

# MAINE STATE LEGISLATURE

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# LEGISLATIVE RECORD

OF THE

## *One Hundred and Third Legislature*

OF THE

STATE OF MAINE

### Volume III

June 16 to July 8, 1967

Index

1st Special Session

October 2 and October 3, 1967

2nd Special Session

January 9 to January 26, 1968

KENNEBEC JOURNAL  
AUGUSTA, MAINE

**HOUSE**

Thursday, January 18, 1968

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

Prayer by the Rev. Mr. J. E. Shankel of Augusta.

The journal of yesterday was read and approved.

**Papers from the Senate**

From the Senate: The following Communication: (S. P. 809)

January 15, 1968

Honorable Kenneth M. Curtis  
Governor, State of Maine  
Members of the 103rd Maine  
Legislature

The programs and events reported herein took place with the exception of the last two and one-half months of the calendar year, under the departmental administration of Standish K. Bachman. Therefore, the major portion of this report, in effect, is his, in absentia.

This edition of the Annual Report of the Department of Economic Development covers two different calendar periods. The financial report is based on a fiscal year of July 1, 1966 through June 30, 1967. The activities report covers the calendar year of January 1, 1967 through December 31, 1967.

It is my intent that the next Annual Report shall coincide with the financial section in all respects.

Respectfully,

(Signed)

**JAMES K. KEEFE**  
Commissioner

Came from the Senate read and with accompanying Report ordered placed on file.

In the House, the Communication was read and with accompanying Report ordered place on file in concurrence.

**Reports of Committees****Ought to Pass****Passed to Be Engrossed**

Report of the Committee on Judiciary reporting "Ought to pass" on Resolve Proposing a Constitutional Amendment to Correct Inconsistency in Election of Judges of Probate (S. P. 780) (L. D. 1852)

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

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

Under suspension of the rules, the Resolve was read the second time, passed to be engrossed and sent to the Senate.

**Divided Report  
Assigned Special Order  
at 11:00 A.M.**

Majority Report of the Committee on Education on Bill "An Act to Increase the Foundation Program Per Pupil Allowance to \$320" (S. P. 752) (L. D. 1810) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. KATZ of Kennebec  
MacLEOD of Penobscot  
COPE of Cumberland  
— of the Senate.

Mrs. HANSON of Lebanon  
Messrs. RICHARDSON  
— of Stonington  
ALLEN of Caribou  
SHUTE of Farmington  
Mrs. BAKER of Winthrop  
— of the House.

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

Report was signed by the following members:

Messrs. CARROLL of Limerick  
LEVESQUE  
— of Madawaska  
— of the House.

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

In the House: Reports were read.  
(On request of Mr. Richardson of Cumberland, tabled and made a special order of the day at 11:00 A.M.)

**Orders**

Mr. Philbrook of South Portland presented the following Joint Order and moved its passage:

ORDERED, the Senate concurring, that the Joint Committee on Taxation report a bill that will

relieve elderly persons from increases in the property tax similar to Legislative Document 1384 of the 103rd Legislature in regular session.

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

Mr. PHILBROOK: Mr. Speaker and Honorable Members of the House: I recognize the opposition of the leadership to the introduction of legislation that does not meet with their approval. I would, however, be delinquent in my obligation to the thousands who endorse the bill in the joint order I have introduced if I did not offer you the opportunity to alleviate in some small degree the dismay and despair of those who are forced by the ever spiraling property tax to leave their lifelong homes.

I have no desire to slow down or delay this special session. The record will prove that I am willing to work night and day to do what we are called here to do, but I am also unwilling to remain silent when wrongs cry out for justice. This bill passed every hurdle except that of funding in the regular session. It will be funded by the 104th Legislature the same as the veteran's exemption or the same as many of you want to fund the boost of the school subsidy fund to \$320. I believe it is only right and just that this bill be passed before some of the newer proposals that we have voted.

The bill I am asking to have reported out of the Taxation Committee is a simple, but very necessary one. Briefly, it freezes the taxes for a person 65 years of age or older provided he has an income of less than \$4,000 a year and is the sole support of all living in the dwelling. This means that a person who qualifies will continue to pay the same tax the rest of his life but would not pay any increases. It will allow some of our older citizens with low incomes to live out their lives in self respect and dignity. It will allow many of them to continue to live in their own homes and not be forced to live with relatives or in boarding homes.

Increases in the property tax causes no hardship to those gainfully employed today, but it is a crushing burden to those living on low fixed incomes. Incomes let me remind you that ten years ago were deemed adequate. If the property tax was used as our tax experts say it should be used for the housekeeping and protection services of the city our older citizens would have no problem. I have here letters and petitions from many places in Maine supporting the introduction of this bill, letters from Skowhegan, Norway, Auburn, South Paris, Orono, Portland, Westbrook, South Portland, Waterville, Fairfield, Bath, Madison, Hallowell and Dexter with more coming in with every mail. Most of these people will not benefit by this bill, but they have compassion in their hearts for those less fortunate than themselves. They also have knowledge of some of our citizens who so desperately need this relief.

Interest in relief is not confined to our older citizens. On November 6, 1967 WGAN-TV asked the vital question: Would you favor property tax exemptions for persons over 70? The answer was an overwhelming 78 percent yes, and 22 percent no. I ask you to support this effort to relieve some elderly persons of increases in the property tax. It will allow some of our less fortunate senior citizens to continue to live in dignity, independence and security. The decision is in your hands.

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

Mr. BENSON: Mr. Speaker and Ladies and Gentlemen of the House: As has been the case with the other joint orders already presented seeking to bring bills before us, the bills have been heard by the screening committee and have been refused admission to the special session of the legislature, and it is not that the leadership has quarrel with the content of these bills, it is that we do not have the funds nor do we have the time to consider these many matters. It is for this reason that I ask the indefinite postponement of this order.

The SPEAKER: The gentleman from Southwest Harbor, Mr. Benson, now moves the indefinite postponement of this joint order. The Chair will order a vote. All those in favor of indefinite postponement of this order will vote yes and those opposed will vote no and the Chair opens the vote.

A vote of the House was taken.

88 having voted in the affirmative and 30 having voted in the negative, the motion to indefinitely postpone did prevail.

On motion of Mr. Farrington of China, it was

Ordered, that Rev. David Van Strien of China be invited to officiate as Chaplain of the House on Tuesday, January 23, 1968.

#### **House Reports of Committees Ought Not to Pass**

Mr. Bragdon from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Bill "An Act to Authorize Bond Issue in the Amount of \$384,000 for Development of Education, Sewage and Water Facilities at Indian Reservations" (H. P. 1315) (L. D. 1858)

Report was read and accepted and sent up for concurrence.

(Later motion to reconsider was lost)

#### **Ought to Pass in New Draft New Drafts Printed**

Mr. Lewin from the Committee on Inland Fisheries and Game on Bill "An Act Increasing Resident Hunting and Fishing Licenses" (H. P. 1304) (L. D. 1833) reported same in a new draft (H. P. 1327) (L. D. 1872) under title of "An Act Increasing Hunting and Fishing Licenses" and that it "Ought to pass"

Report was read and accepted, the New Draft read twice and assigned for third reading tomorrow.

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

Mr. Wight from the Committee on Towns and Counties on Bill "An Act relating to County Estimates and Finances" (H. P. 1286) (L. D. 1792) reported same in a new draft (H. P. 1328) (L. D. 1873) under same title and that it "Ought to pass"

Report was read and accepted and the New Draft read twice.

Under suspension of the rules, the New Draft was read the third time, passed to be engrossed and sent to the Senate. (Later reconsidered and tabled)

#### **Ought to Pass Printed Bill**

Mr. Jalbert from the Committee on Appropriations and Financial Affairs reported "Ought to pass" on Bill "An Act to Provide Funds for Blind Children's Education, Inc." (H. P. 1299) (L. D. 1828)

Report was read and accepted and the Bill read twice.

Under suspension of the rules, the Bill was read the third time, passed to be engrossed and sent to the Senate.

#### **Ought to Pass with Committee Amendment**

Mr. Birt from the Committee on Appropriations and Financial Affairs on Bill "An Act relating to Payment for Drugs under Health and Welfare Appropriation" (H. P. 1250) (L. D. 1756) reported "Ought to pass" as amended by Committee Amendment "A" (H-519) submitted therewith.

Report was read and accepted and the Bill read twice. Committee Amendment "A" was read by the Clerk and adopted.

Under suspension of the rules, the Bill was read the third time, passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

#### **Tabled Until Later in the Day**

Mr. Hinds from the Committee on Appropriations and Financial Affairs on Bill "An Act to Allocate Moneys for the Administrative Expenses of the State Liquor Commission for the Fiscal Years Ending June 30, 1968 and June 30, 1969" (H. P. 1302) (L. D. 1831) reported "Ought to pass" as amended by Committee Amendment "A" (H-520) submitted therewith.

Report was read.

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

Mr. NADEAU: Mr. Speaker and Ladies and Gentlemen of the

House: I rise to oppose this whole bill and I'd like to give you the reasons why, and they're no different than what I did at the hearing. As you know we did have a hearing on this and for whatever it's worth, there was only one proponent at this hearing. Naturally there was an opponent and it was I. This proponent, which is the Commissioner, new man at the job, wants us to believe that this L. D. 1831 did not get proper attention or consideration by the past legislators. What I mean is that in the past years this committee saw fit to give proper raises to proper groups when and if requested. Now in the 103rd this pay raise was not granted. Are we saying that all of you who have been here for more years than I have or in past committees thought that this job was not worth more money, that you were wrong? I am saying that the salary has been established for a part time job fairly and equally in respect to all the others. Now let me tell you what this Commissioner, Mr. Ingraham, said when he appeared. He said he was in an awful position because he had to come up and ask for a salary increase. Now why did the previous committee in the 103rd refuse this? They knew what they were doing.

Now in this bill here I want you to read each and every line. There is a \$5,000 increase for him. Why didn't the committees do this ten years ago, eight years ago, six years ago, regardless, they saw fit and they said this was fair pay for the amount of money, for the amount of work that this demanded. So now the Commissioner, and mind you, I'm trying to be non-partisan because I'm a Democrat and he happens to be one, and I would do this same attack, he said here's what his department has done, he says his job is now full time, so I question ladies and gentlemen, what are the duties of this job? I say if he exceeds and he makes it longer than what it should be, then maybe it had ought to be revised, but here's a new man full of pep, he's going to change the whole world. The point is this, he said here's one thing he did, he took the men out of green and put 'em into street

clothes. That was one of the functions he said that we did. Now mind you, what happened the first hundred years? Did they wear that green uniform? I'd like to remind you members of this Legislature that they were in plain clothes until very recently. Then we put them in uniform, and now they've been back to plain clothes, so there was no validity there.

Then he said public relations. Oh boy. This is a gem. Let me tell you what he has done not only to York County, but what he has done to all of you people of Maine. He let everyone be aware that you could take in a certain amount of booze, liquor, call it social drink or whatever you want to call it, and he first made statements in the newspaper, and I'll grant you that everyone can make a mistake, but he has made too many, so he made everybody aware of this, and because of this our tax dollars are being spent foolishly in my respect because in order to watch the import of liquor from New Hampshire or as people drive through I think we are pennywise and dime foolish. Now why didn't this occur in the previous years? Because we had people who were smart enough before not to bring this to light. Now how many of you people actually knew that you could take in a full gallon of whiskey or a combination of wine and whiskey? But he wanted everyone to know about it so you would know how to break the law. So now what he has done to York County, this is where I'm concerned, my townspeople, he has formed car pools, this is what the initial thing has come out of now, and everyone gets together and said now look, I can't afford to buy a gallon, but—so they call the neighbors up and they say can I bring you a bottle, so now they do all their shopping in New Hampshire thanks to this good public relation that he said that this committee or this group has done in front of this committee.

Then on top of that he said he didn't want the pay raise because he said I'm worth it and I'm doing a better job, and I resent the fact that these department heads or

these jobs which are known to be political plums come up and they think I want this money because then he stated the number of employees he actually supervises, he stated those who are store managers get more than he does. Now can't any of us stand on our own two feet and say I want a raise because I deserve a raise, and if not I'll get out and go join another company that demands my services. Now mind you, have we throughout all the years ever had a person resign from this? I say to you ladies and gentlemen of this House that the time has come that we should put this L.D. where it belongs, in the trash barrel. He knew what the pay was when he took the job. He knew what the previous commissioners used to get. This was well debated in the 103rd and they saw fit, this good committee, not to give him a raise, so they come around by the side door. If he wants to spend more time to do this job than what is necessary then let him, but I say to you that he has not the right to come by the side door and get a pay raise after we have just turned him down. When are we going to start thinking about the taxpayers?

Now mind you, besides this publicity, he said he visited the other stores, well wonderful, I should hope they do do something. Now they want this extra money he said for another thing, it wasn't just a pay raise, mind you, \$5,000, the fact that he didn't say he earned it, he was worth it, but what he is saying in essence is that all you past legislators didn't—never knew what you were doing because you never saw fit to upgrade this salary to where it should be, and this is what he's trying to do. Well I say he's wrong.

Secondly I say that if he is not satisfied with the pay there is he should resign, and if I'm able to get there before all of you to get the appointment I'd like to apply for it, and I'll do it for this salary. Now of course I'd have to beat you people to it.

The SPEAKER: The House will be in order.

Mr. NADEAU: Now he said besides this public relations, well

we all know, we read the newspapers, what happened. In fact some of our able lawyers, and I'm standing right beside one here, he was protecting the taxpayer and in fact if I recall, and I haven't talked to him about this, you beat the case didn't you? I wonder what it costs us for this little good public relations that our Commissioner did. Now first of all he said they want to establish an identification card. Now mind you in the past years some of you or other able bodied people saw fit and they feel that this belongs in the Licensing Division. Now I had a bill in the last session to put an identification of a picture of how you look so there will be no falsifying and they said well we should put this off until the time comes when we are all shall we say re-inspected for our driving abilities in four years from now and we expect that to pass, but this little group, he said before this able committee that he didn't believe in driver's license identification. Now I would like to read you just this that I picked out of the newspaper yesterday, and I have no speech prepared, I'm sorry for that, I'll apologize for this. It says never used driver's license in forty years. There's a woman here who had a driver's license for forty years but never used it for driving, she obtained the original license in 1927 by asking a friend to pick it up for her, the fee was 25c, she renewed it regularly because it was good for identification. Now mind you, all the states, and all of you have been in places before, the first thing they have is do you have your driver's license? But no, this new little God wants us to believe that his department should issue special licenses upon request for a certain young group. I say that is not—

Mr. JALBERT of Lewiston: Mr. Speaker?

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Jalbert, and inquires for what purpose he rises?

Mr. JALBERT: I rise on a point of personal privilege.

The SPEAKER: The gentleman may continue, what is his personal privilege?

Mr. JALBERT: My personal privilege is the terminology; this new little God, I don't think it has any bearing on the case.

The SPEAKER: The gentleman has a point and the Chair will restrain the gentleman and he should be careful of his remarks.

Mr. NADEAU: All right, I will apologize, maybe I shouldn't have said that, but I am glad to see that the one who objected is one who supported his pay raise in the 103rd, ahem. He was a proponent; I was an opponent.

Now back to this, and he said that they don't believe in this type of identification, so they want to issue special licenses, and this is why they need this \$30,000. So mind you now, we're asking for \$60,000 —

Mr. JALBERT of Lewiston: Mr. Speaker?

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

Mr. JALBERT: Mr. Speaker, I rise again on a point of personal privilege.

The SPEAKER: Will the gentleman identify his point of personal privilege?

Mr. JALBERT: What I did and did not do should not have any bearing on whether my integrity should be that I should or I should not support legislation.

The SPEAKER: The Chair will advise the gentleman a point of his integrity is being questioned, the Chair will ask the gentleman from Sanford, Mr. Nadeau, to be more cautious in his remarks relative to the integrity of any member of this body.

Mr. NADEAU: Fine. I apologize again to you and the members of the House and Mr. Jalbert.

Now to continue. This bill demands \$60,200, and mind you, this is an emergency, this is an emergency, and we've heard both leaders of this House tell us there were many worthwhile bills, but this is one that we're considering mind you, a pay raise with certain shall we say frills attached to it to make it look — to hide the pay

raise fact. At this time and for many other reasons which I don't want to waste your time, I now move for indefinite postponement of this L. D. 1831 and I should hope that you people in proper respect for the taxpayers and in proper respect to the so-called emergency session that we're now in, should not be bothered with spending the time of passing this type of legislation. I move that this be indefinitely postponed.

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

Mr. HINDS: Mr. Speaker and Ladies and Gentlemen of the House: First of all I hope that you will not support the motion of the gentleman from Sanford. The Chairman of the Liquor Commission presently receives \$8,500 a year. His pay was not raised in the regular session of the Legislature because there was a bill pending to set up one commissioner or one man administrator for the Commission, so there was no pay raise granted at that time for this reason.

This was a compromise. The requested pay raise by the Governor for this man was \$5,000. The Appropriations Committee does not ordinarily handle pay raises, but the Liquor Commission funds, we have to approve them because they come from the profits they make on liquor. His increase in salary would come from the profits that are made on liquor and not from the general fund, and this is the reason that it had to come before the Appropriations Committee for the approval of the amount, and the gentleman does spend full time on the job, he is the lowest paid of any department head in the State of Maine and probably he still will be after this increase. Nevertheless, the Committee agreed on this increase for him and I hope you will support the Committee.

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

Mr. JALBERT: Mr. Speaker and Members of the House: My remarks in no way will be of anything of a personal nature toward



the gentleman from Sanford, Mr. Nadeau, because frankly I explained this to him personally and I say it now, I rather like him and enjoy him and I say that sincerely.

In this particular instance, I might refer back to the last session of the Legislature. There was no measure in the Legislature that would increase the Chairman of the Liquor Commission. There was a measure that would set up a one man Commission which would mean more money for that one man. The measure did not spell out in any way, shape or manner that the present Chairman would be the new Chairman, so to set the record straight, I could not have voted for an increase in salary for the Chairman of the Liquor Commission because there was no bill before us to that effect.

Insofar as this present Chairman is concerned, I am fully aware of the fact that he knew what the job was when he took it. I think that that's a chestnut that shouldn't be rehashed. I think that anybody knows what a job is when they do take it, whether it's in government, local, county, state or federal, or whether it is in private industry. I think there is an old cliché that would indicate that those that do well should be promoted and possibly an emolument in money should be granted to them, and those that do not do well, it should react in reverse.

Now this man here truly is a member of the Democratic Party who was appointed by a Republican Governor, confirmed by an all Democratic Council. In my opinion, this has not one iota to do with the problem. Personally, I did not know the Chairman of the Liquor Commission before he was appointed. My first knowledge of him or acquaintance pleasantly was when he appeared before the subcommittee of the Legislative Research Committee that is studying under the capable hands of the Representative from Kittery, Mr. Dennett, the liquor operations of Maine. Over the many years beginning in 1954, when I was a member of the subcommittee that was distastefully investigating the

liquor operations of the Liquor Commission and its people, I have been in very close contact even before then and since with Liquor Commission Chairmen and Liquor Commissioners. This gentleman in question, the present Liquor Commission Chairman, the first time and the seventh time he appeared before the full Legislative Research Committee or the subcommittee members, appeared alone. He did not have an entourage with him of even men higher paid than he or associate commissioners. He came alone, he forthrightly answered the questions, he presented his case, he admitted things that should be in it, ways it should be strengthened or straightened out, he fought for the things that he felt were right. Insofar as the situation as to whether or not you can bring in a gallon or five gallons or ten gallons from New Hampshire into Maine, it is of no consequence to me because I'm not going to bring any in any way. Regardless of that fact, if the law says one gallon, that's the law. The Chairman of the Liquor Commission tells the Enforcement Division to enforce the law. Now the fact that this was being kept quiet so that our neighbors in New Hampshire would sell more booze than we do in Maine, I don't think is of any consequence here. In my opinion, bearing in mind that over the many, many years ever since 1936 I have been on more than friendly terms with several Chairmen and Members of the Liquor Commission, I know of no member who has been more dedicated, who has been willing to stand by himself without an entourage of higher paid people even than he to fight his case for him than the present Chairman of the Liquor Commission.

This bill originally called for \$13,500. It has been watered down to \$11,000 which is \$1,000 less than even the Administrator, also a capable individual, Mr. Herman Stover, and certainly less than any departmental head that handles the millions of dollars that this Commission and this gentleman is head of and handles. Certainly for that reason it is felt that the

Appropriations Committee, made up of members of both parties, unanimously reported this measure ought to pass in the amended form, and I fervently hope that the motion of the good gentleman from Sanford, Mr. Nadeau, will not prevail.

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

Mr. NADEAU: Ladies and Gentlemen of the House: I'd like to set the record straight. Mr. Jalbert just very nicely said that he appeared alone on this particular bill. He is correct on this time, but before the Committee in the 103rd Mr. Ingraham was not alone. Others, including Representative Jalbert, were there as proponents on another bill. There is another bill. I will personally put it on his desk. I wish a member of that Committee would come up and recall this instance because I opposed it. There was a bill there considering an increase in fees. There was a bill there for an increase, and I want to set this straight.

Now he said they knew about the job and it has no bearing about the publicity. It does. What has it cost the taxpayers? Aren't we right now establishing and giving a different department the authority to do something else now and we are starting off mind you with the small amount of only \$60,000. That's what we're starting with. What's it going to be later on? And this has to be an emergency. They want to start a certain identification. I say people have to prove how old they are, let them pay for this service even if it had to be rendered. I say to you that we're giving them much more money than what is necessary and I say to you identifications should be where it belongs in the Department of Motor Vehicles. Let's do what the other states are doing. Now mind you, I didn't bring this out before, I can produce articles printed all over the New Hampshire papers about harrassment. I didn't have to bring this out and I didn't write the article. I didn't think we'd have to go into that. This has created some good—very,

very bad publicity. Now this has hurt all of York County especially and many others, and I say to you today that we should take a long hard look at this and at this time I wish that you would go along with me to indefinitely postpone this item and that if it is this important, just a few months away we will convene for the 104th, and then let the Legislative Research take another look at this, or are we going to pass this type of bill and call this an emergency? I say to you we have to do something at some time and stop some of these pet bills.

Now yesterday you heard the Majority Floor Leader, and his Assistant, the Minority Floor Leader, also make statements where are we going to get all of this money, but yet are we disregarding this \$60,000? I don't care where it comes from. I say to you if we're operating at a greater expense than any other state that same bottle is being sold for the same price throughout all the states, why must it cost us more in Maine to do anything? I still feel that this did not get proper publicity in which at a public hearing could have been heard and I would have got — I could have gotten you hundreds and possibly thousands of letters and people to go against this, but no, they have to bring it up at a special session. It was admitted by Mr. Jalbert that no pay raise was given him. The Committee saw fit that he didn't deserve one. I say at this time let's not be fooled by the fact that they're saying that this money is needed for identification cards. This is going to be duplication of another department's work again, and this is only the start. I say to you and I hope you will shall we say back up your constituents and vote with me in indefinitely postponement of this bill. Thank you very much.

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

Mr. HINDS: Mr. Speaker, just one short statement, that this bill does not include anything except now with the amendment, except the pay raise. There is nothing else

in this bill, it's been amended out by Committee Amendment which is on filing number H-520, so all we're talking about is pay raise and nothing about identification cards or anything else.

The SPEAKER: Is the House ready for the question? The pending question is the motion of the gentleman from Sanford, Mr. Nadeau, that the report and bill on L. D. 1831, "An Act to Allocate Moneys for the Administrative Expenses of the State Liquor Commission for the Fiscal Years Ending June 30, 1968 and June 30, 1969" be indefinitely postponed.

Mr. Nadeau of Sanford requested a roll call.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call it must have the expressed desire of one fifth of the 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 Sanford, Mr. Nadeau, that this report and bill be indefinitely postponed. All of those in favor of indefinite postponement will vote yes; those opposed will vote no, and the Chair opens the vote.

### ROLL CALL

YEA — Baker, E. B.; Bedard, Berman, Carey, Carrier, Crosby, Dickinson, Dudley, Eustis, Ewer, Hall, Hanson, B. B.; Hanson, H. L.; Harriman, Henley, Hewes, Hichens, Jameson, Jewell, Lebel, Lincoln, Littlefield, Lycette, McNally, Nadeau, J. F. R.; Nadeau, N. L.; Payson, Pendergast, Prince, Rocheleau, Scott, G. W.; Shaw, Snow, P. J.; Truman, Waltz, Wight, Williams.

NAY — Allen, Baker, R. E.; Belanger, Beliveau, Benson, Binnette, Birt, Boudreau, Bourgoin, Bragdon, Brennan, Brown, M. F.; Brown, R.; Bunker, Burnham, Carroll, Carswell, Champagne,

Conley, Cornell, Cote, Crockett, Crommett, Curran, Cushing, Dar-ey, Dennett, Drigotas, Drummond, Dunn, Durgin, Evans, Farrington, Fecteau, Fortier, Foster, Fraser, Gill, Giroux, Hanson, P. K.; Harnois, Hawes, Haynes, Healy, Hennessey, Hinds, Hodgkins, Hoover, Huber, Humphrey, Hunter, Jalbert, Jannelle, Keyte, Kilroy, Kyes, Levesque, Lewin, Lewis, Maddox, Martin, McMann, Meisner, Miliano, Minkowsky, Morrell, Mosher, Noyes, Philbrook, Pike, Porter, Quimby, Rackliff, Richardson, G. A.; Rideout, Robertson, Robinson, Ross, Sawyer, Scott, C. F.; Scribner, Snowe, P.; Soulas, Starbird, Susi, Tanguay, Thompson, Townsend, Trask, Watts, Wheeler, White.

ABSENT — Bernard, Bradstreet, Buck, Clark, Cookson, Cottrell, Couture, D'Alfonso, Danton, Edwards, Gaudreau, Gauthier, Harvey, Immonen, Quinn, Richardson, H. L.; Roy, Sahagian, Shute, Sullivan, Wood.

Yes, 37; No, 92; Absent, 21.

The SPEAKER: The Chair will announce the vote. 37 having voted in the affirmative and 92 in the negative, the motion to indefinitely postpone does not prevail.

Thereupon, the Report was accepted and the Bill read twice.

Committee Amendment "A" (H-520) was read by the Clerk and adopted, and the Bill assigned for third reading later in today's session.

Mr. Humphrey from the Committee on Appropriations and Financial Affairs on Bill "An Act to Authorize Bond Issue in the Amount of \$2,750,000 for Dormitory Facilities at Farmington State College and Maine Maritime Academy" (H. P. 1314) (L. D. 1857) reported "Ought to pass" as amended by Committee Amendment "A" (H-521) submitted therewith. (Later reconsidered and tabled)

Mr. Williams from the Committee on Public Utilities on Bill "An Act Permitting Livermore Falls Water District to Take Water from

Certain Sources" (H. P. 1277) (L. D. 1783) reported "Ought to pass" as amended by Committee Amendment "A" (H-522) submitted therewith

Reports were read and accepted and the Bills read twice. Committee Amendment "A" to each was read by the Clerk and adopted.

Under suspension of the rules, the Bills were read the third time, passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

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

Mr. JALBERT: Mr. Speaker, turning back to page two, item three at the bottom of the page, I would move that we reconsider our action whereby we engrossed House Paper 1328, L. D. 1873, Bill "An Act relating to County Estimates and Finances," and I would speak very briefly to my motion.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, now moves that the House reconsider its action whereby item three on page two, House Paper 1328, L. D. 1873 was passed to be engrossed. Is this the pleasure of the House?

(Cry of "No")

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

Mr. JALBERT: Mr. Speaker and Members of the House. I am mindful of the clock so I did not have time to check this out with the House chairman of the Towns and Counties Committee, the gentleman from Presque Isle, Mr. Wight. My purpose for reconsidering would be to table immediately because this is a new draft of the bill that I have not seen — I have seen portions of it, I haven't seen the entire new draft, and this is not only my bill but a recommendation of the entire Legislative Research Committee. So that if we could reconsider with the thought in mind of possible amendment or going along with it I would appreciate it, and that's the reason for my motion, Mr. Speaker.

The SPEAKER: The Chair will request a viva voce vote. All those in favor of reconsideration will say yes; those opposed say no.

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

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

### Divided Report

Majority Report of the Committee on State Government reporting "Ought not to pass" on Bill "An Act Creating a State Planning Office" (H. P. 1313) (L. D. 1842)

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

Reports were read.

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

Mr. DENNETT: Mr. Speaker and Members of the House: I move the acceptance of the Majority "Ought not to pass" Report of the Committee.

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

Mr. MARTIN: Mr. Speaker and Members of the House: As you know, this particular item happens to be my bill or at least it contains my name. You also are aware that there are two bills on the same subject. We all realize that there is a need for a comprehensive State Planning Office;

this of course has been clearly established. The question of course before us is to what form such an office should take. Since there are two bills, both of which have the same topic, it is perhaps worthless to take the time to debate both of them; and therefore I am in agreement with the gentleman from Kittery, Mr. Dennett, in awaiting the other bill which will come from the other body shortly, either this afternoon or tomorrow. At that time I will probably make some comment as to which form I prefer having. But I do feel that in order to speed up the actions of the special session there is certainly no need to debate it twice or perhaps four times in the process on two separate bills,

Again I repeat there is a need and I know that eventually the special session will come out with some sort of a bill, at least I hope so, which will provide for comprehensive state planning.

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

Mr. STARBIRD: Mr. Speaker, I move that this item lie on the table until tomorrow morning.

Mr. Richardson of Cumberland then requested a division on the tabling motion.

The SPEAKER: The gentleman from Kingman Township, Mr. Starbird, moves that that this matter be tabled until the next legislative day pending the motion of the gentleman from Kittery, Mr. Dennett, that the House accept the Majority "Ought not to pass" Report. A division has been requested on the tabling motion. All those in favor of tabling will vote yes, those opposed will vote no, and the Chair opens the vote.

A vote of the House was taken.

40 having voted in the affirmative and 88 having voted in the negative, the motion to table did not prevail.

The SPEAKER: Is the House ready for the question? The Chair will order a vote. All those in favor of the motion of the gentleman from Kittery, Mr. Dennett, that the House accept the Majority "Ought not to pass" Report will vote yes, those opposed will vote no, and the Chair opens the vote.

A vote of the House was taken.

91 having voted in the affirmative and 42 having voted in the negative, the Majority "Ought not to pass" Report was accepted and sent up for concurrence.

### Divided Report

Majority Report of the Committee on State Government reporting "Ought not to pass" on Bill "An Act Revising the Laws Relating to Regional Planning" (H. P. 1320) (L. D. 1863)

Report was signed by the following members:

Messrs. WYMAN of Washington  
LUND of Kennebec

— of the Senate.

Messrs. DENNETT of Kittery  
PHILBROOK

of South Portland

WATTS of Machias

Mrs. CORNELL of Orono

Mr. RIDEOUT of Manchester  
— 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.

Reports were read.

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

Mr. DENNETT: Mr. Speaker and Members of the House: I move the acceptance of the Majority "Ought not to pass" Report of the Committee.

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

Mr. LEVESQUE: Mr. Speaker and Members of the House: Somehow or other all the members of this House recognize the fact and possibilities that the State of Maine in its entirety has got to look forward to some form of planning, of which we're trying to arrive at at this special session of the Legislature.

This regional planning bill that I sponsored, L. D. 1863, gives the State the opportunity to encourage

and accelerate the formation of regional planning commissions. There are now eight regional planning commissions plus two economic development districts in the State of Maine. The need to encourage and accelerate the formation of regional planning commissions is because of the fact that there are significantly large areas of the State, particularly in the northwest, that have no planning commission and therefore are unable to participate in the various state and federal programs for public works, conservation, pollution prevention, and recreational development.

Two, it allows the State to encourage the development of a common set of regional boundaries by a multiplicity of regional planning jurisdictions, and allows the State to follow the same procedures regarding boundary jurisdictions that are being followed on the National level.

Three, it provides the State with an administrative vehicle through which the State can transmit State funds in an orderly and equitable fashion. At the present time there is no way that the State can have any voice in regional planning boundaries. It seems logical that by improving upon an already existing law we now can have the proper tools to encourage regions in planning for economic development and conservation.

The bill follows closely the Mining Bureau Law, and is patterned closely after the Advisory Commission on Intergovernmental Relations recommendations on state programs.

So, for these and many other reasons that I could bring forward this morning, but trying to fight an obvious committee report such as this at this time seems to me almost an impossibility. So I would respectfully request the chairman of the Committee or any other members of the Committee to explain to me briefly why the reaction of the Committee on this particular bill, where it could readily affect a lot of the regions in our State without necessarily having to go into any of the other state or national planning. I think

probably it would be in justification to the members of this House for a brief explanation of the reaction of the Committee. Thank you.

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

Mr. RIDEOUT: Mr. Speaker and Members of the House: Just in way of answer to the gentleman from Madawaska, Mr. Levesque, the Committee felt that the bill that we are going to consider, as Mr. Martin referred to, would have a section to prevent — that would cover this and this would only be a duplication.

The SPEAKER: The question before the House is on the motion of the gentleman from Kittery, Mr. Dennett, to accept the Majority "Ought not to pass" Report. Is it the pleasure of the House to accept the Report?

The motion prevailed. Sent up for concurrence.

The SPEAKER: The Chair will now call your attention to Senate Papers and the item is three, which was specially assigned for eleven o'clock. That hour having arrived this paper will have consideration at this time. This is the Divided Report on Bill "An Act to Increase the Foundation Program Per Pupil Allowance to \$320," Senate Paper 752, L. D. 1810.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: With respect to the pending question, that is the adoption of either the Majority or Minority Report of the Committee on Education on the question of raising the school subsidy program to \$320 per pupil, I would like first of all to call the attention of the House to the fact that the Committee split apparently essentially on party lines, that the Republican Party favors an effort to raise the per pupil subsidy allowance and signed the Committee Report out in that fashion.

I think that it is important at this point for us to examine this

question and note the direction that we are taking. The \$320 program was adopted as an integral part of the Republican legislative platform. It was included within one bill which the Governor vetoed, and at this point and time it's a very tempting prospect for the Republican members of this Legislature to accept the Governor's program as suggested in his message, of going to \$320 at this time and not funding it. I say tempting because piece by bit by piece the elements of the Republican legislative platform have been adopted by the Governor.

Shortly after we adjourned the general session the crisis in State employment arose, and this crisis was attributed, at least in great extent, to the inequities in the salary plan. We had sponsored in our program State employee pay raises of which no mention had been made by our Chief Executive in his opening address to us. I say tempting because the 320 subsidy is one of the only two remaining basic parts of our program. We, as you recall, wanted to relieve the municipalities of the burden of the ADC contribution, an element in contributing to increased property taxes.

It's a tempting prospect because the people I believe want relief from their taxes, and I agree with the gentleman from South Portland, Mr. Philbrook, who says that a property tax design with the housekeeping services of municipal government is just not suited on any basis for funding major efforts in education, and that as a consequence of our attempt to do this, not only the elderly people for whom Representative Philbrook of South Portland feels concerned, not only the elderly people but young people, young married people with young children, who want to own their own home, who want to send their children to school, are caught in the same vise, the same inequity.

It was suggested by the Senate, in the paper which they send to us, that we should at this time enact a school subsidy increase which would not become effective until the next biennium, and there

is some suggestion that we defer until then under this program the funding necessary. This is an unacceptable proposal, both to the Governor of this State and to the Republican leadership, who feel that the 104th is going to have to make a decision as to the funding of any program which takes effect during its tenure. It must make a decision based on the financial data available at the time the decision is made.

And so what are our alternatives? One, the Republican Party at this time could attempt to pass as a non-emergency matter a school subsidy program, a bill which would fund the \$700,000 cut by the Governor from the budget request of the University of Maine for operating funds. But we have already been served notice, in very direct and convincing at least to me terms, that the members of the Democratic Party in this House, if the papers are correct, are unanimously opposed to this effort. Now this being true, if we pass this as non-emergency, the question becomes — would the Governor approve it? He has stated several times that he does not approve of any effort in this area at this time that is funded.

The second alternative for us to follow is to not take action at this time and to try to indicate to all those who are caught in this burden the reason we're in it. After several caucuses, after agonizing concern for this, the Republican leadership has arrived at a decision, endorsed by its caucus, that it will not engage in a futile effort to place before the Governor the problem which we feel he does not fully appreciate.

The basic defect in passing a subsidy formula now, to be funded by the 104th, is not only that it's politically cute, it is that it attempts to avoid a crisis in state government finance by ignoring it. It's a new version of the old ostrich game. I for one and my party do not want to join in that sort of effort. Therefore, Mr. Speaker, I reluctantly join the gentleman from Limerick, Mr. Carroll, and the gentleman from Madawaska, Mr. Levesque, in saying that we

should adopt the Minority "Ought not to pass" Report and defer again the essential question of tax relief for the people of this State.

The SPEAKER: The Chair understands that the gentleman from Cumberland, Mr. Richardson, moves the acceptance of the Minority "Ought not to pass" Report.

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

Mr. LEVESQUE: Mr. Speaker and Members of the House: I personally would wish to extend my sincere thanks to the gentleman from Cumberland, Mr. Richardson, for once seeing the light from our corner of the world. But be that as it may, it is not all that clear a light if you will look at the entire picture.

It is our feeling and it has been our feeling since the special session of the Legislature in October had increased the subsidies to a considerable amount, at least what we thought was satisfactory to most of the people of our State, by increasing the subsidy from 255 to 290 with the adjustments that were made in 1965 for the seventh and eighth grade, in effect raised the per pupil allowance to \$303. So in effect we are giving subsidies to the municipalities now to the tune of \$303, which we feel right now is in line with what the general increases have been for the foundation program allowances for our municipalities.

Now granted we started in 1956-57 biennium with a per pupil allowance of \$140. In 1959 we jumped back to \$165 and in 1961 to \$210, and in 1963 and '65 \$255, with the adjustment happening in 1965 for the seventh and eighth grade which actually made it \$265. So these general increases have been brought into the picture more or less on a rational scale, if you like, to try to bring us in line with the New England area.

Now I have distributed on your desks some material in the early part of the week which I think is very relevant, because when you look at the New England area which we have discussed so many times, that Maine has been somewhat reluctant to come up with the

New England percentages. So in the factual information on these tables that Maine subsidies to schools have increased from 29.9% in 1966-67 to 33.3% in 1967-68. The above years are at the \$255 foundation. In 1968-69 when we go to the 290 foundation Maine state aid will increase to 36 per cent of revenues spent for local education. Maine receives approximately 10 per cent of the federal money. This means that statements in 1967-68, 42.8% of school costs were paid by non-local revenues. In 1968-69 Maine municipalities are paying for a smaller percentage of school costs, namely 57.1 per cent, than any other state in New England.

The New England states most nearly resemble Maine governmental system. The six million dollar additional funds obligated by the \$200 subsidy formula adopted in October will further decrease the local percentage share next year. The 1967-69 biennium appropriation for subsidies including both operational and construction is \$77,155,000. The Department of Education's preliminary tabulation indicate that without any formula change state subsidies will increase to \$96,920,000 during the 1969-71 biennium, an increase of \$19,764,000.

So just to express our feeling and that of the Governor we don't feel that it is necessary at this time that we should increase the foundation program and tell the 104th Legislature that we would like you people to have this kind of thought because it has been told to the Education Committee that the per pupil cost in 1969 or 1970 will be in the vicinity of four hundred to five hundred dollars, depending if you look at it on the elementary level or the secondary level. Plus the fact that we in the 103rd Legislature would be telling the 104th Legislature an eighteen-months' warning that we will save the taxpayers of the communities an adjustment on their municipal taxes but then again we have to increase the sales tax by one half percent to pay for this. We don't think that this is good government.



So for those reasons and our appreciation for the gentleman from Cumberland, Mr. Richardson, for somewhat reluctantly going along with us. Thank you.

The SPEAKER: The Chair recognizes the gentlewoman from Lebanon, Mrs. Hanson.

Mrs. HANSON: Mr. Speaker and Members of the House: As Chairman of the Education Committee, and personally, I wanted this L. D. 1810, but if it was funded. I feel that without funding it is irresponsible legislation. The Committee felt this way, the majority of the Committee. Therefore, without this funding I have no qualms on turning thumbs down on the passage of L. D. 1810, if we cannot fund it. Therefore I will vote "ought not to pass" on this L. D. and hope the members of this body will do likewise. Thank you.

The SPEAKER: The pending question is on the motion of the gentleman from Cumberland, Mr. Richardson, that the House accept the Minority "Ought not to pass" Report on Bill, "An Act to Increase the Foundation Program Per Pupil Allowance to \$320," Senate Paper 752, L. D. 1810, in non-concurrence. Is this the pleasure of the House?

The motion prevailed. Sent up for concurrence.

### Divided Report

Majority Report of the Committee on Taxation on Bill "An Act Raising the Discount on the Sale of Cigarette Tax Stamps by the State Tax Assessor to Licensed Distributors" (H. P. 1284) (L. D. 1790) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. WYMAN of Washington  
YOUNG of Hancock  
— of the Senate.

Messrs. HANSON of Gardiner  
ROBINSON of Carmel  
DRIGOTAS of Auburn  
HARRIMAN of Hollis  
ROSS of Bath  
COTTRELL of Portland  
SUSI of Pittsfield  
— of the House.

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

Report was signed by the following member:

Mr. FARLEY of York  
— of the Senate.

Reports were read.

On motion of Mr. Hanson of Gardiner, the Majority "Ought to pass" Report was accepted and the Bill read twice.

Committee Amendment "A" (H-523) was read by the Clerk and adopted.

Under suspension of the rules the Bill was read the third time, passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

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

Mr. SCRIBNER: Mr. Speaker, would I be in order at this time moving that we reconsider our action whereby item seven on page three was passed to be engrossed?

The SPEAKER: The gentleman from Portland, Mr. Scribner, now moves that the House reconsider its action whereby item seven Bill "An Act to Authorize Bond Issue in the Amount of \$2,750,000 for Dormitory Facilities at Farmington State College and Maine Maritime Academy," House Paper 1314, L. D. 1857, was passed to be engrossed. Is this the pleasure of the House?

The motion prevailed.

Whereupon, on further motion of the same gentleman, tabled pending passage to be engrossed and specially assigned for tomorrow.

### Bond Issue Tabled and Assigned

An Act Providing a Bond Issue in the Amount of One Hundred and Eighty Thousand Dollars for Constructing a Residential Facility for Mentally Retarded Children in Aroostook County (S. P. 762) (L. D. 1819)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. In accordance with the provisions of Section 14 of Article IX of the Constitution a

two-thirds vote of the House being necessary, a total was taken.

87 voted in the affirmative and 35 voted in the negative.

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

Mr. RICHARDSON: I request a roll call.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All of those desiring a roll call will vote yes and 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 Chair recognizes the gentleman from East Millinocket, Mr. Birt.

Mr. BIRT: Mr. Speaker and Members of the House: I would point out a few facts about this particular piece of legislation which was debated three or four days ago. First off, the information that we have received from the Department of Mental Health and Corrections indicates that at the present time there are no federal funds available—matching funds available for this particular project.

This bill came out of committee seven to three “ought not to pass” and it is my thinking at the present time that deferring this particular project for another year would be a good move, and I would certainly hope that this bill does not succeed in enactment at this time.

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

Mr. JALBERT: Mr. Speaker and Members of the House: On very rare occasions do I take mild issue with the gentleman from East Millinocket, Mr. Birt. In this instance here, this is a bond issue and it would only allow the people to say yes or no. The measure would not come up until November and after the measure would get off the planning boards it would be late spring. It would satisfy,

in my opinion, the gentleman from East Millinocket, Mr. Birt's thinking about waiting a year because we would be waiting a year anyway and we would be in session and we could then say no, and if there were no funds available it certainly would be up to the Department of Mental Health and Corrections working with the Bureau of Public Improvements to decide if this should be held up or not.

This is merely a request, in my opinion, according to the Constitution, asking the people to say yes or no. And certainly in my opinion it is a solid sound piece of legislation, and regardless of what area the State is concerned I would say yes. I would concur with the gentleman from Manchester, Mr. Rideout, who a few days ago said he would like to see these projects in every county. In this instance, this happens to be a little far away from our area in the good good county, so I certainly would feel that for that reason alone we should go along with it. I certainly hope that we enact this measure.

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

Mr. HINDS: Mr. Speaker and Members of the House: I hope I never see the day when this Legislature puts all bond issues that come before it out to the people, because I think that some of these if we did we would be in bad straits — some of these have to be killed in the Legislature. I just would like to remind you that the Department of Mental Health and Corrections does not endorse this; I think this is one of our better departments and I think they do an excellent job. And as recent as yesterday I was approached by the Deputy Commissioner and he told me that he just hoped that this didn't pass at this time because it would throw all their plans they have for all over the state out of whack. I hope that you will go along with your vote of the other day, we tied on this issue and the Speaker to keep the bill alive broke the tie, it was 69 to 69, and I hope you will go along with your vote the other day as this issue

does require two thirds of the House present and voting to pass.

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

Mr. JALBERT: Mr. Speaker and Members of the House: Back a few years ago there was a strong thinking among the members of the Legislature stemming from the Research Committee that would allow the departmental heads to put in their own legislation, and it didn't take us long, those of us who thought it might be a good idea, for them to dissuade us from that thinking. Certainly nobody's attacking the Department of Mental Health and Corrections; they not only do a good job as far as I am concerned but from the top to the bottom I number a great many of them as my close personal friends.

But we sit inside the railing; we are elected by the people. They are to administer the law that we say should be administered. In this instance we are asking the people to give us guidance as long as this is the Constitution of the State. Then when it's the Constitution, we change this measure, if the people want to vote on an amendment, on a bill that will say we no longer want to vote on bond issues—you do it in Augusta.

Until such time as that happens, under the Constitution we must send these things out to the people if we feel this is proper and just in our thinking. This in no way involves the work of the Mental Health and Corrections; this involves one thing. Is this program as sound, many of us think it is. Number one, a great many of us feel at least let the people decide.

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

Mrs. CARSWELL: Mr. Speaker and Members of the House: As I said yesterday, we are the people who receive the calls and the letters from the parents and friends of the retarded and it is up to us to listen to their pleas. There are many families who have retarded children that the Department

knows nothing about. I think that we get the message. Therefore, I think that we should stick with the people who we represent. I hope this bill receives passage.

The SPEAKER: A roll call has been ordered and the pending question is the enactment of this bond issue L. D. 1819. All in favor of the enactment will vote yes; those opposed will vote no. The Chair opens the vote.

### ROLL CALL

YEA — Allen, Bedard, Belanger, Beliveau, Berman, Bernard, Binnette, Boudreau, Bourgoin, Bradstreet, Bragdon, Brennan, Bunker, Burnham, Carey, Carrier, Carswell, Champagne, Clark, Conley, Couture, Crockett, Crommett, Curran, Cushing, Darey, Dickinson, Drigotas, Eustis, Ewer, Farrington, Fecteau, Fortier, Fraser, Gaudreau, Giroux, Hanson, P. K.; Harnois, Healy, Hennessey, Hichens, Hoover, Hunter, Jalbert, Jameson, Jannelle, Jewell, Keyte, Kilroy, Lebel, Levesque, Lycette, Meisner, Miliano, Minkowsky, Nadeau, N. L.; Noyes, Prince, Rackliff, Rideout, Robertson, Rocheleau, Roy, Sahagian, Sawyer, Scott, G. W.; Scribner, Shute, Snow, P. J.; Snowe, P.; Soulas, Starbird, Tanguay, Truman, Waltz, Watts, Wheeler, Wight, Williams.

NAY — Baker, E. B.; Baker, R. E.; Benson, Birt, Brown, M. F.; Brown, R.; Cornell, Cote, Cottrell, Crosby, Dudley, Dunn, Durgin, Edwards, Evans, Foster, Gill, Hall, Hanson, B. B.; Hanson, H. L.; Harriman, Hawes, Haynes, Henley, Hewes, Hinds, Hodgkins, Huber, Humphrey, Kyes, Lewin, Lewis, Lincoln, Littlefield, Maddox, Martin, McMann, McNally, Morrell, Mosher, Nadeau, J. F. R.; Payson, Pendergast, Philbrook, Pike, Porter, Quimby, Richardson, G. A.; Richardson, H. L.; Robinson, Ross, Scott, C. F.; Shaw, Susi, Thompson, Townsend, Trask, White, Wood.

ABSENT—Buck, Carroll, Cookson, D'Alfonso, Danton, Dennett, Drummond, Gauthier, Harvey, Immonen, Quinn, Sullivan.

80 voted in the affirmative and 58 voted in the negative.

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

Mr. LEVESQUE: Mr. Speaker, I now move that this lie upon the table until the next legislative day.

Mr. RICHARDSON of Cumberland: A parliamentary inquiry, Mr. Speaker.

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

Mr. RICHARDSON: I question whether or not the motion to table is in order.

The SPEAKER: A parliamentary question has been raised. The Chair will rule that a roll call has been ordered, the vote has been taken, the tabling motion is not in order. The Chair will announce the vote.

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

Mr. LEVESQUE: Mr. Speaker, an inquiry through the Chair.

The SPEAKER: The gentleman may make his inquiry.

Mr. LEVESQUE: Mr. Speaker and Members of the House: Is a motion to reconsider in order at this time?

The SPEAKER: A motion to reconsider is always in order. The Chair recognizes the gentleman from Madawaska, Mr. Levesque.

Mr. LEVESQUE: Mr. Speaker, I now move that we reconsider the action now taken.

The SPEAKER: The Chair would inquire if the gentleman was on the prevailing side?

The Chair will announce the vote — the Chair recognizes the gentleman from Eagle Lake, Mr. Martin.

Mr. MARTIN: Mr. Speaker, I wish to change my vote from yes to no.

The SPEAKER: The gentleman from Eagle Lake, Mr. Martin, now changes his vote from yes to no.

Yes, 79; No, 59; Absent, 12.

The Chair will announce the vote. Seventy-nine having voted in the affirmative and fifty-nine in the negative, and ninety-two being two thirds and seventy-nine not being a sufficient number to enact this bill, the bill fails of enactment.

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

Mr. MARTIN: Mr. Speaker, I now move that we reconsider our action whereby this bill failed of final passage.

The SPEAKER: The gentleman from Eagle Lake, Mr. Martin, now moves that the House reconsider its action whereby this bill failed of enactment. Is the House ready for the question?

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

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

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, now moves that the motion to reconsider be tabled until the next legislative day.

Mr. Richardson of Cumberland then requested a division on the tabling motion.

The SPEAKER: A vote has been requested on the tabling motion. All those in favor of this matter being tabled until the next legislative day will vote yes; those opposed will vote no.

For what purpose does the gentleman arise?

Mr. LEVESQUE of Madawaska: Mr. Speaker, I request that when the vote is taken it be taken by the yeas and nays.

The SPEAKER: A roll call has been requested on the motion to table. All those in favor of a roll call will vote yes; those opposed will vote no, and the Chair opens the vote.

A vote of the House was taken, 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 Lewiston, Mr. Jalbert, that the reconsideration motion be tabled until the next legislative day. All those in favor of tabling this motion until the next legislative day will vote yes; those opposed will vote no. The Chair opens the vote.

## ROLL CALL

YEA — Baker, R. E.; Bedard, Belanger, Beliveau, Berman, Bernard, Binnette, Boudreau, Bourgoin, Bradstreet, Bragdon, Brennan, Burnham, Carey, Carrier, Carswell, Champagne, Conley, Cottrell, Couture, Crockett, Crommett, Curran, Danton, Dickinson, Driogtas, Dudley, Eustis, Ewer, Fecteau, Fortier, Fraser, Gaudreau, Gauthier, Giroux, Hanson, P. K.; Harnois, Healy, Hennessey, Hichens, Hoover, Hunter, Jalbert, Jameson, Jannelle, Jewell, Keyte, Kilroy, Lebel, Levesque, Lycette, Martin, Meisner, Miliano, Minkowsky, Nadeau, N. L.; Noyes, Prince, Rackliff, Rideout, Robertson, Rocheleau, Roy, Sahagian, Sawyer, Scott, G. W.; Scribner, Shute, Snow, P. J.; Soulas, Starbird, Tanguay, Truman, Wheeler, Wight, Williams.

NAY — Allen, Baker, E. B.; Benson, Birt, Brown, M. F.; Brown, R.; Bunker, Clark, Cornell, Cote, Crosby, Cushing, Darey, Dunn, Durgin, Edwards, Evans, Farrington, Foster, Gill, Hall, Hanson, B. B.; Hanson, H. L.; Harriman, Hawes, Haynes, Henley, Hewes, Hinds, Hodgkins, Huber, Humphrey, Immonen, Kyes, Lewin, Lewis, Lincoln, Littlefield, Maddox, McMann, McNally, Morrell, Mosher, Nadeau, J. F. R.; Payson, Pendergast, Philbrook, Pike, Porter, Quimby, Richardson, G. A.; Richardson, H. L.; Robinson, Ross, Scott, C. F.; Shaw, Snowe, P.; Susi, Thompson, Townsend, Trask, Waltz, Watts, White, Wood.

ABSENT — Buck, Carroll, Cookson, D'Alfonso, Dennett, Drummond, Harvey, Quinn, Sullivan.

Yes, 76; No, 65; Absent, 9.

The SPEAKER: The Chair will announce the vote. Seventy-six having voted in the affirmative and sixty-five in the negative, the motion to table the reconsideration motion until the next legislative day does prevail.

## Orders of the Day

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

Resolve Providing Moneys for Cerebral Palsy Clinics for Home Care Programs (H. P. 1251) (L. D. 1757) (In House, Resolve substituted for Ought not to pass Report and passed to be engrossed.) (In Senate, Ought not to pass Report accepted in non-concurrence)

Tabled—January 17, by Mr. Ewer of Bangor.

Pending—Further consideration.

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

Mr. EWER: Mr. Speaker, I move that we insist and ask for a Committee of Conference.

The SPEAKER: The gentleman from Bangor, Mr. Ewer, moves that the House insist on its former action and ask for a Committee of Conference.

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

Mr. HINDS: Mr. Speaker, I move that we recede and concur.

The SPEAKER: The gentleman from South Portland, Mr. Hinds, moves that the House recede from its former action and concur with the Senate. The Chair will order a vote. All those in favor of receding and concurring will vote yes and those opposed will vote no, and the Chair opens the vote.

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

Mr. LEVESQUE: Mr. Speaker, I request the vote be taken by the yeas and nays on receding and concurring.

The SPEAKER: A roll call has been requested on the motion to recede and concur. 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 on the motion of the gentleman from South Portland, Mr. Hinds, that the House recede from its former action and concur.

with the Senate on Resolve Providing Moneys for Cerebral Palsy Clinics for Home Care Programs.

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

Mr. EWER: Mr. Speaker, is this question debatable at this time?

The SPEAKER: It is debatable.

Mr. EWER: May I say just a little. We approved this bill in the House and due to a rather unfortunate condition in the other end of the corridor it failed of passage there. I feel very strongly; as I have said on various occasions this is good legislation and it is a very essential thing, and I hope that the members of this House will go along with me on this and try to keep this thing alive for conference.

The SPEAKER: Is the House ready for the question? A roll call has been ordered on receding and concurring. All those in favor of receding from our former action and concurring with the Senate will vote yes; those opposed will vote no. The Chair opens the vote.

### ROLL CALL

YEA — Baker, E. B.; Baker, R. E.; Benson, Birt, Boudreau, Bragdon, Brown, M. F.; Brown, R.; Bunker, Champagne, Clark, Couture, Crockett, Crosby, Cushing, Darey, Dickinson, Dudley, Dunn, Durgin, Edwards, Evans, Farrington, Gill, Hall, Hanson, H. L.; Harriman, Hawes, Haynes, Henley, Hewes, Hinds, Hodgkins, Huber, Humphrey, Hunter, Immonen, Jannelle, Jewell, Kyes, Lewis, Lincoln, Littlefield, Maddox, McNally, Noyes, Payson, Pendergast, Philbrook, Pike, Porter, Quimby, Richardson, G. A.; Richardson, H. L.; Robinson, Scott, C. F.; Shaw, Snow, P. J.; Snowe, P.; Susi, Thompson, Townsend, Trask, Watts, Wood.

NAY — Allen, Bedard, Belanger, Beliveau, Berman, Bernard, Binnette, Bourgoin, Bradstreet, Brennan, Burnham, Carey, Carrier, Carswell, Conley, Cornell, Cote, Cottrell, Crommett, Curran, Danton, Drigotas, Eustis, Ewer, Fec-teau, Fortier, Foster, Fraser, Gaudreau, Gauthier, Giroux, Hanson, B. B.; Harnois, Healy, Hennessey, Hichens, Hoover, Jalbert, Jameson, Keyte, Kilroy, Lebel,

Levesque, Lewin, Martin, Meisner, Miliano, Morrell, Mosher, Nadeau, J. F. R.; Nadeau, N. L.; Prince, Rackliff, Rideout, Robertson, Rocheleau, Ross, Roy, Sawyer, Scott, G. W.; Scribner, Shute, Soulas, Starbird, Tanguay, Waltz, Wheeler, White.

ABSENT — Buck, Carroll, Cookson, D'Alfonso, Dennett, Drummond, Hanson, P. K.; Harvey, Lycette, McMann, Minkowsky, Quinn, Sahagian, Sullivan, Truman, Wight, Williams.

64 voted in the affirmative and 69 voted in the negative.

The SPEAKER: The Chair will announce the vote—the Chair recognizes the gentleman from Mars Hill, Mr. Dickinson.

Mr. DICKINSON: Mr. Speaker, I wish to change my vote from no to yes.

The SPEAKER: The gentleman from Mars Hill, Mr. Dickinson, now changes his vote from no to yes.

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

Mr. HEALY: Mr. Speaker, I wish to change my vote from no to yes.

The SPEAKER: The Chair will advise the gentleman from Portland, Mr. Healy, that he has already voted yes.

The Chair recognizes the gentleman from Bristol, Mr. Lewis.

Mr. LEWIS: Mr. Speaker, I may be in the same position but I think I voted no and I wish to change it to yes.

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

Mr. HEALY: Mr. Speaker, I hope I'm right; I wish to change my vote from yes to no.

The SPEAKER: The gentleman from Portland, Mr. Healy, changes his vote from yes to no.

Yes, 65; No, 68; Absent, 17.

The SPEAKER: The Chair will announce the vote. Sixty-five having voted in the affirmative and sixty-eight in the negative, the motion to recede and concur does not prevail.

Thereupon, the House moved to insist and ask for a Committee of Conference.

The Speaker appointed the following Conferees on the part of the House:

Messrs. EWER of Bangor  
LEWIN of Augusta  
HENNESSEY  
of West Bath

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

Bill "An Act to Correct Errors and Inconsistencies in the Education Laws" (H. P. 1259) (L. D. 1765)

(In House, passed to be engrossed as amended by Committee Amendment "A" (H-507) and House Amendment "B" (H-509)

Tabled — January 17 by Mr. Richardson of Stonington.

Pending — Motion of Mr. Dudley of Enfield to reconsider passage to be engrossed.

The SPEAKER: The pending question is the motion of the gentleman from Enfield, Mr. Dudley, that the House reconsider its action whereby this bill was passed to be engrossed. Is it the pleasure of the House to reconsider passage to be engrossed?

The motion prevailed.

On further motion of the same gentleman, the rules were suspended.

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

Mr. DUDLEY: I now offer House Amendment "A" to House Amendment "B."

The SPEAKER: The Chair would advise the gentleman if he is trying to amend House Amendment "B" the House must reconsider the adoption of House Amendment "B."

Mr. DUDLEY: I would like to reconsider our adoption then of House Amendment "B."

The SPEAKER: The gentleman from Enfield, Mr. Dudley, moves that the House reconsider the adoption of House Amendment "B."

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

Mr. RICHARDSON: Reconsider House Amendment "B" or House Amendment "A?"

The SPEAKER: House Amendment "B" was adopted.

Mr. RICHARDSON: I would oppose the reconsideration of the adoption of House Amendment "B" and I would request a division.

The SPEAKER: A vote has been requested on the reconsideration of the adoption of House Amendment "B."

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

Mr. DUDLEY: Mr. Speaker I would like to speak to the motion I just made. Let me say that I would like to be very fair with this House in all cases and I would hope that they would be with me. I know before the Reference of Bills Committee many bills was heard and turned down and then they was tried to put before this House by a bill, an order or an amendment, and in most other cases they were turned down. Only yesterday we had some and I thought they were worthy causes but we turned them down, the chief reason being that they wasn't one of those bills that was considered by the Reference of Bills Committee, therefore they shouldn't be heard probably by this special session.

This particular amendment that I would like to recall and offer another small amendment to is the very bill that was put before the Reference of Bills Committee and turned down. Now ladies and gentlemen, if we're going to be fair to all here, we should turn down the amendment altogether, but I'm willing to go a little further and go along in part, but we're not being fair to these people yesterday that we had to recall their legislation and turn it down. Now while I'm on my feet just for the sake of time, I would like to tell you that I do want to make a correction in the amendment which was House Amendment "A" the other day, and this sounds like a minor thing, but it deletes spouse, the amendment says that now what it in substance means that a director of a school board can have his wife teaching. Basically I think this is wrong; I've thought so right along, and I think if you can see my point of view,

I don't have a very good way of getting it across to you. I wish I could do better. But I would like you for one minute to reminisce with me to the day in your house when you heard the patter of little feet, children going to school, and at that time you was interested in their education. If they had a problem, you took it to the school board, and if this problem happened to be the teacher, I doubt very much if you would want to take it to this teacher's husband, this is becoming the case more and more as time goes on. And for this reason, I would like to present this amendment. This would allow this director's teacher to teach on a part-time basis or as a substitute, and I hope you will see fit to let the motion carry. Thank you.

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

Mr. DICKINSON: Mr. Speaker and Members of the House: I haven't had an opportunity to study this amendment as much as I would like to. However, it's my understanding that it would permit substitute teachers to teach. There is another feature in this bill which affects people in our area, and that is the provision that no one can serve in any other capacity in any public school, and as I understand it, that could include people who assist in kitchens, school bus drivers, janitors and all other employees in a school system. Therefore, I am opposed to the amendment if that be true. Thank you.

The SPEAKER: Is the House ready for the question? The pending motion is the motion of the gentleman from Enfield, Mr. Dudley, that the House reconsider the adoption of House Amendment "B." A vote has been requested, and it is ordered. All those in favor of the reconsideration of the adoption of House Amendment "B" will vote yes and those opposed will vote no, and the Chair opens the vote.

49 having voted in the affirmative and 77 having voted in the negative, the motion did not prevail.

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

Mr. NADEAU: While we are on the subject of correcting errors and inconsistencies, I would like to make a few statements ladies and gentlemen of the House. Up until recently there has been a lot of people who are wondering as to one function that has something to do with education and as to their methods of operation, and I feel that this comes under this correct heading of errors and inconsistencies and the reason that I will not propose an amendment at this time is the fact that I also want the people to have a say in this, and they are starting to group up in large forces, in fact, several school boards are already announcing they are behind this. My main concern right now, and I hope this will be brought up in the 104th and I know it will because the Committee saw fit not to accept my two bills concerning this, is to correct these errors. We have a State Principals Association group who runs school sports also, then it's not just education, you might call this educational if you know, but what I am wondering is why is it that they have not answered many questions. Number one, I would like to note that back in 1965 the S.P.A. as most of you may or may not be aware of, takes fifty percent of the gate, so briefly this hockey tournament said to heck with being sanctioned by the S.P.A., they turn around and they took all the proceeds and profit themselves. Now in many of our communities, yours and mine, we run holiday tournaments which in fact reduce your tax dollar, because if your schools and my schools did not have this opportunity for this necessary income you would be taxed in order for them to go on in these things. However, this group under the S.P.A. run by a very few who actually do attend these meetings have taken upon themselves to have several expenses and to tell us how our tax monies are going to be spent.

I'd like to add one thought. Why are principals' association on athletics, why not a committee made up of principals, athletic directors



and responsible members of the news media? Yet otherwise than education they have taken these monies from tournaments, and especially basketball, and football, and at this date own over \$80,000 worth of stock; over \$80,000 worth of stock. They have practically an unlimited expense account; they have seen fit to have passed by the 103rd another gem. This gem was L. D. 774. Now I'd like to tell you they took this executive secretary who retired and is getting over \$5,000 already from the Teachers' Association, and they have now put him under the State Retirement Plan mind you. I say to you he is not working for the State at a salary of \$12,000. They have additional frills in there, and like I say they have accumulated a vast amount of investment in which they derive from invested funds, they claim here only \$600 but it is a known fact that they do own over \$80,000 worth of stock. They have national dues they claim from basketball tournaments for instance that they net \$28,000. Well mind you, there are sixty games. If we were to say that anyone of those games would only have one thousand people at one dollar, this already makes this figure seem fictitious, but the point is that this is what they finally realized, yes, because it's kind of fat on top. I feel that the expenses are too high to be run, and since I feel that the Department of Education should and does run all factions of education, this is where I feel this should belong, and I would propose, and I did not make an amendment for you people to vote on or vote it down, because I do want a fair and public hearing, and I want all of you to know the truth as to what some of these people are doing other than education, such as these frills and thrills.

Now I could go on, there is all kinds of things that they claim that they do with this money, but I'm saying if they need so much money, and you want to stop everything unless they sanction it, and of course if they sanction it, they want fifty per cent, and some of the schools do not even get

reimbursement money for their participation, so I feel instead of giving it to the greedy, I say the needy should get it, and this would — this money should be returned to your own schools and your own towns which in effect would reduce your taxation.

Now in my town this year we raised close to \$3,000 extra to give necessary pay raises to the athletic staff and promote additional sports and so forth, while if we had gotten our fair share for whenever and if ever we do participate in any of these, that would have reduced our taxes. This would also occur in your own towns and cities. So I believe a fair return should go to the participating school. If not, I believe the Department of Education should have this under their wing and if they're going to have the money, they can spend it or assess it and return it to the schools and not let just — have a particular group who have now saw fit to put their executive secretary on this little gem, L. D. 774, and incidentally I have written a bill to repeal this at the next session, they wouldn't accept it because all of these things we are debating now are emergencies, and I will repeal this, at a cost of \$12,000 of our tax dollars all he does is set up this sports program mind you. That's great. We could put it, and I know of some member of the Department of Education could run it and we could have all of this money and these moneys and these fat expense accounts which I believe are being spent.

As I stated before, I believe that what I will recommend is that all the receipts, expenditures and its whole athletic program go where it belongs and that would be with the Department of Education, and the only reason I make notice of this is that in the future you'll be getting a lot of publicity on this and I'm saying that I wanted the people and I want this on record, and I wanted the people to be aware of certain things going on. Thank you very much.

Mr. Richardson of Stonington offered House Amendment "D" and moved its adoption.

House Amendment "D" (H-516) was read by the Clerk.

The SPEAKER: The gentleman may proceed.

Mr. RICHARDSON: Mr. Speaker and Members of the House: The State Board of Education has discovered that they do not have the right to drop the minimum school year below 175 days for any private academy. They do have this right for local schools and also for school administrative districts, and in view of this, they have asked that this amendment be introduced because they are aware of a hardship case in an academy which is going to come in sometime this spring for a request to reduce the number of actual school days by a few. They feel that this is necessary and would broaden the law to cover everyone that should be covered. Thank you.

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

The Chair recognizes the gentleman from Mars Hill, Mr. Dickinson.

Mr. DICKINSON: Mr. Speaker, I note that the amendment offered by the gentleman from Stonington, Mr. Richardson, has a "D." Has there been an amendment "C" offered?

The SPEAKER: The Chair would advise the gentleman that it does not matter whether it has been offered or not. It might have been cut, but it does not need to be offered to the body.

Is it now the pleasure of the House to adopt House Amendment "D?"

The motion prevailed.

The SPEAKER: Is it now the pleasure of the House that this bill be passed to be engrossed as amended?

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: Because of the nature of this bill and its importance, it is not my desire that I should make a motion that this entire bill and the amendments be indefinitely postponed, although the thought has occurred to me. Somehow or other I find also that the members of this House will in

the adoption of the amendment presented by the gentleman from Eliot, Mr. Hichens, stirs in my mind the thought that some members of this House in buying this amendment are actually promoting a system of which I think is entirely revolting. If these same dedicated people that want to serve on a municipal level or other levels, it would seem to me that they could find another place in the municipality that they can serve that municipality to an advantage other than to promote their own perpetuation into office and also to promote a salary of members of their own family. This I find very distasteful to have to say this to the members of this august body that we are actually telling some of these municipalities and again I repeat, ninety-nine per cent of these municipalities and its officers serving on these different boards are way honest and above board in all cases, but by the adoption of this amendment you are actually telling these people in your own communities, we recognize that you are probably playing a little bit of favoritism to some special school people or faculty, but that's all right, we'll let it go at that, it's just a small favor.

So for this reason I say these words that I find it entirely and completely revolting that the members of this House will tell to the municipal officers that there are no other place that they can serve on the municipality for its betterment but serve on the school board and promote your own family to a better salary. Thank you.

The SPEAKER: The Chair recognizes the gentlewoman from Lebanon, Mrs. Hanson.

Mrs. HANSON: Mr. Speaker, as Chairman of the Education Committee I cannot accept the idea of turning down the whole bill because in one particular paragraph a minority perhaps might be — work a hardship on the majority by not letting this bill go through. Therefore, I would hope that we would not vote to indefinitely postpone this bill.

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

Mr. HICHENS: Mr. Speaker and Ladies and Gentlemen of the House: These conditions which the gentleman from Madawaska has mentioned have gone on for many, many years. They weren't brought to our attention until this amendment was passed in the regular session, and most of us didn't know about or didn't realize the importance of it. I do not believe that by saying these people can serve on the School Administrative Districts that they cannot seek other offices throughout the towns in which they serve. They have that choice and the people in these towns have the choice as to whether these people should serve on these administrative districts. They have the vote and they can tell who will serve and who will not serve.

There has been a lot of talk about the teachers not being able to teach if their husbands are on the boards, but we have superintendents' wives who are teaching and there is no law to prohibit them from teaching either. While I am on my feet, not to prolong the discussion, I would like to take an exception to the statement that was made yesterday or the day before by the gentleman from Enfield, by disagreeing with his statements made concerning the talents required to be a director. I would read what he said that day when he referred to the fact that: "Someone may tell you that they can't get directors, it's impossible. This is not so. I am sure that every town is not so small that they can find some director of a district. You know this job doesn't require a lot of talent; you don't necessarily have to have teacher's certificate or a degree from some college. This being a director is not that important, the superintendent of schools presents them with a list of who he has hired for teachers and that's it. He also presents them with a bunch of bills that they got to pay and that's it, he's the purchasing agent, so there isn't — they don't have to have any great talent let me tell you to serve on a school board. \*\*\*" I wholeheartedly disagree with that. In my own area and other areas throughout the state

members of the school board do have much talent. We have a veterinarian on our board; we have a retired school principal on our board, and a retired school superintendent, and throughout the state I find these people who can stand up and take all the guff that they take on school districts are talented and capable people. Thank you.

The SPEAKER: Is it now the pleasure of the House that this Bill be passed to be engrossed as amended by Committee Amendment "A" and House Amendments "B" and "D"?

The motion prevailed. Sent up for concurrence.

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

Mr. STARBIRD: Mr. Speaker, I would like to make a parliamentary inquiry. Would a move for reconsideration be in order on item 1 on page 2?

The SPEAKER: Report of Committees, item 1, ought not to pass?

Mr. STARBIRD: Yes.

The SPEAKER: Item 1, page 2, House Reports, ought not to pass on Bill "An Act to Authorize Bond Issue in the Amount of \$384,000 for Development of Education, Sewage and Water Facilities at Indian Reservations" L. D. 1858 the House accepted the ought not to pass Report. A motion to reconsider is in order.

Mr. STARBIRD: I therefore move that we consider our action whereby we accepted the Committee Report and I would speak briefly to it.

The SPEAKER: The gentleman from Kingman Township, Mr. Starbird, now moves that the House reconsider its action whereby it accepted the ought not to pass report on item 1, page 2, reports of Committees, the House accepted the ought not to pass report. Is it the pleasure of the House to reconsider its action?

(Cries of "No")

The Chair will order a vote. This is debatable. Does the gentleman wish to debate?

Mr. STARBIRD: I will briefly speak what I have to say. There has been a great deal of interest in

the Indian tribes in Maine, their conditions, their present educational status, and overall history, customs and so forth, a great deal of interest over the last few years. This particular item I was led to believe had been completely agreed upon by those who discuss these things before it was submitted. I thought that everyone was in agreement that our Indian tribes should be helped in this manner, the sewerage systems, for education and so forth. Apparently my hopes were in vain. I did not expect a summary ten to nothing ought not to pass would come out of committee on this item. I thought that at least some few people on the committee would let this go to the people and let the people say whether they wished the Indians to have these advantages.

If this bond issue had passed the committee, if they had approved an ought to pass report, the Legislature had accepted it and it had gone to the people, I believe it would have been in the June primary election. This would have given us a chance for planning and so forth before this summer was out, possibly to start operations in '69. Now if this item is allowed to die here today, it will be the 1970 season before we can do anything at all in this line, do anything for the overcrowded schools on the reservations, do anything for the sewerage systems. I understand that there was a possibility of some money being appropriated for planning of these systems and apparently for enlarging the school buildings that will come out in a general appropriations measure. For this, I am grateful. However, I would hope that if my motion to reconsider does prevail, that we might table this at least for one day so that each of us could search our own consciences and decide in our own hearts whether we should let overcrowded school buildings and lack of sewerage and pollution of at least one nice lake continue for another two years. I hope that you will move to reconsider.

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

Mr. BRAGDON: Mr. Speaker, as the gentleman has just stated, this was a unanimous report of the Committee on Appropriations and Financial Affairs. We gave very careful consideration to this bond issue and the items that were to be covered in it. It was I think the feeling of the Committee that too little thought had gone into planning on some features of this bond issue. The amounts are not large and I think possibly we might find some money to continue planning until the next session of the Legislature. Because of the size of the various appropriations I think it could be better handled in that session; it probably would not be necessary in the final analysis to go to the bond issue idea to solve the problem. I rather hope that you will not reconsider this item at this time.

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

Mr. SCRIBNER: Mr. Speaker and Ladies and Gentlemen of the House: As the Chairman of the Appropriations Committee has indicated we gave careful consideration to this. It has been informally agreed that the sum of \$25,000 should be appropriated to the Bureau of Public Improvements to plan these projects. We were particularly concerned about the water and sewage facilities for Princeton Strip in which the commissioners came before the Committee on this occasion at this special session and prior when this bill was before it, and indicated that—points to a general spot on a map and says we intend to build these facilities up on this hillside, with nothing more specific than that, and that he intends to serve some houses in the existing area of Princeton Strip, but he doesn't know for sure which ones. Some of them are appropriate for new facilities and some of them are in such a dilapidated condition that facilities would not be warranted, but nothing very specific. I think perhaps the planning is in better shape on the schools, but we do have at this point, we have already approved water and sewer facilities for all reservations other than the Princeton Strip area. There is

also one new Indian school under construction. This makes a fairly sizeable amount of capital construction being carried on by a very small department at the present time. There was some doubt as to whether they are capable, such a small department, of handling all the capital construction that they have under construction at the present time. So we did feel that some money for planning, if they can come before the session and point out just what they intended to do with it, this could be done while these present projects are being constructed and that we would be on a fairly safe ground. The condition of the schools is perhaps more important, but we felt that perhaps it would not be reasonable to put it out just for the schools, it will be such a very small bond issue that perhaps we should wait at this time and plan this entire Indian development program in this area that is not already approved and under construction. Thank you.

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

Mrs. CARSWELL: Mr. Speaker and Members of the House: I for one have not had an opportunity to fully investigate the committee's report, and I do hope that we are able to reconsider the action taken on this matter and then have it tabled so that we can go into it a little further, because it seems to me that the Indian is always left on the short end of the stick, and it's about time that we dig into this now and have it clarified a little more. As you remember a few days ago, we upset a committee report, I think it was nine to one about a tax on boats I guess it was, and there was quite a bit of discussion on that. Well, I think that we should have a little more discussion on the Indians' problems too, so I would hope that this bill will be reconsidered and give us an opportunity to table it and find out some more information as to what we can do for the Indians.

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

Mr. STARBIRD: Mr. Speaker, I thank the gentlemen from the Appropriations Committee for explaining their reasons for rejecting this bond issue. Most of them are valid reasons I am sure.

I see no reason, however, to reject the bond issue solely because of lack of adequate planning. We have been told in the last few minutes that informally they agreed to appropriate something in the vicinity of \$25,000 for planning of the projects, and that if they go ahead and do this, the planning can go hand in hand with the bond issue it would seem to me. They can do their planning at the time the bond issue is approved; if it is approved, they will have the money. The money does not need to be spent. The bonds do not have to be issued until they are needed. I think that is plainly apparent. All we are asking now is that we reconsider the action whereby the committee report which was unanimous ought not to pass was accepted. All we are asking now is that once this is done, that if we allow a tabling motion from someone, if someone would be that kind, and then perhaps if the Appropriations Committee was not entirely satisfied with the figures as they are in this present issue, it might be revised to their satisfaction, an amendment prepared perhaps; there are a multitude of things that could be done.

However, if we reject this now and it cannot go to the people, the planning hopefully will be done but it will be two years before we can get to work; two years, two more years for grade school enrollment; two more years of lack of adequate sewerage; two more years of pollution in a lake along Princeton Strip, all of these to continue in this snowballing increasing condition. We don't have to spend this bond money, we don't have to get our bonds, we don't have to borrow the money until it is needed, so therefore, all we're asking now is that we allow this bond issue to go to the people and get their approval on it. We can borrow the money when it is needed when the planning is com-

plete. I ask you now to reconsider the acceptance of the committee report.

Mr. Bragdon of Perham requested a division.

Mrs. Carswell of Portland requested a roll call.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All of those desiring a roll call will vote yes and those opposed will vote no and the Chair opens the vote.

A vote of the House was taken, 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 Kingman Township, Mr. Starbird, that the House reconsider its action whereby the unanimous ought not to pass report of the Committee was accepted on Bill "An Act to Authorize Bond Issue in the Amount of \$384,000 for Development of Education, Sewage and Water Facilities at Indian Reservations," H. P. 1315, L. D. 1858. All those in favor of reconsideration will vote yes, those opposed will vote no, and the Chair opens the vote.

### ROLL CALL

YEA — Baker, R. E.; Bedard, Belanger, Binnette, Boudreau, Bourgoin, Bradstreet, Brennan, Carey, Carrier, Carroll, Carswell, Champagne, Couture, Crommett, Curran, Drigotas, Eustis, Fecteau, Fortier, Fraser, Gaudreau, Giroux, Harnois, Harvey, Hennessey, Hunter, Jalbert, Jameson, Keyte, Kilroy, Kyes, Lebel, Levesque, Martin, Meisner, Miliano, Minkowsky, Morrell, Nadeau, N. L.; Noyes, Prince, Rackliff, Rocheleau, Roy, Sawyer, Scribner, Soulas, Starbird, Townsend, Wheeler.

NAY — Baker, E. B.; Benson, Bragdon, Brown, M. F.; Brown, R.; Bunker, Burnham, Clark, Cornell, Cote, Cottrell, Crockett, Crosby, Cushing, Darey, Dennett, Dickinson, Dunn, Durgin, Edwards, Evans, Ewer, Farrington, Gill, Hall, Hanson, B. B.; Hanson, H.

L.; Hanson, P. K.; Harriman, Hawes, Haynes, Healy, Henley, Hewes, Hichens, Hinds, Hodgkins, Hoover, Huber, Humphrey, Immonen, Jannelle, Jewell, Lewis, Lincoln, Littlefield, Lycette, Mad-dox, McNally, Mosher, Nadeau, J. F. R.; Payson, Pendergast, Philbrook, Pike, Porter, Quimby, Richardson, G. A.; Richardson, H. L.; Rideout, Robinson, Ross, Sahagian, Scott, C. F.; Scott, G. W.; Shaw, Shute, Snow, P. J.; Snowe, P.; Susi, Thompson, Trask, Truman, Waltz, Watts, White, Wight, Williams, Wood.

ABSENT — Allen, Beliveau, Ber-man, Bernard, Birt, Buck, Con-ley, Cookson, D'Alfonso, Danton, Drummond, Dudley, Foster, Gau-thier, Lewin, McMann, Quinn, Robertson, Sullivan, Tanguay.

Yes, 51; No, 79; Absent, 20.

The SPEAKER: The Chair will announce the vote. 51 having voted in the affirmative and 79 having voted in the negative, the motion to reconsider does not prevail.

On motion of Mr. Benson of Southwest Harbor,

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

### After Recess

2:30 P.M.

The following items on Supple-ment No. 1 were then taken up.

### Passed to Be Engrossed

#### Amended Bill

Bill "An Act to Allocate Moneys for the Administrative Expenses of the State Liquor Commission for the Year Ending June 30, 1969" (H. P. 1302) (L. D. 1831)

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

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

Mr. NADEAU: Mr. Speaker, I would like to reconsider our action whereby we adopted Commit-tee Amendment "A". I would like to speak to my motion.

The SPEAKER: The gentleman from Sanford, Mr. Nadeau, moves that the House reconsider its ac-

tion whereby it adopted Committee Amendment "A".

The gentleman may proceed.

Mr. NADEAU: Mr. Speaker and Members of the House: I would like to read this amendment—it's not to defeat it, all I want to do is—

The SPEAKER: The Chair would advise the gentleman that he may debate why the bill should be reconsidered.

Mr. NADEAU: Well, for the purpose I have an amendment here. Can I read the amendment?

The SPEAKER: The gentleman may proceed.

Mr. NADEAU: I have an amendment here which says "House Amendment "A" to Committee Amendment "A" to H. P. 1302, L. D. 1831. "Amend said Amendment in the 10th and 11th lines by striking out the words 'or as much as may be necessary'"—this is my only objection. I yield to all you people since you've approved the pay raise, what they went out and got, and since you approved their expense—but there is a word in there that I would like to have you read on this amendment that you agreed upon this morning. It says, there is a word in there that says "or as much as may be necessary." My amendment would strike out that "or as much as may be necessary," and "inserting in place thereof the words 'which shall not be exceeded'."

All I'm trying to do is to protect the Committee. The Committee has approved for 1968 and '69 an additional personal account of \$2500, but this \$2500, ladies and gentlemen of our House, could be a million dollars because there's words above it that says "or as much as may be necessary." Now the only reason that I want you to reconsider this is so I can afford to—the opportunity to accept my amendment, and this will just be putting a restriction to it. And this is all I ask and I beg of you if for nothing else that we at least put in a restriction and back up our Committee who was going along and giving them this extra. I will yield to the pay raise but I don't like that wording "or as much as may be necessary."

And this is all my amendment does and it's been passed on your desks and I kindly request that you please look at it and permit me the opportunity to offer this amendment. Thank you.

The SPEAKER: The gentleman from Sanford, Mr. Nadeau, moves that the House reconsider its action whereby this morning it adopted Committee Amendment "A". The Chair will order a vote. All those in favor of reconsidering will vote yes, those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

74 having voted in the affirmative and 23 having voted in the negative, the motion to reconsider did prevail.

The SPEAKER: The pending motion is the adoption of Committee Amendment "A".

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

Mr. NADEAU: Mr. Speaker, I would like to offer House Amendment "A" to Committee Amendment "A".

Thereupon, House Amendment "A" to Committee Amendment "A" (H-525) was read by the Clerk and adopted.

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

### Order Out of Order

Mr. Ewer of Bangor presented the following order out of order and moved its passage:

WHEREAS, the Honorable Harold A. Towle of Bangor, having served Maine as Member and Chairman of the Industrial Accident Commission, and having developed that Commission into one of the best run and rated bodies in State Government, has resigned his office

BE IT ORDERED, that the House of Representatives thank Mr. Towle for the length and quality of his service, and wish him well for the future, and that the Clerk of the House be instructed to send a copy of this Order to Mr. Towle.

The Order received passage.

**Senate Reports of Committees  
Ought to Pass with  
Committee Amendment  
Passed to Be Engrossed**

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act Establishing Procedures for State Medical Examiners and Creating the Office of Chief Medical Examiner for the State of Maine" (S. P. 759) (L. D. 1816) 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 and adopted in concurrence. Under suspension of the rules, the Bill was read the third time, passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

**Divided Report**

Majority Report of the Committee on Education on Bill "An Act relating to coordination of Public Higher Education" (S. P. 777) (L. D. 1849) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. KATZ of Kennebec  
MacLEOD of Penobscot  
COPE of Cumberland  
— of the Senate.

Mrs. HANSON of Lebanon  
Messrs. Levesque of Madawaska  
SHUTE of Farmington  
ALLEN of Caribou  
Mrs. BAKER of Winthrop  
Mr. CARROLL of Limerick  
— of the House.

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

Report was signed by the following member:

Mr. RICHARDSON  
— of Stonington  
— of the House.

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

In the House, the Reports were read, the Majority "Ought to pass" Report accepted in concurrence and the Bill read twice.

Committee Amendment "A" (S-344) was read by the Clerk and adopted in concurrence and the Bill assigned for third reading tomorrow.

**House Reports of Committees  
Leave to Withdraw**

Mr. Scott of Wilton from the Committee on Business Legislation on Bill "An Act relating to Uniform Maturities on Consumer Loans" (H. P. 1252) (L. D. 1758) reported Leave to Withdraw.

Report was accepted and sent up for concurrence.

**Ought Not to Pass  
Tabled and Assigned**

Mr. Dennett from the Committee on State Government reported "Ought not to pass" on Bill "An Act Providing for Appointment of Judges and Registers of Probate" (H. P. 1295) (L. D. 1801)

Report was read.

The SPEAKER: The Chair recognizes the gentleman from Rumford, Mr. Beliveau.

Mr. BELIVEAU: Mr. Speaker and Members of the House: I believe that a word of explanation is in order regarding this L. D. 1801 which provides for the appointment of judges and registers of probate. November 7 last year at the special election the voters of this State voted to abolish the office of judge of probate and register of probate as a constitutional office. In the questionnaire that was distributed throughout the state there was a brief explanation as to the intent or purpose of this particular referendum, and it included the following statement — that the amendment shall become effective at such time as the Legislature by proper enactment shall establish a different probate court system with full time judges.



Now I think it is fair to say that the great majority of the voters in the State of Maine when they passed on this particular referendum believed that they were abolishing our present probate court system; that is, they were abolishing the probate judges or the system of electing the judges. I conducted my own brief survey and discussed this with many people and they were all under the impression that by voting for this particular referendum we were in effect abolishing or preventing the present practice of electing the judges and that they would consequently or thereafter be appointed by the Governor. But this of course was not true.

Yes, how many people really did read the language in this particular referendum?

Now it was my intention in sponsoring this particular document to supplement the referendum article here to permit or to provide for the election of judge of probate. At the committee hearing and sometime thereafter I was advised that the probate court system is presently being reviewed or being studied by the Research Committee. After conferring with members of the Research Committee I learned that this is not true, that this has not been assigned to the Research Committee. Further inquiry indicated that this issue has been referred to a consulting firm for review and study and for a subsequent report. I have not been able to determine this; I have not been able to establish whether or not the probate court system is being reviewed.

It is my understanding that on this basis the State Government Committee has rejected my bill because of the reason that it's being studied either by the Research Committee or some other consulting firm. Now we seem to be in a quandry here; we don't know whether this is being studied or whether this is desirable legislation, or whether or not, and particularly in view of the Law Court's advisory opinion which it rendered yesterday — I don't believe that we've received copies of this advisory opinion in this body. I believe that at least for today that

this matter should be tabled for one day so that we will have an opportunity to look into this matter a little further to find exactly what the status of the bill is and particularly what the relationship of my bill is to the constitutional referendum that was passed upon last fall. So I would suggest that some member kindly table this item until tomorrow so that we will have an opportunity to study this a little further.

Thereupon, on motion of Mr. Dennett of Kittery, tabled pending acceptance of the Report and specially assigned for tomorrow.

#### **Ought to Pass in New Draft New Draft Printed**

Mr. Rideout from the Committee on State Government on Bill "An Act to Preserve, Protect and Stimulate Research in the Production and Commercial Uses of Irish Moss" (H. P. 1319) (L. D. 1862) reported same in a new draft (H. P. 1329) (L. D. 1874) under title of "An Act to Allow Research in Irish Moss" and that it "Ought to pass"

Report was read.

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

Mr. BENSON: Mr. Speaker and Ladies and Gentlemen of the House: During the regular session of the 103rd Legislature, a bill was introduced to allow the State to lease the right to harvest marine algae. This bill which came in late in the session, was sponsored by Marine Colloids, a Maine based company which is the United States' largest manufacturer of Carrageenin, an extract from Irish Moss.

This company which has grown tremendously in the past decade was and is experiencing difficulty in getting an adequate supply of its raw material, the same Irish Moss. 98% of its raw material comes from outside the United States.

It is conservatively estimated that there may be as much as 50 to 75 million pounds of Irish Moss off the coast of Maine that is not now being harvested. This supply is one that naturally renews itself

after harvesting, and when conducted properly, two crops a year can be obtained from these beds of Irish Moss.

The regular session of this Legislature felt that the original bill to permit leasing was much too broad, did not prescribe the proper safeguards to protect other fisheries operations, and therefore the Legislature accordingly ordered the Research Committee to study the problem. The Research Committee visited Marine Colloids plant at Rockland and Kraft Foods plant in South Portland, these two plants incidentally are the only plants manufacturing this product in the United States. We were impressed with the varied uses this product has in the food industry today, and completely excited by the possibilities that it has for the future. Research is going on which shows promise in many new fields.

The moss now being harvested in Maine is done by hand with rakes, in small boats or from the shores. This method limits the area that can be harvested, because the harvester cannot reach the moss in deeper waters.

Marine Colloids, recognizing that this method today is too inefficient to supply its present and future needs, has been working for some time on a method of harvesting this presently inaccessible moss by machine. They have spent considerable money in research and experimentation in this area. They believe that in the near future they will have a workable machine that will accomplish this purpose.

They have proposed that if the State will grant to them and others under appropriate safeguards the right to harvest their product in limited areas, they, in turn, will act as partners with the State in protecting and safeguarding this important resource.

The Research Committee held hearings on this proposal which were well attended. Many objections were raised. We attempted to draft a bill which would take care of all of them. We felt that we had in the Sub-committee proposal a fair bill limited in scope with adequate safeguards to pro-

tect the interests of all the people of Maine.

It became apparent, however, that many questions could not be answered finally until some actual harvesting was done by mechanical means so that it might be determined if such taking affected other marine species. Accordingly this new draft is before you as a substitute for the original leasing proposals. It is an amendment to our existing law to permit research in the cultivation and development of seaweeds including Irish Moss.

Under this bill, the Commissioner of Sea and Shore Fisheries on application and after hearing may set aside not more than three areas to any one applicant for conducting experiments in the cultivation, conservation and harvesting of seaweeds. Each area would be no larger than one square mile. The reason for three areas is so that experiments can be carried out in different types of bottoms, such as the rocky, flat, etc. You will note also that the total areas that can be set aside for all applicants shall not exceed 10 square miles.

In order that hopefully some answers may be obtained as to the effect of harvesting on other marine life, and fishing operations, the bill provides that anyone may continue to take, dig or fish for other marine species in the research area. The only restriction to the use of the area would be to prohibit all except the applicant conducting research from taking seaweeds while the research is in progress. This is necessary if the experiments are to be meaningful. The areas where research can be conducted would be limited to the waters north and east of the Kennebec River, and though no hand harvesting is presently being conducted in this area, the bill provides that no area can be closer to the low water mark than 25 feet; thus if anyone wants to hand rake moss there will be no interference in their operation.

In the years to come oceanography is going to play a most important role in the development of new products for man's use. We in Maine are blessed with a coast-

line unequalled in the United States. The possibilities for development of our ocean resources are as great or greater here than in any other state.

I submit that this bill offers us the chance to move ahead in the development of one of the thousands of resources of the sea, an opportunity to explore the full utilization of that resource to the benefit of Maine people and a major Maine industry. Thank you very much.

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

Mr. PRINCE: Mr. Speaker and Members of the House: I hesitate to rise and take issue with my very good friend, Dave Benson of Southwest Harbor. I hold a great deal of respect for his ability, but on this issue I feel that he is fundamentally unsound. I would feel remiss in my responsibility as a legislator not to express my opinion of this what looks to be an innocent little document.

To begin with, as House Chairman of the Sea and Shore Fisheries Committee I find it quite difficult to explain to my constituents why a bill that pertains to our coastal line, where it revolves around our commercial fishermen and where it revolves around our commercial fisheries, and where it is administered by the Commissioner of Sea and Shore Fisheries, why the Committee on Sea and Shore Fisheries didn't have a chance to take a look at this bill.

I have no personal grievance to the members of the Committee on State Government; I hold a great deal of respect for each member. But I hold a greater respect of the hundreds of commercial fishermen who traveled great distances to public hearings on the original bill. This bill started out in the very beginning to lease the entire coastline of the State of Maine and then it was reconsidered and drafted into a bill that took in only twenty-five square mile leases, and now it is watered down to ten square miles east of the Kennebec River, and as Mr. Benson said not more than three areas to one applicant that

would consist of not more than one square mile.

This is not emergency legislation; this bill as it is drawn now in new draft, in new title, is nothing more than an amendment to the old clam law which comes under our riparian rights. Under the riparian rights property owners cannot prohibit clam digging at low tide on their clam flats, but if they appeal to the Department of Sea and Shore Fisheries and want their frontage to become a clam farm it can become a clam farm for six years. And this is exactly the bill that it presented to you here today. In other words, it is an amendment to the old clam law.

There is no law that prevents this company that has been mentioned to use any kind of equipment at any time or existing laws allow any method of harvesting of moss, and the same thing would go of course with research work. And I would like to have someone on that Committee tell me that if it is important, necessary to have emergency legislation for one company in the State of Maine.

I feel quite qualified to speak about sea moss; I introduced the first sea moss bill at a state legislature many years ago, 1943 in fact, legislative document 199. At that time house boats were raking moss along York, the county shoreline. These boats were coming in from Ipswich, Mass., Gloucester, Marblehead; and another boat was picking up the moss from these smaller boats, taking it back to Ipswich where it was being processed by Kraft Foods.

Two or three years after this bill became enacted Kraft Foods leased a large plant in South Portland. They have a beautiful plant there and I'm very familiar with its workings. I was interested to have Kraft Foods buy moss in my town of Harpswell. I tried to find a buyer and couldn't, so I bought myself. So I am conversant on the moss business, at least from the raking stage until it comes off the steam rollers in the plant. The moss business in the State of Maine is not large; they have been doing business here for some time. The combined purchases in

dollars and cents in 1967 amounted to around \$55,000.

We must be mindful of the fact that we have five or six hundred individuals that are moss rakers; they have an investment you have to consider. Some of these fellows have an investment of only around a thousand dollars, which takes in a small outboard motor, a skiff, and a moss rake. Other larger boats have skindiving equipment. Other larger boats have skindiving equipment and pumps to pump the moss up.

I feel that this bill is not necessary. I wouldn't want to do anything to prohibit the growth of the moss industry. But where the fishermen have appeared before the public hearings in great strength—I will say 150 at one hearing, 100 was at another hearing, and the only ones I saw for this bill or this type of a bill were about three from the company that is interested in this bill.

I urge every one of you here to forget about this legislation. It is not necessary. If I thought it was good I certainly would be for it. And I am going to ask for the indefinite postponement of this bill and all of its accompanying papers. There is a principle that we must think of here in this Legislature, it's one of the principles that this Nation was founded upon, whereby a government was a servant of the people. Let's not reverse this thing on this piece of legislation and have the people a servant of the government. Thank you very much.

The SPEAKER: The pending question now is on the motion of the gentleman from Harpswell, Mr. Prince, that House Paper 1329, L. D. 1874, be indefinitely postponed.

The Chair recognizes the gentleman from Manchester, Mr. Rideout.

Mr. RIDEOUT: Mr. Speaker and Members of the House: I would like to point out to you, in keeping with the honorable gentleman from Harpswell, that this redraft of the Committee is a far cry, a far far cry from the original bill that was under consideration. This merely provides for areas for controlled experiments by an industry and not by one company. The riparian

rights are not impaired; as a matter of fact they are protected in Section 3704 where it will be legal for people to fish in the areas under experimentation. The only thing it prohibits, as Mr. Benson pointed out, would be for the disruption of the experiments by raking or disturbing the moss which in reality would destroy your experiments in themselves.

I think it's another important principle, from our point of view, that our action to pass this very watered down compromise legislation would be to indicate our support for and our interest in a potentially big industry in Maine. Granted, as Mr. Prince has said, the present production of Irish Moss in Maine is not large. As a matter of fact, there are two companies involved and twenty percent of the Kraft production and two percent of the Marine Colloids production is as a result of the raw material taken out of the gulf of Maine.

However, this does not mean that in the future that it would not be a great deal greater and I think that it is important to know that there are many people in the State of Maine that are depending on this for a living. For instance, Marine Colloids employs more than 250 people down in the Rockland area.

This is potentially a great great industry and is a boost for Maine's economy. I would be the last one to stand in the way of the Maine fishermen; in fact through the State Government Committee and the Legislative Research Committee I have found out it would be absolutely foolhardy for that matter and since all my antecedents come from the Harpswell area why if I want to return back to my native area why I would also have to behave myself on this count.

However, I do think that these experiments will provide answers to the industry and to our own Sea and Shore Fisheries Department, questions that remain unanswered in all of our hearings about the effect of harvesting Irish Moss by mechanical means and these answers are needed to protect future actions in this area. The

State Government Committee voted ten to nothing ought to pass after hearing these bills both in the regular and the special sessions and the study by the Legislative Research Committee unanimously recommended legislation in this area, and I do think in opposition to the honorable gentleman from Harpswell that this type of legislation is necessary, and I would ask your indulgence that you would support the Committee's report and not vote for indefinite postponement of this legislation.

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

Mr. HAYNES: Mr. Speaker, as the members of this House are well aware, one of the most important problems in this state is income to carry on state services. One of the primary sources of such money is tax income generated from industrial payrolls. This state spends money to attract and hold industry. Maine proposes expenditure of tax moneys on oceanographic programs with a fond hope that eventually some economic return will accrue to the state.

The purpose of this L. D. is to permit research in the production and use of Irish Moss which grows in Maine's coastal waters. The commercial industrial product from this moss represents a very substantial economic return to Maine in both payrolls and purchase of equipment in Knox County. In the City of Rockland, which is forty miles from here, this plant organized and operated beginning some twenty years ago by Maine natives, processes a natural sea product that had not previously been used commercially here. This company asks for and receives no subsidy, no matching funds and no tax exemptions. It has now grown to an important industrial economic asset to the county and to the state, with a plant payroll of \$1,800,000 and a gross production of \$8,000,000. This company has recently spent \$3,000,000 on plant equipment improvement in Rockland. In planning for plant expansion, a constant reliable source of raw moss must be assured. It is hoped that this supply may be obtained

in Maine waters. Presently, 98% of the dried moss is obtained from Peru, the Philippines, Mexico, Chile and Formosa. This of course means more American dollars lost to our economy, and the last year — I was given the information last night from the buyer who just came back from a trip around the world, that they spent \$6,000,000 for raw moss throughout the world, but Maine got 2 per cent of this. Now with the international economy, of course the more American dollars that we spend in America, the better off we are, and the more dollars we spend in Maine the better off we are.

With this L. D. it is hoped that eventually a much greater percentage of the moss will be purchased from Maine harvesters. I am informed that some of the foreign countries which presently supply the raw moss to this company are endeavoring to persuade this company to set up industrial processing plants in these countries, and as a matter of fact Spain, where much of this was obtained, has put an embargo on shipping of the moss because this company would not set up a plant there. Not long ago Peru sent a delegation to persuade this company to set up a plant operation in Peru. This company could possibly operate a processing plant in foreign countries near a source of supply with lower operating costs and greater profits, but this is true oceanography in action with an assured economic return to our state. Can we afford to resist industrial progress?

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

Mr. DENNETT: Mr. Speaker and Members of the House: I rise in opposition to the motion made by the gentleman from Harpswell, Mr. Prince. I know without a question of doubt his heart is in the right place and he feels very strongly for the fishermen perhaps who are in his area. It is nothing unusual to have the fishermen shoot at this particular item. As a matter of fact I have known of many instances where they have

actually shot at each other. They are rather difficult to convince that this little item is not a threat to them, and they apparently can only see it in one way, and it is very, very difficult to change them.

Now to begin with, this calls at the most for thirty square miles in the waters of the State of Maine, and I could not give you the total area of the waters of the State of Maine, but they are thousands and thousands of square miles, and this calls for thirty square miles. It is a very, very small area. I cannot under any circumstances even see how these fishermen, how independent moss rakers could be hurt in the least.

Now I would like to have you harken back to the last session of the Legislature where there were bills in here relative to oceanography and oceanology, and they called for great appropriations, and we were told of the vast resources that we had off the coastline of the State of Maine, and that these thousands of dollars should be appropriated so that we might exploit these resources and bring this wealth to the State of Maine, and here today we find a simple potential thirty square miles and there is no appropriation attached to the bill, this thirty square miles that would be used in research for a phase of oceanology which pertains to the seaweed wealth, the potential wealth that we have on the coastline and waters of the State of Maine, and yet objections are raised. Now let's stop talking about oceanography and oceanology if we do not intend to put it to any practical use. As Mr. Benson, the gentleman from Southwest Harbor, and Mr. Rideout have told you, this is an innocuous bill, there is no threat, there is no potential danger to the fishing industry in this bill, this is a research bill. Yes, it would benefit the people that are engaged in the manufacture of carrageenin, but this manufacture too is an asset to the State of Maine. It should be exploited to its full extent. There is wealth off the shores of the State of Maine; this wealth is potential to the State of Maine, it should be used. Mr. Haynes has told you of the threats

to the industry; that the great bulk of the dried sea moss is being obtained from foreign shores; how the embargo is going on in Spain, how Peru was endeavoring to lure the industry to that country where there was cheaper labor, where they could manufacture it at a cheaper price and ship it back into the United States. Now the Province of Nova Scotia under its Sea Fisheries Act does grant licenses for quite large areas, and various companies in the manufacture of carrageenin take under license from both the waters of Nova Scotia and the waters of Prince Edward Island. These are great areas, and apparently there is no complaint whatsoever from the fishermen there.

I don't want to belabor this issue in any manner, but ladies and gentlemen of the House I think before you here today is a golden opportunity, not to exploit the fishermen of the State of Maine or the moss rakers, but to exploit the natural resources of the State of Maine which ultimately may afford great wealth to the people of this State. I certainly hope you will vote no on this motion to indefinitely postpone.

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

Mr. NADEAU: After listening to this, who would know that I would be interested in sea moss, but I followed this quite closely. At this time I'd like to wish Representative Prince luck in his bid for the Senate, but however, I cannot wish him luck in the indefinite postponement of this bill.

We all know and he mentioned also that — about the vast numbers of proponents — of opponents at the hearings. Well we all know, all of us here today, that the true numbers or quantity of people who oppose a bill or who wish a bill to be enacted do not reflect the true worth of all legislation that is passed. Sometimes it all depends whether it could fatten up their pockets. However, I feel right now I have but very few, four small statements to make since Representative Haynes stated all the facts and it is rather difficult to

always follow the able Mr. Dennett.

There are some statements here that I followed through, and I brought this paper along, and I would just like to read them very briefly. It says this industry has tremendous potential for growth, it could add upwards of \$15,000,000 per year to the economy of Maine. They also state that this company is in a current expansion to the value of \$3,000,000. We want industry in Maine. Let's not chase it out of Maine. It says here that this could result between a \$4,000,000 to \$8,000,000 in payment to moss harvesters. We all can realize what this will do to our economy. And an additional one million to one million three hundred thousand additional for drying and trucking of this moss, and the state would benefit from the royalties and fees. The one important point that I'd like to read is this legislation applies only to mechanical harvesting of seaweed. It has nothing whatsoever to do with lobstering, clamming, fishing, boating or any other activities now taking place along our shores. So lastly, another part that interests me as a taxpayer and it should interest you since you represent the true taxpayers, it says this seaweed dollar would go to the people of Maine, and that is a fact that I'd like to bring out. It says here in payments made to the harvesters of between four to eight million and in huge royalties to the state, and the jobs at the factories, the drying plants and trucking, and the total might be \$15,000,000. Ladies and Gentlemen if we want to develop Maine, we're always looking for taxation, this will give us needed taxation possibilities in the future. I say and I hopefully and humbly request that you will not vote with the able Mr. Prince in the indefinite postponement of this bill. Thank you.

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

Mr. RICHARDSON: Mr. Speaker, I will have to rise in support of my friend Mr. Prince from Harpswell. I can justify my good friend Mr. Nadeau's reading of the article

in the Sunday Telegram which was written by the President of Marine Colloids, and unquestionably he would be enthusiastic about it and point out all of the very fine points.

Our good Legislator, Mr. Rideout has stated that there would be no interference with any other industry. On the other hand, he did point out that if there was interference with the experiment, that fishing could be stopped. I wonder who is to determine whether there is any interference with the experiment, whether it would be the Department of Sea and Shore Fisheries or the people leasing the lands themselves, and I would assume that regardless of what the bill might say, that the Commissioner of Sea and Shore Fisheries would have to depend a great deal on what the lessee said.

I am also under the impression that the Commissioner of Sea and Shore Fisheries has the right at the present time to set aside certain areas of the coast of Maine for experimental purposes. I was very interested to hear my good friend Bill Dennett say that there was no appropriation connected with this bill. I don't know who is going to enforce a bill free of charge unless there is an appropriation attached to it. Each time we ask the Commissioner about extending his authority to do a little more on the coast, he points out that it is not within the funds appropriated to his department to extend his authority.

I am very much concerned also that this will set a precedent on the coast of Maine, and that in 1968 certain groups of fishermen may come in and ask the 104th Legislature to set aside for their personal benefit certain areas of the coast of Maine. I think that we would have a difficult job in justifying a refusal. The Town of Stonington has a firm which built a building at the instigation of Marine Colloids. Marine Colloids did a great deal to encourage fishermen in the area to go out and rake moss. To start with they paid a bonus price, but very shortly that bonus price dropped to the point where the fishermen could

no longer make it pay, and the building now stands idle, and I am not quite sure what the firm intends to do with it, but all of the building and its equipment has been lying there idle now for the last five years. For that reason and for the reason that I do not believe that this bill is needed, I will support my friend Mr. Prince in the indefinite postponement of this bill.

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

Mr. RIDEOUT: Mr. Speaker and Members of the House: In answer to the good gentleman from Stonington, Mr. Richardson, the reason that there is no appropriation necessary on this bill is because the Commissioner has federal funds available to the department for the overseeing of these controlled experiments. He has assured us on the Committee that this is adequate for his use. And speaking of the Commissioner, he is not opposed to this legislation. In fact, he has written parts of it, for instance in that 1704 that would protect the riparian rights of the fishermen, of the clam diggers and the lobster people. The only thing that we ask of this is that there not be any other persons in the controlled areas to dig or sever or take the sea moss that is under experimentation.

I think that covers that and I still feel that this is a very, very innocuous bill, that we are only talking about a very small area of the coast as Mr. Dennett indicated, and that we would be remiss in our duties to taxpayers and to our industry in the state if we didn't grant them some kind of area to find out what the problems are and what the solutions can be in the future to mechanical harvesting of moss. Thank you.

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

Mr. PENDERGAST: Mr. Speaker and Ladies and Gentlemen of the House: I rise in support of the motion to indefinitely postpone this bill. I also feel there is no emergency in this legislation, and have this thought to offer. It seems to me, after attending many hear-

ings on this subject, that with the advent of the deep water mechanical harvester there is suddenly the need for a legal lease at the bottom of the ocean. Why is this? Does this particular company wish to use the sea moss on a leased area for the purpose of building up the assets of its balance sheet? This is an accepted accounting practice in companies who have natural resources on leased or owned land. Boy, this is a way to make money fast. No, I can't see any need for this legislation at this time and hope you will vote yes on the motion before the House.

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

Mr. PIKE: Mr. Speaker, I've been scratching my head to find some merit in this motion to indefinitely postpone. I have not yet come up with any except that perhaps it may not be a dire emergency, and I am afraid that could be said of over half of the bills that we have had in here and have passed.

When it comes to doing research to either prove or disprove the value of a resource that lies under water and near our shores, you have to protect the research being done, and I believe it is only a natural thing to give for a small area an exclusive right to do research for a short time. This seems to me to protect the other interests as well as could possibly be done, and I confess I am sort of led to the point that not for the first time in their lives that the commercial fishermen, including the lobstermen, are taking very much the attitude of the dog in the manger. I hope that the motion does not prevail.

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

Mr. PRINCE: Mr. Speaker and Members of the House: There is one point that we all seem to be missing here, and listening to the remarks of Representative Nadeau he spoke of the potential wealth that this may bring in. The point is this—there is no law on our Statutes that prohibits any company of harvesting of moss in any manner in which they choose, and



there is no law that prohibits research work, that this word "lease" is tremendously important apparently. This lease might mean a larger lease in the 104th Legislature. The argument that I had built around this moss bill is more or less defeated on account of this watered down bill.

But there is one thing I do want to remind the members of this House of, that the entire coast of Maine there are three bands of growth. At low tide you're all familiar in looking out and seeing seaweed. A little further out there is another band, which is called sea moss. And then beyond that there is another band, which is kelp. And in these three bands of marine growth there is great potential wealth to the State of Maine, not just as a stabilizer to hold up the fluff in toothpaste, shaving cream and ice cream, but for medicinal uses, and for food values.

We don't know what damage mechanical equipment might do to our lobsters that harbor in moss or shrimp that harbor in moss, or scallops in their young age. We don't know what damage that this cutting equipment may have on the plant itself. Most of the moss that is gathered here in the State of Maine is gathered in deep holes, moss that has been washed off from the ledges by undertow and storms, and the raking of moss is more or less like Nature's way of weeding out a heavy growth like you would weed out a heavy row of carrots perhaps.

Mention has been made here that Marine Colloids purchase 2 per cent of their production in the State of Maine, but Kraft Foods who likewise is a large firm purchase 20 per cent of their production in the State of Maine. We don't know what damage this equipment might do to our marine life and there is no reason for this legislation. Anything that any company wants to do in the process of harvesting moss or for research work under our existing law they have the power to do it. My opinion is that the purpose of this lease is just to get the foot in the back door for future leasing. Reference was made of companies

that might move to South America or some foreign country and get out of the State of Maine. Do you really think a company would move out knowing as they say that there is \$18,000,000 to \$20,000,000 worth of moss, that they can and if they do get it with their new machinery, perhaps they won't want to buy moss from the individual who is raking.

I just want to close by saying that there is no need of this legislation. The potential wealth and royalties that this state might have, they can have it right now under our existing law. Thank you.

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

Mr. DENNETT: Mr. Speaker and Members of the House: I will be brief. The gentleman from Harpswell, Mr. Prince, stated that there is nothing presently on the law books of the State of Maine to prohibit mechanical harvesting of sea moss. In the next breath he literally says that he doesn't know what's going to happen to the lobsters, to the scallops and so forth and so on if this company uses this mechanical form of harvesting. I think this is a little contradictory. Of course there is no law in the State of Maine, they could run the length of the State of Maine and indulge in this mechanical harvesting. However, this is put on the books, and I will correct myself, I said thirty square miles. I stand corrected, it is only ten square miles out of thousands of miles. This is where the experimentation would take place. If we don't experiment, we cannot progress. I believe this thing is necessary for the well-being and the good of the State of Maine. Our natural resources in Maine are very limited. We have our forests and we have our few manufacturers, and that is about all. I think any industry who seeks to establish themselves in the State of Maine and to use its resources should be encouraged, not discouraged.

Again the statement was made of this company moving to Peru, moving to Spain. This company, this Marine Colloids at no time said they were going to move to

Spain or to Peru. They merely said inducements had been offered them to get them to move into these countries. They signified no intention of moving. This is no threat to the State of Maine. These people would like to stay here in the State of Maine; they want to stay here in the State of Maine, and they would like to exploit these resources which are off our shores to the benefit of all concerned. I again sincerely hope the motion to indefinitely postpone does not prevail.

The SPEAKER: The Chair recognizes the gentlewoman from Orono, Mrs. Cornell.

Mrs. CORNELL: Mr. Speaker, I have been following this bill during the whole session and during the regular session too, and I think it is probably kind of confusing to many of you that State Government would come out unanimous ought not to pass on the first bill and along with it repeal the right to harvest kelp or to lease the harvesting of kelp in the ocean along the State of Maine. Now this is what we thought of the bill in the regular session and then we had another bill come out which was presented by the Legislative Research Committee and it also met with great opposition within the committee as well as outside, and I myself was against that bill. However, you have just had put before you this afternoon, and I know it comes—it is rather confusing to have a redraft come out so soon before a vote is taken, but the new bill is definitely not a leasing bill, it is a research bill, and in my mind, and of course I have been aware of this new document that has been coming out, it has completely changed many of us on State Government so we are now in unanimous agreement that we really need this bill. I would like to point out too that it probably is something that the State of Maine should have been doing at its own expense right along, as we realize the potential that is in the ocean.

We have apple farms in Monmouth and we have forests set aside, and extension works for the lobster industry, and there are

many sorts of experiments in all sorts of fields, both for products in the ocean and products on the land. And we're paying for that research.

This bill to my mind is doing something that I would like to see done, and we're not paying for it. And I think that we're extremely fortunate to have this bill and I certainly go along urging you to vote no against indefinite postponement, at least until you have had a chance to read the new redraft of the bill. Thank you.

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

Mr. HUBER: Mr. Speaker and Members of the House: Marine Colloids is a Rockland base to industry. There have been some implications and innuendo this afternoon that I feel I might personally resent, if they hadn't come from personal friends. Marine Colloids is an expanding industry. It's the type of industry that I think everyone would like very much to have in their own backyard. They are growing all the time and they're doing, their research at the present moment is being done primarily in the laboratory by some very important people that they brought to the State of Maine.

Now the gentlewoman from Orono pointed out that she would have a redraft on your desk and I would suspect from the debate this afternoon that some people haven't looked closely at the redraft. Because it's the experimental stage—we aren't about to go harvesting on ten square miles of water; I can't imagine. And when you again imply that we're talking about one industry, we are talking about perhaps one very valuable resource in our own coastal waters, the Irish Moss industry, when the two companies involved, one imports 98% of the product that they use from elsewhere and another imports 80%, and even the gentlemen who are speaking against this bill can tell you full well that there's a good supply of Irish Moss that we aren't harvesting, perhaps we do need to do some experi-

mental work and some research work on Irish Moss.

It is not at all unusual for the State Legislature to single out one industry in a particular bill. As a matter of fact, I think we changed the classification of water or stream once for one particular industry. I know we granted a sales tax exemption for one particular industry, just the other day we had an order extolling the virtues of one particular industry. Perhaps we aren't all conscious of the importance of the industries that we do have in the State of Maine and I can tell you, because I sit in that office not more than five hundred feet from Marine Colloids every day and watch them participate in the community and watch the expansion that goes on and see the payroll that comes in, that this is a mighty mighty important bill to the Irish Moss industry and the particular industry that manufactures Carrageenin. And this is important to us in Rockland and it's vitally important to the industries along the coast and in the State of Maine.

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

Mr. CROSBY: Mr. Speaker, I respectfully request that this lie upon the table until the next legislative day.

The SPEAKER: The gentleman from Kennebunk, Mr. Crosby, moves that this matter be tabled until the next legislative day pending the motion of the gentleman from Harpswell, Mr. Prince, that it be indefinitely postponed.

Mr. Benson of Southwest Harbor then requested a division on the tabling motion.

The SPEAKER: A vote has been requested on the tabling motion. As many as are in favor of this matter being tabled will vote yes and those opposed will vote no, and the Chair opens the vote.

For what purpose does the gentleman arise?

Mr. GILL of South Portland: Mr. Speaker, I ask for a roll call and my reason for it is we received this legislative document about one hour ago.

The SPEAKER: The gentleman from South Portland, Mr. Gill, requests a roll call on the tabling motion. 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 on the tabling motion will vote yes and those opposed will vote no.

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 Kennebunk, Mr. Crosby, that L. D. 1874 be tabled until the next legislative day pending the motion of the gentleman from Harpswell, Mr. Prince, that the Report and Bill be indefinitely postponed. All in favor of tabling will vote yes; those opposed will vote no, and the Chair opens the vote.

### ROLL CALL

YEA — Berman, Binnette, Bourgoin, Bradstreet, Brennan, Burnham, Carey, Carswell, Conley, Crockett, Crommett, Crosby, Curran, D'Alfonso, Dudley, Dunn, Edwards, Evans, Harrington, Gill, Giroux, Hanson, P. K.; Harriman, Harvey, Hennessey, Hunter, Jewell, Keyte, Keyes, Lebel, Levesque, Lewis, Lincoln, Littlefield, Lycette, McNally, Meisner, Mosher, Pendergast, Philbrook, Porter, Prince, Richardson, G. A.; Robinson, Ross, Sawyer, Scribner, Soulas Starbird, Thompson, Waltz, Wheeler, Wight, Williams.

NAY — Allen, Baker, E. B.; Baker, R. E.; Bedard, Belanger, Beliveau, Benson, Birt, Bragdon, Brown, R.; Carroll, Champagne, Clark, Cornell, Cote, Cottrell, Danton, Darey, Dennett, Durgin, Eustis, Ewer, Fecteau, Fortier, Gaudreau, Hanson, B. B.; Hanson, H. L.; Hawes, Haynes, Healy, Henley, Hewes, Hichens, Hinds, Hodgkins, Hoover, Huber, Humphrey, Immonen, Jameson, Jannelle, Kilroy, Lewin, Maddox, Morrell, Nadeau, J. F. R.; Nadeau, N. L.; Noyes, Payson, Pike, Richardson, H. L.; Rideout, Robertson, Scott,

G. W.; Shute, Snow, P. J.; Snowe, P.; Truman, Watts, Wood.

ABSENT — Bernard, Boudreau, Brown, M. F.; Buck, Bunker, Carrier, Cookson, Couture, Cushing, Dickinson, Drigotas, Drummond, Foster, Fraser, Gauthier, Hall, Harnois, Jalbert, Martin, McMann, Miliano, Minkowsky, Quimby, Quinn, Rackliff, Rocheleau, Roy, Sahagian, Scott, C. F.; Shaw, Sullivan, Susi, Tanguay, Townsend, Trask, White.

Yes, 54; No, 60; Absent, 36.

The SPEAKER: Fifty-four having voted in the affirmative and sixty in the negative, the motion to table does not prevail.

The pending question before the House is the indefinite postponement.

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

Mr. HENNESSEY: Mr. Speaker and Members of the House: It's been really enjoyable this afternoon to listen to the various speakers on this. I know this term oceanology has been used very loosely. This bill is a long ways from that and to me it is not even a start. I will have to go along with the gentleman from Harpswell, Mr. Prince. I think he's really put his finger on the whole thing, and I have been studying this issue perhaps as long as anybody in this House. In fact this is really up my alley, with one little change here. The Hennesseys of West Bath are good for between fifteen and twenty thousand dollars a year, and I still can't see it. I think that this should be really tabled and give these people a chance to look over and see what they are doing for the State of Maine.

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

Mr. BENSON: Mr. Speaker and Members of the House: There has been much said about Irish Moss and the leasing thereof. Let me say that the term leasing is not a new one, it is done all along the coast of the United States, Canada, and many many other countries in the world. We are asking only for areas to be set aside,

not leased — but set aside for research. Hopefully, this at least will pass. We hope that we can do something for an industry that exists in the State of Maine, an industry that I think has a wonderful future ahead of it, an industry that is struggling to get its raw material and must of necessity go all over the world to do it now, when here on the coast of Maine we have one of the richest deposits of Irish Moss and red seaweeds that is known anywhere in the world.

Now for some strange reason the word "leasing" has a connotation here which compares to the word "zoning" at the municipal level. In my town we have tried to get zoning since 1937. Our last attempt was made last year, and one of the most vigorous opponents of zoning stood up and opposed zoning on the basis that we were now ten years too late in getting it.

I hope that we don't find ten years from now that we are ten years too late in adopting the concept of leasing. We are not talking about leasing here today, we are talking merely about setting aside not over ten square miles of the coastline of the State of Maine for research, and I certainly hope that you will oppose the motion of the gentleman from Harpswell, Mr. Prince, to indefinitely postpone this measure and that it will ultimately become law. Thank you.

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

Mr. HARVEY: Mr. Speaker and Members of the House: I have been sitting here with glee in my heart and tears running down my eyes and everything else, for the passionate pleas. However, there is a parallel back in the 1850's when in our nice bright shining frontier timber came into being as a vast wealth for the State of Maine. There was a fire somewhere back around in 1851 and hundreds of thousands of acres of our western section of timber was burned in a forest fire and hundreds of thousands of acres were given away to timber companies to cut this and salvage it. They might have paid a dollar for it, I don't know, practically a gift.

So into being come the giants, the timber companies, and in a few short years these tracts of valuable timberland were leased, given away for political favors, and sold for practically nothing. They say our forests are in the hands of five or six huge companies, with the sole rights for timber, water and mineral rights. Ladies and gentlemen, you can't go in the north woods today, stumble on a gold mine and get one penny out of it, because our rights, our mineral rights have been given and sold and leased until there is none left; one of the few states in the Union where we don't have this right. They say at the present time that there is not too much minerals under the forest floor in the north woods. However, that is not true. We have billions of dollars, untold wealth in the north woods lands. They have been covered down underneath the carpets because no one has any incentive to go up there and kick around and find what's there.

As a matter of fact in one tract of woods there is an asbestos mine that has been discovered by an independent prospector worth in the vicinity of \$10,000,000; he can't touch it, he can't get a dime out of that. And the reply when he tried to get rights and so on and so forth was, well, we'll discover it eventually, when we do, we'll have a big Texas company come in or a Canadian outfit come in and they'll do it in a big way, take the wealth and get out of the woods so we can go back to timbering. That's fine. They employ a few people, drive trucks, pick and shovel work, the Texas outfit, the bulk of the money goes back to Texas. So therefore our big frontier up there in the north is lost to all but a few big companies. Now this is a foot in the door. On our coast from one section of the state to the other, it starts off small like this, a few leases. All of a sudden we find important wealth off the coast, you and I as individuals can't touch it because it's all zoned, it's leased by the people who can afford to lease it, buy it, beg and steal it and drive you out. This is too great a thing, there's too many millions

of dollars of wealth off our coast to tie up any part of it at the present time. In the News World report the petroleum companies are in the process of experimenting with this valuable substance at the present time. Suppose you lease these acres for six years or ten square miles, whatever it is.

In the meantime in the next couple of years there might be some valuable discovery over there other than moss. If these are leased, you're going to have a fight between whatever the other discovery is and the moss, so you're going to have another hassle, and like as been said by Mr. Prince, there is nothing whatsoever to prohibit these people from having all the experiments they want, they can rake, they can dig, they can chew it, they can make tea out of it, they can do anything, there is no law in the book that says they can't; so why pass some stupid law that you don't need? In the future I can see the need, but not now, not 'til we know what we've got. Ten square miles is a lot of area. It's a small area in the size of our coastline surely, but why, when they have the whole coast, let them take the barges and go out, zoning, fine. If they want to zone, have the state zone sections for experimental reasons, let them go ahead and zone it for the Colloids, but not lease it. Don't tie it up in any way. So I think we should go along with Mr. Prince's motion to indefinitely postpone this and all its accompanying papers before we do something that we're going to be very sorry for in the future. Thank you.

Mr. Rideout of Manchester was granted permission to speak a third time.

MR. RIDEOUT: Mr. Speaker, I would just rise to point out that nowhere in this legislative document does the word 'lease' appear. This is areas that the Commissioner can set aside for experimental purposes only.

The SPEAKER: The pending question is the motion of the gentleman from Harpswell, Mr. Prince, that this Report and Bill "An Act to Allow Research in Irish

Moss" (H. P. 1329) (L. D. 1874) be indefinitely postponed. The Chair will order a vote. All those in favor of the motion to indefinitely postpone will vote yes, those opposed will vote no, and the Chair opens the vote.

A vote of the House was taken.

30 having voted in the affirmative and 82 having voted in the negative, the motion did not prevail.

Thereupon, the Report was accepted, the New Draft read twice and assigned for third reading tomorrow.

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**Ought to Pass with  
Committee Amendment  
Passed to Be Engrossed**

Mr. Scott of Wilton from the Committee on Business Legislation on Bill "An Act to Clarify the Law Relating to Truth-in-Lending and Disclosure of Interest and Finance Charges in Retail Sales" (H. P. 1316) (L. D. 1859) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice. Committee Amendment "A" (H-524) was read and adopted. Under suspension of the rules the Bill was given its third reading, passed to be engrossed and sent to the Senate.

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**Divided Report**

Majority Report of the Committee on Towns and Counties reporting "Ought to pass" on Bill "An Act Increasing Fees for Copies in Office of Register of Probate" (H. P. 1298) (L. D. 1804)

Report was signed by the following members:

Mrs. SPROUL of Lincoln  
— of the Senate.

Messrs. FARRINGTON of China  
WIGHT of Presque Isle  
CROMMETT

of Millinocket  
MEISNER

of Dover-Foxcroft  
SNOWE of Auburn

—of the House.

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

Report was signed by the following members:

Mr. MILLS of Franklin  
— of the Senate.

Messrs. ROBERTSON of Brewer  
NADEAU of Sanford  
— of the House.

Reports were read.

On motion of Mr. Farrington of China, the Majority "Ought to pass" Report was accepted and the Bill read twice. Under suspension of the rules, the Bill was given its third reading, passed to be engrossed and sent to the Senate.

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**Passed to Be Enacted  
Emergency Measure**

An Act relating to Loans for Maine Students in Higher Education. (S. P. 779) (L. D. 1851).

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken, 107 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

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**Passed to Be Enacted**

An Act Reactivating the Governor's Committee on Children and Youth (H. P. 1300) (L. D. 1829).

An Act relating to Housing and Meal Expenses for Legislators (H. P. 1326) (L. D. 1871).

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.

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**(Off Record Remarks)**

On motion of Mr. Richardson of Cumberland,

Adjourned until nine-thirty o'clock tomorrow morning.