

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Ninety-Ninth Legislature

OF THE

STATE OF MAINE

VOLUME II

1959
and
SPECIAL SESSION
1960

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Wednesday, June 3, 1959

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

Prayer by the Rev. Mr. Earl Waterman of Augusta.

The journal of yesterday was read and approved.

Conference Committee Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act Exempting Certain Fraternal Societies from Property Taxes" (S. P. 473) (L. D. 1338) reporting that they are unable to agree.

(Signed)

WALSH of Verona

TREWORGY of Orono

CHRISTIE of Presque Isle

— Committee on part of House.

CHARLES of Cumberland

PIERCE of Hancock

— Committee on part of Senate.

Report was read and accepted and sent up for concurrence.

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 Providing Funds for Supervisors of Practical Nursing (S. P. 69) (L. D. 119)

Report of same Committee reporting same on Resolve Appropriating Moneys for a Library at Washington State Teachers' College (S. P. 289) (L. D. 813)

Report of same Committee reporting same on Resolve in favor of a Lunchroom in the Administration Building at Washington State Teachers' College (S. P. 290) (L. D. 814)

Came from the Senate read and accepted.

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

Ought to Pass
Consolidated Bill

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

creasing the Salary of the Treasurer of State" (H. P. 507) (L. D. 720)

Bill "An Act Increasing Salary of Commissioner of Labor and Industry" (H. P. 567) (L. D. 800)

Bill "An Act Increasing Salary of Commissioner of Agriculture" (H. P. 731) (L. D. 1036)

Bill "An Act Increasing Compensation for Members of Maine Employment Security Commission" (H. P. 769) (L. D. 1087)

Bill "An Act Increasing Salaries of Members of the Public Utilities Commission" (H. P. 797) (L. D. 1129)

Bill "An Act Increasing Salary of Commissioner of Inland Fisheries and Game" (H. P. 798) (L. D. 1130)

Bill "An Act Increasing the Salary of the State Auditor" (H. P. 838) (L. D. 1189)

Bill "An Act Increasing Salary of Attorney General" (H. P. 866) (L. D. 1234)

Bill "An Act Increasing Salary of Secretary of State" (S. P. 349) (L. D. 976)

Bill "An Act Increasing Salary of Director of Legislative Research" (S. P. 355) (L. D. 1010) pursuant to Joint Order (S. P. 458) reporting a Consolidated Bill (S. P. 468) (L. D. 1331) under title of "An Act Increasing Salaries of Various Department Heads and Commissions" and that it "Ought to pass"

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

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

Divided Report

Majority Report of the Committee on Labor reporting "Ought not to pass" on Bill "An Act Permitting Injured Employee under Workmen's Compensation Act to Choose Physician from Panel Named by Employer" (S. P. 346) (L. D. 973)

Report was signed by the following members:

Mr. ROSS of Sagadahoc

—of the Senate.

Messrs. HANCOCK of Nobleboro
 HARDY of Hope

WINCHENPAW of
Friendship
TREWORGY of Orono
LETOURNEAU of Sanford
—of the House.

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

Report was signed by the following members:

Messrs. MacDONALD of Oxford
BATES of Penobscot
—of the Senate.

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

Came from the Senate with the Minority Report accepted and the Bill passed to be engrossed as amended by Senate Amendments "A" and "B".

In the House: Reports were read.

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

Mr. TREWORGY: Mr. Speaker, Ladies and Gentlemen of the House: L. D. 973 states in brief that the "employee shall have the right to choose an attending physician from a panel of a reasonable number of competent, suitable and impartial physicians to be named by the employer." As a signer of the Majority "Ought not to pass" Report, it was the consensus of the majority of the Labor Committee that there was no need for this type of legislation. In 1958, the Industrial Accident Commission received approximately ten complaints from a possible 24,800 first reports which to us seemed like a very insignificant figure.

Mr. William Schneider, one of the country's leading writers in the field of Workmen's Compensation, had this to say, and I quote: "In a few states the employee is expressly given the right to select the physician, surgeon or hospital to treat him. Such provision is apt to add unnecessarily to the medical expense without corresponding benefit to the injured employee, who is generally not as well qualified by experience to select the best qualified physician to treat the particular injury as the employer. The employer paid physician is also generally desirous of holding his

position with the employer and may thus be expected to bend his best efforts to return the employee cured to his employment, rather than resolve all possible doubts in favor of further treatment or disability from work. Experience overwhelmingly favors the selection of the physician by the employer or insurer as being primarily in the best interest of both employer and employee."

Mr. Speaker, I now move the acceptance of the majority "Ought not to pass" Report.

The SPEAKER: The gentleman from Orono, Mr. Treworgy, moves that the House accept the Majority "Ought not to pass" Report in non-concurrence.

The Chair recognizes the gentleman from Lisbon, Mr. Karkos.

Mr. KARKOS: Mr. Speaker, Ladies and Gentlemen: As a signer of the minority report, I would like to state some of the facts that occurred in my town. Now we have four major industries in my town employing approximately about fifteen hundred people. There is one doctor, an M.D. is designated as the physician for all of these companies. Now it has occurred in the past where the M. D. took a vacation there was a public notice in the local newspaper. He went on a vacation and the osteopathic physician across the road also went because he said that he was just going to show the people what it means to be without a doctor. We have had accidents where injured people have waited two hours.

Now I believe that if the company, or any company has an additional, and they may choose them if they want to, at least we should not be left without a doctor. A doctor may be sick and, as I stated, in my town we have had people laying around for two hours waiting for someone to attend them. They could not get in touch with a doctor, so if they have an extra doctor either in Lewiston or Brunswick, why I can't see any reason why anyone should object to that. It is true that Rumford and the large paper mills they have even private hospitals, but for the smaller towns, sometimes a physician

he lives ten, fifteen, twenty miles in the smaller towns. Now I do believe and I hope that you will go along with the motion of my colleague from Orono, Mr. Treworgy.

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

Mr. TREWORGY: Mr. Speaker, I am not sure that I fully understood what the gentleman from Lisbon, Mr. Karkos, had in mind, but it would seem to me that if the permanent company physician or some physician under contract to a company were absent from the area it would be perfectly in order for some other physician to take over and I am sure there would be no objection on the part of the company. It just makes good sense to work it that way.

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

Mr. PLANTE: Mr. Speaker and Ladies and Gentlemen of the House: You will note in Senate Amendment "B" that the selection of such a panel does not apply to those employers who provide services through a full time physician or adequate clinical facilities approved by the Commission. Therefore this would help if the — one of the gentlemen previously stated the areas where they do not have a full time physician or clinical assistant. Therefore, if I am in order, I move that we concur.

The SPEAKER: A motion to concur is not in order since we are not in non-concurrence at the moment.

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

Mr. WINCHENPAW: Mr. Speaker, I think the Labor Committee went over this bill pretty thoroughly and, as I remember, there is nothing in the bill that would prevent a doctor from going on a vacation, and we felt that it was going to be maybe a hardship on a lot of small companies, maybe a small company only hires four or five men, he will have to post a panel of doctors in his shop and that panel of doctors might not be available, so I certainly hope that the House goes along with the "Ought not to pass" Report. When

the vote is taken, I request a division.

The SPEAKER: The Chair recognizes the gentleman from Orono, Mr. Treworgy, but must remind the gentleman that he has spoken twice and must have the consent of the House to speak further. Does the gentleman wish that consent?

Is the House ready for the question? The question before the House is the motion of the gentleman from Orono, Mr. Treworgy, that the House accept the Majority "Ought to pass" Report in non-concurrence. A division has been requested.

Will those who favor the motion to accept the "Ought not to pass" Report please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Eighty-two having voted in the affirmative and forty-two having voted in the negative, the Majority "Ought not to pass" Report was accepted in non-concurrence and sent up for concurrence.

Non-Concurrent Matter

Bill "An Act Restating and Revising the Law Governing Insurance Companies, Agents, Brokers, and Fees" (H. P. 928) (L. D. 1312) which was passed to be engrossed in the House on May 6.

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

In the House:

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

Mr. DENNETT: Mr. Speaker and Members of the House: When I noted that this bill had been amended in the other body, it was my intention to ask for the indefinite postponement of the amendment. I find that such a motion would be out of order, and therefore I now insist on our former action and ask for a Committee of Conference.

The SPEAKER: The gentleman from Kittery, Mr. Dennett, moves that the House insist upon its previous action whereby it passed this Bill to be engrossed and requests a Committee of Conference.

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

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

The SPEAKER: The question now before the House is the motion of the gentleman from Union, Mr. Heald, that the House recede and concur.

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

Mr. DENNETT: Mr. Speaker, Members of the House: No doubt everyone is entitled to an explanation of what this is all about. I will try to be just as brief as possible. Earlier in this session, there was introduced into this House two bills which related to the advertising by insurance companies in the newspapers. Maine is the only state in the United States which requires such action by the insurance companies. It has been proven over a vast number of years that this advertising is a useless proposition. It is not in the public interest, and further the public is not interested.

These bills went before Committee, received the unanimous "Ought to pass" report, and on March 13 were signed by the Governor. This amendment that is attached, to this bill would repeal the bills that we have already passed, one of them; one it doesn't, I will explain that in a moment — but would repeal one of these bills which we have already passed and which the Governor has already signed. It would put back on the books the law which requires companies to advertise in the newspapers. The Insurance Department in the State of Maine is a strong department. Perhaps years and years ago in the days of the ox cart when this law went on the books, it possibly served a purpose. Today it serves none, except for the newspapers, and when I say the newspapers I believe only a segment of the Press, because I believe in the main that the Press is an honorable and responsible institution, but there are some who demand tribute from another industry. I simply do not believe that any industry has the right to raid the peaceful commerce of another industry and exact tribute from them.

I sincerely hope that the motion of the gentleman from Union, Mr. Heald, does not prevail. When the vote is taken, I ask for a division.

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

Mr. HUGHES: Mr. Speaker, Members of the House: I want to concur heartily with what the representative from Kittery, Mr. Dennett, has told you, and also as a member of the Business Legislation Committee I want to state that both L. D.'s 767 and 769 that the gentleman made reference to that were signed by the Governor had their hearing and there was absolutely no opposition to these bills at that hearing. They have evidently not seen the need of having this information printed in the paper. I would like to make a brief challenge to the Members of the House. How many of them have ever looked up their financial statement that has been printed each year of their own insurance companies that they are insured with? I think that will pretty much answer the question. Thank you.

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

Mr. HEALD: Mr. Speaker, a couple of items that I would like to point out is that these insurance companies, the so-called foreign insurance companies, are insurance companies outside the State of Maine and these companies take roughly \$37,000,000 a year out of the State of Maine in premiums and I feel that the public is entitled to know as to where these companies stand. Then as you all can plainly see it helps the local small newspapers and the weekly newspapers and keeps the cost of operation down and keeps them circulating. I feel we need it.

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

Mr. HUGHES: Mr. Speaker, if I understand this amendment correctly, it has only to do with foreign companies. If the gentleman from Union, Mr. Heald, figures the public should know then it should be fully as important for the domestic companies to print, so I really think that makes a weakness in his argument.

The SPEAKER: Is the House ready for the question? The question before the House is the motion

of the gentleman from Union, Mr. Heald, that the House recede and concur. 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. Seventeen having voted in the affirmative and ninety-nine having voted in the negative, the motion to recede and concur did not prevail.

The SPEAKER: The pending question now is the motion of the gentleman from Kittery, Mr. Dennett, that the House insist and request a Committee of Conference. Is this the pleasure of the House?

The motion prevailed.

Thereupon, the Speaker appointed the following Conferees on the part of the House:

Messrs. DENNETT of Kittery
HUGHES of St. Albans
SANBORN of Gorham

The following Communication:

STATE OF MAINE
SENATE CHAMBER

June 1, 1959

Hon. Harvey R. Pease
Clerk of the House of Representatives
99th Legislature
State House, Augusta
Sir:

The President of the Senate today appointed the following conferees to join House members in a Committee of Conference on the disagreeing action of the two branches on:

H. P. 15, L. D. 24, An Act Increasing Salary of Members of the Legislature.

Senators:

HILLMAN of Penobscot
ROSS of Sagadahoc
LESSARD of Androscoggin

Respectfully,

(Signed) CHESTER T. WINSLOW
Secretary of the Senate

The Communication was read and ordered placed on file.

Orders

Mrs. Christie of Presque Isle presented the following Order and moved its passage:

WHEREAS, the members of the House of Representatives have learned of the recent election of Mrs. Ashmead White of Bangor as President General of the Congress of the Daughters of American Revolution;

BE IT ORDERED, that the members hereby extend congratulations to Mrs. White on her election to this high office, thus bringing honor and recognition not only to herself but to the State of Maine;

BE IT FURTHER ORDERED, that the Clerk of the House is hereby directed to send Mrs. White an attested copy of this Order.

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

Mrs. CHRISTIE: Mr. Speaker and Members of the House: This Order comes very late but I won't go into the reasons for that. It suffices to say that this is the first time in the almost seventy years of existence of the Daughters of the American Revolution that Maine has had a President General. And it seemed to me, and the more I thought about it the more I realized that this is an outstanding honor for our organization, the Daughters of the American Revolution, even for the State of Maine, because it is an unprecedented occurrence. Mrs. White is an outstanding person, a person of grace and ability, and this honor comes very justly to her. An election like this is not an easy thing to achieve and it is in recognition of her ability in achieving this honor that I wanted to present this Order today. Thank you.

Thereupon, the Order received passage.

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

The SPEAKER: At this time the Chair would recognize the presence in the gallery of the House of a group of eighth grade students from Litchfield Academy accompanied by their teacher, Mr. Kamegi, and some of the parents. On behalf of the House, The Chair extends to you ladies and gentlemen

a most hearty and cordial welcome and we hope you will enjoy your visit here today. (Applause)

On motion of Mr. Kennedy of Milbridge, it was

ORDERED, that the use of the Hall of the House be granted to the Board of Commissioners of the Profession of Pharmacy on Wednesday, June 17, 1959, for the purpose of examining applicants for registration.

Mr. Ervin of Houlton requested permission of the Speaker to approach the rostrum.

**House Reports of Committees
Ought to Pass in New Draft
New Draft Printed
Tabled**

Mr. Edwards from the Committee on Appropriations and Financial Affairs on Bill "An Act to Clarify Procedure for Reorganization of School Administrative Units" (H. P. 894) (L. D. 1263) reported same in a second new draft (H. P. 977) (L. D. 1388) under same title and that it "Ought to pass"

Report was read.

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

Mr. ERVIN: Mr. Speaker and Members of the House: This bill is the second redraft of an education bill that was recommitted to the Appropriations Committee. The Education Committee has not had a chance to look this new draft over, study it, and I believe that it is only right that the Education Committee should have the opportunity of looking this new draft over, and I am going to ask that the bill be laid on the table unassigned so that we may check the thing and then make a report.

The SPEAKER: The gentleman from Houlton, Mr. Ervin, with respect to this Bill, moves that the Report be tabled unassigned pending acceptance. Is this the pleasure of the House? Will those who favor the tabling motion please say aye; those opposed, no.

A viva voce vote being taken, the tabling motion prevailed.

Divided Report

Majority Report of the Committee on Appropriations and Financial Affairs on Bill "An Act to Allocate Moneys for the Administrative Expenses of the State Liquor Commission for the Fiscal Years Ending June 30, 1960 and June 30, 1961" (H. P. 130) (L. D. 188) reporting same in new draft "A" (H. P. 978) (L. D. 1389) under same title and that it "Ought to pass"

Report was signed by the following members:

Messrs. ROGERSON of Aroostook
DUQUETTE of York
— of the Senate.

Messrs. EDWARDS of Raymond
JACQUES of Lewiston
DAVIS of Calais
BRAGDON of Perham
— of the House.

Minority Report of same Committee on same Bill reporting same in new draft "B" (H. P. 979) (L. D. 1390) under same title and that it "Ought to pass"

Report was signed by the following members:

Mr. PIERCE of Hancock
— of the Senate.

Mr. BROWN of Ellsworth
Mrs. SMITH of Falmouth
Mr. STANLEY of Bangor
— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Raymond, Mr. Edwards.

Mr. EDWARDS: Mr. Speaker, I move that the Majority Report be accepted.

The SPEAKER: The gentleman from Raymond, Mr. Edwards, moves that the House accept the Majority Report reporting "Ought to pass" in New Draft "A".

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

Mr. BRAGDON: Mr. Speaker, in support of the motion, I would say in explanation that the majority report favors the establishment of the ten new stores, and also a salary increase which is tied in with those ten new stores. If we do not accept this report, we automatically cut out \$400,000 which is presently being considered as revenue which will be available for some of these

L. D.'s which some of you may be interested in.

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

Mr. STANLEY: Mr. Speaker and Ladies and Gentlemen: I am opposed to the motion of the gentleman from Raymond, Mr. Edwards. The bill that the Majority Report puts into effect the amount of money necessary for the operation of the liquor stores in the State and an increase in pay as has been suggested for all of the employees of the State. At the same time it puts into effect ten new liquor stores. As the gentleman from Perham, Mr. Bragdon, has said, if you vote for this majority report, you will be voting for ten new liquor stores, and he has also said that if we don't vote for it we will lose \$400,000 of revenue.

My reasons for signing the "Ought not to pass" report is that I do not believe we need the ten new liquor stores, and secondly I do not believe that we will receive \$400,000 in added revenue. It will cost us roughly \$330,000 to set up ten new liquor stores and if the Commission feels that they will get \$400,000 revenue, that means actually we will be getting a profit of \$730,000 more than we anticipated in this biennium from ten stores, which means that they would all show a profit of roughly \$73,000 for the biennium, and I sort of doubt that any store is going to show that type of profit, particularly when we will be taking profits, the profit that they make will be coming partly from the other stores which we already have. To me, it is not good business. Therefore, I would hope that the motion of the gentleman from Raymond does not prevail.

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

Mr. BROWN: Mr. Speaker, as a signer of Report "B" on this Bill, I feel I should explain to the House why I felt this way. I am highly in favor of a salary increase for the employees, but I am against giving the Liquor Commission ten new stores. I felt that the present stores are adequate, and that these new stores will only take away from the old stores' revenue. Ac-

cording to the liquor records, even though the total sales are higher, the gallonage remains about the same. In fact I have the ten years' statistics here in front of me, and from the years 1949 to 1958 the gallonage only increased from 1,570,000 gallons down to 1,506,000 gallons. I, therefore fail to see why the new stores would be feasible.

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

Mr. KENNEDY: Mr. Speaker and Members of the House: My feeling on this Liquor Commission and store deals, it is more or less in the lines of service to the public. Many of our small towns have anywhere from three to a half a dozen beer joints, so-called, and I feel if we had a good, clean liquor store in some of these areas, it would be a little cleaner situation than we have now. I heard some figures stated here a while ago by the gentleman from Bangor, Mr. Stanley, and I question if he didn't have incorporated in those figures the stock in trade in the stores rather than just the over-all expense of setting up the fixtures and so on of the operation. Now, in my town we are thirty miles each way from a liquor store, but we do have the so-called beer stores and beer taverns, and we feel that if we had the service of the State in our area, it would benefit us in a good many ways. I don't think that we would have any more intoxication, any more alcoholism than we do now, but it would be a tremendous service to the people in the area, and we have summer people coming in there that fly in their liquors from out of state, New York, Philadelphia, and Massachusetts. This would be some extra revenue for the State of Maine. We must not always talk, I don't feel, on just the revenue angle, but service to the citizens of the State.

Now if this was out of the general appropriations, I would vote against it certainly, but my feeling about this matter for a long time has been that it will possibly not increase the profits to the State Liquor Commission but at least hold the line, and I feel that if one area is serviced, other areas should be serviced, so long as it does not

cost the Commission dollars and cents to do the operation, so I shall support the Majority Report.

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

Mrs. SMITH: Mr. Speaker and Members of the House: My feeling in signing the Minority Report was much the same as the others. It has not been proved to us that they will increase their sales materially or rather, I should say, that they did not tell us that it would not decrease their sales in other places, and so for that reason I signed the Minority Report.

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

Mr. BRAGDON: Mr. Speaker, with regards to the estimates of revenue out of this transaction, I don't know who is correct and who is not. To me it appears, that is we have been told by the Liquor Commission that they anticipate a net revenue of \$400,000. Whether their estimates are right or the estimates of some of the others of us are right, that \$400,000 is going to be used as a part of the money that this Legislature, as I pointed out before, set up in our budget. If we cut it out, we just have not got the \$400,000. It is the figures that have been accepted, whether they are correct or not, they are going to be used as correct figures. If you cut out the \$400,000, you just don't have it for other things.

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

Mr. STANLEY: Mr. Speaker, Members of the House: In regard to the question of the gentleman from Milbridge, Mr. Kennedy, the amounts of money which will be spent to set up the ten liquor stores, \$205,111 will be used for personal services, \$123,080 will be used for all other, which would include the rental of the stores and if they have to have heat, lights and other gadgets. It is not for stocking the stores. The stores will be stocked from the warehouse inventory.

We have been given the figure of \$400,000 as being the amount of revenue which will be obtained from ten liquor stores, and they were given to us by the State Liquor

Commission who probably are in the best position to give us those figures, but we who come down here, sent here by the people to represent them, can take those figures and if in our opinion they are true then we should accept them, but if we feel that they are not true, we should not accept them, and it seems to me that as the gentleman from Ellsworth, Mr. Brown, has pointed out that the amount of liquor sold has not increased. If we put in ten new stores, will that necessarily increase the amount of liquor which we will sell? And if we put in the ten stores, isn't it logical that some of the business which those stores will get will come from stores which are now operating, so if we spend \$330,000 and then figure on getting a profit of \$400,000, I think somebody is a little bit lax. If those figures were given to me in my organization by some department head, I certainly would question them.

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

Mrs. CHRISTIE: Mr. Speaker and Members of the House: I would have to oppose the setting up of ten additional liquor stores. Of course you all know my feeling about anything like that, but aside from that I question very much whether the revenue would be of very much value when we consider the, if there is additional revenue, there is additional cost of enforcement, there is additional cost of taking care of the results of liquor, and I do not feel that we need any more liquor outlets; so I would be opposed to that.

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

Mr. ALIBERTI: Mr. Speaker and Members of the House: We are thinking only in terms of the revenue that we are going to derive if we open ten additional liquor stores. We are deriving quite a sum in tax money as the result of state controlled liquor stores. Don't you think that we owe the people of the State of Maine a little bit of service to go along with the taxes that we collect and expend for other projects in this House? I think that

even with a break-even point that we should seriously consider allocating these ten additional stores from a service point of view. We are continually selling service in the State of Maine, and now we have some of the small areas, the small towns who would benefit by good distribution who would not have to travel twenty-five and thirty miles to the nearest town that has a state-controlled liquor store and we want to take that privilege away from them. I think it is very unfair. Therefore, I go along with the motion of the gentleman from Raymond, Mr. Edwards.

The SPEAKER: Is the House ready for the question?

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

Mr. EDWARDS: Mr. Speaker, as we proceed to vote on this question I think we should bear in mind, as it has been stated before, that by putting in these ten new liquor stores we will be improving the service to the general public. Now that not only includes us, or we who live here in Maine, but it includes those people who come here for their vacation. It is true that we will be increasing job opportunities for a few and third, it has been estimated by the Liquor Commission that we will derive an increased revenue of \$400,000 which we can use to pay some of the L. D.'s and other money bills which we have before us. So I think that when you proceed to vote that you should take these things in consideration and then vote as your conscience directs.

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

Miss CORMIER: Mr. Speaker and Members of the House: There are just a few points that I would like to bring up. When I saw the revenue that was to be derived from this I questioned the Liquor Commission on just how they had arrived at the figure of \$400,000, and they told me that they had taken the last two liquor stores that had come into effect, the cost of setting them up and the revenue that had come in from them, and they were quite sure that the revenue of \$400,000 was not an exorbitant one but rather a conservative one. Also, I

disagree very strongly with some of the figures that have been brought into the debate this morning suggesting that the liquor sales have dropped. I think that we will all agree that they definitely have not dropped, and there is also another point that I think we should consider. There is local option involved in all of these. If a site is picked for a liquor store, remember that the local people still have the right of voting whether or not they want this liquor store. I think that for the sake of service as has been brought up this morning and also for our tourist trade that certainly ten new liquor stores in the State of Maine, from all of the requests that come in from all over the state for liquor stores, is not an unreasonable one, and regardless of the revenue, I think that we should go along with this and have ten more liquor stores in the State of Maine.

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

Mr. PHILBRICK: Mr. Speaker, if we were to think only of the service and of the employment opportunities, would we not have done in the past few weeks the same thing and not closed the Western "San," but rather opened four or five more "sans" and distributed them about the State. I think economics should come first in this particular item. In this day of automobile traffic, it is not very difficult to drive fifteen or twenty miles for a fifth of liquor and if you figure you can't do it every week, I would suggest that the customer buy two fifths at one time.

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

Mr. WILLIAMS: Mr. Speaker, about the benefits these small towns by bringing in these new liquor stores, now I would like to ask a question from anyone that can answer, did any town large or small in this State, as far as the town went, ever benefit from any liquor store?

The SPEAKER: Is the gentleman addressing a question through the Chair to someone?

Mr. WILLIAMS: Anyone that cares to answer.

The SPEAKER: The gentleman from Hodgdon, Mr. Williams, has addressed a question through the Chair to anyone who may answer if he chooses.

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

Mr. JALBERT: Mr. Speaker, in answering the gentleman's question, I might apply the rule "you can lead a horse to water but you cannot make him drink."

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

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen: In reference to the service to the people that was mentioned, I would just like to remind you folks before you vote of the statistics that we have in reference to the amount of alcoholic beverages that are being sold in the State of Maine today. Go down to the Secretary of State's office and you will find that fifty-six deaths that happened last year in the State of Maine were caused by alcoholic beverages and that in seventy per cent of all the accidents alcoholic beverages were involved. I wish that you would keep this in mind when you vote, and I ask when we vote that it be by division.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Raymond, Mr. Edwards, that the House accept the Majority "Ought to pass" in New Draft "A" Report on Bill "An Act to Allocate Moneys for the Administrative Expenses of the State Liquor Commission for the Fiscal Years Ending June 30, 1960 and June 30, 1961," House Paper 978, Legislative Document 1389.

A division has been requested. Will those who favor the acceptance of the Majority "Ought to pass" in New Draft "A" Report, please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Eighty-five having voted in the affirmative and forty-five having voted in the negative, the motion prevailed.

Thereupon, the New Draft "A" was given its two several readings.

On motion of Mr. Aliberti of Rumford, under suspension of the rules, the New Draft "A" was given its third reading, passed to be engrossed and sent to the Senate.

Orders of the Day

The SPEAKER: The Chair now lays before the House the first tabled and today assigned matter, Senate Report "Ought to pass" in New Draft, Senate Paper 494, Legislative Document 1374, of the Committee on Judiciary on Bill "An Act relating to Licensing and Safety in Operation of Boats," Senate Paper 79, Legislative Document 151, tabled on May 28 by the gentleman from Cumberland, Mr. Call, pending acceptance in concurrence; and the Chair recognizes that gentleman.

Mr. CALL: Mr. Speaker, I now move we concur and accept the Report, and I would like to speak briefly on the motion.

The SPEAKER: The gentleman may proceed.

Mr. CALL: Mr. Speaker, Ladies and Gentlemen of the House: We have gone over this new draft, it came out of Committee, several of us, and we find this is a very fine bill. If there is some objection to it by some of the members of the House, I would like to hear from them, but it is a start in new legislation laws in boating and we need this law because over the weekend there were thousands of boats out and we have got to have some kind of safety measure, and I would like to hear some arguments if there is any, and I would hope my motion will prevail.

The SPEAKER: The question before the House is the motion of the gentleman from Cumberland, Mr. Call, that the House accept the "Ought to pass" Report in concurrence.

The Chair recognizes the gentleman from Hallowell, Mr. Choate.

Mr. CHOATE: Mr. Speaker, I would like to ask a question of anyone who can answer this. In going through the bill I don't find any provision for a boat dealer who would like to take a boat out and demonstrate it to a customer. Is there some provision in there that I have missed?

The SPEAKER: The gentleman from Hallowell, Mr. Choate, has

addressed a question through the Chair to anyone who may answer if he chooses.

The Chair recognizes the gentleman from Auburn, Mr. Berman.

Mr. BERMAN: Mr. Speaker, Ladies and Gentlemen of the House: In answer to the gentleman's question, there is no provision for a dealer plate. It was not considered. It was never brought up and the Committee frankly never thought of it.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I was hoping there would be a little more debate, and I wouldn't have to talk quite as much on this item. First of all, there are some amendments to it. Senate Amendment "B" involves \$21,840. That might be of interest to you. Another thing in here where I live there is quite a lot of people that manufacture boats and we feel as though that they should have been taken into consideration. They have to try many boats and they would have to license the whole of them. I would like to say to this House, I am sure that nobody in my area, and we have many lakes in my area, is ready for a bill of this nature. We don't think that these regulations would be worthy of the cost and I would like to move at this time that this bill be indefinitely postponed.

The SPEAKER: The question before the House is the motion of the gentleman from Enfield, Mr. Dudley, that the Report be indefinitely postponed.

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

Mr. BRIGGS: Mr. Speaker, there has been a need for a bill of this type in the State of Maine probably for the last fifteen years. This bill has a lot of safety features that must and should be passed. What would our roads be today if we did not have safety rules and regulations? Now, the boating industry has enlarged greatly in the past ten years. If you go on to any lake or stream, you will find hundreds of boats plying up and down these lakes, and some of these people are irresponsible and they

do not care about other people and other boats. On numerous occasions I have seen boats swamped and if these boats had been numbered we would know who swamped the other boats. On our lake we have had a deputy sheriff up there time after time to try to protect the swimmers and these boats come buzzing by and scare little children, and we have had cases where they have run into children on the lake and have put these children into the hospitals, also water skiing. I believe that this bill carries a provision where somebody is towing a skier he must have another party in the boat. They have been towing these skiers up and down these lakes and not watching where they were going and endangering people and other boats.

I believe that this bill was recommended by the Coast Guard, the United States Coast Guard, as a safety measure and not as a revenue measure, and the small fees that will be charged for licensing boats will pay this \$21,000 back to the State and make life safe for people on our waterways. Therefore, I hope the motion of the gentleman from Enfield, Mr. Dudley, does not prevail.

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

Mr. EARLES: Mr. Speaker, Ladies and Gentlemen of the House: I would like to mention the fact first that we had a bill, a boating bill that was, shall we say, landlocked for some time between one committee and another and finally arrived before Judiciary. The sponsor of the bill presented his bill. There was a redraft, a suggested redraft presented. The Committee regarded both viewpoints in a hearing that was held here in the House, widely attended. A member of the Committee, namely the gentleman from Auburn, Mr. Berman, was specifically asked and requested to work with some others on a committee redraft. Since that time we have had no personal or personally presented objections to the committee's redraft.

There were two amendments that were attached in the other body. One was in reference to boats buz-

zing people that were fishing or in swimming. It is a reasonable safety precaution. The second one relates to the matter of revenue which the estimable gentleman from Enfield, Mr. Dudley, began to utilize for killing purposes. With reference to that, the cost in this instance is estimated to be self-liquidated. For the year 1959 to '60 they estimate that the revenue will be \$40,000, '60 to '61 they estimate the revenue to be \$5,000, contra-wise the expenses in '59 to '60 is estimated to be \$19,140, 1960 to '61 \$2,700. Now why is this? The revenue is based on an estimate of some 20,000 boats being registered at \$2.00 per boat for a three-year period during the first fiscal year, and the revenue is based on an estimate of 2,500 boats being registered at \$2.00 for a three-year period during the second fiscal period.

Now what are the expenditures contemplated? '59 to '60 the personal services, the clerk hire, etc., the menial operation of handling this thing, the issuance of licenses, is estimated \$2,390, the second year of the biennium \$1,200. The commodities as they call it, the plates and the supplies, the material aspects, not the human handling of it, in the first year of the biennium is \$13,750 and in the second year \$1,500. And then there is a certain capital investment, namely: files, photostatic copies, etc., in the first year which does not reappear in the second year is \$3,000.

So the total cost or expenditure in the first year of the biennium summarize and totalize to \$19,140 and in the second year of the biennium of \$2,700, so once this bill becomes operative and working that actually there will be revenue enough to compensate for the physical human services employed and also for the material equipment that is necessary, not only initially but subsequently for replacement and handling of this, and I feel under the circumstances that anyone in the House can quite rightfully and with good reason vote against the motion of the gentleman from Enfield, Mr. Dudley, to indefinitely postpone and accept the report of the Committee in concurrence with the action of the other body.

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

Mr. FRAZIER: Mr. Speaker, I would like to ask a question of any member of the Judiciary Committee concerning Senate Amendment "A" under filing 417. Under Section three there, it says "no person shall operate a motor boat or vessel in a circular course around another motor boat or vessel, any occupant of which is engaged in fishing or any person who is engaged in swimming, water-skiing, surfboarding or similar activity." Well, it would appear to me that in several of the very small lakes which we have in the area in which I live, that fishermen and water-skiers are both inclined, the fishermen if trolling and the water-skier if on skis do operate their boats by necessity in a circular motion and if there happened to be one boat there somewhere on that small lake out in the center then no other boat could operate around them, and if that is true then I must join Mr. Dudley and hope that this bill is indefinitely postponed.

The SPEAKER: The gentleman from Lee, Mr. Frazier, has addressed a question through the Chair to any member of the Judiciary Committee who may answer if he chooses.

The Chair recognizes the gentleman from Auburn, Mr. Berman.

Mr. BERMAN: Mr. Speaker, in answer to the question of the gentleman from Lee, Mr. Frazier, the interpretation of section three would be a reasonable one. This statute is clear in meaning that they are eliminating the so-called buzzing around and around in a circle. I can assure the gentleman from Lee that there would be no difficulty in somebody quietly going around in a circle. It is the high-speed outboard or the inboard speedboat that endangers the swimmer or endangers the fisherman or almost swamps somebody in a canoe that the bill is aimed at, and I am sure that any court called upon to interpret it or any investigating officer called to prosecute it would be most reasonable about it and there would be no question.

While I am on my feet I would just clarify one more matter. The

gentleman from Portland, Mr. Briggs, mentioned about the safety requirements. Originally, the bill as originally presented had a number of safety requirements concerning water-skiing, etc. The redraft cut some of them down, and as it stands now you do not have to have a second person in a boat to go water skiing. That was objected to, although it may be essentially a good safety measure, there was quite a bit of objection to that particular portion of the bill, and in our new draft, the draft that is before the House today, that particular portion is not in the bill.

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

Mr. FRAZIER: Mr. Speaker, I thank the gentleman from Auburn for answering my question, but I must doubt the ramifications of his statement that the bill would be liberally enforced and it was only the intent to prevent the buzzing, because I notice that under section twelve of the Bill itself it says the enforcement, every law enforcement officer in this state shall have the authority to enforce the provisions of this chapter, and believe me we have some local constables in some of these small towns who I don't think will give the liberality to it that this Legislature might intend.

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

Mr. CALL: Mr. Speaker, I would like to thank Mr. Choate from Hallowell, and I assure him there will be an amendment added to the Bill to take care of wholesalers and manufacturers who would like to demonstrate their wares.

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

Mr. HARRIS: Mr. Speaker, I can't see anything in this bill that takes care of the out-of-state fellow that comes in for the weekend. That is where we seem to have most of our trouble in the Moosehead area. There are boys coming from Massachusetts or some other state with two 40 horse-power motors and are just out riding over the weekend. Under this bill, I can't find where this would take care of

those fellows, and also on page four, section seven under "boat deliveries," I think they are putting a hardship on the fellow who rents a few boats.

The SPEAKER: The Chair recognizes the gentleman from Etna, Mr. Carter.

Mr. CARTER: Mr. Speaker, I am not too familiar with this bill, but I would like to know from anyone that can answer me if—we have a boys' camp in our area and they have quite a number of boats, and they have also very good safety regulations. I presume that applies to all boys' and girls' camps over the State. I would like to know if there is any provision that takes care of them.

The SPEAKER: The gentleman from Etna, Mr. Carter, has addressed a question through the Chair to anyone who may answer if he chooses.

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

Mr. CALL: Mr. Speaker, article seven, a motor boat kept for use in connection with any boys' or girls' camp licensed by the Department of Health and Welfare does not come under, if not rented, does not affect them. Does that answer it all right?

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

Mr. BAXTER: Mr. Speaker, regarding a law is only as good as its enforcement and I don't happen to have this redraft available here, and I am wondering whether the warden force is still supposed to enforce this or how it is going to be enforced.

The SPEAKER: The gentleman from Pittsfield, Mr. Baxter, has addressed a question through the Chair to anyone who may answer if he chooses.

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

Mr. EARLES: Mr. Speaker and Ladies and Gentlemen: As has previously been stated in response to the question of the gentleman from Pittsfield, Mr. Baxter, on page five of the redraft which is the final page, section twelve thereof entitled "Enforcement" as has been repeated states that "every law en-

forcement officer in the State shall have the authority to enforce the provisions of this chapter, etc.”

Now the thinking was this, that in some instances wardens would be available and be current at the time that the lakes were being used, in some circumstances they would not be available a deputy sheriff would, and so rather than restrict the enforcement to one particular agency, for example the Fish and Game Commission, it was felt that for breadth of enforcement, for a more reasonable and spreading out of the enforcement load as it did occur that it would be far better to have any authorized law enforcement officer be able to enforce the provisions of this act. Of course, bear in mind that if there is any infraction and the person is apprehended that he is going to a magistrate on the municipal level, on the town level in that locality, and any doubt that some people have here as to minor language, I think that generally speaking, that a reasonable attitude will be followed. I am not saying that would occur one hundred per cent, but generally, but that is true of any legislation that is passed.

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

Mr. SAUNDERS: Mr. Speaker and Ladies and Gentlemen of the House: The boating industry today is one of the fastest growing industries in the State of Maine. Although I have no figures available, you only have to go to a lake or a pond to realize how fast this business is growing. Also, you do not have to be around one of these ponds or lakes very long before you realize that with the new high power motors certainly it is being abused as far as safety is concerned. Only last summer I was at a pond where there were approximately three hundred and fifty children and people swimming. Out about fifty feet from the shore was a diving board, there probably were as many as twenty on the diving board using it, diving in, constantly for an hour a boat with a forty horsepower motor came between that diving board and the shore and I shuddered many times when I saw these children dive off under

the water and maybe stay under for a minute or so before they came up with the big boat going between the shore and that diving board.

Now we have got to have something to control these high powered motors. One thing that has been mentioned and that is perhaps the ten horsepower has not been explained quite enough. No motor under ten horsepower is required to be licensed under this bill. That means your small fishing motors, your small motors and boats will not be required because they do not have sufficient speed to be of any danger. However, when you get to thirty and forty and even seventy horsepower, I assure you ladies and gentlemen it is dangerous no matter if you are within a hundred feet of people swimming because you cover the water so fast that you get to a spot much quicker than you realize, and certainly if we don't enact this, I understand that the federal government has already passed a bill which will go into effect so that we don't seem to have too much to choose from. If we do not put this bill through, the federal government will take over in 1960. I may be wrong on that date, but I am positive that the federal government has enacted a law that will cover ten horsepower motors and up.

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

Mr. BAXTER: Mr. Speaker, I would like to ask one more question from a member of the Judiciary Committee, with regard to the latter statement and that is, can the federal government regulate our inland non-title waterways?

The SPEAKER: The gentleman from Pittsfield, Mr. Baxter, has addressed a question through the Chair to anyone who may answer if he chooses.

The Chair recognizes the gentleman from Auburn, Mr. Berman.

Mr. BERMAN: Mr. Speaker, the answer is no. They cannot regulate inland waters. They can only regulate navigable streams.

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

Mr. BRIGGS: Mr. Speaker, there are two points I wish to make clear on this bill that probably have been necessary for years and number one is the fact that there is no age restriction on an operator of a motor boat without this bill. I have seen seven, eight, nine and ten year old children out on the lake with a thirty-five horse motor plowing right down the middle of the lake regardless of who was there in small rowboats, and I have also seen them overload these boats and plow right down the middle of the lake. Now this bill at least raises the age limit to twelve years of age. Then there is another thing, on section 9 — section 2, paragraph 2, section 8, I will just read the following: "No person shall operate a motor boat or vessel or manipulate any water skis, surfboards or similar device while intoxicated or under the influence of any narcotic drug or marijuana." I believe this is something that we need very badly. I have seen persons stagger in and out of these boats and endanger people while driving these boats. Therefore, I hope the motion of the gentleman from Enfield, Mr. Dudley, does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Yarmouth, Mrs. Knapp.

Mrs. KNAPP: Mr. Speaker, as a Red Cross instructor, I see that one point has not been brought out and that is the many classes that have been taught in water safety to our children and grown-ups. This bill would go along with these water safety courses. Our children must be taught safety on the water as well as on the land. I have seen a great deal of carelessness in boats on the small lake where my cottage is. Let us not fail to pass this legislation and wake up some morning and read in the newspaper of a disaster which might hit home. I think this legislation is a good stand on licensing and safety in the operation of boats and I certainly intend to support it.

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

Mr. HUGHES: Mr. Speaker: I am not going to talk long. I am not going to say very much, but I will

say that when L. D. 151, which was the original draft of this bill, came out, I tore into it like a terrier after a woodchuck and I came up with seven or eight serious objections, but under this new draft L. D. 1374 that is on the floor now, I find that most of my objections have been taken care of. I will admit probably it is not one hundred per cent perfect but it at least is a start, and I want to go along with the passage of it and oppose the indefinite postponement motion.

The SPEAKER: The Chair recognizes the gentleman from Guilford, Mr. Dodge.

Mr. DODGE: Mr. Speaker, I am very much in favor of this bill. I could quote many times people who have seen accidents; I have seen them myself, it is useless to go on with these things. We all know how dangerous boats can be. Now this bill isn't perfect, but it is a start.

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

Mr. HENDSBEE: Mr. Speaker and Ladies and Gentleman of the House: I feel that I must offer my support to this bill, and I herewith state my reasons. Areas that I represent, the Town of Embden and Lake Embden, where we have one of the larger mentally retarded children's camps in the State of Maine, these people—these children primarily come from the State of Pennsylvania and other central states. They own and operate a large camp there, I presume that they do have upwards of four hundred children there in the summer. They pay a lot of tax in our town of Embden, and we have noted irregularities there in the operation of boats and we find now that boats are somewhat like automobiles, that nobody can get one to go fast enough; and also by checking in we find that more than eighty per cent of the operators of boats are good, honest, legitimate, sensible people who just go out fishing and they have anywhere between a 2½ to 10 horsepower motor. Now they go up there to mind their own business and fish and enjoy it, and they also need the protection.

Now we have a small segment, I don't believe that they rate more than eighteen per cent, of violators in this State, but eighteen per cent of people and unfortunately I must admit and I will state two cases of where alcohol was involved, when we had a very fine young man last year who was trying to prove his point that he could stand up on the bow of a boat driven by a 35 horsepower motor while another man maneuvered the boat around and he proved his point for a short time. We fished him out and buried him. We had another boy coming down the river who said that he could jump over a boom log. He did. He forgot how the boat was going to land. He got a pat in the face with a shovel. Now all the laws in the world would not have protected those two men, but we find the same condition on the highway today whereby we are trying to regulate this sort of thing, and we are trying to save lives both on the land and on the water.

Now there are two lakes, there is Hayden Lake or so-called Lake-wood in Madison and we find there are irregularities there which have been reported in. I have checked carefully and I find that it is true that those fellows just don't seem to care, they feel they have got a lot of money involved in a fancy boat and a powerful motor and they think that gives them the right to go out and ride roughshod over each and every person that happens to get in the way. Now this boat law may not be the absolute answer, but I will guarantee you ladies and gentlemen that it is a step in the right direction, and it is something that we have been sadly lacking for a long time. I for one really do hate to be a part to be on the end of a grappling iron and have to fish those young fellows out of the lake which I have had to do, and I am a small town constable as you have heard recommended here and it would probably be part of my job to see that this law is enforced and I shall be very happy to go along with you and I find that all the fishermen, even though they were excluded up to the 10 horsepower motor, would have been tickled to death to license their

boats if they felt there was going to be a safety operation worthwhile to us and a credit to our state. Mr. Speaker, I move a division.

The SPEAKER: A division has been requested. The question before the House is the motion of the gentleman from Enfield, Mr. Dudley, that with respect to Bill "An Act relating to Licensing and Safety in Operation of Boats," the Committee Report be indefinitely postponed. Will those who favor the indefinite postponement of the Report please rise and remain standing until the monitors have made and returned the count.

A division of the House was had. Fifteen having voted in the affirmative and one hundred five having voted in the negative, the motion did not prevail.

Thereupon, on motion of Mr. Call of Cumberland, the "Ought to pass" in New Draft Report was accepted in concurrence and the New Draft read twice.

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

SENATE AMENDMENT "A" to S. P. 494, L. D. 1374, Bill, "An Act Relating to Licensing and Safety Operation of Boats."

Amend said Bill in that part of section 1 designated "Sec. 8," by striking out the underlined period at the end and inserting in place thereof an underlined semicolon and by adding thereto the following underlined subsections:

'III. No person shall operate a motorboat or vessel in a circular course around another motorboat or vessel any occupant of which is engaged in fishing or any person who is engaged in swimming, water skiing, surfboarding or similar activity;

IV. No person shall operate a motorboat or vessel so as to approach or pass within 200 feet of the shoreline of any lake or channel thereof at a place or point where such lake or channel is 500 feet or more in width, except at a minimum speed and for the purpose of trolling or for the purpose of approaching or leaving a dock, pier or wharf or the shore of such lake or channel.'

Senate Amendment "A" was adopted in concurrence.

SENATE AMENDMENT "B" to S. P. 494, L. D. 1374, Bill, "An Act Relating to Licensing and Safety Operation of Boats."

Amend said Bill by inserting before section 2 the following section:

'Sec. 1-A. Appropriation. There is hereby appropriated from the General Fund the sum of \$21,840 for the fiscal year ending June 30, 1960 to the Secretary of State to carry out the purposes of this act. Such appropriation shall not lapse, but shall remain a continuing carrying account until June 30, 1961.'

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

Mr. BROWN: Mr. Speaker, I move that under suspension of the rules this bill be given its third reading.

The SPEAKER: The gentleman will have to defer his motion until the House has acted on Senate Amendment "B".

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

Mr. ROLLINS: Mr. Speaker, I have heard quite a lot here this morning about the fishermen and we are trying to find our way to save a little money. The Fish and Game Department has a half a million dollars burning a hole in their pocket and here we are taking \$21,840 more out of the general fund. I hope that the motion of Mr. Brown, the gentleman from Cape Elizabeth, is trying to rush through, does not prevail when it is put, and we might change this thinking on the money proposition.

The SPEAKER: The Chair will advise the gentleman from Belfast, of course the motion of the gentleman from Cape Elizabeth is not before the House.

Thereupon, Senate Amendment "B" was adopted in concurrence and the Bill assigned for third reading at two o'clock this afternoon.

The SPEAKER: The Chair now lays before the House the second tabled and today assigned matter, Bill "An Act Relieving Children and Certain Relatives of Financial Responsibility in Old Age Assistance, Aid to the Blind and Aid to the Disabled," House Paper 963, Legislative Document 1365, tabled

on May 29 by the gentleman from Sherman, Mr. Storm, pending adoption of House Amendment "A".

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

Thereupon, on motion of that gentleman, House Amendment "A" was indefinitely postponed.

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

Mr. KNIGHT: Mr. Speaker, Ladies and Gentlemen of the House: It has been stated here by the sponsor of this bill, Mr. Rowe, the gentleman from Madawaska, and I have substantiated it, that there are over sixteen hundred elderly people in the State of Maine who are in need of financial assistance today and are not receiving it. They are not receiving it for either one of two reasons, the first reason being that they have children whose gross income would indicate that they can support their parents. However, this is misleading and actually on a net income basis these children cannot support their parents let alone their own immediate family.

The second reason would be the sour apple who just will not support his father and mother though he can more than afford to do so. We have two problems here. The primary problem is that of giving aid to these needy with the least possible delay. The second problem is a moral one and that is the problem, should a child be relieved of the responsibility of supporting his parents?

Doctor Fisher of the Department of Health and Welfare has stated that it is cheaper in the end to completely relieve the child of responsibility, that is taking into consideration quite a few items, it is cheaper in the end to completely relieve the child from responsibility than it is to attempt to collect from those who are able to do so but refuse to contribute to the support of their parents.

Here is an excerpt from a letter I received from Doctor Fisher. "It seems to us that there is a choice to be made here, that of whether or not we will meet the needs of the ninety-nine legitimate cases, recognizing the possibility of the one other situation. It seems very

probable that the costs of finding and identifying what will very likely be the unusual instance that some may consider chiseling may well exceed the expenditures made for grants in the cases."

Now I want to make two things very clear. One, I do not believe that a child should be relieved of the responsibility of supporting his parents when able to do so. Paramount to this however, these sixteen hundred people who are in need of assistance should receive immediate assistance without red tape or delay and at the least expense to the taxpayer. The Department of Health and Welfare has pointed out that the least expense in their opinion is incurred to the taxpayer by completely relieving the child of responsibility. I disagree with this, but however I would not deny these people that assistance that they very greatly are in need of. Relying on the statements of the sponsor of this bill that money may very well be available to pay for this liberalization of old age assistance, I now move that this bill be passed to be engrossed.

The SPEAKER: Is the House ready for the question? This bill having had its — the Chair recognizes the gentleman from Lewiston, Mr. Couture.

Mr. COUTURE: Mr. Speaker, would it be proper to introduce an amendment?

The SPEAKER: An amendment would be in order.

Mr. COUTURE: I now introduce an amendment and move its passage.

The SPEAKER: The Chair will now put the House at ease until 12:00 o'clock in order that this amendment may be reproduced and distributed. The House will be at ease until 12:00 o'clock.

House at Ease

12:00 Noon

The House was called to order by the Speaker.

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

Mr. COUTURE: Mr. Speaker and Members of the House: I am sorry that I lost the boat on this, but I

found out the matter is taken care of on the bill and I would now withdraw my amendment.

The SPEAKER: The gentleman from Lewiston, Mr. Couture, now withdraws his amendment.

Thereupon, the Bill was passed to be engrossed on a viva voce vote and sent to the Senate.

On motion of Mr. Wade of Auburn, Recessed until two o'clock in the afternoon.

After Recess

2:00 P.M.

The House was called to order by the Speaker.

The SPEAKER: The House is proceeding under Orders of the Day, and the Chair now lays before the House the third tabled and today assigned matter, Bill "An Act relating to Salaries of County Officials and Clerk Hire," Senate Paper 491, Legislative Document 1369, tabled on June 2 by the gentleman from Lewiston, Mr. Jalbert, pending second reading.

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

Mr. ERVIN: Mr. Speaker, would it be possible at this time to present an amendment to this bill?

The SPEAKER: Would the gentleman defer until the bill has had its second reading and the Senate Amendment has been placed before the House? The Chair understands that your amendment is to the Senate Amendment?

Mr. ERVIN: That is right.

Thereupon, the Bill was given its second reading.

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

SENATE AMENDMENT "A" to S. P. 491, L. D. 1369, Bill, "An Act Relating to Salaries of County Officials and Clerk Hire."

Amend said Bill in that part designated "Sec. 254," of section 7 by striking out the underlined words and punctuation "county attorneys and their assistants," in the 2nd and 3rd lines.

Further amend said Bill in that part designated "Sec. 254" of section 7 by striking out the colon at the end of the 6th line and inserting in place thereof the follow-

ing underlined words and punctuation: ', except that the county attorneys and their assistants shall receive annual salaries from the State Treasury in monthly payments on the last day of each month, as follows, and no other fees, costs or emoluments shall be allowed them.'

Further amend said Bill in the 3rd paragraph of that part designated "Sec. 254" of section 7 which relates to Aroostook County by striking out the underlined figure "\$800" in the 8th line and inserting in place thereof the underlined figure "\$900"; and by striking out the underlined figure "\$1,000" in the 10th line and inserting in place thereof the underlined figure "\$1,100"

Further amend said Bill in the 4th paragraph of that part designated "Sec. 254" of section 7 which relates to Cumberland County by striking out the underlined figure "\$4,000" in the 5th line and inserting in place thereof the underlined figure "\$4,200"

Further amend said Bill in the 5th paragraph of that part designated "Sec. 254" of section 7 which relates to Franklin County by striking out the underlined figure "\$2,200" in the 3rd line and inserting in place thereof the underlined figure "\$2,300"

Further amend said Bill in the 7th paragraph of that part designated "Sec. 254" of section 7 which relates to Kennebec County by striking out the underlined figure "\$3,300" in the 5th line and inserting in place thereof the underlined figure "\$2,900"

Further amend said Bill in the 9th paragraph of that part designated "Sec. 254" of section 7 which relates to Lincoln County by striking out the underlined figure "\$3,100" in the 3rd line and inserting in place thereof the underlined figure "\$3,200"; and by striking out the underlined figure "\$2,500" in the 4th line and inserting in place thereof the underlined figure "\$2,600"

Further amend said Bill in the 10th paragraph of that part designated "Sec. 254" of section 7 which relates to Oxford County by striking out the underlined figure "\$3,500" in the 4th line and inserting in

place thereof the underlined figure "\$3,800"

Further amend said Bill in the 12th paragraph of that part designated "Sec. 254" of section 7 which relates to Piscataquis County by striking out the underlined figure "\$2,450" in the 2nd line and inserting in place thereof the underlined figure "\$3,150"

Further amend said Bill by striking out all of section 8.

Further amend said Bill in that part designated "Sec. 255" of section 9 by striking out the underlined word "uniform" in the 4th line from the end.

Further amend said Bill in that part designated "Sec. 3" of section 10 by striking out the underlined words and figures "chapter 27, sections 6 and 145" in the 12th and 13th lines and inserting in place thereof the underlined words and figures "section 6 of this chapter and chapter 27, section 145"

Further amend said Bill in that part designated "Sec. 22" of section 11 by striking out the underlined figure "\$1,000" in the 7th line and inserting in place thereof the underlined figure "\$2,500"

Further amend said Bill by adding at the end thereof the following sections:

'Sec. 14. Effective date. The salaries as set forth in section 7 shall be effective October 1, 1959, except as otherwise provided in this act.

Sec. 15. Effective date of salaries in Penobscot County. The salaries as set forth in section 7 as they relate to Penobscot County shall be effective on January 1, 1960.'

Further amend said Bill by renumbering the sections of the Bill to read consecutively.

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

SENATE AMENDMENT "A" to SENATE AMENDMENT "A" to S. P. 491, L. D. 1369, Bill, "An Act Relating to Salaries of County Officials and Clerk Hire."

Amend said Amendment by striking out all of the 6th paragraph which relates to Kennebec County.

Senate Amendment "A" to Senate Amendment "A" was adopted.

Mr. Ervin of Houlton offered House Amendment "C" to Senate

Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "C" to SENATE AMENDMENT "A" to S. P. 491, L. D. 1369, Bill, "An Act Relating to Salaries of County Officials and Clerk Hire."

Amend said Amendment by striking out the next to the last paragraph thereof and inserting in place thereof the following:

'Sec. 15 Effective date in certain counties. The salaries set forth in Sec. 7 as they relate to the counties of Androscoggin, Aroostook, Hancock, Knox, Lincoln, Piscataquis, Somerset, Waldo, and York shall be retroactive to January 1, 1959.'

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

Mr. ERVIN: Mr. Speaker and Members of the House: On the part of Aroostook County and the salary raises which this would amount to, it is with the approval of the County Commissioners, the money is in the budget and has been there since January 1 and we wish it to be retroactive.

The SPEAKER: The pending question is on the adoption of House Amendment "C" to Senate Amendment "A". Is it the pleasure of the House that House Amendment "C" to Senate Amendment "A" shall be adopted?

(Cries of "no")

The SPEAKER: Will those who favor the adoption of House Amendment "C" to Senate Amendment "A" please say aye; those opposed, no.

A viva voce vote being doubted by the Chair, a division of the House was had.

Seventy-seven having voted in the affirmative and forty-five having voted in the negative, House Amendment "C" to Senate Amendment "A" was adopted.

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

Mr. ALIBERTI: Mr. Speaker, for the record, I would like to state I am very proud that Oxford County at the present time is about the only county that I know of that

hasn't asked for a salary increase and that is at the expressed wishes of the County Commissioners. I fail to see where all the economy is today. Every single county is asking for increases and here for the last week we have been battling economy all the way down the line. Now where in heavens name is the sense to it?

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

Mr. TURNER: Mr. Speaker, this looks to me like another raid upon the taxpayers, the little fellows back home, and I will move indefinite postponement of the whole bill and its accompanying papers.

The SPEAKER: There is pending before the House, Senate Amendment "B" and the Chair must advise the gentleman from Auburn, that a motion to amend takes precedence over the indefinite postponement. The Clerk will read Senate Amendment "B".

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

SENATE AMENDMENT "B" to S. P. 491, L. D. 1369, Bill, "An Act Relating to Salaries of County Officials and Clerk Hire."

Amend said Bill in the 3rd paragraph of that part designated "Sec. 254" of section 7 which relates to Aroostook County by striking out the underlined word "chairman" in the first line and inserting in place thereof the underlined words 'full-time commissioner'.

Senate Amendment "B" was adopted.

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

Mr. MILLER: Mr. Speaker, may I approach the rostrum?

The SPEAKER: The gentleman may approach the rostrum.

(Conference at rostrum)

Mr. Miller of Portland offered House Amendment "B" to Senate Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "B" to SENATE AMENDMENT "A" to S. P. 491, L. D. 1369, Bill, "An Act

Relating to Salaries of County Officials and Clerk Hire."

Amend said Amendment by striking out all of the 4th paragraph, which relates to Cumberland County.

House Amendment "B" to Senate Amendment "A" was adopted.

Thereupon, Senate Amendment "A" as amended by Senate Amendment "A" and as amended by House Amendments "B" and "C" was adopted.

The Clerk read Senate Amendment "C" as follows:

SENATE AMENDMENT "C" to S. P. 491, L. D. 1369, Bill, "An Act Relating to Salaries of County Officials and Clerk Hire."

Amend said Bill in the 3rd paragraph of that part designated "Sec. 254," of section 7 which relates to Aroostook County by striking out the underlined figure "\$1,000" in the next to the last line and inserting in place thereof the underlined figure '\$1,100'

Senate Amendment "C" was adopted.

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

SENATE AMENDMENT "D" to S. P. 491, L. D. 1369, Bill, "An Act Relating to Salaries of County Officials and Clerk Hire."

Amend said Bill in the 14th paragraph of that part designated "Sec. 254," of section 7 which relates to Somerset County by striking out the underlined figure "\$3,700" in the 2nd line and inserting in place thereof the underlined figure '\$3,800'

Senate Amendment "D" was adopted.

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

Mr. JALBERT: Mr. Speaker, I have two amendments and they are — the lettering would have to be changed in view of the passage of the amendment. The lettering of my amendments is being changed, is that correct?

The SPEAKER: The Chair would advise the gentleman from Lewiston, Mr. Jalbert, that the letters designating his amendments are House Amendment "M" as in Mary and "N" as in Nathan. Is that the gentleman's understanding? Which one does the gentleman now offer?

Mr. JALBERT: House Amendment "M" as in Mary.

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

HOUSE AMENDMENT "M" to S. P. 491, L. D. 1369, Bill, "An Act Relating to Salaries of County Officials and Clerk Hire."

Amend said Bill by striking out all of the last paragraph of Section 7 thereof which reads as follows:

"After January 1, 1961 all fees and charges of whatever nature, except charges for the publication of notices required by law which may be payable to any county officer, shall be payable by them to the county treasurer for the use and benefit of the county, but preserving the right of sheriffs and their deputies to receive fees for service of civil process, and no county officer shall receive a private benefit from the labor of any person in the employ of the county."

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

Mr. EARLES: Mr. Speaker, with regard to this interesting lady known as "Mary" may I inquire or ask the gentleman from Lewiston, Mr. Jalbert, if he would kindly explain the purpose of this amendment and the need of it?

The SPEAKER: The gentleman from South Portland, Mr. Earles, has addressed a question through the Chair to the gentleman from Lewiston, Mr. Jalbert, who may answer if he chooses.

Mr. JALBERT: Mr. Speaker, with regard to the last paragraph of Section 7 which would make all fees accountable except charges for newspaper notices and civil fees of deputy sheriffs, without going into the question of the desirability of abolishing all fees, attention is called to the following: In almost if not all cases the present fees retained by county officers are fees for performing services that the officer is not required to perform. Fees for services that the officer is required to perform are now paid over to the county. In the case of the Clerk of Courts, for instance, under the proposed bill, would the Clerk of Courts of say Cumberland County be required to

pay into the County the fees that he received from the County as referee appointed by the Superior Court?

Under the proposed bill, would it be possible for a Register of Probate to be appointed auditor by a Judge of Probate if the situation authorized him to retain the fees awarded to him by the Judge of Probate and payable out of the estate? Would a deputy sheriff receive and keep or would they have to turn in their fees they now receive from the county in criminal matters if they were not on per diem? Judges and Registers of Probate and Judges of Municipal Court or disclosure commissioners ex-officio, would the fees that they collect have to be paid over to the county? If so, they probably would refuse to act. This bill here leaves the present statutes as they are. Two counties I know are not under this, namely Penobscot and Kennebec, but the officers involved are receiving larger salaries than in many of the smaller counties. If that explains to Mr. Earles.

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

Mr. EARLES: Well, I must admit the lady in question is still a little bit mysterious because perhaps I have had a short acquaintance with her, but I will accept the explanation of her origin.

The SPEAKER: The pending question is on the adoption of House Amendment "M". Is it the pleasure of the House that House Amendment "M" shall be adopted?

The motion prevailed and House Amendment "M" was adopted.

Mr. Jalbert of Lewiston offered House Amendment "N" and moved its adoption.

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

HOUSE AMENDMENT "N" to S. P. 491, L. D. 1369, "Bill, An Act Relating to Salaries of County Officials and Clerk Hire."

Amend said Bill by striking out all of Sec. 8 thereof.

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

Mr. PERT: Mr. Speaker, this is just a question, but hasn't that sec-

tion 8 been stricken already by virtue of the Senate Amendment?

The SPEAKER: The Chair would advise the House and particularly the gentleman from Lewiston, Mr. Jalbert and the gentleman from Bath, Mr. Pert, that Senate Amendment "A" does strike out the entire Section 8, and it would appear that House Amendment "N" would be superfluous. The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker, I am sorry, I had not read the Senate Amendment. I guess somebody did "Nathan" wrong. I will withdraw the amendment.

The SPEAKER: "N" as in Nathan is withdrawn.

Mr. Dudley of Enfield offered House Amendment "R" and moved its adoption.

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

HOUSE AMENDMENT "R" to S. P. 491, L. D. 1369, Bill, "An Act Relating to Salaries of County Officials and Clerk Hire."

Amend said Bill in that part designated "Sec. 254." of section 7 by striking out all of the 11th paragraph, which relates to Penobscot County, and inserting in place thereof the following:

'Penobscot County: county commissioners, \$2,200; clerk of courts, \$4,100; deputy clerk of courts, \$3,600; county attorney, \$4,000; assistant county attorney, \$3,000; treasurer, \$3,000; sheriff, \$5,000; register of deeds, \$3,750; judge of probate, \$5,000; Register of probate, \$3,750; Bangor municipal court judge, \$4,000; recorder, \$3,500; Brewer municipal court judge, \$2,000; recorder, \$1,200; Dexter municipal court judge, \$1,700; Lincoln municipal court judge, \$2,500; recorder, \$1,600; Millinocket municipal court judge, \$2,500; recorder, \$1,600; Newport municipal court judge, \$1,700; Old Town municipal court judge, \$2,500; recorder, \$1,600.'

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

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

Mr. COX: Mr. Speaker, I rise in opposition to the motion of the gentleman from Enfield, Mr. Dudley. The Penobscot County salaries

in this bill, L. D. 1369 have been approved by the County Commissioners and by every member of the Penobscot County delegation except for Mr. Dudley. Therefore, I hope the House will go along with the wishes of the overwhelming majority of the Penobscot County delegation and that this motion of Mr. Dudley will not prevail.

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

Mr. DUDLEY: Mr. Speaker, I guess the time has arisen when I may have to say a few words. Our able Legislator, Mr. Cox, the gentleman from Dexter, says that this was with the exception of "Mr. Dudley." I am sure that there are other members that feel the same, and I would like to speak briefly in relation to the amendment.

This amendment for instance it doesn't change the — original bill before you doesn't change all the salaries anyway but it does change some. One of them is the Sheriff, who is now receiving \$5,000, a new automobile to drive, a place to live, heated, electricity, and other fingerlings. I and several others I am sure concur with me in the Penobscot delegation that this is a fair salary. We also feel that he is a very able sheriff. We know that we have plenty of candidates for the office of sheriff, as a matter of fact all these offices on both republican and democrat tickets. We feel as if they knew what the office paid when they ran for it, and we don't see fit to raise it. Now we had a bill before us that has been killed that I referred to as Representative Hobb's bill that would have made it pay the incoming ones, that would have been alright, but this pays a man for a job that he knew what it paid when he went in.

Now as most of you members of the House know at this date what became of the salary raise for legislators, and you know what you are getting for pay right now, and on the basis of that I think these fellows have all got a political plum right now at these figures and let me read some of them to you. Penobscot County Commissioners which may meet as many as fifteen times in one calendar year, \$2,200;

Clerk of Courts, \$4,100; Deputy Clerk of Courts, \$3,600; \$3,000 Assistant County Attorney, \$3,000 treasurer, \$5,000 sheriff, Register of Deeds \$3,750, Judge of Probate \$5,000, Register of Probate \$3,750, and so on, the Judges down. The Judges as I understand wasn't asking for a raise. I am sure proud of Oxford County as they don't ask for any raises. I hope this House will see fit to go along with the amendment and believe me you will see plenty from the Penobscot County delegation supporting the amendment.

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

Mr. DESMARAIS: Mr. Speaker and Members of the House: This afternoon we have seen the political machine in action. I was opposed to the retroactive amendment in our county. I spoke to different friends of mine in here that I was opposed to it, so now they come in with an amendment, Amendment "C" which had nine counties in there and which included York County which puts me on the spot here because I was going to move for the indefinite postponement of the retroactive amendment in York County, so now this afternoon I am going to move for the indefinite postponement of all the amendments. I am in favor of raises for these county officials but to make it retroactive I don't believe it is fair to our constituents back home when this is thrown back in their laps, and I know that my people back home would say I hope you will vote against this retroactive, and that's just what I am going to do here this afternoon, and I hope that my motion prevails.

The SPEAKER: The Chair must advise the gentleman that in the priority of motions, a motion to amend does take precedence over a motion to indefinitely postpone.

Mr. DESMARAIS: Haven't all the amendments been presented in there up to now? All of them?

The SPEAKER: The Chair understands there are more amendments to come.

Mr. DESMARAIS: I'm sorry, I'll withdraw my motion. I'll wait.

The SPEAKER: The pending question is the motion of the gentleman from Enfield, Mr. Dudley,

that the House adopt House Amendment "R". Will those who favor the adoption of House Amendment "R" please say aye; those opposed, no.

A viva voce vote being doubted by the Chair, a division of the House was had.

Forty-six having voted in the affirmative and sixty-three having voted in the negative, House Amendment "R" failed of adoption.

Mr. Pert of Bath offered House Amendment "O" and moved its adoption.

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

HOUSE AMENDMENT "O" to S. P. 491, L. D. 1369, Bill, "An Act Relating to Salaries of County Officials and Clerk Hire."

Amend said Bill in the 13th paragraph of that part designated "Sec. 254." of section 7 which relates to Sagadahoc County by striking out in the 2nd line the underlined figure "\$1,500" and inserting in place thereof the underlined figure "\$1,600" and by striking out the underlined figure "\$3,900" in the 2nd line and inserting in place thereof the underlined figure "\$4,100" and by striking out in the 4th line the underlined figure "\$2,400" and inserting in place thereof the underlined figure "\$2,500"

House Amendment "O" was adopted.

Mr. Lemelin of Fairfield offered House Amendment "L" and moved its adoption.

HOUSE AMENDMENT "L" to S. P. 491, L. D. 1369, Bill, "An Act Relating to Salaries of County Officials and Clerk Hire."

Amend said Bill in the 14th paragraph of that part designated "Sec. 254." of section 7 which relates to Somerset County by striking out the underlined figure "\$3,000" in the 4th line and inserting in place thereof the underlined figure "\$2,900"

Further amend said Bill by adding at the end thereof the following section:

'Sec. 23. Effective date of salaries in Somerset County. The salaries as set forth in section 7 as they relate to Somerset County shall be retroactive to January 1, 1959.

Further amend said Bill by re-numbering the sections of the Bill to read consecutively.

House Amendment "L" was adopted.

The SPEAKER: The Chair understands there are no further amendments.

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

Mr. DESMARAIS: Mr. Speaker and Members of the House: I move that we indefinitely postpone all the amendments to this document for increase in pay for county officials and I hope my motion prevails because I'm really serious about this.

The SPEAKER: The Chair must advise the House and the gentleman from Sanford, Mr. Desmarais, that his motion to indefinitely postpone the amendments is not in order for the reason that the amendments have been adopted and are no longer before the House. The Chair recognizes the same gentleman.

Mr. DESMARAIS: Mr. Speaker I move we reconsider all amendments.

The SPEAKER: The Chair must advise the gentleman that a motion to reconsider must apply to one amendment at a time.

Mr. DESMARAIS: Mr. Speaker, I move that we indefinitely postpone this bill and all its accompanying papers.

The SPEAKER: The question before the House is the motion of the gentleman from Sanford, Mr. Desmarais, whose motion is in order, that the bill and all accompanying papers be indefinitely postponed.

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

Mr. PLANTE: Mr. Speaker and Members of the House: We should not take any harsh action on a document of this nature. The Committee on Towns and Counties and the several county delegations have worked hard and long on the various county budgets. I can speak specifically for the delegation of York County, and I am speaking not because of my own personal feelings regarding the action of House Amendment "C" which included York County to be retroactive, but I felt that I should present that amendment also individually if a combined amend-

ment was not presented, because this was the wish of the entire York County delegation that was present at the time the vote was taken. At that time, my records as Secretary of this Delegation do not indicate any dissenting vote, and therefore, I think it would be somewhat childish for us as a body of this nature to indefinitely postpone an entire bill.

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

Mr. RANKIN: Mr. Speaker, I arise for the Lincoln County delegation which is the smallest of any delegation, which consists of the gentleman from Waldoboro, Mr. Walter, the gentleman from Nobleboro, Mr. Hancock, and myself. Last December we agreed with our County Commissioners that we would make the salaries retroactive. We have a few salary raises, about \$100 each and yet in spite of that Lincoln County will operate at a cost of \$3,000 less for each of the next two years. We have reduced our budget by that sum. I feel it would be a breach of promise for any of our delegation, and they agree with me, to violate the agreement we made with our County Commissioners. We may be having a lot of fun today, but it won't be much fun to go home and tell your County Commissioners that you didn't live up to your agreement, that is, those of you who have agreed with your County Commissioners. I hope the motion to indefinitely postpone certainly does not prevail.

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

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen: I rise to support the motion to indefinitely postpone, not because of the amendments but because I think it is all wrong. Someone has said that charity begins at home and surely economy begins at home. Now our State is in quite a serious condition. This is quite largely an agricultural state and our agricultural condition is very, very bad, anyone will tell you that. And when you look around you will find that twenty per cent of all the fertile

land in the State of Maine is put in the soil bank. In other words, the Federal Government is paying a token and taking these lands out. Now for your information if you do not know it, this has to be fertile land to go into the soil bank, you can't put some old field that isn't growing anything in, and some of our very best acres are in the soil bank. We find that our potato industry, while a few people who have a few potatoes left are getting the cost of production, we find that ninety per cent of the potatoes that were raised were sold for less than fifty per cent of the cost of production. You will find that the poultry industry, which is the largest industry we have in the State, regardless of any of the rest of them, we find that that is in a very serious situation and they are going out of business by the dozens, and then we turn around and want to raise these peoples' salaries who knew what they were getting when they went in there and if they all resigned today, we wouldn't have a bit of trouble in filling their places within twenty-four hours, and someone would be glad to go in there and do the job for exactly what they are getting. I trust that this motion does prevail.

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

Mr. MAYO: Mr. Speaker and Members of the House: It looks to me as though we are going to be in trouble with the motion that is now before the House. A great majority of us sitting here I think will go along with the original bill as it came out of the Committee. I agree with the gentleman from Old Orchard Beach, Mr. Plante, the Committee did do a lot of work on the drawing up and the redraft of this bill. I know that my county put in a different request, and they pared it down. I called my County Commissioners yesterday on the phone, they were agreeable with the redraft that came out of the committee. I think that what the members of this House who have put in amendments should do to salvage the main bill would be now to be less greedy and get on their feet and withdraw their amendments.

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

Mr. PHILBRICK: Mr. Speaker, even as I would not tell the citizens of Bowdoinham what to pay their officials, even as I would not tell the citizens of Sanford what to pay their officials, neither would I tell the various counties what to pay their officials with perhaps the sole exception of my own county, Penobscot County. I say those people who want to withdraw their counties, that is up to them; but I know we in Penobscot would appreciate it if they would let those of us in Penobscot handle our own affairs. Thank you.

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

Mr. DESMARAIS: Mr. Speaker, so that I don't hurt this bill that everybody is worried about, I am worried about it also, I would withdraw my motion for the indefinite postponement of the whole bill and the accompanying papers.

The SPEAKER: The Chair understands the gentleman from Sanford, Mr. Desmarais, to withdraw his motion for indefinite postponement of the bill and all accompanying papers.

The pending question is assignment for third reading.

The Chair recognizes the same gentleman.

Mr. DESMARAIS: Mr. Speaker and Members of the House: If you will permit me to table this bill till further in the day so I can present an amendment to the bill which will satisfy my purpose.

The SPEAKER: The Chair would advise the gentleman that if he would permit the bill to be assigned for third reading until tomorrow morning, a tabling motion would not be necessary because an amendment would then be in order tomorrow morning.

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

Thereupon, the Bill was assigned for third reading tomorrow.

The SPEAKER: Third reading of a Bill assigned earlier this morning for third reading this afternoon, which appears on Supplement num-

ber one of the House Advance Journal.

Passed to Be Engrossed Tabled and Assigned

Bill "An Act relating to Licensing and Safety in Operation of Boats" (S. P. 494) (L. D. 1374)

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

Mr. Call of Cumberland offered House Amendment "B" and moved its adoption.

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

HOUSE AMENDMENT "B" to S. P. 494, L. D. 1374, Bill, "An Act Relating to Licensing and Safety Operation of Boats."

Amend said Bill in that part of section 1 designated "Sec. 6." by adding at the end the following underlined subsection:

'VIII. A motorboat used for demonstration purposes by a dealer or manufacturer of motorboats who is the owner of such motorboat.'

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

Mr. BRIGGS: Mr. Speaker, I talked this amendment over a few minutes ago with the author, Mr. Call of Cumberland, and we have come to an agreement if we could table this amendment to either later on in the day or tomorrow.

The SPEAKER: Which time of assignment does the gentleman specify?

Mr. BRIGGS: Tomorrow.

The SPEAKER: The gentleman from Portland, Mr. Briggs, moves that this Bill be tabled and specially assigned for tomorrow pending the adoption of House Amendment "B".

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

A viva voce vote being taken, the tabling motion prevailed.

The following papers from the Senate were taken up out of order under suspension of the rules:

Non-Concurrent Matter

Bill "An Act Revising Election Provisions in Charter of City of Lewiston" (H. P. 844) (L. D. 1207) which was passed to be engrossed

without Amendments in non-concurrence in the House on May 18.

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

In the House:

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

Mr. JALBERT: Mr. Speaker and Members of the House: This is the same measure 1207 that was before you some two weeks ago when the Bill through my motion and your vote and cooperation was placed in the same position as having come out of the Committee with a unanimous "Ought to pass" Report. I would like to read from the comments made from the official reporter of a body in very brief part. This quotation is from the official reporter of a body talking about an amendment:

"All my amendment does, Mr. President, is to send it back to the people for referendum." The amendment talked about has a referendum clause on it, and besides that it has one, two, three, four, five, six, seven, eight, nine, ten, eleven, twelve other sections of a fifteen section bill, and I have not been told that people agree with me on this, I have been told by several members that if this does not wholly indicate gross misstatements but gross misconduct. This is my bill, and I move to adhere.

The SPEAKER: The question before the House is the motion of the gentleman from Lewiston, Mr. Jalbert, that the House adhere.

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

Mr. JACQUES: Mr. Speaker and Members of the House: I move that we recede and concur.

The SPEAKER: The question now before the House is the motion of the gentleman from Lewiston, Mr. Jacques, that the House recede and concur. Is the House ready for the question? The Chair will order a division. 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.

Eighty-four having voted in the affirmative and thirty-five having voted in the negative, the motion to recede and concur prevailed.

Non-Concurrent Matter

An Act Amending the Maine Housing Authorities Act (H. P. 967) (L. D. 1373) which was passed to be enacted in the House on May 29, and passed to be engrossed as amended by House Amendment "B" on May 26.

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

In the House:

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

Mrs. HENDRICKS: Mr. Speaker and Members of the House: I am opposed to Senate Amendment "A" which will block our efforts to get low-cost housing for our low income families in the City of Portland. I can see that our selfish real estate interests have succeeded in their lobby against my amendment "B". I could go on about an hour talking about this thing, but I don't wish to detain the business of the House, but I would like to have read into the record that the League of Women Voters in Portland who realize the plight of our low-income families support my House Amendment "B". Mrs. Israel Bernstein of the Child and Family Services, the agency that was responsible for relocating our families in the City of Portland, also supports my House Amendment "B". Mr. Burleigh Lovett, Director of Education at the South Windham Reformatory for Men also supports my House Amendment "B". These people are truly interested in the problems of people. The Bayside Improvement Association, its officers and members support my House Amendment "B". That is the next area where people will be displaced by the Bayside urban renewal project. I could go on and on and tell you about organizations and people who support my amendment "B" which would give our low income families, the aged, and those living

on limited income decent housing in which to live.

Now Senate Amendment "A" will kill the amendment which the House passed, House Amendment "B", but rather than take chances of killing the whole bill amending the Maine Housing Authorities Act, I now want to concur with the Senate, I am forced to concur with the Senate, I should say. But I do want to thank the members of the House for going along this far with me trying to provide decent housing for our people. I want to thank you very much. I think you have been wonderful, and I will just say that I will carry my fight on elsewhere. Thank you.

The SPEAKER: The Chair understands that the gentlewoman from Portland, Mrs. Hendricks, moves that the House recede and concur. Is this the pleasure of the House?

The motion prevailed.

House at Ease

Non-Concurrent Matter

An Act relating to Juvenile Offenders (S. P. 485) (L. D. 1357) which was passed to be enacted in the House on May 15, and passed to be engrossed on May 12.

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

In the House: On motion of Mrs. Christie of Presque Isle, the House voted to recede and concur with the Senate.

Mr. Rollins of Belfast was granted unanimous consent to address the House.

Mr. ROLLINS: Mr. Speaker and Members of the House: I was not present yesterday afternoon, I had to leave the House, so I am a little late as I was in producing the chicken, but I have run into quite a snag. The Attorney General tells me that it is a criminal offense to falsify the record, and I don't know,

I don't think I would sign a complaint though. The Hillcrest Poultry, the Lipman Poultry, the Fort Halifax Poultry, the Maplewood Poultry and the Penobscot Poultry came to my rescue and took me off the hook, but I hope you people did look over this fact about the broiler industry. It is one of the largest industries that you have in the State, and we are certainly having a hard time right now, and I want to impress upon you all to eat more Maine chickens and help us out, and again I will say don't forget the Broiler Day in the capital City of Belfast, and for the information of the officers of the House, the Clerk of the House has in his possession chicken for them as I understand it.

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

Mr. CROCKETT: Mr. Speaker, I have heard a lot about chickens, but I haven't received a chicken as yet. Now I don't know, I was a little tardy yesterday in getting in after my birthday, but however I would like the chicken.

(Off Record)

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

Mr. JALBERT: Mr. Speaker, the gentleman from Belfast, Mr. Rollins, speaks of two of Maine's fine products. I think he speaks rightfully so when he talks about the sick poultry industry. I know from all reports that the potato industry is a thriving one. I would say, however, that I got home rather early yesterday and deposited my box of potatoes, Maine Aroostook potatoes and the Maine poultry. When I got home about seven-thirty, I enjoyed them and believe me both the chicken and the potatoes were delicious.

On motion of Mr. Wade of Auburn,
Adjourned until ten o'clock tomorrow morning.