

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Third
Legislature*

OF THE

STATE OF MAINE

Volume II

May 10 to June 15, 1967

**KENNEBEC JOURNAL
AUGUSTA, MAINE**

HOUSE

Thursday, May 25, 1967

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

Prayer by the Rev. Mr. Elmer Bentley of Augusta.

The journal of yesterday was read and approved.

Papers from the Senate Reports of Committees

Report of the Committee on Agriculture on Bill "An Act relating to Price Paid to Producers for Milk" (S. P. 517) (L. D. 1337) reporting Leave to Withdraw.

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 Highways on Bill "An Act relating to Revisions of Highway Maintenance and Snow Removal Laws" (S. P. 298) (L. D. 737) reporting same in a new draft (S. P. 658) (L. D. 1671) under title of "An Act relating to Snow Removal from State Highways" 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 Highways reporting "Ought to pass" on Bill "An Act Eliminating Tolls from Bridge Across Jonesport Reach" (S. P. 335) (L. D. 868)

Report of same committee reporting same on Bill "An Act relating to Reimbursement to Towns for Construction of and Snow Removal from Highways" (S. P. 360) (L. D. 957)

Report of the Committee on State Government reporting same on Bill "An Act relating to Meetings of the Advisory Council of the Department of Economic Development" (S. P. 86) (L. D. 167)

Came from the Senate with the Reports read and accepted and the Bills passed to be engrossed.

In the House, the Reports were read and accepted in concurrence, the Bills read twice and tomorrow assigned.

Ought to Pass with Committee Amendment

Report of the Committee on Highways on Bill "An Act to Provide a Feasibility Study for Express Highway Through Washington County" (S. P. 519) (L. D. 1339) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

In the House, the Report was read and accepted in concurrence and the Bill read twice. Committee Amendment "A" was read by the Clerk and adopted in concurrence, and tomorrow assigned for third reading of the Bill.

Ought Not to Pass

Report of the Committee on State Government reporting "Ought not to pass" on Bill "An Act relating to Notice of Legislative Hearings" (S. P. 347) (L. D. 931)

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

In the House: Report was read and accepted in non-concurrence and sent up for concurrence. **(Reconsidered Later in the Day.)**

Ought to Pass in New Draft Amended in Senate

Report of the Committee on Legal Affairs on Bill "An Act Regulating Snow Traveling Vehicles" (S. P. 488) (L. D. 1211) reporting same in a new draft (S. P. 654) (L. D. 1666) under same title and that it "Ought to pass"

Came from the Senate with the Report read and accepted and the New Draft passed to be engrossed as amended by Senate Amendment "A".

In the House, the Report was read and accepted in concurrence and the New Draft read twice. Sen-

ate Amendment "A" was read by the Clerk and adopted in concurrence, and tomorrow assigned for third reading of the New Draft.

Ought to Pass with Senate Amendment

Report of the Committee on Agriculture reporting "Ought to pass" on Bill "An Act Providing for the Purchase of Land by the Seed Potato Board" (S. P. 640) (L. D. 1646)

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

In the House, the Report was read and accepted in concurrence and the Bill read twice. Senate Amendment "A" was read by the Clerk and adopted in concurrence, and tomorrow assigned for third reading of the Bill.

Divided Report

Majority Report of the Committee on State Government reporting "Ought not to pass" on Bill "An Act Providing for the Administration of a Major Medical Insurance Program for State Employees" (S. P. 367) (L. D. 962)

Report was signed by the following members:

Messrs. WYMAN of Washington
LUND of Kennebec
— of the Senate.

Messrs. DENNETT of Kittery
WATTS of Machias
Mrs. CORNELL of Orono
Messrs. RIDEOUT of Manchester
PHILBROOK of
South Portland
— of the House.

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

Report was signed by the following members:

Mr. STERN of Penobscot
— of the Senate.

Messrs. MARTIN of Eagle Lake
STARBIRD of
Kingman Township
— of the House.

Came from the Senate with the Majority Report accepted.

In the House: Reports were read.

On motion of Mr. Dennett of Kittery, the Majority "Ought not to pass" Report was accepted in concurrence.

Non-Concurrent Matter

Bill "An Act relating to Certain Expenses of Supreme Judicial Court Paid by State to Cumberland County" (S. P. 207) (L. D. 546) which was indefinitely postponed in non-concurrence in the House on May 23.

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

In the House:

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

Mr. QUINN: Mr. Speaker and Members of the House: I move that we adhere to our action of May 23.

The SPEAKER: The gentleman from Bangor, Mr. Quinn, moves that the House adhere to its action of May 23.

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

Mr. DENNETT: Mr. Speaker and Members of the House: This thing has been argued to quite some extent in this House. I do not wish to prolong it, but I honestly believe that the bill as now amended is sound and it is just, and I now move that we recede and concur.

The SPEAKER: The gentleman from Kittery now moves that the House recede and concur.

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

Mr. QUINN: Mr. Speaker and Members of the House: It is with deep regret that I have to stand and oppose my dear, dear friend from Kittery, Mr. Dennett.

We apparently on this matter have been persistently and consistently on opposite sides. Mr. Dennett, however, has not been consistent in his position, nor as a member of the State Government Committee. He joined in a unanimous "Ought not to pass" vote on this matter when it was reported back out of Committee.

Now we've debated this considerable, and we've discussed it at length, but there are a few more

facts concerning it which I think you should know before you make your, I hope, final decision.

The other day I told you that the law court, which is the Supreme Judicial Court of Maine, met five sessions in Portland, and three sessions in Augusta, or Kennebec County. Now the law terms in Augusta, Kennebec County are on the first Tuesday of May, September and December. The law terms in Portland are on the first Tuesday in January, February, April, June and October; and I informed you that I had corresponded with the Clerk of the Law Court to find out how many days these sessions were in session, and I was informed and so informed you that the law court met in Portland last year in 1966 on 14 days, and then it met in Augusta in 1966 on 6 days — rather I want to change that — 9 days.

Now I have with me today the letter from which I quoted and didn't have in my possession the other day from the Clerk of the Maine Law Court.

"In reply to your letter dated May 19, 1967, please be advised that the average length of Law Court Sessions held in Portland is three days, and those in Augusta are two days. The Law Court sat in Portland for a total of fourteen days during the year 1966, and the Court sat in Augusta nine days during that year.

As you probably know, there is only one court room in Augusta, and when it is not used by the Law Court, it is used by the Superior Court. Portland has a court room for use exclusively by the Superior Court, and on occasion the Superior Court uses the Law Court room for its sessions. These occasions are becoming more and more frequent since the volume of court business is increasing, and we often have multiple sessions of the Superior Court here in Portland. Cumberland County also has a third court room for the Superior Court, and it is used every month for so-called 'secondary circuit' and it involves the handling of divorce matters and 'single justice' hearings.

The Supreme Court room, when it is not being used by the Law

Court, is also used quite frequently by a Justice of the Supreme Court for 'single justice hearings' which are considered to be Superior Court business and are carried on our docket as such.

I trust this information will be helpful.

Very truly yours,

Charles B. Rodway, Jr.

Clerk of the Maine Law Court'

Now some of you are not lawyers, and some of you do not know what occurs in the law court. The law court, when it meets, meets on briefs and the attorneys only appear—there are no parties, no witnesses—and the attorneys only appear and present their arguments and their law to sustain their side of their case. The Justices, six in number, sit and listen, and then they afterward discuss the case among themselves and then they assign each case to an individual member of that court for decision. Now that court only meets in Portland, or it did last year, fourteen days, and after those cases were heard they were referred to the individual Justices, and those Justices took those cases home and prepared their decisions which later appears in our Maine reports. By and large, those decisions interpret what we do here in making law, decide what is the law.

Now, fourteen days last year for the Supreme Judicial Court in Cumberland County, and over the years the County Commissioners of Cumberland County have been maintaining a courtroom for this purpose as well as other court usages, just like every other county in our state.

Now in these courtroom buildings you not only have the courtrooms where the trials are held, but you have other rooms that have to do with county affairs. You have the jury rooms, both for the Grand Jury and the Petty Jury—that last is the jury that sits on actual trials; the Grand Jury hears only one side of criminal cases, and either brings indictments or not as the evidence warrants. These courtrooms also provide a Clerk of Court's office and offices for the files and records of the courts held in that county. These county

buildings also hold the Registry of Deeds office and the office for those records; the Register of Probate and their records, the County Bar Law Library for the members of the Bar in that county; and they also furnish in their county building chambers for Justices of both the Superior and Supreme Court and a library for those Justices for their individual use. These buildings also hold the county treasury and the Probation and Parole offices.

Now, we have six active Supreme Court Justices, and one retired Supreme Court Justice whose duties are to perform the duties of a Supreme Court Justice as assigned to him by the Chief of the Supreme Court, or the Chief of the Maine Courts. Presently, those Justices reside in the following counties and their chambers and their law libraries are provided by the counties in which they reside: Justice Donald W. Webber, resides in Androscoggin County; Justice Walter M. Tapley, Jr., resides in Cumberland County and is the only Supreme Court Justice residing in Cumberland County. Justice Marden resides in Kennebec County; retired Justice Abraham M. Rudman resides in Penobscot County; Justice Armand Dufresne, Jr. resides in Androscoggin County, and Justice Weatherbee resides in Penobscot County.

Now these Justices in these various counties are all provided chambers, they're all provided law libraries, and they're all provided the needs of their court, so that after that court ceases to sit as a law court in Portland and in Kennebec County these respective Justices go back to their chambers in their various counties and perform their duties.

Now I agree with my good friend—my dear friend from Kittery—in his statement the other day, and I read from our periodical which was recently issued as to our activities on May the 23rd. In quoting from that as it is reported, I quote: "Now I am somewhat again appalled today at the fact that you were told that the Supreme Court, I believe, meets—I don't know what the fig-

ure was—nine days, and because they meet nine days you certainly shouldn't pay them any \$200 a month. I think the Justices of the Supreme Court gets something like \$21,000 a year." My friend is right and if they only meet fourteen days in the course of a year I think there is something radically wrong, but I'm persuaded that such is not the case. I believe that Justices of the Supreme Court perform a great and valued service to the State of Maine, and they perform this service 365 days in the year, and in this I concur with my good friend. However, outside of the fourteen days, they perform those services in their respective chambers in their respective counties. Therefore, I say to you that right is right, and the opposite is not right, and I would say that this is a give-away program pure and simple, but I'm afraid I can't use that often used term—I can use the simple part of it, but I'm afraid I can't use the pure.

I hope you folks understand the situation; I hope you folks know that all of the counties support from county funds their respective court houses and I see no reason why one county should be singled out to get \$2,400 a year for fourteen sessions as an average. Therefore, I hope you will go along with me and oppose by your vote the motion of my good friend from Kittery, and when the vote is taken I ask for a roll call.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: If you will recall when the gentleman from Bangor, Mr. Quinn, began his remarks he seemed to be surprised that someone could change their mind. Now, the gentleman from Kittery, Mr. Dennett, has changed his mind—I suggest to you that that is a mark of greatness when someone can admit that they made a mistake. Mr. Dennett from Kittery has been willing to recognize the error of his ways, and of course, as a person from Cumberland County I am delighted to have him do so.

The gentleman from Bangor, Mr. Quinn, makes a very interesting

presentation, but it ignores two basic facts. First of all the courthouse in Cumberland has a room which is about half the size of this room or perhaps even larger; a beautiful courtroom that is designed for an Appellate Court, designed for six Justices of the Supreme Judicial Court of this state. They have extensive chambers in the rear of this area where they hold their meetings and discuss cases. It is for this reason, because there is a separate courtroom and the separate facilities, that the County of Cumberland asks you for the magnanimous gesture of allowing them \$200 to maintain this courtroom. They've paid all the maintenance costs over the years, including redecoration from time to time and so forth, and I frankly see nothing so insidious about granting to this County a helping hand in maintaining this courtroom. The courtroom here in Augusta is completely unsuitable for law courts sitting. The judges are all crammed in behind one bench, and it's not at all the sort of operation that you have in Portland. Now, the Cumberland County effort to provide a reasonable setting for the performance of the State's legal business I think deserves the support of the membership of this House. I urge you to go along with the gentleman from Kittery in receding and concurring with the Senate. Thank you.

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

Mr. HEWES: Mr. Speaker and Members of the House, I'd like to add one more point in supporting Mr. Richardson's and Mr. Dennett's remarks.

Cumberland County within a year or two has refinished the interior of the courtroom; they have a lovely plush rug now, and I think it's a very fitting room, a credit to the State of Maine that our Supreme Court does sit there five terms a year.

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

Mr. HINDS: Mr. Speaker and Members of the House: I promise to be brief. I just called, while

the debate was going on, I just called the Clerk, Charles Rodway of the Supreme Court, and I asked him how many days a week that the local Justice used the court. He said approximately three days a week it's used by the local Justice. I also asked him about Supreme Court messengers, and whether our Supreme Court Messenger, or rather I should say, if all the other Supreme Court Judges have a Supreme Court messenger. He stated to me that Cumberland County's Supreme Court Messenger is set up by statute, and is the only messenger in the State for the Supreme Court set up by statute. He receives his pay of \$3,000 a year from the County of Cumberland, but he works for all the judges — as a matter of fact this morning he is traveling to Auburn and to Augusta to work delivering briefs and so forth to the judges in this area. However, he is paid totally by the County of Cumberland.

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

Mr. QUINN: Mr. Speaker and Members of the House: What the gentleman just told you bears out what I told you, that this courtroom is used by others than the Supreme Judicial Court, and is used quite consistently and has through the years, and has been maintained and paid for by the County, just like all of the other courts.

In Penobscot County we have three Justices who hold our resident courtroom and that courtroom has just been entirely renewed and at the expense of the County.

Now, as to expense to the law court, I want to refer you to Title IV, Section 54, under Judiciary in our current Maine Statutes, which provides, "The Chief Justice, or in his absence the Senior Justice present, shall allow the county in which any law term is held such expense as may be incurred on account of such law term which shall be paid by the State."

Now if the Chief Justice of the Supreme Judicial Court feels that there is an expense of that law court that should be paid out of

Judiciary funds, he has the right to approve it.

I hope you now understand the facts, and will go along with my motion to overrule the motion of the gentleman from Kittery.

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

Mr. SULLIVAN: Mr. Speaker and Members of the House: I have to go along on balance with one of my chief tutors, Representative Dennett from Kittery. Thank you.

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

Mr. GILL: Mr. Speaker and Members of the House: I wish to clarify a point—evidently the gentleman from Bangor, Mr. Quinn, was not able to hear the fine comments made by the gentleman from South Portland, Mr. Hinds. When he referred to this courtroom being used by the Justice, he was referring to the Supreme Judicial Court Justice, at which time Mr. Quinn leaped to his feet, and said — Mr. Hinds is pointing out the fact that this is used by people other than the Supreme Judicial Justice, and what Mr. Hinds said was this is used by the Justice, this is your Supreme Judicial Justice, Justice Walter M. Tapley who uses this courtroom three days a week, and in the interests of clarification which Mr. Quinn seems so keen to have clarified, I just wanted to make this comment and I do hope that he understands this is used by the Supreme Judicial Court Justice, Justice Walter M. Tapley, three days a week.

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

Mr. BRENNAN: Mr. Speaker and Members of the House: I would simply like to state that the operation of the State Supreme Court is a state function and not a county function. Consequently, the state should bear some of the expense for this function. I urge you to support the motion of the gentleman from Kittery, Mr. Dennett.

Mr. Quinn of Bangor was granted permission to speak a third time.

Mr. QUINN: Mr. Speaker and

Members of the House: The county courtrooms which we are talking about are maintained by the counties. The Justices who preside in them are state officials and receive state salaries.

The SPEAKER: Is the House ready for the question? The pending question is the motion of the gentleman from Kittery, Mr. Dennett, that the House recede from its former action and concur with the Senate. A roll call has been requested. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All of those desiring a roll call will vote yes, those opposed will vote no, and the Chair opens the vote.

A vote of the House was taken, and more than one fifth of the members present having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question is the motion of the gentleman from Kittery, Mr. Dennett, that the House recede from its former action and concur with the Senate. All in favor will vote yes, those opposed will vote no, and the Chair opens the vote.

ROLL CALL

YEA — Baker, R. E.; Bedard, Belanger, Benson, Birt, Boudreau, Bragdon, Brennan, Bunker, Burnham, Carswell, Clark, Conley, Cottrell, Crockett, Dennett, Dickinson, Drigotas, Farrington, Fraser, Gill, Hall, Hanson, B. B.; Harnois, Harriman, Hawes, Healy, Hewes, Hinds, Kilroy, Levesque, Maddox, Martin, Miliano, Mosher, Nadeau, N. L.; Philbrook, Pike, Prince, Rackliff, Richardson, G. A.; Richardson, H. L.; Rideout, Ross, Sawyer, Scott, C. F.; Scott, G. W.; Scribner, Shute, Sullivan, Trask, Wheeler, White.

NAY — Allen, Berman, Bernard, Binnette, Bourgoin, Brown, Buck, Carey, Carrier, Champagne, Cookson, Cornell, Cote, C r o m m e t t, Crosby, Curran, Cushing, Darey, Dudley, Dunn, Edwards, Eustis, Evans, Ewer, Fecteau, Fortier, Foster, Gaudreau, Gauthier, Giroux, Hanson, H. L.; Hanson, P. K.; Haynes, Henley, Hichens, Hodgkins, Hoover, Huber, Humphrey, Hunter, Immonen, Jalbert, Keyte,

Lebel, Lewin, Lewis, Lincoln, Littlefield, Lycette, McMann, McNally, Meisner, Minkowsky, Nadeau, J. F. R.; Porter, Quimby, Quinn, Robertson, Robinson, Rocheleau, Sahagian, Shaw, Snow, P. J.; Soulas, Starbird, Susi, Thompson, Truman, Waltz, Watts, Wight, Williams, Wood.

ABSENT — Baker, E. B.; Bellevau, Bradstreet, Carroll, Couture, D'Alfonso, Danton, Drummond, Durgin, Fuller, Harvey, Hennessey, Jameson, Jannelle, Jewell, Kyes, Lowery, Noyes, Payson, Pendergast, Roy, Snowe, P.; Tanguay, Townsend.

Yes, 53; No, 73; Absent 24.

The SPEAKER: Fifty-three having voted in the affirmative and seventy-three having voted in the negative, the motion to recede and concur does not prevail.

Thereupon, the House voted to adhere.

Non-Concurrent Matter

An Act relating to Form and Arrangement of Ballots in General Elections (H. P. 216) (L. D. 306) which was passed to be enacted in the House on May 18 and passed to be engrossed on May 11.

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

In the House:

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

Mr. ROSS: Mr. Speaker and Members of the House: I move that we recede from our former action and concur with the Senate, and would speak briefly to my motion.

The SPEAKER: The pending question now is on the motion of the gentleman from Bath, Mr. Ross, that the House recede from its former action and concur with the Senate. The gentleman may proceed.

Mr. ROSS: The other day on another issue I mentioned that I had faith in the electorate of the State of Maine. However, I felt that there were certain things that were very technical and fraught with complications, and I was afraid that our people might get

misled. I had definite fears that the power issue, for instance, fell into this category, but this is entirely different. It is a simple, straightforward issue, to modernize the general election ballot.

The other day our Governor came before us and he told us that we should have modern tools for modern times, and on various suggested reforms he reiterated time and again that he had confidence in the judgment of the people of the State of Maine. Now this amendment before us today does two things. First of all, in the second paragraph labeled "C" the original said that the instructions should be printed in bold type under both columns above the Party name. Well—that was a mistake of the Director of Legislative Research, and this changes it to read at the top of the ballot, because there are no longer two columns.

Now I realized that this was a mistake, but I didn't want to complicate it — I thought if the bill did become law we could change this particular item in the Omnibus Bill. But, after our Governor's speech when it appeared that the purpose — the second purpose of this amendment was warranted, and I refer of course to the referendum clause, I thought that it gave us a chance to straighten both of these out at the same time to give the Governor a chance to sign a modern, sound and correct piece of legislation.

We have been using our present ballot since 1891. At that time it was experimental, because it was the first printed ballot ever used in the State of Maine. Surely a change is now warranted if we are to keep moving progressively. This is not an idea that has been rehashed time and time again; this is the first time that this particular bill has ever been before us, and if we are to be modern and up to date, I surely believe that the bill deserves passage as amended.

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

Mr. LEVESQUE: Mr. Speaker and Members of the House: This morning you have just heard the gentleman from Bath, Mr. Ross,

expressing his views towards governmental reform, and to have the proper tools of modern times. I fully recognize that this may be a proper tool for a modern time, but I fail to see where this is going to be a very progressive reform measure, where all the other governmental reforms that we've had since 1820 were just thrown by the wayside just a few short weeks ago.

Granted, we've had this type of ballot since 1891. We have also had the present form of Council since 1820. If we are going to be sincere in our proposition of having governmental reform, let us not throw the tractors away and the push-button switches, and go back to pull-chains and horses, because this is under the disguise of a reform of taking a prerogative and a privilege of the voter today of using the big square if they so desire.

Now Massachusetts has had this type of ballot for some time. Would we want to adopt the governmental reforms that Massachusetts has got? If so, let's be sincere about it and do like Massachusetts does, by having additional governmental reforms, but not to throw away the tractor and bring back the horses just for the sake of reform.

Now I might like to remind the Republicans in this House that since 1891, they've probably had two-thirds majority in both branches of the Legislature more than any other state in the country. Having sat on this two-thirds for more than fifty years, all of a sudden they're all for governmental reform.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: In support of the motion of the gentleman from Bath, Mr. Ross, I'd like to suggest to the membership of this House that we believe that this is a genuine reform — it is one that deserves passage, and if there is a true spirit of reform, a sincere spirit of reform in this House and the other branches of this government, then I would urge the House to go along with the motion to recede

and concur and allow the people of the State of Maine to decide whether or not they want the change in their ballot. This is precisely the recommendation that the Governor made to us some week and a half ago, and I see that is has been suggested in the Press that perhaps we lack the courage to embark on reforms. We don't and this is the reason we suggest this bill in its amended form, and when the vote is taken, Mr. Speaker, I request a roll call.

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

Mr. JALBERT: Mr. Speaker and Members of the House: When I heard the gentleman from Cumberland, Mr. Richardson, make comment that this would allow the people to decide, I really couldn't understand what I was hearing. I would now like to pose a question to the gentleman from Cumberland, Mr. Richardson. It is this — if I would vote for this measure with the amendment referring it back to the people, would he then if we revived the Constitutional Amendments that we did not pass, would he then vote for those bills that call for governmental reform? Because, to further substantiate my point, the other reforms, the Constitutional Amendments, the only way we can bring it to the people is by referendum. However, I reiterate my question — if I vote for this, can we revive the others and allow those to go to the people?

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, poses a question through the Chair to the gentleman from Cumberland, Mr. Richardson, who may answer if he chooses, and the Chair recognizes that gentleman.

Mr. RICHARDSON: Mr. Speaker and Members of the House: In response to the question of the gentleman from Lewiston. The price of passage of this legislation that's before us today, ballot reform, long overdue in this State, is apparently that we put a public referendum on it, because when the Governor vetoed a somewhat similar proposal — and I say somewhat advisedly because it is not entirely in mind, in the text

of his veto message he made much of the fact of the people's right to vote the big box if they wanted to.

Now we propose to attempt to meet the Governor's objection in this area and to give him a bill stripped of any technical or obstructionist objections. The other matters to which the gentleman refers, those of which are Constitutional Amendments, are matters on which our position is perfectly well known, both to Mr. Jalbert from Lewiston and every other member of this House. We take this action today in the hope that perhaps if the Governor's objection to the earlier bill was sincere, then today we will meet that portion of the objection and hopefully gain passage of this bill. Thank you.

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

Mr. JALBERT: Mr. Speaker and Members of the House: This allows me an opportunity, a rare opportunity, to once in a while go into a topic that I don't enter too often and that is the topic of politics.

I have not had my question answered. My question is this: If we vote for this bill allowing the people to vote on this bill, will he then help to revive the other bills which called for referendum and vote for them?

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, poses a further question through the Chair to the gentleman from Cumberland, Mr. Richardson, who may answer if he chooses.

Mr. RICHARDSON: Mr. Speaker and Members of the House: If I understand Mr. Jalbert's, the gentleman from Lewiston, question it is whether or not the Republican leadership would make some sort of a deal on some other bills in order to get this bill before the people of the State of Maine — and the answer is no!

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

Mr. JALBERT: Mr. Speaker and Members of the House: In other words, the spirit of compromise is no!

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

Mr. LEVESQUE: Mr. Speaker and Members of the House: I think probably this morning that the gentleman from Cumberland, Mr. Richardson, in his quote — "true spirit of reform" and again, quote — "long overdue," if this is the type of reform that is long overdue, what would be so wrong in recalling some of the other governmental reforms that are long overdue, in a true spirit of reform?

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

Mr. SULLIVAN: Mr. Speaker and Members of the House: Anyone that has any common sense knows that this is purely a political move on the part of the Majority Leader of this House.

In theory, what they want is fine, provided that the people, many people in both parties, if they knew what these various candidates in all offices stand for, that would be fine, but he knows and so does my other tutor, the gentleman from Bath, Representative Rodney Ross — he knows that probably 65 percent of the people who vote in both parties, they're just names to them. If they were informed and if they knew what each candidate on the ballot stood for, in theory that would be fine but they absolutely do not, and this is just a plain unadulterated political move on the part of those gentlemen who want to go along with this. That's been defeated in another form before, so let's not use so much of this political camouflage, and in my opinion, downright hypocrisy. Thank you.

The SPEAKER: Is the House ready for the question? The pending question is the motion of the gentleman from Bath, Mr. Ross, that the House recede and concur. A roll call has been requested. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All of those desiring a roll call will vote yes, those opposed will vote no, and the Chair opens the vote.

A vote of the House was taken, and more than one fifth of the members present having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question is the motion of the gentleman from Bath, Mr. Ross, that the House recede from its former action and concur with the Senate on item 12, House Paper 216, L. D. 306, An Act relating to Form and Arrangement of Ballots in General Elections. All those in favor of receding and concurring with the Senate will vote yes, those opposed will vote no, and the Chair opens the vote.

ROLL CALL

YEAS — Allen, Baker, R. E.; Belanger, Benson, Berman, Birt, Boudreau, Bragdon, Brown, Buck, Bunker, Clark, Cookson, Cornell, Crockett, Crosby, Cushing, Darey, Dennett, Dickinson, Drummond, Dunn, Edwards, Evans, Ewer, Farrington, Gill, Hall, Hanson, B. B.; Hanson, H. L.; Hanson, P. K.; Hawes, Haynes, Henley, Hewes, Hichens, Hinds, Hodgkins, Hoover, Huber, Humphrey, Immonen, Kyes, Lewin, Lewis, Lincoln, Littlefield, Lycette, Maddox, McMann, McNally, Meisner, Milano, Mosher, Pendergast, Philbrook, Pike, Porter, Prince, Quinn, Richardson, G. A.; Richardson, H. L.; Rideout, Robertson, Robinson, Ross, Sahagian, Scott, C. F.; Scott, G. W.; Shaw, Shute, Snow, P. J.; Susi, Thompson, Trask, Waltz, Watts, White, Wight, Williams, Wood.

NAYS—Bedard, Bernard, Binnette, Bourgoin, Brennan, Burnham, Carey, Carrier, Carroll, Carswell, Champagne, Conley, Cote, Cottrell, Crommett, Curran, Drigotas, Dudley, Eustis, Fecteau, Fortier, Fraser, Gaudreau, Gauthier, Giroux, Harnois, Healy, Hunter, Jalbert, Keyte, Kilroy, Lebel, Levesque, Martin, Minkowsky, Nadeau, J. F. R.; Nadeau, N. L.; Rackliff, Rocheleau, Sawyer, Scribner, Starbird, Sullivan, Truman, Wheeler.

ABSENT — Baker, E. B.; Beliveau, Bradstreet, Couture, D'Alfonso, Danton, Durgin, Foster, Fuller, Harriman, Harvey, Hennes-

sey, Jameson, Jannelle, Jewell, Lowery, Noyes, Payson, Quimby, Roy, Snowe, P.; Soulas Tanguay, Townsend.

Yes, 81; no, 45; Absent 24.

The SPEAKER: Eighty-one having voted in the affirmative and forty-five having voted in the negative, the motion to recede and concur does prevail.

Order Out of Order

On motion of Mr. Minkowsky of Lewiston, it was

ORDERED, that John Collins, Jean Soyckak, Cheryl Fecteau and Ricky Morin of Montello Elementary School in Lewiston be appointed to serve as Honorary Pages for today.

Non-Concurrent Matter

Bill "An Act relating to Membership on the Maine Milk Commission" (H. P. 339) (L. D. 487) which was indefinitely postponed in the House on May 16.

Came from the Senate passed to be engrossed in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Windham, Mr. Hall.

Mr. HALL: Mr. Speaker and Members of the House: I move that we adhere to our former action of May 16.

The SPEAKER: The gentleman from Windham, Mr. Hall, moves that the House adhere to our former action of May 16.

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

Mr. HANSON: Mr. Speaker and Members of the House: I don't want to belabor this subject; I spoke at some length the other day. I would hope very sincerely that the House did not go along with the motion to adhere. Several members of this House have taken the trouble to talk with the Maine Milk Commission members in regard to this and they do not have any objection. It would appear that very very few people in the state have any objection to this proposal. It doesn't do too much — about the main thing that it does do, it gives to the forty percent of

the dairymen in Maine shipping on the Boston market a representative on the Maine Milk Commission who would be able to present their viewpoint and their interest in regard to any proposals to change the laws or rules or regulations in the state.

I would like to reiterate the summary that I incorporated in my previous remarks. Now this proposal would not require any additional funds. The money is currently available and it is provided from a tax on milk from the Boston market which these Boston market producers ship. The two markets are becoming more and more interdependent. Many of the actions of the Maine Milk Commission adversely affect the Boston producer and the Maine market price is set by the Boston market price.

Certainly one member, representing the dairymen shipping to the Boston market, would not be able to control the Commission but he would be able to present the views and interests of those dairymen shipping to the Boston market for the Commission's consideration. Hopefully, being reasonable and fair-minded people they would at least consider the effect on the Boston producers of any rules or regulations they might promulgate. I believe we should at least allow these dairymen that right. And historically, in the more than thirty years of the Maine Milk Commission there has never been a member who was a Maine dairyman selling on the Boston market. Their needs and interests should be represented and I would point out that even the dairymen selling on the Maine market do not see in this measure any threat or cost to themselves.

Mr. Speaker, at this time I would like to make a motion to recede and concur with the Senate. Thank you.

The SPEAKER: The pending question now is on the motion of the gentleman from Solon, Mr. Hanson, that the House recede from its former action and concur with the Senate.

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

Mr. EVANS: Mr. Speaker and

Members of the House: On this question of a member on the Commission, I talked with Commissioner Dolloff and he says there is no reason why the Governor cannot appoint a Boston shipper any time there is a vacancy on the Milk Commission. Now this hasn't been done back along because it hasn't been felt that it was necessary; but when there is a vacancy, if the Governor feels that they need one he has the perfect right and it is his prerogative to appoint one. So I do not believe that we need this bill at all, and when we first heard it I thought perhaps we did. But I checked and talked with a great many of the Boston shippers as well as the Maine shippers and they were not in favor of adding to this Commission.

So when the vote is taken I ask for a division and I hope you vote against this motion.

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

Mr. GILL: Mr. Speaker, I would like to ask a question. I do not recall what the Committee report, from the Agricultural Committee, was on this bill.

The SPEAKER: The gentleman from South Portland, Mr. Gill, poses a question through the Chair to anyone who may answer if they choose, and the Chair recognizes the gentleman from Solon, Mr. Hanson.

Mr. HANSON: Mr. Speaker, I would be very happy to inform the gentleman that this was a unanimous "ought to pass" report, and in rebuttal to Representative Evans, the statement that the Governor can see fit to appoint a dairyman shipping on the Boston market — this is true, this was included in my presentation before the Committee, there is nothing currently in the present law which would prohibit this. Politically, however, this is never done; it hasn't been done for over thirty years, and the feeling, the thinking of the Boston producers whom I am concerned about is that there are currently two producer members on the Milk Commission. The interests of the Boston producer do not, in all sincerity, they do not merit fifty percent representation.

If one of their number were appointed they would actually have an equal representation with the producers for the Maine market.

We did not feel that this would be fair and equitable to the Maine producers. The addition of a third producer member shipping to the Boston market would give them thirty-three and one-third percent representation. It would not be a majority, it would simply give them an opportunity to express their viewpoints, and they would also know what was going on—they would know just what rules and regulations were being considered and how they might affect them.

I would sincerely hope that the House will go along with my motion to recede and concur. Thank you.

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

Mr. EVANS: Mr. Speaker and Members of the House: I know the majority "ought to pass" was unanimous out of the Committee but after further study, myself and some of the other members of the Committee have come to the conclusion that we made a mistake in reporting this out unanimously "ought to pass." That is why at this date we are opposing the passage of this bill. We had other bills before us at the time and we did not have time to make inquiry, and since then I have and we find that here is a lot of shippers that are not in favor of this bill, even to the Boston market.

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

Mr. LITTLEFIELD: Mr. Speaker and Members of the House: It is my understanding that the dairymen in my district are satisfied with the Milk Commission as it is. Therefore, I shall have to oppose the motion to recede and concur.

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

Mr. GILL: Mr. Speaker and Members of the House: I rise to speak upon an issue that I am not closely related to — I do upon occasion drink some milk. How-

ever, we are faced with a unanimous "ought to pass" report. I understand from the gentleman from Freedom that some of the members have changed their minds. Of course, and this is right, I do not question it. But in dealing with all these boards and commissions that we have got in the State of Maine, I feel that all segments of the population should be represented. It is true that the Governor can and may appoint a Boston producer to this Commission. However, we are all aware that when an appointment comes up there are certain pressures brought upon the appointing executive, and in the past the history would show that his group is not apt to receive any type of representation.

I understand the cost to the Board is not too much, and I think this is one way to unify the Milk industry of the State of Maine by letting them be informed of what is going on with the Maine Milk Commission. Our Maine Milk Commission, I believe it does a good job. I believe it could do a better job of keeping all people informed, including the public. I believe this is a step in the right direction in doing this, and I would like to concur with the motion to recede and concur.

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

Mr. COOKSON: Mr. Speaker and Members of the House: I think we all realize the plight of the dairy farmer today, especially these farmers who do ship on the Boston market. And I think too that we should realize the tremendous boost they give to the economy of the state. I think by adding this member to the Maine Milk Control Committee — or whatever it is, is the least that we can do to help these people out. I see no reason why they shouldn't have at least this consideration from us, and I would like at this time to concur with the gentleman from Solon, Mr. Hanson, and hope that we do recede and concur with the Senate on this.

The SPEAKER: The Chair recognizes the gentleman from Gorham, Mr. Mosher.

Mr. MOSHER: Mr. Speaker and Members of the House: I signed this bill "Ought to pass" for the simple reason that had the "pool" bill passed we would need this man on the Commission. You know what happened to the "pool" bill and as far as I can see there is no need of this one being added. If you add this one, you are going to add one from the distributor and one from the consumer, which will make three more. If it would be any benefit to the Boston shipper, I would gladly have him on there; but I don't see as it would be any value to him whatever.

The SPEAKER: The Chair recognizes the gentleman from Union, Mr. Hawes.

Mr. HAWES: Mr. Speaker and Members of the House: I think you all know my feelings on this, my position as far as the Milk producer goes. I am opposed to this bill and I am going to ask you to join me in voting against it, the reconsideration motion, and then join me in becoming the black sheep of the Boston producer.

The SPEAKER: The Chair recognizes the gentleman from Pittsfield, Mr. Susi.

Mr. SUSI: Mr. Speaker and Members of the House: I have watched this with a lot of interest as all the rest of you have, and it is an obvious thing I believe that Boston producers make up the minority. They are the milk producers in the state who are hurting. They have asked through several measures here for relief. It is politically expedient to support the position of the Maine milk producers and deny the Boston producers because the Maine milk producers outnumber the Boston producers and in a democracy their vote would carry the most weight.

But in the name of fairness I believe that what is being offered by this bill is just as right as can be and it would be misserving justice if we deny the right of a single member representing the Boston producers on the Commission.

Mr. Evans of Freedom was granted permission to speak a third time.

Mr. EVANS: Mr. Speaker and Members of the House: In question of fairness it has been brought up by Representative Susi, this House voted down the Milk Pool Bill, and if I am not mistaken one of the papers of the state came out last Sunday and it stated in here that they were going to petition for a Federal order so as actually to ruin the Maine market for the Maine shippers. And speaking of fairness, would you judge that was a fair thing to do because the majority voted against you?

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

MR. BELANGER: Mr. Speaker and Members of the House: I rise in favor of the motion of the Representative from Solon, Mr. Hanson, due to the fact that I represent a section in which I find a lot of Boston shippers. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Sidney, Mr. Drummond.

MR. DRUMMOND: Mr. Speaker and Members of the House: I don't think I intended to speak on this amendment. I am sure that there is one point that is quite important that hasn't been brought before the House this morning. I am very sure that the purpose of the Milk Commission is to establish prices at the wholesale, retail and producer level in the State of Maine. It has nothing whatsoever to do with the pricing structure on the Boston market and I think it couldn't possibly have. So I can see no benefit for a Boston producer trying to help establish the price of the milk on the Maine market. Thank you.

Mr. Hanson of Solon was granted permission to speak a third time.

Mr. HANSON: Mr. Speaker and Members of the House: I do feel that the comments of the last gentleman from Sidney, Representative Drummond, should be commented upon. Granted, they establish the price for the Maine market—which incidentally is derived from the Boston market price, but there are many many other activities of the Maine market which directly influence the Boston market and the Boston

market price. It is an economic fact that the Maine market currently depresses the Boston market price approximately six cents a hundredweight. This is through the medium of dumping this surplus milk on the Boston market at a blend price. This is one of the things that really hurts the Boston producer.

Another thing that has happened, at least three times in the last year and a half, is that this introduction of surplus Maine milk onto the Boston market at a blend price has been enough to cancel out a price increase of twenty-two cents a hundredweight to the Boston market producers under this supply-demand factor adjustment of the Boston market. In one instance it was as low as .001, a very very small amount. Had it been .001 less milk in the market the Boston producers would have gotten a twenty-two cent hundredweight increase and this would have been for a three month period, it would have amounted to \$120,000 for the dairy farmers in Maine shipping on the Maine market.

There is a definite need — I would be the first to concede that there is not a great deal they can do, but they could listen, they would know what was going on, and they would be able to present the Boston market viewpoints and interests, and I think this is something that our Country is traditional in, that everybody — even the minority — and I'll grant you the Boston market producers are down, they're really down. They dropped from 1705 producers in 1960 down to less than 671 currently. And I grant you, it's a good feeling to get somebody down and then to start kicking them and jumping on them and trumping on them, and maybe you can finish them off. But I don't think we here in America traditionally do this sort of thing. I think we should give these Boston producers a break and give them a fair chance. I thank you.

The SPEAKER: The pending question is on the motion of the gentleman from Solon, Mr. Hanson, that the House recede from its former action and concur with the

Senate on Bill "An Act relating to Membership on the Maine Milk Commission," House Paper 339, L. D. 487. All those in favor of receding and concurring will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

59 having voted in the affirmative and 56 having voted in the negative, the motion to recede and concur did prevail.

Non-Concurrent Matter

Bill "An Act Clarifying Compensation for Occupational Disease under Workmen's Compensation Act" (H. P. 650) (L. D. 903) which was passed to be engrossed as amended by House Amendment "A" in the House on May 9.

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

In the House; On motion of Mr. Conley of Portland, the House voted to recede and concur with the Senate.

Non-Concurrent Matter Tabled Later in Today's Session

Bill "An Act Providing for Action in Aid to Dependent Children Cases Involving Fraud" (H. P. 672) (L. D. 944) which was passed to be engrossed without Amendment in non-concurrence in the House on May 23.

Came from the Senate with that body voting to insist on its former action whereby the Bill was passed to be engrossed as amended by Committee Amendment "A", and asking for a Committee of Conference.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Woolwich, Mr. Harvey.

Mr. HARVEY: Mr. Speaker, in the absence of Mr. Hennessey I would table this until later on in today's session.

Thereupon, on motion of Mr. Benson of Southwest Harbor, tabled until later in today's session.

Non-Concurrent Matter

Bill "An Act Providing for a Council-Manager Form of Government for Town of Skowhegan" (H. P. 800) (L. D. 1209) which was passed to be engrossed as amended by Committee Amendment "A" in the House on May 22.

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

In the House: On motion of Mr. Richardson of Stonington, the House voted to recede and concur with the Senate.

Non-Concurrent Matter

Bill "An Act Revising the Credit Union Law" (H. P. 963) (L. D. 1406) which was passed to be engrossed as amended by Committee Amendment "A" in the House on May 23.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

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

Mr. ROBERTSON: Mr. Speaker, I would move that we insist and request a Committee of Conference.

The SPEAKER: The pending question is on the motion of the gentleman from Brewer, Mr. Robertson, that the House insist on its former action and ask for a Committee of Conference.

Mr. Scott of Wilton then moved that the House recede from its former action and concur with the Senate.

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

Mr. ROBERTSON: Mr. Speaker and Ladies and Gentlemen of the House: I have had the supreme pleasure and opportunity to debate this bill twice in the House. Twice the members of the House have given me a very good majority vote on this particular issue. I feel that it has merit. I am not going to argue this bill this morning. I can stand here and debate a half an hour with anyone, but I don't desire to, and procrastinate the

session here this morning. It is my sincere hope that I can work something out. I have talked with members of the other body who voted against this measure. I understand their thinking. I have a feeling that we can work something out and amend this particular bill to the point where it will be acceptable to everyone. It is my desire to do that sort of thing.

And so that is the very reason that I made the motion this morning. I realize the motion of the gentleman from Wilton, Mr. Scott takes precedence. So I would ask that you folks defeat this motion in order that I may have a Committee of Conference to attempt to resurrect this bill and make it a measure that will be acceptable to everyone, and I would ask for a vote by yeas and nays on this issue. Thank you.

The SPEAKER: The pending question is on the motion of the gentleman from Wilton, Mr. Scott, that the House recede from its former action and concur with the Senate in the indefinite postponement of this Bill. 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 and voting. All of those desiring a roll call will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken, and more than one fifth of the members present having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question is on the motion of the gentleman from Wilton, Mr. Scott, that the House recede from its former action and concur with the Senate. All those in favor of receding and concurring will vote yes; those opposed will vote no. The Chair opens the vote.

ROLL CALL

YEAS—Baker, R. E.; Benson, Birt, Bragdon, Brown, Buck, Bunker, Carswell, Clark, Cookson, Cornell, Crosby, Dennett, Dickinson, Drummond, Dudley, Dunn, Edwards, Farrington, Gill, Hanson, B. B.; Harriman, Healy, Hewes, Hodgkins, Huber, Humphrey,

Keyte, Kilroy, Lewis, Lincoln, Maddox, McMann, Nadeau, N. L.; Philbrook, Porter, Rackliff, Richardson, G. A.; Richardson, H. L.; Sahagian, Scott, C. F.; Scott, G. W.; Snow, P. J.; Susi, Thompson, Trask, Truman, Waltz, White, Wight, Wood.

NAYS—Allen, Belanger, Berman, Bernard, Binnette, Boudreau, Bourgoin, Brennan, Burnham, Carrey, Carrier, Champagne, Conley, Cote, Cottrell, Crockett, Crommett, Curran, Cushing, D'Alfonso, Darcy, Drigotas, Eustis, Evans, Ewer, Fecteau, Fortier, Fraser, Gaudreau, Gauthier, Giroux, Hall, Hanson, H. L.; Hanson, P. K.; Harnois, Harvey, Hawes, Hichens, Hoover, Hunter, Immonen, Jalbert, Kyes, Lebel, Levesque, Lewin, Littlefield, Lowery, Lycette, Martin, McNally, Miliano, Mosher, Nadeau, J. F. R.; Pike, Prince, Quimby, Quinn, Rideout, Robertson, Robinson, Rocheleau, Ross, Sawyer, Scribner, Shaw, Shute, Soulas, Starbird, Sullivan, Tanguay, Watts, Wheeler, Williams.

ABSENT—Baker, E. B.; Bedard, Beliveau, Bradstreet, Carroll, Couture, Danton, Durgin, Foster, Fuller, Haynes, Henley, Hennessey, Hinds, Jameson, Jannelle, Jewell, Meisner, Minkowsky, Noyes, Payson, Pendergast, Roy, Snowe, P.; Townsend.

Yes, 51; No, 74; Absent, 25.

The **SPEAKER**: Fifty-one having voted in the affirmative and seventy-four in the negative, the motion to recede and concur does not prevail.

Thereupon, the House voted to insist and ask for a Committee on Conference.

Non-Concurrent Matter

Bill "An Act relating to Disposition of Tax on Transient Rentals under Sales Tax Law" (H. P. 1110) (L. D. 1577) which was passed to be engrossed in the House on April 14.

Came from the Senate indefinitely postponed in non-concurrence.

In the House: On motion of Mr. Hanson of Gardiner, the House voted to insist and ask for a Committee of Conference.

Orders

Mr. Hawes of Union was granted unanimous consent to address the House.

MR. HAWES: Mr. Speaker and Members of the House: I would like to take this occasion to inform the members of the House of a birthday today and hope you will go along with me in wishing a very happy birthday to the gentlewoman from Portland, Mrs. Boudreau.

(Applause)

House Reports of Committees Leave to Withdraw Covered by Other Legislation

Mr. Farrington from the Committee on Towns and Counties on Bill "An Act Increasing Salaries of County Commissioners, Treasurer and Sheriff of Kennebec County" (H. P. 646) (L. D. 901) reported Leave to Withdraw, as covered by other legislation.

Mr. Meisner from same Committee reported same on Bill "An Act Increasing Salary of Deputy Clerk of Courts of Cumberland County" (H. P. 295) (L. D. 415)

Same gentleman from same Committee reported same on Bill "An Act Increasing Salaries of Clerk of Courts and Deputy Clerk of Courts, Kennebec County" (H. P. 556) (L. D. 788)

Same gentleman from same Committee reported same on Bill "An Act Increasing Salaries of Certain County Officials of Cumberland County" (H. P. 558) (L. D. 790)

Mr. Robertson from same Committee reported same on Bill "An Act Increasing Salary of Clerk of Courts of Cumberland County" (H. P. 296) (L. D. 416)

Mr. Snowe from same Committee reported same on Bill "An Act Increasing Salary of Superior Court Messenger of Cumberland County" (H. P. 333) (L. D. 467)

Same gentleman from same Committee reported same on Bill "An Act Increasing Salary of Judge of Probate of Kennebec County" (H. P. 391) (L. D. 538)

Reports were read and accepted and sent up for concurrence.

**Ought Not to Pass
Covered by Other Legislation
Tabled and Assigned**

Mr. Shaw from the Committee on Legal Affairs on Bill "An Act to Provide for Electing the Civil Service Commission for the Fire Department of City of Biddeford" (H. P. 613) (L. D. 855) reported "Ought not to pass," as covered by other legislation.

Report was read.

(On motion of Mr. Truman of Biddeford, tabled pending acceptance of Report and specially assigned for Wednesday, May 31.)

**Divided Report
Tabled and Assigned**

Majority Report of the Committee on Legal Affairs reporting "Ought not to pass" on Bill "An Act relating to Clothing Allowance for Employees of Public Works Department of Lewiston" (H. P. 293) (L. D. 413) which was re-committed.

Report was signed by the following members:

Mr. GOOD of Cumberland
Mrs. SPROUL of Lincoln
— of the Senate.
Mrs. BAKER of Orrington
Messrs. SHAW of Chelsea
CONLEY of Portland
BELIVEAU of Rumford
RICHARDSON
of Stonington
CUSHING of Bucksport
— of the House.

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

Report was signed by the following members:

Mr. STERN of Penobscot
— of the Senate.
Mrs. WHEELER of Portland
— of the House.

Reports were read.

(On motion of Mr. Gaudreau of Lewiston, tabled pending acceptance of either Report and specially assigned for Wednesday, May 31.)

Passed to Be Engrossed

Bill "An Act relating to Coverage under Employment Security Law" (S. P. 456) (L. D. 1133)

Bill "An Act relating to Cost of Living Adjustments for Retired

Employees of the City of Lewiston and Their Beneficiaries" (S. P. 565) (L. D. 1435)

Bill "An Act relating to Pensions for Members of the Lewiston Police Department, Lewiston Fire Department and Their Beneficiaries" (S. P. 566) (L. D. 1436)

Bill "An Act Appropriating Funds for Time and a Half Overtime Payment for State Employees" (H. P. 51) (L. D. 76)

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

**Third Readers
Tabled and Assigned**

Bill "An Act to Make Allocations from the General Highway Fund for the Fiscal Years Ending June 30, 1968 and June 30, 1969" (H. P. 1173) (L. D. 1672)

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

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

Bill "An Act Revising the Drug, Narcotic and Pharmacy Laws" (H. P. 1176) (L. D. 1674)

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

(On motion of Mr. Gill of South Portland, tabled pending passage to be engrossed and specially assigned for tomorrow.)

Bill "An Act Revising the Laws Relating to Physical Therapists" (H. P. 1177) (L. D. 1675)

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

Amended Bills

Bill "An Act relating to Pecuniary Injuries in Actions for Injuries Causing Death of a Minor" (S. P. 504) (L. D. 1219)

Bill "An Act Increasing Indebtedness of Baileyville School District" (H. P. 1142) (L. D. 1628)

Were reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed as amended by Committee

Amendment "A" and sent to the Senate.

Bill "An Act relating to Interest on Judgments" (H. P. 642) (L. D. 1647)

Was reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed in non-concurrence and sent up for concurrence.

Passed to Be Enacted

An Act relating to Application of State Aid for School Construction (S. P. 13) (L. D. 29)

An Act relating to Municipal Financing of Industrial and Recreational Projects (S. P. 193) (L. D. 545)

An Act Concerning Duty of Reasonable Care to Social Invitee (S. P. 432) (L. D. 1086)

An Act relating to Protecting Source of Public Water Supply (S. P. 435) (L. D. 1154)

An Act Establishing the Maine Medical Laboratory Act (S. P. 475) (L. D. 1208)

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 to Regulate the Alteration of Wetlands (S. P. 612) (L. D. 1597)

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

(On motion of Mr. Cookson of Glenburn, tabled pending passage to be enacted and specially assigned for Wednesday, May 31.)

An Act Creating the Pest Control Compact (S. P. 630) (L. D. 1631)

An Act relating to Reimbursing Municipalities by State for Property Tax Exemptions of Veterans (S. P. 653) (L. D. 1661)

An Act to Classify the Waters of First Pond (Billings Pond) in Blue Hill, Hancock County (H. P. 638) (L. D. 894)

An Act relating to Enactment of Municipal Zoning (H. P. 853) (L. D. 1386)

An Act relating to the Protection of Trade Secrets (H. P. 943) (L. D. 1375)

An Act to Expand the Territory of the York Water District and to Modernize Its Charter (H. P. 1136) (L. D. 1618)

An Act Concerning the Practice of Public Accountancy (H. P. 1153) (L. D. 1649)

Finally Passed

Resolve Reimbursing Certain Municipalities for the Control of Dutch Elm Disease (S. P. 627) (L. D. 1629)

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.

Order Out of Order

On motion of Mr. Carey of Waterville, it was

ORDERED, the Senate concurring, that Bill "An Act Providing for a New Charter for the City of Waterville" (H. P. 945) (L. D. 1385) be recalled from the Engrossing Department to the Senate. (H. P. 1180)

Orders of the Day

The Chair laid before the House the first item of Unfinished Business:

An Act to Appropriate Funds and Provide Staff for Alcoholism Services (S. P. 9) (L. D. 15)

Tabled — May 23, by Mr. Littlefield of Hampden.

Pending — Passage to be enacted.

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

Mr. LITTLEFIELD: Mr. Speaker, Ladies and Gentlemen of the House: This L. D. 15, "An Act to Appropriate Funds and Provide Staff for Alcoholism" was tabled for one day. Why is it an emergency I don't know. It proposes to take \$102,546 from the General Fund and give it to the Department of Health and Welfare, Division of Alcoholism Services. Why take it from the General Fund? When a well is made unfit for use by road construction, the damage is paid out of Highway funds. When a person is sick from al-

cohol, the repairs should come from the liquor revenue funds.

Now, \$102,000 looks like quite a sum of money to me and I wondered how it would be spent. Turning to page 52 in the so-called "snoop book" and looking at the list of employees listed under Social Welfare and Public Assistance of the Health and Welfare Department I counted 156 social workers. This does not include any of the social workers in the Child Welfare and other departments. It would seem to me that some of them could help an alcoholic.

Ladies and gentlemen, if anyone in this House has sympathy for alcoholics, I do. I consented to be guardian for one who had helped me when I was a young man and I would not see him become a pauper. Two days after I had signed the guardian papers I received three good law suits.

Many of the Appropriation bills need more examination, this one for an Alcoholic staff included. If there was some way to get this \$102,000 to the Alcoholics Anonymous, where we know an alcoholic can really get sympathy and help, I would be the first to spend it; but I question what can be accomplished adding social workers to the Health and Welfare Department.

I believe this bill is an emergency enactor. Why? I don't know. I do know how I shall vote on the bill, and I request a division.

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

Mr. LYCETTE: Mr. Speaker and Members of the House: Having come in contact with hundreds of people who by design or uncontrolled impulse drink to excess, I feel that I am almost an expert on alcoholism. At least, may I say that I am quite cognizant of its impact on the victim, his associates and his family. Perhaps I am presumptuous but I do not agree that all alcoholics are victims of a pathological disease. I have known many many people who planned on getting intoxicated despite the fact that

they had no liquor for as long as eleven months.

If L. D. 15 is implemented it would grant the Department of Welfare over one hundred thousand additional dollars for so-called alcoholism services. A couple of days ago one of our Legislators read an editorial and I quote an excerpt therefrom, "Think of it, we now need double the amount of state employees to take care of the same amount of citizens and obviously spend three times as much money as they needed before."

Theoretically, I go along with this premise. I feel that in some instances State departments have proliferated unnecessarily. I do not know whether this is true in the case of the Welfare Department, but I do know that I do not like the way they countenance the practices of some of the Welfare recipients.

In terms of our state budget, I suppose the amount requested to implement this bill is comparatively small but, ladies and gentlemen, it is over one tenth of a million dollars. Apparently all of our leaders are burning lots of night oil figuring how to finance the costs of even current services. In fact, it is obvious to me that if we do not want to adopt a last-minute, ill-advised tax program, we will be here until August. As a taxpayer I don't think I should donate part of my taxes to keep people sober, and I move that this bill and its accompanying papers be indefinitely postponed.

The SPEAKER: The gentleman from Houlton, Mr. Lycette, now moves that item one under Unfinished Business, L. D. 15, be indefinitely postponed.

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

Mr. SULLIVAN: Mr. Speaker and Members of the House: If they want to help the people who drink to excess, that is fine, I am for that 100%. The organization that has done the most for people who drink too much and spend their money, many times, for liquor, that they ought to be devoting to their families, should have them go to Alcoholics Anony-

mous. Alcoholics Anonymous has taken hundreds of them over the years and corrected their bad habits. So there is no need of appropriating money under this bill. That is a big joke. If you want a little bit more information—I don't want to take too much time—you go to people who are familiar with what Alcoholics Anonymous has done. One of the ones who is well posted on that is Representative Conley from Portland, who has been doing for years a wonderful job along that line. I thank you.

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

Mr. BIRT: Mr. Speaker and Members of the House: This L. D. came before the Appropriations Committee, and at that time there was a relatively good hearing on this, as there have been on many other bills. I feel that we should make some comments as to what was discussed at that time at that hearing.

To answer one comment which was made on the floor as to why this money should not be taken from the receipts of the liquor fund, I would point out that all of the liquor moneys, or receipts from the sale of liquor, do go into the general fund, so there would be only one method of paying for this bill, which would be to take the cost of it from the general fund because that is where all the revenue does go.

During the hearing there was one judge of one of the District Courts in the State of Maine, who has used this service a great deal, and I do know a good deal of his work because I am personally acquainted with him. He serves the area I come from, and he has found this to be very effective, and he has worked with this type of service. He came down from his area to speak on this bill. He was completely in support of it. He felt that some program of this type needed to be done. I also do know that in the area I come from the company I work for has had very excellent results with this service, and they were very much in favor of a continuation of this program.

I think today that it has been very effectively determined, and

as the emergency preamble points out, that alcoholism today is considered to be a disease and it requires some form of service and rehabilitation to attempt to put these people back onto their feet. I would certainly hope that this bill is not defeated.

The SPEAKER: The Chair recognizes the gentleman from Sanford, Mr. Nadeau.

Mr. NADEAU: Mr. Speaker and Members of the House: Just a few quotes: Again another staff, another duplication of effort, and more desks. This is what we have been complaining about. There is no room to put them. If we continue this way, not only the Highway Department wants a new building by themselves, every department is going to have a new building.

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

Mr. SCRIBNER: Mr. Speaker and Members of the House: As the gentleman from East Millinocket, Mr. Birt, has pointed out, this bill had a very fair hearing. All of the members of the Appropriations Committee, I feel, were quite impressed with the results of that hearing. This program is effective, it works, it pays for itself, and it is the type of thing that this State should be more involved in. This is money well spent and it will pay many dividends to the people of this State in solving some of the social problems that we have.

A man who is an alcoholic, or a woman, for that matter, is suffering from a disease in many cases. They can't be expected to cure themselves. It is the responsibility of the State to return some of these people, at least, to a useful, productive and a taxpaying capacity.

We did not base our decision solely upon the reports of the professional social workers and representatives of the Department of Health and Welfare that were here in support of this. There were a number of attorneys, judges, and other people who deal with these problems on a day to day basis. They were there, and their comments in support of this type of measure, and the results we have

seen from the extent of the limited program we have now, I was greatly impressed by their report of the results that they had seen. Many people have been alcoholics for many years. In fact, in some cases, I believe, it was over a decade, and some of these cases had been solved. The judges reported that these people who had been before them time and time again were now leading a useful and productive life. I believe in this measure that you should not support the motion for indefinite postponement, and this bill should be passed and finally enacted.

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

Mr. SULLIVAN: Mr. Speaker and Members of the House: Having tremendous respect for Representative Scribner and his judgment, and because he has evidently got more knowledge and information on it than I have, I will go along with him. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Eliot, Mr. Hichens.

Mr. HICHENS: Mr. Speaker and Members of the House: This is an odd situation that I have got to get up and speak on this. The basic idea on this is good, but for the amount of money that is appropriated for this fund it doesn't begin to go far enough. For this reason I have to go along with the gentleman to indefinitely postpone it.

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

Mr. JALBERT: Mr. Speaker and Members of the House: The gentleman from Eliot, Mr. Hichens, made the comment that this bill does not go far enough. There would be only one way to make the bill go far enough, or a lot further if he wanted to, and that is to amend it. It is certainly a good program, a good start. I don't see that's too earth-shaking a reason to vote against a measure, because it doesn't go far enough. We can still put many more monies in it at the special session or a regular session. It could even have been done here.

As the gentleman from Portland, Mr. Scribner, stated, this measure had a very fine hearing. People from all areas of the state attended the hearing from all groups, all categories. I certainly hope that the motion to indefinitely postpone this measure does not prevail.

The SPEAKER: The pending question is the motion of the gentleman from Houlton, Mr. Lycette, that Senate Paper 9, L. D. 15, An Act to Appropriate Funds and Provide Staff for Alcoholism Services be indefinitely postponed. All those in favor of indefinite postponement will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken. 30 having voted in the affirmative and 80 in the negative, the motion to indefinitely postpone did not prevail.

Whereupon, on motion of Mr. Jalbert of Lewiston, tabled pending passage to be enacted and specially assigned for tomorrow.

The Chair laid before the House the second item of Unfinished Business:

HOUSE MAJORITY REPORT (6)—Ought Not to Pass—Committee on Labor on Bill "An Act relating to Minimum Wage Law" (H. P. 1008) (L. D. 1475)—MINORITY REPORT (4) — Ought to Pass.

Tabled—May 23, by Mr. Dennett of Kittery.

Pending—Motion of Mr. Ewer of Bangor to accept Majority Report.

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

Mr. HARRIMAN: Mr. Speaker and Members of the House: I am up here this morning under no illusions that the Minority Report will be accepted; I don't expect any miracles to happen in the House today and my lobby is not very strong. But because I was the sponsor of L. D. 1475 I want to support my position and give you my reasons why I thought this bill should be enacted and also as I said days before on another amendment this does not in any way affect my personal business.

This bill was put in by me because I did not and still do not

believe that any employer, large or small, should have to be concerned with interpreting both the coverage he has under the Federal law and the State law. I believe the Fair Labor Standard Act as amended is a good piece of legislation and I do not believe that the State and Federal laws should conflict on rates or exemptions. I am not going to take a lot of your time, I am just going roughly through the highlights of my bill and point out the discrepancies or the differences between the two laws.

For example, the owner of a small corner store is exempted under the Federal law but is covered under State law. The same is true for an operator of an amusement park. Under the Maine law all students under nineteen years old are exempt from the Minimum Wage; but under the Federal law students of any age are partially exempt upon the issuance of the certificate by the Secretary of Labor. In the case of recreation they are exempt if they do most of their business during a period of seven months.

I want to get back a minute to the exemption for the students over nineteen. It allows the Commissioner of Labor in the Federal Government to let them be employed at a wage rate of not less than eighty-five percent a minimum wage. If there is a need, then the same thing would apply to the Department of Labor and Industry in the State of Maine. I think eventually that the Federal and State laws should be together as far as Minimum Wage and the exemptions are concerned, and I don't think any employee be he large or small should have to look at two and worry about two different regulations which are trying to accomplish the same purpose. And I think eventually the overall economic climate of the State would be improved both for the employee and the employer if we had compatible legislation.

The SPEAKER: The pending question is on the motion of the gentleman from Bangor, Mr. Ewer, that the House accept the Majority "Ought not to pass" Report. All those in favor of the House accept-

ing the Majority Report 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 39 having voted in the negative, the Majority "Ought not to pass" Report was accepted and sent up for concurrence.

The Chair laid before the House the third item of Unfinished Business:

An Act relating to the Water and Air Environmental Improvement Commission (S. P. 635) (L. D. 1635)

Tabled—May 23, by Mr. Benson of Southwest Harbor

Pending—Passage to be enacted.

On motion of Mr. Martin of Eagle Lake, the House voted to suspend the rules and to reconsider its action on May 15 whereby the Bill was passed to be engrossed.

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

Mr. MARTIN: Mr. Speaker and Members of the House: Before I make any comments on this bill or any other or the amendment that I am going to present to you, I would first of all suggest to you that I hold no brief for the paper companies, for the Natural Resource Council or any individual in particular. I am speaking to you merely as a citizen of Maine interested in the pollution problem. I am not speaking and holding a brief for either the Republican or the Democratic Party.

Before I present the amendment to the members of the House I will attempt to point out to you the deficiencies that exist in the redraft which comes to you as L. D. 1635, from the Committee on Natural Resources. This bill differs with the Governor's bill in that under L. D. 1485, section 1403, the administrator could have paid an amount equal to 35 percent of the cost of such projects if the sewage treatment system was designed to serve two or more municipalities as is now the case if the project is eligible under Public Law 660 as amended for that amount. What the redraft bill does, therefore, is to leave out the 5 percent bonus if the small communities join in partnership to build a sewage treat-

ment plant. Under the Federal law, Public Law 660, as amended, communities such as Lewiston-Auburn and Portland can get the 5 percent bonus since they are classified under the Standard Metropolitan Statistical Areas classification by the Census Bureau. At the present time these are the only communities in Maine that can possibly qualify for this 5 percent bonus. It is possible in the future that Bangor-Brewer will be so classified and will be eligible, but at the present time this is not so. This redraft, L. D. 1635, clearly ignores the incentive features of joint systems which in the end would save money to both the communities and to the State of Maine.

Ladies and gentlemen, it appears to me that this redraft of 1635 is primarily the work of a paper company or companies who realize they will not have to do anything that they do not want to do as far as cleaning up the pollution of this state, and it is probably the work of a good contract lawyer who knows that this is so. You will also find in the redraft provisions for the classification of D waters on page 5.

You will find a provision on page 4 of the bill and I quote, under C waters — “The dissolved oxygen content of such waters shall not be less than 5 parts per million for trout and salmon waters during at least 16 hours of any 24-hour period.” What this allows for is midnight dumping, ladies and gentlemen of the House, it says that for 18 hours of the day the stream shall be C; during the other 6 hours they shall dump whatever they feel like dumping.

Further on, under C water classifications, and I quote, second paragraph, — “These waters shall be free from sludge deposits, solid refuse and floating solids such as oils, grease or scum, except such small amounts as may be attributable to the discharge from facilities providing the best practicable treatment or control.” This, I think, is somewhat of an oversight in this redraft; as a matter of fact, even worse than the present law that we have on the books.

Even though the Legislature some weeks ago passed a law which changed most of these waters to C

water, we still find in the classification structure provisions for D waters. This is totally unacceptable under the Federal guidelines. While it is true that Federal Statutes are written in such a way that if the State has water standards, the Federal Government cannot go behind the State agency and test the water unless it is an interstate stream. Let's take an example.

If we are talking about the Presumpscot River, for example, the people along this river would be protected because it is an intrastate river; and if the State agency said the water standard was being met, then Federal funds could be allocated for projects along that stream. No doubt the writer of the amendment and this redraft had this in mind.

Let us take a look now at intrastate rivers, such as the Androscoggin River where many of the members of the House reside. These people are not protected. In such cases, in cases of intrastate waters, it is the Secretary of the Interior who has the final say on whether or not the stream is meeting the Federal guidelines. Thus if the Secretary felt that the Androscoggin did not meet the Federal guidelines, Lewiston-Auburn would not be eligible to receive the Federal 50 percent matching grant. This is true of people living along the Saco, Piscataqua, Salmon Falls, St. Croix, St. John, Aroostook Rivers, and the two Meduxnekeag Rivers in Aroostook County, or for that matter any other intrastate river. Therefore, it is my opinion that this bill protects the people along such rivers as the Presumpscot but that the author of this bill has forgotten about the people along the Androscoggin.

Let us suppose that the Federal Government should find the standards of the Androscoggin unacceptable under the Federal guidelines. What would have to be done under L. D. 1635, to meet the Federal guidelines? Under the redraft the Legislature would have to be called into Special Session to change the classification, and to be sure the classifications would be met to allow Lewiston-Auburn to accept Federal money,

or so that they would be in a position to do this. And this would be true of every other stream that was found unacceptable.

Perhaps the biggest loophole of all is found on page 13 of L. D. 1635 in the last sentence of the second paragraph before you start Section 2 and I quote: "Notwithstanding any contrary provisions, the commission may, for good cause shown, from time to time extend any time limits established by or under this subchapter."

Which means that if the Commission so desires, the time table which this bill 1635 takes so much pains in setting up, the Commission can merely see to it that the provisions of that bill do not have to be met.

It appears to me that this bill starts with a good front of changing the world in the field of classifications and time limits in the field of pollution in Maine, but ends up with the phrase which leaves a loophole as big as a barn door. This means that if the Chief Engineer of the Water Improvement Commission does not like a small laundry operator in Harrison, Maine, the Commission can put the squeeze on him, but if he does not want to tangle with a large paper company such as S. D. Warren in Westbrook, they can suddenly find exemptions.

If the law is bad, ladies and gentlemen of the House, I maintain it is bad for everyone. If the law is good and it is supposedly for the protection of the public, then there should be no exemptions, whether it be for S. D. Warren or for the small laundry operator in Harrison, Maine. All the company would have to do under L. D. 1635 would be to prove that it is not economically feasible to do it within the time limit allowed and they could be granted the extension. Ladies and gentlemen of the House, how long can that extension be under L. D. 1635? There is no time limit. It could be twenty years.

I cannot believe that this Legislature can attempt to set up this type of double standard. This bill has no change in the statement of purpose to indicate the new emphasis on the improvement of

water quality beyond existing classifications.

This bill does not contain any indication of an appreciation for the need to plan the development and management of water quality in terms of river basins or a suggestion that regional planning for community sewage treatments is desirable. There has been no attempt to plan along river basins to improve the quality of the water once the classification has been given by the Legislature to that particular river. In other words, once the initial classification has been given by the Legislature you simply ignore the whole system. You do not attempt to upgrade the waters under this bill. This bill does not at the present time change the administrative structure which many qualified people have complained about. I would point out for your information that at the present time the Chief Engineer is also the administrative officer and is responsible to a part-time commission. You certainly cannot compare this type of administration to that of the Public Utilities Commission which has a full-time administrator. How do we expect a man to do the jobs of being an engineer and at the same time of being an efficient administrator, regardless of who that man might be? A part-time setup is fine for the Harness Commission, the Boxing Commission, and the Running Commission, but it certainly is not adequate for a major program involving the expenditure of millions of dollars. The amendment which I will present to you, would make an individual a full-time administrator who would have the benefit of an advisory body to guide him in his job. The present bill on the other hand still retains the part-time Water Improvement Commission that would attempt to give leadership planning for communities and industries in this field and even worse, ladies and gentlemen, we add another function to the already overburdened part-time commission — that of air.

I wish to relate to you a few observations on how this present Legislature has acted on the pol-

lution problem thus far in Maine. We have proceeded in a piecemeal fashion. Without too much attention the Legislature passed a bill dealing with the matching program. Then we passed an upgrading bill of the streams, which says that all streams shall be called C rather than D. If this is for window-dressing purposes only, and if it is, I cannot believe that the people of Maine or that the Federal Government will be greatly impressed or will they benefit by our action.

Today we are acting on a bill which is supposedly an attempt to meet Federal guidelines; yet this redraft does not solve that problem. It is for these reasons that I cannot support L. D. 744 as amended and which is presently before us as L. D. 1635.

Ladies and gentlemen of the House, I present House Amendment "A" to L. D. 1635 and I move its passage. And I would suggest to you that if we in Maine want to improve the quality of our water, and to be sure that the State of Maine will be in a position to enforce qualifications, the quality of water that we desire, this is the bill that we should have. Ladies and gentlemen of the House, I certainly hope that you agree with me and adopt this amendment.

The SPEAKER: The gentleman from Eagle Lake, Mr. Martin, now offers House Amendment "A" and moves its adoption.

House Amendment "A", being L. D. 1677, was read by the Clerk.

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

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

Mr. DENNETT: Mr. Speaker and Members of the House: I rise in opposition to the adoption of this amendment. I think that most of you will recall that we have had two bills before this Legislature dealing with this same subject matter. One bill was before this Committee on State Government and it came into this House with a Majority "Ought not to pass" Report, which report was subsequently accepted. The bill was killed.

This other bill originally came out of the Committee on Natural Resources. It was redrafted to its present form. Now this amendment that is presently before you would restore in substance the bill which has already been killed. I believe that this redraft, this 1635 which we have before us, is the answer to the problem and I certainly trust that you will not amend this bill back to a form of a bill which you have already killed, and I now move the indefinite postponement of this amendment.

The SPEAKER: The Chair recognizes the gentleman from Kingman Township, Mr. Starbird.

Mr. STARBIRD: Mr. Speaker and Members of the House: I think the Representative from Eagle Lake, Mr. Martin, has amply expressed the differences between the two bills. The differences right now are whether you want the paper companies and other large corporations in this State, to be telling you what to do in the matter of pollution, or whether you want to be able as is your right, our right, to do. Therefore, I would like that you would vote with me in accepting this amendment that is offered by Mr. Martin.

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

Mr. PIKE: Mr. Speaker and Members of the House: I find it a little strange to see the paper companies and the pulp companies as the villains of this piece. Now I know they've made some mistakes, I know they have held back in the "britchin" for a good many years.

Our experience on the Natural Resources Committee indicated that they have seen the light, and seen the light quite clearly. I'm still puzzled about the paper companies having written this bill. I saw none of them — we saw none of them in Committee. They may have been in the bushes, but as near as I can make out this bill 1635 is a good bill. We did think that the Water Improvement Commission which may or may not have been always at completely white heat, have got enough experience and have developed

enough initiative so that they have been pushing pretty hard for clearing up our water situation. We did feel that there should be one or two cases of leniency here, and I'll give you an example.

These things will depend a good deal on Federal assistance, and it looks as though at the moment, for the last week, that we're on a collision course with an insufficient amount of Federal funds to do their part in the clearing up of our water picture. If this situation goes on, and I see no loosening up of the Federal budget situation, it may very well be necessary to make some allowances as against an exact timetable, nobody can seem to think far enough forward to tell exactly when a thing can be finished.

Now the allowances here on oxygen content again seem to me to be quite reasonable. Most of the biologists testify that if for a few hours the oxygen content is lowered to 4 parts of a millionth the fish life is not harmed whatsoever.

I quite agree with the gentleman from Kittery that this amendment offered is of course not an amendment at all, it's a completely new bill to our Natural Resources Committee, as it is approximately the bill that was killed in State Government.

I do go along and hope that this amendment is indefinitely postponed.

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

Mr. MARTIN: Mr. Speaker and Members of the House: I don't think I ever in the contents of my remarks made any comment to the effect that there were any paper companies that were violating the present laws.

I merely attempted to point out to you that under L. D. 1635 we are giving them a clear check as to how long they will have. I'm the first one to admit that the paper companies, at least some of them, have come a long way in solving their pollution problem, and I salute them gratefully.

I would point out also the remarks made by the gentleman

from Kittery, Mr. Dennett, that when the Majority Report of the State Government Committee was accepted I made the comment that I had not had the time to study the particular L. D. because we were rushed to get it out and that I thought that we had another vehicle that we could use to solve the problem. After going through that L. D., it became clear to me that this was impossible and for that reason I presented this amendment. There are two things that were done to it: Number one — at least two suggestions that had been made at the committee hearing to the L. D. were taken into account. One was how the administrator was going to be appointed, and secondly, which has to do with Section 1401 of my amendment, this was completely changed from what the initial bill had been, and it now provided that the administrator rather than setting would suggest the water qualities, and therefore I would suggest to you that this is not really the bill that we killed from State Government Committee.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: In support of the motion to indefinitely postpone this amendment and in support of L. D. 1635, I'd like to mention a few significant features about L. D. 1635 that I think may be ignored.

First of all, L. D. 1635, puts us in a position to take maximum advantage of federal funds as they become available, but it also gives us an opportunity to retain that degree of flexibility necessary to adjust to a situation that could be created if no federal funds were available.

This bill L. D. 1635 expands and intensifies the effort of an already existing agency of state government which is operating very effectively, the Water Improvement Commission. We are opposed to the prospect, or to the proposition of having a single administrator—a czar, if you will, of water and air pollution.

I'd also like to point out that L. D. 1635 has the support of industry, of the general public and of the municipal representatives who are here representing municipalities.

Now the suggestion has been made that L. D. 1635 for some reason or another won't comply with federal standards. Well, I have been assured, and being very interested in this, have made some inquiry. I have been assured that L. D. 1635 brings us into line with the federal requirements insofar as those federal requirements are known.

This bill, L. D. 1635, I believe is the most significant piece of legislation that this Legislature will be called upon to act upon. This is so because of the long-range effect of water and air pollution on our people and on our land — it's a very, very serious prospect to face. I would urge that you vote against any amendment to L. D. 1635 in its present form. I hope that you will support the motion to indefinitely postpone the amendment offered by the gentleman from Eagle Lake, and when the vote is taken I request a division.

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

Mr. LEVESQUE: Mr. Speaker and Members of the House: I'd like to pose a question through the Chair to anybody who may wish to answer.

If I understand correctly the Representative from Eagle Lake, Mr. Martin, a few minutes ago, he pointed out that there might be an area of discrimination against some certain industries regarding their being told that they have to comply but yet they may delay indefinitely other companies, and if somebody is familiar enough with the document as to explain to me why would one company be compelled to conform with the law and another company could be indefinitely postponed or delayed.

The SPEAKER: The gentleman from Madawaska, Mr. Levesque, poses a question through the

Chair to any member who may answer if they choose.

The Chair recognizes the gentleman from Lubec, Mr. Pike.

Mr. PIKE: I'll try to answer the question, but it's difficult because the federal standards have not finally been definitely announced.

We tried very hard during the committee hearings to find out just what the ground rules were, and as far as we could tell and I say the whole thing hasn't been finalized, as far as we could tell, there is not yet any firm decision as to what they will be.

The Committee believed, and I believe, that 1635 as written will fit with the probable — I'm not going to say the final because Secretary Udall may change his mind, he's done that — with the probable requirements of the federal people.

As to the difference between intrastate and interstate waters, there are, of course, some differences. The Androscoggin by a little accident of nature is an interstate water. The Kennebec and the Penobscot by nature's own provisions are intrastate waters— and so is the Presumpscot.

For any one of us to try to predict just exactly what the final result will be and what the final rules will be, I think is a feckless sort of task, but all I can say is that this is drawn in accord with what we understand or believe to be the general feeling of the federal folks and with some checking back and forth, the Committee believed that this 1635 will either fit in with the federal standards, or if it turns out that they're finally somewhat different they will allow us to correct them at the next Legislature. If we're going to get a bill through at this Legislature, we'd better take things as they are even though they're not finally cleared up. Thank you very much. I hope I've answered your question, I don't know the actual answer and nobody else does.

Mr. Martin of Eagle Lake was granted permission to speak a third time.

Mr. MARTIN: Mr. Speaker and Members of the House: In relationship to the question directed by

the gentleman from Madawaska, Mr. Levesque, I would ask every member of the House to look on Page 13, second paragraph, the last sentence, and I quote: "notwithstanding any contrary provisions, the commission may, for good cause shown, from time to time extend any time limits established by or under this subchapter."

And if you also read further in Part 2, you find that this bill gives lip-service to enforcement, but really the Commission is not in a position under this L. D. to do anything about enforcing their injunctions.

May I also point out to you that at the present time there is a tannery in Saco that is dumping in the Saco River. The Water Improvement Commission issued an injunction four years ago, and we are still today having dumping of pollution into the Saco River. If this is the type of water qualities that we want to spend, to set up, then I say let us vote for 1635 as it is. If we are interested in solving the problem of pollution in Maine and doing something about the problem rather than simply saying that we are for the abolishment of pollution, then I say vote for the amendment 1677. And, Mr. Speaker, when the vote is taken, I request that it be taken by the yeas and nays.

The SPEAKER: The pending question is the motion of the gentleman from Kittery, Mr. Dennett, that House Amendment "A" be indefinitely postponed. A roll call has been requested. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All of those desiring a roll call will vote yes, those opposed will vote no, and the Chair opens the vote.

A vote of the House was taken, and more than one fifth of the members present having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question is the motion of the gentleman from Kittery, Mr. Dennett, that House Amendment "A" to L. D. 1635, "An Act relating to the

Water and Air Environmental Improvement Commission," be indefinitely postponed. All of those in favor of indefinite postponement of House Amendment "A" will vote yes, those opposed will vote no, and the Chair opens the vote.

ROLL CALL

YEA — Baker, R. E.; Benson, Bertram, Birt, Bragdon, Brown, Buck, Bunker, Cookson, Cornell, Cote, Crockett, Crosby, Cushing, Darey, Dennett, Dickinson, Drummond, Dunn, Edwards, Evans, Ewer, Farrington, Fortier, Foster, Gill, Hall, Hanson, B. B.; Hanson, P. K.; Harriman, Hawes, Henley, Hewes, Hichens, Hinds, Hodgkins, Hoover, Huber, Humphrey, Immonen, Jalbert, Kyes, Lewin, Lincoln, Littlefield, Lycette, Maddox, McMann, McNally, Meisner, Miliano, Mosher, Philbrook, Pike, Porter, Quimby, Richardson, G. A.; Richardson, H. L.; Rideout, Robinson, Ross, Sahagian, Sawyer, Scott, C. F.; Scott, G. W.; Shaw, Shute, Snow, P. J.; Soulas, Sullivan, Susi, Tanguay, Thompson, Trask, Waltz, Watts, White, Wight, Williams, Wood.

NAY — Allen, Bedard, Belanger, Bernard, Binnette, Boudreau, Bourgoin, Brennan, Burnham, Carey, Carrier, Carswell, Champagne, Conley, Cottrell, Crommett, Curran, D'Alfonso, Eustis, Fecteau, Fraser, Gaudreau, Giroux, Hanson, H. L.; Harnois, Harvey, Haynes, Healy, Hunter, Keyte, Kilroy, Lebel, Levesque, Lowery, Martin, Minkowsky, Nadeau, J. F. R.; Nadeau, N. L.; Pendergast, Prince, Rackliff, Rocheleau, Roy, Scribner, Starbird, Wheeler.

ABSENT — Baker, E. B.; Beliveau, Bradstreet, Carroll, Clark, Couture, Danton, Drigotas, Dudley, Durgin, Fuller, Gauthier, Hennessy, J a m e s o n, Jannelle, Jewell, Lewis, Noyes, Payson, Quinn, Robertson, Snowe, P.; Townsend, Truman.

Yes, 80; No, 46; Absent 24.

The SPEAKER: Eighty having voted in the affirmative and forty-six having voted in the negative, the motion to indefinitely post-

pone House Amendment "A" does prevail.

Thereupon, the Bill was passed to be engrossed.

The Bill was then passed to be enacted, signed by the Speaker and sent to the Senate.

The Chair laid before the House the fourth item of Unfinished Business:

JOINT HOUSE ORDER that the Legislative Research Committee study Maine's electric power rates.

Tabled — May 23, by Mr. Jalbert of Lewiston.

Pending — Passage.

Thereupon, on motion of Mr. Jalbert of Lewiston, the Order was indefinitely postponed.

Mr. Jalbert of Lewiston presented the following Order out of order and moved its passage:

ORDERED, the Senate concurring, that the Legislative Research Committee is directed to study, with the cooperation of the Public Utilities Commission, Maine's electric power rates; and be it further

ORDERED, that the committee report its findings, together with any necessary recommendations or implementing legislation, at the next regular or special session of the Legislature. (H. P. 1179)

The **SPEAKER**: The Chair recognizes the same gentleman.

Mr. **JALBERT**: Mr. Speaker and Members of the House: This is substantially the same order. It removes, however, the directive to have hearings throughout the state and would leave that to the discretion of the Committee, so that the order basically is substantially the same. I now move the passage of this order.

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

Mr. **RICHARDSON**: Mr. Speaker and Members of the House: I want to commend the gentleman from Lewiston, Mr. Jalbert. We brought up, or took up with him some things about the first order that he introduced that we thought were perhaps unwise. We feel that a continuing examination of power rates should be undertaken. The Public Utilities Commission of

course has the information and the staff necessary to collect this information and we feel that the Legislature should continue its interest in providing low cost power for the people in Maine. It is for that reason that I join with Mr. Jalbert, the gentleman from Lewiston, in urging passage of this order.

Thereupon, the Order received passage and was sent up for concurrence.

Thereupon, on motion of Mr. Benson of Southwest Harbor,

Recessed until one-thirty o'clock in the afternoon.

After Recess

1:30 P.M.

The House was called to order by the Speaker.

On motion of Mr. Shute of Farmington, the House voted to reconsider its action of earlier in the day whereby it accepted the "Ought not to pass" Report on item 7, page two, Senate Paper 347, L. D. 931, on Bill "An Act relating to Notice of Legislative Hearings."

Thereupon, on further motion of the same gentleman, the Bill was substituted for the Report in concurrence and the Bill read twice.

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

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

Bill "An Act relating to Right to Vote on Approval of Final Urban Renewal Plans" (H. P. 829) (L. D. 1237) (In House, passed to be engrossed) (In Senate, Report "B", Ought Not to Pass accepted in non-concurrence)

Tabled—May 23, by Mr. Harvey of Woolwich.

Pending—Further consideration.

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

Mr. **CONLEY**: Mr. Speaker, I move we recede and concur with the Senate.

The **SPEAKER**: The gentleman from Portland, Mr. Conley, now

moves that the House recede and concur with the Senate.

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

Mr. HUBER: Mr. Speaker, this is Item 1, tabled and today assigned, Urban Renewal, am I correct?

The SPEAKER: The gentleman is correct.

Mr. HUBER: I should hope that the motion to recede and concur would be defeated in favor of a motion to insist, and see if it is possible to arrive at a compromise with the Senate position and the House position. We debated this extensively the other day. Those of us who have been through the throes of urban renewal feel very sincerely that this is a proper move, a very proper move, to avoid the community disagreements, and also to help improve the prospects of urban renewal in the smaller cities, particularly some of the coastal cities that have been through the problem of urban renewal in the past. And I sincerely hope that you will defeat the motion to recede and concur.

The SPEAKER: Is the House ready for the question?

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

Mr. HUBER: Mr. Speaker, may I have a division, please?

The SPEAKER: A vote will be ordered. All those in favor of receding and concurring with the Senate will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

40 having voted in the affirmative and 56 having voted in the negative, the motion did not prevail.

Thereupon, on motion of Mr. Richardson of Stonington, the House voted to insist and ask for a Committee of Conference.

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

HOUSE REPORT—Ought Not to Pass—Committee on Taxation on Bill "An Act Providing for a Luxury Tax on Luggage, Jewelry, Furs and Toilet Preparations" (H. P. 426) (L. D. 590)

Tabled—May 23, by Mr. Hanson of Gardiner.

Pending—Acceptance.

On motion of Mrs. Carswell of Portland, the "Ought not to pass" Report was accepted and sent up for concurrence.

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

HOUSE MAJORITY REPORT (9)—Ought to Pass in New Draft under new Title "An Act to Authorize the Issuance of Bonds in the Amount of Sixteen Million Eight Hundred Thousand Dollars on Behalf of the State of Maine to Build State Highways" (H. P. 1174) (L. D. 1673)—Committee on Highways—MINORITY REPORT (1)—Ought Not to Pass on Bill "An Act to Authorize the Issuance of Bonds in the Amount of Ten Million Dollars on Behalf of the State of Maine to Build State Highways" (H. P. 691) (L. D. 972)

Tabled—May 23, by Mr. Benson of Southwest Harbor.

Pending — Acceptance of either Report.

Thereupon, on motion of Mr. Richardson of Cumberland, retabled pending acceptance of either report and specially assigned for Wednesday, May 31.

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

An Act to Authorize Construction of Self-Liquidating Student Housing and Dining Facilities for the State Colleges and the Issuance of Not Exceeding \$5,400,000 Bonds of the State of Maine for the Financing Thereof (H. P. 1160) (L. D. 1659)

Tabled—May 23, by Mr. Hinds of South Portland.

Pending—Passage to be enacted.

Thereupon, on motion of Mr. Hinds of South Portland, tabled until later in today's session.

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

HOUSE REPORT — Ought Not to Pass—Committee on Labor on Bill "An Act relating to Minimum

Wages for Firemen" (H. P. 516) (L. D. 729)

Tabled—May 23, by Mr. Lewin of Augusta.

Pending—Acceptance.

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

Mr. EWER: Mr. Speaker and Members of the House: The Committee on Labor found itself in a rather peculiar situation with regard to this L. D. At the time we had the hearing the representatives of the firemen felt that they wanted this bill, and we decided to put it out with an Ought to Pass Report. Then they came to us before we had a chance to do that and wanted an amendment, which we accepted. Incidentally, it was the same wording as the amendment offered by Mr. Lewin of Augusta. Then they came to us again and said they didn't want the bill, so we decided that we would put it out Ought Not to Pass. I would like to have it tabled until we can find out definitely which one they want for a report.

Thereupon, on motion of Mr. Lewin of Augusta, retabled pending acceptance of the "Ought not to pass" Report and specially assigned for Wednesday, May 31.

The SPEAKER: The Chair would request the Sergeant-at-Arms to escort the gentleman from Bath, Mr. Ross, to the rostrum to preside as Speaker pro tem.

Thereupon, Mr. Ross assumed the Chair as Speaker pro tem and Speaker Kennedy retired from the rostrum.

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

HOUSE MAJORITY REPORT (3)—Ought Not to Pass—Committee on Inland Fisheries and Game on Bill "An Act Revising the Laws Relating to Guides Under Fish and Game Laws" (H. P. 356) (L. D. 503)—MINORITY REPORT (2) — Ought to Pass.

Tabled—May 23, by Mr. Wood of Brooks.

Pending—Acceptance of either Report.

The SPEAKER pro tem: Is it the pleasure of the House to accept the Majority Ought to Pass Report?

The Chair recognizes the Speaker of the House, the gentleman from Milbridge, Mr. Kennedy.

Mr. KENNEDY: I introduced this bill, Mr. Speaker, and Ladies and Gentlemen of the House, at the request of many fish and game clubs throughout eastern Maine and some that were interested even as far west as Cumberland County. This, I feel, is a conservation measure for the natural resources that we do have in the State of Maine that I feel is being depleted because of lack of controls.

I have a prepared statement, and I don't like prepared statements, but I would like to use some of it, because I feel that the people have not given very much thought to the proposal of revising the laws pertaining to guides for hunting in the State of Maine. I don't feel that they feel that the present situation is adequate.

After watching the progress of the hunting situation in Maine over the past twenty years, it is very clear that the present trend cannot be allowed to continue.

During the last few years, the deer herd in this State has been steadily declining. Up until the present time, the Fish and Game Department has denied this. Only two years ago, however, the Department was advocating longer seasons and larger kills because there were so many deer that were starving to death. While this might have been true in a few northern areas, the rest of the State was suffering a deer kill that was exceeding the natural replacements to the herd.

Conclusive proof of this is borne out by the fact that the deer kill is decreasing in spite of a sizable increase in hunting licenses.

This will stop very soon, we feel.

The Department realizes, too late, I am afraid, that the drain on our breeding stock has started to take its toll. They have finally done a complete reversal on their ideas of a couple of years back. They admit that the deer were scarce last fall and that something must be done to improve the herd.

Why then, I ask this honorable body, did this Department head appear before the Committee and oppose such a measure as this? I know it is for the usual reason, because I was there and listened to the testimony. It is the usual hue and cry that they are afraid of anything that could possibly decrease the income to the Department. And I want to call the attention to the members of this House that this Department operates on a dedicated revenue.

The Commissioner himself stated at the hearing that a guide law for non-residents would completely wreck the financial structure of the Department.

Now, I suggest that perhaps a little financial house-cleaning might be in order for the Fish and Game Department. However, if the Commissioner is using the same logic that his Department has used in managing our deer herd in the past few years, his arguments do not influence the observant and interested native of Maine.

We all know something must be done about several items pertaining to hunting in Maine. The deer herd is becoming smaller. The number of non-residents is becoming greater. The quality of non-residents hunting here, to my mind, is becoming poorer. The number of dollars reaching Maine economy from this source is steadily declining. The Fish and Game Department is becoming blind to anything except the \$30 price tag of a non-resident license. This Legislature must become thoughtful of the consequences of letting things remain as they are.

The thing, I feel, that most people haven't thought about is the fact that increasing the price of licenses and increasing license sales to non-residents is not the answer to increased spending by this Department.

A few statements of fact, I think, are in order at this time, because from 1961 to 1965 non-resident licenses increased by 5,100 in this length of time. Since 1949 to 1965 non-resident licenses have doubled. From 1961 to 1965, that is within the last four years, the resident licenses have decreased. These are

statistics, but I think they bear consideration.

A survey was put out by the Fish and Game Department to those who held guides' licenses in the State of Maine relative to whether they would like to continue their guides' licenses, and to comment relative thereto. According to the testimony of the Department, there was little interest by the guides in the State of Maine, and very few had replied to this inquiry. But the guides who happened to be there and testified, and the sports who were there and testified at this hearing, related to the Committee that the reason the guides were not interested in answering the survey or this inquiry was because of the fact that guides in the State of Maine have no protection from the Department. What value is a guide's license in the State of Maine? Most any hunter here in Maine can take out — oh, it is limited, it is true — but if we have enough Maine licenses in the party, they can search the woods in Maine and do a great kill, without any consideration for the depletion of the herd.

Now, I say, are we going to let the non-residents carry our game out of the State of Maine at \$30 a head, and this is what it amounts to. Ladies and gentlemen, I, as a citizen of Maine, not a deer hunter by any means, but I am deeply concerned about the natural resources in the State of Maine, and it is high time that something was done. And I at this time move that the House accept the Minority "Ought to pass" Report of this Committee.

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

Mr. GAUDREAU: Mr. Speaker and Members of the House: I hate to get up, I think I'm on the hot spot, to oppose our Speaker, but I feel I must explain my vote on the bill itself. I'll give you my reasons for voting against the bill.

Number one. If you had a close relative who lived out of State visit you for a weekend, and although he knew the area very well

he would have to hire a guide to hunt for that one day.

Number two. I don't think we have enough guides to go around. There's quite a few non-residents come in this state, and I don't think we can furnish them with the guides.

Number three. The number of licenses sold to non-residents dropped last year, it is the feeling it was because of the five-dollar hike in licenses. Now you can imagine how much resistance there will be if they had to hire a guide.

Number four. A lot of non-residents who own camps or summer homes pay taxes in this state and have to buy a non-resident license. They'll buy that very reluctantly, but having to hire a guide will certainly drive them out of the state.

This bill may have its merits, but economically this State cannot afford it. I am sure that non-residents will go to our neighboring states to do their hunting, and the State of Maine will suffer not only on the loss of licenses but the loss to camping business, restaurant business and so forth. Thank you, and when the vote is taken I request a division.

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

Mr. BOURGOIN: Mr. Speaker and Members of the House: I would like to support the Speaker of the House, Mr. Kennedy of Milbridge. We have quite a problem with our northern neighbors in the north-west border, and this would take care of them, and I believe a guide's license is not very expensive. You pay \$7.25 for a combination license — you pay another \$2.75 and you can apply for a guide's license and have it certified, and one of those guides could take care of four hunters, which would not be so very much more expensive when you consider the expense of a trip to hunt in Maine. Thank you.

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

Mr. NADEAU: Mr. Speaker and Members of the House: I would

like to support Mr. Kennedy. I attended that hearing as I do many hearings. The majority of the people were there except for this commissioner who spends most of his time lobbying. They were all in favor of this bill, and I feel that we ought to accept the Minority Report.

The SPEAKER pro tem: The Chair recognizes the Speaker of the House, the gentleman from Milbridge, Mr. Kennedy.

Mr. KENNEDY: I rise to put myself in the position of being a Representative of the District from which I came, and not to impose upon this body the influence of the station that I enjoy by being elected to it. I am the same individual that enjoyed seat 122 for a few terms in this House. I am not pleading with this Body relative to this bill, except on its merits.

I can agree with the gentlemen, all of them, who signed this bill that it "ought not to pass" and I can sympathize with their feelings, and I would like to debate the problem of nonresident licenses dropping here in the State of Maine last year. I think it would be obvious to hunters and guides who live in the rural areas of this State that it's justified, this drop in the purchase of license by non-residents, because — they are not taking game home with them. They are not receiving the treatment that they should receive when they come to the State of Maine.

I am speaking now of the real sportsmen who come to Maine, not just anybody who sleeps in the back of their station-wagons, those who pitch a tent, those who bring their liquors from beyond our borders, and their food with them. I'm speaking of the real sportsmen who at one time enjoyed coming to the State of Maine for the pure sport of staying at our hunting camps, employing guides who did have guides' licenses that meant something, and were able to not only have a good sporting time, but there was game aplenty that they could take back with them. I say to this Body that it's a lack of game that is the reason that

out-of-staters are not purchasing licenses.

Economics has been mentioned. I would be the first person to stand on the Floor of this House today and predict that for two years it would be quite a loss to the Department of Inland Fisheries and Game because of imposing this guide's regulation on our out-of-state people. But I'm looking to the future — not just this year and next year, but five years hence, when some control could be imposed on these people that come in here.

I do not feel that after a two-year period that the department would suffer a financial loss. I am sure that in some areas in this department, and mind you ladies and gentlemen, I have always been a staunch friend of this department when they have been attacked through the years, I am sure that this department could find some economist in the department itself, and I do sincerely hope that this Body will vote to sustain the motion of accepting the Minority "Ought to pass" Report.

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

Mr. SULLIVAN: Mr. Speaker and Members of the House: Dave Kennedy speaks common sense as he always does, and I support him one hundred percent.

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

Mr. LEVESQUE: Mr. Speaker and Members of the House: Through the Chair I would like to pose a question to any member who may answer. In the event that a nonresident comes into the state for a number of days, one, two, or three days, for the purpose of hunting or fishing and a licensed guide is not available, what steps does the gentleman take if he wants to go hunting or fishing?

The SPEAKER pro tem: The gentleman from Madawaska, Mr. Levesque, has posed a question through the Chair of any person who may answer if they so desire.

The Chair recognizes the gentleman from Fort Kent, Mr. Bourgoïn.

Mr. BOURGOïn: Mr. Speaker and Members of the House: This guiding license is not necessarily for fishing purposes to any non-resident, but for hunting only and a guide could guide four persons and be responsible for those four persons to hunt their game legally.

The SPEAKER pro tem: Does the gentleman consider his question answered? The gentleman does not consider his question answered.

Mr. Kennedy of Milbridge was granted permission to speak a third time.

Mr. KENNEDY: The gentleman thanks the membership of the House for allowing me the privilege of answering a question.

In 1966 there were 1851 registered guides in the State of Maine, and to my mind, and I am sure yours, with a little realistic figuring and making a guide's license worthwhile for a hunter or an individual to secure one, that twenty-five hundred guides would accommodate all the hunters that would come into the State of Maine. There are now 1851 registered guides. That was of 1966.

The SPEAKER pro tem: Does the gentleman from Madawaska now consider his question answered?

The Chair recognizes the gentleman from Brooks, Mr. Wood.

Mr. WOOD: Mr. Speaker and Members of the House: I want to go on record as in favor of this bill.

I've been hunting in the State of Maine for a good many years and I've hunted every county in the state, and have hunted in our bordering states, and I believe this to be one of the greatest conservation bills that has come into this House that have anything to do with either hunting or fishing.

The biggest opposition to it seems to be a little loss of revenue. Now the question in my mind is, do we want to lose a little revenue now because a few people stop coming here, or lose it all in a few years because there would be nothing here for them to come for?

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

Mr. GAUDREAU: Mr. Speaker and Members of the House: It seems to be very unpopular here, but I would like to ask a question through the Chair of anyone who could answer.

Does any other state in the Union have this type of legislation requiring a guide? I know Canada has, but I'm talking about from state to state.

The SPEAKER pro tem: The gentleman from Lewiston, Mr. Gaudreau, has posed a question through the Chair as to whether any other state has this type of legislation requiring a licensed guide.

Mr. Kennedy of Milbridge was granted permission to speak a fourth time.

Mr. KENNEDY: The gentleman thanks the membership once more for the privilege of speaking again. I can answer the question; I don't think it's relevant. Should the State of Maine allow its natural resources to disappear because our neighboring states do not do something like we are trying to do to preserve ours? To my mind and my way of thinking this is one of the real states, or "Vacationland" that's what we have on our license-tag—I think we should do something to preserve this idea. This idea of Maine having so many lakes and streams, having so many birds and so much game — why should we care too greatly what other states are doing to conserve their natural resources? We should be concerned about what we are doing about ours.

I would like to make one more comment, and I'm sure many members of this House will bear me out in this—that each year, year on year, as you drive through the State of Maine, its rural areas, you see more land posted each year, and why is it being posted? It's being posted because it's ravaged. Now, controls over this I feel can be made by having a licensed guide law for the State of Maine.

I feel this property will be opened up. Coming from a rural area such as I do, I can understand the fear of the inhabitants of these farm homes of having a great number of out-of-staters come in here and doing the things

that they do. I am not as cognizant probably with the problem of this as the Representative from Woolwich, Mr. Harvey. This gentleman testified before the Committee, and it impressed me because he was articulate and told this Committee things much more impressively than I can tell the members of this House relative to our out-of-state hunters coming in here and just going rampant—rampant over the pastureslands of our citizens in the State of Maine, and that's the reason we see so many posted against hunting signs. I feel these would be removed if we had something to curtail these people coming in here and doing the things that they are doing so recklessly.

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

(Off Record Remarks)

Mr. LYCETTE: Mr. Speaker and Members of the House: As an old hunter from way back, I am highly in favor of this bill, in the spirit of conservation.

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

Mr. BINNETTE: Mr. Speaker and Members of the House: In my area there is a great deal of hunting going on, and we have a lot of local people up there who sincerely believe that if we had guides, if we had more of them, and that these out-of-staters when they come in they would have to procure their services it would be much safer for them to have them, and they really believe that there would be a great saving of a lot of people's property too. Some of these hunters come in and they just see a patch of woods and they don't care what's in it, or what's around it, they just get out and load their guns and away they go!

In answer to Representative Gaudreau's question about hunting in other states, I don't know about the other states having this law, but I believe that we have a great seal on the State of Maine which says: "Dirigo—I Lead," so irrespective of these other states let's

lead them in this type of a law.

The SPEAKER pro tem: The Chair recognizes the gentleman from Easton, Mr. Rackliff.

(Off Record Remarks)

Mr. RACKLIFF: Mr. Speaker and Members of the House: I think this is a good law if you can enforce it. In the first place I don't believe that one guide can guide four men. In the second place, I think if you were to enforce this law that you're going to have a lot of real estate for sale and cottages in the State of Maine, and for that reason, I go along with my friend Representative Gauthier.

The SPEAKER pro tem: The Chair recognizes the gentleman from Waterville, Mr. Fortier.

Mr. FORTIER: Mr. Speaker and Members of the House: To further elaborate on the question posed by that great champion of the people, Mr. Levesque of Madawaska, I think he was looking for a little more of an answer, and I think the good gentleman, Representative Kennedy from Milbridge, answered it for him in one of the statements that he made when he referred to — possibly you might call them the "journeyman" hunters from out of State—the people that sleep in the back of their cars, in tents and what not, which would appear to make the gentleman from Milbridge's bill a little bit discriminatory. I think he would prefer that our hunters be people that have a lot of money. Thank you.

The SPEAKER pro tem: Is the House ready for the question?

This debate proves once again the interest of fish and game matters. Consequently the Chair orders a vote. The question now before the House is on the motion of the gentleman from Milbridge, Mr. Kennedy, that the House accept the Minority "Ought to pass" Report on Bill "An Act Revising the Laws Relating to Guides Under Fish and Game Laws," House Paper 356, L. D. 503.

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

Mr. GILL: Mr. Speaker, whereas we haven't found this of sufficient import to order the roll call vote and because I feel this is

worthwhile legislation, I am not acquainted in any way with its sponsor, I would just like to go on record of being in favor of it.

The SPEAKER pro tem: The gentleman did not request the yeas and nays, did he?

The question before the House is the acceptance of the Minority "Ought to pass" Report. All those in favor will vote yes; all those opposed will vote no. The Chair opens the vote.

A vote of the House was taken. 94 having voted in the affirmative and 18 having voted in the negative, the motion prevailed.

The Bill was then read twice and assigned for third reading tomorrow.

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

SENATE REPORT — Ought to Pass as amended by Committee Amendment "A" (S-132) — Committee on Education on Resolve Proposing an Amendment to the Constitution Pledging Credit of the State and Providing for the Issuance of Bonds Not Exceeding One Million Dollars for Loans for Maine Students in Higher Education (S. P. 618) (L. D. 1616) (In Senate, passed to be engrossed as amended by Committee Amendment "A") (S-132)

Tabled—May 23, by Mr. Shute of Farmington.

Pending—Acceptance in concurrence.

Thereupon, on motion of Mr. Gauthier of Sanford, retabled pending acceptance in concurrence and specially assigned for Wednesday, May 31.

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

Bill "An Act Creating the Short Form Deeds Act" (S. P. 537) (L. D. 1442) (In Senate, passed to be engrossed)

Tabled—May 23, by Mr. Benson of Southwest Harbor.

Pending — Passage to be engrossed. (House Amendment "A" (H-252))

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

Mr. BERMAN: Mr. Speaker and Members of the House: The State Bar Association as lobbyists has asked me to put an amendment on this bill which would be satisfactory to them. The amendment has been prepared and I have signed it and it is awaiting reproduction. For that reason, I would request that this matter lie on the table until later in the day or until tomorrow.

Thereupon, on motion of Mr. Richardson of Cumberland, tabled until later in today's session.

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

An Act Creating the Maine Higher Education Loan Authority Act (S. P. 59) (L. D. 72)

Tabled — May 23, by Mr. Birt of East Millinocket.

Pending — Passage to be enacted.

Thereupon, on motion of Mr. Birt of East Millinocket, retabled pending passage to be enacted and specially assigned for Wednesday, May 31.

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

Resolve Proposing an Amendment to the Constitution Pledging Credit of State for Maine School Building Authority Bonds (S. P. 622) (L. D. 1624)

Tabled — May 23, by Mr. Bragdon of Perham.

Pending — Final passage.

Thereupon, on motion of Mr. Bragdon of Perham, retabled pending final passage and specially assigned for tomorrow.

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

SENATE REPORT — Leave to Withdraw as covered by other legislation — Committee on Appropriations and Financial Affairs on Bill "An Act to Authorize Bond Issue in Amount of One Million One Hundred and Fifty Thousand Dollars for Construction at Pineland Hospital and Training Center and of Regional Care Facilities for the Severely Mentally Retarded

at Bangor" (S. P. 371) (L. D. 984) (In Senate, Report accepted)

Tabled — May 23, by Mr. Hennessey of West Bath.

Pending — Acceptance in concurrence.

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

Mr. HENNESSEY: Mr. Speaker, Ladies and Gentlemen of the House: In regards to L. D. 984, An Act to Authorize Bond Issue in Amount of One Million One Hundred and Fifty Thousand Dollars for Construction at Pineland Hospital and Training Center and of Regional Care Facilities for the Severely Mentally Retarded at Bangor, probably there are very few members of this House who have not been approached regarding a problem of care of a profoundly retarded child or a child who is severely brain-damaged and required indefinite and chronic care outside of his home. You have been approached by distraught families, physicians, clergymen, and by friends and relatives — all trying to find a solution to a problem of caring for a child who is nothing more than a vegetable. We have assumed that there were facilities available at Pineland to take care of all children who were severely retarded regardless of cause, supported by the taxpayers. What a rude awakening we have had! As laymen, we have always lumped this whole group of kids — those who were profoundly retarded and those who were organically brain-damaged — to find that Pineland does not accept children under 5, or, children, regardless of age, who have organic brain damage — such as the microcephalic, hydrocephalic, the child with spina bifida and cerebral palsy. Modern theory now suggests that these children are not technically mentally retarded. So these kids are no longer considered eligible for the State's chronic care facility. As a result, we have example after example of children who need institutional care but who are still in their own homes simply because there is no place to go.

L. D. 984, as written, simply does not cover the really urgent needs as I see them. Here are a few examples:

Case No. 1. A 5½-year-old child with cerebral palsy depending wholly on complete physical care by the mother who has two other children, who is now taking mental therapy to prevent the break-up of the home.

Case No. 2. A mother slashes a 13-year-old daughter's wrist and her own wrist. Mother admitted to State hospital. Child committed to the Department of Public Welfare.

Case No. 3. A 3-year-old boy, a child with severe brain-damage. Low income family. Care has fallen to a teen-aged girl. Caring for this child has affected this girl and her family, and her own community adjustments. Child is kept in seclusion in a back room, and is not receiving the needed stimulation.

Case No. 4. At the age of 7 weeks this child suffered a brain hemorrhage resulting in a severely mentally retarded and dependent child. He is the older child in a family of two. Strain placed on marital relationship of parents. Younger child is now one-year old boy. Father's anxiety about child's development has led him to expect unusually advance functioning on part of this child. Has wanted to see him function (this year-old-child) almost as a three-year-old. The father's rejection of the three-year-old led eventually to an instance of physical abuse. The mother left the home taking the two children with her. Through work with the Dept. of Health and Welfare, private foster care for the child has been worked out. This will make it possible for the family to be together again. It necessitated the family who was not ordinarily "on relief" requesting help from their town of settlement.

The Department of Mental Health and Corrections still prefers to restrict facilities to children 5 years of age and over.

Facilities used to be available at Pineland, but no longer are. L. D. 984 was presented apparently to resolve these problems, but the bill generally lacks specificity and

detail. I had assumed that the bill would provide facilities for children who cannot be cared for in a private home, but in studying it in detail I have discovered that it would not necessarily solve the problems that most legislators are concerned about. In the meantime, I have worked with the Department and others on plans and detail to try to firm up something. For the first time in many years I think we are finally getting down to the "nuts and bolts" of this situation—at the grass roots level. I am asking for time, essentially, time to firm this up and consult with concerned groups outside of State government such as the Maine Medical Association and interested parent groups.

Therefore, I am asking that this bill be tabled to allow us time to get a few more facts to implement L. D. 984. Perhaps, in a re-draft that will take this whole mess out of its chaotic condition and give it direction. Clarify it. Really zero in on the most urgent needs that we have. L. D. 984 was so general and unspecific that the legislators could not be sure just what it is all about. Knowing if the proposal to be presented is not in accord with the Department of Mental Health and Correction's thinking, I have agreed to present their side. Know that since I had this bill brought back, the public director of Pineland is now on the road working up support for the L. D.

The SPEAKER pro tem: The Chair would remind the House that you cannot request a tabling motion after you have debated it, but the Chair will now recognize the gentleman from Cumberland, Mr. Richardson.

Thereupon, on motion of Mr. Richardson of Cumberland, tabled pending acceptance in concurrence and specially assigned for Wednesday, May 31.

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

Bill "An Act to Authorize General Fund Bond Issue in Amount of Two Million Eight Hundred and Fifteen Thousand Dollars and to Appropriate Moneys for Construction, Extension and Improvement

for Airports" (H. P. 1166) (L. D. 1667)

Tabled—May 23, by Bragdon of Perham.

Pending—Passage to be engrossed.

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

Mr. BERMAN: Mr. Speaker and Members of the House: As I understand the situation after looking at the bill as it came out in L. D. 1667, the constituency of Houlton was inadvertently left out. I cleared this matter with the House Chairman of Appropriations and, as I understand it, with his approval and consent, I now offer House Amendment "B" to this L. D., under Filing No. H-353, and move its adoption.

The SPEAKER pro tem: The gentleman from Houlton, Mr. Berman, offers House Amendment "B".

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

HOUSE AMENDMENT "B" to H. P. 1166, L. D. 1667, Bill, "An Act to Authorize General Fund Bond Issue in Amount of Two Million Eight Hundred and Fifteen Thousand Dollars and to Appropriate Moneys for Construction, Extension and Improvement for Airports."

Amend said Bill in the title by striking out the words "Eight Hundred and Fifteen Thousand" and inserting in place thereof the words "Eight Hundred Twenty-seven Thousand Five Hundred"

Further amend said Bill in section 1 by striking out the figure "\$2,815,000" in the 4th line (3rd line in L. D. 1667) and inserting in place thereof the figure '\$2,827,500'

Further amend said Bill in section 6 by inserting after the paragraph designated "Augusta" the following:
'Houlton

Resurfacing runway 12,500'
and by striking out the figure "\$2,815,000" in the 7th line from the end (6th line in L. D. 1667) and inserting in place thereof the figure '\$2,827,500'

Further amend said Bill in section 8 by striking out in the 2nd

and 3rd lines of the 2nd paragraph (same in L. D. 1667) the words "Eight Hundred and Fifteen Thousand" and inserting in place thereof the words 'Eight Hundred Twenty-seven Thousand Five Hundred'

House Amendment "B" was adopted.

Mr. Roy of Winslow offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 1166, L. D. 1667, Bill, "An Act to Authorize General Fund Bond Issue in Amount of Two Million Eight Hundred and Fifteen Thousand Dollars and to Appropriate Moneys for Construction, Extension and Improvement for Airports."

Amend said Bill in the Title by striking out the words "Two Million Eight Hundred and Fifteen Thousand Dollars" and inserting in place thereof the words "Three Million Nine Hundred and Eighty-three Thousand Dollars"

Further amend said Bill by striking out all of section 6 and inserting in place thereof the following:

'Sec. 6. Allocations from General Fund Bond Issue. The funds allocated by this section for the following airports shall be expended for construction, extension and improvement of said airports:

Portland	\$1,625,000
Complete Part "B" of Phase I construction	\$800,000
Phase II construction	825,000
Presque Isle	35,000
Install electronic aids so as to improve dependability	
Auburn-Lewiston	365,000
Acquire land, clear approaches, extended runway	
17-35	300,000
Install localizer	65,000
Bangor	82,500
Rehabilitate existing facilities for terminal building and rehabilitate apron	
Rockland	120,000
Rehabilitate and extend the principal runway to 5,000 feet	
Central Maine Area Airport	
	\$1,500,000

Construction of a 6,000 foot runway, short taxiway, plane parking apron, modest terminal building, automobile parking area and instrument landing system

Aeronautics Commission 255,500
Discretionary Fund

TOTAL \$3,983,000

The amounts listed after each unit in this section are to be construed as guides and any one or more amounts listed in the above schedule may be exceeded, with the approval of the Governor and Council, as long as the total expenditures of state money do not exceed the total amount of the bond issue and construction on each unit is performed as nearly as possible to that contemplated.

Any project exceeding the expenditure of more than \$150,000 must be matched with Federal Funds and shall be approved by the Aeronautics Commission and the Federal Aviation Agency.

Further amend said Bill in section 8 by striking out all of the 2nd paragraph (same in L. D. 1667) and inserting in place thereof the following:

“‘Shall a bond issue be ratified for the purposes set forth in ‘An Act to Authorize General Fund Bond Issue in Amount of Three Million Nine Hundred and Eighty-three Thousand Dollars and to Appropriate Moneys for Construction, Extension and Improvement for Airports,’ passed by the 103rd Legislature?’”

Further amend said Bill by adding at the end (same in L. D. 1667) the following:

‘Statement of Facts

If this legislation is enacted, there will be available in Federal Funds the amount of \$3,268,300.’

The SPEAKER pro tem: The Chair recognizes the gentleman from Kingman Township, Mr. Starbird.

Mr. STARBIRD: Mr. Speaker and Members of the House: First I would like to move the indefinite postponement of House Amendment “A” for, as you see, the last item included is the Central Maine Area Airport.

I voted for this airport when it came before the last session of this Legislature, but since that time the people have expressed their wishes on it; they have rejected it in a referendum. I feel it is presumptuous for us now to add this item in as an amendment to this airport bill, and I believe that is reason enough. I would have no serious question to the other items listed in the bill but, since there is no special amendment in regard to these other items, I will have to move indefinite postponement of House Amendment “A”.

The SPEAKER pro tem: The question now before the House is the motion of the gentleman from Kingman Township, Mr. Starbird, that the House indefinitely postpone House Amendment “A”.

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

Mr. HANSON: Mr. Speaker and Members of the House: I would like to pose a question through the Chair to any member who can answer it. In this proposed House Amendment “A” I notice, or it appears to me, that several of the smaller airports throughout the State, which had been included under the original L. D., are not listed. Does this mean that they would not receive funds, or would they be funded?

The SPEAKER pro tem: The gentleman from Solon, Mr. Hanson, has posed a question through the Chair to any person who may answer if he so desires.

The Chair recognizes the gentleman from East Millinocket, Mr. Birt.

Mr. BIRT: Mr. Speaker and Members of the House: In looking this over, and comparing it to L. D. 1667, it appears that the last item on L. D. 1667 is a discretionary fund of \$3,500. It appears from this amendment that all of these small airports, have been lumped together and allows the Aeronautics Commission to decide where the money will be allocated in a discretionary fund of \$255,500., which would be a little over \$250,000. higher. This actually comes to a little bit more money than the sum total of all of the small airports that are listed in L. D. 1667, and it appears that the

sponsor of this amendment at that time has taken this action to lump them together and let the Aeronautics Commission decide where the money will be allocated to.

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

Mr. HANSON: Mr. Speaker and Members of the House: In light of that explanation, if this is a valid explanation, and I presume it is, I would feel that I would have to be opposed to House Amendment "A" because people in my area are very much concerned with the small Norridgewock Airport. They have got an allotment of \$13,000. for necessary improvements, and where this could conceivably negate the action of the Legislature providing that previously, I would feel that I would have to be opposed to House Amendment "A". I think there are several other small airports throughout the State that would be in the same boat, that they might well lose their funds. Thank you.

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

Mr. HINDS: Mr. Speaker and Members of the House: The airports that are not included in this particular amendment that are specifically spelled out by L. D. 1667 are as follows: Presque Isle would be cut from \$100,000. to \$35,000. Wiscasset would be deleted. And all of these other areas I will repeat after Wiscasset are ones that have been deleted from the document. There would be Waterville, Madawaska, Rumford, Rangeley, Greenville, Millinocket, Old Town, Sanford, Norridgewock, Machias, Augusta. Now, I added up the total of all those items that were deleted, and they come to a total of \$534,000. So the discretionary fund shows an amount of \$255,000. in it, and it would be up to the Aeronautics Commission to decide which of these projects would get the money and which of the projects would not get the money, and there would be a number of these cut out.

It was the feeling of the Appropriations Committee that items should be spelled out so the Legislature would say where the money

went, what airports should be improved, and not the Aeronautics Commission.

The SPEAKER pro tem: The Chair recognizes the gentleman from Winslow, Mr. Roy.

Mr. ROY: Mr. Speaker and Members of the House: I didn't get a chance really to explain the amendment, and most of the members of the Appropriations Committee have covered some parts of it. I have put in quite a bit of time in putting this together, and I was going to explain it.

As you notice under L. D. 1667, where your airports are all listed, after conferring with Mr. Slossberg, under a bond issue each of the items listed, you would not be able to expend any amount that is listed for each one of these airports if the municipalities did not raise any amount to match, or to appropriate any amount that is needed for their share of the construction cost. That means that if the amount listed across from each one of these airports was appropriated through a bond issue, or raised, that amount there would stay there indefinitely if that particular town or city did not raise their share of it.

On the rear of the amendment you will find a statement of facts as to what the federal amount of money is available for all the airports listed. I conferred with a member of the Aeronautics Commission, the Director, and this in turn is their recommendation as recommended to the Appropriations Committee back in L. D. 152. Since then we have had L. D. 1232, and now we are on L. D. 1667. I can assure you we have had quite a few L. D.'s pertaining to airports in this session.

There is one item in 1667 which in turn I can never find an L. D. on, and that is the amount of \$25,000 for Millinocket. It is beyond me how the airport got in there without an L. D., but I imagine the Appropriations Committee included it in.

The Maine Aeronautics Commission has approved this type of a program, and it has also been recommended by the Maine National Airport that was put out

in 1965 and '66. The program that you have today in L. D. 1667, as amended, I would say is one of the most progressive pieces of legislation that you have had before you. Compare the amount of money that is to be raised by a bond issue for airports in the State, it is a very small percentage as compared to the amount of money that you raise for the highway system.

Of course, there have been an awful lot of arguments for and against this airport. I have been here for three sessions and I have been arguing for it for the past three sessions, and I have always based my arguments on the reports that were made by the experts in the field of aviation. I have tried to maintain an open mind on the subject and not feel partial as to any location of the airport. And, being the Representative from Winslow, I feel remiss and negligent, on my part, for not having this airport located in Winslow. I never had an L. D. before this House or any other House in the past to have this airport located in my community. I have always had the L. D.s in here as to what the reports specified in the past. I feel if we are going to spend \$60,000 and \$100,000 for study reports, and then shove them in our baskets or under the desk, I feel that it is a waste of the taxpayers money, and it is about time that we start cleaning out our closets.

I feel that the location of the Central Maine Airport has been solved by the Maine Transportation Committee and \$60,000 worth of study reports that the Legislature has approved in the past years. There were four reports made by the experts in aviation, and they all came out with the same results. I may be wrong, but I think that if we are to authorize these studies so as to solve the technical problems that we have, I don't think that I am qualified to say that this airport should be located in Augusta, Manchester, Gardiner, Waterville, or whatever area that has been brought before you in the past. We must bear in mind, Ladies and Gentlemen,

that the taxpayers of Maine will be paying for Portland, Bangor, Auburn, Lewiston, and the other airports in the State as well. I don't think that the amount of money that we are spending on each and every one of these airports comes from only one part of the State.

We should also keep in mind that Maine is larger in size than all of the other New England states put together. So airports in Maine are just as important as the Interstate 95 system to attract the tourist business for which we are originally known throughout the United States, and also industries and air freight, which is the coming thing of tomorrow. If we are going to spend millions of dollars advertising Maine as a place to spend money for vacations, and we do not provide roads and air service for it, our tax dollars are wasted in promoting Maine. I wonder how much revenue we would be looking for this session if we did not have to depend on the increase in tourist business every biennium. The only link missing that we have in the airport system of the State is Central Maine.

There is at the present time individuals working, as well as the members of the Aeronautics Commission, to study other areas. This does not mean that Sidney is the location in this amendment. This is left up to the Transportation Committee and the Maine Aeronautics Commission as well.

We now have Portland, Auburn-Lewiston, Bangor and Presque Isle. From these airports we could develop one of the best shuttle services to any corner of the State of Maine, within minutes of the jet airports. I can just visualize the increase in tourist business this would create. As you all know, we don't all have the Interstate 95 system going to the coast or going to the west part of the State. I feel that the difference in location of the Central Maine Airport has been taken care of. The FAA has approved federal matching money for it. The Maine Transportation Committee has approved it. The Maine Aeronautics Commission in four study reports have

all come out with the same results, that Maine needs a Central Maine Airport.

Let's be honest with ourselves. The problems in the past, as long as I have been here, have been batted around back and forth, and I feel that the true facts were never presented. I feel today that the problems have been solved, and I think that Central Maine should be entitled to a jet airport as well as the rest of the State.

During the last referendum, as everyone based their arguments on, I feel that the public has been misled. As you all remember, the advertising that you saw in the paper was directed against the Portland Airport improvements as well as the Central Maine Airport. Those who have attended the public hearings on airports will remember that every individual that was there supporting airports did not oppose Central Maine. They were opposed to consolidating the whole amount into one bond issue. This was the only thing they were afraid of.

I only wish we could accomplish one thing here today, that is, in aviation, and that is to work together for the interest of the whole State, and not just for the little corner that we come from, because when it comes time to pay for all of this, every taxpayer has to pay his share, no matter what part of the State you come from. I certainly hope that you will support the amendment.

The SPEAKER pro tem: The Chair recognizes the gentleman from Madison, Mr. Belanger.

Mr. BELANGER: Mr. Speaker and Members of the House: I have a lot at stake in L. D. 1667. I was sent here primarily to raise a little money for the Norridgewock Airport. In the first place, I introduced a measure in L. D. 875, which had its three readings here, engrossed and enacted, and was passed on to the Senate, and landed onto the Appropriations Table. Later on I was told it was included in this bill. Now I find that Norridgewock is not on here. So I feel kind of left out.

Now, I wish to tell you the Norridgewock story. Back in 1943 the Air Force was looking for a

place where they could land B-24's other than Dow Field. So they looked around the State and they found Norridgewock was practically fog-free and an ideal spot to build another airport. Over in Norridgewock we have now two 4,000 foot, 150-foot wide air strips, that have been there ever since 1943, with very little use of it, and at the present time it is in very good shape. At that particular time it cost the Government approximately \$1,200,000 to build. Today it would cost \$4,000,000 to build the same thing. There is some real estate that is lying idle there. We are asking the State of Maine to provide us with \$13,000 to make this airport available for flying day and night. All we require is lights and another item which I can't think of the name now. Anyway, \$13,000 is what we wanted. And the County has already raised \$12,500 to be included with that. We needed altogether \$25,500. \$12,500 is put up by the County, and we are asking the State to give us \$13,000. And for maintenance the local towns of Madison, Anson, Skowhegan and Norridgewock have already raised over \$4,000 for its maintenance the first few years. Now, that is my story and, therefore, I am supporting the gentleman from Kingman Township, Mr. Starbird. I am supporting him, and I hope you also will, to support my story of Norridgewock. Thank you very much.

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

Mr. SULLIVAN: Mr. Speaker and Members of the House: Maybe it would be well for certain people to know some of the economic facts of life. The economic facts of life, when you talk about airports, it depends upon how much money you have to spend. Now, if we had millions and millions of dollars here in the State, and if that money grew on trees, why of course we should have an airport in all these towns that have a population of 1500 or 2000 or thereabouts. We have a certain amount of money in this State, and that money should be used for essentials.

We can have, and we have, three jet airports, Portland, Bangor, and Presque Isle. And the others, considering economic facts, should be used right now as fillers. If there are people in Central Maine who want to go to the west coast, they can take a plane, helicopter, or anything else, to get to Portland. If they are within fifty miles or nearer to Bangor, they can go to Bangor. The same thing applies up in Presque Isle. In other words, we haven't the money in this State to provide an airport for all of these small towns. Maybe we will come to that eventually, but today is not the time. If you are going to build airports you have first got to know where you are going to get the money to build them. If you have so much money to spend, you have to spend it first on the necessities, the prime necessities. Thank you.

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

Mr. QUINN: Mr. Speaker and Members of the House: I would have to oppose this Amendment "A" due to the fact that appropriating a million and a half dollars bond issue for a phantom airport is an irresponsible act. This item has already been before the people in referendum and it has been turned down. And by attaching this on this worthwhile bill to get money for some real airports that are established, we are giving that bill the kiss of death.

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

Mr. CROMMETT: Thank you, Mr. Speaker. The remarks I made last week on the floor of the House, I think in fact I know, served its purpose from my point of view. Referring to the remarks made by my good friend, Mr. Roy from Waterville, saying that there was no L. D. for the Millinocket Airport, I could have told him that, and I know why it happened, but I am going to vote against his amendment. I want the people to know that I am delighted that the Millinocket Airport is included in the redraft, L. D. 1667.

The statement that I made here before the House that I was speak-

ing for my constituents was correct. Those who had talked to me, and until such time as others interested — and I will name them to you in my locality — until such time as they come down from their ivory towers, and make their wishes known to their local representative, there will be a lack of communication from the local representative and the constituents whom I represent.

Sometime in January I talked to Mr. Scott Higgins of the Aeronautics Commission, and asked him about having a bill or some money appropriated for the Millinocket Airport. He told me that it wasn't in his budget. He was greatly concerned that his budget was going to be cut by His Excellency, the Governor. On further inquiry if I could not put a bill in for the Millinocket Airport, he informed me that he would oppose it if he thought it was going to interfere with his budget. At that time there was some work that should be done, and they tried to tell me about it, that it had been taken care of, but I wasn't interested at that time so much as I was in getting an appropriation for the airport.

Not knowing the workings of the powers that be, I accepted the word of Mr. Scott Higgins and dutifully returned to my constituents and informed them of my findings. And that is why I said that the program that we had in Millinocket would be taken care of in due time, probably the next session. We didn't think we could do any different. And I say to you, Ladies and Gentlemen, I am delighted that Millinocket is included in L. D. 1667, and I will vote against my good friend, Mr. Roy, on his amendment.

The SPEAKER pro tem: The Chair now recognizes the gentleman from Winslow, Mr. Roy.

Mr. ROY: Mr. Speaker and Members of the House: I feel that I probably owe Mr. Crommett, my good friend from Millinocket, an apology, if I sounded like I was offending him by bringing out the fact that I could not find an L. D. on Millinocket, and I do so at this time. I feel Millinocket is just as important an airport, where they

have Great Northern Paper up there, as any other airport in this State.

I think it is high time we improved the aviation of Maine, for I think we have left it behind a good many years. This amendment may not meet the approval of every member of this House. There may be some errors in it. To answer Mr. Belanger, the good gentleman from Madison, after conferring with members of the Aeronautics Commission and the Director there to make sure that no airports were left out in drafting this amendment, they brought out the fact that the discretionary fund would include Norridgewock or any of the other communities in the State that do have small airports that need money for their repairs.

If it is at all possible, in order to rectify the amendment, I would appreciate it if somebody would table it for a day or so.

The SPEAKER pro tem: The Chair recognizes the gentleman from Waterville, Mr. Fortier.

Mr. FORTIER: Mr. Speaker, I move that this item lie on the table until Wednesday, May 31.

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

Mr. LITTLEFIELD: Mr. Speaker, I request a division.

The SPEAKER pro tem: The tabling motion has been made. A division has been requested. It cannot be debated unless you are debating the time.

The Chair recognizes the gentleman from Waterville, Mr. Fortier.

Mr. FORTIER: Mr. Speaker, I withdraw my motion.

The SPEAKER pro tem: The motion is withdrawn. The only motion now before the House is the motion of the gentleman from Kingman Township, Mr. Starbird, that House Amendment "A" be indefinitely postponed.

The Chair recognizes the gentleman from Waterville, Mr. Fortier.

Mr. FORTIER: Mr. Speaker and Members of the House: It is entirely possible that this amendment might gain passage today. I know we are not supposed to debate a tabling motion, however —

The SPEAKER pro tem: The tabling motion has been withdrawn. You may continue.

Mr. FORTIER: As Mr. Belanger mentioned, his airport was left out of the amendment. Now, my airport is left out of the amendment. I wasn't sent down here to accept a promise laid out by a discretionary fund for the Aeronautics Commission to administer. I would rather go back with an ironclad guaranty that we are going to get some amount of money. My request for tabling was that the amendment did raise some legitimate questions, and I haven't been able to keep abreast of the amendments, between the amendment of my good friend from Houlton, Mr. Berman, and the proposed amendment by the distinguished gentleman from Perham, Mr. Bragdon, and the original L. D. However, there are some legitimate questions that may be raised by the amendment, and that is in the area of federal participation. The L. D. itself is very vague in this sense. We don't know whether this money has any ties attached to it, or whether it is outright grants. There is nothing in the L. D. that says that any part of this has to be matched by federal money, and for this purpose I would hope that somebody would try that tabling motion again. There are so many vague areas in here that I can't follow them.

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

Mr. JALBERT: Mr. Speaker, I move this item lay on the table until tomorrow.

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

Mr. NADEAU: Mr. Speaker, I request a division.

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

Mr. QUINN: Mr. Speaker, tomorrow is Friday and there are a lot of members who aren't here on Friday. Consequently, I would move that this be tabled until next Wednesday.

The SPEAKER pro tem: The motion now before the House is

that this be tabled until Wednesday next, the 31st of the month.

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

Mr. LITTLEFIELD: Mr. Speaker, I request a division.

The SPEAKER pro tem: A division has been requested. All those persons desiring that this matter lie upon the table until Wednesday, May 31st will vote yes; those opposed will vote no. The Chair will open the vote.

A division of the House was taken. 35 having voted in the affirmative, and 64 having voted in the negative, the tabling motion did not prevail.

The SPEAKER pro tem: The question now before the House is the motion of the gentleman from Kingman Township, Mr. Starbird, that House Amendment "A" be indefinitely postponed. Is the House ready for the question? The Chair will declare a vote. All those in favor of House Amendment "A" being indefinitely postponed will vote yes; those opposed will vote no. The Chair will open the vote.

A division of the House was taken. 91 having voted in the affirmative, and 11 having voted in the negative, the motion prevailed and House Amendment "A" was indefinitely postponed.

Thereupon, Mr. Bragdon of Perham offered House Amendment "C" and moved its adoption.

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

HOUSE AMENDMENT "C" to H. P. 1166, L. D. 1667, Bill, "An Act to Authorize General Fund Bond Issue in Amount of Two Million Eight Hundred and Fifteen Thousand Dollars and to Appropriate Moneys for Construction, Extension and Improvement for Airports."

Amend said Bill by adding at the end of "Sec. 1." (same in L. D. 1667) the following:

'Any issuance of bonds may contain a call feature at the discretion of the Treasurer of State with the approval of the Governor and Council.'

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

Mr. SULLIVAN: Mr. Speaker and Members of the House: What does Amendment "C" do?

The SPEAKER pro tem: The gentleman from Portland, Mr. Sullivan, has posed a question through the Chair as to the purpose of House Amendment "C."

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

Mr. BRAGDON: Mr. Speaker and Members of the House: For the benefit of the gentleman from Portland, Mr. Sullivan, I would read House Amendment "C."

House Amendment "C" to H. P. 1166, L. D. 1667, Bill "An Act to Authorize General Fund Bond Issue in Amount of Two Million Eight Hundred and Fifteen Thousand Dollars and to Appropriate Moneys for Construction, Extension and Improvement for Airports."

Now, we amend said Bill by adding at the end of "Sec. 1," and in L. D. 1667, the following: "Any issuance of bonds may contain a call feature at the discretion of the Treasurer of State with the approval of the Governor and Council."

Thereupon House Amendment "C" was adopted.

Mr. Roy of Winslow was granted unanimous consent to address the House.

Mr. ROY: Mr. Speaker and Members of the House: I would like to bring your attention to L. D. 1667, under the listing of all the airports you'll find that it states: "The amounts listed after each unit in this section are to be construed as guides and any one or more amounts listed in the above schedule may be exceeded, with the approval of the Governor and Council, as long as the total expenditures of state money do not exceed the total amount of the bond issue and construction on each unit is performed as nearly as possible to that contemplated."

If you in turn pass L. D. 1667 today, as it was brought to my attention by members of the Aeronautics Commission, the amounts listed after each towns and cities that you have here today, if any of these towns fail to appropriate the amount of money—let's take for an example, Rockland. The

amount of money that they wish to raise locally, if they fail to do so, \$120,000 would lay idle indefinitely under this particular bill.

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

Mr. SCRIBNER: Mr. Speaker and Members of the House: In regard to the comments of Mr. Roy, this is a provision that has been inserted in all of the bond issues. It was first used in the last session in one of the University of Maine bond issue proposals, it's been adopted in all the bond issues this year. It seemed to work out quite well through the University of Maine, and it does provide a certain amount of leeway by the Governor and Council whenever the amounts of money need to be reallocated in a small manner, so that the project is accomplished as nearly as could be anticipated over the rising costs in construction costs, and changes in plans by architects, this may be necessary.

Now in this particular case, I don't feel that the Aeronautics Commission has any particular legitimate objection to this matter of listing all of the projects in this manner and then using this—this clause being used in this type of bill gives them far more leeway than they would have had had this type of bill gone through in the manner in which the bill has been normally adopted for airport construction in the past, if all the projects had been listed. For example, using the case in money for Rockland. Assuming Rockland does not raise any money, some of that money may be used on some of these other projects, and it may be necessary to do this in many of them, depending on what the construction costs are. There would have to be a reasonable limit used by the Governor and Council. There was also a small discretionary fund in the amount of \$3,500 which can also be used to bring up any shortages in funds that may be required. Now something that we're going to have to do—in the past this type of proposal has gone through—bond issues going back to the depression, and the State Con-

troller is still carrying on his books proceeds of bond issues which are never going to be expended, and they're carried on his records and the Treasurer has the cash. Now I've discussed this with Mr. Slosberg, and in that event, because the bond issues have gone out for referendum, the only way in which to clean up the State Controller's records, regarding these funds and all these numerous bond issues, is for somebody to draw up a bill and it has got to go to referendum. Now people aren't going to understand it, the fact that something, just to clean up the State's bookkeeping records, had to go to referendum, but that would be the system in the case, because it would have to go to referendum—no one has ever done it before, so these things are just piling up over there, and the State Treasurer has this, where some of the money comes from, that some of the interest has been added on in the past.

Of course, something will have to be done at some future date, but I do believe that this particular clause in here does reduce the chance of any of these funds being left over, unless it was one of the very large projects in which the municipality did not raise the necessary amount of matching funds, and I feel it's a step in the right direction towards giving them a little bit more leeway so that the intent of the legislature in accomplishing these projects, as long as the costs do not vary considerably from what was originally listed, that the jobs will get done, and not 90 percent done, which has been the case sometimes in the past. Thank you.

The SPEAKER pro tem: There is some confusion as to the status of the bill right now because of the various amendments. For the enlightenment of the members, the question before the House is the acceptance of the bill to be passed to be engrossed, as amended by House Amendments "B" and "C." House Amendment "A" was indefinitely postponed.

The Chair recognizes the gentleman from Winslow, Mr. Roy.

Mr. ROY: Mr. Speaker and Members of the House: I do not

defer with Mr. Scribner from Portland. He is correct in his statements in regard to expending the amount of money appropriated. I am sure that those who have been selectmen here in the past, and those that have been city managers, are familiar with what they call the line budget. From my interpretation of what Mr. Slosberg told me, this would operate under the same idea, the money appropriated for each item, as compared to a line budget on a local level. That amount that is raised by a bond issue — let's take, for example, Rockland again, which, of course, there is already federal funds available for Rockland and they don't need to raise any local money for it, but if they did, and at town meeting time they failed to do so, the amount that was raised for a bond issue of \$120,000 as listed here would lie idle there indefinitely. This is how Mr. Slosberg interpreted this.

The airports that are available for federal money are Presque Isle, Bangor, Portland, Auburn-Lewiston, Rockland, Bar Harbor. All the other bills were included in the discretionary fund. Thank you.

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

Mr. HANSON: Mr. Speaker and Members of the House: In reference to the last remark of the gentleman from Winslow as regards federal funds, it was my understanding that the Norridgewock Airport would be eligible for federal funds also. And I would like to stress the point that the money for the Norridgewock Airport has already been raised. But the primary purpose for my rising was to thank the Representative from Portland, Representative Scribner, for his very well put argument in favor of the Governor's Council. Thank you.

The SPEAKER pro tem: Is the House ready for the question?

The Chair recognizes the gentleman from Waterville, Mr. Fortier.

Mr. FORTIER: Mr. Speaker and Members of the House: I hold no brief for my colleague from Winslow, Mr. Roy. The Speaker re-

ferred to the proposition that he proposed as the Sidney proposition. I saw no mention of this area in the amendment. I think the amendment said Central Maine Area Airport which, of course, could have been Norridgewock or Vassalboro or some other place. I think he is whipping a dead horse anyways, but there are still some areas here that I am in sympathy with him on, however.

There are still some areas that are vague, as far as I am concerned, in this bill. It proposes sort of a pork barrel piece of legislation here granting \$2,815,000. of State money. It says nothing as to whether or not this money is going to be matched by either local money or federal money. This could make a substantial difference. I would like to pose a question to the gentleman from Portland, Mr. Scribner, as to whether this is taken into consideration, and under this bill exactly how much federal money would be generated, and do the cities and towns who have airports have to match any part of this money? Is it prescribed in the bill that they have to come up with some money here? For instance, in the example of Waterville, which is getting \$30,000., do we get the \$30,000, whether or not there is federal money available, or do we have to raise money in Waterville, along with the State money, and then depend on a federal grant to complete the project?

I don't see it anywhere in the bill, and I do hope it would be explained, as this is a very important bill, it is almost \$3,000,000., and it is on the verge of engrossment, and I think there is substantial objection, and I would hope that the gentleman would give me the answer.

The SPEAKER pro tem: The gentleman from Waterville, Mr. Fortier, has requested through the Chair of the gentleman from Portland, Mr. Scribner, a question, and the gentleman from Portland, Mr. Scribner, may answer if he so desires.

The Chair recognizes that gentleman.

Mr. SCRIBNER: On this work with the Aeronautics Commission, we have continually had changes in all these programs, and I have a complete file down in the Appropriations Room and I would have to consult it to determine the status of the federal and local matching requirements for these different projects. I cannot answer the gentleman's question specifically.

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

Mr. BRAGDON: Mr. Speaker, I move that this bill be tabled, pending engrossment, until tomorrow.

The SPEAKER pro tem: The question now before the House is the motion of the gentleman from Perham, Mr. Bragdon, that this item lie upon the table until May 26th. Is this the pleasure of the House?

The Chair will order a vote. All those in favor of this item lying upon the table until tomorrow, May 26, will vote yes; those opposed will vote no. The Chair will open the vote.

A vote of the House was taken. 38 having voted in the affirmative, and 67 having voted in the negative, the motion to table did not prevail.

The SPEAKER pro tem: The gentleman from Waterville, Mr. Fortier has spoken twice, and requests unanimous consent to speak a third time. Is there objection? (Cries of Yes) There is objection. The gentleman is out of order.

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

Mr. HENNESSEY: Mr. Speaker, I would like to go over Wiscasset, with the \$30,000. If that was a quarter that the town would raise, it would be \$7,500. Now, how much does your Federal Government match that in regards to your \$30,000, on your L. D.?

The SPEAKER pro tem: The gentleman from West Bath, Mr. Hennessey, poses a question through the Chair to any member who may answer if they can.

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

Mr. HINDS: Mr. Speaker and Members of the House: These federal matching amounts, when it comes to airports, are very difficult, because there are certain things the Federal Government matches and certain things they do not match. Unless we have all the complete information before us on each individual airport and what they are going to do, you would have no way of telling. However, many of these amounts in here were individual L. D.'s and Legislators appeared before the Appropriations Committee asking for these individual amounts. And at that time they either stated that the town had raised their share, or the city had, and what the federal matching was, and so forth and so on. These were all combined into one bill rather than have a dozen or 15 different legislative documents running through the session here for airports. Some of these are federal matching and some are not. No matter whether it is stated in here or not, there would still be federal money available for some of these projects as there was when we had the public hearings on these L. D.'s. So, each one is different, and I don't think the same formula will apply to any two of these.

The SPEAKER pro tem: The Chair recognizes the gentleman from Winslow, Mr. Roy, who has spoken twice, and requests unanimous consent to speak a third time. Is there objection? The Chair hears none. The gentleman may proceed.

Mr. ROY: Mr. Speaker and Members of the House: I will be very brief. I would just like to pose a question, Mr. Speaker, to any member of the Appropriations Committee as to the item in L. D. 1667, I could not find an L. D. on Augusta also for the construction of a new administration building. I would like to know how much money would the federal government put into this project here?

The SPEAKER pro tem: The gentleman from Winslow, Mr. Roy, has posed a question through the Chair to anyone on the Appropriations Committee who may answer.

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

Mr. JALBERT: Mr. Speaker and Members of the House: The answer to that question is "nothing." While I am on my feet I would like to speak about that item of \$320,000. Certainly when I make my remarks I do not address them in any way, shape or manner wherein it concerns the people who represent Augusta, because I have yet to serve with three more amiable people than the three gentlemen who are serving here from Augusta.

However, I feel that they do not need this administration building for \$320,000. If we are not going to have a central airport, I think the money should be very much better spent by extending their runways and putting in monies where they should be put. But certainly I think that the \$320,000 for the administration building at that airport, where something else is needed, is not right.

I think the explanation of the gentleman from South Portland, Mr. Hinds, is a good explanation, but I think that it deserves, in answer to the good gentleman, Mr. Hennessey, deserves an item by item reply. It is very obvious that we do not have here the answers as spelled out in the books, as were spelled out to us by the Aeronautics Commission, as the gentleman from South Portland, Mr. Hinds, states. It is true.

In my own area, for instance, it involves the Auburn-Lewiston Airport and it involves a localizer. The localizer has no federal funds; it is all state funds. The rest of the money, \$300,000, involves also \$300,000 in federal funds. However, there were other items that were taken out of that program that I had for Auburn and Lewiston, and they did and did not involve federal funds. Because of the fact that this bill would be engrossed by us and then would reappear to us in enactment form, and because of the fact that some of these questions have not been answered properly and could be answered if we had the material here with us, I feel very strongly that this measure should be tabled until Wednesday, May 31, and I ask a division

The SPEAKER pro tem: Nobody has made the tabling motion.

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

Mr. HEWES: Mr. Speaker, I move this be tabled until Wednesday, May 31.

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

Mr. JALBERT: Mr. Speaker, I ask a division

The SPEAKER pro tem: The gentleman from South Portland, Mr. Hewes, now moves that this item lie upon the table until Wednesday, May 31. A division has been requested. All those in favor of this item lying upon the table until Wednesday, May 31, will vote yes; those opposed will vote no. The Chair will open the vote.

A vote of the House was taken.

The SPEAKER pro tem: For what purpose does the gentleman rise?

Mr. GILL of South Portland: A parliamentary inquiry. Was this motion made before to table until this date? If so, is this in order?

The SPEAKER pro tem: The motion before the table to this date was on the question of indefinite postponement of House Amendment "A". The present tabling motion before the House is on the question of engrossment.

58 having voted in the affirmative and 50 having voted in the negative, the Bill was tabled pending passage to be engrossed and specially assigned for Wednesday, May 31.

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

Bill "An Act Revising the Motor Vehicle Dealer Registration Law" (H. P. 1164) (L. D. 1665)

Tabled — May 23, by Mr. Danton of Old Orchard Beach.

Pending — Motion of Mr. Pendergast of Kennebunkport to indefinitely postpone House Amendment "A" (H-342)

The SPEAKER pro tem: The Chair recognizes the gentleman from Biddeford, Mr. Truman.

Mr. TRUMAN: Mr. Speaker, because the gentleman from Old Orchard Beach, Mr. Danton, is not

present, I respectfully request that this item be tabled for two legislative days.

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

Mr. CONLEY: Mr. Speaker, I move that this bill be tabled until Wednesday next.

The SPEAKER pro tem: The motion now before the House is the motion of the gentleman from Portland, Mr. Conley, that this item lie upon the table until Wednesday, May 31. Is this the pleasure of the House?

The motion prevailed.

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

SENATE REPORT—Ought to Pass—Committee on State Government on Bill "An Act to Permit State Employees and Teachers to Insure Spouse and Children Under the Group Life Insurance Program" (S. P. 257) (L. D. 637) (In Senate, passed to be engrossed)

Tabled—May 24, by Mrs. Fuller of York

Pending—Acceptance in concurrence.

Thereupon, on motion of Mr. Brown of Augusta, retabled pending acceptance in concurrence and specially assigned for Wednesday, May 31.

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

An Act relating to Weight Violations of Trucks (H. P. 1122) (L. D. 1594)

Tabled—May 24, by Mr. Pendergast of Kennebunkport.

Pending—Passage to be enacted.

The SPEAKER pro tem: The Chair recognizes the gentleman from Kennebunkport, Mr. Pendergast.

Mr. PENDERGAST: Mr. Speaker, Ladies and Gentlemen of the House: As I mentioned some time ago, this bill, being a combination of two other bills, appears to be part of a continuing policy on the part of large truck operators to gnaw away and undermine the weight laws protecting our highways.

I was unable to be present at the public hearings and I understand that some members of the Transportation Committee wondered how I knew so much about these bills which were combined into this bill L. D. 1594. I would like to point out to these people that one of the bills came before the Public Utilities Committee of the 102nd Legislature, of which I was a member, same sponsor, but of course a different L. D. number. Two years ago the original bill to reduce fines also eliminated the mandatory ladder scale of fines. It was finally amended to let the judge decide whether to levy a fine or not, which is a reasonable compromise. Now, of course, they are at it again and want to reduce the fine to make it profitable to be up to 10,000 pounds overweight, and this I can't buy.

Two years ago many of us sat here and watched, and some of us helped, truck legislation to roll through the 102nd Legislature to the point that the public became alarmed at what was going on.

Today we have, on a smaller scale, a repetition and continuation of what happened two years ago.

This session we have additional legislation which hurts no one but the public, and helps no one but the large truckers. We have a double bottoms bill, a bill increasing weight tolerances, a bill reducing fines for weight violations, two bills granting additional weight tolerances for specified classes of materials.

There has been newspaper publicity to the effect that the so-called double bottoms bill is nothing but a smoke screen. If there be any truth to that statement, then I believe this conglomerate bill we are now considering is one of those things intended to be hidden.

The proponents want to hide the fact that L. D. 234, now a part of this hybrid, is in the same vein as a bill introduced at the last session which sought to completely eliminate the statute providing penalties for weight violations as I already mentioned. The net result of that bill was to remove from the law a provision that the enumerated fines be mandatory.

That was not enough. Now they're back. True, this bill seeks to only half-emasculate the Statute, but there are other sessions coming. It appears that there is to be no relenting on the part of those who would eliminate all penalties for overloaded trucks, and that they will not be satisfied until trucks of any weight can hammer over the public highway with immunity and impunity.

Another thing to be hidden is the fact that this marvelous merger of legislative documents creates a double standard which will subject our poor State and State Aid Highways, city streets and town roads to punishment which we are not even allowed to consider for the new, modern and heavily constructed interstate highways.

We don't need the double bottoms bill for a smoke screen. Such an obscuring cloud already exists. It has been created over the years by piecemeal Highway legislation. Not only do I oppose this present bill, but I would welcome a committee to review and revise our Highway Statutes for the purpose of eliminating present inconsistencies and making an intelligent and enforceable statute.

Mr. Speaker, I now move for the indefinite postponement of this bill and all its accompanying papers.

The SPEAKER pro tem: The question now before the House is the motion of the gentleman from Kennebunkport, Mr. Pendergast, that this bill and all its accompanying papers be indefinitely postponed.

The Chair recognizes the gentleman from Kennebunk, Mr. Crosby.

Mr. CROSBY: Mr. Speaker and Members of the House: It seems that I am always arising to defend an 8 to 2 Report "ought to pass" out of our poor Transportation Committee. I was very happy to hear the gentleman from Kennebunkport admit that he was not at the hearing and therefore, did not hear all of the facts. I am sure that the facts that he has stated here today are not his own; I have an idea where they came from because there was only

one who appeared in opposition to this at the hearing.

I again rise to defend this L. D. 1594, a new draft of L. D. 1278. The Transportation Committee heard lengthy testimony on this bill. And in opposition to what you have heard before, the bill does not allow a 2,000 pound tolerance over and above the present 73,280 pounds. All this bill allows is: if a party is arrested for carrying a load over 73,280 pounds, they will allow him to appear in court, and if he can prove to the judge that the overload is unintentional, then the judge does not have to impose a mandatory fine. If he overloaded it intentionally, as far as the judge can determine, then the fine will be imposed. This is no dramatic change in the fine laws of the State of Maine.

I am sure that we all have confidence in the judges of our State, and I certainly am one who is opposed to a mandatory schedule of fines. Therefore, I hope that you will vote against the indefinite postponement.

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

Mr. MARTIN: Mr. Speaker and Members of the House: The gentleman from Kennebunkport, Mr. Pendergast, indicated to you that this bill had been sponsored by the same sponsor as last year. I did not sponsor a trucking bill last year, and I did this year. This bill was not sponsored by the large truck owners, it was sponsored by the small truck owners, primarily the ones who haul pulpwood in my area.

I repeat that the fines that must be imposed by the court are discriminatory, the judge cannot judge, there is no reason that he can decide that these should not be imposed. I certainly hope that you vote against the motion to indefinitely postpone and, I would remind the members of the House, that this was an 8 to 2 Report, and we have acted twice favorably previously in the House on this measure.

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

Mr. PRINCE: Mr. Speaker and Members of the House: I want to concur with Representative Martin and the Representative from Kennebunkport. This bill has gone all the way and I feel that we should enact it. I want to go on record that way.

The SPEAKER pro tem: The Chair now recognizes the gentleman from Manchester, Mr. Rideout.

Mr. RIDEOUT: Mr. Speaker and Members of the House: I rise in support of the majority of the Transportation Committee. I think they have shown good judgment. I do not agree with the good gentleman, Mr. Pendergast, and I hope that the House would support the Majority "Ought to pass" Report.

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

Mr. BOURGOIN: Mr. Speaker and Members of the House: As a sponsor of half of this bill, because it includes two bills, this was put in by a Republican lawyer from Fort Kent for the independent truckers which, by paying one or two of those fines, they cannot any more operate their trucks and earn a living for their families. And it's very much needed in our county for the farmers at the same time. Thank you.

The SPEAKER pro tem: The Chair recognizes the gentleman from Sidney, Mr. Drummond.

Mr. DRUMMOND: Mr. Speaker and Members of the House: I'm sure the House has heard me speak previously on this bill. I mentioned the fact that I paid one of these \$500 fines. I'm sure that this is a very unjust amount for a man to have to pay because of a mistake, and an honest mistake. I talked with one of the owners of Fox and Ginn this morning. He said they sent about forty trucks a night down through Kittery and over the scales. And I'm sure this is one of the big trucking outfits that the gentleman from Kennebunkport, Mr. Pendergast, was speaking about. He said that in the last year they'd had one truck overweight by four hundred pounds, and it cost the company \$50 for this four hundred pounds

overweight. The police, if they had seen fit, could have held that truck at those scales until they sent another truck to take the four hundred pounds off. I hope you people will vote against the motion of Mr. Pendergast. Thank you.

The SPEAKER pro tem: The Chair recognizes the gentleman from Mars Hill, Mr. Dickinson.

Mr. DICKINSON: Mr. Speaker and Members of the House: In spite of a personal conviction that too much time has been consumed in discussion of many items, and a realization that I have been an accessory after the fact, I would again go on record as being opposed to any underhanded approach to any increased tolerances and legalized law violations.

The opinion which I expressed when this legislation was previously before us has also been expressed by editorial writers, and for any who may not have read it I would request your indulgence while I read one of those editorials which appeared in the May 1st issue of the Portland Press Herald. This is captioned "Unenforceable Truck Overweight Bill Not in the Public Interest."

"The House of Representatives at Augusta, we feel, made a grave mistake last week when it gave first reading to a redrafted bill permitting trucks to exceed highway load limits if they did it unintentionally. In the first place, the provisions of the bill are unenforceable, and the State Police would have told House leaders so if an opinion had been asked, we are sure. Who is going to be the judge of unintentional overloading? Moreover, the bill permits overloaded trucks to use the federal interstate system because no tolerances there are permitted. And, if the Legislature made any gesture in the direction of violating the federal standards, Maine would be in danger of losing generous highway grants from the Bureau of Public Roads. There are no tolerances either for any sort of overloading in New Hampshire and Massachusetts. So, the overloading, intentional or otherwise, has to be done within the State of Maine. Thus, excessive loads over the legal 73,280 pounds will be carried

on highways not nearly so strongly built as the Interstate which the overloaded vehicles are barred from using.

"It appeared that the House was dubious about this special interest legislation, since it only squeaked by on a 71 to 68 vote, despite approval by eight of ten members of the Transportation Committee. Since the truckers need have no fear of the Kittery scales, they can pile on another ton of freight at Portland and run to Presque Isle without much danger of being caught. And if the overload is exactly a ton, raise their hand and give the boyscout oath and say 'honest,' they had no idea how that extra ton got aboard." Thank you.

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

Mr. EWER: Mr. Speaker, may I make a parliamentary inquiry? There are two Senate Amendments to this bill. Are we voting on this bill in its original form or are we voting on the bill with these two amendments?

The SPEAKER pro tem: The Clerk informs the Speaker pro tem that there are no amendments now.

The Chair recognizes the gentleman from Kennebunk, Mr. Crosby.

Mr. CROSBY: Mr. Speaker and Members of the House: I would simply like to clarify one statement which has been made that this law is not enforceable. I have talked with Captain Holdsworth of the State Police and posed that question to him. And he has informed me that the law is enforceable.

The SPEAKER pro tem: The Chair recognizes the gentleman from Kennebunkport, Mr. Pendergast.

Mr. PENDERGAST: Mr. Speaker and Members of the House: In answer to the gentleman from Kennebunk, Mr. Crosby, I say there are many times when a committee only hears one side of a question, and they have to read between the lines. In regard to the statement just made by the same gentleman, I wonder if the Captain was talking about the present law or the proposed law. This is the question in my mind. Thank you.

Mr. Martin of Eagle Lake was granted consent to speak a third time.

Mr. MARTIN: Thank you, Mr. Speaker. Mr. Speaker and Members of the House: I attended the hearing. There was one opponent at the hearing, and he was a representative of the Maine Central Railroad. His only objection to the bill, and I can almost quote him verbatim, is that economically it could mean a loss of revenue to the railroad. If this is any reason why any individual or any company should oppose any bill, I don't think it is a very good one.

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

Mr. BOURGOIN: Mr. Speaker and Members of the House: I want to bring your attention to the question that even if the trucks do not get to Kittery, they are weighed. They are weighed at St. Francis, Maine, they are weighed on the road between Fort Kent to Presque Isle, with bulk potato loads, and they have paid \$350 and \$400 fines and a couple in the same week. I believe that the fines as set in this Legislative Document would be very heavy to the farmers now where they are selling their potatoes for a dollar less than what they have raised them, per barrel.

The SPEAKER pro tem: Is the House ready for the question? The question now before the House is the motion of the gentleman from Kennebunkport, Mr. Pendergast, that An Act relating to Weight Violations of Trucks, House Paper 1122, L. D. 1594, and all its accompanying papers be indefinitely postponed. The Chair will order a vote. All those in favor of indefinite postponement will vote yes; those opposed will vote no. The Chair will open the vote.

A vote of the House was taken.

29 having voted in the affirmative and 71 having voted in the negative, the motion did not prevail.

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

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

MAJORITY REPORT (8)—Ought to Pass—Committee on Judiciary on Bill “An Act relating to Counsel’s Argument of Monetary Value of Pain and Suffering in Personal Injury Actions” (S. P. 429) (L. D. 1083)—MINORITY REPORT (2)—Ought Not to Pass. (In Senate, Bill and Reports indefinitely postponed)

Tabled—May 24, by Mr. Brennan of Portland.

Pending—Motion of Mr. Berman of Houlton to accept Majority Report.

The SPEAKER pro tem: The Chair recognizes the gentleman from Cape Elizabeth, Mr. Hewes.

Mr. HEWES: Mr. Speaker, I move indefinite postponement of this bill and all its accompanying papers, and would speak to this motion.

The SPEAKER pro tem: The gentleman may proceed.

Mr. HEWES: This is an attorneys’ bill and, although I am an attorney, I do not feel it is a good bill, and I was one of the two who signed the Minority “Ought not to pass” Report.

This bill provides for a new concept in negligence law, namely, that attorneys will be permitted to argue something in their final arguments to the jury which is not a part of the evidence. Under the existing law in Maine, in order for an attorney to argue a certain point, he should be arguing something that is put into evidence. This bill, if enacted into law, would permit a lawyer to argue pain and suffering, for example, if a person suffers a penny a second, then you multiply the number of seconds into minutes, hour, day, week, month and year, and then for the period of time that the party may suffer pain and suffering.

I do not feel that it is in the best interests of all the people concerned to have this enacted. I understand that New Hampshire has ruled that such argument is not permitted, and that was done by judicial decision in New Hampshire. I don’t think that we in the Legislature here in Maine should permit such argument. I thank you.

The SPEAKER pro tem: The question now before the House is the motion of the gentleman from Cape Elizabeth, Mr. Hewes, that this bill and its accompanying papers be indefinitely postponed.

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

Mr. BERMAN: Mr. Speaker and Members of the House: I have listened with some interest to my friend, the gentleman from Cape Elizabeth, expostulate this particular bill.

Now, within the past year I have given this matter a certain amount of study. I have a world renowned book on the subject of pain by one of the great—neurologists I believe they are called, a Dr. Waltz. We have a very able colleague on our committee, the gentleman from Portland, Mr. Brennan, who has been working very hard the past few days to prepare an amendment which will meet many of the minute—and I do say minute objections posed by my good friend from Cape Elizabeth, Mr. Hewes. Now, I think out of courtesy and deference to the fine work put forth on this committee by my good friend from Portland, Mr. Brennan, who has been working very hard to prepare a compromise amendment, that someone should table this bill until May 31st, which would be two legislative days.

Thereupon, on motion of Mr. Brennan of Portland, retabled pending the motion of Mr. Hewes of Cape Elizabeth to indefinitely postpone and specially assigned for Wednesday, May 31.

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

Bill “An Act Regulating Firearms in Active Lumbering Operations in Unorganized Territory” (H. P. 1167) (L. D. 1668)

Tabled—May 24, by Mr. Cookson of Glenburn.

Pending—Passage to be engrossed.

Thereupon, on motion of Mr. Birt of East Millinocket, retabled pending passage to be engrossed and specially assigned for Wednesday, May 31.

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

Bill "An Act relating to Joint State and Municipal Purchasing" (H. P. 335) (L. D. 469)

Tabled—May 24, by Mr. Birt of East Millinocket.

Pending—Passage to be engrossed. (Committee Amendment "A" (H-325))

Mr. Shaw of Chelsea offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 335, L. D. 469, Bill, "An Act Relating to Joint State and Municipal Purchasing."

Amend said Bill by inserting at the beginning of the first line (same in L. D. 469) the underlined abbreviation and figure 'Sec. 1.'

Further amend said Bill by adding at the end, the following (same in L. D. 469):

'Sec. 2. Appropriation. There is appropriated to the Bureau of Purchases, Department of Finance and Administration, from the General Fund the sum of \$11,490 for the fiscal year ending June 30, 1968 and \$16,037 for the fiscal year ending June 30, 1969 to carry out the purposes of this Act. The breakdown shall be as follows:

	1967-68	1968-69
FINANCE AND ADMINISTRATION, DEPARTMENT OF Purchases - Administration Personal Services	(3) \$ 9,490 (3)	\$14,937
All Other Capital Expenditures	1,000	1,100
	1,000	—
Total	\$11,490	\$16,037

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

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

Bill "An Act Revising Laws Relating to Licensed Small Loan Agencies" (H. P. 468) (L. D. 681)

Tabled — May 24, by Mr. Levesque of Madawaska.

Pending — Passage to be engrossed. (Committee Amendment "A" H-318)

Thereupon, on motion of Mr. Scott of Wilton, retabled pending passage to be engrossed and specially assigned for Wednesday, May 31.

The Chair laid before the House the twentieth tabled and today assigned matter

An Act relating to Suspensions Ordered by the Hearing Commissioner (H. P. 269) (L. D. 390)

Tabled — May 24, by Mr. Richardson of Cumberland.

Pending — Passage to be enacted.

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

Mr. BERMAN: Mr. Speaker, my very distinguished friend, the gentleman from Kittery, who presented this bill before the Committee on Judiciary, has told me this afternoon that an a m e n d m e n t which he is preparing to it is not ready. In deference to that good gentleman, I would hope that someone would table this matter until May 31st.

Thereupon, on motion of Mr. Benson of Southwest Harbor, retabled pending passage to be enacted and specially assigned for Wednesday, May 31.

Mr. Soulas of Bangor was granted unanimous consent to address the House off the record.

The Chair laid before the House the first matter tabled earlier in today's session, by Mr. Benson of Southwest Harbor, Bill "An Act Providing for Action in Aid to Dependent Children Cases Involving Fraud" (H. P. 672) (L. D. 944) which was passed to be engrossed without Amendment in non-concurrence in the House on May 23.

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

Committee Amendment "A", and asking for a Committee of Conference. (C. "A" H-285)

Thereupon, on motion of Mr. Hennessey of West Bath, the House voted to insist and join in a Committee of Conference.

The Chair laid before the House the second matter tabled earlier in today's session by Mr. Hinds of South Portland, An Act to Authorize Construction of Self-Liquidating Student Housing and Dining Facilities for the State Colleges and the Issuance of Not Exceeding \$5,400,000 Bonds of the State of Maine for the Financing Thereof (H. P. 1160) (L. D. 1659). Tabled May 23 by Mr. Hinds of South Portland, pending passage to be enacted.

On motion of Mr. Hinds of South Portland, the House voted to suspend the rules and to reconsider its action of May 17 whereby the Bill was passed to be engrossed.

The same gentleman then offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 1160, L. D. 1659, Bill "An Act to Authorize Construction of Self-Liquidating Student Housing and Dining Facilities for the State Colleges and the Issuance of Not Exceeding \$5,400,000 Bonds of the State of Maine for the Financing Thereof."

Amend said Bill in the Title by inserting after the words "State Colleges" the words "and Southern Maine Vocational Technical Institute"; and by striking out the figure "\$5,400,000" and inserting in place thereof the figure '\$5,977,000'

Further amend said Bill in section 1 by inserting after the words "colleges" in the 4th line (same in L. D. 1659) the words 'and Southern Maine Vocational Technical Institute'

Further amend said Bill in section 1 by striking out all of the last 4 lines of the first paragraph and inserting in place thereof the following:

'At Southern Maine Vocational Technical Institute Men's Dormitory	540,000
Total Housing and Dining Facilities	\$5,602,300
Interest Payments—As required until facilities are completed	374,700
TOTAL	\$5,977,000'

Further amend said Bill in section 2 by inserting after the words "state colleges" in the 13th line (same in L.D. 1659) the words 'and at the Southern Maine Vocational Technical Institute'

Further amend said Bill in section 3 by striking out in the 4th line (same in L. D. 1659) the figure "\$5,400,000" and inserting in place thereof the figure '\$5,977,000'

Further amend said Bill by striking out all of the 2nd paragraph of the Referendum and inserting in place thereof the following: (same in L. D. 1659)

' "Shall 'An Act to Authorize Construction of Self-Liquidating Student Housing and Dining Facilities for the State Colleges and Southern Maine Vocational Technical Institute and the Issuance of Not Exceeding \$5,977,000 Bonds of the State of Maine for the Financing Thereof', passed by the 103rd Legislature, be accepted?'"

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

Mr. HINDS: Mr. Speaker and Ladies and Gentlemen of the House: Last weekend a very serious problem came to my attention and I am offering this Amendment today to help correct it somewhat.

I discussed with the Director of the Southern Maine Vocational Technical Institute the problem of enrollment which is facing them there. Presently they have 450 students. They plan this fall to enroll 650 students. And then in the fall of '68, they plan to enroll 750 students; and 900 in the fall of '69. Now, of these students, two-thirds of the students applying this year come from central and northern Maine. The other one-

third of the students come from southern Maine. And only six percent of the applicants are from the greater Portland area. The school presently has facilities to house 185 students. You can see, if you add these figures together, that they have a serious problem concerning admission to our oldest Vocational Technical Institute.

They have thirty-five presently living in the community and they had a survey of the community to see how many additional rooms might be available in people's houses to house these students. The survey didn't prove too satisfactory, and they did this in April of this year. They are investigating other things, such as hotel and motels, but these are going to be quite a bit more expensive for the students, and will mean, and does mean for this present year, that they're going to have to consider the community that the student comes from for admission to this school. In other words, you may very well have a qualified student in Augusta or Deer Isle, or anywhere throughout the State, who would like to go to this school, and who has passed the entrance requirements, and who would qualify in every way, but there is no place for him to stay.

The school has never had a self-liquidating dormitory, and this Amendment would go along with their request that they had in originally for a self-liquidating dormitory. I have checked in to the self-liquidating aspect of these dormitories, and one cannot stand alone but one can stand by itself in with other dormitories, and this is why I'm offering the Amendment to this bill.

This will enable them for another 100 student dormitory. I know this isn't going to solve the problem for this fall but, as I cited earlier, the enrollment is increasing there rapidly, and I'm sure it would be of great assistance to them in the future. They are going to try one or two temporary things and I'm sure we all know that if a student has to use a hotel or motel accommodations that they're going to be a lot more expensive than they would by having a self-liquidating dormitory. All the costs

are included in this bill. The interest, while the dormitory is under construction, is paid for by the bond issue and amortized over the period of the bonds.

So the Legislature hasn't got to dig up one dollar this session. I don't think I would have the courage to stand up here and ask the Legislature for any financial contributions this session, considering all the other things that we have to consider. And I think I will just end up by saying that I would appreciate very much the consideration of this House on this very serious problem and, if we could have this passed, this would be put in with this other self-liquidating bond issue, and it would certainly be a help in the years to come there.

The school has never had a new dormitory. They presently use World War II barracks which were renovated for this purpose. And I feel personally, where this can pay for itself out of the student fees there, and the students will pay for this dorm, I support this Amendment and hope that the House will.

Thereupon, Mr. Birt of East Millinocket offered House Amendment "A" to House Amendment "A" and moved its adoption.

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

Mr. JALBERT: Mr. Speaker and Members of the House: In that both of these amendments do not affect our area, where we have a vocational school in Central Maine, I would wholeheartedly agree with the gentleman from South Portland, Mr. Hinds, on his amendment, and the gentleman from East Millinocket, Mr. Birt, on his amendment.

It appears now that, with the branching out of vocational problems in Maine, that some courses are being offered at one school that are not offered at others. In my area it appears that the engineering and the courses along the line of tool-making and mechanics are very much in evidence, due to our large industries that have moved there. For instance, the fine program of culinary arts that is enjoyed at the school in South

Portland is certainly a credit to the school and to the State.

One of the new programs that will be introduced at the Eastern Maine Vocational Training School, which involves food management and control and the like, will be of great benefit to us in this area, coupled with the fact that in both these areas they have to travel longer distances out of the South Portland area and out of the East Millinocket area. We do not apparently have this problem at Central Maine. There is a dormitory going up now for practical nurses which does not involve the school very much, and we do not seem to have the problem of shortage of rooms in our area that they do in the South Portland and Bangor areas, coupled with the fact that we are in dire need of other courses and other buildings before we go into the self-liquidating bond program insofar as dormitories are concerned. For that reason, I certainly hope that the amendments, as presented by the gentleman from South Portland, Mr. Hinds, and the gentleman from East Millinocket, Mr. Birt, will prevail.

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

HOUSE AMENDMENT "A" to HOUSE AMENDMENT "A" to H. P. 1160, L. D. 1659, Bill, "An Act to Authorize Construction of Self-Liquidating Student Housing and Dining Facilities for the State Colleges and the Issuance of Not Exceeding \$5,400,000 Bonds of the State of Maine for the Financing Thereof."

Amend said Amendment by inserting after the word "Institute" in the 3rd line the words 'and Eastern Maine Vocational Technical Institute'; and by striking out in the 4th line the figure "\$5,977,000" and inserting in place thereof the figure '\$6,712,000'

Further amend said Amendment by inserting after the word "Institute" in the last line of the 2nd paragraph the words 'and Eastern Maine Vocational Technical Institute'

Further amend said Amendment by striking out all of the 14th, 15th, 16th and 17th lines and inserting in place thereof the following:

"At Eastern Maine Vocational Technical Institute Men's Dormitory and Dining Facilities

700,000

Total Housing and Dining Facilities

\$6,302,300

Interest Payments—As required until facilities are completed

409,700

TOTAL

\$6,712,000'

Further amend said Amendment by inserting after the word "Institute" in the last line of the 4th paragraph the words 'and Eastern Maine Vocational Technical Institute'

Further amend said Amendment by striking out in the last line of the 5th paragraph the figure "\$5,977,000" and inserting in place thereof the figure '\$6,712,000'

Further amend said Amendment by striking out all of the last paragraph and inserting in place thereof the following:

' "Shall 'An Act to Authorize Construction of Self-Liquidating Student Housing and Dining Facilities for the State Colleges and Southern Maine Vocational Technical Institute and Eastern Maine Vocational Technical Institute and the Issuance of Not Exceeding \$6,712,000 Bonds of the State of Maine for the Financing Thereof'; passed by the 103rd Legislature, be accepted?'"

The SPEAKER pro tem: The Chair recognizes the gentleman from Limerick, Mr. Carroll.

Mr. CARROLL: Mr. Speaker and Members of the House: I would like to pose a question to Mr. Hinds, the gentleman from South Portland. Is this expansion in line with the recommendations of the Study of Higher Education made in the State of Maine?

The SPEAKER pro tem: The gentleman from Limerick, Mr. Carroll, poses a question through the Chair to the gentleman from South Portland, Mr. Hinds, who may answer if he so desires.

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

Mr. HINDS: Mr. Speaker, to answer the gentleman's question, I am sure he must be talking about Southern Maine Vocational because I don't think they made any recommendations concerning the Eastern Maine School. But, in the final recommendations that they made, they made no recommendations concerning the moving of this school. That was the original report. The final report was changed somewhat, and the final report did not recommend the moving of this school.

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

The Chair laid before the House the third matter tabled earlier in today's session by Mr. Richardson of Cumberland, Bill "An Act Creating the Short Form Deeds Act" (S. P. 537) (L. D. 1442). (In Senate, passed to be engrossed.) Tabled May 23 by Mr. Benson of Southwest Harbor, pending passage to be engrossed. (House Amendment "A" H-252).

Thereupon, Mr. Berman of Houlton offered House Amendment "B" and moved its adoption.

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

HOUSE AMENDMENT "B" to S. P. 537, L. D. 1442, Bill "An Act Creating the Short Form Deeds Act."

Amend said Bill by striking out in the first line of that part designated "\$761." of section 1 the underlined figure "776" and inserting in place thereof the following underlined figure '775' (same in L. D. 1442)

Further amend said Bill by striking out in the 3rd line of that part designated "\$762." of section 1 (same in L. D. 1442) the underlined figure "775" and inserting in place thereof the underlined figure '774'

Further amend said Bill in that part designated "\$771." of section 1 (same in L. D. 1442) by adding at the end the following:

'In a release of real estate the word "release" shall be a sufficient word to convey the estate which the grantor has.'

Further amend said Bill by striking out all of that part designated "\$773." of section 1 (same in L. D. 1442).

Further amend said Bill in that part designated "\$776." of section 1 by striking out all of the following underlined paragraph (same in L. D. 1442):

"5 Mortgage Deed.

A. B. of County, (being unmarried) for consideration paid, grant to C. D. of County, with mortgage covenants, to secure the payment of not more than dollars in years with per cent interest per annum, payable in installments, as provided in note of even date, the land in County," and inserting in place thereof the following:

'5 Mortgage Deed

A. B. of County, (being unmarried) for consideration paid, grant to C. D. of County, with mortgage covenants, to secure the payment of dollars in years with per cent interest per annum, payable in installments, as provided in note of even date, the land in County,"

Further amend said Bill by renumbering designated sections 774, 775 and 776 of section 1 to be sections 773, 774 and 775.

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

Mr. BERMAN: Mr. Speaker and Members of the House: L. D. 1442 was offered for a very progressive purpose, namely, for the purpose of avoiding unnecessary use of words in deeds and other instruments relating to real estate.

When we are dealing with legislation pertaining to real property and the conveyancing thereof we must be extremely careful, because one of the great foundations of this State and the politics in the

western world is the protection of property.

A member of the third house approached me about putting in a certain amendment to this bill, which I was very glad to consider, but I asked him first, before I would sign my name to the proposed amendment, if he would check this out with a very eminent conveyancer in this State. The lobbyist has done so. He assures me that eminent conveyancer has approved this amendment. I, therefore, hope the House will go along and enact this piece of progressive legislation which will do much to simplify real property law in the State of Maine.

Thereupon, House Amendment "B" was adopted. The Bill was passed to be engrossed as amended by House Amendments "A" and

"B" in non-concurrence and sent up for concurrence.

(Off Record Remarks)

At this point, Speaker Kennedy returned to the rostrum.

SPEAKER KENNEDY: The Chair thanks the gentleman for his service and commends him for a tremendous performance.

Thereupon the Sergeant-at-Arms escorted the gentleman from Bath, Mr. Ross, to his seat on the Floor, amid the applause of the House, and Speaker Kennedy resumed the Chair.

On motion of Mr. Richardson of Cumberland,

Adjourned until nine-thirty o'clock tomorrow morning.