

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Third
Legislature*

OF THE

STATE OF MAINE

1967

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Tuesday, May 9, 1967

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

Prayer by the Rev. Mr. Charles E. Karsten, Jr., of Gardiner.

The members stood at attention during the playing of the National Anthem by the Mattanawcook Academy Band of Lincoln.

The journal of the previous session was read and approved.

Papers from the Senate

From the Senate:

R e s o l v e Reimbursing Certain Municipalities for the Control of Dutch Elm Disease (S. P. 627) (L. D. 1629)

Came from the Senate referred to the Committee on Natural Resources.

In the House, referred to the Committee on Natural Resources in concurrence.

From the Senate:

B i l l "An Act to Appropriate Money to Plan and Apply for a Rural Youth Corps for Maine" (S. P. 628) (L. D. 1630)

Came from the Senate referred to the Committee on State Government.

In the House, referred to the Committee on State Government in concurrence.

From the Senate: The following Order:

ORDERED, the House concurring, that the Committee on State Government be and hereby is authorized to report a Bill in consolidated form relative to the salaries of the several State officials for whom salaries are established by statutes (S. P. 629)

Came from the Senate read and passed.

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

Senate Reports of Committees Leave to Withdraw**Covered by Other Legislation**

Report of the Committee on State Government on Bill "An Act to Establish a State Police Bureau

of Training for Political Subdivisions of the State" (S. P. 281) (L. D. 661) reporting Leave to Withdraw, as covered by other legislation.

Came from the Senate read and accepted.

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

Ought Not to Pass**Covered by Other Legislation**

Report of the Committee on Business Legislation on Bill "An Act relating to Security in Small Loan Transactions" (S. P. 372) (L. D. 985) reporting "Ought not to pass", as covered by other legislation.

Came from the Senate read and accepted.

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

Ought to Pass in New Draft

Report of the Committee on Natural Resources on Bill "An Act Reclassifying Certain Inland Waters of the Kennebec River Basin" (S. P. 116) (L. D. 245) reporting same in a new draft (S. P. 626) (L. D. 1626) under title of "An Act Reclassifying Certain Inland Waters of the State" and that it "Ought to pass"

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

In the House, the Report was read and accepted in concurrence, the New Draft read twice and tomorrow assigned.

Ought to Pass

Report of the Committee on Labor reporting "Ought to pass" on Bill "An Act relating to Minimum Amount of Benefits under Employment Security Law" (S. P. 505) (L. D. 1220)

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

In the House, the Report was read and accepted in concurrence, the Bill read twice and tomorrow assigned.

Ought to Pass with Committee Amendment

Report of the Committee on Business Legislation on Bill "An Act

to Create a Commission to Prepare a Revision of the Insurance Laws" (S. P. 326) (L. D. 925) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report of same Committee on Bill "An Act Revising the Law Relating to Dealers in Securities" (S. P. 389) (L. D. 1069) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report of the Committee on Labor on Bill "An Act Establishing a Grievance Procedure and Appeals Board for State Employees" (S. P. 383) (L. D. 995) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Reports read and accepted and the Bills passed to be engrossed as amended by Committee Amendment "A".

In the House, the Reports were read and accepted in concurrence and the Bills read twice. Committee Amendment "A" to each was read by the Clerk and adopted in concurrence, and tomorrow assigned for third reading of the Bills.

Non-Concurrent Matter

An Act relating to State Prison Prisoners' Attendance at Funerals or Deathbed Visits (H. P. 740) (L. D. 1063) which was passed to be enacted in the House on April 25 and passed to be engrossed on April 19.

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

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

Petitions, Bills and Resolves Requiring Reference

The following Bill, approved by a majority of the Committee on Reference of Bills for appearance on House Calendar, less than one tenth of the members present objecting, was received and referred to the following Committee:

Towns and Counties

Bill "An Act Authorizing Androscoggin County to Raise Money for

the Reconstruction and Renovation of its County Buildings" (H. P. 1151) (Presented by Mr. Bernard of Auburn)

(Ordered Printed)

Sent up for concurrence.

Orders

On motion of Mr. Ross of Bath, it was

ORDERED, that Mrs. HANSON of Lebanon be excused from attendance for the duration of her illness.

Mr. Crommett of Millinocket was granted unanimous consent to address the House.

Mr. CROMMETT: Mr. Speaker and Ladies and Gentlemen of the House: I would call your attention to the Kennebec Journal of today, it notes the happy birthday of a former President, Harry S. Truman. Yesterday was also the birthday of one of our very influential members of this House.

On May 8, 1897, there was born in the town of Dexter a red haired baby boy who was destined to make his mark in the affairs of State. First he was to make his mark as a great basketball player. Of course "Red" has lost its significance through the years, for obvious reasons. He has acquired a new name more suitable to the occasion.

It is my pleasure to recommend to the House that they recognize this momentous occasion and furthermore be it noted that it is the intention of the Honorable Harold J. Keyte to apply for a complimentary fishing license. (Applause)

House Reports of Committees Leave to Withdraw

Mrs. Baker from the Committee on Legal Affairs on Bill "An Act relating to Operating Business on Sundays and Holidays" (H. P. 967) (L. D. 1409) reported Leave to Withdraw.

Mr. Beliveau from same Committee reported same on Bill "An Act to Create the Caribou Parking District" (H. P. 1011) (L. D. 503)

Reports were read and accepted and sent up for concurrence.

Ought Not to Pass

Mr. Hewes from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act relating to Appeal by Municipalities from Valuations of Board of Equalization" (H. P. 364) (L. D. 511)

Report was read.

The SPEAKER: The Chair recognizes the gentleman from China, Mr. Farrington.

Mr. FARRINGTON: Mr. Speaker and Ladies and Gentlemen of the House: This is my bill. I merely want to say a few words about this, this morning. The right for municipal officers to appeal the value set by the Board of Equalization, under the Bill of Rights in the Constitution. It is the right given each individual to appeal to the Courts of the land. It seems in this case that there is no right for appeal.

I have discussed this matter thoroughly with the Attorney General's Department. They have found no way that this appeal can prudently and effectively be in effect because of the foundation programs, school subsidies, road monies, etc. I firmly believe that the people should have this protection to be able to appeal through their municipal officers from the findings of this Board of Equalization. I would hope that this House would take further action this session to instruct committees now working in this field, to put the law in proper perspective so the right of appeal could be had. But at this time, because of the complicated conditions that now exist, I will now move that we accept the committee report.

Thereupon, the Report was accepted and sent up for concurrence.

Mr. Richardson from the Committee on Legal Affairs reported "Ought not to pass" on Bill "An Act Providing for Election of Chief of the Portland Police Department" (H. P. 1013) (L. D. 1478)

Mr. Sahagian from the Committee on Liquor Control reported same on Bill "An Act Revising Liquor Local Option Questions Two and Four" (H. P. 680) (L. D. 952)

Same gentleman from same Committee reported same on Bill "An Act Defining Hotel under Liquor Laws" (H. P. 803) (L. D. 1179)

Reports were read and accepted and sent up for concurrence.

Covered by Other Legislation

Mr. Conley from the Committee on Legal Affairs on Bill "An Act relating to Underwater Swimming and Diving" (H. P. 1012) (L. D. 1477) reported "Ought not to pass", as covered by other legislation.

Mr. Meisner from the Committee on Liquor Control reported same on Bill "An Act to Provide Graduated License Fees for Retail Stores Selling Malt Liquor" (H. P. 1040) (L. D. 1512)

Reports were read and accepted and sent up for concurrence.

Referred to Next Legislature

Mr. Brennan from the Committee on Judiciary on Bill "An Act Creating the Uniform Federal Tax Lien Registration Act" (H. P. 938) (L. D. 1354) reported that it be referred to the 104th Legislature.

Mr. Sahagian from the Committee on Liquor Control reported same on Bill "An Act relating to Intoxication in Liquor Licensed Premises" (H. P. 533) (L. D. 763)

Reports were read and accepted, the Bills referred to the 104th Legislature and sent up for concurrence.

**Ought to Pass
Printed Bills**

Mr. Richardson from the Committee on Legal Affairs reported "Ought to pass" on Bill "An Act Providing for a New Charter for the City of Waterville" (H. P. 945) (L. D. 1385)

Mrs. Wheeler from same Committee reported same on Bill "An Act to Incorporate the Town of Richmond School District" (H. P. 1052) (L. D. 1526)

Mr. Hichens from the Committee on Liquor Control reported same on Bill "An Act relating to Publication of Notice for Public Hearing for Applications for Liquor Licenses" (H. P. 854) (L. D. 1267)

Reports were read and accepted, the Bills read twice and tomorrow assigned.

**Ought to Pass with
Committee Amendment**

Mr. Brennan from the Committee on Judiciary on Bill "An Act relating to Aid for Persons Injured in Hunting Accidents" (H. P. 272) (L. D. 472) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

Committee Amendment "A" was read by the Clerk as follows: COMMITTEE AMENDMENT "A" to H. P. 272, L. D. 472, Bill, "An Act Relating to Aid for Persons Injured in Hunting Accidents."

Amend said Bill in that part designated "\$2955" by striking out all of the first underlined paragraph and inserting in place thereof the following underlined paragraph:

'It is unlawful for any person who knows he has inflicted injury to a human being by gunfire or with a bow and arrow to flee or fail or refuse to make himself known, or if the injured person shall be unconscious, the person who inflicted the injury shall by the quickest means of communication give notice of the accident either to a state police officer, sheriff, game warden or other law enforcement officer, or to the police department of the municipality nearest the place wherein the accident occurred.'

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

Tabled and Assigned

Mr. Darey from the Committee on Judiciary on Bill "An Act relating to Right of Entry and Inspection of Nursing Homes" (H. P. 406) (L. D. 572) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read.

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

Mr. HINDS: Mr. Speaker, I would like to ask any member on the Judiciary Committee if they could explain the intent of this bill and the Committee Amendment to me. I have read it and I am a little confused.

The SPEAKER: The gentleman from South Portland, Mr. Hinds, poses a question through the Chair to any member of the Judiciary Committee, who may answer if they choose.

Whereupon, on motion of the same gentleman, tabled pending acceptance of the Report and tomorrow assigned.

Mr. Darey from the Committee on Judiciary on Bill "An Act relating to Complaints and Violations under Motor Vehicle Sales Finance Act" (H. P. 511) (L. D. 724) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 511, L. D. 724, Bill, "An Act Relating to Complaints and Violations Under Motor Vehicle Sales Finance Act."

Amend said Bill in section 2 by striking out in the 4th line (same in L. D. 724) the underlined words "Willful violations" and inserting in place thereof the underlined word "Violations"

Further amend said Bill in the 5th line of section 2 (4th line in L. D. 724) by striking out the underlined word "proper"; and by inserting after the underlined words "District Court" in the 5th line (same in L. D. 724) the underlined words "or Superior Court"

Further amend said Bill in section 2 by striking out in the 6th line (5th line in L. D. 724) the underlined word "willful"

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

Mr. Foster from the Committee on Judiciary on Bill "An Act relating to Disposition of District Court Funds" (H. P. 1000) (L. D. 1462) reported "Ought to pass" as

amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 1000, L. D. 1462, Bill, "An Act Relating to Disposition of District Court Funds."

Amend said Bill by striking out all of section 3.

Further amend said Bill by renumbering sections 4 to 6 to be sections 3 to 5.

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

Passed to Be Engrossed

Bill "An Act to Share Costs in School Administrative Districts on a Basis other than State Valuation" (S. P. 621) (L. D. 1617)

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

Third Reader Amended

Bill "An Act to Provide for a Lien for Hospital Services on Recoveries from Third Persons" (H. P. 901) (L. D. 1314)

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

Mr. Benson of Southwest Harbor offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 901, L. D. 1314, Bill, "An Act to Provide for a Lien for Hospital Services on Recoveries from Third Persons."

Amend said Bill in that part designated "**\$3411**" by adding after the underlined word "**party**" in the last line (same in L. D. 1314) the underlined words "**nor shall this lien be applicable to any accident or health insurance policy, or the proceeds from the same, owned by or running to the benefit of the injured person**"

Further amend said Bill in that part designated "**\$3412**", subsection two, by inserting after the under-

lined word "**To**" in the first line (same in L. D. 1314) the underlined words and punctuation "**the home office, or district office handling the carrier's business within the State, of**"

Further amend said Bill in that part designated "**\$3412**" by adding at the end thereof (same in L. D. 1314) the following underlined subsection:

III. Hospital records available. For the purposes of determining the reasonableness of the hospital charges, the hospital shall, at the written request of the person alleged to be liable or his insurance carrier, make available any hospital records which may be pertinent to determining the reasonableness of the hospital charge, but in no event shall they disclose any other records which it may have; including but not limited to, records or reports with regard to the nature of the injury of the patient, the nature of his condition or the state of his recovery.'

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

Bill "An Act Permitting the Use of the Reformatory for Women for the Confinement of Federal Prisoners" (H. P. 1109) (L. D. 1578)

Bill "An Act relating to the Education of Indian Children Living on Reservations" (H. P. 1145) (L. D. 1636)

Bill "An Act relating to Clerks of Indian Tribes and Excise Taxes Paid by Residents of the Various Indian Reservations" (H. P. 1146) (L. D. 1637)

Bill "An Act relating to the Financing of the State Liquor Commission" (H. P. 1147) (L. D. 1638)

Bill "An Act to Establish the Maine Law Enforcement Training Council" (H. P. 1148) (L. D. 1639)

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

**Amended Bills
Third Reader
Tabled and Assigned**

Bill "An Act Increasing Minimum Wages" (S. P. 48) (L. D. 38)

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

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

Mr. EWER: Mr. Speaker, because of two rather long and complicated amendments that are coming in that I would like a little time to study, I would hope that somebody would table this for a couple of days.

Thereupon, on motion of Mr. Richardson of Cumberland, tabled pending passage to be engrossed and specially assigned for Thursday, May 11.

Bill "An Act Authorizing Use of Electronic Voting Systems in Elections and Granting Rule-making Authority" (S. P. 425) (L. D. 1079)

Bill "An Act relating to Length of Leases by State for State Facilities" (H. P. 379) (L. D. 526)

Bill "An Act relating to Police Officers of Indian Tribes" (H. P. 750) (L. D. 1097)

Bill "An Act relating to the Computation of Secondary School Tuition" (H. P. 979) (L. D. 1421)

Bill "An Act to Provide for an Economic Survey to Establish an Industrial Foreign Trade Zone" (H. P. 1029) (L. D. 1495)

Resolve to Reimburse James Robinson of Palmyra for Property and Well Damage by Highway Construction (H. P. 94) (L. D. 122)

Resolve to Reimburse Raymond Goodwin of Kittery for Well Damage Resulting from Highway Construction (H. P. 441) (L. D. 616)

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

**Third Reader
Tabled and Assigned**

Resolve to Reimburse Elinor Nichols of Poland for Well Damage by Deposit of Salt on Highway (H. P. 968) (L. D. 1410)

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

(On motion of Mr. Foster of Mechanic Falls, tabled pending passage to be engrossed and tomorrow assigned.)

Bill "An Act relating to Meetings of Board of Veterinary Examiners" (H. P. 1071) (L. D. 1536)

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

**Passed to Be Enacted
Emergency Measure**

An Act relating to Computation of State Aid for School Administrative District No. 12 (Jackman and Moose River) (S. P. 598) (L. D. 1579)

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 total was taken, 134 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act Creating the Town of Old Orchard Beach School District (H. P. 1082) (L. D. 1547)

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 total was taken, 134 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Constitutional Amendment Failed of Final Passage

Resolve Proposing an Amendment to the Constitution to Grant Adult Rights to Persons Twenty Years of Age and to Reduce the Voting Age to Twenty Years (S. P. 599) (L. D. 1580).

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being a Constitutional Amendment and a two-thirds vote of the House being necessary, a vote was taken.

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

Mr. MARTIN: Mr. Speaker, I move that the vote be taken by the yeas and nays.

The SPEAKER: The gentleman from Eagle Lake, Mr. Martin, now moves 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 members present and voting, and the Chair will release the vote.

All those in favor of a roll call will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

91 voted in the affirmative and 33 voted in the negative.

The SPEAKER: 91 having voted in the affirmative, obviously more than one fifth having expressed a desire for the yeas and nays the yeas and nays are ordered. All those in favor of this Resolve's final passage will vote yes and those opposed will vote no. The Chair opens the vote.

Roll Call

YEA—Bedard, Belanger, Beliveau, Berman, Bernard, Binnette, Boudreau, Bourgoin, Bradstreet, Brennan, Brown, Burnham, Carey, Carroll, Carswell, Champagne, Conley, Cote, Cottrell, Danton, Dennett, Drigotas, Drummond, Farrington, Fecteau, Fortier, Foster, Fraser, Gaudreau, Gauthier, Gill, Giroux, Harnois, Harriman, Healy, Hennessey, Hewes, Hoover, Huber, Hunter, Immonen, Jalbert, Jameson, Jewell, Keyte, Kyes, Lebel, Levesque, Lowery, Maddox, Martin, McMann, Nadeau, J. F.

R.; Nadeau, N. L.; Noyes, Pike, Quimby, Quinn, Sawyer, Scott, G. W.; Scribner, Shute, Snow P.; Starbird, Sullivan, Susi, Tanguay, Townsend, Trask, Truman, Wheeler, Wood.

NAY—Allen, Baker, E.B.; Baker, R.E.; Benson, Birt, Bragdon, Buck, Bunker, Carrier, Clark, Cookson, Cornell, Crockett, Cromett, Crosby, Cushing, Darey, Dudley, Dunn, Durgin, Edwards, Eustis, Evans, Ewer, Fuller, Hall, Hanson, H. L.; Hanson, P. K.; Hawes, Haynes, Henley, Hichens, Hinds, Hodgkins, Humphrey, Janelle, Lewin, Lewis, Lincoln, Littlefield, Lycette, McNally, Meisner, Mosher, Philbrook, Porter, Prince, Rackliff, Richardson, G. A.; Richardson, H. L.; Rideout, Robertson, Robinson, Rocheleau, Ross, Sahagian, Scott, C. F.; Shaw, Snow, P. J.; Thompson, Waltz, Watts, White, Wight, Williams.

ABSENT—Couture, Curran, D'Alfonso, Dickinson, Hanson, B. B.; Harvey, Kilroy, Miliano, Minkowsky, Payson, Pendergast, Roy, Soulas.

Yes, 72; No, 65; Absent, 13.

The SPEAKER: 72 having voted in the affirmative and 65 in the negative, and 13 being absent, 72 being less than two thirds of 137 the Resolve fails of final passage.

Sent to the Senate.

Passed to Be Enacted

An Act relating to Membership of State Soil and Water Conservation Committee (S. P. 50) (L. D. 40)

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

The SPEAKER: The Chair recognizes the gentleman from Solon, Mr. Hanson.

Mr. HANSON: Mr. Speaker and Fellow Members of the House: I won't belabor the point, I'm sure you appreciate my feelings on this matter. I would like to call to your attention the fact that there were a considerable number of elected representatives of the people who testified in opposition to this bill. The proponents were limited almost solely to one. This is the case of a State official seek-

ing to encroach upon the responsibilities of duly elected representatives of the people. I would liken it in large measure to our own body, our Legislative body. We represent the people, we are elected by them. We do not allow appointed department heads and officials to become a member of our body and vote. And this is exactly what this L. D. 40 would do.

There's absolutely no need for it. We have with these various departments memorandums of understanding which require that before any action can be taken by the Soil and Water Conservation people, they must consult these other people. You're creating a monstrosity, a committee of eleven; it is much too large, it's much too unworkable, and it certainly isn't in the interests of the people of this State or of Conservation, and I would strongly urge that you vote this down. I would at this time move for indefinite postponement. Thank you.

The SPEAKER: The gentleman from Solon, Mr. Hanson, now moves the indefinite postponement of L. D. 40. The gentleman may proceed.

Mr. Hanson of Solon then requested a division on his motion.

The SPEAKER: A vote will be taken. All those in favor of indefinite postponement will vote yes; those opposed to indefinite postponement will vote no—

The Chair recognizes the gentleman from Cumberland, Mr. Richardson.

Mr. RICHARDSON: Mr. Speaker and Members of the House: I arise only to remind the members of the House that this matter was fully debated on a previous occasion and it received the approval of the majority membership of this House and I hope that it does again today, and I would urge the members of both parties to vote no on the motion to indefinitely postpone. Thank you.

The SPEAKER: The Chair will open the vote.

A vote of the House was taken.

55 having voted in the affirmative and 73 having voted in the

negative, the motion did not prevail.

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

An Act Permitting Municipalities to Raise Money for Blood Service Programs (S. P. 185) (L. D. 375)

An Act to Protect Intake of Public Water Supply (S. P. 276) (L. D. 656)

An Act Providing Funds for Support of Civil Air Patrol (S. P. 295) (L. D. 734)

An Act relating to Payments of Accounts and Claims Against a County or Municipality (S. P. 521) (L. D. 1341)

An Act relating to Annual Post-audit for Municipalities (H. P. 166) (L. D. 229)

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.

Enactor Tabled and Assigned

An Act Prohibiting Hauling Lobster Pots on Sundays (H. P. 240) (L. D. 348)

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

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

Mr. QUINN: Mr. Speaker and Members of the House: I move that this be tabled until Thursday, the 11th.

Mr. Prince of Harpswell then asked for a division on the tabling motion.

The SPEAKER: A division has been requested. All those in favor of tabling will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

75 having voted in the affirmative and 53 having voted in the negative, tabled pending passage to be enacted and specially assigned for Thursday, May 11.

An Act relating to Duties of Deputy County Treasurer (H. P. 334) (L. D. 468)

Was reported by the Committee on Engrossed Bills as truly and

strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

Enactor

Indefinitely Postponed

An Act to Authorize Food Stamp Program in Sagadahoc County (H. P. 660) (L. D. 915)

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

The SPEAKER: The Chair recognizes the gentleman from Hollis, Mr. Harriman.

Mr. HARRIMAN: Mr. Speaker and Ladies and Gentlemen of the House: You were told a week ago Friday by Representative Ross from Bath pretty much the operating details of the stamp program. I have a quarrel with these operating details, but I know that I cannot change them, but I do quarrel with the cost in money and the eventual outcome of this program. Let's take the cost of the program first. There will possibly be \$150,000 yearly put into Sagadahoc County, which will cost the taxpayer for administration approximately \$15,000, and this is on the low side.

The State administrative costs, according to the amendment put through are approximately \$15,000 a year. Currently, the Department of Agriculture through the Marketing Services has an office in each county, they have an administrator, two or three girls, rent to pay and so forth, and I think I'm being very optimistic when I say this will only cost \$15,000 a year. Androscoggin's program, I understand, cannot be handled through the Lewiston office of our State Department of Welfare, but will have to be handled through the Rockland office, so we will have a duplication of effort.

Now if this program which is going to cost \$30,000 a year to distribute \$150,000 takes \$150,000 in costs away from the State, why should we have to have the State's amount of \$15,000 appropriated? Why can't the same people who were administering the \$150,000 a year before administer the stamp program? Now if the taxpayer is getting a break for his money either at the State level or the Federal level, I'm buffaloed. I cer-

tainly don't think so, and the taxpayer pays both these bills. I have no doubt that the Health and Welfare people are satisfied with this program and no doubt the people who benefit from it are satisfied. The Health and Welfare people are very compassionate, but the department heads also are very energetic, enthusiastic people, particularly concerned with this type of work and most of them, from my limited experience, do not bring many suggestions forward for slowing down the growth of their particular bureau or their division. This is human nature.

All of us, every man and woman in this House, are interested in the poor, the needy and the unfortunate, but I do not think we are interested in wasting this kind of money in administrative costs.

This program, regardless of what you may have heard, is not new. Maine is not a pilot State, other states have this program; as a matter of fact, forty-two states have this program in some 870 counties.

Perhaps we might better run this surplus food program as they are down in Mississippi where they were not too happy as I understand with the stamp program. In that state a self-service, government-run commodity distribution center was set up for low-income families. This allows those eligible for food donations paid for by the United States Department of Agriculture Consumer and Marketing division. This is a big sounding name and lets you and I as taxpayers to personally, and I say personally, take a shopping cart and go along the shelves and pick out what they may want. This program was originally set up for surplus foods. That is no longer the reason for it. The Government said this program is easily organized, more orderly, faster moving than the usual method of distribution.

The result has been praised as a boost to the dignity and self-respect of the needy. As the recipient enters, he or she shows them the eligibility card, takes the shopping cart, fills it with commodities they are entitled to, or may want, and is checked out, signed for, and the person whether be it male or

female walks out with their allotment of food. Under either method, the coverage is too large and only leads to more Government control, and to me, rather than adding to the dignity and self-respect of the needy it has the opposite effect, it detracts from dignity, self-respect and initiative.

I don't think the stamp program, although we get some of our own money back from Washington to finance it, is good for our state and its people, the distribution cost is too high, and I hope you will uphold the committee report which was ought not to pass and I move for its indefinite postponement and all its accompanying papers and when the vote is taken I ask it be by the yeas and nays.

The SPEAKER: The Chair recognizes the gentleman from Bath. Mr. Ross.

Mr. ROSS: Mr. Speaker and Members of the House: As the gentleman from Hollis, Mr. Harriman said, I discussed and described in detail this program a week ago Friday. The Department of Agriculture establishes low income food budgets and people who are not able to afford this minimum amount then get stamps that they take to the store and they spend exactly like money. They can't get cash for the stamps, they can't pay back bills, they can't buy cigarettes or beer or other non-essentials, and in this way these poor people are able to get thirty-three percent more food for their dollar.

Aside from the administration of this, the cost is defrayed by the Federal Government. I contend that this program is entirely different from those that discourage incentives. I think this encourages human incentives. I think it is truly one of the best of our plans of assistance. The benefits are tremendous. Mr. Harriman mentioned costs of between \$50,000 and \$150,000, I don't know where those figures come from. For a State expenditure of \$14,000 a year this would generate \$150,000 in federal funds whether it be for Sagadahoc County, Washington County or any other county. I still think it is an excellent plan.

Now it did come out of committee eight to two "ought not to pass." After an explanation in the House, the House was willing to accept the minority report. I know that we are not allowed to mention in this body the action taken in the other body, and I would never deign to do so, but the record shows, and I have it here, what the Appropriations Chairman who voted this out of Committee said. Now I am not allowed to read this to you, but I have it here and you can read it later, but it infers that with the amendment, plus further explanation, he then considered it very sound legislation, and I hope that you vote against the indefinite postponement.

The SPEAKER: The Chair recognizes the gentlemen from Hollis, Mr. Harriman.

Mr. HARRIMAN: Mr. Speaker, Ladies and Gentlemen: With due respect to Brother Ross, I would like to explain just how this program works insofar as what I believe will be the ultimate outcome.

I have before me a brochure which I assume was put out by the Department of Agriculture because they never had a program of any kind except they promoted it, and it may be possible they didn't, although I rather doubt it. I have before me the number of persons in a household, seven; monthly income \$282 to which they are entitled to get stamps. I know the law says you can't use them only on certain things. Now let's assume that you live in one house and you have seven children and you get \$282 and you are getting by all right and you are paying your bills. You don't have quite so much as I do. Next door I have got seven children, \$282 and I dissipate my assets so I am getting some money from the stamp plan, so you go along for weeks and you see what I have, and finally you say well this is taxpayers money and the boys have been here from the government office and want to get me on, I guess I better take it, and the first thing you know instead of ten or fifteen hundred in the county on it, you are going to have

thirty or thirty-five hundred. I object to the thing. I don't think it is good legislation. I don't think it does a thing for the morale and backbone of the American people.

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

Mr. HINDS: Mr. Speaker and Ladies and Gentlemen of the House: I spoke on this bill once before, but I would like to review some of my thoughts on this. Number one, this type of legislation for an individual county helps the towns and cities in the county because it lowers their local welfare costs, and my objection to this bill is not so much against the idea of the thing; I think Representative Ross from Bath has explained full well what it does and how it helps, but it was the feeling of the Appropriations Committee that we should delete this from the whole State because we couldn't afford to go into this program in every county. The funds were deleted for all the rest of the counties and I just don't feel we should go stepping into another one unless we are going to do the whole state. I don't feel that I should vote here to reduce the welfare costs of Sagadahoc County and not help to reduce the welfare costs in Cumberland County or Aroostook County or some of the poorer countries, which I won't mention the names here so to embarrass some of the people, but we have had counties classified as depressed areas and things of this type and I don't know if Sagadahoc is a depressed area or not, maybe the representatives from that area could explain to us if they are depressed down there in Sagadahoc County.

However, I know we have had other counties that are depressed, and I think if we are going to extend this program, we should do it where there is more need for it. This was my only objection. We removed it for all the counties except the pilot county where it started, and this is just extending it to one county and it does nothing for any of our other counties in the state and would hope the House would support the motion of the

gentlemen from Hollis, Mr. Harriman.

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

Mr. JALBERT: Mr. Speaker and Members of the House: Number one, I have just spoken to the Health and Welfare office and I can assure the House that the City of Rockland has absolutely nothing to do with the pilot program in Androscoggin County. The program is administered through the offices of the county. I called them and they assured me that Rockland has nothing to do with our program, and I don't see why it would anyway. That's number one.

Number two, the gentleman from South Portland, Mr. Hinds, makes comment that we on the Appropriations Committee; I know that I am not too important, but I am still on that Committee and I voted ought to pass on this report and my vote stands. This is one of the finest welfare programs that I have ever voted for, it is an excellent program, and it should be extended to Sagadahoc County and it should be extended to the other counties and it certainly should be extended the courtesy of going along and landing on the Appropriations Table in the other branch.

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

Mr. McMANN: Mr. Speaker, I don't intend to belabor this question any. The only thing I will say is for Representative Harriman, we have one of the smaller counties in the State and we are not represented by the Agricultural Committee and the nearest representative we have is in Lewiston. Also, the reason Sagadahoc County is in on this, our Welfare Director in Bath found out about this legislation and he went to the Welfare Commissioner and got him to agree that if they had the money that they would try it in Sagadahoc County, this is my understanding I believe, because they were a small county, and it was working well in Androscoggin. If we can get five for one, I don't think it hurts anybody. It is some of the money coming back that

is going to come somewhere, and if it works in Androscoggin, I don't know why it wouldn't work in any other county in the state. Thank you.

Mr. Harriman of Hollis was granted permission to speak a third time.

Mr. HARRIMAN: Mr. Speaker, I would just like to make it clear after hearing from Representative Jalbert, that the statements I made previously regarding the Health and Welfare Rockland Office having to handle the stamp program, I got direct from Health and Welfare also, so there evidently is minds over there with different figures.

The SPEAKER: Is the House ready for the question? The pending question is the motion of the gentleman from Hollis, Mr. Harriman, that item 12, L. D. 915 be indefinitely postponed. The yeas and nays have been requested. For the Chair to order the yeas and nays it must have the expressed desire of one fifth of the members present. All those in favor of a roll call will vote yes, and those opposed will vote no, and the Chair opens the vote.

A vote of the House was taken.

87 voted in the affirmative and 36 voted in the negative.

The SPEAKER: Obviously more than one fifth having expressed the desire for a roll call, a roll call is ordered. The roll call is on the pending question of indefinite postponement of House Paper 660, L. D. 915, An Act to Authorize Food Stamp Program in Sagadahoc County. All those in favor of indefinite postponement will vote yes; those opposed will vote no. The Chair opens the vote.

ROLL CALL

YEA — Allen, Baker, E. B.; Bedard, Beliveau, Benson, Ber- man, Birt, Bradstreet, Bragdon, Buck, Carrier, Clark, Cottrell, Crockett, Crommett, Crosby, Cush- ing, Dennett, Drummond, Dudley, Dunn, Durgin, Edwards, Farrington, Foster, Gill, Hall, Hanson, H. L.; Hanson, P. K.; Harriman, Hawes, Healy, Henley, Hewes, Hichens, Hinds, Huber, Humphrey, Immonen, J a m e s o n, Jannelle, Jewell, Lewin, Lewis, Lincoln,

Littlefield, Lycette, Maddox, Mc- Nally, Meisner, Minkowsky, Mosher, Nadeau, J. F. R.; Nadeau, N. L.; Pendergast, Philbrook, Pike, Porter, Quimby, Rackliff, Richard- son, G. A.; Robertson, Sahagian, Scott, G. W.; Shaw, Snow, P. J.; Snowe, P.; Starbird, Sullivan, Susi, Thompson, Trask, Truman, Waltz, Watts, White, Wight, Williams.

NAY — Baker, R. E.; Belanger, B e r n a r d, Boudreau, Bourgoin, Brennan, Brown, Burnham, Carey, C a r r o l l, Carswell, Champagne, Conley, Cookson, Cornell, Cote, Darey, Drigotas, Eustis, Evans, Ewer, Fecteau, Fortier, Fraser, Fuller, G a u d r e a u, Gauthier, Giroux, Harnois, Harvey, Haynes, Hennessey, Hodgkins, H o o v e r, Hunter, Jalbert, Keyte, Kyes, Lebel, Levesque, Lowery, Martin, McMann, Miliano, Noyes, Prince, Quinn, Rideout, Robinson, Roche leau, Ross, Sawyer, Scott, C. F.; Scribner, Shute, Soulas, Tanguay, Townsend, Wheeler, Wood.

ABSENT — Binnette, Bunker, Couture, Curran, D'Alfonso, Dan- ton, Dickinson, Hanson, B. B.; Kilroy, Payson, Richardson, H. L.; Roy.

Yes, 78; No, 60; Absent, 12.

78 having voted in the affirma- tive, and 60 having voted in the negative, with 12 absent, the mo- tion to indefinitely postpone in non-concurrence prevailed and it was sent up for concurrence.

Enactor Tabled and Assigned

An Act Revising Names of Bureaus in Department of Agri- culture (H. P. 698) (L. D. 979)

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

The SPEAKER: The Chair recognizes the gentleman from Solon, Mr. Hanson.

Mr. HANSON: Mr. Speaker and Members of the House: I object to this proposal because in principle I believe the House should do likewise.

Back at the beginning of the session, in executive session of the Agricultural Committee, the State Commissioner of Agriculture ex-

plained his various proposals to us. This was among those proposals. It did run into a little controversy within the Committee, yet it became apparent that there may be some objection to this proposal. This proposal was then submitted to another committee and another gentleman. The name was changed; if you read the proposal it says An Act Revising the Names of the Bureaus in the Department of Agriculture, and if you check the Bill, the L. D. 979, you'll see that one name was changed from "Division of Inspections" to "Division of Consumer Protection." What the title does not indicate, and which is also apparent when you read the bill, it creates another division within the Department of Agriculture. It creates the Division of Agricultural Promotion.

Now, if this is a worthwhile and necessary function of the Department of Agriculture and if this division needs to be incorporated within the Department, why then certainly it should have stood on its own merits; it should have been submitted in title and name so that people interested would have been able to testify.

I spoke with the House Chairman of the Government Committee and he indicated that there was no opposition whatsoever at the hearing.

I feel this is bad business, this is something similar to what our Majority Leader indicated in the special session last year, that you can pass legislation with an improper title—and you don't know what you're voting on.

I'm not objecting so much to the inclusion of an additional division within the Department of Agriculture, I'm objecting specifically to the manner in which this was done; and I think that to indicate to various department heads and government officials that the thing should be done properly and aboveboard, that we should vote this item down at this time. I would therefore make a motion that we indefinitely postpone L. D. 979. Thank you.

The SPEAKER: The gentleman from Solon, Mr. Hanson, now moves the indefinite postponement

of "An Act Revising Names of Bureaus in Department of Agriculture," House Paper 698, L. D. 979."

The Chair recognizes the gentleman from Augusta, Mr. Humphrey.

Mr. HUMPHREY: Mr. Speaker and Members of the House: Our Agricultural Commissioner asked me to sponsor this bill for him. Mr. Dolloff and I have one thing in common, we both belong to the Grange.

L. D. 979, revising names of bureaus in the Department of Agriculture, would establish a title for the division of the Department which is more descriptive to the work they are actually performing. The Division of Markets as presently constituted has two major functions, one section inspects agricultural products to establish weight and quality and the other one works entirely in the field of agricultural promotion to increase the acceptance of Maine's farm products in the food markets of the Nation. This legislation would appreciably separate these two functions into two separate divisions, providing greater ease of administration and simplifying identification for those who require these services. I hope the motion of the gentleman from Solon does not prevail.

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

Mr. BRAGDON: Mr. Speaker, I move that this item be tabled and specially assigned for May 11.

The SPEAKER: The gentleman from Perham, Mr. Bragdon now moves that item 13, L. D. 979, be tabled and specially assigned for Thursday May 11, pending the motion of the gentleman from Solon, Mr. Hanson, to indefinitely postpone. Is this the pleasure of the House?

The motion prevailed.

An Act relating to Compensation for Full-time Deputy Sheriffs and Chief Deputies (H. P. 950) (L. D. 1381)

An Act relating to Banks Participating in Public Agencies (H. P. 961) (L. D. 1404)

An Act relating to Furnishing of Service by Public Utilities (H. P. 1130) (L. D. 1606)

An Act relating to Weight and Weight Tolerance of Vehicles (H. P. 1132) (L. D. 1608)

Finally Passed

Resolve in favor of Paul V. Douglass of Winslow for Well Damage by Highway Construction (H. P. 402) (L. D. 568)

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

Resolve Authorizing Construction of a Ferry Boat for the Maine State Ferry Service (H. P. 465) (L. D. 678)

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

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

Mr. HEALY: Mr. Speaker and Members of the House: This being a seagoing measure, I am reminded of the advice the mother whale gave to her cub when she sent him on his perilous way to fish for himself. "Son," said she, "remember always, the surest way to get harpooned is when you're spouting."

The Maine Port Authority, with the Maine Ferry Service in its jurisdiction, is a tough measure for the taxpayers. Here the taxpayers have a cat by the tail, an octopus around their necks. Funk and Wagnall says "an octopus is an animal with eight sucker-bearing arms." It is likened to a far-reaching and grasping organization.

From September 1959 to June 30, 1966, the Maine Ferry Service for the Penobscot Bay Area went into the red for \$1,396,634.11. For the next biennium the State picks up the tab for \$662,151 for this luxury—and that ain't hay.

In 1960, a new ferry was dedicated for this service at a cost of half a million dollars. I remember, I was there, and with all the shipyards on the coast of Maine

that needed business in those days, this ferry was built somewhere in Maryland.

Now comes L. D. 678 for a new ferry at a cost of \$350,000, to be appropriated from the unappropriated surplus of the General Fund. The sponsors of this bill know full well that there is to be no surplus. The till is as dry as last year's bird's nest. The hope is that a bond issue for capital improvements will be in the works and an amendment for this nebulous proposition will find its way in for the grabs.

I have talked with the President of the Maine Port Authority under whose jurisdiction the Maine Ferry Service comes, and he tells me that he and other directors are unalterably opposed to any new ferry. Says he, "We'd better start economizing somewhere." After the first swipe at this grab, I was reported in the paper to having robbed the ferry bill. Ladies and gentlemen, today I would hope that we scuttle that bill, and send it merrily on its way to Davey Jones' locker. And now I propose the indefinite postponement of this bill and when the vote is taken, I ask that it be taken by the yeas and nays. Thank you.

The SPEAKER: The gentlemen from Portland, Mr. Healy, now moves indefinite postponement of Item 19, L. D. 678.

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

Mr. MADDOX: Mr. Speaker and Members of the House: When the gentleman from Portland, Mr. Healy, moves for the indefinite postponement of this Resolve, he is moving to deny four communities in Maine, incorporated since the time Maine has been a State, he is moving to deny them the same rights, privileges and services that every community in Maine enjoys.

I think it would be freely acknowledged in this House that the Maine State Ferry Service is simply a necessary extension of the highway system, although it has to be incorporated under a different name. This service has

been denied to these islands since Maine has been a state. At the same time the communities have been contributing their share to all necessary monies to support every part of state activities. In the last seven years we have enjoyed the services of the Maine State Ferry. In that time, and I will take an overall picture of the four communities served, the valuations of those four island towns have increased by \$2,100,000. In Vinalhaven alone, the non-resident property now rates over half a million dollars. This would have been impossible without the Ferry Service. It is understandable that if the geographical situation had been different, these communities would be served by the Maine highway system. I have the figures from the Highway Department, that the cost of a primary state road is \$300,000 per mile. Approximately 33 miles is served by the Ferry Service; therefore, the cost of the roads on the island would be in the vicinity of \$9,900,000.

I've also highway figures that the maintenance of a mile of state highway is twenty-eight hundred and some odd dollars, amounting in the instance of the islands to the sum of \$94,000 per year.

Now the rest of this state enjoys this highway system. Now how many miles there may be at \$300,000 I don't know, but I do know that when the gentleman from Portland, Mr. Healy, came in this morning, or when he goes home on Friday, he expects to ride to the community in which he lives, and he has a choice of several different ways. Assuming it is sixty miles from here to Portland, and I am being generous because I believe it is the vicinity of sixty-five; he can ride over several highways that cost in the vicinity of eighteen million dollars; he can ride over highways that maintenance would run as high as \$175,000 a year over three systems, or he may prefer to take the toll road. In effect, the Ferry Service is a toll — it's a toll highway to the islands. You can ride on the expressway, the Turnpike, for I believe \$2.25 for its 107

mile length. I would go home many Friday afternoons, and I have my six dollars in my hand ready to pay the toll for fifteen miles of transportation, and I'm denied that transportation for the simple reason that I can't get on the boat. It's crowded — it's full.

Considering the economic growth on these islands since the ferry has been inaugurated, I guess it is only fair, and I think people will agree, that the instrument that enabled the growth is the boat itself, and when the boat has reached the saturation point your growth is stunted; it's stopped right there.

In the summer months the boats leave automobiles and trucks every day. People have to wait sometimes two days to get on the island, consequently a great deal of traffic that could be handled to increase the revenue is not handled. It is our transportation system, and like anything mechanical it is going to, through depreciation and wear and deterioration, break down, it's going to need annual overhauls at required periods when the service will be severely curtailed in a major overhaul for several months, it requires semi-annual overhaul for five weeks in April, and first of May, and five weeks in October and the first of November, whereby the service is so severely curtailed that business is almost at a standstill in the communities.

The economic impact of this Ferry Service has been tremendous. I would remind this House that it is not a one-way street. Three counties share in increased business brought into the area, by this Ferry Service. The merchants of Rockland, Camden, Belfast, Ellsworth, are all deeply aware of the impact of this ferry service upon their particular area, and not only is it confined to these coastal areas, the wholesalers of Portland, Lewiston, Auburn and Bangor send their trucks regularly to the island, a valuable part of their business.

I am entirely unaware of the fact that this would be bitterly attacked. When I read a statement last summer, previous to election — it might have been last Fall,

by the gentleman from Portland, Mr. Healy, that if elected he would do all in his power — I believe those were the words — to curtail, cut down, or generally, as he said today, scuttle the Maine State Ferry Service, and I appeal to you as members of this House, when you consider the services that the other communities of Maine enjoy, the expense involved in maintaining the highway system that you all enjoy, that you consider the plight of these four towns which are not barren islands with a few fishing shacks, but modern progressive towns, inhabited by people who are proud to be citizens of Maine and the citizens of Maine are proud to be their neighbors. I ask you ladies and gentlemen, in all sincerity, to defeat the motion to indefinitely postpone this bill.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: I am sure that I can add nothing to or say nothing that would add to the remarks just made by the gentleman from Vinalhaven, Mr. Maddox.

I do want to state to this House at this time, however, that the Appropriations Committee listened carefully to the presentation of these people asking for this ferry service, and reported out unanimously, "Ought to pass" on this bill.

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

Mr. HEALY: Mr. Speaker and Members of the House: First, I would like to say in answer to this bill being reported out unanimous "ought to pass" by the gentleman from Perham, Mr. Bragdon, that this could be a nebulous deal too. They know full well it will probably wind up on the Appropriations Table, or in the basket.

In answer to the gentleman from Vinalhaven, Mr. Maddox's, remark that I wanted to scuttle the ferry service, I'd made no such statement. I'm only interested in

scuttling this bill! To save \$150,000 it's quite an item.

I should like to remind the gentleman from Vinalhaven, Mr. Maddox, also, that the President of the Maine Port Authority told me that this matter was never brought to their attention.

He is concerned about the situation there, of the ferries being overcrowded, and people being left at the pier, and possibly the boats would be disabled for some reason or other, or out of repair; for ten months of the year the employees of that service down there have nothing else to do but put those boats in condition. Certainly they ought to be in pretty good condition with ten months' work on them.

I hope ladies and gentlemen that you support the indefinite postponement of this bill. Thank you.

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

Mr. MADDOX: Mr. Speaker, I would ask the gentleman from Portland, Mr. Healy, did he ever try to put a boat in condition in the winter months on the North Atlantic? And, this is part of the North Atlantic.

The SPEAKER: The gentleman from Vinalhaven, Mr. Maddox, poses a question through the Chair to the gentleman from Portland, Mr. Healy, who many answer if he chooses, and the Chair recognizes that gentleman.

Mr. HEALY: Well, I'm sure he's going to get a very poor answer because I'm not qualified to give any expert advice on boat construction or repair. I'm only speaking here of time—ten months' time.

The SPEAKER: The Chair recognizes the gentleman from Freedom, Mr. Evans.

Mr. EVANS: Mr. Speaker and Members of the House: I represent Islesboro, and when I go over to Islesboro, if the ferry Governor Muskie has to be on another run or is in drydock, we have a little small ferry that will take eight cars. I have to get there an hour ahead of the sailing of the ferry on the Islesboro side to get across to the mainland. It doesn't

matter so much on the mainland because I can wait around, but when I get over there on the island I don't like to have to wait until eight o'clock the next morning and I don't think it's fair to any of the people on the island to have to do that.

I went over in the month of November, and I was told that I had better get my car there one hour ahead of time, otherwise I would stay there until the next morning, and I found that was true. The only way I could work it was to get over there and leave my car and ask some friend of mine to cart me around the island. And when I got back there, there was twelve cars lined up on the ferry and they could only take eight.

Well, I don't think it's fair to the people that are living on the island not to give them a chance to get off, and when we do have trouble with any of the ferries, they have to use that small one. Then, you have to back onto that ferry, you can't drive on it on the Islesboro side — you back three hundred feet!

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

Mr. PRINCE: Mr. Speaker and Members of the House: I would like to concur with the feelings of Representative Maddox. In Cumberland County, Casco Bay, we have had conditions that have been unfavorable from a financial point of view, but the state has given help, and I feel that we should go along with the passage of this bill that was reported unanimous "ought to pass".

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

Mr. RICHARDSON: I would be remiss if I didn't speak in favor of this since Swan's Island served by one of these ferries is also in my district.

I attended the hearing on this bill and I know my good friend from Portland is on the Committee, but I can't quite—as he is well aware of what goes on in this committee, but I can't remember a single member of the

Maine Port Authority that spoke against this bill. I was under the impression that they were all speaking in favor of it. I've known Ed Langlois for a good many years, and Ed has assured me that this is certainly a desperately needed item, and one of the things that I pointed out that day was that each day I drive up the street out here by the highway garage, and there's a dozen pieces of equipment in storage up there apparently for every piece that's on the road to repair the roads, and here we are quibbling over one single ferry boat to serve four little communities on the coast, and I think that they deserve the service that we can give them.

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

Mr. HEALY: Mr. Speaker and Members of the House: In answer to the gentleman from Stonington, Mr. Richardson's observation that none of the members of the Maine Port Authority spoke for this bill, I didn't happen to be there, but I should like to remind him that Mr. Langlois is not a member of the Maine Port Authority, he is the General Manager of the Maine Port Authority.

So much for that. I don't wish to belabor this matter any more — I've said my piece and I shall be guided by the results. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Brunswick, Mr. Lowery.

Mr. LOWERY: Mr. Speaker and Members of the House: I am a member of the Board of Directors of the Mid-Coast Route One Association, and I know the conditions that they are faced with on the islands, and I certainly will support Mr. Maddox in his efforts.

The SPEAKER: The Chair recognizes the gentleman from Camden, Mr. Haynes.

Mr. HAYNES: Mr. Speaker and Members of the House: I would be remiss if I did not speak in favor of this ferry boat. It's a bargain — at the cost, it is a great bargain and it's greatly needed. All the towns along the coast in

Penobscot Bay are in need of this and it pays off.

Mr. Healy of Portland was granted permission to speak a fourth time.

Mr. HEALY: Mr. Speaker, very briefly, the gentleman from Camden, Mr. Haynes suggests that this is a bargain. Is the Maine Ferry Service a bargain when it goes into the red some quarter of a million dollars every year?

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 members present. All those desiring a roll call will vote in the affirmative and those opposed in the negative, and the Chair will open the vote.

A vote of the House was taken.

78 voted in the affirmative and 40 voted in the negative.

The SPEAKER: Obviously, more than one fifth having expressed a desire for a roll call, a roll call is ordered. The pending question is the motion of the gentleman from Portland, Mr. Healy, that item 19, Resolve Authorizing Construction of a Ferry Boat for the Maine State Ferry Service, House Paper 465, L. D. 678, be indefinitely postponed. All of those in favor of indefinite postponement will vote yes; those opposed will vote no, and the Chair opens the vote.

ROLL CALL

YEA — Fortier, Healy, Hunter, Nadeau, J. F. R.

NAY — Allen, Baker, E. B.; Baker, R. E.; Bedard, Belanger, Beliveau, Benson, Berman, Bernard, Birt, Boudreau, Bradstreet, Bragdon, Brennan, Brown, Buck, Bunker, Burnham, Carey, Carrier, Carroll, Carswell, Champagne, Clark, Conley, Cookson, Cornell, Cote, Cottrell, Crockett, Crommett, Crosby, Cushing, D'Alfonso, Darey, D e n n e t t, Drigotas, Drummond, Dudley, Dunn, Durgin, Edwards, Eustis, Evans, Ewer, Farrington, Fecteau, Foster, Fraser, Fuller, Gaudreau, Gill, Hall, Hanson, H. L.; Hanson, P. K.; Harnois, Harri-man, Harvey, Hawes, Haynes, Henley, Hennessey, Hewes, Hichens, Hinds, Hodgkins, Hoover, Huber, Humphrey, Immonen, Jal-

bert, Jameson, Janelle, Jewell, Keyte, Kyes, Lebel, Levesque, Lewin, Lewis, Lincoln, Littlefield, Lowery, Lycette, Maddox, Martin, McMann, McNally, Meisner, Miliano, Minkowsky, Mosher, Nadeau, N. L.; Noyes, Pendergast, Philbrook, Pike, Porter, Prince, Quimby, Quinn, Rackliff, Richardson, G. A.; Richardson, H. L.; Rideout, Robertson, Robinson, Rocheleau, Ross, Sahagian, Sawyer, Scott, C. F.; Scott, G. W.; Scribner, Shaw, Shute, Snow, P. J.; Snowe, P.; Soulas, Starbird, Sullivan, Susi, Tanguay, Thompson, Townsend, Trask, Waltz, Watts, Wheeler, White, Wight, Williams, Wood.

ABSENT — Binnette, Bourgoin, Couture, Curran, Danton, Dickinson, Gauthier, Giroux, Hanson, B. B.; Kilroy, Payson, Roy Truman.

Yes, 4; No, 133; Absent, 13.

The SPEAKER: 4 having voted in the affirmative, 133 having voted in the negative, the motion does not prevail.

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

Orders of the Day

Mr. Hichens of Eliot was granted unanimous consent to address the House.

Mr. HICHENS: Mr. Speaker, Ladies and Gentlemen of the House: We have all not been favored to share our birthdays with famous men, and I am sure that if some seventy-seven years ago the mother of one of our Representatives had realized that Harry S. Truman was to be born on the 8th of May that she might have made arrangements not only to have her son born on that day as well as to name him Harry; but such was the case, and although this man named Harry has not distinguished himself as being President of our United States, he has distinguished himself as being a member of the Maine House of Representatives, this being his eighth session. He has become known as an authority on bear and moose in this House, and many people have asked his opinions on the matter.

On good authority I think it is a bare fact, b-a-r-e, this morning that this is the seventy-seventh birthday of Representative Harry Williams of Hodgdon. I think we should applaud him. (Prolonged Applause)

Mr. Rackliff of Easton was granted unanimous consent to address the House.

Mr. RACKLIFF: Mr. Speaker, Ladies and Gentlemen of the House: Last Friday the gentleman from Perham, Mr. Bragdon, during debate on L. D. 73, got into another area of contingent liabilities on the part of the state. I arise today to set the records straight with respect to these other contingent liabilities. I will try to be brief.

I have a great deal of respect for the gentleman from Perham, Mr. Bragdon. In his remarks Friday he dwelt at some length on the contingent liabilities of the state because of the insured loans of the Maine Industrial Building Authority to Vahlsing Industries and Maine Sugar Industries, Inc. There seemed to be some small question in his mind with respect to these loans. I hope I can resolve the questions he has by fairly stating what the present situation is with respect to both of them.

The loan to Vahlsing Industries, or more properly Vahlsing, Inc., as of April 24, as insured by MIBA, stands at \$1,618,800. The approximate cost of the project for which the moneys were advanced was \$2,300,000. The loan made in 1961, is entirely current, both with respect to interest and principal. In addition to the project cost for which the money was directly lent, Vahlsing Inc. has also given MIBA a first lien on almost all of the process machinery and equipment installed in the building built by the loan. Conservatively, the value of the building, machinery and equipment is in excess of \$6,000,000, so you may readily see that the outstanding liability of just over \$1,600,000 is just over 25% of the securities pledged by Vahlsing Inc. to secure the loan.

With respect to the loan to Maine Sugar Industries, Inc., this loan in the amount of \$6,000,000 made in 1967 was for a project with an approximate cost in terms of building, etc. of \$8,000,000. However, in addition to the costs of building, against which MIBA has insured \$6,000,000, the Federal Government and interested local citizens have put in some \$8.5 Million in second and third mortgage money. However, again MIBA is fully protected because they have a first lien not only on the buildings of Maine Sugar Industries Inc. but also the machinery and equipment paid for by the Federal and local financing. As a matter of fact, MIBA has in effect a first lien on close to \$20,000,000 worth of buildings, machinery and equipment as a result of expansion of the original project, so the \$6,000,000 insured by MIBA is less than a third of the total securities on which they hold a first lien. When you consider that Vahlsing Inc. has an outstanding insured loan under MIBA backed up by \$4 equity for every dollar insured and Maine Sugar Industries Inc. has an outstanding loan insured by MIBA backed up by over \$3 equities for every dollar loaned, there appears to be no danger whatsoever to the State of Maine under the most drastic conditions.

Mr. Bragdon also felt some apprehension that Maine would not plant its full 33,000 acre sugar beet quota. Last year there were 3,300 acres of beets planted. This year contracts have already been signed for well over 10,000 acres, and we are shooting for 15,000 acres this year. Using only the 10,000 acre figure, however, and applying a geometric progression, it becomes apparent that we will achieve the 33,000 acres in 1968 within the time limit set by the U. S. Department of Agriculture. The utilization of the facilities of Maine Sugar Industries Inc. for cane refining was originally visualized by Maine Sugar Industries in their first prospectus. No sugar beet refinery operates more than 120 days a year. Maine Sugar Industries Inc. will operate 365 days a year by a combination of

beet and cane refining. The year-round operation of the facility is further security that the obligations insured by MIBA will be paid off as they become due.

Mr. Bragdon also referred to the world price of sugar and the fact that it is at the lowest point since 1941. This is not untypical of the world price of sugar, since the world price is and has been very unstable. The domestic price of sugar, however, is close to 10 times the world price and the domestic price of sugar is the most stable of any commodity sold in the United States today. All of the sugar manufactured by Maine Sugar Industries Inc. will be sold in the domestic market.

Finally, Mr. Bragdon made reference to the problems with respect to pollution of the Prestile Stream. We have paid for an individual engineering survey to determine whether or not we are presently complying with the B1-B2 classification and the now D classification of the Prestile. We also testified during this session of the Legislature that we could live with the proposed new C classification of the Prestile Stream. Vahlsing Inc. and Maine Sugar Industries have spent close to \$1,000,000 in pollution abatement facilities. We are currently expending a third of that amount in new research and treatment facilities, partially funded by the Federal Government. We are now ready to spend the necessary amount of money to live with the proposed new C classification of the Prestile Stream. All we ask is the same amount of time given our other industries in the state to find and install the machinery necessary to solve any other pollution problems that we have not already solved on our own.

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

HOUSE MAJORITY REPORT
(6) — Ought Not to Pass — Committee on Labor on Bill "An Act relating to Certain Disqualifications of Benefits Under Employment Security Law" (H. P. 227)

(L. D. 317) — **MINORITY REPORT** (4) — Ought to Pass.

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

Pending — Acceptance of either Report.

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

Mr. **EWER**: Mr. Speaker, Ladies and Gentlemen of the House: This L. D. 317 came out with a divided report, six to four, and at this time I wish to move the acceptance of the Minority "Ought to pass" Report and would speak possibly at some length on this matter.

The **SPEAKER**: The gentleman from Bangor, Mr. Ewer, now moves the House accept the Minority "Ought to pass" Report. The gentleman may proceed.

Mr. **EWER**: Despite the majority vote of the Labor Committee on L. D. 317, I wish to bring to the attention of this legislative body the merits of considering very carefully the merits and purpose of what this bill is designed for and who will benefit as a result of your vote in favor of it. Frankly, I am not concerned particularly about inserting the language "which is in active progress" if the present language remains intact; however, I do urge that we recognize the amendment "other than a lockout" in its total meaning.

I should like to call to your attention the policy which is the first chapter of this law and very clearly spells out the essence, intent and purpose for which the law was designed. In part, the policy states "Economic insecurity due to unemployment is a serious menace to the health, morals and welfare of the people of this State. Unemployment is therefore a subject of general interest and concern which requires appropriate action by the Legislature to prevent its spread and to lighten its burden which may fall upon the unemployed worker, his family and the entire community. . . . ; and by the systematic accumulation of funds during periods of employment from which benefits may be paid for periods of unemploy-

ment, thus maintaining purchasing power, promoting the use of the highest skills of unemployed workers and limiting the serious social consequences of unemployment."

The meaning is clear. It says in effect that unemployment benefits will be paid to those workers who qualify by being unemployed through no fault of their own.

Specifically, this bill bars anyone from benefits who, because of their participation in a labor dispute, do not qualify for benefits. This, I am sure, we all agree on, although it might be argued possibly that in the vast majority of cases a person participating in a labor dispute which causes a work stoppage has been placed in a position, through no fault of his own, where the exercise of his right to strike is the last resort he has to obtain a fair solution to a problem which he did not create and could well have been created by the employer. Again, however, we recognize properly that it should not be the intent of unemployment insurance legislation to decide who is right or wrong in a labor dispute involving a strike. Therefore, we are saying that a person whose unemployment is due to a work stoppage resulting from a strike in which he is participating is held to have taken the initiative by his participation in causing his own unemployment and therefore should be denied unemployment benefits.

I think, too, that we should be aware that work stoppages involving a lengthy period of time tend to put the state and starvation on the side of the employer who has oftentimes permitted work conditions to become so intolerable for the workers that they have no choice but to leave their jobs in protest.

Be that as it may, there is no intent by this amendment, nor should there be, to provide unemployment insurance benefits to workers who are unemployed due to a strike. The intent, ladies and gentlemen, is quite obvious and that is to provide unemployment insurance to workers whose employer decides to lock out his em-

ployees for whatever reason. A lockout, although it may be precipitated by labor-management disagreement, is an action which only the employer can initiate. It is the employer who decides when and how to lock out his workers and the resulting unemployment is clearly the employer's fault. Certainly it cannot be said to have been caused by action of the workers.

There are now thirteen States which have this exclusion in their laws and I understand that a number of others will consider this amendment which is certainly more compatible with the objectives and intent of unemployment insurance.

In conclusion, the law provides disqualification from benefits for actions on the part of the worker that are deemed to be voluntary actions, such as quitting his job, refusing suitable work, misconduct by a worker or becoming involved in an industrial dispute and a subsequent strike.

These are all considered voluntary actions for which the law penalizes him. The only exception is when he is penalized because he has been involuntarily unemployed due to a lockout which is the voluntary action by the employer. Ladies and gentlemen, it makes good and sound sense to me to protect all workers who become unemployed through no fault of their own. We are very fortunate in having excellent labor-management relations in Maine with a minimum of labor disputes which are usually resolved in a very short time. There have been very few lockouts as such over the years and passage of this amendment would guarantee even less lockouts in the future.

I am confident that favorable action on this amendment by you would assure that no employer could starve his workers into submitting to unreasonable demands by locking them from their work. I urge you to weigh very carefully the facts that I have outlined and ask that, by your vote, you indicate to the workers of the State of Maine that they and their families

are to be protected when they become unemployed through no fault of their own.

Mr. Speaker, I move acceptance of the Minority "Ought to pass" Report and I ask for a division.

The SPEAKER: The gentlemen from Bangor, Mr. Ewer, moves the House accept the Minority "Ought to pass" Report.

The Chair recognizes the gentleman from Raymond, Mr. Durgin.

Mr. DURGIN: Mr. Speaker, I would only say this much. This bill gets us into the field of secondary boycott and places the employer in the position where he will be forced to finance a strike against him and I would urge you to support the majority ought not to pass report.

The SPEAKER: Is the House ready for the question? The Chair will order a vote. All those in favor of accepting the minority ought to pass report will vote yes, those opposed no. The Chair opens the vote.

A vote of the House was taken.

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

Mr. EWER: Mr. Speaker, I request a roll call vote.

The SPEAKER: The gentleman from Bangor, Mr. Ewer, requests a roll call. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present. The Chair will clear the vote. All those in favor of a roll call will vote yes, those opposed will vote no and the Chair opens the vote.

A vote of the House was taken.

60 voted in the affirmative and 45 voted in the negative.

The SPEAKER: Obviously, more than one fifth having expressed a desire for a roll call, a roll call is ordered. The pending question is the motion of the gentleman from Bangor, Mr. Ewer, that the Minority "Ought to pass" Report be accepted on Bill "An Act relating to Certain Disqualifications of Benefits Under Employment Security Law, House Paper 227, L. D. 317. If you are in favor of accepting the Minority Report you will vote yes,

if you are opposed, you will vote no and the Chair will open the vote.

ROLL CALL

YEA—Bedard, Belanger, Beliveau, Bernard, Binnette, Birt, Boudreau, Bourgoin, Brennan, Carswell, Conley, Cookson, Cote, Cottrell, Crockett, Crommett, Cushing, D'Alfonso, Drigotas, Eustis, Ewer, Fecteau, Fortier, Foster, Fraser, Gaudreau, Gauthier, Harvey, Haynes, Healy, Hennessey, Hichens, Jalbert, Jameson, Keyte, Kyes, Lebel, Levesque, Littlefield, Martin, Meisner, Nadeau, J. F. R.; Rocheleau, Ross, Scribner, Starbird, Townsend, Wheeler, Wood.

NAY — Allen, Baker, E. B.; Baker, R. E.; Benson, Berman, Bradstreet, Bragdon, Brown, Buck, Bunker, Burnham, Carey, Champagne, Clark, Cornell, Crosby, Darey, Drummond, Dunn, Durgin, Edwards, Evans, Farrington, Hall, Hanson, H. L.; Hanson, P. K.; Harriman, Hawes, Henley, Hewes, Hinds, Hodgkins, Hoover, Huber, Humphrey, Hunter, Immonen, Jannelle, Jewell, Lewin, Lewis, Lincoln, Lycette, Maddox, McMann, McNally, Miliano, Moshier, Noyes, Philbrook, Pike, Porter, Prince, Quimby, Quinn, Rackliff, Richardson, G. A.; Richardson, H. L.; Rideout, Robertson, Robinson, Sawyer, Scott, C. F.; Scott, G. W.; Shaw, Shute, Snow, P. J.; Snowe, P.; Sullivan, Susi, Tanguay, Thompson, Trask, Waltz, Watts, White, Williams.

ABSENT—Carrier, Carroll, Couture, Curran, Danton, Dennett, Dickinson, Dudley, Fuller, Gill, Giroux, Hanson, B. B.; Harnois, Kilroy, Lowery, Minkowsky, Nadeau, N. L.; Payson, Pendergast, Roy, Sahagian, Soulas, Truman, Wight.

Yes, 49; No, 77; Absent, 24.

The SPEAKER: 49 having voted in the affirmative and 77 having voted in the negative, the motion does not prevail.

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

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

Bill "An Act Authorizing the Leasing of Air Rights by Municipalities" (H. P. 1113) (L. D. 1582)

Tabled—May 3, by Mr. Benson of Southwest Harbor.

Pending—Passage to be engrossed.

Mr. Conley of Portland offered House Amendment "B" and moved its adoption.

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

HOUSE AMENDMENT "B" to H. P. 1113, L. D. 1582, Bill, "An Act Authorizing the Leasing of Air Rights by Municipalities."

Amend said Bill in section 2 by striking out all of that part designated "\$4995" and inserting in place thereof the following: **"\$4995. Limitations**

Municipalities shall not execute any leases which would either impair the use and safety of any highway, be solely for outdoor advertising structures or which would violate any provision of those regulations promulgated by the Administrator of the Federal Aviation Agency.'

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

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

Bill "An Act Clarifying Compensation for Occupational Disease Under Workmen's Compensation Act" (H. P. 650) (L. D. 903)

Tabled — May 3, by Mr. Ross of Bath.

Pending — Passage to be engrossed.

On motion of Mr. Ross of Bath, the House voted to suspend the rules and to reconsider its action whereby on April 27 Committee Amendment "A" was adopted.

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

Mr. ROSS: Mr. Speaker, I now move that Committee Amendment "A" be indefinitely postponed.

The SPEAKER: The gentleman from Bath, Mr. Ross, now moves that Committee Amendment "A" be indefinitely postponed.

The Chair recognizes the gentleman from Cumberland, Mr. Richardson.

Mr. RICHARDSON: Mr. Speaker, I would inquire of the gentleman from Bath, Mr. Ross, as to the Committee Amendment filing number and the purpose of his motion.

Mr. ROSS: I would explain the purpose of my motion when I offer an amendment of my own. Committee Amendment "A" is filing H-217 and if this is indefinitely postponed I will offer another amendment and will speak to the entire subject.

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

Mr. RICHARDSON: Mr. Speaker, as I understand it, Committee Amendment "A" was arrived at after a good deal of work and cooperation between the members of the Industrial Accident Commission, members or —

The SPEAKER: The Chair would advise the members of the House that only one member may be standing at a time. The gentleman may proceed.

Mr. RICHARDSON: As I understand it, Mr. Speaker, Committee Amendment "A" was arrived at after a great deal of work by members of the Industrial Accident Commission, people representing labor, people representing industry, and it is for this reason that I am very much reluctant to see the gentleman from Bath, Mr. Ross, indefinitely postpone this without some explanation as to what we are doing.

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

Mr. ROSS: Mr. Speaker, I also spent a great deal of time on this with some of the gentlemen that were mentioned. Now I would intend to offer another amendment, and I will talk to that now if I may under this indefinite postponement motion. The amendment I would offer in lieu of Committee Amendment "A" has been filed under H-269. Under workmen's compensa-

tion, the present law lists eighteen specific occupational diseases that qualify an individual for compensation. Each session we add another. The last one, the eighteenth, adopted two years ago, concerned radiation. This year, I presented another one to this list entitled Asbestosis. Asbestosis is a disease of the lungs due to asbestos dust. Tiny particles pass through the upper respiratory tract to the lower parts of the lungs and cause very serious disabling complications. This is characterized by shortness of breath, decreased chest expansion, inadequate capacity for work and greater susceptibility to TB. The seriousness of the disease depends upon the amount inhaled, the form of the dust, the length of the exposure, individual resistance and complications. The disease is prevalent in many industries where there is exposure to asbestos, whether it be for insulating, roofing materials, brake shoes, tile or gloves.

Now I stated at the hearing that it might be wise to do away with all of these specific categories, and have any disease covered if we could prove that it was due to specific occupational conditions. Now this is what this new draft does do, L. D. 903. That is fine, except when it came out of committee it came out with this Committee Amendment "A" which is filing 217 that Mr. Richardson has talked about and this added the term 'asbestosis' to the existing term 'silicosis' which has limiting qualifications. Now silicosis has been listed for many years, and there were certain — a few management attorneys that felt if we covered for silicosis we should treat asbestosis the same. We contend that the diseases are not the same. Silicosis is a disease of the lungs but it can be satisfactorily treated. There is no known cure for asbestosis, and more often than not, this develops into lung cancer.

Now fortunately, there are not too many cases of this, and notwithstanding the objections of these very few people, I doubt if it would affect the insurance rates one bit, but it is most serious to the unfortunate workers who get

it, and they in my mind should be given every consideration without these type of limiting qualifications, and that is what my House Amendment would do, only that it would eliminate asbestosis from the qualifications.

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

Mr. RICHARDSON: Mr. Speaker, Ladies and Gentlemen of the House: My concern here is that the efforts of labor and management and attorneys involved in this area do not go down the drain. I have discussed it very briefly with representatives from labor and management, and I will reluctantly go along with the indefinite postponement of the Committee Amendment and with the adoption at this time of the amendment under filing H-269, understanding that there is going to be a conference on this matter and that at that time we may come up with a slightly different version.

The SPEAKER: The question before the House is the motion of the gentleman from Bath, Mr. Ross, that Committee Amendment "A" be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed.

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

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

HOUSE AMENDMENT "A" to H. P. 650, L. D. 903, Bill, "An Act Clarifying Compensation for Occupational Disease Under Workmen's Compensation Act."

Amend said Bill in section 6 in that part designated "\$193." by striking out in the 3rd line (2nd line of L. D. 903) of sub-section 4 the underlined figure "17" and inserting in place thereof the underlined figure '50'

Further amend said Bill by striking out all of section 7 and inserting in place thereof the following:

'Sec. 7. R. S., T. 39, §194, amended. Section 194 of Title 39 of the Revised Statutes is amended to read as follows:

§194. Silicosis

In the absence of conclusive evidence in favor of the claim, disability or death from silicosis shall be presumed not to be due to the nature of any occupation, unless during the 10 5 years immediately preceding the date of disability the employee has been exposed to the inhalation of silica dust over a period of not less than 5 2 years, 2 years of which shall have been in this State, under a contract of employment existing in this State. If the employee shall have been employed by the same employer during the whole of such 5 year 2-year period, his right to compensation against such employer shall not be affected by the fact that he had been employed during any part of such period outside of this State. No compensation shall be payable for partial incapacity due to silicosis. The compensation payable in any such case shall be limited to a period not to exceed the average life expectancy of a person of the age and sex of the deceased. In the event of disability from silicosis the employer shall provide reasonable medical treatment not to exceed \$1,000 in amount.

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

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

Resolve Permitting R. Dean Seguin of South Paris to Take the Examination for Admission to Practice Law (H. P. 514) (L. D. 727) (In House, passed to be engrossed) (In Senate, indefinitely postponed in non-concurrence)

Tabled — May 4, by Mr. Richardson of Cumberland.

Pending — Further consideration.

On motion of Mr. Richardson of Cumberland, retabled pending further consideration and specially assigned for Thursday, May 11.

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

HOUSE REPORT — Ought Not to Pass — Committee on Public Utilities on Bill "An Act Increasing the Membership of the Board of Trustees of Richmond Utilities District" (H. P. 1054) (L. D. 1524) (In House, recommitted to the Committee on Public Utilities) (In Senate, Report accepted in non-concurrence)

Tabled — May 4, by Mr. Birt of East Millinocket.

Pending — Further consideration.

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

Mr. HENNESSEY: Mr. Speaker, Ladies and Gentlemen of the House: On this bill when the original was put in, it was to increase the membership of the trustees of the Sewer District including the three Selectmen and the Town Manager. Now actually in talking with the members of the House on this Committee, the Public Utilities Committee, they didn't favor having the Selectmen or the Town Manager mixed up in this situation, they thought it ought to be fairer if other people were there, and what I am trying to do now, being instructed by the Town last Saturday night that the trustees feel that they should have more members on this utility, so they would go along with having another election to increase this membership to five, and actually the town meeting held last February went along and voted to have the Selectmen on this. I would like to have this arranged so that we could have another election in Richmond and increase this to five members on the Public Utilities Board here. I don't know just how to get around this. Would a motion to resubmit this to committee?

The SPEAKER: The Chair would advise the gentleman that the only procedure that would be acceptable would be to recede from our former action and then he could move to substitute the bill for the report.

Mr. HENNESSEY: Well there again, it would still come back to having the selectmen on this committee which they wanted to avoid.

I move we recede from our former action.

The SPEAKER: The gentleman from West Bath, Mr. Hennessey, now moves that the House recede from its former action in recommending this matter to the Public Utilities Committee.

The Chair recognizes the gentleman from Portland, Mr. D'Alfonso.

Mr. D'ALFONSO: Mr. Speaker and Ladies and Gentlemen of the House: If I may briefly explain the position of the Public Utilities Committee in connection with this bill. We passed it out unanimously ought not to pass for the simple reason they had desired to increase the membership of that board from three to seven. In effect, they would have destroyed the make-up of the board by including four more members. We would not give them this right. They would have actually increased the board by allowing the Selectmen to be elected to the Board thereby effectively using the Selectmen to control the Board. This, we just could not accept. But now there is some indication that they would only desire to increase it to five members and that the Selectmen would not be eligible to serve on the Board.

I think this is a matter for the Legislature to decide themselves as to whether or not it should be recommitted to the Committee or whether or not we should allow the gentleman from West Bath, Mr. Hennessey, to do something for his particular area. I myself would desire to give him an opportunity to satisfy the wishes of his particular community, but I would not go along of course with increasing the membership from three to seven members.

The SPEAKER: The Chair would advise the gentleman and the House that the Senate did not concur with this body in recom-

mitting this matter to the Public Utilities Committee. The pending question is the motion of the gentleman from West Bath, Mr. Hennessey, that we recede from our former action whereby this matter was recommitted to the Public Utilities Committee. Is this the pleasure of the House?

Mr. D'Alfonso requested a division.

The SPEAKER: A vote has been requested. All those in favor of receding will vote yes, those opposed will vote no, and the Chair opens the vote.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: On this document here we voted to recommit the bill to the Committee on Public Utilities and it came back to us in non-concurrence from the other body. Would it be in order to move to insist and ask for a Committee of Conference?

The SPEAKER: The gentleman is correct. Recede has priority over insisting. A vote has been requested. All those in favor of receding will vote yes, those opposed will vote no and the Chair will open the vote.

A vote of the House was taken.

101 having voted in the affirmative and 14 having voted in the negative, the motion to recede did prevail.

Thereupon, on motion of Mr. Hennessey of West Bath, the House voted to substitute the Bill for the Report in non-concurrence the Bill was read twice and assigned for third reading tomorrow.

On motion of Mr. Richardson of Cumberland,

Adjourned until nine - thirty o'clock tomorrow morning.