

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Ninth Legislature

OF THE

STATE OF MAINE

1959

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Wednesday, April 22, 1959

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

Prayer by the Rev. Harvey Ammerman of Augusta.

The journal of the previous session was read and approved.

**Papers from the Senate
Senate Reports of Committees
Ought Not to Pass**

Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Resolve in favor of Millionth Visitor, Inc. (S. P. 78) (L. D. 150)

Report of the Committee on Judiciary reporting same on Bill "An Act relating to Survivorship in Joint Bank Accounts" (S. P. 412) (L. D. 1196)

Came from the Senate read and accepted.

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

Ought to Pass in New Draft

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act to Appropriate Moneys for the Expenditures of State Government and for other Purposes for the Fiscal Years Ending June 30, 1960 and June 30, 1961" (S. P. 89) (L. D. 207) reporting same in a new draft (S. P. 461) (L. D. 1313) under same title and that it "Ought to pass"

Report of the Committee on Towns and Counties on Bill "An Act Permitting Municipalities to Provide Educational Scholarships" (S. P. 196) (L. D. 491) reporting same in a new draft (S. P. 459) (L. D. 1311) under title of "An Act Permitting the Town of Freeport to Provide Educational Scholarships" and that it "Ought to pass"

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

In the House, the Reports were read and accepted in concurrence, the New Drafts 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 Amounts for State Scholarships for Normal Schools and Teachers' Colleges" (S. P. 148) (L. D. 369)

Report of the Committee on Judiciary reporting same on Resolve Proposing an Amendment to the Constitution to Permit Voting by Civilians Residing on Federal Property (S. P. 71) (L. D. 121), which was recommitted.

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

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

**Ought to Pass with
Committee Amendment**

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act Providing for Forest Rehabilitation" (S. P. 127) (L. D. 322) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 127, L. D. 322, Bill, "An Act Providing for Forest Rehabilitation."

Amend said Bill by striking out the last sentence of Section 2 thereof.

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

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act relating to Training of Firemen" (S. P. 131) (L. D. 326) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 131, L. D. 326, Bill, "An Act Relating to Training of Firemen."

Amend said Bill by inserting after the Title and before the enacting clause, the following emergency preamble:

'Emergency preamble. Whereas, acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the following legislation is vitally necessary to provide education and training for firemen as soon as possible; and

Whereas, such legislation is vital for the additional protection of life, limb and property of the citizens of the State of Maine; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine, and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,'

Further amend said Bill by adding at the end, the following emergency clause:

'Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.'

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

Report of the Committee on Education on Bill "An Act relating to Employment of Teachers" (S. P. 110) (L. D. 260) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 110, L. D. 260, Bill, "An Act Relating to Employment of Teachers."

Amend said Bill by striking out all of the last sentence in section 1.

Further amend said Bill by striking out all of section 2.

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

Affairs on Bill "An Act to Create the Washington County Recreation Authority" (S. P. 417) (L. D. 1201) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 417, L. D. 1201, Bill, "An Act to Create the Washington County Recreation Authority."

Amend said Bill in the Title by striking out the word "Recreation" and inserting in place thereof the word 'Development'.

Further amend said Bill by striking out in the first line thereof the underlined word "Recreation" and inserting in place thereof the underlined word 'Development'.

Further amend said Bill by striking out in the 3rd line thereof the word "Recreation" and inserting in place thereof the word 'Development'.

Further amend said Bill by striking out in the last line of section 2 the word "Recreation" and inserting in place thereof the word 'Development'.

Further amend said Bill by striking out in the 2nd line of section 3 the word "Recreation" and inserting in place thereof the word 'Development'.

Further amend said Bill by striking out in the first line of section 8 the word "Recreation" and inserting in place thereof the word 'Development'.

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

Report of the Committee on State Government on Bill "An Act relat-

ing to Lands Needed by the State" (S. P. 280) (L. D. 742) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 280, L. D. 742, "An Act Relating to Lands Needed by the State."

Amend said Bill by striking out the 7th line and inserting in place thereof the following:

"estate adjacent to the State House in Augusta within an area bounded on the west by a straight line; beginning at the southern terminus of Western Avenue Place; thence extending southerly to Capitol Street; thence easterly on the northerly side of Capitol Street to a point approximately 132 feet westerly of the intersection of Federal Street and Capitol Street; thence southerly approximately 800 feet; thence easterly approximately 475 feet to the centerline of Sewall Street; thence southerly to the intersection of Glenwood Street and Sewall Street; thence easterly to the intersection of Glenwood Street and State Street; thence northerly approximately 150 feet to the intersection of State Street and Britt Road; thence southerly along Britt Road to its intersection with the Railroad right of way; thence northerly along the Railroad right of way to the south side of Capitol Street; thence continuing northerly 270 feet along the Railroad right of way; thence westerly approximately 118 feet to Gage Street; thence northerly along Gage Street approximately 340 feet; thence westerly on a straight line parallel to Child Street and crossing State Street to Higgins Street; thence along Higgins Street to its intersection with Grove Street; thence southerly along Grove Street approximately 70 feet to the intersection of Grove Street and Wade Street; thence westerly approximately 400 feet in a straight line along Wade Street extended to

Sewall Street; thence southerly along Sewall Street approximately 90 feet to the northerly line of Wade Street; thence westerly and parallel with Capitol Street to the point of beginning at the southerly terminus of Western Avenue Place.'"

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

Report of the Committee on Taxation on Bill "An Act relating to Taxation of Domestic Fowl" (S. P. 122) (L. D. 272) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 122, L. D. 272, Bill, "An Act Relating to Taxation of Domestic Fowl."

Amend said Bill in the 7th line by striking out the underlined word "market"

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

Non-Concurrent Matter

Report of the Committee on Legal Affairs reporting "Ought not to pass" on Bill "An Act relating to Steam Engineers and Firemen" (H. P. 835) (L. D. 1186) which was accepted in the House on April 16.

Came from the Senate with the Report and Bill recommitted to the Committee on Legal Affairs in non-concurrence.

In the House:

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

Mr. SANBORN: Mr. Speaker, I move that the House recede and concur.

The SPEAKER: The gentleman from Gorham, Mr. Sanborn, moves that the House recede and concur.

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

Mr. SAUNDERS: Mr. Speaker and Ladies and Gentlemen of the House: This bill came before us last Thursday with a unanimous "Ought not to pass" Report from the Committee on Legal Affairs. This bill had a very good hearing, a long hearing, and both sides were presented very ably. The bill is sort of a vicious thing when you read it over. It states briefly that all boilers having over fifteen pounds per square inch, must have a licensed engineer to operate it. It doesn't sound like very much when you say it quickly, but when you stop and think of all the number of industries, hotels and other businesses that require steam heat, then it means that every one of those persons must be licensed, and they must pass a licensed engineer's test which is a pretty strong test. Because of the fact that it was unanimous "Ought not to pass", and because so many small businesses will be affected, I now move that we indefinitely postpone this bill and all accompanying papers.

The SPEAKER: Would the gentleman from Bethel, Mr. Saunders, please approach the rostrum?

(Conference at rostrum)

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

Mr. SAUNDERS: Mr. Speaker and Ladies and Gentlemen of the House: Because my motion does not take precedence, I will withdraw the motion to indefinitely postpone and would like very much to have you go along with defeating the motion of the gentleman from Gorham, Mr. Sanborn, to recommit this bill. I don't believe that it is necessary to recommit at this time of the session and I ask for a division on the vote.

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

Mr. SANBORN: Mr. Speaker, the reason that I made the motion to recommit is that I understand there is some additional information to be presented to the Committee.

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

Mrs. SMITH: Mr. Speaker, if I am not mistaken, and I could be,

this is the same bill that comes continually to Legal Affairs, and this is a very vicious bill in my estimation, and I thought so when I sat on Legal Affairs last year. There are many little hidden things in it. It is a bill that Marion Martin has played around with for years and a bill that she had when she was Chairman of that Committee, and I do hope that we don't go along with this recommitment. I think we will be very sorry if we do. I hate to go into the details of how I feel about it, but I think it is bad.

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

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen: I don't know how many talking about this bill have ever had any experience with boilers. I do know that there is a need in the State of Maine for safety of boilers. I know there is a gentleman right here in this House who by the grace of God didn't have big bills to pay or had someone killed in his plant because someone wasn't near enough to a boiler which hadn't been properly inspected by the people he bought it from, why it never would have happened.

Now this bill may not be what it should be, and I think it should be recommitment and there are many changes perhaps that could be made. I want to disagree with my friend over here who says that all engineers have to be licensed as engineers. This is not true. If you will read over the bill you will find there are three grades. If you are not operating as an engineer you wouldn't be as an engineer. But if we put a man — take a boiler which has a potential danger, and we put somebody in there who perhaps doesn't know a thing about boilers, in fact not too far away from here before you had inspection of school house boilers, the boiler inspector happened to go in this school house, well it is over in Winthrop if you want to know where it was, and it was going merrily along without any safety valve on it at all. They didn't have inspections at that time and someone had washed out the boiler that summer perhaps and taken out the safety valve

and sent it away perhaps to have it repaired, I don't know really what happened, but anyway he screwed a plug in the hole and built a fire in it and it was going merrily along. Now after that law was passed that the school house boilers should be inspected, and the first year they were inspected they found 2200 violations of the law which could have meant the killing of a lot of people. Now it just seems too bad that we have got to kill somebody before we do something about it. Every time you see a railroad train going by you see a lot of things on there to keep from killing men. If you look up the statistics you will find that anywhere from ten to a hundred men were killed and perhaps more before one of those things were adopted.

In Chicago not too long ago was a great fire and killed a lot of people. Now that was just a case of just poor inspection or poor laws. I think this — the fundamental of this idea has great need, and I would like to see it recommitment and have someone look it over and set it up perhaps not as all inclusive as it is, but at least make a start whereby we could control some of these things that are happening every day in some state in the union and sometimes happen in our state.

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

Mr. ERVIN: Mr. Speaker and Ladies and Gentlemen of the House: I would like to concur with the remarks made by the gentleman from Bethel, Mr. Saunders. This bill did come out of Committee with a unanimous "Ought not to pass" Report, and it is, as he said, quite a vicious bill. It will mean that any person running a dry cleaning establishment such as we have in our various towns that use high pressure boilers which are made in a compact unit, they have got to employ a licensed engineer. You must also remember too that these boilers are inspected annually and thoroughly by our State departments. They can speak about the schools not being inspected, they are inspected. They are inspected every year, and it seems

that this bill is just going to place another hardship on the small business man that is operating for instance a cleaning establishment using a high pressure boiler. I would certainly have to oppose the recommitment of this bill.

The SPEAKER: The question before the House is the motion of the gentleman from Gorham, Mr. Sanborn, that the House recede and concur with the Senate in committing this bill to the Legal Affairs Committee.

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

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen: I would just like to straighten out my good friend from Houlton, Mr. Ervin. I did not say the school — I just said that the school houses were now, but it has only been just two years I think that they have been so inspected. They were not inspected, and that is what I referred to, they were not inspected but they are now because the Legislature saw fit to do something about it, which I believe they should see fit to do something about this and recommit it. Then if anything is not brought out to make it — to take out all this viciousness they claim is there, why then bring it out "Ought not to pass" and that would be the end of it.

The SPEAKER: Is the House ready for the question?

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

Mr. SAUNDERS: Mr. Speaker and Members of the House: In the Committee the question was asked of the proponents of the bill, just how long since there was an explosion of a boiler in the State of Maine that caused loss of life or serious damage, and they could not tell us, they could not set down any particular time whether it was ten years or twenty years or thirty years ago, they couldn't say. Now that is because we have had a good inspection law on the boilers which are now being operated. If the State doesn't inspect them, the insurance companies have a very rigid inspection, and they shut them down once a year and go inside them and take very careful and special care that everything is in

order. This is really working now and if there hasn't been any really serious accidents or any explosions, then why is it that we need another new law to try and correct something that isn't there?

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Gorham, Mr. Sanborn, that the House recede and concur with the Senate in recommitting Bill "An Act relating to Steam Engineers and Firemen", House Paper 835, Legislative Document 1186, to the Committee on Legal Affairs. A division has been requested.

Will those who favor the motion to recede and concur please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Five having voted in the affirmative and one hundred twenty-two having voted in the negative, the motion did not prevail.

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

Thereupon, on motion of that gentleman, the House voted to adhere.

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

Non-Concurrent Matter

Majority Report of the Committee on Claims on Resolve in favor of Ray Thompson of Prentiss (H. P. 683) (L. D. 983) reporting "Ought to pass" as amended by Committee Amendment "A" and Minority Report reporting "Ought not to pass" which Reports and Resolve were indefinitely postponed in the House on April 16.

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

In the House:

The SPEAKER: The Chair recognizes the gentleman from Lee, Mr. Frazier.

Mr. FRAZIER: Mr. Speaker, I move we recede and concur and

would simply remind this House that this Resolve came out of Committee with a seven to three Majority "Ought to pass" Report.

The SPEAKER: The gentleman from Lee, Mr. Frazier, moves that the House recede and concur with the Senate.

The Chair recognizes the gentleman from St. Albans, Mr. Hughes.

Mr. HUGHES: Mr. Speaker, I would also like to remind the House that this is the Resolve relative to the bear damage to the oat field. The gentleman from Lee, Mr. Frazier, was correct, it did come out Majority "Ought to pass". I hate to think I wasted a good speech on it the other day by getting the Minority Report accepted, and I haven't changed my mind and I don't believe that the members of the House have changed their minds. I would move that we adhere to our former action, and request a division.

The SPEAKER: The Chair must advise the gentleman that the motion to recede takes precedence over a motion to adhere. The gentleman has requested a division. The Chair would advise the gentleman from Lee, Mr. Frazier, that his motion will have to be put as two motions; the first motion to recede and the second motion to concur.

The question before the House is the motion of the gentleman from Lee, Mr. Frazier, that the House recede. A division has been requested.

Will those who favor the motion to recede, please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Ten having voted in the affirmative and one hundred eleven having voted in the negative, the motion did not prevail.

The SPEAKER: There is a motion on the part of the gentleman from Lee, Mr. Frazier, to the effect that the House concur, but in view of the action on the motion to recede —

Mr. FRAZIER: Mr. Speaker, I will withdraw my motion.

The SPEAKER: The gentleman withdraws his motion to concur.

The Chair recognizes the gentleman from St. Albans, Mr. Hughes.

Thereupon, on motion of that gentleman, the House voted to adhere to its former action.

Non-Concurrent Matter

Resolve Opening Portage Lake, Aroostook County, to Ice Fishing for Smelts (H. P. 875) (L. D. 1249) on which the House accepted the Minority "Ought to pass" Report of the Committee on Inland Fisheries and Game and passed the Resolve to be engrossed on April 17.

Came from the Senate with the Majority "Ought not to pass" Report accepted in non-concurrence.

In the House: On motion of Mr. Prue of Ashland, the House voted to insist on its former action.

Non-Concurrent Matter

Bill "An Act relating to Time of Enrollment of Voters" (H. P. 858) (L. D. 1226) which was passed to be engrossed in the House on April 2.

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

In the House:

The House voted to recede and concur with the Senate.

Non-Concurrent Matter

Resolve in favor of A. R. Palmer of Litchfield (H. P. 634) (L. D. 926) which was passed to be engrossed as amended by Committee Amendment "A" as amended by House Amendment "A" thereto in the House on April 14.

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

In the House:

On motion of Mr. Chapman of Norway, the House voted to recede and concur with the Senate.

Messages and Documents

The following Communication:

DEPARTMENT OF STATE STATE OF MAINE AUGUSTA

April 17, 1959

Honorable Joseph T. Edgar, Speaker of the House of Representatives of the Ninety-ninth Legislature:

In accordance with the directive contained therein, I herewith transmit a copy of a Resolution from the State of New Hampshire memorializing Congress to call a convention and proposing a constitutional amendment to prohibit the states from levying taxes upon the incomes of non-residents.

Respectfully yours,

(Signed) Harold I. Goss

Secretary of State

The Communication was read and with accompanying papers ordered placed on file.

Orders

On motion of Mr. Hancock of Nobleboro, it was

ORDERED, that Mary Lou Wiles of Cumberland Center be appointed to serve as Honorary Page for today.

The SPEAKER: The Chair would inform the House that the Honorary Page is the granddaughter of Representative Howard Call of Cumberland.

Thereupon, the Sergeant-at-Arms conducted the Honorary Page to her place in the well of the House. (Applause)

On motion of Mr. Lemelin of Fairfield, it was

ORDERED, that Timothy Savard and Arthur Savard of North Conway, New Hampshire be appointed to serve as Honorary Pages for today.

The SPEAKER: The Chair would inform the House that these two Honorary Pages are the grandsons of Representative Ralph Hilton of the House.

Thereupon, the Sergeant-at-Arms conducted the Honorary Pages to their places in the well of the House.

On motion of Mr. Knight of Rockland, it was

ORDERED, that Mr. Caron of Biddeford be excused from attendance for the remainder of the

week because of a death in the family.

On motion of Mr. Graves of Mt. Desert, it was

ORDERED, that Mr. Carter of Etna be excused from attendance for the remainder of the week because of business.

The SPEAKER: At this time the Chair would request the Sergeant-at-Arms to conduct the gentleman from Gorham, Mr. Sanborn, to the rostrum for the purpose of serving as Speaker pro tem.

Thereupon, Mr. Sanborn 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

Mr. Hancock from the Committee on Labor reported "Ought not to pass" on Bill "An Act relating to Deposit of Self-Insurer Employer under Workmen's Compensation Act" (H. P. 754) (L. D. 1072)

Mr. Letourneau from same Committee reported same on Bill "An Act relating to Definition of Occupational Disease" (H. P. 588) (L. D. 835)

Same gentleman from same Committee reported same on Bill "An Act relating to Compensation for Total Incapacity under Workmen's Compensation Law" (H. P. 590) (L. D. 837)

Mr. Winchenpaw from same Committee reported same on Bill "An Act relating to Injuries under Workmen's Compensation Act" (H. P. 587) (L. D. 834)

Reports were read and accepted and sent up for concurrence.

Tabled and Assigned

Mr. Perry from the Committee on Towns and Counties reported "Ought not to pass" on Bill "An Act relating to Development and Promotion in Aroostook County" (H. P. 822) (L. D. 1160)

Report was read.

(On motion of Mrs. Christie of Presque Isle, tabled pending acceptance of Committee Report and specially assigned for Tuesday, April 28.)

Ought to Pass in New Draft New Draft Printed

Mr. Cote from the Committee on Legal Affairs on Bill "An Act Increasing Compensation of Aldermen of City of Lewiston" (H. P. 522) (L. D. 757) reported same in a new draft (H. P. 935) (L. D. 1321) under title of "An Act Increasing Compensation of Aldermen and Members of Various Boards of City of Lewiston" and that it "Ought to pass"

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

Ought to Pass Printed Bill

Mr. Graves from the Committee on Highways reported "Ought to pass" on Bill "An Act relating to Tolls on Bridge Across Jonesport Reach" (H. P. 190) (L. D. 282)

Report was read and accepted, the Bill read twice and tomorrow assigned.

Ought to Pass with Committee Amendment

Mr. Linnell from the Committee on Legal Affairs on Bill "An Act to Repeal the Charter of the Cousins and Littlejohns Islands Village Corporation" (H. P. 168) (L. D. 242), which was recommitted, 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. 168, L. D. 242, Bill, "An Act to Repeal the Charter of the Cousins and Littlejohns Islands Village Corporation."

Amend said Bill by inserting before the Enacting Clause the following Emergency Preamble:

"Whereas, acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Cousins and Littlejohns Islands Village Corporation under its bylaws can hold meetings only during the months of July and August; and

Whereas, it is vitally necessary that the inhabitants of the Cousins

and Littlejohns Islands Village Corporation be permitted to vote upon the following legislation in 1959; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Further amend said Bill by striking out the Referendum Clause and inserting in place thereof the following Referendum Clause:

'Referendum; effective date; certificate to Secretary of State. In view of the emergency cited in the preamble, this act shall take effect when approved, only for the purpose of permitting its submission to the legal voters of the Town of Yarmouth and said Cousins and Littlejohns Islands Village Corporation at annual or special meetings thereof held within 1 year after the effective date of this act, provided that the warrants calling such meetings contain appropriate articles for that purpose. Such meetings shall be called and conducted according to the law governing annual and special meetings of said town and said Cousins and Littlejohns Islands Village Corporation, except that voting on the articles relating to this act shall be accomplished by written ballot to be prepared for said meetings respectively by the town clerk and the clerk of said Cousins and Littlejohns Islands Village Corporation. Said town clerk and said clerk of the Cousins and Littlejohns Islands Village Corporation shall prepare proper ballots upon which the subject matter of this act shall be reduced to the following question:

"Shall 'An Act to Repeal the Charter of the Cousins and Littlejohns Islands Village Corporation,' passed by the 99th Legislature, be accepted?" The qualified voters of said town and of said corporation shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same.

This act shall take effect for all the purposes hereof immediately upon its acceptance by both the

inhabitants of the Town of Yarmouth and the Cousins and Littlejohns Islands Village Corporation by a majority of the legal voters present and voting at each of said meetings; provided, however, that the total number of votes cast for and against the acceptance of this act in both the town and the Cousins and Littlejohns Islands Village Corporation equals or exceeds 20 per cent of the total number of votes cast for all candidates for Governor in said town at the next previous gubernatorial election.

The result of the vote taken at the meetings above specified shall be declared in open meeting by the municipal officers of said town and by the overseers of said corporation, and a certificate of the result of the vote shall be filed by the clerk of said town and by the clerk of said Cousins and Littlejohns Islands Village Corporation with the Secretary of State.

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

Mr. Linnell from the Committee on Legal Affairs on Bill "An Act to Incorporate the Town of Wiscasset School District" (H. P. 918) (L. D. 1296) 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. 918, L. D. 1296, Bill, "An Act to Incorporate the Town of Wiscasset School District."

Amend said Bill by striking out in the 3rd line of Section 4 thereof the figure "\$600,000" and inserting in place thereof the figure "\$450,000".

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

Mr. Saunders from the Committee on Natural Resources on Bill "An Act Revising the Laws Relating to Water Improvement Commission" (H. P. 561) (L. D. 794) 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. 561, L. D. 794, Bill, "An Act Revising the Laws Relating to Water Improvement Commission."

Amend said Bill in section 4 by striking out the 5th line from the end and inserting in place thereof the following:

'that no. No application for a license from the commission shall be required hereunder'

Further amend said Bill in section 5 by striking out all of subsection II of that part designated "Sec. 9." and inserting in place thereof the following underlined subsection:

"II. Unclassified waters. In the interim between the first day of September, 1959 and the classification by the Legislature of any surface waters or tidal flats, or sections thereof, it shall be unlawful for any person, corporation, municipality or other legal entity to dispose of any sewage, industrial or other waste into any unclassified surface waters or tidal flats, without first obtaining a license from the commission. No license, from the commission, shall be required of any municipality, sewer district or other quasi-municipal corporation to dispose of any sewage from outfalls or facilities existing on the first day of September, 1959. Such license shall not be withheld if such sewage or waste will not lower the quality of the water below the classification which the commission expects to recommend for the adoption in accordance with the provisions of section 3. The form of application, notice of hearing, amount of license fee and conduct of hearing shall be as set forth in subsection I.'

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

Divided Report Tabled and Assigned

Majority Report of the Committee on Labor reporting "Ought not to pass" on Bill "An Act relating to Costs of Witness and Attorney Fees under Workmen's Compensation Act" (H. P. 356) (L. D. 515)

Report was signed by the following members:

Messrs. BATES of Penobscot
ROSS of Sagadahoc
— of the Senate.

Messrs. WINCHENPAW
— of Friendship
HANCOCK of Nobleboro
HARDY of Hope
TREWORGY of Orono
— of the House.

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

Report was signed by the following members:

Mr. MacDONALD of Oxford
— of the Senate.

Messrs. LETOURNEAU of Sanford
KARKOS of Lisbon
MILLER of Portland
— of the House.

Reports were read.

(On motion of Miss Cormier of Rumford, tabled pending acceptance of either Report and specially assigned for Tuesday, April 28.)

Divided Report

Report "A" of the Committee on Labor reporting "Ought to be Adopted" on Joint Resolution Memorializing Congress to Equalize Wage Rates Between Boston and Kittery - Portsmouth Naval Shipyards (H. P. 913) (L. D. 1287)

Report was signed by the following members:

Mr. MacDONALD of Oxford
— of the Senate.

Messrs. LETOURNEAU of Sanford
KARKOS of Lisbon
WINCHENPAW of
— of Friendship
MILLER of Portland
— of the House.

Report "B" of same Committee reporting "Ought not to be Adopted" on same Joint Resolution.

Report was signed by the following members:

Messrs. ROSS of Sagadahoc
BATES of Penobscot
— of the Senate.

Messrs. TREWORGY of Orono
HARDY of Hope
HANCOCK of Nobleboro
— of the House.

Reports were read.

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

Mr. DENNETT: Mr. Speaker and Members of the House: I rise this morning actually not to give you a long-winded tirade on the virtues of this resolution, but rather to appeal to your sense of justice. This resolution, this memorial to Congress was introduced by myself in this House, and it is in support of legislation that has been introduced in the Congress of the United States, a bill in the Senate by our senior Senator Margaret Chase Smith, and one in the House by the Representative from the First Congressional District, the Honorable James Oliver.

The State of New Hampshire has already passed a joint resolution with a memorial to Congress in support of this legislation.

In the Kittery Navy Yard there are employed 8,000 persons. It is approximately equally divided with the number from New Hampshire and the number from Maine, and there is also a small percentage employed there from the Commonwealth of Massachusetts. The Kittery Naval Shipyard is vital to the economy of Maine. Presently it is producing the most advanced type of nuclear submarine construction. The workmanship at the Kittery Navy Yard is second to none in the country. Its motto is: "We build the finest submarines in the world", and they are certainly living up to it. The working men at the Kittery Naval Shipyard resent being classed as second-class workers. They believe strongly that they should be paid equal pay for equal work. This sentiment is shared by each and every member of our Congressional Delegation in Washington, who strongly support this legislation.

It is inconceivable to my mind to think that the members of this Legislature cannot find it in their hearts, not only to come to the support of their own Congressional delegation, but to support their own people in their appeal for justice. I have before me five telegrams from the five members of the Congressional delegation. I assure you ladies and gentlemen this is definitely not party legislation one

way or another. Both parties share in the desire to see that justice is done.

I won't take the time to read all of these telegrams, but this one is from the senior Senator from Maine, and she says: "Am most hopeful that the Maine Legislature will pass your joint resolution memorializing Congress to enact my bill calling for pay equalization for Kittery Navy Yard workers and removing them from second-class pay status in comparison with Boston Navy Yard workers."

A second one from the Honorable James Oliver: "House Bill 4461 introduced by me to equalize wages at Kittery Naval Yard with Boston, now pending before House Armed Services Committee, will be seriously jeopardized by failure of Maine Legislature to act affirmatively on your resolution. I understand that New Hampshire Legislature has already passed similar resolution. Certainly we in Maine can do no less. It seems to me that all forward unprejudiced thinking men and women of Maine recognize flagrant injustice of existing wage discrimination against Maine workers. Passage of your resolution is vitally necessary to our efforts here to correct existing injustice."

Now for a brief moment, Ladies and Gentlemen, what happened before the Committee? The Bill was presented, or the resolution was presented. It was strongly supported by workers from the Kittery Naval Shipyard, and then there appeared a leading industrialist in the State of Maine who proceeded to draw a red herring across the issue involved. He inferred to the Committee that the economic structure in the State of Maine would be jeopardized if this resolution was allowed to pass. This gentleman represented and was President of the Bath Iron Works, who more or less inferred again that if Kittery raised its wages equally with the Boston Navy Yard, that the wage schedule at Bath would be seriously jeopardized. He failed, however, to tell the Committee that the wages at Bath are already ten to fourteen cents more an hour than they are at Kittery, and if Kittery should be granted equalization with Boston, then the

wage schedule would be practically equal.

Frankly there are other issues involved in this thing, and it is not the economic structure in the State of Maine which I believe prompted the gentleman to appear before the Committee, but I frankly and honestly and sincerely believe that it was deeper politics right in Washington where the Bath Iron Works, its Chairman of the Board is a retired Admiral and I have every reason to believe he exerted his influence upon the President of the Bath Iron Works to appear here in keeping with the old school tie along with the brass in Washington. Now frankly and honestly I believe this as it exists is a serious injustice. I do not think the workers of Maine should be classed as second-class workers because they are certainly equal with those of Boston or any other place, and are deserving of equal pay for equal work.

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

Mr. BRIGGS: Mr. Speaker, I rise in support of the motion of the gentleman from Kittery, Mr. Dennett. The workers in Kittery are first-class craftsmen and they are entitled to just compensation. I urge this memorial be passed.

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

Mr. DENNETT: Mr. Speaker, I did not intend to rise a second time, but frankly I think I was so carried away with what I was saying, I neglected to make a motion. I now move that Report "A", the "Ought to be adopted" Report of the Committee, be accepted.

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

Mr. MAYO: Mr. Speaker and Members of the House: I feel that I must rise here this morning in defense of the situation which I am in as a representative of the Bath area. I think there is no question that the gentleman from Kittery, Mr. Dennett, has the goodness of his constituents, the employees of Kittery, in his thinking. He referred to the President of the Bath Iron Works in his talk before the Com-

mittee, and I have underlined just a few of the parts of his speech which I am going to read; I am going to be very brief, but I truly and sincerely feel that this is an inflationary type of measure to the State. I do not understand why, as a Republican, why some of my Republican Representatives in Washington are even thinking along this line.

The policy of the Federal Government, and quite properly, has always been that the wages of employees in the Navy Yard shall conform as nearly as consistent with the public interest with those of private establishments in the immediate vicinity. To do otherwise, would create serious problems for private industry located in the area of such government establishments. Setting of wage rates at government establishments is an administrative function, not legislative. This policy was clearly demonstrated by President Eisenhower last year when he vetoed a bill to equalize the wage rates between Portsmouth and Boston Naval Shipyards. If wage rates in Portsmouth and Boston Naval Shipyards were equalized, succeeding steps would be to equalize the Brunswick Naval Air Station, then possibly the Dow Air Force Base in Bangor, and then Loring Air Force Base in Limestone with Portsmouth. The end result of such a plan could be the equalization of all government establishments at the highest level in the country. This, gentlemen, I submit would be very unhealthy for the State of Maine. It could mean the eventual dissolution of our private shipyards, heavy fabricating plants, machine shops and other industries.

Maine industry simply cannot be competitive if higher and higher wage patterns, which may be completely justified in other areas of our country, are forced upon us. A resolution of this Legislature urging the Congress to pass a law for the benefit of one community in Maine, which at the same time will bring grave injury to the rest of the State, would only further impair Maine's industrial position. The equalization of wages as proposed in this resolution would have far-reaching and more serious economical consequences to the State of Maine.

Private enterprise in Maine, facing an uphill job to provide employment for our State's skilled workers, is in great need of a lift at this critical time, not further discouragement. As I said before, gentlemen, these are not my words, they are the words of President of the Bath Iron Works who has been accused here this morning of drawing a red herring across a piece of legislation.

As I say, I definitely probably am carrying this fight for my own area in my own mind, but still I feel it is a definite detriment to the State of Maine. I just cannot understand anyone in this House feeling or thinking we should take one isolated area and change the whole structure of the State of Maine to benefit one small community. The gentleman from Kittery, Mr. Dennett, spoke of approximately 4,000 people whom we are talking about. Stop to analyze what the work load in the State of Maine is, how many people are employed, and what the consequences will be. In this House here are many gentlemen who we call white-collar workers, small shopkeepers. What will this mean to you folks? The increase in your wages that you are going to pay your employees if this begins to snowball. We have that happen in our local area each time a raise in pay goes through the Bath Iron Works employees and the scale of wages is raised, immediately the shopkeepers are asked for an increase in the wages for their employees, clerks, stenographers, everyone else asks for a raise in pay.

Gentlemen I think this is a very serious piece of legislation for this House to pass, and I sincerely hope that the motion of the gentleman from Kittery, Mr. Dennett, does not pass.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Rumford, Miss Cormier.

Miss CORMIER: Mr. Speaker, when the vote is taken, I request it be taken by roll call.

The SPEAKER pro tem: The gentlewoman from Rumford, Miss Cormier, requests a roll call.

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

Mr. ROLLINS: Mr. Speaker, I have stood in this House many times

and I am not very serious about memorials to Congress. In fact I sometimes think they are useless, but in this instance I am a hundred per cent behind the gentleman from Kittery on this. And the gentleman from Bath said he was afraid that it would bring up the wages of the civilian workers, he must mean the civilian workers, at the Brunswick Air Base; at the Bangor Air Base, and at Limestone. Well what are they doing? Are they working our civilian people for less money than they are at Westover Field doing the same work? And there is no danger of them leaving Maine because we are sticking out in the Atlantic here where we are the protectors of the United States, and that is the trouble with Maine. Here we are worrying about taxes, where are we going to get our income to run the State of Maine, and the sales tax dropping off? Well why is it? Because the employees in the State of Maine are not getting wages enough to carry the burden. I am a hundred percent behind the motion of the gentleman from Kittery, and I hope it prevails.

The SPEAKER pro tem: The Chair recognizes the gentleman from Sebago, Mr. Good.

Mr. GOOD: Mr. Speaker, these two shipyards, one at Portsmouth and Kittery, and the other in Boston, are not a great many miles apart. I don't know the exact number of miles but perhaps somebody else in the House does, but approximately they will be ninety or less miles apart. Now the employees, these federal employees in Kittery have been trying for some time to have their pay equalized with those in Boston. They are doing the same work and the same quality of work. I am in favor of the Committee Report "A" that these wages should be equalized. I think it will be a benefit to the State if the wages in Portsmouth and those in Boston are equalized, and even going further into Brunswick and to other federal areas in the State of Maine, I think they should receive as much pay for their services as for any other facility of a similar kind in the United States.

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

Mrs. HANSON: Mr. Speaker, I would like to correct the gentleman from Sebago, Mr. Good, and say that I know from personal experience that the work of the Portsmouth Navy Yard workers is better than the average in many of the other navy yards. I also take exception to the idea that we should not help a few. I think that it is as important to help 4,000 people as it is 10,000 people. A small community is just as important as a large community. I also feel that this Memorial should certainly pass.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Yarmouth, Mrs. Knapp.

Mrs. KNAPP: Mr. Speaker and Members of the House: I know that the Kittery-Portsmouth Navy Yard has lost a lot of good workers, they have gone to Boston, they have gone to California, they have gone to Connecticut to work in the navy yards because we didn't pay them in our own. We cannot afford to lose these skilled men, and I see no reason why they should not be paid equal to the others.

The SPEAKER pro tem: The Chair recognizes the gentleman from Friendship, Mr. Winchenpaw.

Mr. WINCHENPAW: Mr. Speaker and Ladies and Gentlemen of the House: Since I am House Chairman of the Labor Committee, maybe I had better say a few words in behalf of the Committee, and right now I want to say that this is one of the best committees I have ever worked on. We had a little trouble getting started under the four weeks supplemental benefit there, but after we got straightened out, we all respect each others' judgment, and we all sign the bills the way we feel and the way we think they ought to be signed, and that is why my name appears where it does.

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

Mr. CROCKETT: Mr. Speaker and Ladies and Gentlemen of the House: This is not a party issue. It is the salvation of the working man in the Kittery-Portsmouth Navy Yard. They are not inferior in their jobs. The proof has been shown that they are excellent workmen. That is proven by the products they have turned out in the years past. This

memorial is only doing justice to the people that live in our State. I believe they should receive the same consideration as the workers do in the Boston Navy Yard. As I said before, they are not inferior. If anybody tells you it costs more to live in Boston than it does in Maine, they are just out of their head, and I believe they are entitled to the consideration of this House by accepting the memorial presented by my good friend from Kittery, Mr. Dennett.

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

Mr. LETOURNEAU: Mr. Speaker and Members of the House: I shall be very brief in my statement. Apparently right now we are very much concerned about labor. I am glad to see the feeling of this House. The only thing I have to say, we have many other labor bills coming up. I hope that you give it as much consideration in the future as you do now.

The SPEAKER pro tem: The Chair recognizes the gentleman from Hope, Mr. Hardy.

Mr. HARDY: Mr. Speaker, Ladies and Gentlemen: I signed this Report "B" and I was very firm in my belief that I should sign it. I just want to make this one statement that I can't see — this is a memorial to Congress of course, we aren't changing the pay rate to the laborers down in Kittery. We are only suggesting that it be paid, but I feel that we as legislators are getting — I just can't see our place going ahead here and telling some industry or some private enterprise what they can pay for wages. That is my point on this thing. I feel that labor in Kittery is probably just as good and should be paid perhaps just as much, but we as legislators, can we legislate the pay scale of industry? That's my point.

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

Mr. DENNETT: Mr. Speaker, Ladies and Gentlemen of the House: I would just like to make one thing clear. It has been constantly brought out here that this is in support of one small community. There is scarcely a community in the County of York that does not send work-

ers to the Kittery Navy Yard. Also, there are a number of communities in Cumberland County that send workers to the Kittery Navy Yard, so it isn't only one small community that will benefit, it is practically all of York County and a portion of the County of Cumberland.

Furthermore, Ladies and Gentlemen, I insist we are not trying to legislate, we, in this memorial are only asking Congress to support bills that were introduced into that body by our own Senator and Representative. Thank you, Mr. Speaker.

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

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen: I think anyone that knows anything about me knows that I am in favor of labor, very much so. I don't think — in fact I don't care which side wins here because I don't think that memorializing Congress amounts to anything anyway. I never knew it to, and I don't think it will this time. The only thing that I am concerned with is this, that Congress did pass a law to increase their wages, and it was vetoed by the President, and in his veto message as I recall, he was in favor at least, if the Navy went along with it, that these people should be — their pay should be equalized, but he did not feel that it was a place of legislators to set — his place anyway as the President to say that it should be done, because it is the Navy who sets these wages in each one of these shipyards and to take it out of their hands it would be simply giving the Navy a sort of a back-handed slap and telling them they didn't know what it was all about, so for that reason he vetoed it, although I think in reading his message that he was much in favor that they should receive it, so as far as I am concerned, I don't think it will do any good and I don't think it will do any harm.

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

Mr. MAYO: Mr. Speaker and Members of the House: I beg your indulgence for just one brief statement. I am definitely not against labor. Labor has its place in our communities and in our State and

in every other way, and we are not talking here specifically about labor. I would just read one paragraph from the President's message which he sent back to Congress last year when he vetoed this very same type of legislation. "Approval of S-2266 could have broad and far reaching implications on the entire federal wage structure for it would serve as a precedent for combining labor market areas in proximity to one another. On the other hand, it is alleged that inequities exist with respect to the wages paid at the Portsmouth Naval Shipyard. I have directed the Secretary of the Navy to carefully review this entire situation, and to make such adjustments in the wage rates at this shipyard as his review indicates are warranted." I go along with the remarks of the gentleman from Hope, Mr. Hardy, when he said that memorializing is more or less a waste of our valuable time, and I feel assured that regardless of what our Representatives and senior Senator in Washington are doing, that our good President will probably again veto this bill. I guess that's all. Thank you.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Portland, Mrs. Kilroy.

Mrs. KILROY: Mr. Speaker and Members of the House: We are not trying to legislate wages for industry. As I understand, this is a government operation and all should be used alike. Therefore, I would like to go on record with the gentleman from Kittery, Mr. Dennett.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: I think perhaps that I would feel that I was somewhat remiss in my duties as a legislator from Aroostook County if I did not express the feeling that I think the present method of fixing wages in these military installations with regard to the other industries in the area, that I think that that procedure is a very good one, and I think that we are treading on dangerous ground when we attempt to upset that balance. There are industries I know in our own county that are struggling terrifically to meet the competition of wages now

being paid at Loring and Presque Isle. Any upward revision without regard to the effects upon other industries in that area in my opinion would be unwise. I oppose the memorial.

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

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

At this point, Speaker Edgar returned to the rostrum.

SPEAKER EDGAR: The Chair would thank the gentleman from Gorham, Mr. Sanborn, for his excellent services.

Thereupon, the Sergeant-at-Arms conducted the gentleman from Gorham, Mr. Sanborn, to his seat on the Floor, amid the applause of the House and Speaker Edgar resumed the Chair.

The SPEAKER: The gentleman from Portland, Mr. Briggs, has moved the previous question. In order for the Chair to entertain the motion for the previous question, the Chair must have the authorization of at least one-third of all the members of the House.

Will those who favor the Chair's entertaining the motion for the previous question, please rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

The SPEAKER: Obviously, more than one-third having arisen, the Chair is authorized to entertain the motion for the previous question.

The question now before the House is shall the main question be put now. This question is debatable with a time limit of five minutes for any member who wishes to speak on that question.

Is it the pleasure of the House that the main question shall be put now?

The motion prevailed.

The SPEAKER: The main question before the House is the motion of the gentleman from Kittery, Mr. Dennett, that the House accept Report "A" of the Committee on Labor reporting "Ought to be Adopted" on Joint Resolution Memorializing Congress to Equalize Wage Rates Between Boston and Kittery-

Portsmouth Naval Shipyards. A roll call has been requested.

For the Chair to order a roll call, the Chair must have the indication of the desire for a roll call by at least one-fifth of all the members of the House.

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

A sufficient number arose.

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

The Chair will state the question. The question before the House is the motion of the gentleman from Kittery, Mr. Dennett, that with respect to Joint Resolution Memorializing Congress to Equalize Wage Rates Between Boston and Kittery-Portsmouth Naval Shipyards, House Paper 913, Legislative Document 1287, the House accept Report "A" "Ought to be Adopted". If you favor the motion to adopt this Joint Resolution, you will say "Yes" when your name is called; if you oppose the adoption of Report "A", you will say "No". The Clerk will call the roll.

ROLL CALL

YEA — Aliberti, Bacon, Barnett, Baxter, Berman, Boone, Briggs, Brown, Cape Elizabeth; Brown, Ellsworth; Cahill, Call, Caswell, Chapman, Gardiner; Choate, Clark, Cormier, Cote, Cousins, Coyne, Crockett, Cyr, Augusta; Cyr, Fort Kent; Danes, Davis, Calais; Davis, Westbrook; Dean, Dennett, Dennison, Desmarais, Dostie, Doyle, Dudley, Dufour, Dumaine, Earles, Edwards, Raymond; Edwards, Stockton Springs; Emmons, Ervin, Gallant, Good, Graves, Hanson, Lebanon; Harrington, Harris, Haughn, Heald, Healy, Hendricks, Hilton, Hobbs, Hughes, Jacques, Jalbert, Johnson, Jones, Karkos, Kellam, Kennedy, Kilroy, Kinch, Knapp, Knight, Lacharite, Lancaster, Lane, Lantagne, Lebel, Lemelin, Letourneau, Lindsay, Linnell, Lowery, Maddox, Mathews, Mathieson, Maxwell, Miller, Monroe, Moore, Morse, Nadeau, Parsons, Pert, Pike, Plante, Porell, Prue, Rankin, Reed, Rollins, Rowe, Limberick; Rowe, Madawaska; Russell, Sanborn, Saunders, Shepard, Smith, Falmouth; Storm, Tardiff, Trumbull, Walls, Walsh, Walter,

Wheaton, Whiting, Whitman, Winchenpaw, Young.

NAY — Baker, Bragdon, Brown, Bangor; Carville, Chapman, Norway; Cox, Curtis, Dodge, Dunn, Edgerly, Edmunds, Frazier, Hancock, Hanson, Bradford; Hardy, Hodgkins, Hutchinson, Jewell, Mayo, Perry, Easton; Perry, Hampden; Philbrick, Smith, Exeter; Stanley, Treworgy, Wade, Williams.

ABSENT — Beane, Brockway, Caron, Carter, Christie, Couture, Dow, Dumais, Hendsbee, Jewett, Pitts, Turner, Warren, Weston.

Yes 109, No 27, Absent 14.

The SPEAKER: One hundred and nine having voted in the affirmative, twenty-seven in the negative, with fourteen absent, the motion to adopt Report "A" does prevail.

Is it now the pleasure of the House that the Memorial shall be adopted?

The motion prevailed. Sent up for concurrence.

Passed to Be Engrossed

Bill "An Act Revising Laws Relating to Animal Industry" (S. P. 359) (L. D. 1042)

Bill "An Act Repealing Gero Island, Piscataquis County, as a Game Preserve" (S. P. 411) (L. D. 1195)

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

Third Reader

Amended

Tabled and Assigned

Bill "An Act relating to Definition of Fish Weirs" (H. P. 367) (L. D. 526)

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

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

Thereupon, Mr. Young of Gouldsboro, offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 367, L. D. 526, Bill, "An Act Relating to Definition of Fish Weirs."

Amend said Bill by striking out the 4th, 5th and 6th lines and in-

serting in place thereof the following underlined words and punctuations "A weir structure that is not built by the 15th day of July in any year shall not be considered a weir for the remainder of the year."

Further amend said Bill by inserting the following underlined words 'catch pound' in the 18th line between the underlined words "which" and "they".

House Amendment "A" was adopted.

The SPEAKER: The Chair recognizes the gentleman from Milbridge, Mr. Kennedy.

Mr. KENNEDY: Mr. Speaker, I am somewhat concerned about the bill plus the amendment. Now this bill has been cut up quite a bit and has been amended I guess several times in preparation for adoption. I don't have a motion at the present time, but may I speak on this amendment?

The SPEAKER: The amendment has been adopted, but the gentleman may proceed.

Mr. KENNEDY: The people in my area are quite concerned about this definition of a weir. It says in the third line "A weir structure that is not built by the 15th day of July in any year shall not be considered a weir for the remainder of the year." Now the weir fishermen in my area very seldom start catching fish until October. Therefore, they don't really have their weir ready until the latter part of August or sometimes the middle of September. Now if this amendment did say this, a weir under active construction not later than July 15th would be acceptable, but it definitely states here: "A weir structure that is not built." Now I consider that 'built' means ready for fish. Unless some member of the Sea and Shore Committee can convince me, a question through the Chair sir, that this isn't under active construction, and means that this weir must be fully built by the 15th, I would need to stand and oppose this amendment as written.

The SPEAKER: The gentleman from Milbridge, Mr. Kennedy, has addressed a question through the Chair to any member of the Sea and Shore Fisheries Committee who may answer if he chooses.

The Chair recognizes the gentleman from Gouldsboro, Mr. Young.

Mr. YOUNG: Mr. Speaker and Ladies and Gentlemen: The amendment says the weir structure, that does not mean that the complete weir has to be done, and the amendment was drawn up in Committee with the gentleman from Milbridge, some of his constituents were there and that was the purpose, the word weir structure. The original bill said the weir shall be built, and this says the weir structure.

The SPEAKER: Does the gentleman from Milbridge consider his question answered?

Mr. KENNEDY: Well I understand sir, and I think most attorneys in this House would, that once this is written into law, it would be a weir structure that is not built, and that would mean that it be built by the 15th day of July. May I have permission to table this until Friday?

The SPEAKER: The gentleman from Milbridge, Mr. Kennedy, moves that Bill "An Act Relating to Definition of Fish Weirs" be tabled and specially assigned for Friday, April 24, pending passage to be engrossed. Is this the pleasure of the House?

The motion prevailed.

Bill "An Act relating to Fishing in Waters of Piscataquis County" (H. P. 491) (L. D. 704)

Bill "An Act relating to Free Hunting, Trapping and Fishing Licenses for Indians" (H. P. 639) (L. D. 930)

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

Bill "An Act relating to Use of Dragners in Part of Penobscot Bay" (H. P. 916) (L. D. 1294)

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

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

Mr. SHEPARD: Mr. Speaker, I would now move that this item lie on the table pending third reading for the preparation of a possible amendment, to Friday.

The SPEAKER: The gentleman from Stonington, Mr. Shepard, moves that this Bill be tabled pend-

ing third reading and be specially assigned for Friday of this week.

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

Mr. MADDOX: Mr. Speaker, I would ask for a division on the tabling motion.

The SPEAKER: A division has been requested. Is the House ready for the question? The question before the House is the motion of the gentleman from Stonington, Mr. Shepard, that the bill be tabled and specially assigned for Friday of this week.

Will those who favor the motion to table, please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Forty-one having voted in the affirmative and fifty-five having voted in the negative, the motion did not prevail.

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

Third Reader

Amended

Tabled and Assigned

Bill "An Act relating to Cancellation of Automobile Physical Damage Insurance" (H. P. 930) (L. D. 1316)

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

Mr. Cox of Dexter offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 930, L. D. 1316, Bill, "An Act Relating to Cancellation of Automobile Physical Damage Insurance."

Amend said Bill in the 5th line by striking out the underlined words "a motor vehicle" and inserting in place thereof the following underlined words 'an automobile'

House Amendment "A" was adopted.

(On motion of Mr. Brown of Ellsworth, tabled pending passage to be engrossed and specially assigned for Wednesday, April 29.)

Bill "An Act to Create the Berwick Water and Sewerage District" (H. P. 931) (L. D. 1317)

Bill "An Act Relating to Extension of Water Service in Town of Falmouth" (H. P. 932) (L. D. 1318)

Bill "An Act Regulating Commercial Fishing for Smelts" (H. P. 934) (L. D. 1320)

Resolve relating to Determination of Damages Caused by Taking of Land for Highway Purposes (S. P. 233) (L. D. 616)

Resolve Opening County Road Lake in Aroostook County to Ice Fishing (S. P. 274) (L. D. 736)

Resolve Regulating Fishing on Deer Meadow Pond in Lincoln County (S. P. 275) (L. D. 737)

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

Resolve in favor of Wild Acres Turkey Farm of Standish (H. P. 184) (L. D. 277)

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

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

Mr. MILLER: Mr. Speaker, we have turned many of these claims down this year and I still feel that this is opening the flood gates, so I will move for indefinite postponement.

The SPEAKER: The question now before the House is the motion of the gentleman from Portland, Mr. Miller, that Resolve in Favor of Wild Acres Turkey Farm of Standish be indefinitely postponed.

The Chair recognizes the gentleman from Sebago, Mr. Good.

Mr. GOOD: Mr. Speaker and Members of the House: Now, this is a claim for the loss of turkeys due to coons. The amount of money involved here is \$484.70.

Now, at the beginning of the session someone came to me from the Agricultural Department and said that a Mr. Adams in Steep Falls, Maine who operates a turkey farm over there had lost some turkeys, and that he had a claim and they wanted to know if I would process it. I said that I would be glad to do it in that he lived in one of the towns which I represented. Up to that particular time I had never met

Mr. Adams or never talked with him.

Now, this claim wouldn't be before the House of Representatives of the State of Maine had it been handled properly in the first instance. Mr. Adams notified the selectmen of Standish that he did have a loss of turkeys due to them being killed by coons. But the selectmen under the statutes should have come and inspected the loss and then turn it in to the Agricultural Department here and that money would have been paid out of the dog tax fund. Because of some reason which I do not know, the inspection was not made by the selectmen of the Town of Standish.

Mr. Adams had to, of course, dispose of the turkeys because of the odor that they were giving off, but he did report it to the Agricultural Department of the State and they sent a man down to investigate the claim. They found everything in order. Then we had a hearing here in Augusta. I called Mr. Adams and I told him that perhaps he should come and appear in behalf of his claim, and he did come and appear in behalf of his claim and it was allowed and it came out unanimous "Ought to pass."

Now, Mr. Adams operates a turkey farm in Standish where he employs 65 to 70 employees. He is located about two miles in the woods. He has twenty-nine buildings there which are insured for a total amount of \$250,000, doing a total gross business of approximately half a million dollars a year. He has his turkeys up on high buildings off the ground but apparently the coons are able to climb up the legs of these buildings and reach in and grab some of the turkeys and a lot of them suffocate.

This bill has gone through the mill. There was a fair hearing and no one opposed it. The members from the Agriculture Department of the State stated that this bill would have been paid had it been sponsored properly. Therefore, I hope that you will vote against the motion of the gentleman from Portland, Mr. Miller, for indefinite postponement.

Now, no evidence has been produced here by the gentleman from Portland, Mr. Miller, why this claim should not be allowed. I introduced

the facts that there has been a hearing, that the bill ordinarily would have been paid and the reasons why it should be paid.

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

Mr. ALIBERTI: Mr. Speaker and Members of the House: This morning we turned down a claim and the circumstances are very similar. There was a lot of damage done to a crop and I think my friend, the gentleman from Lee, Mr. Frazier, brought the claim out and the circumstances are very, very similar to this one, and I think that the least that this good body could do would be to be consistent, and regardless of how it came out of Committee, I believe that the claim should not be justified.

The SPEAKER: The Chair recognizes the gentleman from St. Albans, Mr. Hughes.

Mr. HUGHES: Mr. Speaker and Members of the House: Perhaps the members of the House will remember a few days ago I spoke of some of the inconsistencies of the laws as they are today relative to these claims.

There is machinery set up within the State statutes to pay for claims of this nature by wild animals done to farm animals. Relative to the other claim that was spoken of a moment ago, that was damage done to crops by wild animals, which there is no machinery set up to pay for, that is the difference between these two. And it was recommended to us out of Committee by the Agricultural Department that this bill should be paid. The only question in my mind was why the selectmen didn't follow through with the proper procedure in processing the claim and as yet that question hasn't been answered. I don't know what the reason was, but for some reason or other they didn't follow through, and that is the position of the Committee.

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

Mr. STORM: Mr. Speaker and Members of the House: This claim is very reminiscent to me of one that I presented to this body four years ago. The conditions were very similar. In that one also the selectmen

had failed to act and the Department favored the claim and said that it would have been paid had the selectmen verified it in the first place. I lost the claim wholly on that account, and the then Claims Committee came out unanimously "Ought not to pass." I had it recommitted to them and got a second report similar to the first. So, in order to be consistent I am going to go along with the indefinite postponement of this.

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

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen: In answer to my good friend, the gentleman from Sherman, Mr. Storm, I would say that two wrongs never made a right.

Now, this bill did have a proper hearing, and it is true that had the selectmen gone through with it as they should have, it would have been paid from the dog tax money where there is plenty of money to pay it. Thank goodness it doesn't have to come out of the general fund, it comes out of where the money is put in there for this particular specific purpose, and I think it should be paid, regardless of what happened to the bear and the oats or whatever happened to anything else.

This man did lose a lot of turkeys and he did everything that he probably could do. He did as the law provided, he did fence it in, that is one of the provisions of the law if you make a claim, even if the selectmen do do their duty, they must be fenced in. He did all of those things. He sat his buildings up on posts, but these rodents of the woods are pretty nimble babies, so they climbed up and helped themselves. I think that this bill should be paid, it had a fair hearing and Mr. Adams was brought down and the Committee was unanimous in considering that it should be paid, and I trust that you do vote to pay this because it is a just and honorable bill and it should be paid and there is claim money from that particular source to pay it.

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

Mr. MILLER: Mr. Speaker and Members of the House: A few min-

utes ago my good friend, the gentleman from Sebago, Mr. Good, said I didn't substantiate my move for indefinite postponement. I just want to merely say here and now for the record that I believe in being consistent. I voted against these claims all year long because I felt that it was opening a flood gate and that is the reason that I am going to vote against this. I think it should have been taken care of at the proper time, and I don't believe that there ever was any proof of evidence that these turkeys were killed.

The SPEAKER: The Chair recognizes the gentlemen from Friendship, Mr. Winchenpaw.

Mr. WINCHENPAW: Mr. Speaker and Members of the House: I just want to go on record as favoring this claim. Even though I lost a claim of my own, I hold no bitterness in my heart toward anyone, and I think that the Claims Committee sometimes is a little ruthless. This came out with a Majority "Ought to pass" Report, and I think we would be very wrong in this House to turn it down.

The SPEAKER: Is the House ready for the question?

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

Mr. BROWN: Mr. Speaker and Ladies and Gentlemen of the House: I have been given to understand that Mr. Adams owns an area of about 600 acres of land in which this plant is situated, and I have also been given to understand that all of it is posted against hunting or fishing. I wonder if I am correct, if anyone can answer that question?

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Brown, has addressed a question through the Chair to anyone who may answer.

The Chair recognizes the gentleman from Sebago, Mr. Good.

Mr. GOOD: Mr. Speaker and Ladies and Gentlemen of the House: I am sorry that the gentleman from Cape Elizabeth, Mr. Brown, has brought up the matter of Mr. Adams posting some of his land.

Are we going to blackmail Mr. Adams from protecting his property? His property is posted, part of it. He has, as I stated before, 29 buildings in there about two miles in the woods and he employs 65 or 70 peo-

ple. A few years ago when he and his daughter were having breakfast in the kitchen a shot rang out and they looked up and there was a hole in the window just above his daughter's head and they dug the lead of the bullet out of the wall. Now, I believe if that happened to you that you would run out and post your land too, and perhaps if you had money enough put up a fence eight feet high. He does have part of his premises posted, he doesn't want his help shot off. Now whether Mr. Adams has his land posted or not, I think it is immaterial and irrelevant to the claim that we have here.

I called Mr. Adams the other day and told him that perhaps there would be some objection to his claim in that he had part of his property posted and he was quite upset about it, and he mentioned himself that it was almost blackmail to get him to take down his posting signs in order to receive the sum of \$248, or whatever it happens to be here involved. Prior to posting some of his land, his employees have to drive to work of course, and they leave their vehicles on the road. There were so many hunters on the road into his plant that the employees, when they got through work at night, they couldn't get out. And then the A. & P. representative came in there to buy his turkeys and the First National, and they couldn't get in. What would be the situation if he had a fire in there? The fire trucks couldn't get in either. And he did have occasions where there was a couple of fires there and they had to go out and put them out.

I don't think the matter that Mr. Adams has some of his property posted around his processing plant has anything to do with his claim here. He has had a fair hearing and the Committee has allowed it. I don't think this House is going to stand for that sort of thing. And I hope that the motion which is still before the House for indefinite postponement does not prevail, and we can let our businessmen know in this State that they are not going to be blackmailed into doing something because they have a claim which has been proven and shown to be justified.

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

before the House is the motion of the gentleman from Portland, Mr. Miller, that Resolve in favor of Wild Acres Turkey Farm of Standish, House Paper 184, Legislative Document 277, be indefinitely postponed.

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

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

The SPEAKER: A division has been requested. Will all those who favor the motion to indefinitely postpone this Resolve please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Fifty-three having voted in the affirmative and sixty-four having voted in the negative, the motion did not prevail.

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

Resolve Closing Long Cove Brook, Moxie Cove Brook and Monroe Brook, Lincoln County, to Smelt Fishing (H. P. 933) (L. D. 1319)

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

Amended Bills

Bill "An Act relating to Use of Draggers in Sheepscot Bay" (S. P. 194) (L. D. 490)

Bill "An Act to Create the Maine Fertilizer Law" (S. P. 254) (L. D. 667)

Bill "An Act to Revise Certain Laws of the Department of Institutional Service" (S. P. 406) (L. D. 1174)

Bill "An Act relating to Marketing and Detention of Substandard Grade Sardines" (S. P. 409) (L. D. 1193)

Bill "An Act relating to Permits for Outdoor Advertising" (H. P. 84) (L. D. 131)

Bill "An Act relating to Protection of Weirs" (H. P. 366) (L. D. 525)

Bill "An Act to Incorporate the Jay Village Water District" (H. P. 667) (L. D. 959)

Bill "An Act Creating the Lewiston-Auburn Transit Authority" (H. P. 881) (L. D. 1255)

Were reported by the Committee on Bills in the Third Reading, read

the third time, passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

Amended Bill

Bill "An Act relating to Qualified Assistant Pharmacists" (H. P. 926) (L. D. 1308)

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

The SPEAKER: At this time, it gives the Chair a great deal of pleasure to introduce to the House a very charming young lady on my left, Miss Nancy Jane Arnold, the daughter of "Doc" Arnold. (Applause)

It gives the Chair a great deal of pleasure, and I consider it an honor, to recognize the presence in the rear of the hall of the House, the Honorable Robert L. Tuttle, who is a member of the House of Representatives of the State of Rhode Island. The Chair would request the Sergeant-at-Arms to escort the Honorable Tuttle to the rostrum as the Speaker's guest on the rostrum.

Thereupon, the Honorable Tuttle was escorted to the rostrum amid the applause of the House, the Members rising.

Passed to Be Enacted Emergency Measure

An Act to Authorize the Addition of the Towns of Cushing, Rockport, St. George, Thomaston and Warren to School Administrative District No. 5 (S. P. 291) (L. D. 815)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 123 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to Be Enacted Emergency Measure

An Act relating to Powers of Ricker Classical Institute and Ricker College (S. P. 325) (L. D. 901)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 123 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act Pertaining to Freedom of Access to Public Records and Proceedings (S. P. 26) (L. D. 6)

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

An Act Regulating Open Season on Deer by Zones (S. P. 92) (L. D. 210)

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

The SPEAKER: The Chair recognizes the gentleman from Monroe, Mr. Monroe.

Mr. MONROE: Mr. Speaker and Ladies and Gentlemen of the House: I would like to table this item until tomorrow.

The SPEAKER: The gentleman from Monroe, Mr. Monroe, moves that this Bill, "An Act Regulating Open Season on Deer by Zones," be tabled and specially assigned for tomorrow pending passage for enactment. Is this the pleasure of the House?

(Cries of "no")

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

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

Mr. BROWN: Mr. Speaker and Ladies and Gentlemen of the House: I did not intend to get into this discussion, I not being a hunter myself and not too familiar with the set-up on this zoning. But over the week-end I made quite a study on it and I had many, many phone calls and I had many personal calls at my home over the week-end from people who were quite disturbed on this zoning bill in the Bangor area.

This bill, L. D. 210, came out of the Committee 6 to 4 "Ought not to

pass." Now, the six members of that Committee were all of this House. This bill has been pushed around for several weeks and in the meantime considerable bitterness has developed among those who are primarily interested in this bill.

Here is the situation. The bill actually does not affect many, if any, of our central and southern counties. It happens that Aroostook County, the northern tip of Penobscot County and a segment of two or three of our western counties would like to have their deer seasons changed. It has already been demonstrated quite emphatically that Hancock County, Washington County, Piscataquis and at least part of Penobscot and Franklin definitely do not want the change at this time.

Now, a few years ago, George Stobie, then Commissioner of the Inland Fish and Game, asked some sportsmen from the Penobscot and Piscataquis Counties if they would be willing to entertain a group of major ball players on a hunting trip. Now, the Milo Board of Trade and several sportsmen in the area sponsored this program. Consequently, the Milo Board of Trade for the next four or five years gave a banquet honoring the league players. These banquets were attended by many sportsmen from all parts of the country. Following these banquets the players were taken to the woods camps where they enjoyed several days of successful hunting. These hunting camps were furnished free of charge. The State got tremendous national publicity.

Now that it has been told that the biologists are back of this bill, primarily the backers of this bill are a small group of men who want time to hunt with their bird dogs without being molested by the deer hunters. This is the reason that they want to take away the ten days in this area.

Now, there are some who have supported this bill because it would give them extra days to do a little business, or in their stores, and some would like it in regards to their sporting camps.

In view of what I have told you, do you believe that we should compel citizens of these counties which I have mentioned to accept something that they definitely do not

want? To me it is a poor way for us to show our appreciation for their contribution to the years of advertising our State on a large national basis. It may be proper for a department or any segment of it to present their recommendations, but people should themselves decide whether or not the recommendations are acceptable.

There are many good reasons where a good number of sportsmen, and I believe the Department of Fish and Game also, would much rather see this particular bill defeated at this time, and I believe that with a little more study and a compromise that this could probably be worked out to the majority of the liking of the people. Mr. Speaker, I move the indefinite postponement of this Enactor.

The SPEAKER: The question now before the House is the motion of the gentleman from Bangor, Mr. Brown, that Bill, "An Act Regulating Open Season on Deer by Zones" be indefinitely postponed.

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

Mr. MAXWELL: Mr. Speaker and Ladies and Gentlemen of the House: This bill came in the House before I arose and, as I stated at that time, we pay our biologist to tell us right and wrong. I think the least we can do is to see if their action on this particular thing is right and that their recommendation is accepted. I think it is a good recommendation and I hope to see this bill enacted. We have already indicated by previous vote that that is what we want.

We, in Franklin County, as a majority that is, want the zone bill and very definitely need it. It would shorten my time of selling. It was just brought out that some people would like to see this because of added selling time. It would shorten my time of selling by ten days. This I am not opposed to. I am in favor of the bill and hope that the motion of the gentleman from Bangor, Mr. Brown, does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Sangerville, Mr. Edgerly.

Mr. EDGERLY: Mr. Speaker, Ladies and Gentlemen of the House: I am very much opposed to this bill.

I think they had a very good set-up as the zones were before and the deer herd was holding their own. I think they are doing well to hold their own with as many hunters after them as there is now.

As far as the deer starving, I failed to ever find one. I travel the woods quite a lot in the winter trapping. I have trapped up in Oxbow, Ashland, in on the Reality Road, 40 or 50 miles on several different wood roads. Wherever you go to trap beaver, every second house you come to, beaver house, you will pass by a deer yard somewhere. They come out to those falls and streams where the beaver are to get water from their yards. Well, the first time around I am generally in a hurry to get my traps set, but the next time when I go around to look after them I have more time and I like to see deer in the winter, and I will spend time to swing in on the deer yards to look at some of them. They have all been in good shape, large deer with plenty of feed. I have never happened beyond where there wasn't any feed for them and they were starving. That takes in a lot of yards up around that country. Then sometimes I don't go up to Ashland. I have a few years. I will take in Sangerville, Guilford, Parkman, Wellington, Cambridge and up to Monson, Abbot, Shirley and around those towns, perhaps that will be the area that I will trap in. And it is just the same in those places, you will run onto the deer yards. Then some other time I will go through Dover-Foxcroft, Sebec and down to Milo, Atkinson, Howland, LaGrange, Hudson, Dexter and back up home that way and it is all the same, you will run onto deer yards and I don't see why we should want to make a change.

If you have got to go out and shoot some deer to keep them from starving to death, I don't know what is going to happen. It seems to me if they shot those deer, what they would have raised in the next ten years might help us out when we have more hunters. So, I will have to go along in favor of indefinitely postponing this bill and leave it where it was.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I think this bill has been very thoroughly discussed and I am in sympathy with my good friend, the representative from Bangor, Mr. Brown. I realize how hard a job he just had to pass his bill and he feels that he might have had it made, and I know how he voted last time. And I hope that we are not easily swayed by small motions and other speakers speaking of a local area. This bill is a state-wide bill, there has been a lot of effort put into it and a lot of time, and I am like the representative that I just mentioned, who spoke in his own admission that he was not a hunter, that he knew nothing about the measure, I am just the contrary, I know something about hunting, I lived in the woods all my life nearly in the Town of West Enfield. I do go hunting, I live with the situation year around. I have been on this Committee three years, we have studied it, we have had it before us many other times, and this has been considered, and I think that enough time has been spent on the bill. I don't want to take any more of your time. I think we made a fair decision in the second reading and the first reading and now we are talking about it again in the enactment stage. I hope that we will go along with our original decision which was a fairly decisive one and save delaying any more of our time where it is dinner time. Thank you.

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

Mr. LINNELL: Mr. Speaker and Members of the House: I believe the most significant question that has been asked in the course of this whole matter has been, are we down here to represent some twenty or so game biologists or are we down here to represent the people of the State of Maine? I believe and I submit to you that a majority of the people of the State of Maine do not want this bill. I, therefore, favor the motion of the gentleman from Bangor, Mr. Brown.

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

Mr. BROWN: Mr. Speaker and Members of the House: Just to speak in defense of myself in regards to the gentleman from Enfield, Mr. Dudley, I would like to say that there was no deal made in regard to any legislation that I might have had before this body. I am speaking in defense of my constituents from Bangor who are ardent hunters and fishermen, and I rely upon their judgment, and for that reason that is why I oppose this bill at this time.

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

Mr. HARRIS: When the vote is taken I request a division.

The SPEAKER: A division has been requested.

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

Mr. HUTCHINSON: Mr. Speaker, Ladies and Gentlemen of the House: I voted for this bill when it was before us a few days ago and, mainly for two paramount reasons, I shall vote for it again today. The first of these two main reasons is that I sincerely believe it to be a forward step in our game management program. And also, to quote from the utterances of a Fish & Game Club officer. "It will not accomplish any great change overnight but simply sets up hunting seasons with a trend in the direction of better deer-herd management in this state. The object is to make more deer available to more people while maintaining the herd in best condition in numbers and physical condition. A by-product of better zone management is the matter of inducing the out-of-state hunter to leave more hard cash in the state.

My second main reason for supporting this bill today is, first, that I supported it before and, as I hope I have some semblance of mature judgment and convictions, I don't change my mind every few days and shall support it again today.

Secondly, the only opposition that has been shown or expressed to this measure I consider purely selfish and local in scope, and without any basis whatever in the welfare of the overall game management program.

This bill has had final approval by the Senate and I trust we in the House will insist on our former action and vote against the motion to indefinitely postpone.

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

Mr. HARRIS: Mr. Speaker and Members of the House: Being a member of the Fish and Game Committee, and in public hearing when this bill was heard, I would like to state that the only members that spoke for it, except one I believe that was a member of the Maine Fish and Game Club, all the rest, 50 I am going to say, 50 to 1 or 2 appeared against this bill.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Bangor, Mr. Brown, that Bill, "An Act Regulating Open Season on Deer by Zones," Senate Paper 92, Legislative Document 210, be indefinitely postponed. A division has been requested.

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

A division of the House was had.

Fifty having voted in the affirmative and seventy-two in the negative, the motion did not prevail.

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

An Act relating to Conferring Degrees by Thomas Junior College (S. P. 111) (L. D. 261)

An Act relating to the Suspension and Revocation of Liquor Licenses (S. P. 164) (L. D. 385)

An Act relating to Driver Education (S. P. 185) (L. D. 428)

An Act relative to Trading Stamp Companies (S. P. 306) (L. D. 852)

An Act relating to Powers of Maine Fidelity Life Insurance Company (S. P. 324) (L. D. 900)

An Act relating to Capital Shares of Insurance Corporations (S. P. 363) (L. D. 1046)

An Act to Enlarge Powers and Purposes of Trustees of Diocesan Funds in Episcopal Diocese of Maine (S. P. 447) (L. D. 1300)

An Act relating to Lights on Rear of Certain Trucks (H. P. 228) (L. D. 318)

An Act to Clarify the Inheritance Tax Law (H. P. 244) (L. D. 355)

An Act to Incorporate the Eastport Water District (H. P. 315) (L. D. 462)

An Act relating to Vehicle Entering Stop Intersection (H. P. 396) (L. D. 579)

An Act Defining Agricultural Labor under Employment Security Law (H. P. 443) (L. D. 649)

An Act relating to Powers of Community School District Trustees (H. P. 540) (L. D. 775)

An Act Establishing a Representative Town Government in Town of Scarborough (H. P. 591) (L. D. 845)

An Act relating to Salary of Representatives of Indian Tribes at the Legislature (H. P. 596) (L. D. 842)

An Act relating to Negotiable Notes (H. P. 641) (L. D. 932)

An Act relating to Legislative Jurisdiction over Federal Lands within the State (H. P. 643) (L. D. 934)

An Act relating to Isolated Motor Vehicle Transactions under Sales Tax Law (H. P. 674) (L. D. 966)

An Act to Create the Bureau of Maine Archives (H. P. 785) (L. D. 1117)

An Act relating to Powers of York Beach Village Corporation (H. P. 863) (L. D. 1231)

An Act relating to Payments by Town of York to York Beach Village Corporation (H. P. 868) (L. D. 1236)

An Act relating to Records of the State Police and Certain Other Agencies (H. P. 920) (L. D. 1298)

An Act Repealing the York Beach Village Corporation (H. P. 921) (L. D. 1299)

Finally Passed

Resolve Charging Off Funds Advanced for the Purchase, Stocking and Equipping of the Blueberry Experimental Farm (H. P. 60) (L. D. 98)

Resolve Authorizing Use of Pas-samaquoddy Trust Funds for Housing (H. P. 233) (L. D. 344)

Resolve in favor of Lloyd Moore of Gouldsboro (H. P. 538) (L. D. 773)

Resolve Authorizing Flora Burrill Tibbetts to Bring Suit at Law Against the State of Maine (H. P. 919) (L. D. 1297)

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.

Orders of the Day

The SPEAKER: Under Orders of the Day, the Chair now lays before the House the first tabled and today assigned matter, House Divided Report, Majority "Ought not to pass" and Minority "Ought to pass" of the Committee on State Government on Resolve Proposing an Amendment to the Constitution to Reduce the Voting Age to Nineteen Years, House Paper 882, Legislative Document 1256, tabled on April 10 by the gentleman from Portland, Mr. Miller, pending acceptance of either report.

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

Mr. BRIGGS: Mr. Speaker, as sponsor of L. D. 1256, Resolve Proposing an Amendment to the Constitution to Reduce the Voting Age to Nineteen Years, I would like to briefly address the House.

The SPEAKER: The gentleman may proceed.

Mr. BRIGGS: Mr. Speaker, Ladies and Gentlemen of the House:

Under the Constitution of the United States, it is the right of the States to establish qualifications for voting, including the minimum voting age. The States of Georgia and Kentucky have reduced their minimum voting age to 18, and the new State of Alaska has done the same. A bill lowering the voting age will go to the Senate floor in the State of Maryland with a favorable report from its present legislative committee.

Since World War I, in 17 democratic countries throughout the world, the minimum voting age has been reduced to 18.

On May 25, 1953, Leonard W. Hall, former Republican National Chairman, announced that both President Eisenhower and Vice President Nixon had endorsed, enthusiastically, a proposal for an intensified campaign to lower the minimum voting age.

In our schools today, students develop an interest in politics that

even their parents do not have. Courses are now given in Civics, Government and Politics. Debates are held on national and international subjects. But, when the students graduate, they find that they cannot put their knowledge to use. They are not allowed to vote. However, they are permitted and required to join the Armed Forces. Their political enthusiasm drops off, and within the next three years they lose their interest, forget to register, and do not become developed citizens. There is no better civic training than the exercise of the vote. Without the vote, all other forms of civic training are lacking in meaning and effectiveness.

President Eisenhower realized this and in his State of the Union message proposed that these younger people be given the right to vote.

Many leading Americans have told the States that they have a moral obligation to let those who fight have the right to vote. Mrs. Eleanor Roosevelt recently stated: "If young men of 18 or 19 are old enough to fight their country's battles, they should be allowed to vote."

In general, public opinion polls show that there is a greater interest in the minimum voting age issue, and a larger percentage of persons, than ever before, is in favor of lowering the minimum. A recent Gallup Poll survey revealed that the sentiment to cut the voting age has reached an all time high of 63 per cent in favor. This is even higher than in 1943, at the height of World War II when the poll revealed that the majority in favor of lowering the minimum voting age was 52 per cent.

Mr. Speaker, Ladies and Gentlemen of the House: In order to expedite legislation now before the House, I regretfully move that the Majority "Ought not to pass" Report of the Committee be accepted, and I thank you very much for your kind attention.

The SPEAKER: The gentleman from Portland, Mr. Briggs, moves that the House accept the Majority "Ought not to pass" Report on Resolve Proposing an Amendment to the Constitution to Reduce the Voting Age to Nineteen Years, House Paper 882, Legislative Document

1253. 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 now lays before the House item number two, House Divided Report, Report A "Ought to pass" and Report B "Ought not to pass" of the Committee on Taxation on Bill, "An Act Exempting Certain Fraternal Associations from Property Taxation," House Paper 323, Legislative Document 470, tabled on April 14 by the gentleman from Brunswick, Mr. Lowery, pending acceptance of either report; and the Chair recognizes that gentleman.

Mr. LOWERY: Mr. Speaker and Members of the House: I would like first to state the position of the Town of Brunswick. As you probably know, there are only two communities in the State that are affected at the present time by this bill, the Town of Brunswick and the Town of Orono.

The 12 Bowdoin College fraternities involved in L. D. 470 represents a taxable valuation of \$535,000 to the Town of Brunswick.

A narrow tax base is common in most Maine communities, but it is a very serious problem to the Town of Brunswick. During the past year, residential property owners paid 72 per cent of all taxes assessed. The town's tax rate has increased from 19 mills in 1955 to 29.5 mills in 1959, an increase of more than 50 per cent in just four years. During this same period, property estimated for tax purposes at \$500,000 has been taken for expansion of the Brunswick Naval Air Station. By the end of 1959 the Federal Government will have constructed approximately \$5,000,000 worth of new housing in Brunswick, all of which will be tax exempt.

As I stated before, the taxable valuation of the Bowdoin College fraternities is \$535,000. Should this bill pass, the town would lose \$16,000 in tax revenue at the present rate. We cannot emphasize too strongly the seriousness of this tax loss.

Aside from the very real financial consideration, we do not agree that

social fraternities should be tax exempt. It is a fact that fraternities, by virtue of their independence from college ownership, enjoy certain privileges. They also enjoy all of the municipal services available to other members of the community. It would seem to me that these young men should realize their responsibility to the community by helping to support the services they enjoy and expect as other taxpayers should.

I, therefore, move for indefinite postponement of L. D. 470 and all of its accompanying papers.

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

Mr. ROWE: Mr. Speaker, I am very curious as to who the members were who signed the "Ought to pass" Report. If the Chair does have a list of their names would he have the Clerk read their names to us, please.

The SPEAKER: The Clerk will read the list of names as signers of the Report.

The CLERK: Report A, "Ought to pass," is signed by the Senator from Washington, Senator Wyman; the Senator from Hancock, Senator Willey; the gentleman from Pittsfield, Mr. Baxter; the gentleman from Belfast, Mr. Rollins; the gentleman from Jay, Mr. Maxwell. Report B, "Ought not to pass," is signed by the Senator from York, Senator Fournier; the gentleman from Augusta, Mr. Cyr; the gentleman from Hartford, Mr. Parsons; the gentleman from Bangor, Mr. Cousins; and the gentleman from Verona, Mr. Walsh.

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

Mr. MAYO: Mr. Speaker and Members of the House: I rise to support the gentleman from Brunswick, Mr. Lowery, and hope that his motion will pass, and I request a division.

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

Mr. PLANTE: Mr. Speaker and Members of the House:

We ask you to support a bill this morning which will remedy a serious defect in the tax structure as well as provide needed assistance

to the cause of higher education. This measure, which would exempt college fraternities from property and real estate taxes, concerns itself with situations at the University of Maine and Bowdoin College. Both of these institutions make use of the fraternity to provide room, board, study facilities, and social facilities for a large number of their students. And yet the fraternity is taxed even though it performs the same vital functions as dormitories and other college buildings, all of which are tax free. If we support the philosophy of the educational exemption, how can we then justify taxing some parts of the educational institution while exempting other parts? Such a policy contains a basic inconsistency.

It appears that the major objection to this bill is the fear that it may be an entering wedge which would lead to the exemption from taxes of other organizations. The validity of this argument rests on the assumption that the exemption of the fraternity house is somehow different than the exemptions of other parts of the college which do not pay taxes at the present time. If this were true, it could be argued that by exempting fraternities from taxation, we would be moving into a new field and thus would be setting precedents for tax exemptions in other new fields. However, such is not the case. Since the fraternities are merely one part of the educational organization which is being exempted, we are not entering a new field but merely completing exemptions in the old field.

In many cases at these two schools, up to one third of a student's room rent goes toward the payment of taxes. In an age when education is becoming so vitally important in preserving the democratic way of life, it is imperative that students not be expected to assume such a heavy financial burden until that time when they take their places in the community.

Now, we feel that we are definitely being discriminated against. I would like to point out a few facts to substantiate this comment. Colby College, a fine college, is in a fortunate position of having ten fraternities, and none of these fraternities are being taxed by the

municipal officers of Waterville. To be sure, these fraternities are on the land owned by the college, but also the institutions, the fraternities at the University of Maine are on State of Maine property, on land grant college property.

The fact that taxes increase has no relevance to whether or not the merits of this issue are sound. Both parties in days gone by and in recent times have looked for some means of relieving the burden of our college students. This would be one way of doing it. Those that live in dormitories are already exempted; therefore, they would not be losing anything. But those who do live in fraternities, and mind you, at the University of Maine alone, the housing which is furnished by these fraternities to the State, if they were replaced today would cost the State of Maine \$4,500,000. We cannot see why one individual living in a dormitory and another living in a fraternity house should pay two different bills. We feel that our arguments are sound and are fair.

There has been given before you an argument pertaining primarily to Bowdoin College, which is on your desks. I would like to point out that the percentage of Brunswick taxation paid to Bowdoin College fraternities is 1.49 of their tax assessment. I feel that this is not a heavy burden for the Community of Brunswick to share.

In addition to this, the Community of Orono receives \$10,000 from the State because the University of Maine is located there. I would like to point out that this is the only institution, or rather the only community of 173 communities with state institutions that receives any financial remuneration at all from the State.

In addition to this, there is a question of services in regard to these taxes. The University of Maine provides a very efficient police department, headed by Mr. Steve Gould, a former member of the State Police. Both colleges provide for the picking up of waste.

In addition to this, the University of Maine, around the fraternities, does its own policing. Bowdoin College has warden services to take care of policing in that

area. So, in effect, they are paying taxes yet not receiving the same services that other people in the community are receiving.

Basically, this would probably give the individuals going to these two institutions roughly between \$40 and \$80 off their room and board. And for young men who are working their way through college, this may mean a week or week and a half of work during the summer months. This may not mean a great deal to some of us, and to others who are in a more fortunate position. But to these individuals who are trying to do their best in acquiring an education, it would not be asking too much of these two communities who receive so much financial help because of these people there, and the State of Maine, to give them a small token in helping them to find a better way of life through a better education.

The SPEAKER: The Chair recognizes the gentleman from Sebago, Mr. Good.

Mr. GOOD: Mr. Speaker and Members of the House: This Legislative Document 470 doesn't necessarily apply just to real estate at Bowdoin in Brunswick. It reads: "The real estate and personal property owned and occupied or used solely for habitation or for their own purposes by any fraternal association of ten or more students in attendance at any institution in the State empowered to confer educational, literary or academic degrees."

It is with reluctance that I oppose the passage of this bill since I am a member of one of the fraternities listed here, although I did not attend Bowdoin.

I have here a copy of the Revised Statutes of the State of Maine of 1954, listing property already tax exempt. I am not going to read them all to you, but here is some of the property that is now tax exempt by municipalities, and somebody has got to pay these taxes for the services that are rendered, and I believe that the fraternities really wish to shoulder their responsibility for the police service that they are receiving, the fire service that they are receiving and other benefits of living in a

community. The property of the United States is exempt in a community, the property of the State of Maine, all bonds, notes and other obligations issued by the State of Maine, the property of any public municipal corporation, all airports and landing fields and the structures erected thereon, the real estate and personal property owned and occupied or used solely for their own purpose by benevolent and charitable institutions incorporated by the State of Maine, the real estate and personal property owned and occupied or used solely for their own purpose by literary and scientific institutions. Perhaps these fraternities could incorporate under one of these headings and receive exemption. The real estate and personal property owned and occupied or used solely for their own purpose by the American National Red Cross, the American Legion. In addition to this, of course, the veterans who reach the age of 62 have exemptions on the real estate up to \$3,500.

These fraternities are wonderful institutions. They are aiding education. But to extend exemptions further and further and further you increase the burden on the businesses in your towns and on the privately owned dwellings.

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

Mr. LACHARITE: Mr. Speaker and Members of the House: I arise to support the motion of the gentleman from Brunswick, Mr. Lowery, to indefinitely postpone this bill, and I am opposed to this bill because it is class legislation, it is discriminatory and it puts an unfair burden on the other taxpayers in the communities where these fraternities are located.

Before going any further, I would like to read just three or four lines of a letter that was received from the Town Manager of the Town of Brunswick. In part it says: "We have found no support for this bill among Brunswick citizens and, in fact, can find no support for this measure among the many faculty and alumni advisors to Bowdoin Fraternities. The President of Bowdoin College, Dr. James S. Coles, has advised us that 'The

college administration was not consulted concerning the introduction of this bill, has had nothing to do with this proposed legislation and, in fact, does not support this measure.”

Now, I say this is class legislation because it applies only to a few individuals in only two towns in the State. At the hearing and today the proponents would try to lead us to believe that these fraternities are an integral part of education. To satisfy myself, I looked up the latest edition of Webster's, and here is what the Dictionary says about fraternities: 1. “Fraternities, a body of men associated for their common interest, business or pleasure.” Then I went a little further to look up a second definition, and it went as follows: “In American colleges, a student organization, either a nationally chartered society comprising many affiliated chapters or a single chapter in one institution, formed chiefly to promote friendship and welfare among members, and usually having secret rites and a name consisting of Greek letters.” I fail to see anything in these definitions that establishes fraternities as an integral part of education. Furthermore, the students who live in these fraternities do so of their own choosing. There is no college rule or regulation that compels anyone to live in a fraternity house.

Now, I do not wish to bore you with statistics, but I believe that we should look at a few. For instance, in Brunswick the average residence valuation in 1958 was \$9,840 per residence. The average tax per dwelling was \$265.68. In 1959 it will be \$286, an increase of over \$20 per house. For these taxes the residents received the following services. They have a free public library, recreation, welfare, civilian defense, fire protection, police protection, public works programs, education, street lights, fire hydrants, etc., etc, plus all county services, and all this for a per capita cost of \$52.44 per year.

Now, these fraternity boys do not take advantage of all these services, but they certainly receive a good part of them such as follows: They have civilian defense, which has a per capita cost of 21 cents,

fire protection with a per capita cost of \$3.33, police protection \$4.38, public works services \$12.87, street lights and fire hydrants at \$3.00 and county services at \$1.45, for a total per capita cost of \$25.24 to the student, while the present taxes on fraternity houses represent a cost of approximately \$15.00 per student, and this figure I got from figuring out the tax rate and also from Dr. James Coles, President of the College.

Now, they are certainly getting more than their money's worth, and there is no reason in the world why the already overloaded taxpayers should be made to support the fraternity houses besides opening the door for all kinds of social clubs to seek similar tax exemptions.

We have heard a great deal about comparison between Bowdoin College fraternities and those at Colby. I would like to say just this much, that at Colby the fraternities are on campus, most of them are right in the dormitories themselves. The deeds are in the hands of the College and the College controls all the activities and, therefore, they are college property and are tax exempt.

Now, at Bowdoin and at Maine, I suppose, I am not too familiar with Maine, those fraternities can become tax exempt also if they wish just the same as at Colby. All they have to do is to deed over their property to the college. But they do not wish to do this, they wish to remain an independent social club and, as such, they should be willing to carry their proportionate share of the tax load.

There is certainly no need for this legislation at this time and I hope that the motion of the gentleman from Brunswick, Mr. Lowery, to indefinitely postpone this bill will prevail.

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

Mr. LINNELL: Mr. Speaker and Members of the House: Initially, I would like to point out in regard to what the gentleman from Brunswick, Mr. Lacharite, has said, that I, for one, am an alumni advisor of a group at Bowdoin College and I am in favor of the bill.

In going along and looking at the statutes, as the gentleman from Sebago, Mr. Good, has indicated, we see, and I am repeating what he said here, the real estate and personal property owned and occupied or used solely for their own purposes by any literary or scientific institution. Under this section several fish and game clubs in this State have their property exempted. I do not think that they would approach being an educational or literary institution nearly as close as would these college fraternities. The real estate and personal property owned and occupied are used solely for their own purposes by the posts of the American Legion, Veterans of Foreign Wars, Grand Army of the Republic, Spanish War Veterans, Disabled American War Veterans and Navy Clubs of the U.S.A.

The gentleman from Brunswick, Mr. Lacharite, spoke of class legislation. I submit that we already have some class legislation on the books. I submit that as far as being literary or scientific the college fraternities more appropriately approach that goal than do some of these enumerated organizations.

The gentleman from Sebago, Mr. Good, mentioned personal property. Let me point out to you the exemption of personal property currently on the statutes. "Mules and horses less than six months old, colts of draft type less than three years old, meat cattle less than 18 months old, sheep to the number of 35, swine to the number of 10, domestic fowl to the number of 50, goats to the number of 35 and all kids less than one year old."

Now, what the question boils down to is this, and I speak only in regards to the college fraternities on the Bowdoin Campus because those are the only ones with which I am directly familiar, the question is this: Are these educational institutions solely to come within the exemptions or are they not? I submit that they are, if you didn't have them the college would have to close down, they could not provide quarters for a large per cent of their student bodies nor could they feed them. As a matter of fact, on the Bowdoin Campus only five per cent of the students

are fed outside of the fraternity houses, and that is at the Moulton Union, yet the Moulton Union is tax exempt property. I hope that the motion of the gentleman from Brunswick, Mr. Lowery, does not prevail.

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

Mr. TREWORGY: Mr. Speaker and Members of the House: I am in rather a peculiar situation today since I, on the one hand am a representative from Orono, and on the other hand a director and a clerk of one of the fraternities located on the campus at the University of Maine. However, I have to oppose and am opposed to L. D. 470.

Under the Constitution of the State of Maine, R. S. Vol. 1, Page CXI, Art. 9, Sec. 8, it states the following: "Tax need not benefit all people in equal degree. In order that taxation may be equal and uniform in the Constitutional sense, it is not necessary that the benefits arising therefrom should be enjoyed by all the people in equal degree nor that each one of the people should participate in each particular benefit. Laws must be general in their character and the benefits must affect different people differently. This is due to the situation."

Fraternities are self-governing private clubs to which only those invited may join. They also have the right to expel from the house any member for just cause. They hire their own cooks, their own maids and their own house mothers. Any one or all of these members, or these employees, may live in these houses. These houses are owned by building associations which have complete control over the physical plant. They, in turn, rent these houses to the undergraduate chapters.

At the hearing which was held on this L. D., no building association directors appeared to speak for the bill. The proponents of this bill have argued that fraternities are an integral part of the college system, that they house students in the same capacity as the dormitories which are tax exempt. If this line of reasoning is carried one step

further it would follow that the 1200 odd off-campus students who are now living in the Old Town, Orono and Bangor area, or other areas, should have that portion of their private dwellings that they are living in tax exempt. After all, those private dwellings are performing the exact same basic function of providing food and lodging that the fraternities are.

In conclusion I would like to read a section from the minutes of the Council of Fraternity Chapter Advisors, University of Maine, dated March 12, 1957. "Following discussion, it was agreed that the interest lay in seeking equitable adjustment in fraternity taxes, not in eliminating such town taxes." Thank you.

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

Mr. PLANTE: Mr. Speaker and Ladies and Gentlemen of the House: This bill is very dear to me and I shall be very brief in rebuttal I only wish to speak in rebuttal because several facts and figures have apparently been purposely confused.

In the case of private dwellings I would like to point out that these are private profit organizations, fraternities are not. Again, I would like to emphasize that we are being discriminated against because Farmington fraternities are not being taxed, Colby fraternities are not being taxed.

The question of class legislation has been mentioned. Now, this possibly is a meaningless cliché, but I would like to point out that it makes the cost of education higher and reduces the chance of people with less money from going to college. In addition, there has been a question of supervision. Both the University of Maine and Orono are under the general supervision of the administration. It would, of course, be possible for the fraternities at Bowdoin to transfer the deeds, or the fraternities of the University of Maine, to the college and in this way avoid the whole question of taxation. If we had put it out, however, we would regard such a method as a legal gimmick, and prefer to take our stand on the principles of the issue involved.

Furthermore, we may note that the Bowdoin and University of Maine's system of giving some financial independence to fraternities encourages the students to take more active interest in the financial affairs of their houses. Thus, a certain amount of student financial responsibility is incurred by a program which reserves a certain amount of autonomy for the students themselves. It would thus appear that since the encouragement in development of responsibility is an integral part of the educational experience. Something significant would be lost by the complete control by the administration of the management of the fraternities. It is for these two reasons that we favor the approach we have taken today. I certainly hope that you will give this serious consideration, that you will not support the motion to indefinitely postpone.

The SPEAKER: Is the House ready for the question?

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

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

The SPEAKER: The gentleman from Sanford, Mr. Letourneau, moves the previous question. For the Chair to entertain the motion for the previous question the Chair must be authorized to do so by at least one-third of the members of the House. Will those who favor the Chair entertaining the motion for the previous question please rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

The SPEAKER: Obviously more than one-third having arisen, the Chair is authorized to entertain the motion.

The question now before the House is shall the main question be put now. This motion is debatable with a time limit of five minutes for any member who wishes to speak. Is it now the pleasure of the House that the main question shall be put now?

The motion prevailed.

The SPEAKER: The main question before the House is the motion of the gentleman from Brunswick, Mr. Lowery, that with relation to Bill, "An Act Exempting Certain

Fraternal Associations from Property Taxation," House Paper 323, Legislative Document 470, both reports be indefinitely postponed.

The Chair understands that the gentleman from Bath, Mr. Mayo, 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 having voted in the affirmative and thirty-eight having voted in the negative, the motion prevailed, the Bill with accompanying papers was indefinitely postponed and sent up for concurrence.

The SPEAKER: The Chair now lays before the House the third tabled and today assigned matter, Report of the House Committee on

County Estimates, tabled on April 15 by the gentleman from Auburn, Mr. Turner, pending acceptance.

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

Mr. CALL: Mr. Speaker and Members of the House: The gentleman from Auburn, Mr. Turner, is absent today, and he gave me authority and I now move acceptance of the Report.

The SPEAKER: The gentleman from Cumberland, Mr. Call, moves the acceptance of the Report of the House Committee on County Estimates. Is this the pleasure of the House?

The motion prevailed. Sent up for concurrence.

On motion of Mr. Wade of Auburn,

Adjourned until 9:30 o'clock tomorrow morning.