

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Eighth Legislature

OF THE

STATE OF MAINE

VOLUME I

1957

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Tuesday, May 7, 1957

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

Prayer by Father Rokos of Augusta.

The members stood at attention during the playing of the National Anthem.

The journal of the previous session was read and approved.

Papers from the Senate

From the Senate: The following Order:

ORDERED, the House concurring, that H. P. 752, L. D. 1066, Bill "An Act relating to Death on Duty of Members of Portland Police Department" be recalled to the Senate from the Legislative Files (S. P. 559)

Came from the Senate read and passed.

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

Senate Reports of Committees Leave to Withdraw

Report of the Committee on Retirements and Pensions on Resolve Providing for State Pension for Elizabeth Francoeur of Lewiston (S. P. 512) (L. D. 1439) reporting Leave to Withdraw.

Came from the Senate read and accepted.

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

Ought Not to Pass

Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act relating to Statements to Ministers, Priests and Rabbis as Privileged Communications" (S. P. 387) (L. D. 1083)

Report of same Committee reporting same on Bill "An Act relating to Change of Residence of Voter" (S. P. 476) (L. D. 1382)

Report of the Committee on Retirements and Pensions reporting same on Bill "An Act relating to Restoration to Service on Part-Time Basis under State Retirement System" (S. P. 491) (L. D. 1399)

Came from the Senate read and accepted.

In the House, the Reports were read and accepted in concurrence.

Ought to Pass in New Draft Recommended

Report of the Committee on Judiciary on Bill "An Act Creating Office of Hearing Examiner under Liquor Law" (S. P. 487) (L. D. 1393) reporting same in a new draft (S. P. 558) (L. D. 1553) under same title and recommending that same be printed and recommended to the Committee on Judiciary.

Came from the Senate with the Report read and accepted and the New Draft recommended to the Committee on Judiciary.

In the House, the Report was read and on motion of Mr. Pierce of Bucksport, the Report was accepted in concurrence and the New Draft recommended to the Committee on Judiciary in concurrence.

The SPEAKER: At this time the Chair would like to recognize the presence in the gallery of the House of a group of seventh and eighth grade pupils from the Chelsea Consolidated School accompanied by their Principal, Charles O. Newton. And also a group of third and eighth grade pupils from the West Peru School accompanied by Ida Fraser. On behalf of the House the Chair extends to all you ladies and gentleman a most cordial welcome and we hope you will enjoy your visit here today. (Applause)

Report of the Committee on Highways on Bill "An Act relating to Rehabilitation and Preservation of Covered Bridges" (S. P. 341) (L. D. 921) reporting same in a new draft (S. P. 554) (L. D. 1545) under same title and that it "Ought to pass"

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

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

Ought to Pass

Report of the Committee on Appropriations and Financial Affairs reporting "Ought to pass" on Bill "An Act relating to Funeral Ex-

penses in Aid to the Blind and Aid to the Disabled" (S. P. 114) (L. D. 271)

Report of same Committee reporting same on Bill "An Act relating to Crediting Railroad Tax on Books of State" (S. P. 426) (L. D. 1209)

Report of same Committee reporting same on Bill "An Act Increasing Compensation for Members of Board of Dental Examiners" (S. P. 483) (L. D. 1391)

Report of same Committee reporting same on Bill "An Act relating to Disposition of License Fees in the Bee Industry" (S. P. 510) (L. D. 1451)

Report of same Committee reporting same on Resolve Charging Off Funds Advanced to Maine State Office Building Authority (S. P. 171) (L. D. 450)

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

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

Ought to Pass with Committee Amendment

Report of the Committee on Appropriations and Financial Affairs on Resolve Amending Resolve for Memorial for Honorable Percival P. Baxter of Portland (S. P. 39) (L. D. 56) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 39, L. D. 56, Resolve, Amending Resolve for Memorial for Honorable Percival P. Baxter of Portland.

Amend said Resolve by adding after the Emergency Preamble, the following:

"Resolves, 1955, c. 174, amended.

Resolved: That chapter 174 of the Resolves of 1955 be, and hereby is, amended by adding after the 1st

paragraph thereof, the following paragraph:

'Resolved: That any vacancy arising in the membership of the Senate shall be filled by the President of the Senate and any vacancy arising in the membership of the House of Representatives shall be filled by the Speaker of the House of Representatives; and be it further' "

Further amend said Resolve by inserting before the Emergency Clause, the following:

"Resolves, 1955, c. 174, amended.

Resolved: That the 4th paragraph of chapter 174 of the Resolves of 1955 be, and hereby is, repealed and the following paragraph enacted in place thereof:

'Resolved: That the Commission shall, at the next regular or special session of the Legislature, make a written report of its accomplishments; and be it further' "

Committee Amendment "A" was adopted in concurrence and the Resolve assigned for second reading tomorrow.

Divided Report

Majority Report of the Committee on Legal Affairs on Bill "An Act relating to Payments by Town of Northport to Northport Village Corporation" (S. P. 260) (L. D. 699) reporting same in a new draft (S. P. 550) (L. D. 1541) under same title and that it "Ought to pass"

Report was signed by the following members:

Mr. MARTIN of Kennebec
— of the Senate.

Messrs. CHILDS of Portland
BRUCE of Buxton
HATHAWAY
of Columbia Falls
COTE of Lewiston
QUINN of Bangor
— of the House.

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

Report was signed by the following members:

Messrs. REED of Aroostook
CHARLES of Cumberland
— of the Senate.

Mrs. SMITH of Falmouth
Mr. MAXWELL of Winthrop
— of the House.

Came from the Senate with the Minority Report accepted and the

Bill passed to be engrossed as amended by Senate Amendment "A".

In the House: The Reports were read.

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

Mr. QUINN: Mr. Speaker, I move that we accept the Majority Report of the Committee on Legal Affairs, Legislative Document 1541, "An Act relating to Payments by Town of Northport to Northport Village Corporation" in non-concurrence.

The SPEAKER: The motion before the House is the motion of the gentleman from Bangor, Mr. Quinn, that with respect to Bill "An Act relating to Payments by Town of Northport to Northport Village Corporation" that the Majority "Ought to pass" in new draft Report be accepted in non-concurrence.

The Chair recognizes the gentleman from Winthrop, Mr. Maxwell.

Mr. MAXWELL: Mr. Speaker and Members of the House: As is indicated by the title of the Bill, there is within the limits of the Town of Northport a village corporation which was incorporated in 1915. Under the provisions of this law the Town must return sixty per cent of the tax money paid by the corporation.

I would like to give you one example of how this law works. Recently the school building in Northport was destroyed by fire. I believe that a new building will cost somewhere in the vicinity of \$40,000. The Village Corporation pays approximately forty per cent of the total assessment, so its share of the new building would be around \$16,000. However, the law states that sixty per cent, or \$9,600 of this \$16,000 must be returned to the Corporation. I understand that the Corporation is willing to forget the payment and leave the money in the school building fund. However, this same inequity exists in all other tax assessments. Payments to the Corporation are not based on its needs but on the needs of the Town of Northport. This is an extremely dangerous and inequitable procedure, and I urge that you accept the Minority Report.

The SPEAKER: The Chair recognizes the gentleman from Montville, Mr. Mathieson.

Mr. MATHIESON: Mr. Speaker, Ladies and Gentlemen: As to L. D. 699 which has to do with the elimination from the Charter of the Northport Village Corporation, there are certain sections which are unjust and burdensome to the citizens of the Town of Northport, which is in my district. I have been forced to depart from my intent to follow the old adage that youngsters, especially in legislative procedure, should be seen and not heard, and ask your indulgence.

I would like to present the situation as it appears there. Northport is a small town on the west shore of Penobscot Bay, having about 600 inhabitants. And according to the 1956 assessment, a valuation of \$589,435. That portion of the Town between Route 1 and that portion of Penobscot Bay is devoted almost entirely to summer business. In that section there are four what we would term as summer colonies, namely Birch Crest, Bayside, Temple Heights and Saturday Cove. In all four of these sections there are some year round residents. The section once known as the Wesleyan Camp Grounds, now referred to as Bayside, was incorporated, as the gentleman from Winthrop, Mr. Maxwell, has told you, in 1915. And in 1919 had its powers still further enlarged.

The original act relieved the Town of maintaining the roads within the Village Corporation. Since that time this road has been built and accepted as a State Aid road and is now maintained by the State. The roads which the Town is now relieved of are short spurs or streets extending back from the main throughfare.

All the usual functions of a town have to be performed by the rest of the town and such things as schools, paupers, roads of about fifty miles, I believe, in extent, have to be maintained by the Town at the Town expense. And building and maintaining of schools and school building. Now all of these things are to be left, as I have said, to the Town at large for the Town to pay for.

Section five of the Charter requires the Town to turn over to the Village Corporation sixty per cent of all taxes exclusive of state and county taxes, collected from the said inhabitants and estates within the Village Corporation.

In 1915 there were practically no school children in that Corporation. there were no paupers in that Corporation or within the Corporation limits. Today there are twenty-two children within that Corporation limit. And of the seven paupers supported by the Town, six of them live within the Village Corporation.

In 1915 the tax dollar was divided 35 cents for roads, 12 cents for schools, and 53 cents for other town purposes. In 1945 the dollar was divided as follows: roads went up to 24 cents, schools had increased to 18 cents and other town purposes to 58 cents of our tax dollar. Sometime within the next ten years the Town purchased a building within the Corporation and converted it to a consolidated school at the expense of the Town and not the Village Corporation. Of course this removed some of the taxable property from within the Village Corporation, and became of course not available as taxable property. And in 1956 there was still an outstanding debt on that of \$3,000.

At this stage at the present time, 1956, forty-five per cent, or forty-five cents of every tax dollar was devoted to school purposes.

Now, the control of the Village Corporation is largely under the control of non-residents of the Town. Some of which are not even residents of the State, who are at least financially able to maintain summer homes in this section. Now, these non-residents of the Village Corporation represent \$156,640 of valuation. Yet there are other non-residents in other parts of the Town representing a valuation of \$164,645, who are contributing to this special privilege set up in the Village Corporation. A \$81,165 valuation within the Village Corporation is held by residents of the Town, of which a larger number being public spirited citizens, do not wish this condition to continue.

On November 23, 2956 Northport Consolidated School was destroyed by fire. Confronted by this disaster and the necessity for providing a new four room consolidated school at a cost which is differently estimated from \$60,000 to \$70,000. Taking the lower figure, in order to raise that money, the Town would have to kick back to that Village

Corporation \$14,400. I contend that there is not more justification for a village corporation at Bayside than there is at Birch Crest or at Temple Heights or at Saturday Cove. The remainder of the Town has no industries. It is composed of farms of a marginal nature, and to a large extent is now devoted to poultry.

Two years ago the Town of Northport voted to petition the Legislature for relief from this situation, and they were asked if they couldn't get together and agree on a compromise. The Town withdrew its petition, trying to make a compromise with the officials of the Village Corporation, and could not get anywhere in trying to do it. So when this disaster of the school building fell upon them they again decided this year to try it, and this is the result of it.

Now, I contend, regardless of what the ramifications of the law is, that if the Legislature of 1915 in their judgement, could establish this Charter that this Legislature can, if they see it as we do, correct those errors and injustices that have been imposed upon the citizens of Northport at this time, and I move that we concur with the Senate and that the Bill ought to pass.

The SPEAKER: The motion before the House is the motion of the gentleman from Montville, Mr. Mathieson, that the House concur with the Senate.

The Chair is advised that the motion before the House is the motion of the gentleman from Bangor, Mr. Quinn, that the House accept the Majority "Ought to pass" in new draft Report.

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

Mr. QUINN: Mr. Speaker, Ladies and Gentlemen of the House: As a member of the Legal Affairs Committee which heard this Bill, I want to give you the facts as they were presented to the Committee and as I understand them.

It seems that in the Town of Northport on the shores of the Penobscot a Village Corporation was created by the Legislature in 1915, some 42 years ago. And since that time the geographical area of that Village Corporation has been steadily improved by investment of people that come there to spend the

summer. They have built magnificent summer places and have brought into the community a tremendous amount of value for tax purposes.

Under the Village Act incorporating them they took over all responsibility within the area for public utilities such as sewers, water, lights, wharfs, piers, parks, garbage collections, etc., and have through the years taken care of all of these public utilities. And all through the years they have progressively developed a very fine community in this Village Corporation all within the limits of the Town of Northport. Thus bringing to the Town of Northport considerable value in the way of taxable property, and thereby increasing Northport's proportion by the increase of valuation in that property.

By and large the folks living in the Village Corporation are summer residents, some from Maine, some from my area in Bangor, some from all parts of Maine and some from out of the State, and go there on the shores of the Penobscot to enjoy a few months of relaxation. And by so doing they also further contribute to the economy of the Town of Northport by their purchases in that area in the way of foods and other things, services to be rendered by the local inhabitants in that particular village area.

I don't know what this area would do if it wasn't for the fact that these people came there in the summertime and contributed in the large extent, the way they do, to the economy of the local residents. There is no industry there, it has been said before, so that what the Town of Northport takes out of the summer residents lasts them through the remainder of the year. It is a very valuable contribution to the Town of Northport. And further than that, through the period of years they have built up the roads, the parks, the piers, and all the things in the community. They have electric lights and sewer and water, and much of these things the Town of Northport does not have. The people in the Village Corporation have developed it with their own money and for their own use, and further than that they have also

developed a system of fire protection.

Now, suddenly the Village Corporation find themselves faced with this situation. A bill was introduced into this Legislature at this session known as Legislative Document 699, with an emergency clause on it, and that legislative document, if it were passed, would entirely do a way, with one sweep, the whole Village Corporation. All that had been done in building this up over forty-three years would be wiped aside, and there would be no Village Corporation left. I ask you is that fair? The Legal Affairs majority didn't think it was. The Legal Affairs majority considered the fact that in the first place they were there only for the summer, and they were not contributing — they had no school children to go to the schools, but they were interested in the schools, and they felt that the amount of the percentage that they were giving to the Town for taking care of the schools, originally it was a sixty-fourty proposition, forty per cent of all the money raised in the Village Corporation was turned over to the Town. And not one cent of taxes raised by the Town outside of the Village Corporation went to this Village. The only money that the Village got back was sixty per cent of the money raised on its own property in its own area. All the rest of the money was returned to the Town for Town uses and purposes.

Now, this 699 would have wiped out the whole thing. These summer people are there but for a short while, there are no students to go to the schools, there are no paupers to be supported. And they take care of all their own utilities.

Now, the Legal Affairs Committee, the majority of them at least, felt that the proportion of sixty-fourty which was in the original act, and which came down through the years, perhaps was a little too heavy now that the school in Northport had burned. So the Committee, the majority of the Committee decided rather than to wipe out this Village Corporation they should change the percentage. So the percentage was changed to a forty-five per cent under L. D. 1541. So instead of getting sixty per cent of the money raised on the assessed

property on the Village Corporation, under L. D. 1541 it would be reduced to forty-five per cent, and thereby the Town would have additional amount of money, approximately twenty-five per cent, to go to their schools and other town purposes, and that this would be equitable and it would be fair. And before the Committee most of the testimony was given by two gentlemen, one representing the Village and one representing the Town. And that gentleman that represented the Town himself stated that he felt the equitable thing to do would be to change the percentage, that by no means did he advocate doing away with the Village Corporation, which the Minority Report would do.

Now, the Report that I asked you to accept in my motion was the Majority Report of the Committee on Legal Affairs who heard all of the evidence, and feeling the equities of the situation, had a redraft, L. D. 1541, to give about twenty-five per cent more of the taxes raised in the Village to the Town, reducing their percentage the Village takes to forty-five per cent.

Now, in view of all the circumstances, and in view of fairness and inequity and justice, I feel it is our duty to support the Committee on Legal Affairs and go along with this L. D. 1541. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Montville, Mr. Mathieson.

Mr. MATHIESON: Mr. Speaker, I think the gentleman from Bangor, Mr. Quinn, has overlooked the fact that there is more non-resident valuation outside of the valuation of the non-residents within the Corporation. The non-residents of these other sections do not care to contribute to this special kick-back that goes to the Village Corporation. The Town in itself is too small an organization to be split up by any such feature. As was stated before, Temple Heights, Birch Crest or Saturday Cove would be just as much justified in asking for a Village Corporation as this group. He also states that this would do away with the Village Corporation, it is not so. The Village Corporation can still exist. The only thing that is affected here is the kick-

back that is asked to be eliminated, and the fact that the Town will then perform the functions in that section just the same as it will in Saturday Cove, Temple Heights, Birch Crest or any other section of the Town. And if the Village Corporation still wants to exist, and to have all the niceties that they claim they have down there, I was through that section yesterday on purpose just to see what the situation was, and whereas it has been pictured as a very elaborate affair down there, I don't think you would be that way impressed if you were to look the situation over yourself. And due to the fact that it is such a burden upon the rest of the Town, the rest of the non-residents of the town, I do not think they should have this kick-back, and that is what this Bill is aimed at.

It is interesting to read from a copy of the Corporation. Under Section II it says that "Said corporation is hereby authorized and vested with the power at any legal meeting called for the purpose to raise money for the following purposes: To create and maintain fire departments with all necessary equipment, appliances and apparatus for the prevention and extinguishing fires; to build, repair and maintain roads;" and I mentioned those roads, ladies and gentlemen, the greater part of them are now maintained by the State. That Section still goes on to say, "Sidewalks, sewers and other sanitary works, including the collection and removal of garbage and waste material." Now that would be very nice, Saturday Cove, Temple Heights and all those other sections would like to have it. "To care for and beautify any portion of the corporate territory, which may be reserved and dedicated to public use, to enjoy in color by all the owners of real estate within the limits of Northport Village Corporation, and to that end to build public roads and walks, to plant and care for trees, shrubs, flowers within the limits of the road and the streets upon which the public glances. To build, repair and maintain public wharves and landings, and to establish and maintain a police force and night watch, and to procure water for fire, domestic and other purposes, and to purchase

and own any existing system furnishing water, and to add to same from time to time as public convenience and necessity may require, and to contract for the furnishing of water with any existing or future corporation furnishing water." Now, that sort of thing hasn't come about as yet. "To procure lights for public use and for the use of the inhabitants of the said Village Corporation, and for the purpose to contract with any firm, individual or corporation to furnish such lights. Or to install, purchase equipment and maintain athletics fields for the use in common by all the owners of real estate within the boundaries of said Northport Village Corporation. And to contribute from time to time to features of entertainment or athletic nature during the months of June, July and August of any year, which athletic sports or entertainment shall be free to all the owners of real estate within the corporate territory. To license entertainment of the character not forbidden by law, and to forbid the same in the judgment of the overseers such entertainment that is a nuisance or immoral." Now, that is the things that they can enjoy. I ask you if you think it is fair for one small segment of the Town to impose this luxury for themselves upon the rest of the Town.

The whole of the Waldo delegation is in sympathy with the report from the Senate that the Bill ought to pass, and I hope that you will not go along with the gentleman from Bangor, Mr. Quinn, and his motion that it "Ought to pass" in new draft.

The SPEAKER: The question before the House is the motion of the gentleman from Bangor, Mr. Quinn, that the House accept the Majority "Ought to pass" in new draft Report.

The Chair recognizes the gentleman from Buxton, Mr. Bruce.

Mr. BRUCE: Mr. Speaker and Ladies and Gentlemen of the House: I think in fairness to both sides that I should make this very brief statement. I was not present at the hearing in Legal Affairs Committee when this Bill was heard. I also was not present at the time of the executive committee meeting on this Bill. In cases of that kind it is customary to go along with the majority of the

committee on a divided report. However, it seems that my vote on the "Ought to pass" with the forty-five per cent kick-back, was the vote that made it 6-4 instead of 5-5, and I wish to explain to the House that I am completely neutral on the Bill, and I know no more about it than you people do here today. Thank you very much.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Columbia Falls, Mr. Hathaway.

Mr. HATHAWAY: Mr. Speaker and Ladies and Gentlemen of the House: I arise to support the motion of the gentleman from Bangor, Mr. Quinn. As one of the signers of the Majority Report on this particular Bill, I just have a few words to say because the gentleman from Bangor, Mr. Quinn, has covered all of the details. On these village corporations it does seem that the goodness has gone by and the interest is worn out. And it would be just as well if they were discontinued. In this particular case this Village Corporation is very much alive. These gentlemen take very much pride in keeping their corporation very good, and the people in the Town, one of the fellows speaking against this admitted that they did a fine job and it was a pride to the Town to have this section.

Now, these people spend more money than they have been given back, but they are willing to compromise, and they realize that if the thing is taken off completely they probably wouldn't get any taxes back for a while. So, in view of those facts I think it was only fair that they should compromise and maybe work this thing down over a period of time. And that is why I signed the new draft for the forty-five per cent, and I hope that the motion of the gentleman from Bangor, Mr. Quinn, will hold.

The SPEAKER: The Chair recognizes the gentlewoman from Falmouth, Mrs. Smith.

Mrs. SMITH: Mr. Speaker, I know that there probably are a good many of you who have listened to this debate and you think it is rather immaterial, but I assure you that it is not. I hope you have listened carefully because it means

a great deal to this small town, it could be your town or my town. I think the issue has been confused from the first by the opposition throwing in this idea of a forty-five per cent, adopt this forty-five per cent. I shall not go into that detail. But I want to remind you of a few points. The first is that this originally was passed without a referendum to the people, it was done by the Legislature. This is not the usual type of village corporation. A village corporation or a sewer district or any of those type of things are usually set up outside the towns, they tax themselves for the things they want. This is absolutely a village corporation where the money is kicked back out of the regular tax fund to the tune of sixty per cent.

I ask you what our towns would do if we had to give certain sections sixty per cent. And I also ask you if you wouldn't like, if you live in a particularly good section of the town, wouldn't you like to have sixty per cent of your tax money back to furnish yourself with sewers and garbage removal and all the other things? You have a very bad situation down in there, as the gentleman from Montville, Mr. Mathieson, has said, because you have these other summer colonies who do not get any kick-back and who have to carry this load. Also remember that six of the seven—there are seven paupers in the Town, and six of them live in the village Corporation, and that money comes out of the regular tax fund.

I do hope you have listened, I do hope you will think carefully as you vote, as it could be your town or my town, and it is not fair. These people have no way of doing anything about this, neither can they afford to have someone up here all the time to lobby for them. Now, I ask you to think about this carefully.

The SPEAKER: The Chair recognizes the gentleman from Belfast, Mr. Rollins.

Mr. ROLLINS: Mr. Speaker and Members of the House: I think the gentleman from Montville, Mr. Mathieson, has defined the situation pretty well, and the gentlewoman from Falmouth, Mrs. Smith, has tried to make it clear to you. But

we have — perhaps, I wasn't in on the start of this, I don't know just exactly all that was said, but the Village Corporation collects sixty per cent of the taxes assessed on the Corporation by the Town. It doesn't say the taxes collected, it says assessed. The burden of hardship has always been upon the Town to do the collecting. The situation there is so changed since this law was put on the books back in 1915, with no referendum, the people had nothing to say, and I, not like the gentleman from Buxton, Mr. Bruce, I attended that hearing, and one of the best testimonies that I heard was that of a lady on the rear end of that hearing. She said that she was at the town meeting when they voted for the thing, and they didn't know what they were talking about, nobody knew what they were doing, and she was at this one the other time, and everyone present was opposed to it.

Now, the gentleman from Bangor, Mr. Quinn, said this would eliminate the Corporation. I disagree with him. If I had been putting in the Bill I would have recommended dissolving the Corporation entirely. They didn't do that. They are just trying to work around paying that sixty per cent of the money they are going to raise for the school. And the Village Corporation will still function. They can still assess their members.

Now, they told a great story about assessing their residents. Last year they raised \$1,000 by assessments, and they have 1,000 people at \$1 to a customer, that is a big tax.

I think this Minority Report represents the need of that community, and I do hope that the motion of the gentleman from Bangor, Mr. Quinn, does not prevail.

The SPEAKER: Is the House ready for the question?

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

Mr. FULLER: Mr. Speaker and Members of the House: I would like to just say a few words on this Bill. In the first place I am against village corporations as such anyway. I think they are just as antiquated as the horse and buggy. And I would like to ask you ladies and

gentlemen how you would like to live in a town where a little part of the town was set aside, and you had to dole out to those people sixty cents out of every tax dollar to spend as they saw fit. I just don't think it is fair, and from an educational standpoint it is almost suicide. For instance, I would like to bring out one point that hasn't been brought out. In 1946 the school budget was \$5,400, and in 1956 it was \$21,015. And yet out of every dollar that is collected for taxes sixty cents of it has to go to the Village Corporation.

With almost one-half of the town real and personal property within the Village Corporation this 60-40 split which might have been equitable in 1915 has become a millstone around the Town's neck. And as some of the people have said here, the schoolhouse burned in 1956, and it is estimated that it would cost \$70,000 to build a new consolidated school. And yet if they raised \$70,000 they have to kick back a percentage of that money to the Village Corporation. And I say this, that if those people think enough of Northport to build a cottage there, and I am sure they do, it is one of the most beautiful sections of this State, they should be served like other people. They should expect to pay their fair share of taxes just like anybody else. And I am speaking just from the fairness of this thing. If they think enough of Northport to build a cottage there, I repeat, they should pay taxes just like any other citizen. And as somebody else has said, there are four other villages that have just as much right to have village corporations as this does. And I say that it is very unfair, and if they want things just a little bit better than the rest of the Town they can go right on spending just as much money as they want to. They don't have to have a village corporation by law. This was not even given to a vote of the people, but was passed by this Legislature without going to the people, they didn't have a word to say about it.

The SPEAKER: Is the House ready for the question?

The Chair must remind the gentleman from Montville, Mr. Mathie-

son, that he has already spoken twice to the motion and—

Mr. MATHIESON: I just wish to request a division.

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

Mr. CHILDS: Mr. Speaker, I shall be very brief. These village corporations are not unusual things. The course of action the Legal Affairs Committee took on this particular one is nothing unusual. We have reached a situation, and I think it is the first time we have had it in this session of Legislature, but I have heard these on numerous occasions, and have also heard this story on this very same village corporation in another session of the Legislature.

You run into a situation of a village corporation in the town realizing that the rebate which the village corporation is getting is excessive because it is something that was set back many years ago. So you run into the situation of the proponents of this measure either wanting to repeal it or get it at a lower rate. In this particular case the town wanted to repeal the whole thing. They come before the Legal Affairs Committee and we try to get them to agree on some certain amount. In this particular case we had reached an impasse, and I had rather they had reached an impasse than to make no agreement at all. So the majority of the members of the Legal Affairs Committee sat down and tried to reach a figure which we thought was a fair figure for all the members concerned. And I say to you that the situation is not unusual, it has been done many, many times before.

The SPEAKER: The Chair recognizes the gentlewoman from Fal-mouth, Mrs. Smith.

Mrs. SMITH: Mr. Speaker, I am very sorry to have disagree with the gentleman from Portland, Mr. Childs, but I shall have to. That Legal Affairs did not sit down to work out the forty-five per cent, it was brought in by the Corporation itself so far as I know. At least I had nothing to do with working out a percentage. I was told that the whole House was willing to settle for that, and I immediately made inquiries to see whether that was

true or not and I found that it was not. Also it was said and not denied in hearing that some years ago this same Bill was in here, and at that time the Village Corporation agreed to work out some kind of an agreement with the residents of that town and we hadn't cooled our heels here in the Legislature before they would have nothing to do with any compromise, so there is no hope of compromise with them.

The SPEAKER: The Chair recognizes the gentleman from Orono, Mr. Needham.

Mr. NEEDHAM: Mr. Speaker, I rise to support the motion of the gentleman from Bangor, Mr. Quinn. And I wish to point out that this arrangement has been the law for the past forty-two years. And to change it now from sixty per cent to cancel it out is unreasonable and inequitable. I believe the redraft is a workable compromise and that it should pass.

The SPEAKER: Is the House ready for the question?

The question before the House is the motion of the gentleman from Bangor, Mr. Quinn, that the House accept the Majority "Ought to pass" in new draft Report of Bill "An Act relating to Payments by Town of Northport to Northport Village Corporation", Senate Paper 550, Legislative Document 1541. The gentleman from Montville, Mr. Mathieson, has requested a division.

Will all those who favor the acceptance of the Majority "Ought to pass" in new draft Report please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Thirty-seven having voted in the affirmative and ninety-one having voted in the negative the motion did not prevail.

Thereupon, the Minority "Ought to pass" Report (S. P. 260) (L. D. 699) was accepted in concurrence and the Bill given its first and second readings.

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

SENATE AMENDMENT "A" to S. P. 260, L. D. 699, Bill, "An Act Relating to Payments by Town of

Northport to Northport Village Corporation."

Amend said Bill by striking out all of the "Emergency preamble" and by striking out the "Emergency clause"

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

The SPEAKER: At this time the Chair would like to recognize the presence in the gallery of the House of the Home Economics Class of Maine Central Institute of Pittsfield, accompanied by Mrs. Roy Sinclair, and of a group of students in the Class on State Government from Lincoln Academy of Newcastle with their teacher, Mr. Harry Hildebrant. On behalf of the House the Chair extends to you ladies and gentlemen a most cordial welcome, and we hope that you will enjoy your visit here today. (Applause)

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

Non-Concurrent Matter

Bill "An Act relating to Rental of Westbrook Municipal Court" (H. P. 730) (L. D. 1034) which was passed to be engrossed in the House on April 30.

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

In the House: On motion of Mr. Haughn of Bridgton, the House voted to recede and concur.

Non-Concurrent Matter

Report of the Committee on Inland Fisheries and Game reporting "Ought not to pass" on Bill "An Act relating to Closed Time on Deer in Certain Counties" (S. P. 281) (L. D. 740) which was recalled from the Legislative Files to the Senate by Joint Order (S. P. 553)

Came from Senate recommitted to the Committee on Inland Fisheries and Game in non-concurrence.

In the House:

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

Mr. ROSS: Mr. Speaker and Members of the House: I move that the House now adhere.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: As a member of the Fish and Game Committee I would be pleased to see this Bill considered, and if any member wishes to sign an "Ought not to pass" Report that is his choice. But I do think the Bill has merit and should be heard, there is an awful lot of people interested in the Bill. And I hope you will see fit to commit it to the Fish and Game Committee, and I know they will give it careful consideration and have the privilege of signing an ought to or ought not to pass report.

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

Mr. BARTLETT: Mr. Speaker, I agree with the gentleman from Enfield, Mr. Dudley, that the Committee on Fish and Game should have a chance to review this matter.

This bill, Legislative Document 740 was withdrawn from the Committee with the understanding or the thought of the Committee that Legislative Document 739 could be signed by the Committee as a whole. After the recall of this Bill the Committee split up on 739. I think the Committee should have a chance to review this Bill.

The SPEAKER: The Chair recognizes the gentleman from Carthage, Mr. Hutchinson.

Mr. HUTCHINSON: Mr. Speaker, I think that the established precedent of concurrence between the two legislative bodies in the matter of recalling bills and resolves from the Legislative files is well understood and well respected. In this particular matter of recommission to committee I understand that the Chairmen of the Committee are in full agreement and accord. I move we concur.

The SPEAKER: The motion now before the House is the motion of the gentleman from Carthage, Mr. Hutchinson, that the House concur.

The Chair recognizes the gentleman from Eustis, Mr. Carville.

Mr. CARVILLE: Mr. Speaker, both these bills, 740 and 739 were

put out of Committee on the same day. We talked them over in the Committee and decided that 740 didn't have a chance to pass, and we put out 739, and the House indefinitely postponed that Bill, and now they are bringing back 740. I hope the motion of the gentleman from Brownville, Mr. Ross, prevails.

The SPEAKER: The motion before the House is the motion of the gentleman from Carthage, Mr. Hutchinson, that the House recede and concur in recommitting this Bill to the Committee on Fish and Game.

The Chair recognizes the gentleman from Columbia Falls, Mr. Hathaway.

Mr. HATHAWAY: Mr. Speaker, as I understand this Bill now, it has been through the House once "Ought not to pass", and it is being recalled to go back to Committee. Am I right?

The SPEAKER: The motion is to concur and recommit the Bill to the Committee.

Mr. HATHAWAY: This is, I believe, in regard to prolonging the open season on deer in a certain zone, which I believe our section comes under. And I just want to read a couple of telegrams here I got this morning that might have some bearing on whether this goes back to Committee or not. One is from Machias, and it is signed by the Machias Valley Sportsmen's Club, Victor Robbins, Secretary. It says "This Club is definitely against any extension of deer season in Washington County." I have another one from the president of a Fish and Game Conservator Association, Merrill Worster, President. It says, "Please register our unqualified opposition to any extension of deer season in Washington County."

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I arise for a point to point out a point of information. This Bill wasn't heard before the House, it was reported out of Committee Leave to Withdraw because we felt the other bill would pass, a large majority of the Committee signed it.

The SPEAKER: The Chair would advise the gentleman that this Bill was reported out unanimous "Ought not to pass".

Mr. DUDLEY: That was the reason for it because we felt as though the other bill—it was agreed on to pass, and we would like to have it heard. And these telegrams you have, they have been received both pro and con and they should be heard before the Committee.

The SPEAKER: The Chair recognizes the gentleman from Greenville, Mr. Harris.

Mr. HARRIS: Mr. Speaker and Members of the House: As you all know 740 has been through the House, through the Senate, the Report of the Committee ten to nothing "Ought not to pass" was accepted. 739 passed the Senate but was postponed indefinitely, I believe, in the House. That was a two zone bill, 740 is a three zone bill. The reason it was reported out "Ought not to pass" was as the gentleman from Enfield, Mr. Dudley, stated, we thought there was no chance for the Bill, and I can't see where things have changed any now, and at this late date rather than recommit this Bill I hope that the members of the House will adhere to our former action. And as far as telegrams are concerned, these are mostly from individuals, but I have one here from the Sebec County Fish and Game Club, the Sebec Club in Piscataquis County, against any change. Our present law has been on the books twenty years. Our deer kill has increased considerably in the last five years. Why we should change now is more than I know. So I hope the motion to concur does not prevail.

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

Mr. TARBOX: Mr. Speaker, I would just like to put in a telegram that I have just received from Hancock County. "The Frenchmans Bay Conservation Club is opposed to any change in the deer season." Signed Chester Stevens, President, Flo Dickens, Secretary.

The SPEAKER: The Chair recognizes the gentleman from Bucksport, Mr. Pierce.

Mr. PIERCE: Mr. Speaker, The Western Hancock County Fish and

Game Club, consisting of approximately three hundred members, wish no change in the present season. When the vote is taken I request a division.

The SPEAKER: The Chair recognizes the gentleman from Jonesboro, Mr. Andrews.

Mr. ANDREWS: Mr. Speaker, Ladies and Gentlemen of the House: I have two telegrams this morning. One is from the Pleasant River Fish and Game Conservation Association, of which I am on the executive board. We have a membership of over four hundred members, and they have gone on record opposing any change in the deer law in Washington County. And I also have one from the Machias Valley Sportsmen Club, and they have gone on record opposed to any change in the deer law in Washington County. They want it left just as it is.

The SPEAKER: The Chair recognizes the gentlewoman from Lovell, Mrs. Harriman.

Mrs. HARRIMAN: Mr. Speaker, I have a feeling that the members of this House will be glad when we have the bear and the fish and the deer disposed of. However, I would like to tell you something of the history of these four bills and what has happened to them. There was one introduced by the gentleman from Carthage, Mr. Hutchinson, which was going to change the line of demarcation in Franklin County. Another bill was introduced by Senator Ferguson in the Senate changing the line in Oxford County. Then we have the two departmental bills, 739 which gave two zones and 740 which gave three zones. We hashed these over in Committee and had hearings on them, and then the gentleman from Carthage, Representative Hutchinson, withdrew his bill in view of the department's bills 739 and 740, and Senator Ferguson did the same thing, so those were reported leave to withdraw. We tried to come to an agreement in Committee and endorse one bill fully. So we took 739 but we couldn't reach an agreement on that and reported a divided report on that. And in view of all that had gone we reported 740 out of Committee "Ought not to pass" hoping to get something by this Legislature which would meet with everyone's approval. That is almost

impossible to do. 739 came on the floor and I had to reverse my stand on it due to the people in Oxford County. Now you have these two bills. As far as recommitting them they will have to be fought after they come back on the floor again. You can do as you please, I am not going to take sides either way. 739 now is in a Committee of Conference, and 740 has been called from the Legislative files. And in view of just two more weeks to go before the twenty weeks are up, this week and next, it looks to me as though you might as well fight this thing out and get through with it.

The SPEAKER: The motion before the House is the motion of the gentleman from Carthage, Mr. Hutchinson, that the House concur in recommitting the Bill to the Committee.

The Chair recognizes the gentleman from Milo, Mr. Brockway.

Mr. BROCKWAY: Mr. Speaker, I talked to several people interested in sporting camps and deer hunters in my area and everybody seems to be opposed to any change in the deer laws in the State of Maine.

The SPEAKER: Is the House ready for the question?

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

Mr. QUINN: Mr. Speaker, during the last week I have had a great deal of contacts with my constituents in Penobscot County to the effect that they would like to have the deer season in Maine as is. Emphasizing the fact that many of the camp owners that have sports come to the camps, rent to those people from year to year, and a change would greatly disrupt the schedule of the camp operators. Now, I would like to move that this Bill and all its accompanying papers be indefinitely postponed.

The SPEAKER: The motion now before the House is the motion of the gentleman from Bangor, Mr. Quinn, that the Bill and all accompanying papers be indefinitely postponed.

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

Mr. JALBERT: Mr. Speaker, this is the second debate on this. I think every member of the Committee has spoken at least once. I just received a mental telegram from the Andros-

coggin County Fish and Game Association to move the previous question, and I so move.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, has moved the previous question. The consent of one-third of the members present is necessary to authorize the Chair to entertain this motion. As many as are in favor of the Chair entertaining the motion to put the previous question will please rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

The SPEAKER: Obviously one-third having expressed their approval of the Chair entertaining the motion for the previous question, the previous question has been ordered. The question now before the House is shall the main question be put now. The motion is debatable, each member being allowed to speak no more than five minutes.

The gentleman from Bucksport, Mr. Pierce, has requested a division on the main question.

The question now before the House is shall the main question be put now. Will those who favor that question please say aye; those opposed, no.

A viva voce vote being taken the motion prevailed.

The SPEAKER: The question before the House is the motion of the gentleman from Bangor, Mr. Quinn, that Bill "An Act relating to Closed Time on Deer in Certain Counties", Senate Paper 281, Legislative Document 740, and all accompanying papers be indefinitely postponed.

The Chair understands that the gentleman from Bucksport, Mr. Pierce, requests a division on that motion.

Will all those who favor the indefinite postponement of Bill "An Act relating to Closed Time on Deer in Certain Counties" please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

One hundred and two having voted in the affirmative and twenty-two having voted in the negative the motion prevailed and the Bill and accompanying papers were indefi-

nately postponed in non-concurrence and sent up for concurrence.

The SPEAKER: At this time the Chair would like to recognize the presence in the gallery of the House of a group of twenty-one students of the Freshmen's Social Studies Class in St. George High School in the Town of St. George, accompanied by their teacher and three of the class mothers. On behalf of the House the Chair extends to you ladies and gentlemen a most cordial welcome and we hope that you will enjoy your visit here today. (Applause)

Non-Concurrent Matter

An Act relating to Pledging Securities by Banking Institutions in which State Funds are Deposited (H. P. 893) (L. D. 1279) which was passed to be enacted in the House on April 17 and passed to be engrossed on April 10.

Came from the Senate indefinitely postponed in non-concurrence.

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

Orders

Mr. Cote of Lewiston presented the following Order and moved its passage:

WHEREAS, the members of the House have learned that today is the birthday of Mr. Jalbert of Lewiston,

BE IT ORDERED, that the members of the House extend to Mr. Jalbert their congratulations and their best wishes not only for today but for the entire year.

The Order received passage.

On motion of Mrs. Knapp of Yarmouth, it was

ORDERED, that Rev. Martin Storms, Pastor of the First Baptist Church of Yarmouth, be invited to officiate as Chaplain of the House on Thursday, May 16, 1957.

On motion of Mr. Hatfield of Orrington, it was

ORDERED, the Mr. Leathers of Hermon be excused from attendance this week because of business, and that Mr. Wheaton of Princeton be excused from attendance because of his wife's illness.

On motion of Mrs. Smith of Falmouth, it was

ORDERED, that Mr. Rancourt of Lewiston be excused from attendance this week because of business.

The gentleman from Bangor, Mr. Totman, was granted unanimous consent to address the House.

Mr. TOTMAN: Mr. Speaker and Members of the House: There is being distributed to your desks a reprint of L. D. 1478, Bill "An Act relating to Educational Aid and Reorganization of School Administrative Units" variously known as the Jacobs' bill or Sinclair bill. This is the draft that was passed in the House last week with the various amendments and was passed to be engrossed. I have been asked to point out to you that thirty-five hundred copies have been printed, of which fifteen hundred have been given to the Department of Education for distribution to school superintendents. I think it is important for you to keep that in mind in case some of you feel that you should mail copies of these home to your own superintendents. That is being done. We would request that you assist us in making distribution judiciously of this new draft to those who desire it beyond the school superintendents. Thank you.

The SPEAKER: The Chair would announce the appointment of the following Committees of Conference to confer with the Senate.

On the disagreeing action of the two branches of the Legislature on Bill "An Act relating to Opening Obstructions in Waters to Maintain Fish Life" (H. P. 999) (L. D. 1427) the Chair would appoint the following Conferees on the part of the House:

Messrs. DUDLEY of Enfield
WALSH of Brunswick
BAIRD of North Haven

On the disagreeing action of the two branches of the Legislature on "Resolve relating to Open Water Fishing Season in Certain Waters in Androscoggin County" (H. P. 1063) (L. D. 1521) the Chair would appoint the following Conferees on the part of the House:

Messrs. COTE of Lewiston
DUDLEY of Enfield
JALBERT of Lewiston

On the disagreeing action of the two branches of the Legislature on Bill "An Act relating to Rate of Interest Charged by Licensed Small Loan Agencies" (H. P. 593) (L. D. 842) the Chair would appoint the following Conferees on the part of the House.

Mr. JACK of Topsham
Miss CORMIER of Rumford
Mr. QUINN of Bangor

The SPEAKER: At this time the Chair would request the Sergeant-at-Arms to escort to the rostrum the gentleman from Auburn, Mr. Walker, to serve as Speaker pro tem.

Thereupon, Mr. Walker assumed the Chair as Speaker pro tem amid the applause of the House and Speaker Edgar retired from the Hall.

House Reports of Committees Ought Not to Pass Resolve Substituted for Report

Mrs. Burnham from the Committee on Natural Resources reported "Ought not to pass" on Resolve Authorizing Attorney General to Investigate Title to Certain Island in B. Pond, Piscataquis County (H. P. 614) (L. D. 861) which was re-committed.

Report was read.

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

Mr. WILLIAMS: Mr. Speaker and Members: This bill was re-committed to our Committee and the first time it was committed we came out with a unanimous "Ought not to pass". When it was re-committed again we heard a little more discussion on it and we came out with the same Report. But at the same time there were various members of our Committee that felt that this bill had a lot of merit. And while we didn't want to come out with a divided report, we felt that maybe it needed some discussion and the thing in my estimation it hinged on it carries a thousand dollar price tag. That was one of the reasons we brought it out "Ought not to pass", but we made an agreement in the Committee that every member was at liberty to talk for it or against it to the best of his judgment. Thank you.

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

Mr. DUDLEY: Mr. Speaker, I move that we substitute the bill for the Report and I would like to say a few words in regard to the bill.

I presented this bill. I was of the opinion that it would help prove ownership of an island that has been very controversial in Piscataquis County. Now a man from out of state, an investment banker by the name of Griswold has come in and claimed the island, that he owns the island, and they took it to court in Bangor, Maine, and it was not decided any more then—so long as he had control he could keep it until such time as the State proved that they owned it. Now the Attorney General says that it may be settled for a matter of two hundred dollars or maybe three, but he would like to have once he starts the job enough money to complete the job and take it to high court if necessary. And so we asked for a thousand dollars in case he had to go the limit. Now what this does is prove that we own this island. The only objection seems to be amongst a lot of people, they are afraid if we prove we own this island, that maybe we own a lot more. That seems to be the only objection, and I would like to see these islands kept for our children in several generations to come because there is soon going to be no place to get to our lakes, everything will be private. And if the State owns it I would like to see them prove that we do own it so we can stick up a sign and say: "State Owned Property."

The SPEAKER pro tem: The Chair recognizes the gentleman from Union, Mr. Heald.

Mr. HEALD: Mr. Speaker, I am a member of the Natural Resources Committee, and apparently I made a mistake here somehow because I intended to sign this bill "Ought to pass". I intended to sign in the minority, because I understand that it is the policy of the Forestry Commissioner and the policy of the Legislature to try to conserve and hang onto all the islands that we possibly can. We battle to keep an island, we should battle to keep the

claim of an island, and I believe that this should be talked out here and settled once and for all.

The SPEAKER pro tem: The Chair recognizes the gentleman from Greenville, Mr. Harris.

Mr. HARRIS: Mr. Speaker and Members of the House: I would like to go along with the gentleman from Enfield, Mr. Dudley, in support of his motion. We have in our great ponds and lakes of ten acres and over several items or parcels of land that the main owner or the owner of the township, B Town is owned by Mr. Griswold, the one in question here, but as near as I can find out, neither he has title to that island, but claims it, thinking that when he bought the town that included the island in the great pond. Now possibly it does, but I would like to see it proven, that he owns it. So if the man does own it he will have title to it, he will get a deed from the State, if he doesn't own it the State would have it. I would like to support the motion of the gentleman from Enfield, Mr. Dudley.

The SPEAKER pro tem: The Chair recognizes the gentleman from North Haven, Mr. Baird.

Mr. BAIRD: Mr. Speaker, I rise to support the motion of the gentleman from Enfield, Mr. Dudley. I have fished in this country and I know the attitude Mr. Griswold takes to outsiders coming in to fish this pond. The State has stocked this pond for him in the past and still the average man cannot go in there to fish. This island has a nice place on it to camp and people have been driven off the island because he lays claim to it. It is an island in a great pond and the Attorney General says he can prove this belongs to the State for less money than the bill calls for, and I would like to see it go through.

The SPEAKER pro tem: The Chair recognizes the gentleman from Bethel, Mr. Saunders.

Mr. SAUNDERS: Mr. Speaker, as a signer of the "Ought not to pass" Report I would like to give you our reasons for signing thusly. It was the feeling of many of the Committee that because we have an Attorney General's Department that it certainly was in his jurisdiction to investigate this title without any

resolve from the legislature. Now in the past the State has had many islands, and certainly we don't want to lose any of those islands, but neither did we feel, a majority of the Committee, that it was necessary to raise a thousand dollars to investigate the title of our own land. We felt that it certainly did belong to the State as we do all State-owned islands if not deeded before 1913, therefore we signed "Ought not to pass" and felt that the Attorney General certainly had the power and the authority to investigate this title.

The SPEAKER pro tem: The Chair recognizes the gentleman from Caribou, Mr. Brewer.

Mr. BREWER: Mr. Speaker and Members of the House: To further what the gentleman from Bethel, Mr. Saunders, has said, we feel that the island does belong to the State and so that the Attorney General could so rule. We feel that the burden of proof of ownership should be with the people that claim the ownership, that they should establish their claim at their own expense and not at the State's expense.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: This has already been to court in Bangor and so far as the court is concerned they didn't rule that he owned the island, but they gave him permission to control the island. Now this bill was given to me by the Commissioner of Forestry who I have a lot of respect for, and we went in, before putting the bill in we spent a whole afternoon in the Attorney General's office discussing the bill and what should be done and it was the Attorney General's opinion that the bill should be put in the legislature for more than one reason, and one being of course it defined the action to one particular island of which we have thousands of islands and it defined the action to one particular island, the one that had been taken to Court and the one that the Court had ruled that he has control of until such time as it was proved that we owned it. I hope that we will go along to substitute the bill for the Report.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Enfield, Mr. Dudley, that the House substitute the Bill for the Report.

The SPEAKER pro tem: A division has been asked for. The motion before the House is the motion of the gentleman from Enfield, Mr. Dudley, that the Resolve Authorizing Attorney General to Investigate Title to Certain Island in B. Pond, Piscataquis County (H. P. 614) (L. D. 861) be substituted for the Report.

All those in favor will rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Eighty-eight having voted in the affirmative and seventeen having voted in the negative the motion prevailed and the Resolve substituted for the "Ought not to pass" Report.

Thereupon, the Resolve was read once and assigned for second reading tomorrow.

Mr. Plante from the Committee on Public Utilities reported "Ought not to pass" on Bill "An Act relating to Proposed Change of Rates by Public Utility and Suspension Pending Hearing" (H. P. 1027) (L. D. 1459)

Report was read.

The SPEAKER pro tem: The Chair recognizes the gentleman from Old Orchard Beach, Mr. Plante.

Mr. PLANTE: Mr. Speaker, this particular document was discussed thoroughly before the Committee and we reached a unanimous "Ought not to pass" Report. Basically, it indicated that — or rather it would propose the suspension of a current schedule for Maine utilities would be legal. This would mean that a current rate a utility charges would be suspended and the new rate proposed would come into effect. In other words, they would be collecting money from the user or the customer before the Public Utilities Commission would have a final decision on that particular rate. The Public Utilities Committee felt that this would be a dangerous proceeding and I now move that we ac-

cept the "Ought not to pass" Report.

The SPEAKER pro tem: The motion before the House is the motion of the gentleman from Old Orchard Beach, Mr. Plante, that the House accept the "Ought not to pass" Report of the Committee. Is this the pleasure of the House?

The motion prevailed, the Report was accepted and sent up for concurrence.

Ought to Pass Printed Bills

Mr. Ervin from the Committee on Towns and Counties reported "Ought to pass" on Bill "An Act relating to Payment of Fees of Auburn Municipal Court" (H. P. 574) (L. D. 884)

Mr. Webber from same Committee reported same on Bill "An Act relating to Payment of Expenses of Auburn Municipal Court" (H. P. 575) (L. D. 885)

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

Ought to Pass with Committee Amendment

Mr. Flynn from the Committee on Retirements and Pensions on Bill "An Act relating to Retirement of Employee Option under Maine State Retirement System" (H. P. 617) (L. D. 864) which was recommended, reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 617, L. D. 864, Bill, "An Act Relating to Retirement of Employee Option Under Maine State Retirement System."

Amend said Bill by inserting in the 1st line and before the headnote a 'Sec. 1.'

Further amend said Bill by adding thereto a 'Sec. 2' to read as follows:

"Sec. 2. R. S., c. 63-A, § 17, sub-§ I-A, additional. Section 17 of chapter 63-A of the Revised Statutes, as enacted by section 1 of chapter 417 of the public laws of 1955, is hereby amended by adding thereto a

new subsection, to be numbered I-A, to read as follows:

'I-A. Any participating local district, by filing with the Board of Trustees a duly certified copy of its action, may provide, in lieu of the retirement allowance provided for elsewhere in this chapter, a retirement allowance equal to $\frac{1}{2}$ average final compensation for members attaining age 60 and having at least 30 years of creditable service. Such retirement allowance may be converted into a retirement allowance of equivalent actuarial value as provided in section 12 of this chapter.

Any amendments to this chapter enacted by the 98th Legislature, the benefits of which could apply to employees of participating local districts, shall be made effective only in the event any such district elects to adopt such benefits and agrees to pay into the system the required costs as developed by the actuary.' "

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

Divided Report Indefinitely Postponed

Majority Report of the Committee on Natural Resources reporting "Ought not to pass" on Bill "An Act Providing for Clean Waters in Maine" (H. P. 719) (L. D. 1023)

Report was signed by the following members:

Messrs. BUTLER of Franklin
FARLEY of York
FERGUSON of Oxford
— of the Senate.

Messrs. SAUNDERS of Bethel
HEALD of Union
MORRILL of Harrison
WILLIAMS of Hodgdon
JALBERT of Lewiston
— of the House.

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

Report was signed by the following members:

Mr. BREWER of Caribou
Mrs. BURNHAM of Kittery
— of the House.

Reports were read.

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

Mr. WILLIAMS: Mr. Speaker and Members: I move that the House accept the majority "Ought not to pass" Report. I'd like to speak on the motion.

The SPEAKER pro tem: The gentleman may proceed.

Mr. WILLIAMS: I do not say that all of the rivers of Maine run sparkling to the sea, filled with trout and salmon; on the other hand, we have no rivers as bad as a lot of them to the south of us. A story comes to mind of the modest little old lady who was taken for a tour of an art museum. Somebody asked her what she thought of it and she replied that she did not think the world was as bad as it was painted.

At the present time we are operating under the so-called classification law. This has only been in effect about six years. Its opponents say it is too slow, but I would submit to you that it is an orderly way of reducing the pollution on which there have been no restraints for one hundred years. While the results may not be spectacular and make national headlines, they show a steady progress in the right direction and exert a steady pressure within the means and ability of water users.

I would like to give a few examples of this progress. I am going to confine my examples to the Penobscot River because I know it best. Two years ago, the Natural Resources Committee visited the St. Regis Pulp and Paper Mill at Bucksport. They gave us a carte blanche to go where we wished and see what there was to see, good or bad. This year, we returned to St. Regis and did the same thing. Since we were there two years ago, they have installed a pulp saver on one machine at a cost of over one hundred thousand dollars. The coming year, when material and finances are available, they will install one on the other machine. These pulp savers almost entirely eliminate wood fiber from the water. It pays, yes, but it also eliminates wood fibers from the water.

I'd like to take you now to Howland where a new tannery is being established, much to the advantage of that community. I will read to you the treatment which this com-

pany had to agree to before they could discharge waste into the Penobscot. This being a new company, they have to conform to all the regulations. The minimum requirements are to provide screening for beamhouse wastes which will remove all hair and fleshings for disposal in an approved manner. A screen with one-eighth inch round openings is probably most often used than any other and is usually found satisfactory. Lime sludge has to be removed and disposed of in a satisfactory manner. Vegetable tan liquors to be mixed with beamhouse wastes and settled before waste is discharged. Provision should be made for sufficient storage of this waste to permit its discharge at a fairly constant quantity over the entire day. Chrome wastes should be adjusted in valence so that mixing and settling with beamhouse wastes will remove chrome from effluent to satisfactory tolerance. Discharge adjustment same as in item three above required. The above are minimum requirements only and it should be remembered that in many cases the volume and required standards pertaining to and receiving mill waste will make additional treatment.

Now do you think they would have agreed to do this at a cost in excess of ten thousand dollars if the present law had been no good and had no teeth in it?

In Lincoln, the Eastern Corporation is building a new pulp mill to use the Kraft process. The old sulphite mill will be abandoned in 1958. The new mill will discharge eight thousand eight hundred sixty pounds of B.O.D. per day against fifty-eight thousand, five hundred forty pounds at present. Now that's a reduction of eighty-seven per cent. This change cost the Eastern Corporation ten and one-half million dollars, but it also reduced the cost of paper per ton and the pollution by eighty-seven per cent. It will thus accomplish a definite economic saving to the company. The gain to the Town of Lincoln is obvious. I wish to emphasize the B.O.D. saving was accomplished under the present law.

Now let us look at Millinocket where the Great Northern Paper Company has spent over forty-seven million dollars in the last two years

in its new chemi-ground mill and expanded facilities. This company is now the leading producer of newsprint in the United States, producing five hundred eight-four thousand tons of paper in both mills at Millinocket and East Millinocket in 1956. By using the chemi-ground in the new high speed machines at the East Millinocket mill, they have reduced the B.O.D. load by eleven and three tenths per cent over what it would have been if the company had not developed the chemi-ground process. By using chemi-ground wood, sulphite is reduced by eighteen per cent. All other high speed operations elsewhere are carrying at least twenty-four per cent sulphite and some, particularly in the south, are carrying upwards of thirty-five per cent long fiber in their furnish.

Progress in the communities has accompanied progress in the mills. In 1956, at Millinocket, one hundred and four new homes were started and at East Millinocket forty-five. In 1957, it is estimated that one hundred twenty-five additional homes will be started at Millinocket and fifty at East Millinocket. In addition, at East Millinocket, a new high school building is nearing completion at a cost just short of one million dollars.

Incidentally, this biological oxygen demand or B.O.D. is the formula by which they measure stream pollution.

I have tried to give you a clear and a fair picture of what is happening on one river. I believe you will agree that progress in respect to pollution has been made on this river. I have similar data on all rivers which I will not burden you with. The Water Improvement Commission has done this work on a budget of forty-six thousand nine hundred seventeen dollars and fifty cents. In my opinion it is a commendable showing.

As the old members will remember from last session, I was opponent to the so-called Clean Waters Bill. I oppose this bill for the same reasons as two years ago. I would much prefer to work under the classification law which will, in my estimation, give us an orderly approach. It will hurt comparatively few and, given time, will accomplish the same ends. Another thing

you people need to ponder is whether you wish to change the power of life and death over industry from this legislature, where in my opinion it belongs, to a small group of appointed men however dedicated.

I hope my motion will prevail.

The SPEAKER pro tem: The Chair recognizes the gentleman from Caribou, Mr. Brewer:

Mr. BREWER: Mr. Speaker, Ladies and Gentleman: The gentleman from Hodgdon, Mr. Williams has stated the classification procedure has been in effect only six years, but I think the gentleman is modest when he says that the results have not been spectacular. I would submit to you that Bangor spending four and one-half million dollars in the near future is quite spectacular. They are leaving the Penobscot River because they can't clear it up. Presque Isle, a year ago spent upwards of a half a million dollars perhaps, the population, the damage, and their outright purchase of industry to clean up their stream so I would submit that the progress has been spectacular but perhaps not in the right direction.

Item number six, L. D. 1023, "An Act Providing for Clean Waters in Maine" is good legislation, and I am going to ask your support here in the House. Two years ago a somewhat similar bill came from this same Committee with a unanimous "Ought not to pass" report and it lost out by only approximately twenty votes. This year with a revised bill, the report is divided, and I might say here I like the company that I find myself in. It is divided and the circumstances indicate a favorable treatment. The Committee itself feels that it is a good bill but that we are not ready for it. Ladies and gentlemen, we were ready for this bill fifty years ago. Think of what it would have saved the State of Maine if we had been ready for it some time ago. We were ready for it then, and we are ready for it now. We cannot continue to ignore the problem. Legislative Document 1023 is not a rush job. It is well considered legislation and it has been proven workable. We know that we cannot clean up over night, but this legislation is intended to gently but firmly lead the way out of our present

mess. Let me read to you the last paragraph of section 41 of this particular bill, "It is the intent of the Legislature that this chapter provide a means for gradual progressive abatement of the pollution problem, and that the Water Improvement Commission exercise with moderation the authority and discretion invested in it, to the end that no person, municipality or industry suffer grave or irreparable injury." That is part and parcel of the bill. It is in plain language and it is not hidden so that it can be forgotten later on or misconstrued.

Present laws in this matter of water pollution are ineffectual, unfair and subject to the extreme pressures of industry. Present legislation contains grandfather clauses that allow one person or a group to pollute at will, and yet it restricts others engaged in the same occupation and located on the same waters.

This legislation is perhaps the most important piece or measure to come before you at this session, and I make no exceptions. You are considering the health of the people and the economic welfare of the people. Relatively small amounts of money spent over the next ten or fifteen years, not the next year or two years, but a ten or fifteen year program under the guidance of this clean waters act will repay the State in many ways: number one, we would remove a definite health problem; number two, we would provide additional clean water with which to attract industry to our state; number three, we would provide an inexpensive source of clean water for municipalities; and number four, last but certainly not least, we would provide additional recreation areas closer to home, and add to the beauty and land values of our waterways.

This is not a pickerel versus payroll legislation, we'll let the fish come last. You clean up the waters, the fish will come back by themselves. I'm not concerned with that. I'm concerned with the welfare of the state.

This bill would help all of us and especially help industry. You have heard opponents of the measure state that this legislation will put them out of business. This is untrue. It will perhaps make them

take a more realistic position in the matter and do some good house-keeping. With but few exceptions, any clean-up process, except one of claiming previously lost valuable materials, has been resisted by industry.

This matter of water pollution is of nationwide importance and significance. Clean water is a most precious natural resource and it should be conserved in every possible manner. State and federal funds may be forthcoming for such conservation, but whether they are or not, I believe we should make our own start.

I regret to state that Maine is far behind the other New England states in this matter, and I speak with the authority and knowledge gained from my experience as a commissioner and vice-chairman of the New England Interstate Water Pollution Control Commission.

I urge you most sincerely to support this legislation. The people want it. It is fair and equitable, and in the best interests of the State of Maine. I, therefore, move that we substitute the bill for the report and request a division.

The SPEAKER pro tem: The Chair recognizes the gentleman from Union, Mr. Heald.

Mr. HEALD: Mr. Speaker and Ladies and Gentlemen of the House: I would like to concur with the gentleman from Hodgdon, Mr. Williams, in having the indefinite postponement of this bill. I have met with a member of the Committee that has considered this legislation, and I would like to point out some of the reasons that I signed the "Ought not to pass", one of the most important reasons I believe is that we should watch out for industry. We can't tax our people on the one hand and suddenly take away some of their privileges on the other hand. One of the principal speakers for this legislation was a gentleman from Pennsylvania. I believe it is folly for us to attempt to copy Pennsylvania, particularly where the Pennsylvania price tag on their water problems was around six million dollars. I believe we spent in the last biennium forty-six thousand dollars.

There are many of the Maine organizations against this bill,

among them the Maine Municipal Association, the Maine State Chamber of Commerce, the Associated Industries of Maine, and the Maine State Federated Labor Council. I say again that we should be careful in the legislation that we do here on this water pollution. It is very, very important, and there is a bill that is right next on the docket to this one, that is a continuation of our old system and it has been considered over and over and over again, and many people have been consulted with, and I feel that that is the best method of attacking the pollution problem. Thank you.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Hodgdon, Mr. Williams, to accept the Majority "Ought not to pass" Report.

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

Mr. HANSON: Mr. Speaker and Members of the House: I am a little sorry that I must oppose the gentleman from Caribou, Mr. Brewer, again, but I am in hopes that it won't cost me a pair of shoes this time, at least.

I spoke in opposition to a similar bill at the last session of legislature. I am a firm believer in progress, but as a former Mayor and a present member of the Planning Board and Member of the Board of Trade as well as other civic organizations, I have for some years been interested in the economic development of my city which of course is Gardiner.

Those of you who have tried it, know how hard it is to get a new industry. There is very active competition from other states, especially many of the southern states. Our geographical location is definitely a handicap. If we have certain disadvantages then we must be able to outweigh them with advantages of another kind, if we are to get anywhere. Now the proponents of the Brewer bill have argued that their measure would attract new industry by providing suitable water for industry. Possibly they are right, but upon close examination, to me this argument falls apart. A few days ago I had a conference with the Commissioner of our Department of Development and Industry. I wanted

to find out if there was a lack of good water which is keeping industry out of the State as some of the proponents have stated. I found that this is not true. In fact the abundance of good water is one of the best selling points that we have. So I was informed by the Commissioner. And as you know, our present water improvement law preserved the quality of the water and sought to improve it as fast as we can afford to do so.

I think the passage of this bill would make it even harder to bring new industry here, and would hinder the expansion of some industries already here. I can't imagine a businessman making heavy investments in a state which would be ruled by the iron hand of such a powerful commission as this bill would set up. I think that to pass this bill would be just about one of the worst things that we could do for the economy of the State at the present time. I won't take any more of your time. I thank you and I certainly hope that the motion to indefinitely postpone will prevail.

The SPEAKER pro tem: The question before the House is not a motion to indefinitely postpone. The question before the House is the motion of the gentleman from Hodgdon, Mr. Williams, to accept the Majority Report, the Majority Report being "Ought not to pass".

The Chair recognizes the gentleman from Camden, Mr. Libby.

Mr. LIBBY: Mr. Speaker pro tem and Ladies and Gentlemen of the House: A vast number of bills are introduced during the course of a legislative session. No one human being could be expected to know and to appraise them all. This is why we sort them into related categories for study by specialized legislative committees.

Two years ago I was a member of this Natural Resources Committee which studied the water pollution control problems of the ninety-seventh Legislature. We put in some long hours, individually and collectively, and among other things, we held what is said to be the longest session in a committee hearing in the history of the Maine Legislature.

I think that pretty nearly every-

thing that could be said on this subject was said at that time.

After careful consideration our committee brought out a unanimous "Ought not to pass" Report on what was then known as the Briggs Clear Water Act, and the House killed the measure by a roll call vote of almost two to one. And now here we are, two years later, debating what for all practical intents and purposes is the same Briggs Bill, all over again. Why? One possible explanation may be that many people just do not know that we are making excellent progress in the control of our water pollution under the law that we now have. Few people seem to realize what it means in progress when we say that this year we will have brought ninety per cent of our waters under classification. It's really a remarkable record.

As an illustration, this ninety per cent has been achieved in only about six years while New Hampshire, with a law similar to ours, has in something like ten years classified only about fifty per cent of her waters, and we have more than double New Hampshire's total stream mileage. So I think that we can be proud of our law and the way it is working.

As you know, our Classification Law prohibits a lowering of quality of classification waters. Thus, when we have completed this first important step we not only will know exactly what we have, we will have the assurance that it will at least stay in as good quality as it is now. Then, with scientific knowledge of the actual conditions, we can go about the costly task of improving them where desirable, and in a sensible and orderly manner.

I think that a moment's reflection would convince you that we cannot possibly legislate every drop of water in Maine into one and the same quality. Even wilderness waters differ as to color, taste and desirability as a habitat for fish.

The theory of the Classification System we now have, it would seem, is based upon pretty good common sense, and it works, as I already briefly explained.

If the 97th Legislature had passed the Briggs Bill, four years of hard work by the Water Improvement Commission and the Classification Enactments of the two legislatures would have been wiped off the books. If we pass the Brewer bill now, the total will be six years of wasted effort. We have come a long ways in these six years. I do not believe that it would be wise to turn back now and start all over again on a strange and different road. I would like to support the motion of the gentleman from Hodgdon, Mr. Williams.

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

Mr. COUTURE: Mr. Speaker pro tem and Ladies and Gentlemen of the ninety-eighth Legislature: I rise to support the motion of the gentleman from Caribou, Mr. Brewer. L. D. 1023 is very much needed to provide clean waters in Maine. We have spent too much time doing too little in this matter of water pollution. I don't believe any hardships will be imposed on anyone by this legislation. It means that we will have to remove the dirt instead of literally sweeping it under our carpet. I feel that in the best interests of the State of Maine and its people, we should have this measure on our Statutes. It will eliminate a possible health hazard, industry will be attracted to Maine, municipalities will have a good clean water source, and last but not least, new recreation areas will be opened. For these reasons, I hope the motion of the gentleman from Caribou, Mr. Brewer, will prevail.

The SPEAKER pro tem: The Chair recognizes the gentleman from Sherman, Mr. Storm.

Mr. STORM: Mr. Speaker, one thing which has turned me against the Bill under discussion is the bitter criticism and the misinterpretation of motives which are heaped upon anyone who disagrees with the proponents. The proponents seem to regard themselves as holy men. Their opponents are labeled as devils.

Another thing which displeases me is the disparaging of Maine in comparison with other states.

The most recent attempt to influence us by means of out-of-state material, which does not even remotely apply to Maine, is the copy of the Drew Pearson newspaper article, mailed to us by the sponsor of L. D. 1023 with the suggestion that, quote: "You may draw your own conclusions."

Well, if Mr. Pearson's comments are true, then the conclusion I draw is that the Industrial Lobby in Maine is certainly very much different from that in Washington, and for three very good reasons:

One, two years ago, as members who were here then will recall, the Maine Industrial Lobby actively supported additional funds for the Maine Water Improvement Commission, which were required to speed up classification of our Maine streams.

Two, the Maine Industrial Lobby is actively supporting our present system of water pollution abatement, which affects both municipalities and industries, and it has done so ever since the system went into effect.

Three, the Maine Industrial Lobby actively approves of legislative documents numbered 353, 354 and 355, which would provide one hundred thousand dollars for technical assistance and eight hundred and thirty-six thousand dollars to help in construction of municipal sewage systems during the next two years. Associated Industries of Maine, in fact, was a proponent of these measures before the Committee on Appropriations, a few weeks ago.

And so I would say that the gentleman from Caribou, Mr. Brewer, has no doubt unintentionally, but nevertheless vividly, pointed up the wide difference between the lobby in Washington, as described by Drew Pearson, and the Maine Industrial Lobby.

Personally, I think that Maine is just about the best state in the Union. I think that Maine people are tops. I'm tired of hearing so much unjust criticism of them.

And I'm going to vote my disapproval of these continuous, unfounded and disparaging comparisons of Maine and Maine people with Pennsylvania, Washington, or any other place. Thank you.

The SPEAKER pro tem: The Chair recognizes the gentleman from Topsham, Mr. Jack.

Mr. JACK: Mr. Speaker and Ladies and Gentleman of the House: I have heard considerable about the clean-up of the waters in the State of Maine. I live near the Androscoggin River. The acrid fumes from the Androscoggin River in the summertime—I have seen houses that were a half a mile away from the Androscoggin turn from white to a dull gray. The Androscoggin River and the Kennebec River run into Merrymeeting Bay. Merrymeeting Bay has thousands of acres of beautiful sand bars where people could bathe and enjoy their water, which now is absolutely nothing but filth. You put an oar down in the mud section of Merrymeeting Bay, it will take your breath away from you. It is too bad that we can't get along and start something in the right way, and I certainly want to go along with the gentleman from Caribou, Mr. Brewer, on this subject.

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

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen: I have been a member of this Legislature, this is the third time, and every time we hash something over, but we never have made a start. I have sat here and listened to what they do under the classification and how we have gone ahead with ninety per cent classification. Well what does ninety per cent of classification mean if we just say this is a bad point so we are going to classify this river as a bad point. So we classify it. What does that do? It hasn't helped the thing out any. As far as improvements are concerned in our area, there has been nothing, classification or no classification whatsoever, and I will tell the gentleman from Topsham, Mr. Jack, he lives close to the Androscoggin, I live twelve miles away from it and when the wind blows from the south I get a real good whiff of that too. Now something can be done. Now as I understand this bill it would just simply make a start, we really are going to make a start. Are we going to be satisfied with this filth all our lives? Now Canada, way up here to the north of us,

they have industry coming in, they don't allow their steams polluted. Still they go there and yet they tell us "Oh if we try to clean this thing up everybody will get up and leave." Horsefeathers! I would like to see something done about this thing, and if this Brewer bill is a start, and I believe it is, I think we should go along with it. At least get started somewhere. Now Merrymeeting Bay, as the gentleman from Topsham, Mr. Jack, spoke about, I asked some people around there, some of the old fellows what that was, whether it was really polluted, and they said there used to be from fifty to a hundred people employed around there in fifteen different things where there are none now because there are no fish, they couldn't live there. I hope that the motion of the gentleman from Caribou, Mr. Brewer, does prevail.

The SPEAKER pro tem: The Chair recognizes the gentleman from Chelsea, Mr. Allen.

Mr. ALLEN: Mr. Speaker and Members of the House: There is no question but many industries would be hurt by this bill, but right now I am not primarily interested in industries. I represent three small towns and as a former Selectman of the Town, I must go along with the Maine Municipal Association which has taken a stand against this bill. Now there are many phases of the bill that are bad as far as home rule goes and as far as small towns go. I opposed this bill — a similar bill two years ago on the same ground. Now this commission, if this bill should pass as I understand it, would be pretty powerful, it would be too powerful. For instance, if a town should happen to have a little surplus money, the commission not by vote of the town the commission could dictate that that municipality shall spend it for abatement, and if they don't have any surplus money it says they don't go on the town. Now that isn't a democratic way of government. Our towns we know are faced with huge problems of building school buildings right now and many of us are bonding our towns to build these new school buildings, and we do it through the rightful method of taking it before the people and letting them vote as to whether or

not they want to bond the town and build the schools. This method if they didn't want it, the commission could go ahead and tell them to do it just the same, and even sets up an appeal under Section 35 on Page 12, but the appeal to the Court is not entirely conclusive, it would be only prima facie evidence of the correctness thereof, and the whole bill to me is a whole new approach to government by the people. Therefore, I would like to go along with the thinking of some of the previous speakers to indefinitely postpone this bill.

The SPEAKER pro tem: The Chair recognizes the gentleman from York, Mr. Hancock.

Mr. HANCOCK: Mr. Speaker, with regard to the remarks of the gentleman from Sherman, Mr. Storm, and the lobbying of this legislation or similar legislation in Washington, and in Maine, I would like to remind some of the House Members here that they received a questionnaire about a year ago from the Maine Fish and Game Association with regard to pollution and some other matters, and at the end of the questionnaire the statement: "Your failure to answer this questionnaire before May 10 will signify to the Association that you are not in sympathy with our objectives and you will be so classified in our publicity." Now if that is not a threatening type of lobbying, I don't believe I have ever heard of it. It took me about one half a second to throw it in the wastebasket, but it did relate to this particular subject, this may not be germane to the bill as such except that what some pressuring and lobbying groups will do in order to push forth such legislation.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Kittery, Mrs. Burnham.

Mrs. BURNHAM: Mr. Speaker and Members of the House: I have just a few sentences I would like to say in support of the bill of the gentleman from Caribou, Mr. Brewer. I think there is one point that has not been touched on. Before I say that though, I would like to say I think the classification has worked beautifully and accomplished possibly its object. We are getting our streams classified but that is not

taking us far enough. Any industry at present operating in the State can, by a simple process of maintaining the status quo of their operations, prevent further industries coming in to the State of Maine, because our law—water is so bad in so many instances—in the rivers that they have mentioned, that no further pollution can exist. I think that reason alone should help us to support the bill of the gentleman from Caribou, Mr. Brewer, with a view of bringing new industries, having them able to come into the State.

And another point that I would like to mention, the gentleman from Chelsea, Mr. Allen, brought out. He was very much disturbed at the prospect of not being—of taking away some home rule. That point possibly had occurred to me, but it also occurs to me that in considering any other commission that this legislature may appoint, and particularly in view of the second possibly most important bill to come before this session, the education bill, so the same objections to home rule in the Water Improvement Commission bill would apply to your education bill. Please consider that when you vote.

Mr. RANKIN: Mr. Speaker?

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

Mr. RANKIN: For the same purpose the others have, to speak.

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

Mr. RANKIN: Mr. Speaker and Members of the 98th Legislature: My constituents are in favor of clean water. I come from a coastal district, and my district, like many other districts in the State of Maine wants clean water to support the biggest industry in the State of Maine, an industry which isn't measured in thousands or tens or hundreds of thousands of dollars, but is measured in terms of a quarter of a billion dollars, our vacation industry. And the people who come here to give us the shot in the arm, the financial shot that we need each summer, would like to have clean water in which to swim, in which to use their boats and in which to fish. Therefore, I support the motion of the gentleman from Caribou, Mr. Brewer.

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

Mr. JALBERT: Mr. Speaker and Members of the House: First, I would like to thank the gentleman from Lewiston, Mr. Cote, for the order, and thank the Members for wishing me a happy birthday. It feels great to be twenty-nine.

I have never used the phrase in six terms as a Member: "I did not intend to rise on this particular motion or debate." The last gentleman forces me to my feet. I think I am qualified to state that I am closely an adopted son to his area. I am qualified to state also that on many, many occasions I have arisen and supported legislation that would help his area and his industry. I come from an area, the Androscoggin river has been mentioned, it is right at the bed of it, the City of Lewiston. I answered the questionnaire that the Fish and Game Association sent out. I informed them that I was for the cleaning up of our waters. I would like this membership to understand fully, however, that I would like to have it done on a gradual basis. In that I'm for clean waters, I'm certainly willing to tolerate a little bad odor at times during the summer months in my area, particularly when I cross over from my city into the good city of Auburn and see the lights on in our mills. However, at the present time one of our mills recently curtailed, another mill shut down, another mill recently, temporarily I hope, is on a three-day operation. We have an industrial director who is working night and day with the cooperation of the Maine Department of Industry and Commerce, or the new Department of Economic Industry, to bring industry to our area, not necessarily just to Lewiston, although being a native of Lewiston, naturally one would lean toward his home city, but to our area. We are starting to have an industrial school in our area.

Over the weekend I was out of the state and by pure accident I ran into this gentleman and he consulted with me pertaining to these particular measures that were before the House. I informed him that one, in my opinion, was somewhat drastic, the Brewer Bill, and

in passing, I might commend the gentleman from Caribou, Mr. Brewer, for his arduous work pertaining to this measure. I also informed him that we had another bill called the Clean Waters Act, presented by the gentleman from Bethel, Mr. Saunders, and that was the bill that I have supported. I am not here to make a William James Bryant address, but I will submit to you people that by the passage of this bill, in my opinion, is somewhat drastic, it might well be that we would not get the new industry that Mrs. Burnham speaks about.

There are many others on the Committee who are authorities concerning this problem, both pro and con. I listened during the Committee hearings. I listened part the time that I attended the executive sessions. After listening to both arguments, it appears to me that the proponents and the opponents, at least the proponents of the Saunders Bill and those who would go along "Ought not to pass" on both bills, apparently have gotten together and come up with the answer in so far as the report is concerned. We are not only fighting desperately for our lives at home in so far as temporary lay-offs or shut-downs are concerned, we are fighting Japanese imports, we are fighting fuel costs and labor costs as against the south. And I think that anyone within my area would second my remarks. And that is the reason why I signed the report "Ought not to pass" on the Brewer Bill, and signed the report "Ought to pass" on the Saunders Bill, because I thought that possibly, and I may be wrong, that in my opinion and those people who are interested and speak to me both pro and con, and I have not had since I have answered that questionnaire, one word of any member of the Fish and Game Association and I have presented legislation, fish legislation for them, and they would have had an opportunity to speak to me. We are in bad face at home, and possibly this piece of legislation might harm us where I feel the other piece, the Saunders Bill, will not.

If the motion has not been made, I will now move the indefinite postponement of both reports and the accompanying papers, and when the

vote is taken, I move it be taken by division.

The SPEAKER pro tem: The question now before the House is the motion of the gentleman from Lewiston, Mr. Jalbert, requesting the indefinite postponement of both reports.

The Chair now recognizes the gentleman from Caribou, Mr. Brewer.

Mr. BREWER: Mr. Speaker, Ladies and Gentlemen of the House: I would like to speak briefly on rebuttal. I could stand here most of the day and quote instances all over the State where it has cost us money for not having decent pollution measures. And I rise to my feet at this time instead of waiting until perhaps some other proponents have spoken, because I wanted to reply to the last speaker, the gentleman from Lewiston, Mr. Jalbert. I took this out of the Lewiston Daily Sun Friday morning, May 3. "Several persons appeared before the Lewiston Board of Mayor and Aldermen last night to complain about the big stink created by the so-called Goss Pasture sewer. And they requested that the City remedy the situation by extending the present outlet to the Androscoggin River. Now, I ask you if that is a remedy. One of the members urged that the sewer be inclosed all the way to the Androscoggin River to prevent future sickness. Well now, you can't do that. You just can't do that and prevent future sickness. You might prevent it right there in that particular area, but you aren't doing anything when you just take it out of the pasture and funnel it down a little further.

Now, the Bill that I represent isn't going to clean that situation up over night, but it is going to go to the City of Lewiston and any of the towns that you people represent, and it is going to go in and talk with them and say, "When can you remedy the situation? What are your finances? Can you get aid from this group or another group? When can we look forward to seeing the situation remedied?" It may be six years, eight years, ten or fifteen years, but at least we will be starting in the right direction.

In rebuttal the gentleman from Chelsea, Mr. Allen, said the Com-

mission would be too powerful. The Commission would be composed of nine people from the State of Maine. They would be selected with wisdom. I don't believe that you are going to have nine irresponsible people elected to this commission. Two would be from industry, two would be from municipalities, two would be from conservation interests and two would be from the public at large, the ninth member would be the Commissioner of Health and Welfare, whoever he happened to be at that particular time. Now, those nine men with divergent interests aren't going to plan for the downfall or the destruction of the State of Maine in any way, shape or manner.

This also brings me to another point. I am certainly with the gentleman from Sherman, Mr. Storm, I believe sincerely that Maine is the finest state. If I didn't think so I wouldn't live here and I wouldn't educate my family here. I believe in the State of Maine, it is a fine state, and I want it to be better. You can't compare, comparisons are odious unless you compare apples with the same kinds of apples. A price tag that applies to the State of Pennsylvania doesn't apply to Maine and it is highly irrelevant at this time. Comparisons are not in order, we are interested in cleaning up our state, perhaps keeping up with the others or keeping pace, but the comparison is not an issue.

The gentleman from Lewiston, Mr. Jalbert, says that the mills are down. They are not down because of pollution measures, they are down because of labor conditions in the south and the other things that he mentioned. They can live with this pollution problem.

The gentleman from York, Mr. Hancock, mentions a questionnaire. Now, the questionnaire was sent out from one representative group, and it doesn't speak for all of the people, but it does point out that there is some interest, especially from that particular group. Maybe the rest of the people wouldn't have felt that way. Maybe it was too strong. I was certainly upset when I received it. However, I did answer it and I put a note at the bottom of it that I thought it

was in poor taste. I am not critical of them because perhaps I should be in the same situation. I was critical at the time and expressed my criticism, which is my right to do. But it does show you that there is interest in this and at a state-wide level.

I would like to reply to the gentleman from Camden, Mr. Libby. Mr. Libby suggested that perhaps we let the Committee do it. You will notice that item one, just previous after Orders here, the Committee was unanimous in that something should be done, and it was overthrown. So I don't think that we are going to hold right straight through to any committee report.

I just want to say that I know that the present measure, L. D. 1023, is good sound legislation for the State of Maine. I will tell briefly why I am opposing the classification system. It has been brought up by others. When the classification program was originated in the original bill, from our standpoint it wasn't good but better than nothing. The gentleman from Bethel, Mr. Saunders, had a charge to perform and he was enthused about the thing. The classification program developed from public hearings. I went to one in Aroostook County, and some of you may have gone to them in other sections of the State. Then we had legislative hearings for classification, then we had executive sessions of the Committee. And after all of these things, the expression of the people at home and in committee and in executive session, the Legislative Document which is under item number seven, has been practically rewritten by one individual who is not qualified or well enough informed for the task. I object to it. And that is why I also object to the indefinite postponement of this matter, and I certainly hope that the motion of the gentleman from Lewiston, Mr. Jalbert, does not prevail.

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

Mr. JALBERT: Mr. Speaker, I would like to answer in turn the gentleman from Caribou, Mr. Brewer, insofar as the sewerage system is concerned in Lewiston. Lewiston

at its own expense, not subsidized, no federal funds, no state money, is now spending some three hundred thousand dollars plus to correct their own situation, answer number one. Answer number two. In his remarks starting out in the first remarks he made, he makes the remark that the bill that he has now, presented two years ago, that he has now presented, was defeated by no more than twenty votes two years ago. I happen to have — for purposes of another measure — to have volume II of the last session, page 1701 on a roll call vote on that very measure, to kill the very measure that Mr. Brewer, the gentleman from Caribou, is sponsoring, eighty-two for, forty-two, with twenty-five absent. I just thought I would bring that to the attention of the membership.

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

Mr. WILLIAMS: Mr. Speaker and Members: Some of the previous speakers seem to take a dim view of the progress of cleaning up our waters. Now I heard a story a while ago that might apply here. A fellow went elephant hunting. For equipment, he took a pair of field glasses, a bottle and a pair of tweezers. When they asked him how he made it, he said: "Fine." He said: "I approached the elephant as close as may be, then I turned my field glasses around backwards, took the tweezers, picked him up and put him in the bottle." Now on the other hand, I don't think we want to turn our binoculars around the other way and make — enlarge our progress. What we need in my estimation is kind of a middle course. Now I believe we have a good law at present and why not keep it?

The SPEAKER pro tem: The Chair recognizes the gentleman from Caribou, Mr. Brewer.

Mr. BREWER: Mr. Speaker and Ladies and Gentlemen: I want to point that eighty-two and forty-two — if twenty people from the top number of eighty-two had voted, it would make it sixty-two — sixty-two, so that was my reason for saying that it was approximately twenty votes that would have made the difference. My arithmetic is scratchy.

The SPEAKER pro tem: The Chair recognizes the gentleman from Clinton, Mr. Besse.

Mr. BESSE: Mr. Speaker and Members of the House: Up to the present time the principle target for this program has been business. Now we are progressing down the rivers where the municipalities are involved, and there are many more votes involved in the municipalities than there are in business concerns. We have one good example just north of us, Waterville has spent some eight hundred thousand dollars trying to clean up Waterville, and they have only begun. It will take two or three million dollars more to do their job. We have an estimate that Augusta will require three and a half millions of dollars to clean their city up. Lewiston from seven to ten. Portland from fifteen to twenty-five. And in my small town we have already done a good part of the work and we have spent sixty thousand dollars. There are very few municipalities in the State who either have the money or credit to do this sort of thing. There is one municipality not too far from where I live that has voted twice on this clean-up of the domestic sewage. They turned it down once seven to one and once five to one. So if those things are left to the people to vote on, I don't think there is much question of what will happen. Bills before the legislature now propose to raise almost a million dollars for this sort of work. It is estimated if two million dollars a year is spent it will take twenty-nine or thirty years to do the job. We hear the statement often that no progress has been made, and I won't talk about industry because that has already been covered, but in this legislature now I think there are bills for seven sewerage districts. Now that is certainly a good beginning. They are not done by any means but at least it is a start. In order to clean up Maine the way we would like to have it cleaned up, everybody would like to have it cleaned up, it is going to take millions of dollars and many years to get the job done. Seems to me there is a fundamental question here that should be decided, whether we want industry or whether we will put up with some of the inconveniences that we have with in-

dustry or just what we are going to do about it. There are some in here already who make problems. We were told when the hearing was held by one industry that came into South Paris recently, that if they had known what they were coming up against, they never would have come. The way it turns out in their case, they thought they had a clean bill of health and in two years their stream is up for classification. Now no business is coming in here and spend money to build factories if they are going through this process every two years. I think it should be settled once and for all where we stand.

A week ago Sunday there was a piece in the Portland paper saying that one of the great needs of the State is venture capital. I think we will all agree that that is the case. I have seen two sets of figures recently, one is that it requires twelve thousand dollars to create a new job and another that it requires fourteen thousand. Now those are national averages I assume that might not be true in Maine, but it does take a lot of money, and I don't think people are coming in here and invest their money under the uncertain conditions that now prevail. At least it is poor judgment if they do. Now if these businesses who have waste problems are not wanted here, I think the Department of Development should be told so that they won't be going out trying to attract them here and only have another department of State Government trying to well, the only word I can think of is "harass", perhaps that isn't the best word, but at least make it difficult for them to operate. I think those things should be settled and I don't mean to say that there aren't industries that do not have waste problems that can be brought here, but certainly we should find out before they come and they should know before they come what the problem is going to be, and our Department of Development should be informed so that they won't be working at cross purposes with other departments. I think one of these bills will be passed, and I hope that the people who return here two years from now will see to it that if we are operating under the classification bill, that the same program has been followed and if it

is not followed they will see to it that the law is changed so that we can have something that we can work under.

The SPEAKER pro tem: The motion before the House is the motion of the gentleman from Lewiston, Mr. Jalbert, who moves the indefinite postponement of both Reports on Bill "An Act Providing for Clean Waters in Maine", House Paper 719, Legislative Document 1023, and all accompanying papers and who has requested a division. All those who favor the motion to indefinitely postpone both reports and accompanying papers please stand and remain standing until the monitors have made and returned the count.

A division of the House was had.

Ninety-five having voted in the affirmative and twenty-three having voted in the negative, the motion prevailed, the Reports were indefinitely postponed and sent up for concurrence.

The gentleman from Caribou, Mr. Brewer, was granted unanimous consent to address the House.

Mr. BREWER: Mr. Speaker and Ladies and Gentlemen of the House: I wish to thank those of you who went along with this bill, and I am not bitter. I am disappointed. I feel that it was a result of my ineloquence. And of course I am very disappointed to go home and face the gentleman from the other end of the corridor who had much rougher sledding than I did and did a lot better with the bill. I hope that between now and another session that education measures will be presented to you so that we can go ahead. Thank you for your indulgence. (Applause)

Thereupon, on motion of Mr. Totman of Bangor, the House recessed until two o'clock in the afternoon.

After Recess
2:00 P. M.

Speaker Edgar assumed the Chair and called the House to order.

The SPEAKER: The Chair would first like to take this opportunity to thank the gentleman from Auburn, Mr. Walker, for his excellent services this morning as Speaker pro tem.

The SPEAKER: The Chair would like to take a moment at this time to make a very few brief remarks. It has become apparent that this House has reached the stage where debate is apt to be long and sometimes rather spirited, and it has also become rather obvious that some of us are prone to overlook a few of the, what appear to be small parliamentary procedures but which are specifically designed to answer certain purposes. As you know, the Bible and guide post of this House is Reed's rules of order, and one of the two, in particular, parliamentary points that the Chair has in mind in bringing up this subject is the failure of many Members of the House, when referring to another member of the House, to refer to him as the gentleman from such and such, Mr. so and so. All too often has the Member been referred to by name, which is in complete contrariness to the rules laid down in Reed's rules of order. Now that may seem like a trivial thing, but it has a very definite purpose and this House is now at the stage where that purpose will be brought into play.

The second point that the Chair has in mind is the — are the frequent references to the body at the other end of the hall by name, either in connection with referring to some action taken by that body or in a pseudo-critical way. I would just like to take a moment to read from Reed's rules of orders and ask that you guide yourselves accordingly in the future. As debates become more spirited and tempers and nerves become a little bit frayed, the section that I'm about to read from Reed's rules of order or the reason for it, will become rather obvious, I quote: "As the interchange of views in debate necessarily involves criticism of the views presented, and as criticism of views is likely to pass into criticism of the author, a debate may degenerate into a dispute, and the object of debate be entirely lost sight of. To avoid this, and to render discussion an appeal to reason and sentiment, and not an appeal to personal passion, there are many parliamentary devices. Among them is the requirement that the member shall never address anyone but the pre-

siding officer. He must not allude to any member by name, but by some descriptive expression, like 'the gentleman who last addressed this body,' 'the gentleman from Portland,' 'the noble and learned lord,' 'the gallant gentleman, the member from Bangor.' Such expressions import respect, and are in themselves a great restraint."

Now, if any of you are engaged or become engaged in a spirited and heated debate with any other member of the House, and if you begin to feel, shall I say a bit irritated and he feels the same way, it is obviously a psychological counter-irritant to dignifiedly and good-naturedly refer to your opponent as the gentleman from such and such, Mr. so and so, rather than refer to "him", or "Mr. so and so" in an irritated manner. The time will come and is very near us when we will have to use all the diplomatic and tactful devices at our command, and for that reason the Chair urges you that in the future when referring to another member of the House, that you refer to him in the proper manner.

As far as the branch at the other end of the corridor is concerned, I will read this paragraph from Reed and let it suffice: "It is not permissible to allude to the action of the other house of a legislature, or to refer to a debate there. Such conduct might lead to misunderstanding and ill-will between two bodies which must cooperate in order to properly serve the people. So, also, the action of the other body should not be referred to, to influence the body the member is addressing." The Chair merely serves notice that from now on we are going to be more meticulous in the observance of parliamentary procedure and I can assure you that it is all done with good reason and with good intent.

Divided Report

Majority Report of the Committee on Natural Resources on Bill "An Act Classifying Certain Surface Waters in Maine" (H. P. 922) (L. D. 1311) reporting same in a new draft (H. P. 1085) (L. D. 1562) under same title and that it "Ought to pass"

Report was signed by the following members:

Messrs. BUTLER of Franklin
FERGUSON of Oxford
FARLEY of York
— of the Senate.

Mrs. BURNHAM of Kittery
Messrs. SAUNDERS of Bethel
MORRILL of Harrison
WILLIAMS of Hodgdon
HEALD of Union
JALBERT of Lewiston
— of the House.

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

Report was signed by the following member:

Mr. BREWER of Caribou
— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Bethel, Mr. Saunders.

Mr. SAUNDERS: Mr. Speaker, in presenting L. D. 1562 "An Act Classifying Certain Surface Waters in Maine," I feel very much like a lamb that has been led to slaughter but somehow has escaped the slaughterhouse. This is a new draft of L. D. 1311, and certainly does not employ many of the recommendations found in the original draft.

First, I believe it is essential that each of you should know how the decisions for the new draft were derived. As you all know, the Natural Resources Committee held hearings for many days. After the hearings were held, an executive session was held, and no decision at that time was reached. Later several members of the Committee, feeling that it was necessary to redraft in some way so as to do away with some of the most serious objections, met for several days with the Water Improvement Commission. This seemed to be a very logical approach and we felt that we were really coming up with a draft that would please a large majority of our constituents. However, at the next executive session, further setbacks were incurred. Not only were most recommendations that were objectionable to industry and municipalities thrown out, but also many others, just because some members

of the committee did not feel it was necessary to upgrade a stream for the protection of further pollution, were also thrown out.

I would remind all of you that the Water Improvement Commission is being paid by you to bring in these recommendations, and if we fail to heed, then we are wasting their time, their efforts and a considerable amount of money.

The Water Improvement Commission has four members who represent industry and municipalities among them. One of these represents a large paper interest. Another comes from the largest city in the State of Maine. These people certainly are not trying to penalize industry or towns and cities. They are earnestly trying to do what they believe is for the best interests of the State as a whole and to comply with the law that is already on our books. It has been stated that these recommendations must have costs, methods, and time limits submitted. But ladies and gentlemen, this legislature has the right to classify any stream or river in any class it so desires and is perfectly within its own rights.

Several communities and cities have either started or are surveying for sewerage disposal plants. They are not going to do it in one year or two years. It takes time and it takes a lot of money, but at least it is heartening to know that some realize the importance of a healthy stream condition.

When the Water Improvement Commission was asked what they considered a fair time for a town or an industry to eventually clean up, they replied approximately ten years. Realizing that education in this State is a must, and that many communities are burdened by this recent bill, we cannot force these issues immediately. However, it is necessary to start planning in order to eventually reach a goal.

We all know how important our streams and rivers are for industry and also how necessary our drinking water is. There are several instances where the Water Improvement Commission made recommendations to protect the water supply of several towns. However, these were disregarded in the new draft even though in some cases it did

not mean too large an investment to those concerned.

One case which I believe all of you should know is in the northern part of our state. Here a TB sanatorium empties its sewerage into the upper branches of a city's water supply. It is true that this water is chlorinated before drinking. However, it is possible for these germs to still exist from this amount of chlorination. Ladies and gentlemen, I submit to you, would you want to drink that water?

In conclusion, there are many disturbing conditions throughout the state which could be pointed out. I will, no doubt, be criticized for having the audacity to bring to light this deplorable condition, but I am not concerned with that. If I have convinced only a few of you legislative members how acutely our pollution problem is. Because of this and because the original draft was so completely changed, I now move to substitute the original draft 1311 for the Committee Report.

The SPEAKER: The motion before the House is the motion of the gentleman from Bethel, Mr. Saunders, that the original bill, L. D. 1311, be substituted for the Committee Report which reported majority "Ought to pass" in new draft.

The Chair recognizes the gentleman from Union, Mr. Heald.

Mr. HEALD: Mr. Speaker, this is a complete surprise to me as a Member of the Committee. I thought I was in on all of it. I was partly responsible for the redraft. We redrafted the bill and I thought it was designed as a, what you might call a middle-of-the-river program. We tried to upgrade every stream we could where people wouldn't be hurt too much and where we thought that industry would get hurt and where we got considerable amount of objections, we didn't upgrade. We just went to work with an air of designing a bill with the idea of doing the best we could for the most people and of keeping in the backs of our minds all the time. I am a little confused and I don't know just what to do, but I would like to see this bill go through the way that the Natural Resources Committee, the majority Report has it, the bill was just here

Report has it, the bill was just here presented to you as Item seven, I would like to see the bill go through in that form and I am very much afraid that if it's tampered with too much that it won't go through at all and that we'll end up with nothing.

The SPEAKER: The motion before the House is the motion of the gentleman from Bethel, Mr. Saunders, that the original bill, L. D. 1311 be substituted for both reports. The Chair recognizes the gentleman from Caribou, Mr. Brewer.

Mr. BREWER: Mr. Speaker, Ladies and Gentlemen of the House: I arise in support of the motion of the gentleman from Bethel, Mr. Saunders. I move that Legislative Document 1311 be substituted at this time.

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

Mr. FULLER: Mr. Speaker, I just want to make an inquiry through the Chair if I might. Is Legislative Document 1311 before us? The Report is that the bill "Ought to pass" in new draft. There is some question in my mind whether or not L. D. 1311 is before us.

The SPEAKER: The Chair will rule that 1311 is before us, and if the House so wishes may be substituted for either report. The Chair recognizes the gentleman from Hodgdon, Mr. Williams.

Mr. WILLIAMS: Mr. Speaker and Members: I would like to point out that I have no objection at all to having the House vote on this, but if this should fail, then I would like the privilege of putting the new draft before the House if this motion should fail.

The SPEAKER: The gentleman may do so at the proper time if the present motion does not prevail. The question before the House is the motion of the gentleman from Bethel, Mr. Saunders, that the original bill, L. D. 1311 be substituted for both reports. The Chair recognizes the gentleman from Portland, Mr. Tevanian.

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

The SPEAKER: The gentleman from Portland, Mr. Tevanian, requests a division. The Chair recognizes the gentleman from Chelsea, Mr. Allen.

Mr. ALLEN: Mr. Speaker and Members of the House: This is kind of a surprise to me, and this first bill, L. D. 1311 might be just a little bit rugged to swallow here all at once. I don't know just what effect it is going to have on two streams in my town. It doesn't look good at least. I move that in regard to L. D. 1311, that particular bill be indefinitely postponed.

The SPEAKER: The Chair is advised that the motion of the gentleman from Chelsea, Mr. Allen, is out of order at this time because that bill has not yet been substituted for either report. The motion to indefinitely postpone at this time must apply to both reports. The Chair understands that the gentleman from Chelsea, Mr. Allen, withdraws his motion. The question before the House is that the original bill, L. D. 1311 be substituted for both reports and the gentleman from Portland, Mr. Tevanian, has requested a division. Is the House ready for the question?

Will all those who favor substituting the original bill, L. D. 1311 for both reports please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Thirty-nine having voted in the affirmative and eighty-four having voted in the negative, the motion did not prevail.

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

Mr. WILLIAMS: Mr. Speaker and Members: I would now move to accept the Majority Report of the Committee on 1562, and I would like to speak to that motion.

The SPEAKER: The gentleman may proceed.

Mr. WILLIAMS: The Natural Resources Committee did a tremendous lot of work on this Bill, and it has a lot of merit. After all there is a lot of water in the State of Maine, and this Bill will classify the major part of it. And another thing under the classification it carries the water down to that particular classification and at least it doesn't let it get any worse.

Now, in this Bill, we spent hours and hours going over it, and as far as we know we ironed maybe not all the bugs out of it, but at

least most of them. I am willing to admit that there are some cases where the water, even the natural water with no man made pollution in it, is classified down pretty well owing to the amount of coloring matter. We started at one time to raise that up, and then we figured that somebody, perhaps the State of Maine, would have to spend a lot of money to raise that classification by putting stuff in some of these swamps and ponds, that this coloring matter comes out, so we left that alone. In some cases we figured that some of this ought to be raised on account of protecting the water supply of different communities. We did our best to raise that up, and I think we did raise it in numerous cases but there were other cases similar to what my friend the gentleman from Bethel, Mr. Saunders, mentioned, that we didn't. They seemed to be things that we couldn't accomplish without too much, probably, cost to the community. There are some of them, under the present knowledge of chemistry, probably some that we couldn't fix. We tried to not make any hardship on any of the towns or hardship on any industry, and still we figure if this passed we would accomplish a lot for clean waters in the State of Maine. Therefore, I move that the Majority Report be accepted.

The SPEAKER: The question before the House is the motion of the gentleman from Hodgdon, Mr. Williams, that the House accept the Majority "Ought to pass" in new draft Report on Bill "An Act Classifying Certain Surface Waters in Maine", House Paper 1085, Legislative Document 1562.

The motion prevailed and the New Draft was given its first and second readings and assigned for third reading tomorrow.

Divided Report Tabled and Assigned

Majority Report of the Committee on State Government on Bill "An Act relating to Milk Commission Membership" (H. P. 331) (L. D. 416) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Mr. LESSARD of Androscoggin
— of the Senate.

Messrs. CHILDS of Portland
ROSS of Bath
WALSH of Brunswick
TOTMAN of Bangor
ELWELL of Brooks
— of the House.

Minority Report of same Committee on same Bill reporting "Ought to pass" as amended by Committee Amendment "B" submitted therewith.

Report was signed by the following members:

Messrs. ROGERSON of Aroostook
PIKE of Oxford
— of the Senate.

Messrs. BRAGDON of Perham
WADE of Auburn
— of the House.

In the House:

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

Mr. CHILDS: Mr. Speaker, I move that this matter lay upon the table, and under suspension of the rules I move that it be made a special order of the day for Friday, May 10.

The SPEAKER: The motion before the House is the motion of the gentleman from Portland, Mr. Childs, that with regard to item number eight, Bill "An Act relating to Milk Commission Membership", House Paper 331, Legislative Document 416, this matter be made a special order of the day on Friday, May 10. This must be done by unanimous consent.

Is there objection? The Chair hears none, it is so ordered.

The SPEAKER: For what purpose does the gentleman arise?

Mr. QUINN: For a point of information. I notice on that item we just acted upon, item eight, the first two amendments, Committee Amendment "A" has filing number 336. Amendment "B". Do they have a filing number?

The SPEAKER: The Clerk will read the filing numbers.

The CLERK: Committee Amendment "A" has filing number 336. Committee Amendment "B" has filing number 337.

Divided Report

Majority Report of the Committee on Welfare reporting "Ought not to pass" on Bill "An Act Repealing Relative Responsibility in Old Age Assistance, Aid to the Blind and Aid to the Disabled" (H. P. 648) (L. D. 914)

Report was signed by the following members:

Messrs. REED of Aroostook
BOUCHER of Androscoggin
— of the Senate.

Messrs. COLE of Sumner
LATNO of Old Town
STORM of Sherman
Mrs. HATCH of Minot
Messrs. SANBORN of Baldwin
RANCOURT of Lewiston
— of the House.

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

Report was signed by the following member:

Mr. BABINEAU of Brunswick
— of the House.

In the House:

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

Mr. ROWE: Mr. Speaker, there is not one among us who does not profess to believe in meeting the needs of the aged, the blind and the disabled. Too often this is a biennial sport among aspirants for public office when they huckster a vote among the indigent groups. However, I am sure that the greater majority of the House here are sincere in their promises to meet these needs. Therefore, Mr. Speaker, I move the acceptance of the Minority Report.

The SPEAKER: The motion before the House is the motion of the gentleman from Madawaska, Mr. Rowe, that the House accept the Minority "Ought to pass" Report. Is this the pleasure of the House?

Will those who favor the motion to accept the Minority "Ought to pass" Report—

The Chair recognizes the same gentleman.

Mr. ROWE: Mr. Speaker, at the risk of incurring the wrath of my fellow members of the House, I am going to ask for a vote by the yeas and the nays.

The SPEAKER: The gentleman from Madawaska, Mr. Rowe, has requested a roll call vote. Will those who desire the roll call vote please rise and remain standing until the monitors have made and returned the count.

The SPEAKER: One hundred and twenty-nine members being present and nineteen being in favor of the roll call vote the roll call is denied.

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

Mr. ROWE: I request a division on the vote then.

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

Mr. CHILDS: Mr. Speaker, I wonder if some member of the Committee who signed the Majority Report would stand up and tell us what this is all about.

The SPEAKER: The gentleman from Portland, Mr. Childs, requests through the Chair that any member of the Committee on Welfare who favored the Majority Report explain the matter to the House. Any member of that Committee may do so.

The Chair recognizes the gentleman from Sumner, Mr. Cole.

Mr. COLE: Mr. Speaker, this Bill here in fact eliminates everybody from any assistance of their parents or of the children. And it went into a lot of money, and I think it lacked just one of being a unanimous report "Ought not to pass". And it would cost in the neighborhood, the State's share, approximately \$2,000,000. And if this old age assistance citizenship requirements bill goes through, I think we have that in here somewhere, that is another between \$30,000 to \$36,000 to be added to that. And that was the reason for us, of course we would all like to do something, but it is quite a price tag to that at this present time. And that was the sole reason for me, and I can speak for some of the others on the Committee, for signing the "Ought not to pass" Report, because the State just couldn't stand the burden of it. Thank you.

The SPEAKER: The Chair recognizes the gentlewoman from Presque Isle, Mrs. Christie.

Mrs. CHRISTIE: Mr. Speaker and Members of the House: I have always felt that the members of a

family should feel a responsibility for those who are unable to take care of themselves. I feel that if there is any possibility that those members can help to support these indigent people or others who are unable to support themselves, that that should be done, and I am opposed to a bill which would relieve people of that responsibility. Thank you.

The SPEAKER: The Chair must remind the gentleman from Madawaska that he has already spoken twice to the motion and must have consent of the House in order to speak further. Does the gentleman wish consent?

Mr. ROWE: I merely rise to correct two points of misinformation.

The SPEAKER: The gentleman must have consent of the House. Does the gentleman wish consent? Will those who favor permitting the gentleman from Madawaska, Mr. Rowe, to speak further to his motion please say aye, those opposed, no.

Mr. Rowe of Madawaska was granted the consent of the House to speak further on a viva voce vote.

Mr. ROWE: The two points of misinformation that these were the reasons supplied by the Committee, why they voted against the bill, then their reasons are non-existent. Reason number one they supplied is that this bill abolishes legal responsibility between children and their parents and vice versa, which is untrue. The bill provides the elimination of relative responsibility merely as a qualifying part for old age assistance in the other two categories combined. Secondly, on the point of cost on the bill, the bill does not cost two million dollars. The cost of the bill to the state is one million one hundred thousand dollars and will cover four thousand four hundred people in the state, whose needs today are not being met. Finally, I went over this before the Committee and I think it probably bears being brought out again. I, number one, believe in relative responsibility. I believe in the responsibility of the children to support parents. I also believe in the responsibility of parents to support their children. This bill does not eliminate the natural order of things. What it does do, however, it does

provide those parents and those people whose children are not meeting those responsibilities to qualify for old age assistance. As I believe in relative responsibility, the responsibility of children to support their parents, I also believe in the responsibility of the parents to educate their children. But in the particular field of education, in order to make education work for our children to supply them with the opportunity of freeing their mind from ignorance, we choose, although still at the same time, we believe it is the obligation of parents to educate their children, we choose quite another practical instrument to implement that obligation of parent to child, and I say that this kind of bill here is a true analogy between the kind of thing that is going on in public education. We make it possible for children, regardless of whether their parents are making any kind of tax contribution to the community, regardless of their financial status or the income received, we make it possible for that child to receive an education and we do not penalize them. However, when we move over into the area of welfare, we are still dealing with feudal and serfdom concepts. We have a law that is designed now, that although the children of parents are able to support them, but are unwilling to support them, we consequently penalize the parents and these indigent folks.

I don't know how you members of the House here, how you answer these kind of problems, I simply know that there are four thousand four hundred people in this State here who would be covered by this bill if it became law, who are presently uncovered, who are living on a subsistent income, an income of less than \$65 a month. It is your judgement and your conscience, I have to live with mine, you live with yours. Thank you for your indulgence.

The SPEAKER: The Chair recognizes the gentleman from Sherman, Mr. Storm.

Mr. STORM: Mr. Speaker and Members of the House: I am one of the members of that Committee who signed the Majority Report. I believe the members of that Committee are sympathetic to the unfortu-

nate people in this State as are any members of this Legislature. I don't think we were playing politics in any way, shape or form in the stand that we took.

We discussed this matter very fully in the Committee, we discussed it with the heads of the Department of Welfare, and we got the best advice that we were able to get from them as to the possible price tag connected with it. We were very sympathetic with the purpose of the bill, but we just couldn't see passing this on to the State of Maine at the present time under present conditions. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Old Orchard Beach, Mr. Plante.

Mr. PLANTE: Mr. Speaker, the gentleman from Madawaska, Mr. Rowe, is not calling for sympathy but for action. I stand to be corrected, but would I be out of order if in view of his fine explanation if I requested another roll call?

The SPEAKER: The gentleman may request another roll call if he so wishes.

Mr. PLANTE: I do.

The SPEAKER: The gentleman from Old Orchard Beach, Mr. Plante, has requested a roll call vote.

For what purpose does the gentleman from Portland arise?

Mrs. HENDRICKS: I would like to comment on this.

The SPEAKER: The gentlewoman may proceed.

Mrs. HENDRICKS: Mr. Speaker, I hope that everybody will go along with the roll call vote because I think this is one of the most important things that is coming up before us in this Legislature.

The SPEAKER: The Chair must remind the gentlewoman that the request for a roll call is not debatable.

Will those who desire a roll call vote please rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

The SPEAKER: One hundred and thirty-three members being present and twenty-eight having expressed their desire for the roll call vote, the roll call vote is ordered.

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

Mr. CHILDS: Mr. Speaker, through the Chair I would like to inquire of the gentleman from Madawaska, Mr. Rowe, if this Bill was in the Governor's supplemental budget?

The SPEAKER: The gentleman from Portland, Mr. Childs, asks a question through the Chair of the gentleman from Madawaska, Mr. Rowe, who may answer if he so chooses.

Mr. ROWE: Perhaps I should say, but I won't say that I am quite unimpressed by the remark. The cost of the Bill is \$1,100,000. It will return to the State two and a quarter million dollars in matching Federal funds, that is an investment return of two to one.

The SPEAKER: The gentleman must confine his remarks in answer to the question, please.

Mr. ROWE: There is a tax bill which is filed and will be made palatable to our members of the House here Thursday by three amendments. The answer is no, if you vote for this Bill you must vote for the money bill.

Mr. CHILDS: May I now inquire what the money bill is?

The SPEAKER: The gentleman from Portland, Mr. Childs, addresses another question through the Chair to the gentleman from Madawaska, Mr. Rowe, who may answer if he so chooses.

Mr. ROWE: The Bill which is tabled and comes off the table Thursday, has three amendments to it, and I will announce the bill by saying that I will preface it by these remarks that these three amendments I am sure will generally make the bill palatable to the House Members here and the communities that they represent. I hope so.

The SPEAKER: The Chair recognizes the gentleman from Chelsea, Mr. Allen.

Mr. ALLEN: Mr. Speaker and Members of the House: I was about to rise in support of the motion of the gentleman from Madawaska, Mr. Rowe, but if I have to support a severance tax that is going to change my thinking entirely on that. I was going to support his bill because our law does state that children are responsible, however, if the children don't come through and

support their parents properly, that is O. K. there is no penalty for it. And in my community we have just a case like that. The mother would like to receive old age assistance. The child is able to contribute something toward her support. And the mother will have nothing brought upon that child whatever, no action against him. And that is the case of mothers all over the State of Maine. The parents will not impose upon their children, however some children will support their parents willfully.

I am in favor of relative responsibility but in the case like this where it works a hardship I certainly think that the law should be changed and do just what this bill proposes to do. But I am wondering, on the other hand, if this was a highway measure before us, and we were about to lose some matching funds, some Federal funds, we would have a few caucuses and quite a bit to say about it. We wouldn't want to lose any matching funds if it was a million or two million dollars for highway. And yet here we have something that would help out the business in the State as a whole and it received pretty rough treatment and not too carefully considered voting on it.

I would like to support this and believe that there could be money enough obtained out of the new sales tax to dig up that \$1,100,000 to match probably \$2,000,000 of government money. I therefore would support the motion but I will have to go against the bill that is raising the money for it.

The SPEAKER: The Chair recognizes the gentleman from Baldwin, Mr. Sanborn.

Mr. SANBORN: Mr. Speaker, Members of the House: I was a signer of the bill "Ought not to pass." We felt that there are about forty-four hundred parents that were supported by their children who are financially able to do so. We thought that if they were financially able to do so that they should. Now, all those who do not have children who are financially able to take care of them are being taken care of by the State at the present time.

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

Mr. CHILDs: Mr. Speaker, I only arise for one purpose. The gentleman from Madawaska, Mr. Rowe, when I asked him my question made the remark that he was not impressed by my question. I can assure him I had no ulterior motive. I only wanted to know if we are going to pass a bill which is going to cost over a million dollars, I wanted to know if it was taken care of in the supplemental budget. It is my understanding that most of the sales tax increase is taken care of by the supplemental budget. I had no ulterior motive.

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

Mr. CURTIS: Mr. Speaker, Ladies and Gentlemen: As a worker for the Red Cross for a number of years in welfare, I could see maybe that something needed to be done for our older people, and with that in mind I made a survey, or at least the Department of Health and Welfare made a survey last year, and I think that it was quite surprising, I don't know, I don't have the figures here with me, but one of the things that they did find out, they admitted that they pay across the board to two hundred and twenty-one cases whereby the people were receiving old age assistance and their relatives did not have to contribute. And to my amazement and theirs too, they were contributing thousands and thousands of dollars although they did not have to. Now this seems to me that the American people and the people of the State of Maine are just plain good, ordinary citizens and not out to try to do anybody any harm.

Now we do find that there are many cases where because the children are earning some money that the old age recipients, their older people cannot get any help. Now, I could point out to you, and I know you know of many many cases where there is a son perhaps earning thirty-five hundred dollars and he has a couple of children in school, perhaps one in college, has a sick wife, and he has a terrible time to make ends meet, but because he's earning this amount of money why the old folks just have to go without any help. Now, in the survey that

I did make, I found out these things which I want to present to you. When we started this old age assistance idea, we had eighteen thousand and six hundred odd cases, I believe. Now death and social security has reduced that down now to just a few over eleven thousand, so we have something less than seven thousand, or around seven thousand, less than we did have when we started this old age assistance program. Now with this old age assistance program every dollar that is spent towards that, that is, every dollar of sixty or whatever they are getting, the federal government contributes sixty-four per cent and we contribute thirty-six. I think this is a very good bill. I'm awful sorry that it seems to have, some seem to tag it that it is a partisan bill. It isn't a partisan bill, it's a humane bill, it's a bill that ought to be passed, and I think that regardless of whether we have any severance tax or whatever we have, we have ample money to take care of this, and it's a shame for us to let our old people go the way they have been going, and I'm ashamed of our actions if we don't do something about it.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Bucksport, Mr. Pierce.

Mr. PIERCE: I have the Controller's Report at the end of the last fiscal year, it shows a balance in Welfare of \$1,236,000.

The SPEAKER: The Chair recognizes the gentlewoman from Minot, Mrs. Hatch.

Mrs. HATCH: Mr. Speaker, I am one of the signers of the Majority report of this Committee. Now, your Committee was thinking of the elderly people just as much as any person in this House, but we have to look all the facts in the face.

We have passed here in the House a citizenship bill which takes away, they don't have to be a citizen of Maine or the United States in order to receive old age assistance, and that, Mr. Speaker, is going to help a lot of these cases that have been spoken of. It will give them a chance to receive old age assistance.

The Welfare Department has revised the regulations of the Welfare

Department so that now a child may earn a lot more money before he is supposed to help his parents, and that also will give a lot of parents a chance to receive old age assistance, and they,— I guess that is all of it.

The SPEAKER: The question before the House is the motion of the gentleman from Madawaska, Mr. Rowe, that the House accept the Minority "Ought to pass" Report on Bill "An Act Repealing Relative Responsibility in Old Age Assistance, Aid to the Blind and Aid to the Disabled", House Paper 648, Legislative Document 914.

The roll call vote has been ordered. The Clerk will call the roll. Those who favor acceptance of the Minority "Ought to pass" Report will answer yes when their names are called; those who oppose the motion will say no. The Clerk will call the roll.

ROLL CALL

YEA — Allen, Andrews, Babineau, Carey, Cote, Couture, Bath; Couture, Lewiston; Curtis, Cyr, Day, Denbow, Desmarais, Gallant, Hendricks, Hickey, Jacques, Johnson, Karkos, Kinch, Lane, Maynard, Miller, Morway, Nadeau, Pierce, Plante, Porcell, Prue, Rowe, Madawaska; Roy, Smith, Portland; Tevanian, Thackeray, Violette, Warren, Webber, Wood.

NAY — Anthoine, Baird, Bartlett, Bean, Winterport; Beane, Augusta; Besse, Beyer, Blanchard, Bragdon, Brewer, Brewster, Brockway, Brown, Ellsworth; Browne, Bangor; Bruce, Burnham, Call, Carville, Caswell, Childs, Christie, Cole, Cormier, Coyne, Crockett, Davis, Westbrook; Dostie, Dudley, Duquette, Earles, Ederly, Edwards, Elwell, Emerson, Emery, Emmons, Ervin, Farmer, Flynn, Foss, Frost, Fuller, Graves, Hancock, Hanson, Harriman, Harrington, Harris, Hatch, Hatfield, Hathaway, Haughn, Heald, Hendsbee, Hersey, Hilton, Hughes, Hutchinson, Jack, Jalbert, Jewell, Jones, Kelly, Knapp, LaCasce, Latino, Letourneau, Libby, Lindsay, Mann, Mathieson, Maxwell, Morrill, Needham, Quinn, Rankin, Rich, Roberts, Ross, Bath; Ross, Brownville; Saborrn, Saunders, Shaw, Shepard, Smith, Falmouth; Stanley, Stilphen, Storm, Tarbox,

Totman, Turner, Vaughan, Walker, Walsh, Walter, Whiting, Williams, Winchenpaw.

ABSENT — Broderick, Carter, Etina; Carter, Newport; Davis, Calais; Dumais, Frazier, Hanscomb, Higgins, Hoyt, Leathers, Rancourt, Rollins, Rowe, Limerick; Wade, Wheaton.

Yes: 37, No: 98, Absent: 15.

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

Mr. WALKER: Mr. Speaker, I wish to be recorded as answering no, I answered yes in error.

The CLERK: Walker, no.

The SPEAKER: Thirty-seven having voted in the affirmative, ninety-eight in the negative and fifteen absentees, the motion does not prevail.

Is it now the pleasure of the House to accept the Majority "Ought not to pass" Report?

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

Divided Report Indefinitely Postponed

Report "A" of the Committee on State Government reporting "Ought to pass" on Bill "An Act Creating One Racing Commission" (H. P. 824) (L. D. 1167)

Report was signed by the following members:

Mr. LESSARD of Androscoggin
—of the Senate.

Messrs. TOTMAN of Bangor
WADE of Auburn
BRAGDON of Perham
WALSH of Brunswick
—of the House.

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

Report was signed by the following members:

Messrs. ROGERSON of Aroostook
PIKE of Oxford
—of the Senate

Messrs. ROSS of Bath
CHILDS of Portland
ELWELL of Brooks
—of the House.

Reports were read.

On motion of Mr. Jalbert of Lewiston, both Reports were indefinitely

postponed and sent up for concurrence.

Passed to Be Engrossed Third Reader Amended Bill

Bill "An Act Providing for Certified Mail under Small Claims Law" (H. P. 221) (L. D. 316)

Was reported by the Committee on Bills in the third Reading.

Mr. Stilphen of Rockland offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 221, L. D. 316, Bill, "An Act Providing for Certified Mail Under Small Claims Law."

Amend said Bill by striking out the deleted word "registered" wherever it appears in said Bill and inserting in place thereof the word "registered".

Further amend said Bill by inserting before the underlined word "certified" wherever it appears in said Bill the underlined word "or".

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

Bill "An Act relating to Duties of Support under Uniform Reciprocal Enforcement of Support Act" (H. P. 708) (L. D. 1014)

Bill "An Act relating to Certificates Issued by Board of Commissioners of Pharmacy" (H. P. 788) (L. D. 1121)

Bill "An Act relating to Licensed Dog Training Areas and Permits Therefor" ((H. P. 1082) (L. D. 1556)

Bill "An Act relating to Penalties for Careless Shooting of Human Beings While Hunting" (H. P. 1083) (L. D. 1557)

Bill "An Act relating to Registration Fees for Motor Buses Used for Transportation of Passengers for Hire" (H. P. 1084) (L. D. 1558)

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

Amended Bills

Bill "An Act relating to Elections in Towns" (H. P. 217) (L. D. 301)

Bill "An Act to Incorporate the Cumberland Water District" (H. P. 383) (L. D. 512)

Bill "An Act to Incorporate the Mexico Sewer District" (H. P. 387) (L. D. 518)

Bill "An Act relating to Proration of Registration Fees of Motor Buses in Interstate Commerce" (H. P. 984) (L. D. 1408)

Bill "An Act relating to Appointment of Deputy Commissioner of Institutional Service and Member of Parole Board" (H. P. 1006) (L. D. 1432)

Resolve Opening Pineo Pond, Town of Deblois, Washington County, to Fly Fishing Only (S. P. 298) (L. D. 795)

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

Passed to Be Enacted

An Act relating to Enlarging Public Cemeteries (S. P. 238) (L. D. 639)

An Act relating to Persons Qualified to Serve as Jurors (S. P. 369) (L. D. 992)

An Act relating to Membership in Maine School Building Authority (S. P. 384) (L. D. 1080)

An Act relating to Mortgage Loans by Savings Banks (S. P. 406) (L. D. 1139)

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

Enactor

Tabled and Assigned

An Act relating to Legal Length of Lobsters (S. P. 422) (L. D. 1181)

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

(On motion of Mr. Andrews of Jonesboro, tabled pending passage to be enacted and specially assigned for Thursday, May 9.)

An Act Prohibiting the Pauperizing of Families of Veterans (S. P. 494) (L. D. 1388)

An Act relating to Weight Tolerances for Motor Vehicles Carrying

Firewood, Pulpwood, Logs or Bolts (S. P. 529) (L. D. 1496)

An Act Increasing Salary of Selectmen of Town of Mount Desert (H. P. 169) (L. D. 216)

An Act relating to Signs on School Buses (H. P. 734) (L. D. 1038)

An Act relating to Special Town Meetings in Town of Winslow (H. P. 915) (L. D. 1276)

An Act relating to Burial Expenses for Honorably Discharged Soldiers and Sailors (H. P. 926) (L. D. 1315)

An Act relating to Date of State Convention (H. P. 945) (L. D. 1338)

An Act Providing for Single Tax Assessor and Board of Assessment Review for City of Waterville (H. P. 946) (L. D. 1339)

An Act to Create a Public Body in the City of Bangor to be Known as the Urban Renewal Authority (H. P. 1003) (L. D. 1437)

An Act relating to Certain Penalties for Motor Vehicle Violations (H. P. 1067) (L. D. 1527)

An Act relating to Reciprocal Agreements with New Hampshire Concerning Zonal Operation of Commercial Vehicles in Intrastate Commerce (H. P. 1068) (L. D. 1528)

Finally Passed

Resolve Authorizing the Forest Commissioner to Convey Loon Island to Mrs. Anna Fowler and Julius Peterson (H. P. 140) (L. D. 178)

Resolve in favor of Procuring Testimonials for the Purpose of Marking the Unmarked Graves of the Soldiers of the Revolutionary War (H. P. 302) (L. D. 397)

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

An Act relating to Educational Aid and Reorganization of School Administrative Units (S. P. 515) (L. D. 1478)

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

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

Mr. DENBOW: Mr. Speaker and Members of the House: If I am not

out of order I would like to talk on this bill briefly.

The SPEAKER: The gentleman may proceed.

Mr. DENBOW: Mr. Speaker and Members of the House: As a matter of record only, I want to say that I am opposed to this bill and for these reasons. First, I think that every Member of this House when they came here knew in their own mind that it is necessary and very necessary to appropriate more money for teachers and schools. Therefore, it is my personal feeling, my own belief, that this should be done before attaching anything else to it except the appropriation money.

In regard to the administrative unit, I don't think it is necessary as under the present law we can already form such districts. I also think that it is very poor public relationship to attempt to pass such important legislation without the people having any knowledge of it. I feel that it works a definite hardship on many small towns because of their isolated location and lack of funds. These are my own reasons for which I will vote against it,—which I have voted against it.

In addition to this over the weekend there has been quite a few letters come in and a few telegrams and several telephone calls and they simply follow quite a bit the things I have mentioned. But there was one thing here which was not my own idea, there are plenty of others here in the House who perhaps can identify it. This comes from a reasonably brilliant attorney, and he says—a note on it says: In his opinion it should be checked on constitutionality, with regard to Section 54 on Page 22, paragraph 8, and I don't care to argue this because I don't know anything about it. However, this is his statement. The item reads: "The Commission or District Commissioner shall determine what description of scholars shall attend each school, classify them and transfer them from school to school where more than one school is kept at the same time." This does not say classify or describe and it leaves the opportunity for the directors to do as they see fit choosing from any classification that they so wish. It also puts them

in the position which they shouldn't have I believe where they could easily charge anything they wanted to, it would be possible under that existing paragraph, to even allow segregation, which the Supreme Court has already ruled can't be done. They could discriminate in races, religions, creeds or anything else, and it is giving them too much authority. These are my reasons and I simply want them on record.

Thereupon, the Bill was passed to be engrossed as amended, signed by the Speaker and sent to the Senate.

(Off Record Remarks)

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

Mr. ROSS: Mr. Speaker, is the Clerk in possession of L. D. 204, Resolve changing the tenure of Office of Governor from two to four years?

The SPEAKER: The House is in possession of that document.

Mr. ROSS: Mr. Speaker, I am going to ask reconsideration of our action whereby we passed it to be engrossed for the purpose of presenting an amendment. The bill as passed to be engrossed with the amendment that was put on stipulated that anyone serving two elective terms could not be eligible to succeed himself. As you may or may not see now, that would preclude Governor Muskie from running again. Although there are many persons who would like to preclude that, I don't think it was the intention of the majority of persons who are in favor of this bill, and so I would now ask that we reconsider our action whereby we passed the bill to be engrossed.

The SPEAKER: The gentleman from Bath, Mr. Ross, requests or moves that the House reconsider its action whereby it passed to be engrossed Resolve Proposing an Amendment to the Constitution Changing the Tenure of Office of the Governor to Four-Year Terms. The engrossing of this bill took place on Friday, May 3. Is it the pleasure of the House that it reconsider its action whereby it passed this resolve to be engrossed, as amended by Committee Amendment "B"?

The motion prevailed.

House at Ease

Called to order by the Speaker.

The SPEAKER: The Chair understands the gentleman from Bath, Mr. Ross, now moves that under suspension of the rules the House reconsider its action whereby on May 2 it adopted Committee Amendment "B".

The motion prevailed.

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

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

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "B" to H. P. 157, L. D. 204, Resolve, Proposing an Amendment to the Constitution Changing the Tenure of Office of the Governor to Four-Year Terms.

Amend said Amendment by inserting in the 5th line after the underlined word "elective" the underlined words 'four-year'

House Amendment "A" was adopted.

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

House at Ease

Called to order by the Speaker.

Orders of the Day

The SPEAKER: Under Orders of the Day the Chair lays before the House the first item under unfinished business, Bill "An Act relating to Time Limitations for Filing Petitions Under Workmen's Compensation Act," Senate Paper 259, Legislative Document 697, tabled on April 26 by the gentleman from Perham, Mr. Bragdon, pending third reading. The Chair recognizes that gentleman.

Mr. BRAGDON: Mr. Speaker, I tabled this matter for the gentleman from Houlton, Mr. Ervin, who I believe was asked by another member of this House to table. I have no interest in it.

Thereupon, the Bill was given its third reading, passed to be en-

grossed, signed by the Speaker and sent to the Senate.

The SPEAKER: The Chair now lays before the House item number two under unfinished business, Bill "An Act to Revise Certain Motor Vehicle Laws", House Paper 403, Legislative Document 533, tabled on April 26 by the gentleman from Portland, Mr. Tevanian, pending third reading.

The Chair recognizes the gentleman from Dexter, Mr. Roberts.

Mr. ROBERTS: Mr. Speaker and Members of the House: This amendment would require every motor vehicle to be equipped with lights. Now there are hundreds of commercial and home-built tractors on the farms and in the woods that are not licensed to drive on the highways, and they are used only in daylight. Many of them are not equipped with lights and do not need them. It would be an injustice and quite unnecessary for the owners of these vehicles to equip them with lights. I move the indefinite postponement of the amendment.

The SPEAKER: The Chair understands the gentleman from Dexter, Mr. Roberts, moves that under suspension of the rules the House reconsider its action whereby on April 25 it adopted Committee Amendment "A". The Chair recognizes the gentleman from Bangor, Mr. Totman.

Mr. TOTMAN: Mr. Speaker and Members of the House: Regarding the motion of the gentleman from Dexter, Mr. Roberts, I am in sympathy with the point he has made, but I would like to point out the chief reason for this amendment being made to the bill was to enable the new automobiles being manufactured with four headlights to operate legally. However, I repeat, the gentleman from Dexter, Mr. Roberts, has an excellent point I think on tractors, and rather than see the entire amendment killed, I would like to move it be specifically assigned for tomorrow in order that we may perhaps amend Committee Amendment "A".

The SPEAKER: The motion now before the House is the motion of the gentleman from Bangor, Mr. Totman, that item two under unfinished business, Bill "An Act to Re-

wise Certain Motor Vehicle Laws" be tabled and specially assigned for tomorrow pending the motion of the gentleman from Dexter, Mr. Roberts, for reconsideration of the adoption of Committee Amendment "A". Is this the pleasure of the House?

The motion prevailed and the Bill was so tabled.

The SPEAKER: The Chair now lays before the House item number three under unfinished business, House Report "Ought not to pass" of the Committee on Towns and Counties on Bill "An Act to Increase the Salary of the Judge of Western Somerset Municipal Court," House Paper 22, Legislative Document 27, tabled on May 1 by the gentleman from Skowhegan, Mr. Whiting, pending acceptance of the Committee Report. The Chair recognizes that gentleman.

Mr. WHITING: Mr. Speaker and Members of the House: Since the Report of the Committee the County Commissioners and the County delegation have met and decided on an amendment and I now move we substitute the bill for the Report and I will offer an amendment.

The SPEAKER: The motion before the House is the motion of the gentleman from Skowhegan, Mr. Whiting, that with respect to Bill "An Act to Increase the Salary of Judge of Western Somerset Municipal Court," the Bill be substituted for the "Ought not to pass" Report. Is this the pleasure of the House?

The motion prevailed and the Bill was read twice.

Mr. Whiting of Skowhegan offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 22, L. D. 27, Bill, "An Act to Increase the Salary of Judge of Western Somerset Municipal Court."

Amend said Bill by striking out in the 7th line thereof, the underlined figure "\$4,000" and inserting in place thereof, the underlined figure '\$3,500'

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

The SPEAKER: The Chair now lays before the House item number four under unfinished business, House Report "Ought not to pass" of the Committee on Towns and Counties on Bill "An Act to Increase the Salaries of the Judge and Recorder of the South Portland Municipal Court", House Paper 150, Legislative Document 188, tabled on May 1 by the gentleman from Portland, Mr. Childs, pending acceptance of the Report. The Chair recognizes that gentleman.

Mr. CHILDS: Mr. Speaker, I have had an opportunity to talk with County Commissioners and the members of the Towns and Counties Committee and we have reached an agreement on this matter and I move that we substitute the Bill for the Report.

The SPEAKER: The motion before the House is the motion of the gentleman from Portland, Mr. Childs, that the Bill be substituted for the "Ought not to pass" Report. Is this the pleasure of the House?

The motion prevailed.

Mr. Childs of Portland offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 150, L. D. 188, Bill, "An Act to Increase the Salaries of the Judge and Recorder of the South Portland Municipal Court."

Amend said Bill by adding at the end thereof a new "Sec. 3" to read as follows:

Sec. 3. Effective date. The salary increases provided for in sections 1 and 2 of this act shall not become effective for any purpose, in the event that the person or persons holding said office or offices of judge or recorder of the South Portland Municipal Court, respectively, or having become nominated and appointed thereto, shall have been a member of the 98th Legislature.'

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

The SPEAKER: The Chair now lays before the House item number five under unfinished business, House Report "Ought to pass" of the Committee on Inland Fisheries and Game on Resolve Opening Swan

Lake, Waldo County, to Ice Fishing, House Paper 982, Legislative Document 1406, tabled on May 1 by the gentleman from Brooks, Mr. Elwell, pending the motion of the gentleman from Winterport, Mr. Bean, that the Resolve be recommitted to the Committee. The Chair recognizes the gentleman from Brooks, Mr. Elwell.

Mr. ELWELL: Mr. Speaker and Members of the House: Since it is getting along so late in the session, I tabled this bill in order that any interested parties might contact the Committee on Inland Fisheries and Game rather than to recommit this bill to the Committee. They have now had ample time to do so, and I understand that the Committee still feels that this bill ought to pass after discussing it in executive session. Now this is not an important bill but it is a good bill. Swan Lake lies largely in my legislative district and a great majority of the citizens there are in favor of it. The Waldo County delegation with one exception I understand favors the bill. It is consistent with sound conservation practices and has been unanimously reported "Ought to pass" by the Committee on Inland Fisheries and Game, and I hope that you will vote against the motion of the gentleman from Winterport, Mr. Bean, and accept the Report of the Committee.

The SPEAKER: The motion before the House is the motion of the gentleman from Winterport, Mr. Bean, that Resolve Opening Swan Lake, Waldo County, to Ice Fishing be recommitted to the Committee on Inland Fisheries and Game. Will those who favor the motion to recommit the Resolve please say aye, those opposed, no.

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

Thereupon, House Report "Ought to pass" was accepted, the Resolve read once and tomorrow assigned for second reading.

The SPEAKER: The Chair now lays before the House item number six under unfinished business, Bill "An Act Creating the Town of Milbridge School District, Senate Paper 420, Legislative Document 1179, tabled on May 1 by the gentleman from Columbia Falls, Mr. Hathaway, pending passage to be enacted. The

Chair recognizes that gentleman.

Thereupon, on motion of the gentleman from Columbia Falls, Mr. Hathaway, under suspension of the rules, the House voted to reconsider its action whereby the Bill was passed to be engrossed on April 24.

Mr. Hathaway of Columbia Falls offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 420, L. D. 1179, Bill, "An Act Creating the Town of Milbridge School District."

Amend said Bill by striking out in the 5th line of Sec. 4 thereof, the figure "\$90,000" and inserting in place thereof, the figure '\$110,000'

House Amendment "A" was adopted, the Bill passed to be engrossed as amended by House Amendment "A" in non-concurrence and sent to the Senate.

The SPEAKER: The Chair now lays before the House item number seven under unfinished business, Senate Report "Ought to pass" as amended by Committee Amendment "A" of the Committee on Towns and Counties on Bill "An Act Increasing Compensation of Members of Boards of Registration in Cities over 39,000 Inhabitants and Time of Session", Senate Paper 469, Legislative Document 1350, tabled on April 26 by the gentleman from Lewiston, Mr. Cote, pending acceptance of the Report. The Chair recognizes that gentleman.

Thereupon, on motion of Mr. Cote of Lewiston, the Senate Report "Ought to pass" was accepted in concurrence and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to S. P. 469, L. D. 1350, Bill, "An Act Increasing Compensation of Members of Boards of Registration in Cities over 39,000 Inhabitants and Time of Session."

Amend said Bill by striking out the 4th line and inserting in place thereof the following:

"In cities of 39,000 inhabitants and less than 50,000 inhabitants over,"

Committee Amendment "A" was adopted in concurrence.

Mr. Cote of Lewiston offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 469, L. D. 1350, Bill, "An Act Increasing Compensation of Members of Boards of Registration in Cities over 39,000 Inhabitants and Time of Sessions."

Amend said Bill by adding at the end thereof, the following: 'Sec. 3. Limitation. The salary increases provided for in section 1 of this act shall not apply to any member of the 98th Legislature.'

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

The SPEAKER: The Chair now lays before the House item number eight under unfinished business, House Divided Report, Majority "Ought not to pass" and Minority "Ought to pass" as amended by Committee Amendment "A" of the Committee on Labor on Bill "An Act relating to Application of Workmen's Compensation Act to Certain Employers", House Paper 222, Legislative Document 317, tabled on April 26 by the gentleman from Biddeford, Mr. Hickey, pending acceptance of either Report. The Chair recognizes that gentleman.

(Off Record Remarks)

Mr. HICKEY: Mr. Speaker, this Bill seeks to enlarge coverage of the Workmen's Compensation Act. I introduced this Bill because I felt that there was a definite need for increased coverage. The accurate figures, I cannot give you. A large portion of our society does not now benefit from the act. In this era where more and more government recognizes the necessity for security due to disability, I will not attempt to go further into the merits as I believe everyone recognizes the need of increased coverage, but will confine my remarks to what I believe is the opposition's position.

They will tell you that the present law recognizes the employers were of two classes, large and small. They will use the figure five to

distinguish between large and small. In the new figure I have said three. They will tell you that bill will put small employers out of business. I submit that this is not proper thinking I want you to bear in mind that common law liability still exists between employer and employee, and if not covered by the Workmen's Compensation Act and the possibility of going out of business due to disability injuries are much greater under the common law rules than due to contributions to the Workmen's Compensation Act. A purchase of this necessary insurance to protect one's self and business—of course, the bill still exempts domestics, farm help, and casual employment.

This bill does remove from the exemptive class those people engaged in logging operations. A good reason for this exemption I have not yet heard.

In closing, I submit that increased coverage under this Workmen's Compensation Act is reasonable, necessary, and will not place an undue burden upon so-called small employers.

Therefore, Mr. Speaker, I move that the Minority Report of the Committee on Labor be accepted.

The SPEAKER: The motion before the House is the motion of the gentleman from Biddeford, Mr. Hickey, that the Minority "Ought to pass" Report as amended by Committee Amendment "A" be accepted. The Chair recognizes the gentleman from Bangor, Mr. Totman.

Mr. TOTMAN: Mr. Speaker, I would like to move that both Reports and the various papers be indefinitely postponed.

The SPEAKER: The motion now before the House is the motion of the gentleman from Bangor, Mr. Totman, that both Reports be indefinitely postponed. The Chair recognizes the gentleman from Bath, Mr. Ross.

Mr. ROSS: Mr. Speaker I would like to speak briefly to this. The next three items completely change some of the basic concepts under the Workmen's Compensation Laws. As Chairman of the Labor Committee, I would like to explain very briefly each of them as their turn comes up. Now those in this House

who have been opposed to labor legislation with the stand that it would hurt small businesses, certainly should be opposed to this item here. This particular law says that all employers, anyone employing one or more would have to be covered, with two exceptions, one for domestic and one for agriculture, and the law as we have it now says five or more. One of the opponents who happened to be an attorney said that he had just one girl working in his office, and he granted the fact that he could have certain liability insurance in case she fell down or something, but he raised the question as to why in the world should he cover her under Workmen's Compensation because this work certainly was not hazardous enough to be classified in the industrial accident category.

The main proponent, also a lawyer, said that that certainly might happen, because I had a girl in my office one time who got bursitis from the constant use of a stapling machine.

Now in conclusion, I certainly maintain that it certainly is not necessary for all businesses regardless of their nature to be covered under Workmen's Compensation and I ask for a division on this question please.

The SPEAKER: The motion before the House is the motion of the gentleman from Bangor, Mr. Tottman, that with respect to item eight, both Reports be indefinitely postponed, and the gentleman from Bath, Mr. Ross, has requested a division. Will those who favor the indefinite postponement of both Reports on item number eight please monitors have made and returned rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Ninety having voted in the affirmative and twenty-nine having voted in the negative, the motion prevailed, the Reports were indefinitely postponed and sent up for concurrence.

The SPEAKER: Under Orders of the Day the Chair now lays before the House item number nine under unfinished business, House Divided Report, Majority "Ought not to

pass" and Minority "Ought to pass" as amended by Committee Amendment "A" of the Committee on Labor on Bill "An Act relating to Costs of Witness and Attorney Fees Under Workmen's Compensation Act", House Paper 223, Legislative Document 318, tabled on April 26 by the gentleman from Brewer, Mr. Lindsay, pending acceptance of either report, and the Chair recognizes that gentleman.

Mr. LINDSAY: Mr. Speaker and Members of the House: As the gentleman who introduced this Bill was unable to table it he asked me to do so. And as he is not in a position today to take care of it I would like to retable it unassigned.

The SPEAKER: The motion before the House is the motion of the gentleman from Brewer, Mr. Lindsay, that item number, nine, both reports on Bill "An Act relating to Costs of Witness and Attorney Fees Under Workmen's Compensation Act" be tabled unassigned pending acceptance of either report.

Will those who favor the tabling motion please say aye; those opposed, no.

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

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

Mr. HICKEY: Mr. Speaker, now this 318 and the next one to it 319 was introduced by myself so I'll take 318 up first. This bill is necessary, in my judgment, if the Workmen's Compensation Act is to have the meaning and effect that was intended in the early stages. Those of us who have had experience before the Industrial Accident Commission know that seventy-five per cent of the awards involve two hundred dollars or less. We know that at all hearings, the insurance companies are represented by able, experienced attorneys protecting the interests of the various companies involved. Technically, claimants are entitled to be represented by an attorney. But in most instances the cost of an attorney, when considered by the amount of the claim, the retaining of an attorney becomes prohibitive.

I would like to point out that criminals are entitled to have legal

counsel when charged with a felony, and at this moment there is pending before this legislature, and will undoubtedly pass, a bill appropriating five thousand dollars to allow persons convicted of a crime to take a record of the trial to the appeal court so as to meet with a recent decision of the United States Supreme Court.

If criminals are entitled to have counsel, why then should a laborer or an industrial worker who is confronted by legal talent not entitled to legal counsel and appeal rights when in the judgment of the Commission he has a valid and reasonable claim?

Now, Mr. Speaker, I know that the Workmen's Compensation Act was initiated in this state about twenty-seven years ago, a little better maybe, and I know that it was very well thought of by the then counsel for the Associated Industries, the late Benjamin S. Cleaves and the Honorable Benjamin S. Stearn of the City of Biddeford. I happened to be in the House where that consultation was taking place, and they came to an agreement that they would like to be in conformity as near as possible to the Massachusetts law, and it was presented to the Legislature in thirty-one or thirty-three, I forgot which, the present laws, and it was adopted. Since then there has been a considerable number of amendments made to it, and I personally, have personal reasons to know how the Industrial Accident works because I had occasion to be before them and I am in a condition today that was caused by one accident.

Now, you ladies and gentlemen of the House of Representatives, you heard that eloquent speech that was presented yesterday by the gentleman from Bath, Mr. Ross, when he says, and I quote: "We were sent up here to represent the people." Now, ladies and gentlemen, I urge you in all sincerity that you give this your utmost consideration when you vote on this measure, to give the unorganized people in this state, because the organized people have retaining lawyers to defend them, the opportunity when they present their cases in good faith to a Commission that they will be given

ample time by the Commission to have an attorney to appeal any decision that they may make, and I ask you now, Mr. Speaker, that the 318 Resolve, Legislative Document 318, be given the Minority "Ought to pass" report to be accepted, and I move that this be taken by the proper procedure by names of each and every one of you.

The SPEAKER: The question before the House is the motion of the gentleman from Biddeford, Mr. Hickey, to accept the Minority "Ought to pass" Report, and the gentleman—

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

Mr. ROSS: Mr. Speaker, I certainly admit to what I said and the quotation that the gentleman from Biddeford, Mr. Hickey, made. I did say "We were sent up here to represent the people." And I also feel that lawyers are certainly a part of that people, but they are not all the people. This is a bill whereby lawyers would receive compensation under the Workmen's Compensation Act. We never are lacking for legal talent before the Committee, and except for one lawyer who was one of the proponents, not one of the other lawyers, favored this measure. The Industrial Accident Commission is made up of three lawyers. Their hearings are impartial. If they lean any way they lean in favor of the working man. Now, aside from these hearings being fair, the hearings are frequent and their decisions are prompt. If we should pass legislation such as this we would slow up the whole procedure, and we would benefit but few workers and we would benefit several lawyers, if there still are lawyers in the State who need business that much. And I certainly move indefinite postponement of this Bill.

The SPEAKER: The motion now before the House is the motion of the gentleman from Bath, Mr. Ross, that with respect to item number nine, Bill, "An Act relating to Costs of Witness and Attorney Fees Under Workmen's Compensation Act", that both reports be indefinitely postponed.

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

Mr. TOTMAN: Mr. Speaker, I request a vote by division.

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

Mr. HENSBEE: Mr. Speaker and Members of the House: After listening to the testimony of our brilliant young gentleman from Bath, Mr. Ross, it made me more determined to go along with the gentleman from Biddeford, Mr. Hickey.

There is a lot written in the few lines of this Bill. I have had a lot of experience in this particular thing, and as the gentleman from Biddeford, Mr. Hickey, has outlined it very clearly, there shouldn't be any doubt that this simply offers protection to those not able to protect themselves, and I so state that I am in favor of this Bill and will go along with the gentleman from Biddeford, Mr. Hickey.

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

Mr. CROCKETT: Mr. Speaker and Members of the House: It won't take me long what few words I have got to say. We have in this State, if anybody is in need of an attorney to represent them, we have here what we call the Legal Aid Society. If anybody feels that they can't pay for their attorney they have a right to go to this Legal Aid Society and they will get representation.

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

Mr. BRODERICK: I arise for a point of correction, Mr. Speaker, on the last remark of the gentleman from Freeport, Mr. Crockett. The Legal Aid Society so far as Maine is concerned, is restricted purely to advice, they do not take any positive action on behalf of the client.

The SPEAKER: Is the House ready for the question?

The question before the House is the motion of the gentleman from Bath, Mr. Ross, that with regard to item number nine, Bill "An Act relating to Costs of Witness and Attorney Fees Under Workmen's Compensation Act", House Paper 223, Legislative Document 318, that both reports be indefinitely postponed. The gentleman from Bangor, Mr. Totman, has requested a division.

Will those who favor the motion to indefinitely postpone both reports please rise and remain standing until the monitors have made and returned the count.

A division of the House was had. Eighty-five having voted in the affirmative and forty having voted in the negative the motion prevailed and both Reports were indefinitely postponed and sent up for concurrence.

The SPEAKER: Under Orders of the Day the Chair now lays before the House the tenth item under unfinished business, House Divided Report, Majority "Ought not to pass" and Minority "Ought to pass" as amended by Committee Amendment "A" of the Committee on Labor on Bill "An Act relating to Appeals in Workmen Compensation Cases", House Paper 224, Legislative Document 319, tabled on April 26 by the gentleman from Biddeford, Mr. Hickey, pending acceptance of either report, and the Chair recognizes that gentleman.

Mr. HICKEY: Mr. Speaker and Ladies and Gentlemen of the House: I think I have spent my thunder. I move that the Majority "Ought not to pass" Report be accepted.

The SPEAKER: With respect to item number ten, Bill "An Act relating to Appeals in Workmen Compensation Cases", House Paper 224, Legislative Document 319, the gentleman from Biddeford, Mr. Hickey, moves that the Majority "Ought not to pass" Report be accepted. Is this the pleasure of the House?

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

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

Mr. TOTMAN: Mr. Speaker before making a motion to adjourn I would like to make a brief announcement off the record.

(Off Record Remarks)

Mr. TOTMAN: I would now make the motion that we adjourn until nine-thirty tomorrow morning.

The SPEAKER: The motion before the House is the motion of the gentleman from Bangor, Mr. Tot-

man, that the House now adjourn and reconvene at nine-thirty tomorrow morning.

Will those who favor the motion to adjourn please say aye; those opposed, no.

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

The SPEAKER: Under Orders of the Day the Chair now lays before the House item number eleven under unfinished business, House Divided Report, Report "A" reporting "Ought to pass" and Report "B" reporting "Ought not to pass" of the Committee on Sea and Shore Fisheries on Bill "An Act relating to the Taking of Quahogs", House Paper 14, Legislative Document 13, tabled on May 1 by the gentleman from Portland, Mr. Miller, pending the motion of the gentleman from Jonesboro, Mr. Andrews, to indefinitely postpone.

The Chair recognizes the gentleman from Jonesboro, Mr. Andrews.

Mr. ANDREWS: Mr. Speaker and Ladies and Gentlemen of the House: This Bill, L. D. 13, which was tabled a week ago today, I think it was a week ago today that Washington County had sixty per cent of the clams. And you all know what has happened to the sardine industry down there for the past three years, they have had the smallest catch they have ever had in all those three years. And a lot of those men who depended on the sardine industry for their livelihood have had to take their hoes and go out on the flats and dig clams for their livelihood for their families.

Now, if these bills are repealed it will turn out just the same as it did down to Owl's Head, when they opened up the flats down there and spread the word around what happened? They went down there and took all the highway police they could get and all the Sea and Shore wardens and the constables to restore order. And I will tell you another instance that happened down in Washington County, it was in the Town of Jonesport, there is a bar down there and they closed that bar for five years. And when the time was up they opened up that bar and what happened then? I will tell you what happened. They went with cars and trucks from Boothbay Harbor

and all along the line down there and went onto the bar and went to digging. And it put me in mind of flies on a molasses barrel. And in two weeks time they had that bar all dug up. And they took about five thousand dollars worth of clams off from that bar. And I defy anyone today to get a mess of clams on that bar. Now, if that is what the Department calls conservation I don't know what conservation is. And I am going to move — I have got a letter I want to read to you first.

The SPEAKER: The Chair would remind the gentleman that he already has a motion before the House to indefinitely postpone both reports.

Mr. ANDREWS: I can't do it again. I will ask a division then. But I want to read a letter first to you. This is from William Underwood and Company in Jonesport.

"Mr. Jotham Andrews
House Representatives
State House
Augusta, Maine

Dear Mr. Andrews:

I understand you are a member of the Sea and Shore Fisheries Committee and that the Committee is considering the bill whereby the present clam laws are to be abolished.

Many of the clam diggers of this town feel that the law should be kept as it is and towns be protected as they have been in the past.

It is true that clams are fast disappearing but many men continue to keep their families fed and clothes for the kids under present setup.

When more complete information on the chances of increasing clam population is available we may feel changes in this law and the two inch law are warranted.

Yours very truly,

(Signed) V. P. McFadden"

Now, I am going to ask for a division.

The SPEAKER: The motion before the House is the motion of the gentleman from Jonesboro, Mr. Andrews, that with respect to item number eleven, both reports be indefinitely postponed, and the gentleman has requested a division.

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

Mr. MILLER: Mr. Speaker and Ladies and Gentlemen of the House: I realize the importance of the position that the gentleman from Jonesboro, Mr. Andrews, has taken in regard to going against the bill on repealing the two inch clam law. I would like to ask you to bear with me for a few minutes, and I will briefly point out to you why the two inch clam law should be repealed.

Number one is that at this hearing there were twenty-eight people who appeared in favor, people who were involved in the industry, appeared in favor of the repeal of the two inch clam law. There were eight who appeared who were opposed.

The previous commissioner of the Sea and Shore Fisheries appeared at this Committee hearing, he also favored the repeal of this two inch clam law, based on facts not on a privileged county. The chief opposition to the repeal of the two inch clam law comes from Washington County. Again I don't feel that any county should be forceful enough to have privileged laws on the books. Along the coast of Maine, and I will say this, that I am in touch with a great many of the clam diggers and people in the fishing industry as I am a part of it. I would like to point out to you ladies and gentlemen of the House that a great many, and I say there are a great many in favor of repeal of this law, wish that this law be repealed.

The Department of Sea and Shore Fisheries, the present Commissioner of Sea and Shore Fisheries has issued a statement. And I am not going to read the full text to you, but I am going to pick out a part which would cover what I am trying to do here. He goes on to say:

"As a part of their cooperative research program, the Clam Investigations of the Fish and Wildlife Service carried on extensive experiments to determine to what extent clams, exclusive of breakage, were being killed in flats by digging operations. These experiments covered differences in the season, type of flats, the size of clams, the density of clam populations, the depths at which the clams were buried, and other related factors. It was found that, on the average, of the unbroken clams left in the flats after each

digging of the area, approximately one-half would die within two weeks.

The two-inch minimum size law on clams has been a most wasteful experiment in conservation. In the twenty-two years it has been in effect, it has cost the diggers and the industry millions of dollars in lost income. Unless this law, detrimental to good conservation, is repealed, it will continue to result in additional money loss in the future."

I have here a report, I am only going to read an excerpt from it, it is from the Investigator Summaries of the Fish Report of Canada, the Biological Station at St. Andrews, New Brunswick. "The present two inch minimum legal size limit which was set up in 1947 is a regulation reflecting preferences on the part of industry for having clams of that particular size, rather than the biologically most desirable size for cropping maximum yield." I am not going to read the whole thing, I am just going to bring out the parts that are more or less bearing on this matter. "However, there is evidence that the two inch limit is not the best compromise." And they go on to say that if anything they would favor the repeal of the two inch clam law. Now, this is on the Canadian side, I will grant you that, but it shows that even within their own research they have come out with the same access that the Sea and Shore Fisheries in the State of Maine has come out with.

Now, I would like to point out to you gentlemen that in the 97th Legislature a Legislative Research Committee was appointed. You have all been given a manual, and within that manual it gives you the reasons why the Committee was appointed and what they have studied. On Page 67 of the Maine Legislative Research Committee Report of the 98th Legislature, Logging and Lumbering Industry, Shellfish and Marine Worm Laws. On Page 67, the two inch clam law. That the Sea and Shore Fisheries law be amended to provide for the repeal of the two inch clam law, so-called. Reason, the Committee has recommended the repeal of the two inch clam law feeling that such a recommendation is in keeping with the repudiation by scientific authority as a conserva-

tion measure. The present law which restricts the taking of clams and quahogs less than two inches in their longest diameter was originally enacted to protect seed quahogs and clams. In practice such a measure has not proved sound, either in conservation or in enforcement value. The chief reason for the ineffectiveness of the law to accomplish this purpose lies in a fifty per cent mortality of clams directly attributable to digging. The Committee believes that a more realistic approach would be to control growing areas rather than to protect individual clams within the area. The Committee endorsing the proposition that restrictions as to size is necessary should be controlled by the Sea and Shore Fisheries Department under this Clam Vanishment Program.

Gentlemen, on that Committee were the following members: From the Senate: There were Roy Sinclair, Senator Boucher, Senator Carpenter, Senator Lowe, Senator Parker, Senator Weeks from South Portland and Senator Wyman from Milbridge. From the House there were George Pullen, Earl Bibber, Dana Childs, Armand Duquette, Robert Maxwell, Leroy McCluskey, Leslie Stanley, and Lawrence Stanwood.

On the basis of what I have told you and showed you I think there is sound argument why this bill should be repealed. And I am going to ask you members of this House, and in good sound judgment, not to go along and keep a law on the books that is not wanted by the people in the industry. And I ask you to vote against the indefinite postponement.

The SPEAKER: The Chair recognizes the gentleman from Columbia Falls, Mr. Hathaway.

Mr. HATHAWAY: Mr. Speaker, I arise in support of my good Democratic friend, the gentleman from Portland, Mr. Miller. It seems to be that one of them is talking on one bill and the other on the other, and it looks to me like there are two bills here, one is the two inch law and the other is opening the flats. The gentleman, my good Democratic friend from Jonesboro, Mr. Andrews, — may I ask a question, are we taking up both bills at once?

The SPEAKER: The Chair would advise the gentleman from Columbia Falls that we are taking up only item eleven at the moment.

Mr. HATHAWAY: I believe that is the one the gentleman from Portland, Mr. Miller, has been talking on.

It seems to me that if we were going to conserve anything that we would not go and take the young, which is really what the clam is below two inches. As I understand the argument of the gentleman from Portland, Mr. Miller, that it is better for conservation to take the small clams. It would seem to me that the proper way to conserve anything would be to conserve the young which is really what the small clam is.

Of course, I haven't gone into this thing too strongly because I have not been on that Committee. However, coming from Washington County where I know that the clam has become so serious, that is the shortage of the clams down there, that these laws are on there to protect them and protect the towns and protect the clams for their food value, I would have to go along with my county and certainly ask for support to the motion of the gentleman from Jonesboro, Mr. Andrews, that they be indefinitely postponed.

The SPEAKER: The question before the House is the motion of the gentleman from Jonesboro, Mr. Andrews, that with regard to item eleven, both reports be indefinitely postponed.

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

Mr. DENBOW: Mr. Speaker, I just want to support the gentleman from Jonesboro, Mr. Andrews, and I want to state this. I think it is very fair to say that if this law is removed there is absolutely no restriction on the size of the clams. It means that instead of being two inch clams they can be taken down to the size of a pea. I don't think it should be allowed to be repealed. And I would like to say too that I support his move that I think Washington County is naturally more interested, like Aroostook County would be interested in potatoes. For instance, last year the total take in money from clams in the State of

Maine was roughly \$900,000, or \$896,000. Of this total \$500,000 was from Washington County, and the remainder was split up in seven other counties. So based on that percentage I hope that you will see fit to go along with the gentleman from Jonesboro, Mr. Andrews.

The SPEAKER: The Chair recognizes the gentleman from North Haven, Mr. Baird.

Mr. BAIRD: Mr. Speaker and Members of the House: Originally I signed the "Ought to pass" Report on this Bill and the following bill, which to me were companion measures. And I did this mainly because of the recommendations of the Department that it would be a better setup. But since that time I have seen one proposed amendment to the following piece of legislation, item number twelve, which is not under debate here, but to me is a companion measure. That amendment will place the enforcement of this second piece of legislation with the Sea and Shore Fisheries Department. To my mind it would spoil the intent of both measures, and consequently I wish to go along with the gentleman from Jonesboro, Mr. Andrews, and help him indefinitely postpone both of these measures.

The SPEAKER: Is the House ready for the question?

The question before the House is the motion of the gentleman from Jonesboro, Mr. Andrews,—

The Chair recognizes the gentleman from Friendship, Mr. Winchenpaw.

Mr. WINCHENPAW: Mr. Speaker and Ladies and Gentlemen of the House: Maybe you noticed a few minutes ago I voted to adjourn and got beaten down, but I had a good deal of material that I was supposed to read into the record concerning this two inch law. In our section we don't want a two inch law. And I am quite surprised to see some of these canners stand up here and talk about peanuts. When I went to high school I worked in a canning factory, we canned anything that would stay in a clam hod, we always did that. Now the diggers don't dare to dig them so the gulls get them. And at the hearing that day I think there was about ten or fifteen of my constituents up here,

and they claimed that the warden did not enforce this law, and some of those men had been arrested four times for having short clams. So, rather than take any more of your time, I know that the majority of the diggers in Knox County want to go along with the gentleman from Portland, Mr. Miller, and vote against indefinitely postponing this bill. Thank you.

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

Mr. RANKIN: Mr. Speaker and Ladies and Gentlemen: The hour grows late and you are all tired, but for those of you from the inland district, let me say to you that this is an important bill. It relates to quahogs, but that is a misleading title. It actually concerns the soft shell clam. At the present time any digger who is found with more than ten per cent of his clams less than two inches is fined by the courts. As the result, many a digger who in pursuit of his trade, has worked hard and fast for the tide, before the tide comes in, finds himself, when approached by the warden, with more than ten per cent of the short clams and is thus declared a criminal by the courts.

Now, another point that hasn't been brought out: There are areas where the clams never attain the length of two inches. Those clams grown and die and never reach a legal stage. Now, the Department of Sea and Shore Fisheries has spent years and years and tens of thousands of dollars investigating this particular problem. They have discovered that when a clam flat is dug, fifty per cent of the clams left in that flat die. Some are taken by the gulls, others are buried too deep, other clams are buried upside down and they suffocate. The department to which you and I have paid thousands of dollars to the biologists over the years, believes sincerely that this law is not a good law. And all I ask as a signer of the "Ought to pass" Report is that you do not go along with the gentleman from Jonesboro, Mr. Andrews, and give this new idea a chance for the next two years. The 99th Legislature will have an oppor-

tunity to repeal it if this law is found impractical.

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

Mr. CHILDS: Mr. Speaker, being a member of the Research Committee, and also being on the subcommittee which studied this particular measure, the department and the biologists appeared before the Committee and we spent two or three days discussing the matter, and it all came down to this final conclusion. The Department and the biologists were of the opinion that this was not a conservation measure. Number one, at the last session of the Legislature they repealed the marine worm laws. It meant that people were going to the flats and digging for marine worms, and at the same time digging clams which were beneath the two inch law and were leaving them there and they were dying. And number two, exactly the same thing, when they were digging for clams they were digging up the two inch clams and the things were dying. So they felt that as far as conservation it served no useful purpose whatsoever, and they thought they should go out as well as other clams.

The SPEAKER: Is the House ready for the question?

The question before the House is the motion of the gentleman from Jonesboro, Mr. Andrews, with respect to item number eleven, Bill "An Act relating to the Taking of Quahogs", House Paper 14, Legislative Document 13, that both reports be indefinitely postponed. The same gentleman has requested a division.

Will those who favor the indefinite postponement of both reports please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Forty-two having voted in the affirmative and seventy-three having voted in the negative the motion did not prevail.

Thereupon, on motion of the gentleman from Portland, Mr. Miller, the "Ought to pass" Report "A" of the Committee was accepted, the Bill given its first and second readings and assigned for third reading tomorrow.

The SPEAKER: Under Orders of the Day the Chair now lays before the House the twelfth item under unfinished business, House Divided Report, Report "A" reporting "Ought to pass" and Report "B" reporting "Ought not to pass" of the Committee on Sea and Shore Fisheries on Bill "An Act Authorizing Towns to Control Shellfish Resources", House Paper 670, Legislative Document 951, tabled on May 1 by the gentleman from Portland, Mr. Miller, pending the motion of the gentleman from Portland, Mr. Childs, to indefinitely postpone.

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

Mr. MILLER: Mr. Speaker, Ladies and Gentlemen of the House: I would like to sort of ask you people to go along with me on another tabling motion on this matter. I will briefly tell you why I think it is important that it should be tabled.

Last Friday I was supposed to have had a meeting with several of the people who are involved along the coast and a few of the towns, down here in Augusta. And at the last minute I had to leave because of my personal business. Now, tonight I am meeting in Waterville with a few of these people, and I would ask you to go along with me to table this to the ninth.

The SPEAKER: The motion now before the House is the motion of the gentleman from Portland, Mr. Miller, that with respect to item number twelve, Bill "An Act Authorizing Towns to Control Shellfish Resources", House Paper 670, Legislative Document 951, both Reports be specially assigned until May 9 pending the motion of the gentleman from Portland, Mr. Childs, to indefinitely postpone both reports. Is this the pleasure of the House?

The motion prevailed and the Reports were so tabled.

On motion of Mr. Maxwell of Winthrop, by unanimous consent, the House voted to take from the table item thirteen under tabled and unassigned matters, Report of the Committee on Agriculture reporting "Ought to pass" on Bill "An Act Revising the Maine Milk Commission Law" (H. P. 851) (L. D. 1214) which

was tabled April 3, pending acceptance.

On further motion of the same gentleman, tabled and made a special order for Friday, May 10.

On motion of Mr. Maxwell of Winthrop, by unanimous consent the House voted to take from the table item fourteen under tabled and unassigned matters, Report of the Committee on Agriculture on Bill "An Act relating to Sales of Milk on the Producer's Premises" (H. P. 305) (L. D. 422) reporting "Ought to pass" as amended by Committee Amendment "A" which was tabled April 3, pending acceptance.

On further motion of the same gentleman, tabled and made a special order for Friday, May 10.

On motion of Mr. Maxwell of Winthrop, by unanimous consent, the House voted to take from the table item twenty-eight under tabled and unassigned matters, Report of the Committee on Agriculture reporting "Ought not to pass" on Bill "An Act relating to Sales of Home Delivered Milk" (H. P. 307) (L. D. 424) which was tabled April 11, pending acceptance.

On further motion of the same gentleman, tabled and made a special order for Friday, May 10.

On motion of Mr. Maxwell of Winthrop, by unanimous consent, the House voted to take from the table item twenty-nine under tabled and unassigned matters, Report of the Committee on Agriculture reporting "Ought not to pass" on Bill "An Act relating to Sales of Milk to Benevolent and Charitable Institutions" (H. P. 308) (L. D. 425) which was tabled April 11, pending acceptance.

On further motion of the same gentleman, tabled and made a special order for Friday, May 10.

On motion of Mr. Maxwell of Winthrop, by unanimous consent, the House voted to take from the table item thirty under tabled and unassigned matters, Report of the Committee on Agriculture reporting "Ought not to pass" on Bill "An Act relating to Store Sales of Milk" (H. P. 306) (L. D. 423) which was tabled April 11, pending acceptance.

On further motion of the same gentleman, tabled and made a special order for Friday, May 10.

On motion of Mr. Maxwell of Winthrop, by unanimous consent, the House voted to take from the table item thirty-one under tabled and unassigned matters, Report of the Committee on Agriculture reporting "Ought not to pass" on Bill "An Act relating to Policy of the Milk Commission" (H. P. 304) (L. D. 421) which was tabled April 11, pending acceptance.

On further motion of the same gentleman, tabled and made a special order for Friday, May 10.

On motion of Mr. Childs of Portland, by unanimous consent, the House voted to take from the table item thirty-four under tabled and unassigned matters, Report of the Committee on Agriculture on Bill "An Act relating to Sale of Pasteurized Milk Only to Certain Institutions" (H. P. 738) (L. D. 1052) reporting "Ought to pass" as amended by Committee Amendment "A" which was tabled April 11, pending acceptance.

On further motion of the same gentleman, tabled and made a special order for Friday, May 10.

On motion of Mr. Hancock of York, by unanimous consent, the House voted to take from the table item seventeen under tabled and unassigned matters, Report of the Committee on Judiciary on Bill "An Act relating to Evidence of Intoxication and Chemical Tests for Alcoholic Content of Blood of Motor Vehicle Drivers" (H. P. 507) (L. D. 717) reporting "Ought to pass" as amended by Committee Amendment "A" which was tabled May 2, pending acceptance.

On further motion of the same gentleman, recommitted to the Committee on Judiciary and sent up for concurrence.

On motion of Mr. Totman of Bangor.

Adjourned until nine-thirty o'clock tomorrow morning.