioned that there will be a loss in revenue to the towns in taxation. I would like to remind you that the broiler industry is only taxed on half value once again, and this seemed to be all right with the gentleman from Farmington, Mr. Jones and several others to let this stay on the record as it is. I do believe that if the broiler industry is entitled to a half value, certainly the dairy industry is entitled to some consideration also. I think there is no question to try to deny that this is a relief to a certain extent to the milk producers of the State of Maine. I think that in the overall picture in the long run that it will work itself out.

Now certainly when this law for the broiler industry was passed in 1959, that it certainly would make a loss to your towns in taxation and the revenue which they would receive. And probably this, to a certain extent, will do the same thing for a period of time. But I think for the time that you take into consideration that these dairies that are going out of business, and the fields which are now in production which will be left to grow up to bushes, your farms and your barns and buildings which will deteriorate — and certainly the tax will have to be lowered on them which will be a loss in revenue, that the overall picture that this may be a shot in the arm which will, in the overall picture, possibly help not only the dairy industry, but also in a long run the revenue which the towns will receive. I realize this is quite a breakaway from your present system. Although I do also realize that there is much of an inconsistency in the taxation of cattle throughout the whole state. I have attended many as-

sessors' meetings and I have been acquainted with other assessors in other towns and I know that some towns will value across the board at \$40 and some \$50, some \$60, and it has been mentioned here \$90. So there is an awful inconsistency in valuation of cattle throughout the state. I was very lukewarm to this when it first came out, but with this amendment, I don't see that anyone would get hurt too bad. So I hope that the amendment will receive passage.

The SPEAKER: The Chair will interrupt debate for a moment to recognize in the gallery of the House, twenty-eight pupils from the Harrison School, Harrison, Maine; accompanied by their Principal and teacher, Mr. Conary and Mrs. Conary. They are the guests of Representative Pitts of Harrison.

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

The SPEAKER: The question before the House is the indefinite postponement of House Amendment "A." A division has been requested. 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.

Sixty-nine having voted in the affirmative and forty-six having voted in the negative, the motion to indefinitely postpone House Amendment "A" did prevail.

The SPEAKER: The pending question now is the motion of the gentleman from Perham, Mr. Bragdon, to indefinitely postpone item two, Bill "An Act Establishing an Excise Tax on Livestock," House Paper 1106, Legislative Document 1587. Is the House ready for the question?

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

Mrs. SMITH: Mr. Speaker and Members of the House: I would like to make one comment. The

gentleman from Benton, Mr. Kent, has made the statement that there is inequality in the assessing in this particular area. It seems rather strange to me that we should have so many bills around here this session on this same area. We have one which we discussed here, and if I remember the number correctly it was 510. We had two or three more which if we had passed 510, if that is the number, we would not have needed. It all had to do with whether assessing is properly carried on in the State of Maine, although the bills do not say that directly, I still say if assessing is not properly done, then we should be honest with ourselves and bring in a bill to set it up so that the state will do the assessing or at least examine the merits of the state doing it; and I hope the indefinite postponement does prevail.

The SPEAKER: The Chair will order a division. All those in favor of indefinite postponement of this Bill, will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Ninety-three having voted in the affirmative and twenty-six having voted in the negative, the Bill was indefinitely postponed and sent up for concurrence.

#### Amended Bill

Resolve Proposing an Amendment to the Constitution Forbidding Discrimination Against Any Person (S. P. 527) (L. D. 1448)

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

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

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: A few years ago I was born in the State of Maine and have lived here all my life. I have traveled the state probably from top to bottom all over. I will be frank in saying I have never seen any indication wherever I have been of discriminatory

practices in race relationship, in religion, in sex, or in ancestry. I think one reason for that is that our federal Constitution provides that these discriminatory practices shall not prevail.

Now yesterday we passed this Constitutional Amendment which would put in our Constitution something that, as far as I'm concerned, I can see no reason for having. And yet I feel that probably one reason why we voted as we did yesterday is that we fear the same thing happening to us, as individuals, as has happened to others over the United States that have spoken out their convictions on discriminatory practices. We are fast getting to the place now in America where to stand for what we believe and dare to speak it out means that we probably will be blacklisted by the Press or at least spoken of in the newspapers in derogatory terms because we did not go along with the mass.

I for one was not even conscious until this bill came up that we did not have a provision in our Constitution providing for what this amendment will provide for, and I think probably there are others in this House who were not conscious of the fact that this was not already in the Constitution. The reason we were not conscious of this was because we have seen so little, if any, of these discriminatory practices. Now to put this in the Constitution isn't going to hurt, but I would say that it will not help either; I can see no reason one way or other for it. These racial problems are increasing constantly, and one reason why they are increasing is that we are putting such a great emphasis in this field. It is quite interesting to note that the sponsor of this bill did not even see fit to fight for it when it came up before him; and it was defeated. For this reason, Mr. Speaker and ladies and gentlemen of the House, and for no other reason, I would move the indefinite postpone of this bill.

The SPEAKER: The gentleman from Strong, Mr. Smith, moves the indefinite postponement of

item three, Legislative Document 1448.

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

Mr. BERMAN: Mr. Speaker, Members of the House: As the House Chairman of this Committee on Constitutional Amendments, it certainly was very gratifying yesterday after thoroughly airing this matter, and a very excellent talk by my learned colleague from Bar Harbor, Representative Edwin Smith, that by a roll call vote only four members of this House were against the amendment and today my friend from Strong wants to move indefinite postponement.

Now this amendment did not come out of committee as such. It was an amendment that had been thoroughly studied and advocated by the Constitutional Commission, and it was because the Constitutional Commission felt that there was a problem and because they had made a study of the problem that these ten men whose names I shall read — these ten men on this bi-partisan Constitutional Commission felt that this should be in our basic law. Who were these ten men? Chairman, Fred C. Scribner, Jr., Robert M. York, John F. Ward, a former Speaker of this House; George D. Varney, a former Speaker of this House; Stanley G. Snow, Edwin R. Smith, my distinguished colleague from Bar Harbor; Robert A. Marden, Carleton E. Edwards, John P. Carey, Emery O. Beane, Jr. And now are we going to just a day after this came out on a roll call vote with only four people opposing it, indefinitely postpone it? I really think this House is going to have better judgment; and I oppose the motion to indefinitely postpone.

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

Mr. JALBERT: Mr. Speaker, I move the previous question.

The SPEAKER: For the Chair to entertain the previous question, it must have the consent of one-third of the members present. All those who request the Chair to

entertain the previous question, will rise and be counted.

A sufficient number arose.

The SPEAKER: Obviously, one-third having arisen, the motion is entertained, and the question is "Shall the main question be put now?" This is debatable. All those in favor, will please say yes; those opposed, no.

A viva voce vote being taken, the motion prevailed.

The SPEAKER: The Chair will order a division.

Mr. COPE of Portland: Mr. Speaker?

The SPEAKER: For what purpose does the gentleman arise?

Mr. COPE: To request the yeas and nays.

The SPEAKER: 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 counted.

An insufficient number arose.

The SPEAKER: Obviously, less than one-fifth having arisen, a roll call is not ordered, but the Chair will order a division. The gentleman from Strong, Mr. Smith, moves the indefinite postponement of Resolve Proposing an Amendment to the Constitution Forbidding Discrimination Against Any Person. 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.

Thirty-three having voted in the affirmative and ninety-eight having voted in the negative, the motion did not prevail.

Thereupon, the Resolve was passed to be engrossed as amended by Committee Amendment "A" in non-concurrence and sent up for concurrence.

**Passed to Be Enacted  
Emergency Measure**

An Act to Reactivate Maine Committee on Problems of the Mentally Retarded (S. P. 203) (L. D. 513)

Was reported by the Committee on Engrossed Bills as truly and

strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 114 voted in favor of same and 6 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

**Emergency Measure  
Tabled until Later in Today's Session**

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

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

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

Mr. WELLMAN: Mr. Speaker, I move this be tabled until later in the day.

Mr. MacLeod of Brewer then requested a division on the tabling motion.

The SPEAKER: A division has been requested. The gentleman from Bangor, Mr. Wellman, moves that item two, "An Act Increasing the Sales Tax," be tabled until later in today's session. All of those in favor of tabling, will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Seventy-two having voted in the affirmative and fifty-nine having voted in the negative, the tabling motion did prevail.

**Enactor Requiring Two-Thirds Vote  
Failed of Enactment**

An Act to Authorize the Construction of a Causeway Connecting Cousins Island with Littlejohns Island, and a Bridge and Causeway Connecting Littlejohns with Chebeague Island (H. P. 275) (L. D. 369)

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

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

Mr. PEASE: Mr. Speaker, I would not make the motion to indefinitely postpone, but only urge the members of the House to consider wisely their vote on this matter and urge

them to vote against the emergency enactment.

The SPEAKER: The Chair recognizes the gentleman from Brownville, Mr. Ross.

Mr. ROSS: Mr. Speaker, as a member of the Committee on Highways and a signer of the eight to two "Ought not to pass" Report, I feel that it is my duty to put a few facts before this body. I have before me a very large report put out by Wilbur Smith Associates. I am not going to bore you with the details. They claim that the bridge cannot be built for less than a good many millions more than the proponents claim. But I am not going to debate that. All I am going to tell you is that I will take the proponents figures of \$3,000,000. Wilbur Smith claims that it cannot pay for itself. So what you are voting on is whether or not the state wants to obligate itself for that amount.

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

Mr. PRINCE: Mr. Speaker, a week ago this Legislative Document was well debated, and a very large majority vote in favor of the "Ought to pass" Report was made. Since that time, this body has engrossed the bill and the other portion of this Legislature has engrossed the bill, and sent it to us for enactment. I noticed this morning that quite a few personalities were running through the corridors trying to change the minds of people here, and for some mysterious reason, I cannot understand why a few opponents of this bill are afraid to allow this to go to the people of the State of Maine in a referendum election. This bill is not appropriating money. It is allowing this issue to come before the people of the State of Maine, and as you are familiar with the petitions that were earlier deposited with our Secretary of State to the tune of 42,000 they were found to be valid and where we have engrossed this bill in both branches up to this time, I think that it would be very unwise not to continue. Every effort has been made to insure that the members of this 101st Legislature are well informed as to the merits of this

Act, for the construction of a toll bridge to Chebeague Island.

The 42,000 registered voters of the state who signed the petition for a referendum on this bill, have clearly indicated that they feel the final decision on this measure should be theirs. To deny them that right, would appear to indicate a lack of confidence in the judgment and in the intelligence of the people who have revealed at the polls their confidence in you and me as legislators. I sincerely trust that you will protect the action we already have made on this act, and allow the people to make the final decision on this Legislative Document.

Let us not lose sight of the fact that we are a democracy, and you and I as legislators must keep it that way, in this case by allowing the citizens of Maine to vote to accept or to reject this issue that 42,000 registered voters of this state considered important. To deny them of this right and privilege, would be one of the gravest mistakes we could possibly make as we will be failing the people who have faith in us by filing a valid petition directly to this Legislature. Mr. Speaker, Ladies and Gentlemen of the House, I hope that you will vote on this bill now and give it a very large vote. Thank you very much.

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

Mr. CURTIS: Mr. Speaker, Ladies and Gentlemen: It is indeed rather painful for me to get up and oppose my good seatmate here who is a member of the Highway Committee. I never met the gentleman until he became my seatmate, and I can say this for him, he is one of the finest men I believe there is in this Legislature and I mean that. But he can be wrong just as the head of the Highway Department I believe is wrong. Now I have the greatest respect for the head of the Highway Department, and I think he is doing a wonderful job, but he can be wrong as others have been wrong as head of that Department.

A number of years ago the head of the Department didn't think

that there should be a bridge between Bath and Woolwich over the Kennebec River, but we had a man in here from Woolwich, Senator Carlton and he thought there should be one. And so by his efforts, I won't go into exactly what he did, but the legislators went down and took a look at it anyway. So we passed it and the bridge was built. And it didn't take but just a few years that they paid for it, and now it is toll free. And now they are contemplating building another one. So the head of the Department now is somewhat in favor of building another one. So you see they can be wrong.

And I think they are wrong now in saying that we don't need this bridge. We are asking for millions of dollars to be spent to bring people into this State of Maine, and here's a wonderful place for recreation and a wonderful thing for the State of Maine, and still we don't want people to get over there by the bridge, we want them to go by boat which people don't like to go by boat so much. And perhaps in the wintertime it isn't very handy to go with a boat. So I think we should let the people decide this for themselves. They are going to be the ones to pay the bills, and I am sure that in a few years to come regardless of the Smith survey or whatever you have, because I have looked this thing over for several years and I am convinced that it will pay for itself and it is needed. I hope that you will vote to give the people in the State of Maine a chance to vote for it or against it as they see fit.

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

Mr. TURNER: Mr. Speaker and Members of the House: This thing was debated pretty well the other day, and I do not wish to prolong the session, but I would like to mention the fact that this will cost the State of Maine about \$10,000,000 over the next twenty years. This money is our money that could be used in our various counties throughout the state. This is a lot of money for a one-

way, dead-end street into the ocean.

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

Mr. COPE: Mr. Speaker and Members of the House: I have been concerned about the attitude that certain members of this Legislature have voiced as objections to this bill. Too many people seem to be of the opinion that this is a measure that will benefit only a small number of people living on Chebeague Island. I hope that you will notice that the entire Cumberland delegation favors this bill and particularly those of us from the greater Portland area. This is our sleeping giant in Portland Harbor, and has untold potential. This Island in our harbor has not yet been over-commercialized, and has the greatest potential for recreational development that our city will ever have to offer. We have never been able to take advantage of the financial benefits that should accrue to us from this natural beauty site because of adverse transportation facilities.

If this bridge is built, it will eventually result in a tremendous shot in the arm for our greater Portland merchants. There seems to be some discrepancy as to the amount of money that will be involved. As far as I'm concerned, even if it would cost twice as much as the original estimate, I still maintain it would be worth every cent of it.

If someone had told us several years ago that the expenditure of millions of dollars at Sugarloaf would have been a wise investment for the State of Maine, that person would have been the laughingstock of the whole state. But those people who advocated such an investment were proven to be men of vision, and I maintain that the people of Portland, and those interested in our harbor development, will some day realize that this bridge has put us on the recreational map of the State of Maine.

We have spent money to build a road to ski areas. In fact, advocacy of expenditures for recre-

ational development seems to be the order of the day. If this is the case, then this measure should be up there at the top of the list. Let us not be short-sighted. Portland needs this bridge now, and I know that the dividends will be well worth whatever amount of money is required to make it a reality. Thank you.

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

Mr. GILL: Mr. Speaker, Ladies and Gentlemen of the House: I would just like to bring to your attention in reference to what my good friend from Brownville, Representative Ross, has said in regard to the cost of this, that today there is a contractor that will be willing to build this bridge for this figure. However, even if not, this simply is to send a referendum to the people for and the issuance of bonds up to \$3,000,000, and if this exceeds that amount by one dollar, the bridge will not be built. So there is no concern for the \$6,000,000 figure which was brought forth by an engineering firm who is not pleased with the engineering firm of Faye, Spofford and Thorndike.

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

Mrs. HENDRICKS: Mr. Speaker and Members of the House: I think we all recognize the wonderful effort and stamina which the islanders have shown in this proposition, and I think it would be terrible if we let them down now in view of the fact that eventually the voters are going to have to finally make the decision on this, and I hope that we keep the bill alive.

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

Mr. PRINCE: Mr. Speaker, I would just like to again remind the members of this House that in two years' time, there have been over ninety-six thousand people sign petitions for this to come before the state as a whole in a referendum election. I have many things that I could say here, but just so that you will not be dis-

illusioned, thinking that the bridge can be built for \$3,000,000 and then you're saying, it can't be, the Belfast bridge which is now under construction, authorized in '59, the bridge itself is 1,629 feet long with a thirty-foot roadway — the Chebeague bridge would be twenty-two foot; five-foot sidewalks, sixty-eight foot clearance at high water. The estimated, completed cost is \$1,775,000. The contractor is Ellis Snodgrass, and this is known as contract number one.

Contract number two in this same Belfast project is for the ramps and approach work, underpasses, rebuilding of streets, a two-lane highway, and a one-lane highway. The actual approach work is approximately 3.23 miles long of which 1.822 miles is two lane and 1.408 miles is single lane highway. In addition to this there is approximately two miles more of approach roads and ramps, two underpasses as the relocation of this highway cross several streets and roads entering and leaving the Belfast area. The cost of this contract number two for the building of approach roads and ramps and underpasses is approximately \$1,964,000. The entire project will cost approximately \$3,739,000. I mention this only to remind you that this project is much, much larger than the proposed Chebeague Island bridge. Thank you.

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

Mr. EWER: Mr. Speaker, may I ask a question through the Chair of anyone who cares to answer?

The SPEAKER: The gentleman may state his question.

Mr. EWER: What is the potential population of the island? In other words not what it is today, but what is the potential of the island if it is filled to capacity?

The SPEAKER: The gentleman from Bangor, Mr. Ewer, poses a question through the Chair to any member who may answer if they choose.

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

Mr. PRINCE: Mr. Speaker, I will answer that question as well as I can. The maximum population with this bridge probably will



soar to between four and five thousand. Right now the summer population is between 1,500 and 1,700. Just to make a comparison which would be fitting to this same area, on Orr's and Bailey's Islands which is a part of Harpswell, I live on Orr's Island, and we have a connecting bridge from Orr's Island to Bailey's Island, our winter population of those two islands is approximately 650 people. From the 20th of June until, I'll say Labor Day, the population of those two islands is between five and six thousand. I sell real estate in the Town of Harpswell, and I'm quite conversant on the conditions that exist there, and at this moment, I know of only five lots on the shore that are available for sale on those two islands.

When good roads became such that Boston was only three hours away, real estate on those two islands sold very rapidly, and the answer to our increase in population is through the quite famous Orr's and Bailey's Island Bridge. It's the only one like it in the world. It's a Scottish type bridge built of granite, 1,080 feet long. After that bridge was completed, the summer population of the two islands grew very rapidly. In fact, our entire town is growing very rapidly as a vacation or a summer colony.

The same thing would hold true in this Chebeague area. And from a tax point of view, in the Town of Harpswell in 1961, our tax commitment was around \$191,000. Of that \$191,000 our non-resident taxpayer, our summer guest so as to speak, was paying about 62 percent of that tax. We are favored. I consider this as our industry of our town. They do not use our schools. They use our roads and utility poles for six or eight weeks, and this same condition would exist at Chebeague. Only there it would be much larger.

There is a bridge now that links Yarmouth with Cousin's Island, and a bridge that connects Cousin's Island with Littlejohn. After the bridge that the Central Maine Power built at Cousin's Island, property began to advance. They are now putting up \$30,000 and \$40,000 cottages. The same thing will hold true of Little-

john's, and the same thing definitely would hold true on Chebeague. With eight miles of beautiful beaches, a golf course, two hotels and the exposure to the ocean, we would be opening up one of the most sought for areas in the State of Maine.

I will not belabor this thing any longer, but I could go on for a long time. Thank you.

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

Mr. TYNDALE: Mr. Speaker, Ladies and Gentlemen of the House; As House Chairman of the Committee on Public Utilities, during the past year I had many opportunities to listen in regards to the possibilities, of the great development of this area. It is a potential source of revenue to the State of Maine. There is little I can add to the remarks made by my distinguished colleague from Harpswell. I do want to go on record in favor of this, and I think if we don't, we are going to miss a great opportunity to further the tourism to the State of Maine. I believe this should go before the people for an opportunity to vote on it.

The SPEAKER: The Chair recognizes the gentleman from Freeport, Mr. Crockett.

Mr. CROCKETT: Mr. Speaker, I was one of the signers of the Minority Report on the Highway Committee that we should have the bridge because it is absolutely a necessity for this end of the state. It will help the entire state eventually. Now 42,000 people should not be denied the privilege of going to referendum to vote on this particular question. Those people are not all from Cumberland County. They are from Dickey, we will say, to Kittery. Therefore, I hope you will go along and vote to give the privilege, give the right to the people, the 42,000 that have signed this petition, to make up their minds whether they want it or not. It is within yours and my power to allow this to go back to the people to vote.

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

Mr. COPE: Mr. Speaker, Members of the House: I would like to add one telling point which has not been mentioned here. As you know the state is committed to the financial salvation of the Casco Bay Islands presently. The major cost will be because of the wharves in the long run caused by the ferry boats. By instigating this bridge, you will cut down the investment that the state will have to pay in the long run. So, in effect, by passing this legislation, the state will benefit double barrel.

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

Mr. PEASE: Mr. Speaker, some few years ago in the county from which I come, a bridge was suggested to take the place of a ferry run from the town in which I live, Wiscasset, to the Town of Westport. This bridge was primarily built and has now some twenty to thirty foot span. The arguments were made at that time the same as they have been made here today that this was going to open the Island of Westport to be one of the greatest attractions the state had. It has some twenty-five to thirty miles of very good saltwater shoreline. It was a toll bridge. Since that time, the state has had to pay off the bonds. They didn't have enough money from the tolls to pay the toll-keeper. The Island has not progressed to any extent as it was suggested it would. It still has its sixty or eighty residents that it had before the bridge was constructed. I would concur wholeheartedly that where we have some 42,000 signatures that have been presented to the Legislature concerning this matter, we should pay some heed to it. But I would suggest that if those 42,000 people were given the true facts on the cost of this bridge and the resulting benefits that it will give to a very few people, landowners and others on this island and in this area, that I am sure that a great majority of those 42,000 people would intelligently refuse to sign the petition. I strenuously urge you to vote against the emergency enactment of this legislation.

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

Mr. BROWN: Mr. Speaker, Ladies and Gentlemen of the House: It seems rather odd that some members of the House of Representatives should get up and say, well, we all well know that there are many officials in the State Highway Department that like their own way, that if this bridge is going to cost \$4,000,000 and the people vote on \$3,000,000, that the bridge will be built. You know better than that. I know better than that. So let's get done with it.

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

Mrs. HENDRICKS: Mr. Speaker, a few remarks about the island potential. I feel that residential and recreational areas are becoming more scarce all the time, and why I say this is, in view of the slum clearance program that we have in that area, and road-building and industry and commerce, residential and recreational property definitely is becoming more scarce all the time, and the island potential is becoming much better.

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

Mr. ANDERSON: Mr. Speaker, Ladies and Gentlemen of the House: I was stationed on Long Island during the service, and I know something about the islands there. Evidently they have grown since I was there. At that time, I don't think you could park a dozen cars without getting your fenders scratched. And as I understand it, we are depending on the tourists to pay for this bridge through tolls. What are they going to do when they get there? The water is so cold they can't get in swimming. I know that for a fact. I don't go along with the proposition at all.

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

Mr. BRAGDON: Mr. Speaker, it would be very interesting to me if someone would give us the total residents of the Island. That is, I

am speaking of the permanent residents. I don't believe that figure has been given. If it has, I have missed it, and if it hasn't, I would appreciate it if someone would repeat it. The question is, as to the number of permanent residents of the island, that live there summer and winter.

The SPEAKER: The gentleman from Perham, Mr. Bragdon, poses a question through the Chair to anyone who may answer if they choose.

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

Mr. TURNER: Mr. Speaker, as I remember it, it has around 350 year-round. Of course, your summer population is a lot bigger.

The SPEAKER: Is the House ready for the question? In accordance with the provisions of Section 14 of Article IX of the Constitution, a two-thirds vote of the House being necessary, all of those in favor of the enactment of this bill, will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

The SPEAKER: Seventy-four having voted in the affirmative and forty-three having voted in the negative — the Chair recognizes the gentleman from South Portland, Mr. Gill.

Mr. GILL: Mr. Speaker, for the purpose of the signers of the petitions to know the position of everyone in this House, I would now move that this be taken by roll call vote.

The SPEAKER: For the Chair to order a roll call vote, 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 counted.

A sufficient number arose.

The SPEAKER: Obviously, more than one-fifth having arisen, a roll call is ordered. The question is on the enactment of Bill "An Act to Authorize the Construction of a Causeway Connecting Cousins Island with Littlejohns Island, and a Bridge and Causeway Connecting Littlejohns with Cheabeague Island," House Paper 275, Legislative Document 369. All of those in favor of its enactment, will answer "Yes" when their names are called. All of those opposed to the enactment of

this Bill, will answer "No" when their names are called. The Clerk will call the roll.

### ROLL CALL

YEA — Albair, Ayoob, Baldic, Benson, Bernard, Birt, Blouin, Boissonneau, Boothby, Bourgoin, Bradeen, Brewer, Brown, So. Portland; Chapman, Childs, Cope, Cottrell, Coulthard, Cressey, Crockett, Crommett, Curtis, Denbow, Edwards, Foster, Gallant, Gilbert, Gill, Giroux, Gustafson, Hammond, Hanson, Hardy, Hawkes, Hendricks, Hendsbee, Henry, Hobbs, Humphrey, Jalbert, Jameson, Jones, Kent, Kilroy, Levesque, Libby, Lincoln, Lowery, MacGregor, Maddox, Mathieson, Meisner, Noel, Oakes, Oberg, Osborn, Pierce, Pitts, Plante, Prince, Harpswell; Prince, Oakfield; Rand, Richardson, Ricker, Roberts, Shaw, Smith, Falmouth; Snow, Taylor Thaanum, Thornton, Treworgy, Tyndale, Vaughn, Wade, Watkins, Wellman, Whitney, Wood, Young.

NAY — Anderson, Ellsworth; Bedard, Berman, Bragdon, Brown, Fairfield; Carter, Cartier, Choate, Cookson, Cote, Davis, Dennett, Dostie, Drake, Dunn, Easton, Ewer, Finley, Gifford, Hutchins, Jewell, Laughton, Littlefield, MacLeod, McGee, Mendes, Minsky, Mower, Nadeau, Norton, Osgood, Pease, Philbrick, Poirier, Rankin, Reynolds, Ross, Augusta; Ross, Brownville; Rust, Scott, Smith, Strong; |Susi, Townsend, Turner, Viles, Waltz, Waterman, White, Guilford; Wight, Presque Isle.

ABSENT — Anderson, Orono; Berry, Binnette, Burns, Bussiere, Dudley, Harrington, Jobin, Karos, Knight, Lebel, Linnekin, MacPhail, O'Leary, Roy, Sahagian, Smith, Bar Harbor; Tardiff, Ward, Welch, Williams.

Yes, 80; No, 49; Absent 21.

The SPEAKER: Eighty having voted in the affirmative, forty-nine having voted in the negative, with twenty-one being absent, eighty not being a two-thirds of the members of the House present and voting, the measure fails of enactment.

Sent to the Senate.

**Passed to Be Enacted**

An Act relating to Appeals from Registrars of Voters (S. P. 472) (L. D. 1324)

An Act to Revise the Boating Law and Extend Boat Registration and Safety Law to Cover Coastal Waters (S. P. 585) (L. D. 1542)

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

An Act relating to Weight of Commercial Vehicles (H. P. 1103) (L. D. 1583)

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

The SPEAKER: At this time the Chair will recognize in the gallery of the House, twenty-eight students from Solon's sixth and seventh grades, accompanied by their teacher, Mrs. McCollor. They are the special guests of Representative Viles of Anson.

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

On motion of Mr. Wellman of Bangor,

Recessed until 1:15 this afternoon.

**After Recess  
1:15 P.M.**

The House was called to order by the Speaker.

On the disagreeing action of the two branches of the Legislature on

Bill "An Act relating to Minimum Number of School Days in Public Schools" (S. P. 598) (L. D. 1565) the Speaker appointed the following Conferees on the part of the House:

Messrs. TREWORY of Gorham  
EASTON of Winterport  
SNOW of Jonesboro

**Orders of the Day**

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

Bill "An Act Authorizing the Maine Port Authority to Establish Foreign Trade Zones in Maine." (H. P. 978) (L. D. 1417)—(Filings H-122 & S-283)—In Senate, Senate "B" Adopted in Non-concurrence.

Tabled—June 10, by Mr. Bragdon of Perham.

Pending—Further Consideration.

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

Mr. MADDOX: Mr. Speaker, I move that the House concur with the Senate in the adoption of Senate Amendment "B" and I would like to speak briefly to the motion.

The SPEAKER: The Chair understands the gentleman from Vinalhaven, Mr. Maddox, moves that the House recede from its former action and concur with the Senate and the gentleman may proceed.

Mr. MADDOX: Mr. Speaker, the establishment of foreign trade zones in the State of Maine is something new to the state, but it is not new in the national picture. There have been foreign trade zones established on the east coast and on the west coast and also on lake ports. The advantage in a foreign trade zone is that many of our raw materials upon which so many of our manufacturers depend can be greatly facilitated if the packaging, processing and handling can be done in a foreign trade zone which is duty free until the processing and packaging is finished. Therefore, there is a great saving for the manufacturer and the importer. Breakage, shrinkage and so on and so forth is eliminated in this sense that he does not have to pay duty until the finished product is shipped out of the zone.

By the same token, it encourages the manufacturer to move an assembly plant which may be some miles away from the port of entry, and therein lies a possibility of attracting new industry in the State of Maine. There is no loss in any sense in holding goods this length of time in a free zone because it cannot leave the zone until the duty which would be paid on imports at the time of entry must be paid when the finished product leaves the zone. There are a number of advantages that can be readily seen to the man-

ufacturer in this particular type of operation. There is no money involved in an appropriation, it is simply what would happen if the State of Maine permits this foreign trade zone to be established; the authority who would have control over this, in this case the Maine Port Authority, would in seeing some place where the free zone bill would be applicable would apply to the National Congress for permission to establish a foreign trade zone. It would have to be done by act of Congress and the policing of the enclosure and collection of duties would still be the duties of the Federal Customs Service. It is an opportunity to try and experiment.

It has worked well in other places. The port of Seattle has done so well they have applied for their second foreign trade zone. One of the largest foreign trade zones is in the United States territory of Puerto Rico where a great deal of South American oil is processed before being brought to this country. You can — at least I can see great possibilities for advantageous operations for manufacturers who now find it necessary to import large amounts of foreign raw materials and the possibility that the advantages in this zone might attract some of these manufacturers to put their plants, assembly plants, in Maine ports of entry.

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

Mr. RUST: Mr. Speaker, Ladies and Gentlemen of the House: I rise this afternoon in support of the motion of the gentleman from Vinalhaven, Mr. Maddox. This bill, in my opinion, has considerable merit, and it is a type of operation which our Maine ports need and should have. Our neighboring State of New Hampshire is now building a multi-million dollar terminal facilities and docking facilities on the Piscataqua River at Portsmouth, and one of their prime attractions to this modern facility will be so-called free port trade zones, and if our ports in the State of Maine are to be competitive, we must have this type of legislation which is before you this

afternoon, and I hope the bill receives passage.

The SPEAKER: Is it the pleasure of the House to recede from its former action and concur with the Senate?

The motion prevailed.

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

Bill "An Act Creating an Allagash River Authority for State of Maine." (S. P. 581) (L. D. 1534)

Tabled—June 10, by Mr. Littlefield of Hampden.

Pending — Passage to be Engrossed.

Mr. Williams of Hodgdon offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 581, L. D. 1534, Bill, "An Act Creating an Allagash River Authority for State of Maine."

Amend said Bill by adding after that part designated "Sec. 7." of section 1 and before the single quotation mark the following new section:

**"Sec. 8. Construction. Nothing in this chapter shall be construed to impair the authority of any public body, heretofore or hereafter created by the Legislature, in the exercise of the powers granted to any such public body."**

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

Mr. WILLIAMS: Mr. Speaker and Members of the House: This amendment was designed to set at rest any fears that this authority would in any way hinder power development in Aroostook County.

Thereupon, House Amendment "A" was adopted in non-concurrence.

Mr. Williams of Hodgdon offered House Amendment "C" and moved its adoption.

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

HOUSE AMENDMENT "C" to S. P. 581, L. D. 1534, Bill, "An Act Creating an Allagash River Authority for State of Maine."

Amend said Bill in that part designated "Sec. 4." of section 1 by striking out in 7th and 8th lines the underlined punctuation and words ", but may be allowed actual and necessary expenses for attendance at all meetings"

Further amend said Bill by striking out all of section 2, which provides for an appropriation.

Further amend said Bill by renumbering section 3 to be section 2.

House Amendment "C" was adopted in non-concurrence.

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

Mr. LITTLEFIELD: Mr. Speaker, Ladies and Gentlemen of the House: So far as these amendments are concerned, it hasn't changed the bill too much. In order for this authority to accomplish anything of real value, they will still have to turn to paragraph 3 of section 5 of the bill which gives it the right to consult and seek the advice of conservation and naturalist groups, and these groups seldom work for nothing, and that is my contention, is how much money this is going to cost before we get through with it. This bill creates an authority which will do nothing in my estimation but clutter up the law books. The real information on the Allagash will come from a Federal survey, and I now move the indefinite postponement of the bill and all its papers.

The SPEAKER: The gentleman from Hampden, Mr. Littlefield, moves the indefinite postponement of item 2.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: This Allagash Authority like I have said many times before here, I feel as though it does no good to anybody. I think it is time that we in the House here turned our ears to the cries of the people, especially the people in that area, namely the northern part of Aroostook County.

Now this bill involves a lot more things than just the Allagash. When we speak of the Allagash it's a good name to use because it is something like the sacred cow of India, but there is a lot of things involved. There is flood

control, that's what the people of the St. John River Valley are interested in, they are interested to see if they can be saved from these raging flood waters about every second year out of every five. Now I told you the other day that this was going to cost money. This amendment puts a little bit of money back into it and the next time they come they'll be looking for a lot more than that. I am not going to belabor this. I think it is a very good move that Mr. Littlefield has made to indefinitely postpone this bill. First of all, this authority doesn't look to me like it had much authority, and if it did, I would be the last one in this House to delegate any more power. I think that the trouble with this branch of the Legislature is we delegate too much power and after a while we don't have any of our own. I am opposed to delegating any more power—of our power that belongs to the Legislature to commissions or whatever you want to call them. I think the power belongs in this House to reject any bills or all bills and not delegate it to an authority.

Now as an illustration I would say we will vote on the different proposals as they come out, Cross Rock and different things, we will vote on them in this House, and if we want them we will vote for them. That's the way I think it should be handled that we should retain the power of killing whatever we want and passing what we do want, and I don't like delegating power, and all I can say in closing is I feel as though most of this bill is against all of the proposals in the Allagash, so it is a general kill them all, and I had a little subject that was in yesterday's Portland paper, it says under the heading "Bay State Solon Backs Quoddy and St. John's Project." There is one quite interesting article there that says New England pays 20.5% higher for residential rates on electricity for 250 kilowatt hours consumption, and the manufacturers he claims fare much worse, paying 65% more than the nation's average. I think this alone would make us want to do a little something and make a step in the right direction to cor-

rect this. We can't have industry and hope to grow with these kind of barriers laying in our face. Thank you.

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

Mr. JONES: Mr. Speaker, Ladies and Gentlemen of the House: I wish to rise in support of the motion made by Mr. Williams and support of this bill which is a good bill. I agree with some of the things that our good colleague from the north, Mr. Dudley has stated, that we should keep control of the actions of this area within the confines of the Legislature, and that is what this bill proposes to do is to keep the action within the bounds of the Legislature, and I think we should pass this bill because otherwise we could lose control and it would go to the National level, and we would lose our authority over it, so therefore I hope you will go along with the passage of this measure.

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

Mr. PEASE: Mr. Speaker, I move this item be tabled until later in the day's session.

The SPEAKER: The gentleman from Wiscasset, Mr. Pease, moves that item 2 be tabled until later in today's session.

For what purpose does the gentleman arise?

Mr. MacLEOD: Is the timing of that motion debatable?

The SPEAKER: The time is debatable.

Mr. MacLEOD: I would like to know if the reason for tabling that later in the day is so we can get at the sales tax question?

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

Mr. PEASE: I would answer the gentleman from Brewer, Mr. MacLeod, that is the specific reason for the motion.

Mr. Curtis of Bowdoinham requested a division.

The SPEAKER: A division has been requested. All those in favor of tabling item 2 until later in today's session will please rise and remain standing until the

monitors have made and returned the count.

A division of the House was had.

Fifty-nine having voted in the affirmative and forty-five having voted in the negative, the tabling motion did prevail.

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

Bill "An Act relating to Establishment, Maintenance and Operation of Regional Technical and Vocational Centers." (S. P. 383) (L. D. 1086) (Filing S-282)

Tabled—June 10, by Mr. Bragdon of Perham.

Pending—Passage to be Engrossed.

On motion of Mr. MacLeod of Brewer, retabled until later in today's session.

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

An Act Providing for Holding District Court for Western Aroostook at Fort Kent. (H. P. 52) (L. D. 75)

Tabled—June 10, by Mr. Wellman of Bangor.

Pending—Passage to be Enacted.

On motion of Mr. Wellman of Bangor, passed to be enacted, signed by the Speaker and sent to the Senate.

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

SENATE REPORT—Ought to Pass with Committee Amendment "A" (Filing S-284)—Committee on Judiciary on Bill "An Act Amending Certain Statutes to Conform to the District Court Law." (S. P. 150) (L. D. 581)

Tabled—June 11, by Mr. Hutchins of Kingfield.

Pending—Acceptance of Report.

On motion of Mr. Hutchins of Kingfield, the "Ought to pass" Report was accepted in concurrence and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to S. P. 150, L. D. 581, Bill, "An Act Amending Certain Statutes to Conform to the District Court Law."

Amend said Bill in that part designated "Sec. 2-A." of section 146 by striking out in the 8th and 9th lines of subsection I of the underlined punctuation and words " , each term"; and by striking out in the 8th, 9th, 14th, 15th, 18th and 19th lines of subsection II the underlined punctuation and words " , each term"; and by striking out in the 16th line of subsection II the underlined words "at the return term"; and by striking out in the 3rd and 4th lines of the 6th paragraph from the end the underlined punctuation and words " , but not exceeding 40 miles"; and by striking out all of the 5th underlined paragraph from the end; and by striking out in the last line of the 4th paragraph from the end the underlined figure "2.00" and inserting in place thereof the underlined figure "5.00"

Further amend said Bill in that part designated "Sec. 2-B." of section 147 by striking out all of the first underlined line and inserting in place thereof the following: "Sec. 2-B. Fees of court. The fees of the District"; and by striking out all of the 3rd and 4th underlined lines and inserting in place thereof the following:

<u>For every blank document</u>	<u>\$ .10</u>
<u>with or without seal</u>	<u>1.00</u> ;
<u>Filing of action</u>	<u>1.00</u> ;

and by striking out all of the 13th underlined line and inserting in place thereof the following:

<u>Writ of execution or renewal</u>	<u>1.00</u> ;
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and by striking out all of the 16th and 17th underlined lines and inserting in place thereof the following:

<u>Removal or appeal of court action to Superior Court including entry fee</u>	<u>7.00</u> ;
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and by striking out all of the 18th and 19th underlined lines.

Further amend said Bill by inserting after section 148-A the following new sections:

"**Sec. 148-B. R. S., c. 108-A, §3, amended.** The first paragraph of

section 3 of chapter 108-A of the Revised Statutes, as enacted by section 1 of chapter 386 of the public laws of 1961, is amended to read as follows:

"The State is divided into 33 32 judicial divisions, named and defined as follows, and with places for holding court therein as follows:'

**Sec. 148-C. R. S., c. 108-A, §3, sub-§XXVI, repealed and replaced.** Subsection XXVI of section 3 of chapter 108-A of the Revised Statutes, as enacted by section 1 of chapter 386 of the public laws of 1961, is repealed and the following enacted in place thereof:

**'XXVI. Somerset. Somerset consists of the entire County of Somerset. The District Court for Somerset shall be held at Skowhegan.'**

**Sec. 148-D. R. S., c. 108-A, §3, sub-§XXVII, repealed.** Subsection XXVII of section 3 of chapter 108-A of the Revised Statutes, as enacted by section 1 of chapter 386 of the public laws of 1961, is repealed.

**Sec. 148-E. R. S., c. 108-A, §3, sub-§XXXI, amended.** The last sentence of subsection XXXI of section 3 of chapter 108-A of the Revised Statutes, as enacted by section 1 of chapter 386 of the public laws of 1961, is amended to read as follows:

"The District Court for Eastern York shall be held at Biddeford or Saco, exact site to be determined by the Chief Judge with the approval of the Chief Justice of the Supreme Judicial Court."

**Sec. 148-F. R. S., c. 108-A, §4, sub-§X, amended.** Subsection X of section 4 of chapter 108-A of the Revised Statutes, as enacted by section 1 of chapter 386 of the public laws of 1961, is amended to read as follows:

**'X. Tenth District.** The 10th district consists of the divisions of Eastern York (Biddeford or Saco) as above determined, Western York (Sanford) and Southern York (Kittery).'

**Sec. 148-G. R. S., c. 108-A, §4, sub-§XII, amended.** Subsection XII of section 4 of chapter 108-A of the Revised Statutes, as enacted by section 1 of chapter 386 of the public laws of 1961, is amended to read as follows:



**'XII. Twelfth District.** The 12th district consists of the divisions of Northern Somerset (Jackman), Southern Somerset (Skowhegan) and Western Penobscot (Newport).'

Further amend said Bill by striking out all of that part designated "Sec. 8." of section 149 and inserting in place thereof the following:

**"Sec. 8. Appeal.** Any appeal shall be taken to the Superior Court for the county embracing the division in which the judgment was rendered within 10 days after judgment. The appellant shall, within 10 days after judgment, pay to the court the required fees for such appeal and in that case no execution shall issue, and the clerk shall enter the appeal in the appellate court where it shall be determined as a new entry."

Further amend said Bill in that part designated "Sec. 9-A." of section 155 by inserting after the underlined word "**Judges**" in the 2nd, 4th and 5th lines the underlined words '**and clerks**'

Further amend said Bill by adding after section 155 a new section to read as follows:

**"Sec. 155-A. R. S., c. 108-A, §10, amended.** Section 10 of chapter 108-A of the Revised Statutes, as enacted by section 1 of chapter 386 of the public laws of 1961, is amended by adding at the end a new sentence to read as follows:

**"Whenever a clerk is absent or temporarily unable to perform his duties as clerk and an existing or immediate session of the court renders it necessary, the Judge may designate a clerk pro tempore who shall have the same powers and duties of the clerk."**

Further amend said Bill in that part designated "Sec. 10-A" of section 156 by adding at the end of the first paragraph a new underlined sentence to read as follows: **'No fee shall be charged for the taking of bail.'**; and by striking out in the first line of the 2nd paragraph the underlined words **"or her"**

Further amend said Bill in that part designated "Sec. 3." of section 159 by striking out in the 6th

and 7th lines the underlined words **"to be retained by the court as costs"** and inserting in place thereof the following underlined words **'from which the clerk is authorized to expend the costs of giving notice to defendant and the remainder to be retained by the court as costs'**

Further amend said Bill in that part designated "Sec. 2-A." of section 238 by striking out all of the first line of the 2nd paragraph of subsection IV and inserting in place thereof the following: **'A deputy sheriff shall be paid by the county the fees as are';** and by inserting after the word "county" in the first line of the 4th paragraph of subsection IV the underlined words **'upon the approval of the county attorney'**

Further amend said Bill by adding after section 277 the following new section:

**'Sec. 277-A. Rent of municipal courtrooms.** All rents heretofore provided by statute for use of municipal courtrooms, payable by the counties to municipalities, shall be repealed whenever a District Court is established for the district where the rented courtroom is located.'

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

The Chair laid before the House the sixth 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 11, by Mr. Littlefield of Hampden.

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

On motion of Mr. Littlefield of Hampden, retabled pending the motion of Mr. Viles of Anson to indefinitely postpone and specially assigned for Friday, June 14.

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

HOUSE REPORT—Ought not to pass as covered by other legislation — Committee on Labor on Bill "An Act Repealing Certain Portions of the Employment Security Law." (H. P. 1) (L. D. 7)

Tabled—June 11, by Mr. Plante of Old Orchard Beach.

Pending—Acceptance of Report.

On motion of Mr. Plante of Old Orchard Beach, retabled pending acceptance of the Report and specially assigned for Friday, June 14.

The Chair laid before the House the matter tabled earlier in today's session, item 2 under Enactors on today's calendar:

"An Act Increasing Sales Tax"  
H. P. 313, L. D. 406.

The SPEAKER: Is it now the pleasure of the House that this be passed to be enacted? This being an emergency measure, it requires for enactment the affirmative vote of two-thirds of the entire elected membership of the House.

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

Mr. RUST: We are on the sales tax item, am I correct?

The SPEAKER: Would the gentleman restate his question?

Mr. RUST: I would inquire of the Speaker if we are on the sales tax item which was tabled earlier today?

The SPEAKER: An Act Increasing Sales Tax, House Paper 313, Legislative Document 406.

Mr. RUST: Mr. Speaker, Ladies and Gentlemen of the House: Before we take a vote on this particular item today I want to state my position and state it quite clearly.

As a candidate in campaigning for the Legislature I ran on a program opposed to any increase in the sales tax rate. However, I did clearly indicate to my constituents that new revenues would be necessary in this session of the Legislature and that there would probably be new bills passed that would require appropriations. During the course of the Legislature I have consistently voted for increased spending, I will have to admit that, and I am not ashamed of it. At the same time, I have consistently voted for other measures of tax revenues than the one we have here this afternoon. As a realistic politician during the late months of the campaign and the early weeks of this session, it became rather evident that if we

went out of this session with a tax measure, it would probably be a 4% tax, 4% sales tax. And I must say that the 4% sales tax and I were romancing pretty heavily, in fact we were going steady; but as the time came to get married to the 4% sales tax I started to have a few doubts and I started to look around and see what the benefits and the burdens were going to be. Now I was quite well aware of what the burdens were going to be as it affected the area which I represent which is a recreational area. A 4% sales tax, that 1% increase will be basically absorbed by the people engaged in that industry in my area. This will mean a 1% loss of revenue to them basically. The increase in the sales tax from 3 to 4% has an adverse effect on our merchants because to maintain their business they too must substantially absorb the sales tax to prevent trade from drifting over to tax-free New Hampshire.

But even with all this, I thought if there was some favorable legislation that was going to come out of this session of the Legislature that would be helpful to the vacation industry, I could without fear or qualms vote for this increased tax burden, but legislation in the recent weeks of this session of the Legislature has indicated in my humble opinion that this session of the Legislature, the 101st, has been very regressive in legislation affecting the resort industries. We have consistently refused to vote for Sunday liquor. We have nearly enacted into this session of the Legislature the so-called MacGregor Bill which in my opinion will seriously affect the resort industry not only of my own area but throughout the state. It will close some of our establishments on Sundays and do them harm.

On top of that this Legislature is apparently well on its way to enact a so-called bill relating to discrimination in rental housing. Some call it a discrimination bill. I call it a bill against renting your own private property and doing with it what you wish. This, in my humble opinion, is going to raise havoc with our real estate agents

all the way throughout the state, especially in resort areas where they do so much rental with private summer camps. And with this background and these added burdens placed onto our resort industries, I do not feel at this time that the merits of the 4% sales tax, as far as I am concerned are worth these burdens to my people, and I will vote "no" on the question today.

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

Mr. BRADEEN: Mr. Speaker, Ladies and Gentlemen of the House: I have no intention whatsoever at this time of raking over old ashes. We might in the process unearth a live coal or so, but likewise in the process we would probably extinguish what life the coal had.

Seems to me that the pros and cons of a 4% sales tax have been very thoroughly covered in this House. My comments will be very brief. I recall that according to history something over 160 years ago, Napoleon landed a French Army on the shores of North Africa. Sometime later when that army was assembled on the Egyptian sands in the shadow of the pyramids, he said: "Soldiers, 40 centuries look down upon you." My friends, we need not concern ourselves today with the matter of 40 centuries as an element of time, but I can assure you one and all that we should concern ourselves with what one million people in this State think of the 101st Maine Legislature. About three or four weeks ago we passed a current services budget, which is a promissory note for all intents and purposes, which says that the people of the State of Maine are obligated to pay about six million dollars every thirty days for services to be rendered for the biennium beginning July 1. We are all, I hope, I believe, responsible people. When we voted for that budget and the supplemental budget of something like three and one-half million more, we voted with the full realization that the obligation which we had accepted as representatives of the people of this State must be met.

Now I am well aware that there is a decided divergence of opinion as to the sales tax increase. However, based upon my personal experience and six months on the Taxation Committee of two years ago and having spent something like six months on Education this year, I am satisfied that this one cent increase is entirely justified and in my considered judgment is the most practical means by which we may raise in round figures nine million dollars a year for the next two years. I suggest to you my good friends that this is strictly a matter of dollars and cents, and you may spell the cents in either of two ways, c-e-n-t-s, or s-e-n-s-e. I have covered all the ground I intended to try to cover, and I am merely going to say that I shall vote for the one cent tax increase because I feel that this is the proper vehicle for us to use to discharge the obligation which we have accepted in the name of the people of the State of Maine, and I thank you very much.

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

Mr. BERMAN: Mr. Speaker, Members of the House: I am going to be very brief. I am very glad that my learned and eloquent friend mentioned Napoleon in Egypt, but as I remember correctly, that was just before the Battle of the Nile around 1799. Well after Napoleon fought the Battle of the Nile, he ran off and left his troops in sleep, and I for one am not going to run off and leave the group that I have been proud to belong to all during this session, and when the vote on the sales tax is taken, I request the yeas and nays.

The SPEAKER: The Chair recognizes the gentleman from Monticello, Mr. Jewell.

Mr. JEWELL: Mr. Speaker, Ladies and Gentlemen of the House: First, I would like to read an editorial printed January 10 in the Bangor Daily News, and then I would like to speak on the sales tax, increase in the sales tax. This is headed "To Newcomers in the Legislature. With the presentation today of Governor Reed's budget message, the new legislature session will begin in earnest. Issues

relating to spending, taxation and other problems of governing the state will confront you. For a newcomer, it is going to be confusing. Just getting the feel of the job and finding your way about will be a considerable undertaking in itself. You may be baffled at first by parliamentary procedures. You are very likely to find your head in a whirl.

"But the confusion that will characterize your first days at Augusta will be nothing compared with the pressure that will be coming at you from all directions. Your buttonhole will be frayed by lobbyists. Spokesmen for pressure groups will artfully seek to woo your favor. Veteran legislators with axes to grind will be putting their arms around your shoulders, asking your support for this and that. To those newcomers elected in rural areas we call attention to complaints that have been coming out of Portland recently. These rumblings infer that rural folk aren't quite up to snuff, are backward and don't know what's going on in the world. You just don't understand urban problems, they say, and there are too many of you in the Legislature. Don't let this sort of talk give you an inferiority complex. Just keep it in mind for possible future reference. We hope you will not let yourself become stampeded and will be wary of commitments you might later regret. Your first loyalty is not to your party, nor to any leader or faction. It is to the people who elected you to office to serve their best interests. Ignore whoopla and artful argument. Decide matters upon their merits. Do not assume that any change is necessarily progress. Balance needs with what the taxpayer can afford. The folks back home don't expect you to accomplish miracles. But they do expect you to do your conscientious best. Since you, as newcomers, represent almost one-half of the 101st Legislature, its record for the next two years is going to depend greatly upon how well or badly you perform your job."

Now ladies and gentlemen, if this increase in the sales tax is passed, we are spending in the

next two years 143½ million dollars, the largest amount ever spent in the history of the State of Maine for current services. When you go home you can attract special attention by saying I have just come from the 143 million dollar Legislature. You will be the first person ever to come back to your legislative district from a 143 million dollar Legislature. Today the state's debt through bonds sold or authorized to be sold is well over 100 million dollars; another 20 million or so more is proposed for capital construction. In a few more years we will be paying more interest on our bonds than our bonded indebtedness was ten or twelve years ago. It is the largest debt we ever owed by the state and we are busily adding to it as fast as we can. That is one of the reasons the purchasing power of the dollar is down to forty-four cents. That is why the cost of living for every family in the state has gone up. We are today levying every tax dollar we can draw out of the people and we are trying to get more, and will you tell me what your people in your district get out of it? More taxes! There is many a taxpayer out on a small farm, a small businessman in a local town, a workman who has a hard time paying even a few dollars of taxes, but when the sales tax is sent to Augusta, we spend it all. We spend it foolishly for roads to mountaintops and access roads to ski areas. We spend to build pavilions at the World's Fair. We spend it for pre-legislative conferences, and countless committees to investigate nearly everything under the sun, to report to future Legislatures; and to the best of my knowledge they rarely pay any attention to these reports.

Did you know that when we passed the supplemental budget the other day we in effect hired about 70 more people for our already overstaffed departments.

Now when I went home yesterday afternoon, I saw on my desk a copy of Senator Marden's speech, and it started me thinking about giants. According to his speech, we have a sleeping giant here in

the state. Now he is a good giant. Some day they tell us he is going to bring millions of tourists and great industries with their pockets full of money to enrich the state, but it may be twenty years before he wakes up. In the meantime we have some bad giants and they are awake. We have our giant state departments, working hard, growing larger every year and always asking for more money. Then we have the largest and worst giant of them all, the sales tax giant. He is a real busy giant. He works 24 hours a day robbing old people receiving small Social Security checks, people with small pensions or retirements. He takes money away from people with small incomes, and remember that twenty percent of all families comprised of four people have only an average income of \$1750 per year. And I would like to say, with the exception of the sleeping giant, that this is no fairy tale.

Now ladies and gentlemen, there is one more giant, the taxpayer. He has been asleep for a long while, but he is waking up fast. I predict by the time the campaign for the next election starts, he will be fully awake and will be asking the candidates just how they stand on economy in State government. I guess I have said enough; perhaps I have said too much. When the vote is taken, I shall vote no and I hope this bill does not pass.

The SPEAKER: Is the House ready for the question? 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 those desiring a roll call, please rise and be counted.

A sufficient number arose.

The SPEAKER: Obviously more than one-fifth having arisen, a roll call is ordered. The Chair will restate the question. All of those in favor of the enactment of this bill, An Act Increasing Sales Tax, House Paper 313, Legislative Document 406, will answer "yes" when their name is called; all those who are opposed to the enactment of this

bill will answer "no" when their name is called. The Clerk will call the roll.

### ROLL CALL

YEA — Albair, Benson, Birt, Boothby, Bradeen, Bragdon, Brewer, Carter, Choate, Cookson, Curtis, Drake, Easton, Ewer, Gifford, Gilbert, Hanson, Hardy, Harrington, Hutchins, Jones, Knight, Libby, Lincoln, Littlefield, MacPhail, Maddox, Mathieson, McGee, Meisner, Mendes, Minsky, Mower, Osborn, Pierce, Rankin, Richardson, Ricker, Ross, Augusta; Ross, Brownville; Scott, Shaw, Smith, Falmouth; Susi, Thaanum, Thornton, Treworgy, Tynedale, Vaughn, Wade, Welch, Wellman, White, Guilford; Whitney, Wight, Presque Isle; Wood, Young.

NAY — Anderson, Ellsworth; Anderson, Orono; Baldic, Bedard, Berman, Bernard, Binnette, Blouin, Boissonneau, Bourgoin, Brown, Fairfield; Brown, So.Portland; Bussiere, Cartier, Chapman, Childs, Cope, Cote, Cottrell, Coulthard, Cressey, Crockett, Crommett, Davis, Denbow, Dennett, Dostie, Dudley, Dunn, Edwards, Finley, Foster, Gallant, Gill, Giroux, Hammond, Hendricks, Hendsbee, Henry, Hobbs, Humphrey, Jalbert, Jameson, Jewell, Karkos, Kent, Kilroy, Laughton, Levesque, Linnekin, Lowery, MacGregor, MacLeod, Nadeau, Noel, Norton, Oakes, Oberg, Osgood, Pease, Philbrick, Pitts, Plante, Poirier, Prince, Harpswell; Prince, Oakfield; Rand, Reynolds, Roy, Rust, Sahagian, Smith, Strong; Snow, Taylor, Turner, Viles, Waltz, Ward, Waterman, Williams.

ABSENT — Ayoob, Berry, Burns, Gustafson, Hawkes, Jobin, Lebel, O'Leary, Roberts, Smith, Bar Harbor; Tardiff, Townsend, Watkins.

Yest 57; No, 80; Absent 13.

The SPEAKER: Fifty-seven having voted in the affirmative, eighty having voted in the negative, with thirteen being absent, one hundred and one being necessary for enactment, the Bill fails of enactment.

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

Mr. DUDLEY: Mr. Speaker, I was pleased this afternoon that this House finally got their—

The SPEAKER: For what purpose does the gentleman arise?

Mr. DUDLEY: I move indefinite postponement of this piece of legislation.

The SPEAKER: The matter is not before the House.

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

Mr. WELLMAN: Mr. Speaker, I move that it be sent forthwith to the Senate.

The SPEAKER: The gentleman from Bangor, Mr. Wellman, requests unanimous consent for this matter to be sent forthwith to the Senate. Is there objection?

(Cries of "No")

The Chair hears objection.

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

Mr. CHILDS: Mr. Speaker, having voted on the prevailing side, I now move that we reconsider our action whereby this measure failed of enactment.

The SPEAKER: The gentleman from Portland, Mr. Childs, having voted on the prevailing side, moves reconsideration whereby this Bill failed of enactment.

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

Mr. WELLMAN: Mr. Speaker, I move that it be tabled until tomorrow.

(Cries of "No")

The SPEAKER: This House will be in order or it will be in recess until you can conduct yourselves in a dignified manner.

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

Mr. WELLMAN: Mr. Speaker, I withdraw my motion and wish to debate the prevailing question.

The SPEAKER: The gentleman may debate the pending question. He has withdrawn his motion to table.

Mr. WELLMAN: Mr. Speaker, Ladies and Gentlemen of the House: You have just voted. You have not even achieved a majority on the sales tax, on the pending tax that is before you in this session of the Legislature. What your will is at this point I do not know; I am unable to fathom what is your thinking. Now the motion to reconsider just made by the gen-

tleman from Portland, Mr. Childs, is an attempt to make sure this bill will not be before you again—at least on this particular question. You have all voted against this for many different reasons. Why, I do not know.

I arise to suggest that you do not vote for the motion to reconsider, so that you may leave this bill alive so that we may still have some tax vehicle with which to operate. I would suggest to you that this bill must be left alive even if you wish to adopt in some form the amendment such as was presented by the gentleman from Strong, Mr. Smith, or some similar type like that. I strongly urge you—and I will not ask for a roll call, I strongly urge you to turn down his motion. You have prevented this measure from being sent forthwith to the Senate. It will go to the Senate tomorrow in a normal course. Let us not rush wildly into something. Let us calmly and carefully take the next step. Thank you.

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

Mr. CHILDS: Mr. Speaker and Members of the House: I want to concur with the gentleman from Bangor, Mr. Wellman, and I also hope that you will not vote for my motion.

The SPEAKER: For what purpose does the gentleman arise?

Mr. COPE of Portland: To debate the question.

The SPEAKER: The gentleman may proceed.

Mr. COPE. Mr. Speaker and Members of the House: The gentleman from Bangor, Mr. Wellman, has greatly moved me and his appeal has reached home. I am going to go along with him.

The SPEAKER: The Chair will order a division on reconsideration.

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

Mr. GILL: Mr. Speaker, would you kindly restate the question. I believe there is a little bit of conflict between Mr. Wellman and Mr. Childs.

The SPEAKER: The gentleman from Portland, Mr. Childs, having voted on the prevailing side whereby this bill failed of enactment, has now moved reconsideration of its failing enactment.

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

Mr. WELLMAN: Mr. Speaker, the gentleman from Portland, Mr. Childs, has very kindly pointed out to you that I urged you to vote with him; I meant, of course, to vote against him.

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

Mr. PEASE: Mr. Speaker, a parliamentary inquiry. If the motion to reconsider is lost, is the matter before us—or in possession of the House, for a motion to reconsider of other action on the bill? It has failed of enactment. I wonder if it is possible to reconsider its engrossment at this point?

The SPEAKER: If the motion to reconsider fails, the matter will not be before the House. Does the House understand the motion of the gentleman from Portland, Mr. Childs? If the reconsideration motion prevails, this bill will still be alive and for further consideration.

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

Mr. JALBERT: Mr. Speaker, I arise for a parliamentary inquiry. If it does come before the House, where it is an emergency measure, would it then not be two-thirds for a motion to engross under suspension of the rules?

The SPEAKER: For the information of the members and the gentleman who has posed a question; any matter that requires emergency enactment still requires a two-thirds vote of the entire membership of the House.

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

Mr. RANKIN: Mr. Speaker, I move for a fifteen minute recess.

(Cries of "No")

The SPEAKER: The gentleman requests a fifteen minute recess. All those in favor say yes; those opposed, say no.

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

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

Mr. RUST: Mr. Speaker, I arise for a point of parliamentary inquiry. If the House votes against reconsideration, will this bill not be sent to the Senate in the normal course?

The SPEAKER: The answer is yes.

The Chair will order a division on the reconsideration. All those in favor of reconsidering our action whereby this Bill failed of enactment, will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Seventy-four having voted in the affirmative and sixty having voted in the negative, the House has voted to reconsider. The question now before the House is the enactment of this Bill.

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

Mr. PEASE: Mr. Speaker, although the question before the House is on the enactment, is not the bill before us so that we might reconsider other action taken on the bill?

The SPEAKER: This bill having passed its one day's grace, a motion to reconsider engrossment could be made by suspension of the rules for the purpose of reconsideration.

Mr. PEASE: I would request, therefore, that the rules be suspended so that we might reconsider our action whereby the bill was passed to be engrossed.

The SPEAKER: The gentleman from Wiscasset, Mr. Pease, now moves that the rules be suspended, which requires a two-thirds vote. The Chair will order a division. All those in favor of suspending the rules, please rise and remain standing until the monitors have made and returned the count. This is to suspend the rules for the purpose of reconsideration.

A division of the House was had.

Twenty-three having voted in the affirmative and one hundred three having voted in the nega-

tive, the motion to suspend the rules did not prevail.

The SPEAKER: The question now before the House is the enactment of this Bill.

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

Mr. JALBERT: Mr. Speaker, I move the pending question.

The SPEAKER: The gentleman moves the pending question. Is the House ready for the question?

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

Mr. CHILDS: Mr. Speaker, I wish to make a parliamentary inquiry. Is it not correct that where we have reconsidered and if this time it fails to receive enactment it cannot be reconsidered again?

The SPEAKER: That is correct. That is the rule.

The Chair recognizes the gentleman from Strong, Mr. Smith.

Mr. SMITH: Mr. Speaker, now that the motion has been made for the pending question, that rules out debate on this matter?

The SPEAKER: It does not. The previous question has not been asked for.

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: I just rise to bring to our minds two questions that have been asked this afternoon. One question by the gentleman, Mr. Bradeen, from Waterboro, what does one million people think of the 101st Legislature? And the second question that's been asked by the gentleman from Bangor, Mr. Wellman, what is our will? And he says, he does not know it. I'd like to answer as much as I can these two questions, and in answering these I have to have the help of statistics. I'll answer the second question first.

The gentleman from Bangor, Mr. Wellman, has said, what is the will of this Legislature? And he claims he doesn't know it, and yet here we have just voted fifty-seven to eighty in opposition to the sales tax. Certainly we are or we will be, if we reverse ourselves, a reversible 101st, and as far as I'm concerned, in my humble opinion, that is one of the worst things that can be said not only about a legislature but about

people. When we make a stand, I think we should stick by it.

Secondly, in answer to the gentleman from Waterboro, Mr. Bradeen, who asked what does one million people think of the 101st Legislature. As much as I hate to read it, I shall read what the gentleman, Mr. Gould who sums up I think very well what the people of the State of Maine think of this Republican Legislature, controlled by Republicans, in today's editorial page, under Liquidation. "The deterioration and decline of conscience in the 101st Legislature amounts to a liquidation of the Republican Party." Now this is if we pass the four per cent sales tax. "Not in our time has a Legislature so misrepresented the will of the people and the wishes of the electorate. Worst of all, the members of the 101st know this, and in their enactments they realize that they had, many of them, to repudiate their purposes. All over Maine people who have worked hard to keep the principles of the GOP in the ascendancy now realize that the GOP has in effect had no principles, and that the labor and love has been expended on false premises. What they stood for has had no public meaning. Candidates they supported have not performed as intended. It has been a pretty shabby Republican show, not likely to draw a repeat audience, and unquestionably the kind of business that sends customers across the street."

The reason that I read that is that right immediately after a vote to do away with the four per cent sales tax, we vote to reconsider, and showing that if this kind of pressure is kept up for any period of time, we will be voting for four per cent sales tax before we leave here. If this tax so smells that we are willing to vote once against it, then my friends let's stick to it and do what the will of the people of the State of Maine really want. I go home every night. I'm probably a little bit more fortunate than some that are down here in Augusta all the time. I get the telephone calls and eat breakfast in the restaurants every single day with the people of my area, and I maintain, my friends, that the people



of Maine do not want a four per cent sales tax. And if we had the courage to submit it to the people for a vote, we'd find that they do not want it.

Now I know what you will all say. Many will say this, well of course the people don't want any kind of taxation. But at least the State of Nevada had the courage to submit their sales tax to the people for a vote, and the people turned it down two to one. If we're a government of the people, by the people and for the people, then if we are going to vote on anything such as this then let us not be in opposition to the apparent will of the people of the State of Maine. For that reason, I hope that when we finally take our final vote on this that we will stick with our vote that we've just taken, fifty-seven to eighty in opposition to a four per cent sales tax.

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

Mr. WELLMAN: Mr. Speaker, I move we recess for five minutes.

The SPEAKER: The gentleman from Bangor, Mr. Wellman, moves that the House recess for five minutes.

(Five minute recess)

Called to order by the Speaker.

The SPEAKER: The question before the House is the enactment of this bill.

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

Mr. DENNETT: Mr. Speaker, I ask that when the vote is taken it be taken by the yeas and nays.

The SPEAKER: The gentleman from Kittery, Mr. Dennett, requests that the vote be taken by the yeas and nays. 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, please rise and be counted.

A sufficient number arose.

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

For what purpose does the gentleman arise?

Mr. JALBERT of Lewiston: A parliamentary inquiry.

The SPEAKER: The gentleman may state his inquiry.

Mr. JALBERT: Can a committee or a legislative group or body within this body meet while we are in session?

The SPEAKER: An organized legislative committee cannot be in session while the House is in business.

Mr. JALBERT: Would you consider an organized legislative committee a county group?

The SPEAKER: No.

Is the House ready for the question? For what purpose does the gentleman arise?

Mr. RUST of York: I arise to a point of parliamentary inquiry.

The SPEAKER: The gentleman may state his inquiry.

Mr. RUST: If this bill fails of enactment at this time and it goes to the Senate and they enact it, will it be back here in non-concurrence?

The SPEAKER: That is correct.

Is the House ready for the question? All those in favor of enactment of this Bill, An Act Increasing Sales Tax, House Paper 313, L. D. 406, as an emergency measure will answer "yes" when their name is called; all those opposed to its enactment will answer "no" when their name is called. The Clerk will call the roll.

### ROLL CALL

YEA — Albair, Benson, Birt, Boothby, Bradeen, Bragdon, Brewer, Carter, Cookson, Cope, Coulthard, Crockett, Curtis, Drake, Easton, Ewer, Gifford, Gilbert, Gill, Hanson, Hardy, Harrington, Henry, Hutchins, Jones, Knight, Libby, Lincoln, Littlefield, MacPhail, Maddox, McGee, Meisner, Mendes, Minsky, Mower, Norton, Oakes, Oberg, Osborn, Pierce, Prince, Harpswell; Rankin, Richardson, Ricker, Ross, Augusta; Ross, Brownville; Scott, Shaw, Smith, Falmouth; Susi, Taylor, Thaanum, Thornton, Treworgy, Tyndale, Vaughn, Wade, Welch, Wellman, White, Guilford; Whitney, Wight, Presque Isle; Wood, Young.

NAY—Anderson, Ellsworth; Anderson, Orono; Baldic, Bedard, Berman, Bernard, Binnette, Blouin, Boissonneau, Bourgois, Brown, Fairfield; Brown, So. Portland; Bussiere, Cartier, Chapman,

Childs, Choate, Cote, Cottrell, Cressey, Crommett, Davis, Denbow, Dennett, Dostie, Dudley, Dunn, Edwards, Finley, Foster, Gallant, Giroux, Hammond, Hendricks, Hendsbee, Hobbs, Humphrey, Jalbert, Jameson, Jewell, Karkos, Kent, Kilroy, Laughton, Levesque, Linnekin, Lowery, MacGregor, MacLeod, Mathieson, Nadeau, Noel, Osgood, Pease, Philbrick, Pitts, Plante, Poirier, Prince, Oakfield; Rand, Reynolds, Roy, Rust, Sahagian, Smith, Strong; Snow, Turner, Viles, Waltz, Waterman, Williams.

ABSENT—Ayoob, Berry, Burns, Gustafson, Hawkes, Jobin, Lebel, O'Leary, Roberts, Smith, Bar Harbor; Tardiff, Townsend, Ward, Watkins.

Yes, 65; No, 71; Absent 14.

The SPEAKER: Sixty-five having voted in the affirmative, seventy-one have voted in the negative, with fourteen absent, the Bill fails of enactment.

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

Mr. WELLMAN: Mr. Speaker, I move that we suspend the rules to send this forthwith to the Senate.

The SPEAKER: The gentleman from Bangor, Mr. Wellman, moves that the rules be suspended in order that this Bill may be sent forthwith. The Chair will order a division. All those in favor of suspending the rules will rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

One hundred nineteen having voted in the affirmative and ten having voted in the negative, the rules were suspended and the Bill was sent forthwith to the Senate.

The Chair laid before the House item 2 of Unfinished Business on today's calendar which was tabled until later in today's session: Bill "An Act Creating an Allagash River Authority for State of Maine" S. P. 581, L. D. 1534, tabled on June 10 by the gentleman from

Hampden, Mr. Littlefield, pending passage to be engrossed.

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

Mr. LITTLEFIELD: Mr. Speaker, Ladies and Gentlemen of the House: I have stated my opinion and debated this issue about as long as I care to. I want to make one further statement. The Federal Bureau of Outdoor Recreation will soon submit a report to the Interior Department on the Allagash River. This report will cover all we need to know and survey about the Allagash, and this attempt to create an Allagash River Authority for the State of Maine at this time in my opinion is practically useless and I move that we indefinitely postpone the bill and all its papers.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I certainly do not want to belabor this bill any longer today than is necessary, but I feel certainly that I must add a few words to what has already been added today. You ladies and gentlemen remember last week the discussion that we had in regard to this bill to create the Allagash Authority, the remarks were made definitely that this does not create an authority, but only to select a committee of which the members are included in the bill. We certainly hope that this committee, and it is our feeling that this committee, will do no better than the committee that studied this problem two years ago, but only this committee could be used as a delaying tactic so that no other possible studies can be made by any other group other than this created so-called authority. It is not an Authority. It was given no entities to have any power to do anything with the Allagash Region, but to remain in its natural given tombstone named last week by the gentleman from Cape Elizabeth, Mr. Berry, with all the names added to it.

Well, ladies and gentlemen of the House, I would like to ask if

this epitaph today that this do-nothing committee for the next two years is going to be tying the hands of the people of the State of Maine for two years to gather the interest for the few in the State of Maine that only in the last few years have relinquished the chains that used to be across the roads, going into these timberlands. And there is no assurance that these chains will not fall back across those roads, and allow the general public to go in there only to those select few that have passes. I was told at the beginning of the week by a member of this House that already some of the campowners around Chamberlain Lake and Allagash Lake were given notice this year that they would not be able to renew the lease on their lands on the camp sites, so further to assure my belief that the chains are off now for the general public but they can very well be resumed.

I would certainly hope that this House would go along with the indefinite postponement of this bill and all of its accompanying papers, and give the chance to all the people that are interested in this area to see what we can help to develop the economy of our state, so that if we do have some power potentials in the area, or if we have any other development in the area, we will see fit to grant those people the courtesy of being able to report to the State of Maine, and say this is feasible, this is not feasible, and for us people to accept. But if we tie our hands, or if we have somebody tie our hands, this or any other committee will certainly not be able to help us economically.

And certainly I have made reference last week in regards to this bill that it could very well be used as the Everglades of Maine, and now I would like to add a little something to the Everglades of Maine, and I hope that on the epitaph they will also put the alligators of the Allagash with the epitaph. Thank you.

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

Mr. RANKIN: Mr. Speaker and Ladies and Gentlemen: I don't know very much about this issue. During the 98th and the 99th sessions, I don't know as I ever fell in love with the timberland people that were lobbyists, but this goes a little bit beyond the people who own those lands, and I hold, I maintain, that I should not allow my former thoughts about these people to influence my vote at this time. I think they are trying to a certain extent, but that isn't the basis upon which we should determine our vote for this bill.

All the brain power in the United States of America is not concentrated in the City of Washington, D.C. I like to feel that while we're a little backwards in Maine and kind of slow thinking, we have a little common sense left. This is our land. It's part of our state. We've had it a long while. This bill may not amount to much, but it's sort of a delaying action, and I feel that a two-year delay, until the federal government formulates a policy that we can accept, will do no harm. After all, this timber has been growing since the very beginning of time, and I don't think we should turn down the proposition of a two-year delay. And today regardless of my former thoughts regarding the timberland lobby, I am going to vote for the Allagash Authority Bill.

The SPEAKER: The Chair recognizes the gentleman from Old Town, Mr. Binnette.

Mr. BINNETTE: Mr. Speaker, Ladies and Gentlemen: After listening to considerable debate a few days ago relative to this Allagash project, so much has been said that I feel as though I've had the course, not by canoe, either. You've also been told the plight and miseries of the natives of Aroostook County. You've heard all about the bankruptcies, the soil bank, the selective cutting, and the encroachment of the federal government. But what gets me is the type of support this bill receives from its representatives from that county. But you haven't heard about how much the federal government has contributed

in their direction. What they have done for them up to Loring Air Base, how much money is being received from that government project, how much is being poured into their economy. What would happen to them if this base were to close tomorrow? We saw what happened to Presque Isle when that project was abandoned. You heard of the moans and cries and pleas that came from these oppressed people. You have heard them seek and receive our support.

Especially last week and yesterday, we have all heard about that sleeping giant. Well who is that giant anyway? It's none other than ourselves. Are we going to create this authority to prevent such developments as Cross Rock, Rankin Rapid, Dickey or Lincoln School? Let's get out of that trance. Let's get off dead center. We all know that Maine now is at a standstill. Some of us have been accused of blocking this Authority so that it will be possible to get a full comprehensive report from our Secretary of the Interior Udall. I will agree with those who have made such statements. Why, oh why wasn't there such a move to create this authority two or four years ago? It is an easy matter to see, someone is afraid that the federal government is going to wake up this sleeping giant and get it a going. We need tax dollars in this state, and never has there been such a crying need as of now. Let us do all within our power to get Maine on the road to recovery. Let us put partisan politics aside on this subject. Let us follow our motto on our state's flag "Dirigo," I lead. Let us vote "no" on this Authority, and see to it that we have the opportunity to have the State of Maine developed as it should.

Please, I beg of you, if you do not want to develop the state, let us give it back to the Indians.

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

Mr. PRINCE: Mr. Speaker, I wish to speak very briefly again on this Allagash Authority Bill. I came here today intending to run a long filibuster of an hour or so on this subject, but being one

of the members of the House that have had to listen to so much unnecessary debate taking up time during the last few weeks, I've decided to cut it down.

I was surprised last week to see the changes which occurred as the result of high-pressure lobbying by the private interests. This House, after full and fair debate, voted first to indefinitely postpone this measure, as it should be. It is still a worthless bill. It does nothing but commit us to two more years of inaction, to prevent or retard the real development of our resources with due regards for the rights of all interested parties. In its present form, it does not have the support of those groups interested in conservation, nor of those interested in the development of the area's power potential. It only has the support of the companies who are looking out only for themselves, and not for the majority of our citizens. Despite what has been said in some quarters, this is not a partisan measure. It has nothing to do with politics. It only has to do with putting another stumbling block on our road to progress in this state. I urge you to vote the dictates of your conscience as you have before, and indefinitely postpone this bill once and for all.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: I would not attempt to compete with the eloquence of my Democratic friends from Aroostook County in their attempts to defeat this bill. I assure you I would not be able if I tried. However, the 100th Legislature did refer this study to the Research Committee, which was composed of fourteen members of the last Legislature, and two members ex-officio who were the President of the Senate in the 100th Legislature and the Speaker of the House in the 100th Legislature. They gave this matter considerable study, and as I say, while I'm not going to attempt to make any lengthy presentation here, I think that I would like to read the final conclusions of that Committee after studying this matter. It is written in the report of the Research Committee

and is there for any of you to read who wish, and maybe many of you have. However, I would like the privilege of repeating the conclusions of that report. After making this study, the Committee goes on to say: "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. The Committee has explored the possibility of the State negotiating with the landowners for the development rights of the area in question. Under such an agreement the owners would retain title to their land but would relinquish their rights to construct buildings, lease land, or in any way alter the natural aspects of the area. This would allow the State to control access to the area, prevent construction of commercial buildings, and provide recreational facilities. To this end the Committee recommends the enactment of the following legislation" which is this act. This committee by the way was made up of fifteen Republicans and one Democrat.

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

Mr. WILLIAMS: Mr. Speaker and Members: I think a lot of people have a wrong idea of the purpose of this Allagash Authority. You have all been told it is just another study. Now it is true there have been several studies of the region and anybody who wants to can read them. Apparently some of the opponents of this bill, they want to go along with another Federal study, which is soon to come out. Now this bill does not propose another study at all, it is an honest at-

tempt to keep the control of the Allagash region in the control of this Legislature and of the people of Maine. It is an attempt to come up with some agreement with the landowners who after all own the land. It is an attempt to preserve the natural beauty and fame of the Allagash for the people of Maine. The passage of this will go a long way towards keeping the control in Maine. Now this Authority is directed to report to the 102nd Legislature who can at that time make the decision. When the vote is taken on this I would request a roll call. Thank you.

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

Mr. DRAKE: Mr. Speaker and Members of the House: I would just like to read a very short editorial from the Down East Magazine of June, 1963: "So many programs for Maine's Allagash region have evolved during the past several years that proponents and opponents of the various schemes are using the same arguments to arrive at widely different conclusions.

"But one conclusion is of paramount concern to all Mainers with any type of Allagash axe to grind—whether it be multiple use of the timberlands, state and private administration, state power, federal, power, private power, or state-and-federal recreation. It is almost a certainty that, if the various Allagash allocators do not soon come to a meeting of the minds, they will all find their wilderness quietly taken over by the Department of the Interior.

"While the Maine debates have flourished on miles and miles of newsprint harvested from the Allagash, Secretary of the Interior Udall has gone ahead and brought out a new brochure, Future Parks for the Nation. It lists thirty-four areas in twenty-six states that might be acquired for use as federal park and recreation regions. And at the head of the list alphabetically is Maine's Allagash River.

"A federal take-over may still be a long way from an accomplished fact. But we remember only a few years back when the Department of the Interior pointed publicly at

the Province Lands of Massachusetts and said, "we'd like that for a park," and the tip end of Cape Cod was 'preserved' despite all protestations. It makes us uneasy to have Mr. Udall quietly stake his interest in the Allagash, which Maine and Mainers have preserved thus far without any federal interference."

I sincerely hope that the motion of the gentleman from Hampden, Mr. Littlefield, does not prevail. Thank you.

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

Mr. RANKIN: Mr. Speaker, Ladies and Gentlemen of the House: The gentleman from Hodgdon, Mr. Williams, brought out a good point, this is private land. I think a great many of us look upon a company such as the Great Northern Paper as a company that is owned and run by one or two people, but, I would remind you that every one of these paper companies have thousands and tens of thousands of stockholders. The idea of attacking a company because of what its president may say, is out of date, these companies belong to all of us. I venture there are people in this House who own securities say in General Motors and American Telephone and Telegraph Company, so please, when you vote for this — if you vote against this bill, remember that you are voting against tens of thousands of people and in some cases they may have their life savings invested in one of these companies.

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

Mr. MacPHAIL: Mr. Speaker, my understanding is that if we fail to pass this bill that the Federal Government might well come in and operate this part of the State of Maine for us. I can well remember many years ago when Maine practically stood alone against the ravages of the dictators in Washington, and I still believe that the State of Maine is eminently qualified to resolve her own internal problems. And I think that perhaps many of you may agree with me, that we are perfectly happy with the

number of Kennedys that we already have.

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

Mr. BENSON: Mr. Speaker, Ladies and Gentlemen of the House: Possibly yesterday many of you read on the editorial page of the Kennebec Journal an editorial entitled: "Irreplaceable Allagash" by a gentleman by the name of Robert Patterson from Mount Desert Island who has spent many years of his life in the public service of the State of Maine in the field of natural resources. I am not going to take the time to read very much of this, but I would like to quote very briefly from one section of it: "The fame of the Allagash has spread for more than a hundred years simply because there is nothing to equal it." And further on it says: "It is pointless to talk of substitutes. No reservoir could in any way replace what Maine would lose if it should lose the magic attraction of The Allagash."

I would like now to read a telegram from this same Robert Patterson, and it says:

"Some members of the Legislature may recently have been led to believe that the Save the Allagash Committee is opposing passage of the Allagash River Authority Bill. This is emphatically not true. The Committee was organized to oppose the bill to create a Maine Power Authority in order that the Allagash may be preserved." This is signed Robert W. Patterson, Chairman of Save the Allagash Committee, President of Natural Resources Council of the State of Maine. Thank you.

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

Mr. LEVESQUE: Mr. Speaker, Ladies and Gentlemen of the House: Only a few remarks by the gentleman Mr. Rankin from Southport, in regard to the stockholders of one of these large paper companies in the State of Maine. I doubt that even in the next hundred years that if the Allagash remains the way it is or we tie the hands of the people of the State of Maine or any other

agency, that there will be any great loss as far as capital stock is concerned, because you will find in the vast areas in woodlands now that there is more timber going to waste because they are not being cut than there is because it is being harvested. It is a matter of statistics that there is more land, more timber being wasted in that area of the State of Maine than there is actually in the cutting and the harvesting of timbers.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Hampden, Mr. Littlefield, that item 2, Bill "An Act Creating an Allagash River Authority for State of Maine" Senate Paper 581, Legislative Document 1534, 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 be counted.

A sufficient number arose.

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

If you are in favor of the indefinite postponement of this bill you will answer "yes" when your name is called; if you are opposed to the indefinite postponement you will answer "no" when your name is called. The Clerk will call the roll.

**ROLL CALL**

YEA — Anderson, Orono; Baldic, Bedard, Berman, Bernard, Binnette, Bedard, Berman, Bernard, Binnette, Boissonneau, Bourgoin, Brown, So. Portland; Bussiere, Cartier, Childs, Cope, Cote, Cottrell, Crommett, Davis, Dostie, Dudley, Edwards, Ewer, Gallant, Giroux, Harrington, Hendricks, Jalbert, Jewell, Karkos, Kilroy, Knight, Levesque, Linnekin, Littlefield, Lowery, MacGregor, Mathieson, Mendes, Nadeau, Noel, Oakes, Pierce, Pitts, Plante, Poirier, Prince, Harpswell; Prince, Oakfield; Reynolds, Ricker, Roy, Rust, Snow, Susi, Taylor, Wood.

NAY — Albair, Benson, Birt, Boothby, Bradeen, Bragdon, Brewer, Brown, Fairfield; Carter, Chap-

man, Choate, Cookson, Coulthard, Cressey, Crockett, Curtis, Denbow, Drake, Dunn, Easton, Foster, Gifford, Gilbert, Gill, Hammond, Hanson, Hardy, Hendsbee, Henry, Humphrey, Hutchins, Jones, Kent, Libby, Lincoln, MacLeod, MacPhail, Maddcx, McGee, Meisner, Minsky, Mower, Norton, Oberg, Osborn, Osgood, Rand, Rankin, Richardson, Ross, Augusta; Ross, Brownville; Sahagian, Scott, Shaw, Smith, Fal-mouth; Smith, Strong; Thaanum, Thornton, Treworgy, Turner, Tyn-dale, Vaughn, Viles, Wade, Waltz, Waterman, Welch, Wellman, White, Guilford; Whitney, Wight, Presque Isle; Williams, Young.

ABSENT — Anderson, Ellsworth; Ayoob, Berry, Blouin, Burns, Dennett, Finley, Gustafson, Hawkes, Hobbs, Jameson, Jobin, Laughton, Lebel, O'Leary, Pease, Philbrick, Roberts, Smith, Bar Harbor; Tar-diff, Townsend, Ward, Watkins.

Yes, 54; No, 73; Absent, 23.

The SPEAKER: The Chair will declare the vote. Fifty-four having voted in the affirmative, seventy-three having voted in the negative with twenty-three absentees, the motion to indefinitely postpone does not prevail.

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

Mr. GILBERT: Mr. Speaker, having voted on the prevailing side, I move that we reconsider our action and I hope the House will turn it down.

The SPEAKER: The gentleman from Eddington, Mr. Gilbert, moves that the House reconsider its action whereby the indefinite postponement of this bill failed. All those in favor of reconsideration will say yes; those opposed, no.

The motion failed on a viva voce vote.

Mr. Dudley of Enfield offered House Amendment "D" and moved its adoption.

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

HOUSE AMENDMENT "D" to S. P. 581, L. D. 1534, Bill, "An Act Creating an Allagash River Authority for State of Maine."

Amend said Bill in section 1 by striking out all of that part designated "Sec. 3" and inserting in

place thereof the following underlined section:

**'Sec. 3. Allagash River Authority. There is created the Allagash River Authority to administer this chapter. The authority shall consist of 5 members, viz: The Commissioner of Economic Development, the Director of State Parks and Recreation, the Chairman of the Public Utilities Commission, Senator Edward P. Cyr of Aroostook and the Attorney General. The members of the authority shall elect a chairman who shall preside at all meetings of the authority when present. The authority shall meet as often as necessary, at such times and places as the chairman may designate. Any 3 members shall constitute a quorum for the transaction of the business of the authority. The Department of Economic Development, State Park and Recreation Commission, Public Utilities Commission and Department of the Attorney General shall cooperate with the authority in the administration of its duties. The members of the authority shall serve without compensation.'**

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

Mr. WILLIAMS: Mr. Speaker and Members of the House: I would disagree violently with this amendment. Now we of the Natural Resources Committee spent most all winter considering this bill. We made several drafts of it because the original one didn't suit everybody, and like all compromises, this bill probably don't suit everybody.

Now what this amendment does, the original bill — the actual authority was set up with five members, all heads of departments. Then there were to be seven members appointed by the Governor who were going to be sort of a committee to advise them. Well, now what this bill does — the old bill consisted of the Forest Commissioner, the Commissioner and Director of Parks and Recreation, Fish and Game Commissioner, the Director of Forestry at the University of Maine, and the Attorney General. Now this amendment proposes in the place of the Forest Commissioner, to substitute the Commis-

sioner of Economic Development. Now this man who would probably take over in this is yet to be appointed. Now he may or may not know a tree from a cornstalk. We don't know. The Director of Parks and Recreation would be the same. And this bill proposes to cut out the Director of Forestry at the University of Maine, a gentleman by the name of Albert Deering, who is a recognized national authority on the forest, and put in his place Senator Edward P. Cyr who was the principal lobbyist in opposition to this bill. Now Senator Cyr is a friend of mine, and I would be very happy to see him head the list of this Advisory Committee, but it looks to me that he is a little out of place on the Authority.

So, I think this would almost kill any effect this would have anyway. So, now I would move indefinite postponement on this amendment.

The SPEAKER: The gentleman from Hodgdon, Mr. Williams, moves the indefinite postponement of House Amendment "D."

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

Mr. DUDLEY: Mr. Speaker, Members of the House: It seems to become necessary for me to say a few words in relation to House Amendment "D." Now this committee that we have heard about this afternoon, that was appointed by the Legislature previous to this one, thought that there ought to be a committee in this Allagash Authority of all those concerned. I must say that all of these people in this amendment are people that are concerned with the area. I will tell you the amendment has these five members, the Commissioner of Economic Development, which is certainly interested in the area; the Director of State Parks and Recreation, he too is very much interested in this area; the Chairman of the Public Utilities Commission, he might be interested in the power rates we are paying all over the state; and certainly Senator Cyr from Aroostook, and he lives in that part of the woods and certainly could give a lot of advice to this committee. Now I submit to you that this is only five men. The Governor appoints seven more, and



the intent of this Allagash Authority, I think, from the men that were before us and drew this report for us, was that it was represented by all the groups. And this isn't the bill that they recommended anyways. It has been rewritten.

Now I would like to say this, that a lot of you people know about the Maine Milk Commission. We try to have a producer on it. We try to have so many consumers and so many producers. I think this House will agree, that any commission or authority should be recognized to have men from different fields; not men all from the paper lobby all representing one view. I think that the intent of this Allagash Authority was to air all the views and come up with something satisfactory for the 102nd Legislature. Certainly I don't know of any place that we could change the bill to make it any more adaptable to everybody concerned than to put people from each group that is concerned or any other person. I just know that Senator Cyr—there's no man in government or in Fort Kent or any place else that knows any more about the region, about the problems certainly than Senator Cyr. Certainly he is only one man in five. If you are afraid of a man ruining the commission, he is only one man in five, and these others are all department heads that are interested. And I hope that this House will see fit to at least use a little justice in setting up the authority. Bear in mind too that the Governor appoints the seven men. Thank you.

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

Mr. GILBERT: Mr. Speaker, I would pose through the Chair, a question to the gentleman from Enfield, Mr. Dudley, as to whether or not the naming of a member of the Legislature is proper to such an authority? It seems to me that prior to the primaries last year, a lady from one of the hospitals, Pineland or some place was going to run and asked for a ruling. The Attorney General ruled that she couldn't unless she resigned her job.

The SPEAKER: The gentleman from Eddington, Mr. Gilbert, poses

a question through the Chair to the gentleman from Enfield, Mr. Dudley, who may answer if he chooses.

Mr. DUDLEY: Well, the best advice I can get was that it was my understanding that this Allagash Authority, and that the people that served on it would be without pay. And the job that he is referring to was a very substantial pay, and that is the difference. The woman that he is speaking about, she is the head pharmacist at Pownal, and receives a very good pay. It is my understanding, and I think the understanding of this House, that this commission or this Allagash Authority there is no pay involved. When we appoint a group to make a study which has been done many times like the last legislature come up with the idea, I think that is the difference.

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

Mr. JALBERT: Mr. Speaker and Members of the House: To further answer the gentleman from Eddington, Mr. Gilbert's question, I might say that there are many present and former members of the Legislature of both branches who serve on special committees. The gentleman from Hodgdon, my friend, Mr. Williams, states that it is possible that the new commissioner of the Economic Development Department, might not know a tree from a cornstalk. If that is so, we sure can expect great things from Mr. Allen's successor.

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

Mr. LEVESQUE: Mr. Speaker, Ladies and Gentlemen of the House: I am not going to belabor this very much longer. The only thing, if this amendment is defeated, this more or less confirms my belief that this is not an authority. It is purely another extended committee from two years ago of giving it another two year's shot of morphine to be attached to the epitaph that has now been created by the last vote. I thank you.

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

Mr. Williams, that House Amendment "D" be indefinitely postponed.

Mr. Williams of Hodgdon then requested a division on the motion to indefinitely postpone House Amendment "D."

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

A division of the House was had.

Fifty-nine having voted in the affirmative and forty-four having voted in the negative, the motion to indefinitely postpone House Amendment "D" did prevail.

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

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

Mr. MENDES: Mr. Speaker, having voted on the prevailing side, I move that we reconsider our action whereby we failed to pass L. D. 369, "An Act to Authorize the Construction of a Causeway Connecting Cousins Island with Littlejohns Island, and a Bridge and Causeway Connecting Littlejohns with Chebeague Island," House Paper 275, L. D. 369.

The SPEAKER: The gentleman from Topsham, Mr. Mendes, moves the reconsideration of House Paper 275, Legislative Document 369, which failed of enactment today.

Thereupon, on motion of Mr. Wellman of Bangor, the Bill to reconsider was tabled pending the motion of Mr. Mendes of Topsham to reconsider and specially assigned for tomorrow.

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On motion of Mr. Wellman of Bangor,

Adjourned until nine-thirty o'clock tomorrow morning.