

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 10, 1959

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

Prayer by the Rev. Mr. Andrew F. Cone of Gardiner.

The journal of yesterday was read and approved.

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

Mr. WADE: Mr. Speaker and Members of the House: Because the Education Committee and the Appropriations Committee are still having a joint session, I now move that the House recess to the sound of the gong.

The SPEAKER: The gentleman from Auburn, Mr. Wade, moves that the House recess until the sound of the gong. Is this the pleasure of the House?

The motion prevailed.

After Recess

10:45 A. M.

**Papers from the Senate
Conference Committee Report**

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act relating to Definition of Tavern under Liquor Laws" (H. P. 695) (L. D. 995) reporting that they are unable to agree.

(Signed)

FARLEY of York

COLE of Waldo

WILLEY of Hancock

—Committee on part of Senate

BROWN of Bangor

MAYO of Bath

CARON of Biddeford

—Committee on part of House

Came from the Senate read and accepted.

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

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

Thereupon, Mr. Wade of Auburn was granted unanimous consent to address the House.

Mr. WADE: Mr. Speaker and Members of the House: I am going to offer again the matter I offered yesterday and would like to explain it first. In the closing days of the session there are certain rules that are adopted to speed up the legislative process. One that we used last session with good results was what was sometimes referred to as the "thirty minute rule." I suggest that we start using this procedure now.

Accordingly, Mr. Speaker, I ask unanimous consent that unless previous notice is given to the Clerk of the House by some member of his or her intention to move reconsideration, the Clerk be authorized today to send to the Senate, thirty minutes after House action, all matters passed to be engrossed in concurrence, and all matters that require Senate concurrence; and that after such matters have been so sent to the Senate by the Clerk, no motion to reconsider shall be in order.

The SPEAKER: Does the Chair hear objection to this unanimous consent request? The Chair hears none and the request is granted.

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

From the Senate: The following Order:

ORDERED, the House concurring, that there be prepared after adjournment of the present session, under the direction of the Clerk of the House, a Register of all Bills and Resolves considered by both branches of the Legislature, showing the history and final disposition of each Bill and Resolve, and that there be printed six hundred copies of the same.

The Clerk of the House is hereby authorized to employ the necessary clerical assistance to prepare such Register.

The Clerk shall mail a copy of the Register to each member and officer of the Legislature and the State Library shall receive such number of copies as may be required (S. P. 513)

Came from the Senate read and passed.

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

**Non-Concurrent Matter
Tabled Until Later in
Today's Session**

Bill "An Act relating to Salaries of County Officials and Clerk Hire" (S. P. 491) (L. D. 1369) which was passed to be engrossed as amended by Senate Amendment "A" as amended by Senate Amendment "A" and House Amendments "B" and "C" thereto, and Senate Amendments "B", "C" and "D", and House Amendments "L", "M" and "O" in non-concurrence in the House on June 4.

Came from the Senate with House Amendment "B" to Senate Amendment "A", and House Amendment "M", indefinitely postponed and the Bill passed to be engrossed as amended by Senate Amendment "A" as amended by Senate Amendment "A" and House Amendment "C" thereto, and Senate Amendments "B", "C", "D", "E" and "F", and House Amendments "L" and "O" in non-concurrence.

In the House:

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

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

The SPEAKER: The gentleman from Old Orchard Beach, Mr. Plante, moves that the House recede and concur with the Senate.

The Chair recognizes the gentleman from East Machias, Mr. Dennison.

Mr. DENNISON: Mr. Speaker, I offer House Amendment "E".

The SPEAKER: The Chair must advise the gentleman from East Machias that the bill presently is not in the amendable stage, and that the question before the House must still remain the motion of the gentleman from Old Orchard Beach that the House recede and concur.

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

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

The SPEAKER: The gentleman may.

(Conference at rostrum)

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

Mr. PLANTE: Mr. Speaker, so there shall be no misunderstanding, I move this bill be tabled until later in today's session.

The SPEAKER: The question before the House is the motion of the gentleman from Old Orchard Beach, Mr. Plante, that this matter be tabled and specially assigned for later in today's session pending the motion of the same gentleman that the House recede and concur. Is this the pleasure of the House?

The motion prevailed.

Orders

On motion of Mr. Knight of Rockland, it was

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

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

Mr. STORM: Mr. Speaker, I would inquire if L. D. 747 is in possession of the House?

The SPEAKER: The Chair would advise the gentleman that L. D. 747 is in possession of the House, the document being Bill "An Act to Make Valid the Incorporation of School Administrative Districts Nos. 1, 2, 3, 4, 5 and 6."

Mr. STORM: Mr. Speaker, I now move that we reconsider our action of yesterday whereby this bill was passed to be engrossed.

The SPEAKER: The gentleman from Sherman, Mr. Storm, moves the House reconsider its action of yesterday whereby this bill was passed to be engrossed. Does the gentleman wish to speak to his motion?

Mr. STORM: I would, Mr. Speaker. In the confusion and the bustle that was going on in the House here yesterday, I for one became lost and I believe that I was not the only one who was confused and didn't realize exactly what was going on until it was over and too late, and after the thing was over and the smoke had cleared away, I found that we had taken action contrary to what I thought I was vot-

ing for at the time, and I know that several others did the same thing, and for that reason I am asking to have this brought back before the House.

The SPEAKER: The question before the House is the motion of the gentleman from Sherman, Mr. Storm, that the House reconsider its action of yesterday whereby it passed this bill to be engrossed.

The Chair recognizes the gentleman from Easton, Mr. Perry.

Mr. PERRY: Mr. Speaker, we have been kicking this bill around a long time here and if this is brought back to the House to be reconsidered I am positive that it would make us stay here a day or two longer, and I hope that the folks here will vote as they did yesterday, not to reconsider this bill.

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

Mr. BRAGDON: I ask for a division on the motion to reconsider.

The SPEAKER: A division has been requested. The Chair recognizes the gentleman from Madawaska, Mr. Rowe.

Mr. ROWE: Mr. Speaker, Members of the House: I am going to ask you to oppose the motion to reconsider not because we did not know what we were doing yesterday. I feel that the majority of the members of the House did, and for a few moments I would like to talk with you both as a legislator and as a school teacher. If we reconsider the action that we took yesterday and pass certain amendments that we defeated yesterday, we will be in the same position as we were before of giving Liberty and the Town of Perham permission to withdraw from their school districts which they have now formed, and I would like to discuss with you why I think, in my very best judgment as a school teacher and as a legislator, why this would be wrong.

First of all the position that Liberty should not be given permission to withdraw is backed up both by the School District Commission, the Department of Education, and the bonding companies with which these towns have already floated their

bonds. In reference to the School District Commission, which is headed up by Chairman Mark Shibles, I think it should be pointed out contrary to some remarks which were made, I do not believe that the School District Commission has formed these districts hastily, and I can only recall, probably it was a few months ago, when a very close associate and friend of mine at the University of Maine had commented on the activities of Dr. Shibles that they only see him around the campus of the U. of M. probably ten per cent of his time. He has put his heart and soul and all his time into seeing that these districts are prudently formed.

For Liberty, forty-three town meetings were held before the district was formed. Four of these town meetings were held in Liberty and all of these town meetings that were held in Liberty all were favorable to the formation of the district. There was another problem here which makes imperative the formation of this district there inasmuch as they have an emergency that has been created in their school system there by the recent fire at Freedom Academy. There is another thing too, the Ford Foundation has become particularly interested in this district here that we by legislative action could at this moment destroy, and they are thinking of subsidizing them out of their foundation moneys, and at this time their consideration of putting money into this school district is being withheld now because we by legislative act may destroy it.

The next point here is that because of the recent possible legislative action that we might take in permitting Liberty to withdraw, the banks have indicated that they are going to shut off any further credit to these districts. If there has been criticism in this way here that — let me put it the other way around. I think myself that if we give these people time, time to work out their problems in a local and a democratic group fashion, and if we, by our legislative action, validate these districts we are going to accomplish the very same probably, the very problem that we think we have created by the formation of these districts in this way here, that other

districts that may be formed, I think will be more prudently and more cautiously formed.

There is a question too whether we as legislators, there is a constitutional question involved here whether we, at this time, can intervene in a contract between towns. Now this question has not yet been answered by the courts. It is the question which is clearly stated in the Sinclair Act, that if a school district has outstanding indebtedness that any one member town of that school district, then the school district may not be dissolved. The school district too is supported by the members of the School District Commission among which Liberty is a member town. I think it should be pointed out, and I think it would be disastrous if this Legislature, the 99th, intervenes in a particular sort of troublesome area that has been created, but which I think is only temporary.

And lastly, I think there is this to point out that if we, as members of the 99th Legislature, if we give fair consideration to the revised parts of the Sinclair Act and we pass what has been listed in priority items in the way of change, items one, two, three, and four, that the total tax bill that Liberty will have to support will be \$1,000 less than what was originally proposed, so if we go along and we do the kind of things that have been recommended in revising the Sinclair Act, the problem of estimated tax money that Liberty will have to provide as its equitable share of the school district will be \$1,000 less than the original estimate when they voted four times, freely, to enter the district.

I would like finally to pass this out to you. I think then that this is really the answer. The answer is in passing the revised Sinclair Act and giving them the subsidies which I think will solve this problem, this extra money that some of them claim that the Town of Liberty cannot support. I think that this is probably one of the most important items that we have before us. I think that dependent upon our action that we are going to take will determine to a large extent the very lives of these students who I can't in any other way see that

the quality of their education is going to be improved, and when I vote, I will vote against reconsideration because I feel that Liberty, and I feel that Perham, should remain a part of their school district at least for two more years and I will vote what I feel is really in my best thinking, a better education for the children of those areas.

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

Mrs. SMITH: Mr. Speaker and Members of the House: I am a little disturbed by this discussion, and I certainly would be the first one to say that I am not familiar with all the aspects of the Sinclair Law, but it seemed to me, at least it was my understanding, that there was a safeguard written into the Sinclair Act of permitting districts, if they paid their full amount that they had become involved with the other towns, to withdraw, and it seems to me that we aren't debating whether these towns have a right to withdraw according to that provision, but rather are debating the idea of whether any town ever has any right to withdraw once they have become a part of the district and what perplexes me is, why was the provision in there? How do those who believe that no town, as I understand it, should be allowed to withdraw, reconcile themselves to the provision that was written in and certainly was as mandatory to all of us as any other part of the Sinclair Law? I would like to have that cleared up. I am not sure, but it seems to me we are not debating whether they should come under this clause, but are rather debating or asserting that the Sinclair Law Act should not have this provision in it.

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

Mr. KNIGHT: Mr. Speaker, there is no question in my mind that Perham and Liberty should be allowed to withdraw. That was the intent of the Legislature in the 98th Session that towns should be allowed to withdraw from a district, but as I see it, the 98th Legislature did not make it explicit enough under what circumstances they could withdraw. The towns of Liberty

and Perham are now before us asking the right to withdraw. I feel, after hearing what I have heard today, that we have reached a point where the entire Sinclair Act should be left alone at this session. No legislation whatsoever should be passed so that the Supreme Court could look at it in its original inception and give us a judgment without any further legislation. By doing this, by going slow at this time, no one will be jeopardized and the entire Sinclair Act can finally be interpreted. If we rush now, we may well repent later, and it is my feeling that this would be the safest way to progress at this time.

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

Mr. BRAGDON: Mr. Speaker, I had certainly hoped that I would not have to go into the discussion of this matter again. However, I feel that I must. In reply to some of the questions that have been raised in regard to court action, there is no question in my mind but what this thing can go to the courts — may go to the courts. I would say in regard to that this matter is now before this Legislature, and I believe that most of us feel entirely capable to make a decision on it. If we make a decision, it does not bar the thing going into the courts. If they disagree with the action we have taken, they can say so. If we refuse to make a decision, we are delaying the thing again and we have been continually doing that for a long time. As I said before in debate, these people in these districts want this thing settled, if possible, so they can proceed, so they can do something.

Now, the suggestion of the gentleman from Rockland might sound all right but the same argument holds for that. We are now in these districts. No bonds have been sold. If we refuse to take action, if action does not come before the courts, and I don't know that we have any assurance that it will, then these districts are in a perfect position to proceed to sell bonds. Once they have sold their bonds, then they can proceed with their construction. We then find ourselves in the position where I would not

logically, I would not reasonably ask a body like this to let us out. If we had gone that far with obligations, I think we would have to stay in. We are just simply asking that you settle this thing before these things have happened. Nobody is going to be hurt now, and now is the time to settle it, and I certainly believe that you feel capable of doing it and I think you are going to do it. That is all that I have to say, ladies and gentlemen.

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

Mr. ROLLINS: Mr. Speaker and Members of the House: I follow along with the gentleman from Perham, Mr. Bragdon. Liberty has no bonded indebtedness and now is the time to get clear, and this Legislature following the remarks of the gentlewoman, Mrs. Smith, this Legislature, I believe, has a mandate placed upon it by the very Sinclair Act to let these two towns out of the district. That is written into the Sinclair Law and is just as much a part of the Sinclair Law as anything else, and this is the time to try it out and this Legislature is the one to carry out the mandates of that law when they have no indebtedness or nothing. The gentleman from Madawaska, Mr. Rowe, said that in a couple of years things would smooth out. A couple of years I don't see would change the distance of twenty-two miles to haul the pupils of Liberty to schools, and as far as nullifying a contract between towns, contracts between corporations, between individuals, they are broken every day providing they pay the damages, and I don't see where a town is any different than any other outfit if the damages are assessed and paid when the contract is broken, and Liberty is coming forward ready to pay their damages for their mistake for getting into the thing, and both of these towns have voted overwhelmingly to be removed from the district, and I believe the will of the people should be honored. I am a home rule boy as I have said many times, and I hope the motion of the gentleman from Sherman, Mr. Storm, prevails.

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

Mr. ALIBERTI: Mr. Speaker and Members of the House: I would like to offer a few remarks, something for the members of this House to think about. I believe that the Sinclair Law is a good law. I also believe that it has a few inequities that should be corrected. For instance, let us assume that the towns in this particular district, district three which we are talking about, has assumed obligations as a district of \$200,000, and then because of circumstances such as has been outlined here today two of these towns wish to withdraw, and seek permission of this body to do so, and that permission is granted, then the remaining two towns that are in the district must absorb the entire debt of \$200,000, and when you allot \$100,000 to two towns rather than \$50,000 to four towns you are really increasing the burden on those two towns. But I believe that a formula should be worked out so that if towns do want out and if this Legislature, or any other legislative body, wants to let them out that they should be assessed for damages, and in many, many cases, this happens to be a very very good example where these two towns would get out at a very minimum cost, but let us assume that other districts who have assumed an obligation of a half a million dollars, and two towns pull out of a four town district then it would leave two towns with a tremendous amount of liability, and so I would say that the formula itself is wrong.

I think the Sinclair Law should be amended so that a formula that will work should be adopted to take care of all of the towns if they want out, and what the damages should be and how the damages should be assessed. The good gentleman from Belfast, Mr. Rollins, has stated that contracts have been broken many, many times and the court of law assesses the damages on the parties involved or those at fault in the breaking of the contract, and I don't see how that would differ too much in what we are talking about this morning.

I have appeared before the Education Committee on many occasions with respect to the State School Board Association, and we have gone on record as favoring these school administrative districts and we want them to consolidate, but when emergencies such as this come up and the towns do want out, they should be given an opportunity at least to put their cards on the table, and that a formula would be set up so that it would be workable, and that if they were going to be assessed for damages they might decide against it and stay in. I think such would be the case in this particular district. If the damages were high that these two towns would have to absorb, I think they would rather remain in the district than get out. I am just offering that for the members to think about.

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

Mr. BRAGDON: Mr. Speaker, obviously the gentleman from Rumford assumes something that does not exist. I would remind him that in this case that we have proposed to you a formula whereby we wish to get out. I have said repeatedly if you don't like the formula to suggest one, we'll buy it. If this Legislature thinks our formula is not good, you can come up with one. Liberty has offered to pay an out and out bonus which they assumed when they went into this district. The other towns in that district down there had indebtedness, Liberty had none, and in assuming the indebtedness of those other towns when they went into the district, they assumed debts, and they have told you they are willing to offer an out and out bonus because they made a mistake. The Town of Perham takes the position, and here I take issue again with the gentleman from Rumford, Mr. Aliberti, we say that we leave it up to the School District Commission of this State, a body I believe perfectly capable of making the decisions that we put up before them. We leave it completely up to them to say how much we owe that district up there, and we will pay the bill. Again I say to you, what could be fairer? If Mr. Aliberti wants to

come up with a better formula, we will buy it but we don't want to wait two or three years for the next Legislature to come up with a formula. We want to get straightened out of this mess that we are in so that we can proceed and so that we can do the things that we need for education in the district. It is the delay that we are fighting. We have been offering all winter long, asking you to give us a solution so we can get out of this mess. Try and help us.

The SPEAKER: The Chair recognizes the gentleman from New Sharon, Mr. Caswell.

Mr. CASWELL: Mr. Speaker, Ladies and Gentlemen: I don't know if I can add anything to what I said the other day or what I tried to say the other day, but at least it will be along the same line that I spoke the other day. I said then that I was in favor strongly of the proposal, the fundamental idea of the Sinclair Act. I thought it was good. I did not expect that the Sinclair Act, as first given to us, was going to be perfect. No complicated machine on its first tryout is ever perfect. It has to be amended. It has to be changed.

Now in that Act we did provide a way out for towns where bonds had not been issued and where construction had not been started. In this case of these two towns, neither of those things have taken place. Now, unless we wish, the majority of us, to destroy the Sinclair Act entirely, I think we should be careful what we do right now. When in most cases there is some escape route left, we don't take a man's license away for driving under the influence, not the first time we catch him at it. We give him a little show. Now these two towns haven't smashed anybody up, haven't killed anybody, they haven't smashed up any car, but we now are trying to do, contrary to what one of the provisions of this Act was, we are trying to stop the last possible escape route that they have. They made a mistake. They were possibly oversold. Possibly they themselves did not understand fully the potentialities of the Act, but at most they simply made a mistake and they are willing to pay for that. Now to provide that, if

we want to kill the Sinclair Act entirely, if we shut off that escape route, I can't conceive of any group of towns starting to join together to create an area district. I think that they would be scared to death of it.

The SPEAKER: The Chair recognizes the gentleman from Easton, Mr. Perry.

Mr. PERRY: Mr. Speaker and Ladies and Gentlemen of the House: I have been informed that District Number Two assumed bonded indebtedness of \$275,000 nearly a year ago, and I wish you would take that into consideration and I request a division when the vote is taken.

The SPEAKER: A division has been requested.

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

Mr. ROWE: Mr. Speaker and Members of the House: Just one final word, very briefly, if I may. I think this matter of home rule, and I really believe in it whenever possible, deserves something more than words, and I am referring yesterday when Congressman McIntire's brother appeared on the scene here and who is from the Town of Perham and is against the withdrawal of Perham from the school district and he had this to say, that he was really surprised and made a fast trip down here when he learned that the Legislature was giving consideration to this sort of thing because he said this, he said: "We have had problems before. This is another problem and," he said, "we are going to work it out," and he has asked and he asked for time to do something. Now I believe that contracts can be broken, and if I might even say that I believe that for a husband and wife in some situations, it is better for them to live apart, but certainly we don't, at the first spat that they have, we don't allow them to go into a court and to sue for divorce and to grant a separation. We give them time to see whether they can work together, live together, and to build together. Finally, on this matter of bonded indebtedness, I would like to ask the gentleman from Montville, Mr. Mathieson, if School District Three does not presently owe the School Building Authority, and isn't it prohibited, if so, under the

Sinclair Act as is, that if a school district has an outstanding bonded indebtedness, is not the Legislature prohibited and is not the town prohibited from withdrawal?

The SPEAKER: The Chair understands the gentleman from Madawaska, Mr. Rowe, to have addressed a question to the gentleman from Montville, Mr. Mathieson, who may answer if he chooses.

Mr. MATHIESON: Mr. Speaker, in reply to the gentleman from Madawaska, Mr. Rowe, I can say this, that when the District was formed they assumed all outstanding indebtedness of the several towns. That amounted to a considerable amount of money. It is a debt. It is covered by bonds and although they have evidently been willing to pay the price, the question is what is debt in this case, and the things that were brought out and the questions we would have liked to have submitted to the court for a decision took into consideration those things. When can you, as a legislator, step in and say here is a piece of property, you have got to give it to somebody else without paying damages. Those buildings and things belong to the District. The question is, has the District got to give them up? Those are serious things and I think they are things that should be settled by law rather than just here on sentiment in this House, and I hope when the vote is taken you will defeat the motion to reconsider.

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

Mr. DODGE: Mr. Speaker and Members of the House: Our town, four of us, have been in a community school for a matter of ten years, and it is very similar to the method set up by the Sinclair Act of administrative districts. In that contract we had with the four towns, we were assured that we could get out of that after the indebtedness was paid off. I am reasonably sure that the town would never have gone into a community school district of that kind if that provision had not been there, and if they had known that they could not get out there would have been quite a question about going in. I am very much

afraid that if you do not let these towns out of this that you will not be able to form too many new districts.

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

Mr. BRAGDON: I wondered if I had spoken twice, but if I have I am recognized.

The SPEAKER: The Chair understands this to be the gentleman's second time now.

Mr. BRAGDON: Thank you. To simply answer some questions which have been raised which I feel I must answer, the gentleman from Easton, Mr. Perry, raises the issue of a bond issue, a \$275,000 bond issue in that particular district, I wish to take time to completely explain this situation. It has not been explained previously here and I was aware this morning that the thing had been circulating around the corridors so I am glad of this opportunity. I think possibly I mentioned it in some of my earlier discussions on this thing, I hope you won't finally tire out, that in the last session of the Legislature the people of Mapleton, Castle Hill and Chapman came down here in the early part of the session and asked us to create a community school district, which we immediately proceeded to do. They had lost their high school building in Mapleton and they were looking for the creation of a school district so that they could rebuild. The Legislature granted them this authority and they proceeded to sell bonds to finance the construction of a building, I believe in the Town of Mapleton, to the amount of \$275,000.

Later in the session as you are also well aware, that Legislature passed the Sinclair law. It changed the thinking of the people in that community school district. Then after the Legislature had adjourned they began to explore the possibilities of forming a larger district and they took in these other towns, this community school district, with a bond issue of \$275,000. Now in regard to that bond issue, it has never been spent. True they have bonds maturing over a certain number of years, but they have cash in the bank to cover those bonds complete-

ly. Also further along in the same area, other towns in the district — Perham had no debt, other towns had debt, there was I think a \$40,000 debt in the Town of Washburn which we assumed our share of. I think there was a debt in one of the other towns, I haven't the figures before me, but these are practically facts as I understand them, if anybody wishes to question them I stand corrected, but there was some other outstanding indebtedness. But if, at the time that Mapleton lost their school building, they had insurance in the amount of \$75,000, that is also cash; so in that area there is practically cash to cover all of the outstanding indebtedness.

Now what I am saying to you is this, we have said that we did assume a part of their debt, and if you say that due to this outstanding debt that we owe them thirty-five or forty thousand as our share of that debt, we admit it, we are willing to pay it. Obviously, if that is the kind of settlement you want to give us, of course we may go into the courts and we will also attempt to prove that we also assumed part of their assets as well as part of their debts so if they say that we owe them \$35,000 or \$40,000, we agree that we do, but we also will claim that we also have an interest in \$40,000 of their assets, which I wonder what they will say. I simply point the situation out to you exactly as it is. There is outstanding indebtedness in the form of bonds, but there is also cash to cover practically every cent of it, enough for that.

In regard to reference to our Congressman from the Third District, I am sure probably he feels honored that his name has been brought into this esteemed body. In the Town of Perham when we took our vote, we voted one hundred eleven to fourteen to get out of this district. That is much more than the two-thirds. We knew there were fourteen people who still favored holding us together. Needless to say, two of those gentlemen were here yesterday, one of them was the twin brother of our Congressman. He has a perfect right to appear here and speak for what he believes. I grant that to everybody. However, I wish to point out to you that I am repre-

senting the one hundred eleven. He was representing the fourteen. Now, that is exactly the way the thing stood.

The SPEAKER: Is the House ready for the question?

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

Mr. ROLLINS: Mr. Speaker, when Liberty went into this district, it had no indebtedness, but the same as with Perham, it assumed the indebtedness of the other towns. True that may be bonded indebtedness; it may be notes at the bank; I don't know what kind it is. I haven't examined them, but they assumed their proportionate part of what the other towns owed, but that was not any indebtedness after the district was formed and they are willing to pay. They have offered here to pay \$15,000, and if the Legislature says they pay more, they will pay more for their mistake, but they voted overwhelmingly to get out of it, and as far as the gentleman from Rumford, Mr. Aliberti, assuming a \$200,000 debt, that is very true. If he wants to change the Sinclair Law so that there be a formula for a town in that situation, or \$500,000, we will go along with him. We all believe the Sinclair Law should be changed. There are a lot of places it should be changed, but if we do not let these towns out of this district, I am saying it is the funeral of the Sinclair Law, and as far as these districts are concerned, if we do not get out now, they won't do anything in those two districts, I will guarantee it, because they will get an injunction of the court to hold them up and so they won't be building any schools or anything else until the thing is settled, and I hope the motion prevails.

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

Mr. EDGERLY: Mr. Speaker, Members of the House: I haven't much to say on this Sinclair Act, but two years ago I tried to see if I could learn what was in it. I would read and get over half way on it and then I didn't know what there was back behind it and I would start over again. I spent a number of nights trying to learn the bill, but I never did get it learned because I haven't education enough for that,

but there is a place in there where it says you may get out. Well, why not use that "you may get out," and I think for one, if I went up into those towns and met some of the people and I voted against their getting out, I would be sneaking away somewhere to get away from them, and I believe there are a lot of legislators here today who will think the same thing. I don't believe any town should be barred in like that just the same as a jail. There may be other countries where they might do this, but in this State of Maine, I think it is a free country, and let us take a chance and let them out.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Westbrook, Mr. Davis.

Mr. DAVIS: Mr. Speaker, I would like to inquire how these two towns got in this. Was it by popular vote or how did they get involved in this situation?

The SPEAKER: Is the gentleman addressing a question to anyone in particular? The gentleman from Westbrook, Mr. Davis, has addressed a question through the Chair to anyone who may answer if he chooses, and the Chair will recognize the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker, Members of the House: I would like to answer for the Town of Perham, and possibly someone else may answer for the Town of Liberty. In regard to the Town of Perham, I do wish to say this in answer to that question. The first vote that we ever took in the Town of Perham, I should not say this, this proposal had been sold to us after several meetings and many of the people understood it very slightly. We thought that perhaps it was something good, that we could get some state money. I say to you, it was not well understood, and by a meeting not too well attended, I am sorry I don't have the exact vote, they did vote by a fair majority, probably less than two to one, to go into the district.

Two weeks after that, at a meeting called to elect a school director, they had given the matter much

more study, and they refused at that time, they refused to elect a director, and they also inserted into the article that was furnished for that town meeting to elect a director, an article on their own. The article for a director came from the School District Commission, but they were a little bit independent and they said if we are going to have a meeting, we will put in some articles of our own. So at that time, they put in an article authorizing the town to reconsider their action that they had taken two weeks previously and attempt to vote to get out of the district. This they did by a very substantial vote, and in all of the meetings and all of the votes that the Town of Perham has taken from that day to this they clearly indicated that they did not even consider that they were in the district, but every vote indicated that if they—and through a ruling of the Attorney General's Department, they were presumed to be in and they seemed to be in a trap that they could not get out of, but they persisted in voting every time expressing themselves as definitely in opposition to being any part of the district. They voted twice against the bond issue, and another thing here I wish to bring out, in the vote in the district for this bond issue, which in the aggregate will amount, with the money on hand and the construction program, to somewhere in the neighborhood of \$800,000.

The first time that bond issue came up, the district voted it down. This is the whole district I am talking about. We assumed that we were going to get another opportunity to vote on that bond issue, with a change of location, and in that first vote, location was an issue. We thought that perhaps if the directors changed the location that the vote would be different. Instead of changing the location these directors of this district, in view of the vote that the district had taken, two weeks or somewhere along that line, two weeks later again submitted the exact article that the towns in the district had voted down in the first instance. They had some help from the Education Department to sell the idea. They sold us the idea in the district that we had made a

mistake and by a very slight majority on that next vote on the bond issue, I think around a majority of thirty in the whole district, we voted to authorize the bonds. In that vote, the largest town in the district voted substantially against it. Perham and Wade voted substantially against it, definitely against it as they have in every instance, in every vote.

Now, in this district, to me this seems a little ridiculous, their attempting to go out and sell bonds in the face of such lack of expression in favor of the whole thing. What I am saying is, they are attempting to sell bonds on a narrow margin of thirty votes, and on the previous vote, it was voted down much more substantially the other way, so that is the margin whereby they proposed to sell bonds in that district, a mere, mere thirty votes in the whole district on a second attempt to sell the bonds. I think I have covered the thing I started out to do.

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

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

Mr. MATHIESON: Mr. Speaker, I expect that the gentleman also wanted the situation in Liberty cleared up, and I had placed on your desks a statement of facts in regard to all the actions of both these districts, and you will find it there somewhere. It was placed on there yesterday. That is a matter of public record. It isn't my say-so or anybody else's. Those records are there, and they are there for your purpose to look at if you want to, and you will find them in the Department of Education.

If you haven't that, we might say that Liberty first asked to get into the district. They were not considered at first. The district started work to organize not thinking of taking in Liberty at all. Liberty asked to come in, and on four different occasions voted to come in. The reason for was simply this. When they first organized, they started with twelve towns, Liberty included. Liberty voted in. One of the towns, at

that time, did not vote in, so it meant a rehash of the whole thing and they reorganized with eleven. Liberty voted in again and two of the other towns didn't this time so they reorganized once more with nine, and again Liberty voted in, and after that two of the towns that voted out asked for the privilege of coming in. They petitioned this Legislature that they be allowed to join that unit, and you granted that, and Liberty again voted in favor. Now, that is the history of the situation there in Liberty. I think it is only fair that you should know it.

The SPEAKER: Is the House ready for the question?

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

Mr. ROLLINS: Mr. Speaker, the figures show here the Town of Liberty voted thirty-eight in favor, eleven opposed, to join the district, and yet on the twenty-fifth day of March they voted one hundred and seven to thirty-one to withdraw from the district. There are the figures of the vote.

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

Mr. DUDLEY: Mr. Speaker, I just have one question. Was this presented to the Legislature in the form of a bill and heard like all bills so both sides could be heard before the Education Committee or any other commission? I would like to ask that as a question.

The SPEAKER: The gentleman from Enfield, Mr. Dudley, has addressed a question through the Chair to anyone who may answer, and the Chair recognizes the gentleman from Montville, Mr. Mathieson.

Mr. MATHIESON: Mr. Speaker, it never was, and my contention is that if it had been presented to the Legislature as it should have been, the chances are that it could have been taken care of. Any town can be separated in two parts if it is done properly. This corporation is just as much a corporation as any town, and I think if it is done properly and according to law, it can still be done.

Mr. Bragdon of Perham was granted permission by the House to speak a third time.

Mr. BRAGDON: Thank you, Ladies and Gentlemen of the House: In regard to the question and the answer as to whether or not there was a bill before this Legislature, about six weeks ago I guess, maybe it was nearer two months, the Education Committee of this Legislature indicated a willingness to some of us who were interested in getting these towns out that they would give us a hearing. The Town of Perham had hired an attorney, and I believe the Town of Liberty had hired an attorney. We asked the Education Committee of this Legislature at that time if they would sit down with us in any way and discuss our problems with us and see if we could come up with some sort of a logical answer to all of them that would avoid what we have been going through here these last few days.

We assumed at that time, and I am sure that we extended an invitation to Mr. Phillips, the attorney for the school district in the Washburn-Mapleton District, assuming that this meeting was going to be a meeting of the Education Board, the Education Committee of the Legislature, Dr. Hill and the School District Commission and representatives of the bond companies so that we could go into the ramifications of all the difficulties that might be involved, and possibly come up with an answer. When we got down here, we found that the Education Committee had decided, for reasons unknown to us, that they would sit and listen to us. They had not extended the invitation to Mr. Phillips, the attorney for the opposite side in our area. That was no fault of ours. We assumed that they were going to. They made their own decision: we didn't, but we thought they were going to give us a good hearing, and they did listen to us in good shape, and the thing laid there for a month or a month and a half. They gave us no answer.

Now, I say to the gentleman from Montville, he is House Chairman of the Education Committee here in this House, that I believe he was perfectly within his rights that we should have no answer, but I say

that we were extremely disappointed that they did not attempt to give us an answer. We thought that here was an opportunity to have all of the interests, both the pros and the cons, given an opportunity to discuss this thing with a prominent committee of this Legislature, with the Education Department, and with the School District Commission. We were denied that. Now, that was not my fault.

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

Mr. ERVIN: Mr. Speaker, I must add some more to what has just been said in the answer given by the gentleman from Perham, Mr. Bragdon. It is true that the gentleman from Perham, Mr. Bragdon, asked the Education Committee if they could present their problem to the Education Committee and also the gentleman from Liberty, Mr. Cole. We were given twenty-four hours' notice on this request. They did not present their problem in the form of a bill. Neither were we asked to have a public hearing nor advertise it. We did listen to their problem, and I will also state that we have not had an executive session since to discuss the pros, the cons, whether we would do, and what we would do about it, but I think the record should be straight. There was no bill presented to us, merely a request to listen to their story, and to see if we could come up with a solution, and that there was no public hearing asked for nor was there one given.

Mr. Bragdon of Perham was granted permission by the House to speak again.

Mr. BRAGDON: Mr. Speaker, in reply to the gentleman from Houlton, the bill that is before you today is the very bill that we presented on that occasion to the Education Committee. We looked upon it as a bill. If they didn't, it was simply a matter of misunderstanding between us. It is the very bill they saw on that occasion that you now have on your desk today, Senate Amendment "A" to this bill.

Mr. Rollins of Belfast was granted permission by the House to speak a third time.

Mr. ROLLINS: Mr. Speaker, the reason I would like to answer the

question Mr. Dudley raised about why there wasn't a bill, the reason there wasn't a bill was the Town of Liberty voted on March 25 to withdraw from the district by a vote of one hundred seven to thirty-one and we all know that the cloture date was way before that.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Sherman, Mr. Storm that the House reconsider its action of yesterday whereby it passed to be engrossed, Bill "An Act to Make Valid the Incorporation of School Administrative Districts Nos. 1, 2, 3, 4, 5 and 6." A division has been requested.

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

A division of the House was had.

Sixty-three having voted in the affirmative and fifty-eight having voted in the negative, the motion to reconsider prevailed.

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

Mr. STORM: Mr. Speaker, I now move that we reconsider our action of yesterday whereby House Amendment "A" was indefinitely postponed.

The SPEAKER: The gentleman from Sherman, Mr. Storm, now moves that the House reconsider its action of yesterday whereby House Amendment "A" was indefinitely postponed.

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

Mr. ERVIN: Mr. Speaker, I would ask for a division.

The SPEAKER: A division has been requested. Will those who favor the reconsideration of the House action of yesterday —

The Chair recognizes the gentleman from Augusta, Mr. Barnett.

Mr. BARNETT: Mr. Speaker, what is the filing number please?

The SPEAKER: Would the Clerk please give the filing number of the amendment.

The Chair would advise the gentleman and the House that the filing number is 487.

Is the House ready for the question? The question before the House is the motion of the gentleman from

Sherman, Mr. Storm, that the House now reconsider its action of yesterday whereby it indefinitely postponed House Amendment "A". A division has been requested.

Will those who favor the reconsideration of the indefinite postponement of House Amendment "A" please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Sixty-three having voted in the affirmative, sixty-three having voted in the negative, and the Chair having voted in favor of the motion to reconsider the indefinite postponement of House Amendment "A," the motion prevailed.

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

(Cries of "No.")

The SPEAKER: The Chair will order a division. Will those who favor the adoption of House Amendment "A" please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Sixty-four having voted in the affirmative and sixty-five having voted in the negative, House Amendment "A" failed of adoption.

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

Mr. STORM: I move that we reconsider the action whereby Senate Amendment "A" failed of adoption. Senate Amendment "A" is L. D. 1392.

The SPEAKER: The gentleman from Sherman, Mr. Storm, now moves that the House reconsider its action whereby Senate Amendment "A" failed of adoption.

The Chair recognizes the gentleman from Augusta, Mr. Beane.

Mr. BEANE: Mr. Speaker, could we get a filing number on that?

The SPEAKER: The Chair would advise the House that the filing number on Senate Amendment "A" is Legislative Document number 1392.

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

Mr. MATHIESON: Mr. Speaker, I would like to have a ruling on the procedure that we are carrying out right now.

The SPEAKER: Does the gentle-

man raise a point of order? Will the gentleman state his point of order.

Mr. MATHIESON: I would like to know what the procedure is that is being followed as of now.

The SPEAKER: The question before the House is the motion of the gentleman from Sherman, Mr. Storm, that the House now reconsider its action whereby Senate Amendment "A" failed of adoption. Is the House ready for the question?

The Chair recognizes the gentleman from Montville.

Mr. MATHIESON: I would like to know what a vote one way or the other will do to this bill.

The SPEAKER: A vote in favor of reconsideration will bring Senate Amendment "A" back before the House. A vote against reconsideration will leave Senate Amendment "A" in its present status whereby it was indefinitely postponed, failed of adoption.

Mr. MATHIESON: Another thing, what status does that leave the bill itself in, does it still have to have a two-thirds if this amendment is taken out?

The SPEAKER: Will the gentleman from Montville please approach the rostrum?

(Conference at rostrum)

The SPEAKER: The pending question is the motion of the gentleman from Sherman, Mr. Storm, that the House reconsider its action whereby Senate Amendment "A" to Bill "An Act to Make Valid the Incorporation of School Administrative Districts Nos. 1, 2, 3, 4, 5 and 6," Senate Paper 285, Legislative Document 747, failed of adoption.

The Chair will order a division. Will those who favor reconsideration of the failure of adoption of Senate Amendment "A" please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Sixty having voted in the affirmative and sixty-four having voted in the negative, the motion to reconsider did not prevail.

Thereupon, the Bill was passed to be engrossed as amended by Senate Amendment "B" in non-concurrence and sent up for concurrence.

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.

House Report of Committee Ought Not to Pass

Mr. Brown from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Resolve Providing for Moneys for Mars Hill Utility District to Construct Sewage Treatment Facilities for Town of Mars Hill (H. P. 628) (L. D. 920)

Report was read.

The SPEAKER: Is it the pleasure of the House to accept the Committee Report?

The Chair recognizes the gentleman from Monticello, Mr. Jewell.

Mr. JEWELL: Mr. Speaker, I move we substitute the resolve for the report, and I would like to speak on the motion.

The SPEAKER: The gentleman may speak.

Mr. JEWELL: This resolve that the Mars Hill Utility District is offering for your consideration, it means the Town of Mars Hill will have to put in a sewage treatment plant according to the laws of the State of Maine. It would cost, according to Mr. MacDonald of the Water Improvement Commission, the cost of the sewage treatment plant would be \$180,000. The Town of Mars Hill would have to pay half of that, \$90,000, but that isn't all it would have to pay. It would cost them \$77,000 for renovation of sewers on account of ground water getting into the sewers, and new storm water sewers. The Water Improvement Commission's engineers won't accept this plant until the water is separated from the town sewers. They feel that this is a hardship case. The average town would only have to pay, it would only cost them about \$90,000, but the cost of the renovation of the sewers and building the new storm sewers, it would more than double it, and that is why they are asking for \$85,000 to help them build the plant.

Now Mr. MacDonald tells me that if this bill passed the Legislature, the first thing that he would do would be to apply to Washington for the federal government's share of this \$85,000 which would be two-thirds, I don't know just what the figure is, maybe Mr. Brown has it, and the State would pay the other third. Even if the town could issue bonds which they are unable to do, they are over their State debt limit now which is \$120,000, and they owe in long term bonds and notes \$154,000 plus \$25,000 they owe for road machinery. The rate payers, Mr. MacDonald's estimate, it would cost them \$60 a year, and there would not be over half of those people who would be able to pay that. There are about fifteen per cent of them retired, living on small social security payments and pension for the blind and several different kinds of pensions, and they could not pay anything. There are about thirty-five per cent more who are just common day laborers, and I know how much they owe because I hire some of them myself. I have had eight men working for me this winter. Through the summer time now they can generally get pretty steady jobs and they get about \$10.00 a day. In the winter time they average about three days a week, and I don't know how they live on it, but they sure could not pay this rate.

I don't know what else there is to say. This money is available. It would not need any appropriation or new taxes. Two years ago, a fund was set up of \$418,000 for this purpose, and to date there has only been \$30,000 of that used. Kennebunk, I think, used \$30,000 and the Town of Saco may use \$50,000, and that leaves \$338,000 in this account, so there is plenty of money there, and I hope you will go along with me and pass this resolve.

The SPEAKER: The question before the House is the motion of the gentleman from Monticello, Mr. Jewell, that the House substitute the RESOLVE for the report.

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

Mr. BRAGDON: Mr. Speaker, Members of the House: I hope no one will make the comment "Is

that man back here again?" However, as a Member of the Appropriations Committee I feel, since I come from Aroostook County, that I must explain to you my thinking in signing this report "'Ought not to pass" for this sewer district in the Town of Mars Hill.

This resolve has been before the Committee all winter long and part of the summer. We held it until we hoped that at least some members of the Committee thought that Mars Hill was entitled to some relief under this sewer problem, they are going to be probably pressured into doing something to relieve pollution, so two weeks ago some of us on the Committee came up with a proposal that would attempt to give the town of Mars Hill if the Committee went along with it and the Legislature went along with the Committee, about half of what they are asking for under this deal. We understood at the time that the people in Mars Hill in all probability would buy it. We did think it was a good proposal that we were trying to come up with. Under this law, as I understand it, if a town is pressured by the Water Improvement Commission to do something in regard to correcting pollution, they do have the right to appeal to a court or to a Justice of the court, and what we in the Committee who favored doing something for them, attempted to do, was if this thing did get to a position where it required the decision of the court, and the court decided that the Water Improvement Commission had made demands of the municipality which they could not reasonably meet, we then did make available under the bill that we would have proposed to you as an amendment to this one whereby they could have an additional, in this instance, \$50,000 if the court found that they could not pay. As I said, we thought that they were going to accept it and we thought it was a very reasonable proposal.

We figured we needed a little humor in the Committee, and I guess perhaps as far as we got with the thing, we affectionately dubbed the bill "The Art Carney Bill" or the "Sinclair Bill of the Sewers," and possibly that was the reason

why the people of Mars Hill did not see fit in the final analysis to accept it, but in view of the fact that they did not see fit to accept it, and I did feel that we made them a very, very reasonable proposal, they would have under our proposal, the cost of this whole job would have been in the neighborhood of \$200,000. Under the present law they can receive \$100,000 of that cost, and I am speaking round figures now, from the State and Federal money.

As the gentleman from Monticello, has told you, there is a fund set up in last year's appropriations in the surplus, which hasn't been drawn on that would have been made available for this if they had gone along with our proposal. They were entitled to the \$100,000. Our proposal said that we would give them the extra \$50,000, thus under a setup whereby they would spend \$200,000 it only left \$50,000 for the Town of Mars Hill to have spent providing you went along with us. They did turn this proposal down and I certainly, in signing the "Ought not to pass" report on this resolve, I certainly did not feel that I was ready to go along and give them the whole expense. That is the reason why I signed the "Ought not to pass." Another thing I think that I intended to bring out, which I did not, if we had given them this \$150,000 which we proposed under our "Art Carney Bill," it would have come out of surplus. It would have reduced our surplus that we presently have for other purposes. I think that completes my explanation.

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

Mr. WILLIAMS. Mr. Speaker and Members: I am kind of sorry to see this thing come out the way it has. I have been quite close to this pollution thing right along. It seems to me we have a very peculiar situation here. This Legislature, in its wisdom, turned down Mars Hill's pleas for relief from its pollution problems. Now, Mars Hill is a small township. It is only half a township. In other words, three by six miles where towns like Presque Isle, Caribou and Fort Fairfield are six by twelve miles. Mars Hill

is the shipping point for potatoes and has a rather large village for its total population. Frankly we, in Aroostook County, right now are in a period of so-called hard sledding. Some people have said Aroostook would have been a great place to live except for the fact that we have two months of poor sledding in the summer time.

Getting back to Mars Hill, we have a small town which has already borrowed more money than the State law says is legal for them. Now we have another State law which says, regardless of the first law, and that law has been on the books for years, that the town will have to spend as much more on sewers. This would more than double the bonded indebtedness. Supposing they could borrow the money, it would be in direct violation of the debt limit law. They perhaps could have a sewer district which is just another way of avoiding the debt limit. They are also trying to get in under the Sinclair Law. However much good that is going to be to them, I wouldn't be knowing right at the present time. At present they have a tax rate of .095. They could perhaps get a sewer district and they could perhaps have a school district, but these are both methods to just avoid their debt limit. In all of this we could say there would no longer be any point, if these two districts went through, any point in owning any real estate in Mars Hill because the bonded indebtedness would approach the tax valuation.

In view of these facts, it seems to me that if the State in the person of the Water Improvement Commission wants this job done in the near future, it would have to put some money in the deal. Otherwise, were I a citizen of Mars Hill, I would just quit, throw up my hands, and throw in the sponge. Two years from now come down here to this Legislature and get de-organized, then the State agencies could take over and show how a small, pollution-free town should be run. I hope the motion of the gentleman from Monticello prevails.

The SPEAKER: The Chair recog-

nizes the gentleman from Cumberland, Mr. Call.

Mr. CALL: Mr. Speaker, I would like to ask a question through the Chair. What is the population of Mars Hill?

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

Mr. JEWELL: Twenty-one hundred, about one thousand people live in the village and eleven hundred out in the country on the farms.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Fort Fairfield, Mr. Edmunds.

Mr. EDMUNDS: Mr. Speaker, Ladies and Gentlemen of the House: I just rise to concur with the gentleman from Hodgdon, Mr. Williams. I believe the House is aware of my sentiments in this matter, and I certainly hope that the motion of the gentleman from Monticello, Mr. Jewell, does prevail.

The SPEAKER: The Chair recognizes the gentleman from Easton, Mr. Perry.

Mr. PERRY: Mr. Speaker, Members of the House: I signed the majority report of the Natural Resources Committee because I felt that the stream should be kept clean, but I told the gentleman from Monticello that if there was anything that I could say to help him get some money to fix that up, I would say it, and he and I have been voting opposite most of the time and riding together, so I would support any motion he cares to make regarding this.

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

Mr. DENNETT: Mr. Speaker, Members of the House: I will be very brief. The distance between Kittery and Mars Hill is great, practically equal to the distance between Kittery and Philadelphia. I want the members of the House to well realize that I am not attempting to inject myself into any of the affairs of Aroostook County. I do feel, however, that this House by previous action has hurt the Town of Mars Hill considerably. I

think perhaps in our deliberations here today, we might have the opportunity to show a little compassion, and temper justice with mercy and go along with the motion made by the gentleman from Monticello, Mr. Jewell, that we substitute the resolve for the report.

The SPEAKER: Is the House ready for the question?

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

Mr. BROWN: Mr. Speaker, I think that the gentleman from Perham, Mr. Bragdon, covered the situation very well, but I do think he left out one thing, that this resolve would set a precedent and there would be no limit as to what it would cost the State in future legislation if this resolve passed. I therefore hope that the motion of the gentleman from Monticello, Mr. Jewell, does not pass.

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

Mr. WINCHENPAW: Mr. Speaker, I am in a similar situation to the gentleman from Kittery, Mr. Dennett. I am a long ways from Mars Hill, but I have similar situations in my own area, and we have already set a precedent. Last Legislature set a precedent when we bought a long list of stream classifications without digging into them very much. When you upgrade Thomaston River in front of the Town of Thomaston higher than you upgrade Port Clyde Harbor just for the purpose of making an example out of Thomaston, or just for the purpose of setting them up as an example, forcing them to put in a sewer district, I believe that the State should help with these sewer districts. I don't believe we can reclassify all these streams and say to all these small towns you build a sewer tomorrow or next day and that is all there is to it, because these towns all have their backs against the wall with school problems and that sort of thing and so I am very much in favor of the motion made by the gentleman from Monticello that the resolve be substituted for the report because I am going to

be in a similar situation in a year or two.

The SPEAKER: The Chair recognizes the gentleman from Monticello, Mr. Jewell.

Mr. JEWELL: Mr. Speaker, I would like to take issue with Mr. Bragdon when he said that the State would be giving the Town of Mars Hill \$150,000 if they had sent that amendment in here for \$50,000. To begin with, it would be only \$90,000 and the \$50,000 extra would have only made \$140,000, and you must remember that the State isn't putting in all that money, the federal government is putting in half of it, and I would like to say a few more things about the rates. The Town of Presque Isle up until just recently were paying \$12 a year on their sewage rates, and today they raised that rate and they are paying \$18 a year. This would cost the Town of Mars Hill \$60 a year at the rate they have there and they just can't afford to do it. Possibly if they got this money, it would bring the rates down around \$30 a year, and they might be able to go through with it.

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

Mr. BRAGDON: Mr. Speaker, I must correct to some extent the gentleman from Monticello. Of course, you understand we are all talking, when we talk about this other bill, the proposal which the Appropriations Committee might have made, which none of you probably have ever seen except members of the Appropriations Committee. The additional \$50,000 which I mentioned would be completely State funds. There would be no federal funds that would come into this additional \$50,000 which under our so-called proposal that we offered them as an alternate to this bill, so he is correct in as far as—I was speaking in round numbers, I used \$100,000 where he uses \$87,000 I believe. The \$87,000 is the amount in which the federal and the State would assume under the present law, and under the bill which he had. He is asking us to put in another \$87,000 which again would be all State funds. I hope I made myself clear on this.

The SPEAKER: The Chair recog-

nizes the gentlewoman from Falmouth, Mrs. Smith.

Mrs. SMITH: Mr. Speaker and Members of the House: I deeply regret getting into this discussion, but I do feel that Mars Hill has a very definite problem. I think it was a very definite problem to all of us who are members of the Committee, but I also think this House recognizes that I have a sewer problem also in Falmouth, and I think there are some things that you ought to understand; I think it has been said, but I am not sure you understand what it means. At the present time if you form a sewer district, the State will pay twenty per cent of your cost and the federal government thirty. That is where this comes in, and so under this "Art Carney Bill," if we had brought it out, the State would then have matched about forty-five per cent. I would have had great difficulty even with that bill because do you realize that if one town can have forty-five per cent then every other town is entitled to that much, and can you imagine what would happen in the next Legislature when some of us would come in and ask you to match all the sewer districts down along the Penobscot River, so it is a very difficult situation and does set up quite a lot of precedent all along the way, and the money that is in the fund is the money that was allocated to do this matching on this twenty-three basis.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Monticello, Mr. Jewell, that the House substitute Resolve Providing for Moneys for Mars Hill Utility District to Construct Sewage Treatment Facilities for Town of Mars Hill, House Paper 628, Legislative Document 920, for the Report. The Chair will order a division.

Will those who favor substituting the Resolve for the Report please rise and remain standing until the monitors have made and returned the count.

A division of the House was had. Fifty-seven having voted in the affirmative and sixty-four having voted in the negative, the motion did not prevail.

Thereupon, the "Ought not to pass" Report was accepted and sent up for concurrence.

**Enactor
Tabled Until Later in
Today's Session**

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

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

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

Mr. CARVILLE: Mr. Speaker, I will have to oppose this bill today due to the amendment that was put on by Mr. Moore of Casco the other day, passed this House and passed the Senate. If that bill is allowed to be enacted and become law, any boat coming into the State of Maine would have to acquire their license prior to coming into the State of Maine if they intended to come in for a weekend, such as Memorial weekend when we had thousands of boats in the State from out-of-state. The bill states that the Secretary of State will issue the licenses and that the applicant will file a blank with the Secretary of State, and that is the only place that this license can be procured. Therefore, I move the indefinite postponement of this bill and all its accompanying papers.

The SPEAKER: With respect to Bill "An Act relating to Licensing and Safety Operation of Boats," the gentleman from Eustis, Mr. Carville, now moves the indefinite postponement of the bill.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: As you probably all remember, I opposed this bill before. I still haven't changed my mind and neither have the people that I represent. There are so many things wrong with this piece of legislation that I would not want to stand here all afternoon and try to explain them to you because it has as many holes in it as the thing that the women folks use to strain gravy with. Now, first of all let me bring out some of the major points. Now one of them as it now stands, if an out-of-stater

comes in here for the weekend he is supposed to buy a license for his boat. It so happens that the Secretary of State's office is closed over the weekend, so where does he get one? This is one. Now, another thing, we have a lot of aged people, poor old people who have retired, who would like to license their boat and they perhaps don't write letters too readily, etc., they too have to write a letter and apply to the Secretary of State to acquire this license. By the time they get it, they are probably all done wanting to go fishing or by then they have to hoe their potatoes or something else.

Now, let me say that this perhaps could be corrected by letting the license be sold through Fish and Game or like a hunting and fishing license on a local level. If they could be sold by our Town Clerk or Town Treasurer or by the same method, let us say, that our hunting and fishing licenses are sold or guides' licenses, etc., that in this manner the machinery is all set up to collect this. Now, can you visualize all these things coming into the Secretary of State's office to be processed and licenses to be given out? His only alternative would be to turn it over to the automotive department, more girls, nobody knows how many, nobody can give you a figure, maybe ten or twelve, maybe fifteen or twenty, that we don't know.

Now these are just some of the things. I don't want to take any more of your time. This is probably a minor piece of legislation. It is certainly a no good piece of legislation, and I hope that the motion does prevail. However if it doesn't, I hope somebody will be smart enough to put an amendment so that the people can buy this on a local level rather than all these letters and getting into the Secretary of State and by the time they got it they would not want it anyway, and I hope the motion prevails.

The SPEAKER: The Chair recognizes the gentleman from Casco, Mr. Moore.

Mr. MOORE: Mr. Speaker, under this bill L. D. 1374 as you all know about two-thirds of our boats would be exempt. They have exempted all boats that use motors

10 H. P. and under. That spoils the enforcement angle of it completely, and also makes it very unfair. I believe that this should come under the Fish and Game Department. They already have license agents in every town where they could handle these registrations very conveniently which is the thing that we need, and as you know we have boat safety laws on our books now, and if you will take time to read sections 65 and 66 of Chapter 37 of the Revised Statutes, you will see that we have adequate laws at the present time to protect the public. The only thing we need now is identification, and as I stated, on this bill L. D. 1374, it would only provide identification for a few of those boats.

Under section 66 of Chapter 37, all boats and canoes for hire or rented in connection with camps and cottages must be inspected and registered. This inspection and registration is handled by the Fish and Game Department. L. D. 1374, section 7, puts these same boats under the Secretary of State's office thus creating a new department and a duplication, and irritation too. I am afraid that this bill 1374 would discourage many people from coming to Maine and very likely make our own residents, our boat owners here so disgusted that it would be a hard job to pass any decent law here in the 100th Legislature. That is all I have got to say for now. Thank you.

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

Mr. CALL: Mr. Speaker, Ladies and Gentlemen of the House: I am very sorry to hear, and perhaps it was an oversight on the part of the people who are interested in this bill that they did not add an amendment that the licenses for out-of-state boat owners may be purchased of any Town Clerk or City Clerk, and it seems too bad that a bill like this where it has so many safety feature measures that it should be killed on this Floor. For instance, we have got to definitely do something on the larger lakes about water skiing, and this bill takes care of it, and on a bet in the Town of Monson, Maine, it may be interesting to you people here,

on a three-day holiday some boys there in that town took turns sitting on the Post Office steps and counted one thousand trailers and boats going by. A great many of those were State of Mainers we know, and a lot of them were from out of the State, and we had hoped if we had passed this bill and had license plates, we would be reciprocal to the other states, who are going to have definitely by another year, will have to take up some safety boat measure unless the federal government crams it down their throats, and I hope the motion of the gentleman from Eustis, Mr. Carville, does not prevail.

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

Mr. BRIGGS: Mr. Speaker, Members of the House: If the facts were true as just recently stated by Mr. Dudley that these boats would not come into Maine because they had to purchase a plate for \$2 which would last them three years, the same thing would be true about automobiles coming into Maine, our people who drive automobiles in Maine. We definitely must have identification on our boats in our lakes. The main features of this act are its safety rules and regulations. Thousands of people come into this State to fish. They get out on a lake and what happens? They have got their lines out and are trolling, along come a couple of hot rods, they cut their lines, if there are a couple of girls in the boat, they start spinning around and around the boat, they swamp the boats. They scare the people off our lakes.

Another thing, these camps and cottages to my knowledge have perhaps one, that is the ones that have summer camps for boys and girls, have one boat with a 10 horsepower motor or larger, possibly two. Now, it is a shame that they can't afford to spend \$2 for a license plate. Their canoes are exempt and so are their rowboats, and some of the counselors in these camps are just as much to blame for the hazards on our lakes as other people on the lakes. Now, on my lake we have over three thousand cottages and I have received letters from a good number of these cottage owners ask-

ing me to get up here and state the facts about the troubles that we have had on these lakes. We even went to the expense of hiring a deputy sheriff and keeping him down there so the people could get out there and fish and swim in safety.

Now, a person coming into this State with a boat on a trailer does not have to register that boat until . . . he does not have to register unless he puts it in the water. He can stay on that trailer and he can get a plate, and once he has got it, it is good for three whole years. Now if this is too much to ask for the safety of our citizens and citizens who are coming into the State, what in the world are we here for anyway? We are here to protect the citizens of the State of Maine, their health and their welfare. Therefore, I hope this motion does not prevail.

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

Mr. BAXTER: Mr. Speaker, Ladies and Gentlemen of the House: This legislative document number 1374, as we know, is a compromise from an earlier bill, and to me it shows the effect of this compromise procedure. You realize, of course, that the meat of the bill is in the section which says that no person shall operate any outboard or vessel or manipulate any water skis, surf board or similar device in a reckless or negligent manner so as to endanger the life, limb, or property of another person, and then under enforcement which is the other obviously important part, it says, every law enforcement officer in this State shall have the authority to enforce the provisions.

Now, it just seems to me that the wording of the prohibition is very, very vague. The determination of what is and what is not right is purely subjective depending upon the person involved. In enforcement there is no duty given to any specific law enforcement body or group of officers to carry this thing out. It is just given to everybody. I don't know whether dog catchers would be eligible to enforce this law or not, but certainly we have many kinds and descriptions of law enforcement officers

in the State, and I can picture a lot of abuse coming from this law, and I think the way it is written that it is not a good law at all. I think it is a bad bill, and I hope that we will not adopt it.

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

Mr. LINNELL: Mr. Speaker and Ladies and Gentlemen of the House: I would first say that I have a great deal of respect for the fears and objections of those who would indefinitely postpone this measure. Such is naturally the case with any new law or any new field in which the State endeavors to enter as far as regulation is concerned. Initially, this bill was heard, or rather the problem involved was heard by the Legislative Research Committee some time in the early part of last fall. That was a well attended hearing, perhaps the largest attendance of any hearing before that committee. I happened to be present and was interested to see the great amount of concern that the citizens of this State showed at that time for the problem which now faces us, namely: the question of safety on the waterways of this State. The bill that was later introduced was modeled after the model boating act, was designed to meet the requirements of what is known as the Bonner Act, a federal regulation, to become effective in the spring of 1960.

The matter was eventually referred to the Committee on Judiciary, and that Committee worked long and hard as did many others to come out with this compromise version which is now before us, L. D. 1374. Apparently the Committee felt that it would not be necessary to regulate vessels on the navigable waters of the United States that were within the territorial limits of the State of Maine because there is no control over salt water or the navigable rivers. There is still, however, the possibility contained in the bill that the bill could meet approval of the Coast Guard under the Bonner Act. In other words, that the numbering system, if adopted by this Legislature, would be in conformance with the minimum requirements of the Bonner Act and therefore be recognized by the federal government.

Now if you will note section 15 of the bill, it says that the Secretary of State may make reasonable rules and regulations. It was anticipated by the proponents of the measure in the various versions that were presented to the Committee, and I assume by the Committee, that such reasonable rules and regulations would include the appointment of agents in the several counties and towns where there was a great deal of boating activities so that the non-resident who came in without a number on his boat could, without a great deal of red tape and difficulty, acquire his number, make application the same as one would for a non-resident hunting or fishing license. It is still possible for these rules and regulations to be made so that it may be carried out in that manner. It would seem to me that it would be the only reasonable way that the thing could be handled. If you will consider that the act that is before us in section 4, sub-section 2, would acknowledge boats registered under a numbering act of another state then the problem would be reduced by that much more. In other words if a boat came in from Massachusetts with a Massachusetts identification number on its bow, it would be able to operate without acquiring a number in Maine, and the same would be true, of course, with a Maine boat in Massachusetts.

I might here quote from today's Lewiston Sun where it says: "a bill to require State registration of motor boats Tuesday won the approval of the Massachusetts House Ways and Means Committee. Most states are considering this legislation or legislation of a similar nature." It would seem to me that those who oppose the bill merely because of a few wrinkles which any bill is bound to have, and I respect their opinions, if those people wanted to be really constructive rather than trying to achieve the indefinite postponement then perhaps they should introduce their amendments to correct these things, but it seems to me that the move to postpone the whole matter would be entirely hasty and unwise. There is a problem. It has been pointed out many times. There is a problem of identification. There is a problem of safe-

ty, the same as on our roads and highways. I hope that the motion to indefinitely postpone will not prevail. Thank you.

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

Mr. WILLIAMS: Mr. Speaker and Members: In my estimation this is just another attempt to legislate people good. I can remember back, prohibition tried it. I live along the Canadian boundary and there is no question in the world but what we have plenty of officers up there. You could not get out of the dooryard without somebody stopping you in prohibition times, and if there was ever a farce made of anything, it was made of that. Now last session if you will remember we added quite a few new State Police officers. We thought that was the answer to accidents on the road. Now they worked longer hours and they worked harder ever since then, and we never had so many accidents as we had during the last year. You have no police officer who is able to go out and stop some teenager from running into a tree or a telephone pole. Unless you cover these lakes with more police officers, which does not carry in this bill, — how in heck are they going to be able to stop these other fellows?

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

Mr. HENDSBEE: Mr. Speaker, Ladies and Gentlemen of the House: Speaking in support of this legislative document, I have a few considerations that I would like to leave with you and as we, who come from areas that have lakes and large lakes which are being more densely populated by boats each year, we feel that this is a step in the right direction. Now any enforcement put on is always accompanied by a certain amount of gripes. They seem to go together.

Last Sunday afternoon up on Pleasant Pond in Caratunk, Pleasant Pond is a large body of water, spring fed and ice cold the year round, there was a boat there powered by a 35 horse power motor by a group of individuals who we do not know or could not find out who they were. They caused one boat

to leave the lake after almost swamping it and cutting off their lines and raising hob in particular. Now, I will venture to say if that same boat had capsized that boat and drowned the two occupants, we would have all been in here the next day howling for a bill of this type. Now, I leave it to you to consider that an ounce of prevention is worth a pound of cure in anybody's language, and the opposition that we hear from here, on this particular bill, reminds me somewhat of the bottom part of a double boiler where it huffs and puffs and makes a lot of noise without knowing what is going on up above.

I have had a lot of complaints from various camp owners from large camps that I spoke on this bill before. I have gone around and I have talked with boat owners, and I have had very, very little opposition to this bill, and the only ones that I have had opposition from are the ones that we know to be violators and if they are going to violate the law flagrantly why we have to find some way to stop them and this gives us the answer, this bill, and I hope the indefinite postponement does not prevail.

The SPEAKER: Is the House ready for the question?

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

Mr. BROWN: Mr. Speaker, no one today has made any reference to the Bonner bill which is the federal act which is lying behind all of this. You may think the Bonner bill won't affect any of you in this State, but let me call your attention to this. It affects international and interstate waters and it is the controlling feature there unless we pass a boat act of our own. Now, you people who live near the New Hampshire line realize that this affects the Salmon Falls River, the Milton three ponds, Balch Pond, Province Pond, on the east the St. Croix River above tide water, the St. John River where it is the international boundary, the St. Francis River, Grand Lake, the Chiputneticook chain of lakes. You must comply with the Bonner bill if you operate a boat on there unless we enact a boat bill here, and

the Bonner Bill will cost you five dollars for your registration.

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

Mr. DUDLEY: Mr. Speaker, I regret that I have to speak further. I must huff and puff a little more. I find it has become necessary. This federal bill that they are speaking of definitely does not affect inland waters. It might affect tidal waters and they may run inland a ways. Now I think at this date it is too late to try to draw a piece of legislation of this nature, and certainly this one is poorly drawn. It is a duplication of laws which we already have with the exception of the registration as you have already been told by the honorable representative Moore. It makes a police state out of us if anything does. I certainly am opposed to more police regulations. There are many of these things wrong with the bill, and I have told you many times before. I hope that this motion does not prevail.

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

Mr. LINNELL: Mr. Speaker, just three small points I would like to make in rebuttal. First of all I would say that I have a great deal of respect not only for the Committee on Judiciary but for the individuals who go to make up that Committee, and the last thing in the world I would say is that this bill is poorly drawn. I think it is very well drawn.

Secondly, this is not a revenue measure if anybody has that impression. You buy a number and it is good for three years. You pay \$2. I think the safety of the people who go swimming and who go fishing and who operate small boats and canoes is worth \$2 to anybody who owns one of these larger size boats.

Finally, I would just ask this question. Would those who make a comparison between the highways and roads in this State with the lakes and streams of these states, advocate doing away with the license plates on our motor vehicles?

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

Mr. HEALD: Mr. Speaker, I think by now pretty near everybody has got their minds made up how they are going to vote on this issue. I don't want to move the previous question, but I sure wish we would take a vote.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Casco, Mr. Moore.

Mr. MOORE: Mr. Speaker, I would like to just bring out three points here too before we end this debate. I feel that this should come under the Fish and Game Department. They already have a hundred men in the field with boats and motors which the State supplies. If they don't enforce this, who is going to enforce it? Right now, we have a boat safety law. They seem to be going around that point. We have one now with more teeth in it than what this bill that is before us has got, but we don't mention that one. Under the present one now there is a \$200 fine or three months in jail, or both, but they don't want that, they want the \$50 one. That is why I think the Fish and Game should have it. By putting this under the Secretary of State's office we are going to create a new department. If we don't enforce this with the wardens, who is going to enforce it? Under the present law a deputy sheriff or a State Trooper, under the present Chapter 37 of the Revised Statutes, anyone can enforce that as well as the game wardens, and the only thing that we are lacking is registration, and you have ruined that in this bill when you exempted two-thirds of the boats. Thank you.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Eustis, Mr. Carville, that the House indefinitely postpone Bill "An Act relating to Licensing and Safety Operation of Boats." The Chair will order a division.

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

A division of the House was had.

Thirty-five having voted in the affirmative and eighty-two having vot-

ed in the negative, the motion to indefinitely postpone did not prevail.

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

Mr. GOOD: Mr. Speaker, I don't want to take up any more of your precious time than I possibly can. However, I am getting up, I hope in a constructive vein, and agreeing with the gentleman from Eustis, Mr. Carville, that there is still one bad feature in the bill, and that is the feature that was put in there by an amendment which requires an out-of-state owner of a boat to obtain a number before he puts the boat in the water. I am afraid of this particular situation, and we could give the out-of-state owners of boats a little time to have to get used to this particular law.

Now this amendment that they put in requires an out-of-state owner, before he puts the boat in the water, to have it numbered. Now as I understand the situation in Massachusetts today, they are not required to have any numbers as yet, although there is a bill in the Legislature which may correct this particular situation, so that is why we need time. I am afraid that some of these out-of-state owners of boats will come in the State and they will wind up in Lily Bay with their boat on a Sunday and they will find out that they have to have a number in order to put the boat in the water, and you can imagine the frame of mind that they will be in at that particular time.

Now as the bill was written, and I would like to take out one of those wrinkles out of the law that the gentleman from South Portland, Mr. Linnell, mentioned, the bill as originally written gave the out-of-state owner of a boat three days. So not taking up any more of your time, I am going to present a motion here which ultimately would result in the indefinite postponement of House Amendment "C" to this particular bill which does not give the out-of-state owner three days that the original bill did give three days to. Therefore, I move at this time that the House suspend the rules in order that I may move for reconsideration of our engrossment of this bill.

The SPEAKER: The question before the House now is the motion of the gentleman from Sebago, Mr. Good, with respect to Bill "An Act relating to Licensing and Safety Operation of Boats," Senate Paper 494, Legislative Document 1374, that the House suspend the rules for the purposes of reconsideration of the action of the House whereby it passed this Bill to be engrossed.

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

Mr. BERMAN: Mr. Speaker, is debate in order? May I say that the Judiciary Committee concurs with Mr. Good.

The SPEAKER: Debate is not in order on a motion to suspend the rules. The Chair would advise the House that the motion to suspend the rules requires the approval of two-thirds of the House. Will those who favor the motion to suspend the rules please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

One hundred two having voted in the affirmative and two having voted in the negative, the motion to suspend the rules prevailed.

Thereupon, on motion of the gentleman from Sebago, Mr. Good, the House voted to reconsider its action whereby the bill was passed to be engrossed on June 4.

On further motion of the same gentleman, the House voted to suspend the rules and to reconsider its action whereby it adopted House Amendment "C" on June 3.

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

Mr. GOOD: Mr. Speaker, I move that House Amendment "C" be indefinitely postponed.

The SPEAKER: The gentleman from Sebago now moves the indefinite postponement of House Amendment "C". Is this the pleasure of the House?

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

Mr. LINNELL: Mr. Speaker and Members of the House: In the interest of getting the much needed boat numbering passed and on the books, I wholeheartedly support the motion of the gentleman from Sebago, Mr. Good.

The SPEAKER: The question before the House is the motion of the gentleman from Sebago that the House indefinitely postpone House Amendment "C."

The Chair recognizes the gentleman from Casco, Mr. Moore.

Mr. MOORE: Ladies and Gentlemen of the House: That is my amendment that I put on and when I submitted that amendment it was my thought that these licenses would be available at every Town Clerk in every town. As it is now, we definitely have got to remove this amendment because they are not going to be available until they make a trip to our registration bureau.

The SPEAKER: Is the House ready for the question? Is it now the pleasure of the House that House Amendment "C" be indefinitely postponed?

The motion prevailed.

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

Mr. DUDLEY: Mr. Speaker, I hope that we will be able to table this motion, I will make the motion later, but I would like to say that the reason for this is there is admittedly a lot of wrinkles in it, even by the people who really want it badly that I can see, and I think we can take out a few of the wrinkles even at this late date if they would care to table it. I now make that a motion, that we table it until somebody or myself will come up with an amendment making this so we can buy the licenses at least on a local level and take out at least one wrinkle and maybe someone can take out two or three more. There are certainly enough to be taken out—

The SPEAKER: The gentleman is debating the tabling motion. Would the gentleman care to set a time for assignment of this bill or is the gentleman tabling it unassigned?

Mr. DUDLEY: Tomorrow morning.

The SPEAKER: The question before the House is the motion of the gentleman from Enfield, Mr. Dudley, that Bill "An Act relating to Licensing and Safety Operation of Boats," Senate Paper 494, Legislative Document 1374, be tabled and

specially assigned for tomorrow morning pending passage to be engrossed.

For what purpose does the gentleman arise?

Mr. BROWN of Ellsworth: To debate the time of assignment.

The SPEAKER: The gentleman may proceed.

Mr. BROWN: Wouldn't it be possible that the bill could be tabled for later in the day while amendments could be offered?

The SPEAKER: The Chair would advise the gentleman from Ellsworth, Mr. Brown, that a motion to that effect would be in order if the motion of the gentleman from Enfield does not prevail.

The question before the House is the tabling motion of the gentleman from Enfield, Mr. Dudley. Is it the pleasure—

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

Mr. EARLES: Mr. Speaker, may we have a division?

The SPEAKER: A division has been requested. Will those who favor the tabling motion, please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Fifty-seven having voted in the affirmative and fifty-eight having voted in the negative, the motion to table did not prevail.

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

Mr. BROWN: Mr. Speaker, I move that this item be tabled until later in the day.

The SPEAKER: The question now before the House is the motion of the gentleman from Ellsworth, Mr. Brown, that this bill be tabled and specially assigned for later in today's session pending passage to be engrossed.

For what purpose does this gentleman arise?

Mr. BRIGGS of Portland: May I ask for a division?

The SPEAKER: A division has been requested. Will those who favor the motion to table this matter and assign it specially for later in today's session, please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Ninety-three having voted in the affirmative and twelve having voted in the negative, the motion to table did prevail.

The CLERK: A bill on its passage to be enacted, received too late to appear on the printed journal but listed on Supplement No. 1.

Enactor

Indefinitely Postponed

An Act relating to the Amount of the Annual Excise Tax on Railroads (H. P. 254) (L. D. 365)

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

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

Mr. BAXTER: Mr. Speaker and Ladies and Gentlemen of the House: This bill has been here in the House with us for a considerable period of time now, we have amended it and we have unamended it, and now we have reamended it, and then we have accepted it for engrossment. In its present form as amended it provides for approximately one-half of the tax relief originally conceived. I do believe, as I said when I reported this bill out of the Taxation Committee, that it is an unfair type of tax and it is taxing presently at a level which is not commensurate with the ability of the industry to pay. But I think that at this time we should enact this bill and send it on its way to the other branch where it will be in a position to stand in line with the various other L. D.'s which are competing for whatever funds may be available when our fiscal picture becomes clearer.

And for that reason I will move at this time that this bill be enacted.

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

Mr. PLANTE: Mr. Speaker and Ladies and Gentlemen of the House: On Monday of this week, as a courtesy to the gentleman from Lee, Mr. Frazier, I removed this Act from the unassigned table in order to give that same gentleman the opportunity of submitting an amendment. At that time I re-

served the right of retabling this bill until we had a definite method of financing. I assure you that if you grant me that privilege that when funds are made available I will immediately remove it from the unassigned calendar. Accordingly I now move that this Act lie upon the table unassigned.

The SPEAKER: The gentleman from Old Orchard Beach, Mr. Plante, moves that Bill "An Act relating to the Amount of the Annual Excise Tax on Railroads" be tabled unassigned pending passage to be enacted.

Mr. Baxter of Pittsfield requested a division.

The SPEAKER: Will those who favor the tabling motion please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Fifty-seven having voted in the affirmative and sixty-nine having voted in the negative, the motion to table did not prevail.

The SPEAKER: The pending question now is on the enactment of this measure.

The Chair recognizes the gentleman from Bridgton, Mr. Haughn.

Mr. HAUGHN: Mr. Speaker, Ladies and Gentlemen: I will not prolong the debate on this. We have heard the pros and cons over the past month or so, but I do want to refresh and bring to the attention of the members of this House that if you should in your wisdom pass this to be enacted, you have created a form of a new tax which you will have to pass along to the people. We have rejected worthy projects here. A short while ago in the wisdom of this House we rejected Mars Hill in a project. Last evening in our session we rejected a million dollar vocational guidance school for children. In all sorts of ways have we rejected worthwhile and worthy projects which to my estimation were equal or equivalent to the problems of the railroad industry. As you have repeatedly heard me say, they do have a problem, but there is not too much effort in their own behalf to clean house and help their own problem which they could be part of if they so wished to do, and as I once repeat again, if you do pass and

enact this and send it along to the other body, you are putting it on a money table where in order to be able to have money or funds to meet it, it will mean a new tax, and whatever the wisdom of this body or whatever their action may be, I will accept it as such, but I do want to know, where is the money coming from?

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

Mr. PLANTE: Mr. Speaker, when the vote is taken, I request a roll call vote.

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

Mr. LOWERY: Mr. Speaker, I cannot, in good conscience, support this bill. I do not believe that we should use the tax reduction method to make any business or utility investment more attractive on the stock market. And that, in essence, is what the railroads are asking the people of the State of Maine to do in this bill.

How do they propose that we recover this loss of approximately one and a quarter million dollars annually? No feasible solution has yet been advanced. What has been offered to us, and to which I cannot agree, is that we rubber stamp this piece of legislation and send it along to the upper branch. This bill originated in the House and, I believe, it should be resolved in the House. The suggestion has been made that it go to the upper branch and lay on the special appropriations table pending determination of the financial picture of the State. That is extremely weak. This is an open invitation to either curtail some of our current necessary expenditures or to institute an additional tax measure.

It has been very interesting for me to note, after reviewing the previous debates on this bill, that in nearly every instance, the proponents have also been largely from the so-called economy bloc. Could this be the reason for their attempt to effect these savings, so that the expected surplus then realized, could alleviate the tax burden of the railroads? This is certainly a matter for your serious consideration, and I would move the indefi-

nite postponement of this bill and all its papers.

The SPEAKER: The question now before the House is the motion of the gentleman from Brunswick, Mr. Lowery, that Bill "An Act relating to the Amount of the Annual Excise Tax on Railroads" and all accompanying papers be indefinitely postponed.

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

Mr. DUMAIS: Mr. Speaker and Members of the House: I certainly would endorse the indefinite postponement of this bill and all its papers. If there is one measure that I think that adds nothing of value to the taxpayers of this State, this is it. I am as burned up as a cannon about this thing and I am going to shoot off. Primarily I don't believe that the railroads are in the way that they should come to the taxpayers and ask us to go out and tax the automobiles and everybody else in this State to give them some relief, and far be it for me to go along with any such measure. Primarily the top echelons, as I have said before, of all the railroads that are operating in Maine are stacked up with friends and relatives and relatives of the relatives and friends and so forth. I don't believe that they can operate railroads. It is a question of keeping this thing in the family. Furthermore, this is a step in the door. If we open it to the railroads, at the next session, you will have the telephone companies; you will have every other utility company appearing before you to obtain the same thing.

I certainly am not in accord with a lot of statements that were made here concerning the railroads. If their stocks are no good, it is their own fault. The trouble lies right at the top echelon. That is why their stock is no good. You look it up in the newspapers and why do you find that the B. & A. and the Maine Central and all the others, nobody cares to buy them because they are owned by just a few. I deal in the stock market, and I buy and I sell plenty of stock, but I certainly have bought no railroads. This reminds me of one instance when I was at Pratt and Whitney a number of years ago, we were about eighteen stockholders and

there were about fifteen presidents and vice presidents sitting up here. All at once a gentleman from Auburn and myself made a motion, and we got a little deal up and we threw twelve of them out. Now we are getting good dividends. I think myself, personally, that these railroads should wait and consolidate. Maybe that this gentleman from Boston, Pat McInnis will probably absorb them all, and then he will probably make a cleanup in the top echelons. They have told their working men. They have told their Union representatives. They have told everybody, "Unless you can get somebody to vote and go along with this bill, you will be laid off."

Well, I remember the time that I came up here to a hearing for the telephone company, and we had just voted them a tax of \$300,000. The gentleman from Freeport and myself wound up here and we were told before the Public Utilities Commission, what did we have to squawk about, we had put the tax on, so naturally they passed it on to the other fellow — to ourselves, so this is one of these instances. We are going to turn around and give them part of our surplus. How much? Nobody knows. They are going to take part of the surplus. If this bill goes through, naturally we are going to need a tax. Who do you think they are going to tax? You, the motorist, each and every one of you, so I certainly feel that this is one of the worst tax measures to go out and raise taxes that I have seen here, and when I tell you I was hotter than a cannon on this, I really mean it, because yesterday I did not get up. I seemed to be glued to the chair, but today I thought I would let off a little steam. I hope the indefinite postponement does prevail.

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

Mr. BAXTER: Mr. Speaker, the gentleman from Brunswick, Mr. Lowery, has mentioned for the record the word or phrase "Economy Bloc" and has asked a question, and for his benefit and for the benefit of the members of the House, I would like to answer his question by saying that it is a categorical, complete, and final "no." The econ-

omy bloc was not in any way involved or concerned with the railroad tax, as such. It was merely concerned with good government and places in which money might be saved. The supplemental budget has been passed through this House, and there are certain L. D.'s lying upon the table which are provided for in that budget, and the only point I think at this time is that they should all lie together and when that particular money is divided up, it will go where the Legislature feels best. It may or it may not be to this bill, but it will be in accordance with what money there is there available.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Brunswick, Mr. Lowery, that this Bill and all accompanying papers be indefinitely postponed, and a roll call has been requested.

For the Chair to authorize a roll call, the Chair must have an expression of the desire for a roll call on the part of at least one-fifth of the members of the House. Will those who desire a roll call please rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

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

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

Mr. COUSINS: Mr. Speaker, for reasons previously stated, I request permission to be excused from voting.

The SPEAKER: The gentleman from Bangor, Mr. Cousins, requests permission of the House to be excused from voting on the grounds of self-interest. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The question before the House is the motion of the gentleman from Brunswick, Mr. Lowery, that Bill "An Act relating to the Amount of the Annual Excise Tax on Railroads," House Paper 254, Legislative Document 365, and all accompanying papers be indefinitely postponed. If you favor indefinitely postponing this bill, you will say "yes" when your name is

called; if you are opposed to the indefinite postponement, you will say "no."

The Clerk will call the roll.

ROLL CALL

YES — Aliberti, Baker, Barnett, Beane, Berman, Briggs, Brown, Cape Elizabeth; Brown, Ellsworth; Cahill, Carville, Choate, Cormier, Couture, Coyne, Crockett, Cyr, Augusta; Cyr, Fort Kent; Davis, Calais; Davis, Westbrook; Dennett, Dennison, Dostie, Dudley, Dufour, Dumais, Dunn, Earles, Edgerly, Edwards, Raymond; Gallant, Good, Hanson, Lebanon; Haughn, Hendsbee, Hilton, Hodgkins, Hughes, Hutchinson, Jacques, Johnson, Karos, Kellam, Kennedy, Kilroy, Kinch, Knight, Lacharite, Lancaster, Lantagne, Lebel, Letourneau, Linnell, Lowery, Mathews, Mathieson, Maxwell, Nadeau, Perry, Easton; Pert, Plante, Porell, Prue, Reed, Rowe, Madawaska; Tardiff, Trumbull, Turner, Walsh, Warren, Wheaton, Whitman, Winchenpaw, Young.

NO — Bacon, Baxter, Boone, Bragdon, Brockway, Brown, Bangor; Call, Caron, Carter, Caswell, Chapman, Gardiner; Chapman, Norway; Christie, Clark, Cox, Danes, Dean, Dodge, Dumaine, Edmunds, Edwards, Stockton Springs; Emmons, Ervin, Frazier, Graves, Hancock, Hanson, Bradford; Hardy, Harrington, Heald, Healy, Hendricks, Hobbs, Jalbert, Jewell, Jewett, Knapp, Lane, Lemelin, Lindsay, Miller, Monroe, Morse, Perry, Hampden; Philbrick, Pike, Pitts, Rankin, Rowe, Limerick; Smith, Exeter; Smith, Falmouth; Stanley, Storm, Treworgy, Wade, Walter, Weston, Whiting, Williams.

ABSENT — Cote, Curtis, Desmarais, Dow, Doyle, Harris, Maddox, Mayo, Moore, Parsons, Rollins, Russell, Sanborn, Saunders, Walls.

EXCUSED — Cousins.

Yes 73, No 59, Absent 15, Excused 1.

The SPEAKER: Seventy-three having voted in the affirmative, fifty-nine having voted in the negative, fifteen absent and one excused the motion to indefinitely postpone does prevail.

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

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

Orders of the Day

The SPEAKER pro tem: The Chair now lays before the House the first tabled and today assigned matter, House Order relative to use of Hall of the House when the Legislature is not in session, tabled on June 9 by the gentleman from Auburn, Mr. Wade, pending passage; and the Chair recognizes that gentleman.

Mr. WADE: Mr. Speaker and Members of the House: This order relative to the use of the Hall of the House when the Legislature is not in session, and an amendment thereto have been reproduced, and they are on your desks. This matter of who should and who should not have the use of the Hall of the House has been a difficult problem for years. We are attempting to clearly define who will have that permission. This order and the amendment give the membership of this House a choice of two decisions in this matter.

The order itself provides, ordered that the Clerk of the House, when the Legislature is not in session, grant the use of the Hall of the House to instrumentalities of State government and of State departments, bureaus, divisions and boards, provided the Director of the Bureau of Public Improvements certifies to the Clerk that there is no other adequate or suitable place in the State House or State Office Building for holding such meetings. It is further ordered that the Clerk of the House grant the use of the Hall of the House to organizations solely for the purpose of studying legislative procedure and conducting model legislatures.

The amendment extends that permission to practically everyone, as follows: striking out after the words "when the Legislature is not in session," and inserting the following: "grant the use of the Hall of the

House to any non-profit organization making application therefor, providing the Director of the Bureau of Public Improvements certifies to the Clerk that there is no other adequate or suitable place for holding the meetings in the State House or the State Office Building."

Many of us believe that this Hall of the House is a part of State government. Its use should be restricted as outlined in the order, and that the amendment broadens such permission to include practically any organization. That situation, under the amendment, can hardly be otherwise, because obviously if it is proper for one organization outside the government to use the House, it is unfair to prohibit another. If you feel that the Hall of the House should be available to practically everyone, you will vote to pass both the order and the amendment, but if you believe that permission to use the House should be restricted to the terms of the order itself, you will vote to pass the order, and indefinitely postpone the amendment. I, for one, hope that the order will have passage, and that the amendment will not, but it seemed fair to present the two proposals in this form. I move the passage of the order.

The SPEAKER pro tem: The gentleman from Auburn, Mr. Wade offers House Amendment "A." The Clerk will read the amendment.

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

HOUSE AMENDMENT "A" to House Order relative to Use of the Hall of the House when the Legislature is not in session.

Amend said Order by striking out all after the words "when the Legislature is not in session" and inserting in place thereof the following:

'grant the use of the Hall of the House to any non-profit organization making application therefor, providing the Director of the Bureau of Public Improvements certifies to the Clerk that there is no other adequate or suitable place for holding the meetings in the State House or State Office Building.'

The SPEAKER pro tem: Does the Chair understand that the gentleman from Auburn.

Mr. WADE: I move the indefinite postponement of the amendment.

The SPEAKER pro tem: The gentleman from Auburn, Mr. Wade, moves that the amendment be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER pro tem: The question is now on the passage of the order. All those in favor will say aye; opposed, no.

A viva voce vote being taken, the Order received passage.

The SPEAKER pro tem: The Chair lays before the House the second tabled and today assigned matter, An Act Amending the Maine Housing Authorities Act, House Paper 967, Legislative Document 1373, tabled on June 9 by the gentleman from Portland, Mr. Miller, pending passage to be enacted; and the Chair recognizes that gentleman.

Mr. MILLER: Mr. Speaker and Ladies and Gentlemen of the House: Realizing that the hour is getting late and that the position of this bill now makes it rather difficult for reconsideration in the House, and feeling that there would be no possibility of reconsideration in order to put the appropriate amendment on, I now move that this bill be enacted and sent forthwith to the Senate.

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

The SPEAKER pro tem: The Chair now lays before the House the third tabled and today assigned matter, Bill "An Act to Authorize General Fund Bond Issue in Amount of Ten Million Dollars to Provide Major Repairs, Construction and Equipment," Senate Paper 200, Legislative Document 539, tabled on June 9, under the rules, pending reproduction of House Amendment "B".

The question before the House is the adoption of House Amendment "B" to Senate Amendment "A."

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

Mr. STANLEY: Mr. Speaker, you have before you Amendment "B" reproduced under filing number 497, and as you remember a few days back we had the capital construc-

tion program before us in Chapter A and Chapter B, Chapter A being that amount of capital construction, repairs, and improvements taken from unappropriated surplus, and Chapter B, that portion to be financed by a bond issue. At that time the bond issue was to be a \$6,000,000 bond issue, and we, in the House, at one time cut it to a \$3,000,000 bond issue. After that the bill itself was cut in two so that Chapter A is a bill by itself with some four or five — roughly some \$5,000,000 to be taken out of unappropriated surplus, and now we have before us a bond issue asking for \$6,000,000, or \$5,500,000 roughly, to be financed by a bond issue.

The amendment which you see before you will cut down the amount of the bond issue from \$5,500,000 to \$3,500,000, roughly. I think all of the cuts which have been made from the \$5,500,000 bond issue bill, that is 1393, are listed and they are nearly the same as was proposed a few days ago, or a week ago, when we cut the \$6,000,000 bond issue to \$3,000,000. I would move the adoption of House Amendment "B."

The SPEAKER pro tem: The Chair recognizes the gentleman from Auburn, Mr. Wade.

Mr. WADE: Mr. Speaker and Members of the House: I will vote against House Amendment "B" to Senate Amendment "A," L. D. 539, because I believe that the capital improvement program as embodied in this bill, together with the construction authorized from unappropriated surplus in L. D. 1384, is a reasonable construction program for the State of Maine for the coming biennium. If Maine is the growing concern that I think it is, we should be doing at least this much. I felt that a program of this approximate size was right when I signed the so-called leadership program. That opinion was confirmed by the action of the Appropriations Committee in reporting out the original bill covering the whole program "Ought to pass." The form in which this bill comes to us today confirms that opinion.

I also oppose the passage of House Amendment "B" because I do not believe that the program prepared with the help of the Bureau of Public Improvements, and

endorsed by the Appropriations Committee should be lightly cut, patched, and trimmed.

I also am opposed to the change in the suggested term of this bond issue to eight years. I feel that a construction program of this kind normally goes for, usually, for twice as long as that, and I feel that a term of in the neighborhood of twenty years is a sound term for a construction program bond issue of this kind.

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

Mr. BROWN: Mr. Speaker and Members of the House: As one of the members of the Appropriations Committee, and also one of the signers of the minority report "Ought not to pass" on the original capital improvement bill, I feel that this amendment now before us makes it possible for me to be in favor of this bill. I was and still am, to some degree, opposed to a bond issue, but I do feel that the State's needs come first, and believe that this \$3,500,000 capital improvement bond issue along with the unappropriated surplus capital improvement already passed, makes as complete a program as is needed at this time. I believe that two years from now the rest of the program could be completed when we will have more money available. Then, we can pay as we go instead of deficit financing. I hope this House Amendment "B" receives passage.

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

Miss CORMIER: Mr. Speaker and Members of the House: For two years the Bureau of Public Improvements has been studying the needs in the construction field in the State, and certainly I do not feel that I am qualified to set myself up as an expert over their recommendations. I feel that the bond issue as it was without this amendment was very carefully looked into. It definitely stipulates the needs of the State. The priorities have been established, and I certainly will not support this amendment.

The SPEAKER pro tem: The

Chair recognizes the gentlewoman from Falmouth, Mrs. Smith.

Mrs. SMITH: Mr. Speaker and Members of the House: I also signed the minority report from the Appropriations Committee, but as in the case of Mr. Brown from Ellsworth, we are now prepared to compromise and go along with this amendment, and I do hope it receives passage, that we may resolve some of our difficulties.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: I signed the majority "Ought to pass" report as a member of the Appropriations Committee, but since this is an attempt at a compromise measure, while I still favor possibly the original package, in an attempt to compromise and to go along with some of my colleagues here in the House, I now somewhat reluctantly support their proposal which is now before you.

The SPEAKER pro tem: The Chair recognizes the gentleman from Woodstock, Mr. Whitman.

Mr. WHITMAN: Mr. Speaker, Members of the House: I think there are a great many of others of us here who would be willing to make some concessions. I think a lot of us originally were opposed to any form of a bond issue for capital construction. However, I think a great many of us realize that many of these projects are absolutely necessary, and I would heartily endorse this amendment for \$3,500,000 of capital construction bonds which would bring our capital construction program up in the neighborhood of \$8,000,000 or \$9,000,000, which I believe would be in line with what we have been able to accomplish and would be very much in line with what the economy of the State of Maine, perhaps, could handle at this time. I think in recent years we have taken on somewhere in the neighborhood of eight, or nine, or ten million dollars of capital construction for each biennium, so I do believe a bond issue in the amount of \$3,500,000 would bring our capital construction program, for the next two years, within a reasonable line, and I will heartily endorse the amendment.

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

Mr. BAXTER: Mr. Speaker, Ladies and Gentlemen of the House: The figures given you are low, if anything, because you will remember that we have passed one capital spending budget at somewhere around \$4,500,000. This is a \$3,500,000 bond issue, but if you will remember the Boucher bill, there is some four hundred odd thousand dollars on the end of that appropriated from the money that we have saved in the cut on the first five million. That would give us a total of \$8,800,000, and besides that, as you all must realize or you may not realize, the Appropriations Committee set aside from surplus, before they told us how much surplus we had to spend, approximately \$750,000 for capital brick and mortar L. D.'s which are in the form of L. D.'s rather than in one of these omnibus bills, so that would bring our total capital spending for the session over \$9,000,000, approximately nine and a quarter million dollars.

As has been said here before, it has been the practice of the State to build its buildings with the money that it had in surplus, and back as far as we have records readily available to us, which I believe is 1913, it has used bonded debt very, very sparingly and the maturity periods of the debt have been for very short periods of time. It seems to me that we have been faced in this Legislature with the situation wherein, due to a slight recession in the past two years, our surplus funds were not quite as high as the amount of money we would like to have spent perhaps. I am sure this has happened many times before to the Legislatures that have come before us, but still they have cut their cloth to fit what they had. Can you imagine if, in the past twenty years, all of the Legislatures which had come along had not shown restraint, and had bonded the general fund in the same ratio that has been proposed here in the original proposal which, as you remember, was \$10,000,000, and then because of various financial situations, was reduced to the figure in the Boucher bill, and then

currently reduced to the point that we have it now.

I think that if this had been the case, we would have had a very unpleasant time in this last recession because of the fixed nature of debt service. It is a cost which you cannot cut if your revenues decline. I also think that we, probably right now, would have to be taxing much heavier in order to have the current services programs which we feel we should have, and in order to support these buildings which they would have built in this twenty-year period and which, as you know, inevitably generates expenses of all kinds. I think we would be considering our financial problem in a much more serious light, and would be having much more difficulties, and much more tax problems if we were supporting the unrestrained spending of those who came before us.

There is one other point that bothers me about the twenty-year figure that has been given, and that is, whether we like it or not or whether we believe it or not at the moment, it does appear that we are in strong economic times. The State of Maine has already started to participate in the boom that is sweeping the country. The next two years are definitely going to be very strong years in industry of our State, and here we are, living higher than a horse, and yet we want to bond the generations that come after us for twenty years, our children and our grandchildren even, to pay for these things that we want today, to help us pay for these things that we want today when those who came before us did not ask us to do that, and when we have no idea as to what their ability to pay will be, five, ten, fifteen, twenty or whatever years it may be. Now, as has been said, there were many who came to the Legislature this year feeling that we should pay as we go. If we did not want to raise taxes to support our building program, then we should reduce the building program to fit within the money that we had in the bank. It was evident that such a wish, perhaps, was not practical to try to carry out. There was a great deal of reluctance, and we have proposed this \$3,500,000

level to be paid off in eight years. I don't think that means, on the part of many of us, that we approve of what we have done, but we have done it hoping that it would provide a compromise and that it would solve this problem, and that it would meet with the approval of the Legislature, and I certainly hope that the amendment is adopted.

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

Mr. EDWARDS: Mr. Speaker and Members of the House: Being a member of the Appropriations Committee and being a signer of the "Ought to pass" report of the \$11,000,000 program, I feel that I should again state my reasons for the support of that program, part of which has already gone through the House and the remainder is on our desks with a request that it be amended by this amendment, House Amendment "B." As I have stated before, we have in the last few years set up a Bureau of Public Improvements, and it was the understanding that they would go out to the different institutions and other state properties, that they would investigate the need, that they would evaluate that need, which was most urgent, and then report to us. That I feel they have done in the last two years, and I feel that we should at least put a little confidence in them. As I have said before, if you cannot put confidence in what they have done, in their suggestions after you have talked to them and cannot seem to break them down, then who are we going to put confidence in?

Now, many of the things you are cutting out in this amendment are repair bills, and we know that the longer that we let repair bills go, the more it is going to cost us. You are also cutting out the museum, the second step in bringing that back somewhere near what it used to be or a little better. To me, I don't feel that this is a very good step.

At the University of Maine, you are cutting out the sewage disposal, and it is my understanding, as I have been told, that your sewage down there now is running more than capacity, and yet we are

speaking of building more houses. To me I cannot see that this is a good step, and so I say to you Members of the House that you should give this a good thought and I, at this time, make a motion that this amendment be indefinitely postponed.

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

Mr. WINCHENPAW: Mr. Speaker, I would like to inject a new thought into this thing. As you all know I have been working for economy, and I believe this amendment should pass, and I hope the motion made by the gentleman from Raymond, Mr. Edwards, does not prevail, but when you and I came here last January, all we heard about was people being unemployed. We had a bill here that was going to allow us to borrow so many millions from the federal government to pay to the unemployed. We had a bill to give them thirteen weeks extra unemployment. We have had all kinds of bills all the year about people being unemployed. Now, here is a bill here to spend more and more, and I believe that we should do everything in our power to amend this bill down to this three and a half million. I don't believe the people want any more than that. The people who send me here do not want any more than that. The people who send me here do not want any more taxes, and I am afraid that if this bond issue goes out at too high a level, it could be defeated in a referendum. The economic condition is such that if a person wanted to work on it a little bit, there might be a danger of winding up with no bond issue at all, so I certainly hope Amendment "B" is adopted.

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

Mrs. HANSON: Mr. Speaker and Members of this House: I came to this Legislature feeling, from the sentiment of my constituents, and the way I felt myself, I could not endorse any bond issue. However, very reluctantly, I have come to the realization that I have got to compromise. This amendment I feel that I can endorse. Therefore, I

hope the motion to indefinitely postpone does not prevail.

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

Mr. GOOD: Mr. Speaker and Ladies and Gentlemen of the House: I feel that House Amendment "B" to Senate Amendment "A" is a fair compromise and, therefore, I hope that the motion to indefinitely postpone this amendment does not prevail.

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

Mr. KENNEDY: Mr. Speaker and Ladies and Gentlemen of the House: I stand here in support of Amendment "B" and oppose its indefinite postponement. It has been said that Maine is a growing concern and I hope that is true, but I fear that when the census is taken in 1960, we will still have approximately a million people. I question how much our economy has risen in the last two years, so to me that is a very poor argument for a tremendous bond issue. I think we should keep our needs relative to our ability to pay. I have no quarrel with the personnel of the BPI. I think they do a splendid, a tremendous job. However, it is not their responsibility to pass legislation and to find the money with which to pay for their programs. That is our duty, ladies and gentlemen of this House. As a member of a committee who has visited about every institution that we have, it disturbed me tremendously when I saw a proposal of a ten or twelve million dollar bond issue program. Many of these institutions have not begun to spend the money that was allotted them by the last Legislature. Some of the institutions are now in construction on a program. One particular instance, down in Bangor, they only have the plans drawn. They have had the money now for some time. The building has not even been started. Now, I do believe, ladies and gentlemen, it is high time that we curtail some of our wild spending, and give them opportunity to build with the money that they have already been awarded. That is why I oppose the motion to indefinitely postpone Amendment "B."

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

Mrs. CHRISTIE: Mr. Speaker and Members of the House: I come from an area which has been depressed economically for several years. The people in that area are not very anxious to further be depressed by increased taxation. As has been said by another member of this House, I feel that the population of this State is not increasing very rapidly, but our spending, statewide, is increasing rapidly, and I feel that we cannot stand this because this increased spending is meaning increased taxation for every taxpayer in the State of Maine; and so, although there are things in this amendment which I would like very much to see adopted, one thing especially, a small matter which applies to my own area, I am still willing to go along with this amendment because I feel that we must curtail. When we can't buy a new car, well, of course, we don't all do this way, but I drive a 1953 car because I don't feel that I can afford to buy a new one. A good many things are desirable, but not always necessary, and I feel that some of these things are not absolutely necessary, and so I am against indefinite postponement.

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

Mr. MILLER: Mr. Speaker, I rise in support of the motion of the gentleman from Raymond, Mr. Edwards. I feel that good economy is one thing, and false economy is another. I believe that this amendment is definitely false economy. I have received today a letter from a member of the University of Maine Alumni Council and a prominent Portland business man, and at this time I would like to read it into the records. It is a letter addressed to myself and goes on to say: "While I am very conscious of the need to hold a line, still I am dismayed at the attempts of a few legislators to cut the heart out of the funds so urgently needed to run the State University," and then it goes on to say, "Hoping that you support the Governor's recommendation. Keep up the good work. Sincerely yours, Arthur Forrestal,

President and Treasurer of the Portland Lumber Company." I think this is an indication of what the people want. When people take the time to write to the legislators, and tell them that the economy-minded people are cutting the heart out of the funds which are really necessary for the continuing of a better program in our educational field, then I believe as this gentleman does, they are economy minded, but it is really false economy. This will cost the State of Maine much more money later on if we continue to forestall these jobs that are needed to be done now, and I hope that the move for indefinite postponement does prevail.

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

Mr. BRAGDON: Mr. Speaker, I rise again somewhat in reply to the gentleman from Portland, Mr. Miller. I believe that I am entirely correct in my assumption that this program which is now before you, as far as the University of Maine is concerned, is definitely a half a million dollars bigger than the program which the gentleman from Portland, Mr. Miller, refers to, the program of Governor Clau-son.

The SPEAKER pro tem: The question before the House is on the indefinite postponement of House Amendment "B" to Senate Amendment "A."

The Chair recognizes the gentleman from Falmouth, Mrs. Smith.

Mrs. SMITH: Mr. Speaker and Members of the House: I, too, have a letter from the gentleman from Portland, and it reads as follows: "Dear Mrs. Smith: I heartily applaud your efforts to hold the line on expenses, but do have one important reservation. Please don't let the University down," and I am at the moment penning a reply to show the gentleman how much more we have given the University than it previously had, and also that we added to the Governor's recommendation.

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

Mr. HEALD: Mr. Speaker, I want to oppose the indefinite postpone-

ment of this measure, and as an argument towards this so-called false economy, I would like to point out one item in here, it is the Blaine House interior and exterior, \$26,900 for the Blaine House interior, plus \$2,300 for the exterior. I went downstairs yesterday and looked it up. In the last biennium we spent \$35,300 on the Blaine House. Those two figures put together make some \$64,500. You could build quite a house for that, and I don't think that that is as necessary as a number of other items, nor as necessary as it is to save a few taxes for some of the people.

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

Mr. BAXTER: Mr. Speaker, when the vote is taken, I request a roll call.

The SPEAKER pro tem: A roll call has been requested. In order for the Chair to order a roll call, the Chair must have the expression of the desire for a roll call on the part of one-fifth of the members present. Will those who desire a roll please rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

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

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

Mr. EMMONS: Mr. Speaker, I just want to register my objection to this amendment, largely because a lot of selective cutting has been done. You have got items here taken out of the eighth and ninth millions of priorities and you still have items in on the tenth and eleventh million. I don't feel that I am qualified to change those priorities. I feel that they should be straight as they are.

The SPEAKER pro tem: Is the House ready for the question? The Chair will state the question. The question is on the indefinite postponement of House Amendment "B" to Senate Amendment "A" on Bill "An Act to Authorize General Fund Bond Issue in Amount of Ten Million Dollars to Provide Major Repairs, Construction and Equip-

ment, Senate Paper 200, Legislative Document 539. Those in favor of indefinite postponement will answer "yes" when the roll is called; those not in favor of indefinite postponement will answer "no."

The Clerk will call the roll.

ROLL CALL

YEA—Aliberti, Barnett, Beane, Briggs, Brockway, Cahill, Caron, Cormier, Cote, Couture, Coyne, Cyr, Augusta; Cyr, Fort Kent; Davis, Westbrook; Dostie, Dufour, Dumais, Edwards, Raymond; Gallant, Healy, Hendricks, Hendsbee, Hilton, Jacques, Jalbert, Johnson, Karkos, Kellam, Kilroy, Kinch, Lacharite, Lancaster, Lane, Lantagne, Lebel, Lemelin, Letourneau, Lowery, Miller, Nadeau, Pert, Pitts, Plante, Porell, Prue, Reed, Rowe, Madawaska; Tardiff, Wade, Warren.

NAY—Bacon, Baker, Baxter, Ber- man, Boone, Bragdon, Brown, Cape Elizabeth; Brown, Ellsworth; Call, Carter, Carville, Caswell, Chapman, Gardiner; Chapman, Norway; Choate, Christie, Clark, Cousins, Cox, Crockett, Danes, Davis, Calais; Dean, Dennett, Dennison, Dodge, Dumaine, Dunn, Earles, Edgerly, Edmunds, Edwards, Stockton Springs; Emmons, Ervin, Frazier, Good, Graves, Hancock, Hanson, Bradford; Hanson, Lebanon; Harrington, Haughn, Heald, Hobbs, Hodgkins, Hughes, Hutchinson, Jewell, Jewett, Kennedy, Knight, Lindsay, Linnell, Mathews, Mathieson, Maxwell, Monroe, Moore, Morse, Perry, Easton; Perry, Hampden; Philbrick, Pike, Rankin, Rollins, Rowe, Limerick; Smith, Exeter; Smith, Falmouth; Stanley, Storm, Treworgy, Trumbull, Turner, Walsh, Walter, Weston, Wheaton, Whiting, Whitman, Williams, Winchenpaw, Young.

ABSENT—Brown, Bangor; Curtis, Desmarais, Dow, Doyle, Dudley, Harris, Knapp, Maddox, Mayo, Parsons, Russell, Sanborn, Saunders, Walls, Speaker.

Yes 50, No 82, Absent 16.

The SPEAKER pro tem: Fifty having voted in the affirmative, eighty-two having voted in the negative and sixteen absent, the motion for indefinite postponement of this amendment does not prevail.

The question now before the House is the adoption of House Amendment "B" to Senate Amendment "A". Is this the pleasure of the House?

The motion prevailed.

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

Mr. BRAGDON: Mr. Speaker, I simply wish to make an inquiry through the Chair. Am I correct in assuming that all the matters that we are acting on this afternoon under the order which we passed earlier today do go immediately to the Senate, or is a motion required to—

The SPEAKER pro tem: The Chair would advise the gentleman that they go to the Senate after thirty minutes, unless prior notice of reconsideration is given.

Mr. BRAGDON: Thank you, Mr. Speaker.

The SPEAKER pro tem: The Chair recognizes the gentleman from Milo, Mr. Brockway.

Mr. BROCKWAY: Mr. Speaker and Members of the House: I move that the House reconsider its action of yesterday, whereby it adopted Senate Amendment "A" to Senate Amendment "A," and if I am in order, I would like to speak briefly to my motion.

The SPEAKER pro tem: The gentleman may proceed.

Mr. BROCKWAY: I am doing this to fulfill a commitment I made to several people last evening that if they would go along with the amendment adopted by the Senate earlier in the day, that after that I would offer an amendment to amend the Senate Amendment, and that is what is my wish now, to attempt to do that.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Milo, Mr. Brockway, to reconsider the adoption of Senate Amendment "A" to Senate Amendment "A."

Mr. BROCKWAY: Mr. Speaker, I ask for a division.

The SPEAKER pro tem: A division has been requested.

The Chair recognizes the gentleman from Woodstock, Mr. Whitman.

Mr. WHITMAN: A point of order, Mr. Speaker. Is the motion to re-

consider necessary? I understood the whole entire matter was tabled at the time that his amendment would have been in order.

The SPEAKER pro tem: The Chair would advise the gentleman that Senate Amendment "A" to Senate Amendment "A" was adopted yesterday by the House. Reconsideration is, therefore, necessary.

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

Mr. PHILBRICK: Just a point of order, Mr. Speaker. In order to ask for reconsideration, don't you have to be a voter on the prevailing side?

The SPEAKER pro tem: The gentleman is correct. Is he questioning the—

Mr. PHILBRICK: According to my tally and my neighbor's tally, the gentleman from Milo is not on the prevailing side.

The SPEAKER pro tem: Did the gentleman from Milo vote on the prevailing side last night when the amendment was adopted?

Mr. BROCKWAY: I think I did.

The SPEAKER pro tem: The gentleman is qualified if he says so. His motion to reconsider is in order. The question before the House is the motion of the gentleman from Milo, Mr. Brockway, to reconsider the adoption of Senate Amendment "A" to Senate Amendment "A."

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

Mr. EARLES: Mr. Speaker: As I understand, and I wish to be corrected if my understanding is incorrect, that the present question is on the reconsideration of Senate Amendment "A" to Senate Amendment "A" to L. D. 539 for the purpose of offering House Amendment "A" to Senate Amendment "A" which would reduce the amount allocated yesterday, by a sizable vote of this House, of \$150,000 for the Moosehead State Park, Lily Bay development, to \$50,000. If that is the case, then I certainly would vote against the reconsideration.

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

Mr. JALBERT: Mr. Speaker and Members of the House: As was my

understanding, the gentleman from Milo, Mr. Brockway, had spoken last night on Senate Amendment "A" asking for its passage. At the time his own amendment had not been reproduced and could not right off be presented, and it is my further understanding that the motion tacking an amendment to Senate Amendment "A" was not made soon enough. Consequently, Mr. Brockway had to wait until the proper time, which is now. As one of those who went along with the \$150,000 with the understanding that the gentleman from Milo, Mr. Brockway, would present his amendment today, I would like to state that I shall vote for reconsideration, but out of fairness to the gentleman from Milo, Mr. Brockway, I want to commend him as a gentleman, and I know he is.

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

Mr. ROLLINS: Mr. Speaker, on the motion to reconsider, I would request a division.

The SPEAKER pro tem: A division has been requested.

The Chair recognizes the gentleman from Augusta, Mr. Barnett.

Mr. BARNETT: Mr. Speaker, just a point of information, the gentleman wishes to present a House Amendment to a Senate Amendment. Does he have to have reconsideration to do that?

The SPEAKER pro tem: Yes.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: I wonder if we could not simplify the situation that we are now in here in this House if, I believe I am correct, that obviously we are going to be in non-concurrence with the Senate if we send this along as we have now passed it. Rather than to bother to make these changes here in the House, I believe that if there are changes necessary that they could be ironed out in a Committee of Conference if we arrive at that point, and for that reason I would vote against the motion to reconsider.

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

Mrs. SMITH: Mr. Speaker, Members of the House: I wish to make the same comment that the gentleman from Perham, Mr. Bragdon, made, and address a question through the Chair to Mr. Brockway asking since obviously it must come to some sort of Committee of Conference if he would be willing for it to go along on that basis.

The SPEAKER pro tem: The gentlewoman from Falmouth, Mrs. Smith, has addressed a question through the Chair to the gentleman from Milo, Mr. Brockway, who may answer if he wishes.

Mr. BROCKWAY: Mr. Speaker, Members of the House: I will try to answer the lady's question. Yesterday afternoon in the other body there was an amendment adopted to give the park at Moosehead Lake \$150,000, and I was somewhat afraid that that would not pass here in the House, and I had an amendment prepared for \$50,000, and in talking with members around I had agreed that if they would go along with the Senate Amendment that I would later offer my House Amendment. I would be tickled to pieces if you do not reconsider this because it would leave the thing as is.

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

Mr. EDGERLY: Mr. Speaker and Members of the House: I am glad the gentleman from Milo, Mr. Brockway, mentioned getting out of it that way. He got himself into an awful scrape, hard to get out of, and it would be a good deal better to go as we were and let the Senate do it over there. Thank you.

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

Mr. HANSON: Mr. Speaker, Ladies and Gentlemen of the House: The gentleman from 'Waterville,' Mr. Jalbert, stated that amendment 496 was not on our desks last night. It was here all evening. I think someone jumped the gun on Mr. Brockway or he would have had that taken care of last evening.

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

Mr. JALBERT: Mr. Speaker, I will repeat myself. The gentleman from Milo, Mr. Brockway, himself told me last night that his amendment had not yet been reproduced, and I took him at his face value and I looked on my desk and it was not here. Of course, it appeared and it was here for two hours before we adjourned, but the bill in the meantime had been tabled pending the reproduction of this Stanley amendment. Those are the cold-turkey facts, and the cold-turkey facts are these, that I personally did as fast a lobby job here for the \$150,000 waiting for the \$50,000 amendment to come up as I have ever done since I have been here. The motion is pending reconsideration. Now, as far as the other branch is concerned and Committees of Conference, I know nothing about it. All I know is that I want to, temporarily at least, vote on the motion that is before us, and that is the motion of the gentleman from Milo, Mr. Brockway, that we reconsider whereby we adopted Senate Amendment "A." From there on we will go to Committees of Conference if we have to.

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

Mr. STANLEY: Mr. Speaker, just a parliamentary question, do we have to reconsider our action? My amendment was House Amendment "B" to Senate Amendment "A." Therefore, Senate Amendment "A" has not been accepted by the House.

The SPEAKER pro tem: Senate Amendment "A" to Senate Amendment "A" was adopted by the House yesterday, therefore, we must reconsider our action.

Mr. LANE: Mr. Speaker!

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

Mr. LANE: Just in order to straighten out the record, Mr. Jalbert doesn't come from Waterville and I'm glad he doesn't come from Waterville.

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

Mr. JALBERT: A point of personal privilege, Mr. Speaker.

The SPEAKER pro tem: The gentleman may state his point of personal privilege.

Mr. JALBERT: I assure you that I cherish the City of Waterville as I cherish the city of my birth. I further assure you that I will find a couple of weeks during the next campaign to exterminate certain people. (Applause)

The SPEAKER pro tem: The House will be in order. The question before the House is the motion of the gentleman from Milo, Mr. Brockway, that the House reconsider its action taken yesterday in adopting Senate Amendment "A" to Senate Amendment "A". All those in favor please say aye; those opposed, no.

Mr. ROLLINS of Belfast: I request a division, Mr. Speaker.

The SPEAKER pro tem: A division has been requested. All those in favor of reconsidering will arise and remain standing until the monitors have made and returned the count.

A division of the House was had.

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

At this point, Speaker Edgar returned to the rostrum.

The SPEAKER: The Chair would thank the gentleman from Hope, Mr. Hardy, very much.

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

House at Ease

Called to order by the Speaker.

The SPEAKER: Is it now the pleasure of the House to adopt Senate Amendment "A" as amended?

The motion prevailed.

Thereupon, the Bill, "An Act to Authorize General Fund Bond Issue in Amount of Ten Million Dollars to Provide Major Repairs, Construction and Equipment." Senate Paper 200, Legislative Document 539 was passed to be engrossed as amended by Senate Amendment "A" as amended by

Senate Amendment "A" and House Amendment "B" thereto.

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

Mr. BAXTER: Mr. Speaker, with reference to the action just taken by the House on L. D. 539 and its accompanying papers, I now move that the House insist on the action taken and in accordance to Rule 16 of the Joint Rules, I move that so much of—

The SPEAKER: Would the gentleman from Pittsfield, Mr. Baxter, please approach the rostrum?

(Conference at rostrum)

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

Mr. BAXTER: Mr. Speaker, I now move that the House insist on the action just taken and according to Rule 16 of the Joint Rules I move that so much of Rule 13 be suspended that requires the Committee of Conference to consist of three members and that a Committee be appointed to consist of five members.

The SPEAKER: The gentleman from Pittsfield, Mr. Baxter, moves that the House now insist and request a Committee of Conference consisting of five members on the part of the House Is this the pleasure of the House?

The motion prevailed.

Thereupon, the Speaker appointed the following Conferees on the part of the House to confer with the Senate on the disagreeing action between the two branches:

Messrs.

STANLEY of Bangor
BAXTER of Pittsfield
EDMUNDS of Fort Fairfield
FRAZIER of Lee
Mrs. SMITH of Falmouth

On motion of Mr. Wade of Auburn,

Recessed until 7:30 this evening.

After Recess 7:30 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 lays before the House item number one on supple-

ment number 3, which is on your desks, Bill "An Actt relating to Salaries of County Officials and Clerk Hire," Senate Paper 491, Legislative Document 1369, which was tabled earlier today and especially assigned for later in today's session by the gentleman from Old Orchard Beach, Mr. Plante, pending his motion to recede and concur, and the Chair recognizes that gentleman.

Mr. PLANTE: Mr. Speaker, Ladies and gentlemen of the House: To enable the gentleman from East Machias, Mr. Dennison, to submit his amendment I now withdraw my motion to recede and concur, and I move that we recede.

The SPEAKER: The gentleman from Old Orchard withdraws his motion to recede and concur and now moves that the House recede. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The Chair recognizes the gentleman from East Machias, Mr. Dennison.

Mr. DENNISON: Mr. Speaker, now that we have receded I have an amendment that I want to put in and later I want to give a little explanation of this.

The SPEAKER: Would the gentleman from East Machias please approach the rostrum?

(Conference at rostrum)

The SPEAKER: The pending question before the House, is it the pleasure of the House to recede from the adoption of Senate Amendment "A" as amended by House Amendment "B" and Senate Amendment "A"? The Chair recognizes the gentleman from Lee, Mr. Frazier.

Mr. FRAZIER: Could you give us the filing numbers on those please, Mr. Speaker?

The SPEAKER: The Chair would advise the gentleman from Lee, Mr. Frazier, that all the filing numbers of these amendments are listed on page 2 of this morning's calendar.

(Off Record)

The SPEAKER: The pending question is, is it the pleasure of the House to recede from the adoption of Senate Amendment "A" as amended by House Amendments "B" and "C" and Senate Amendment "A" to Senate Amendment

"A"? Is this the pleasure of the House?

(Cries of "no")

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

A viva voce vote being taken, the motion prevailed.

The SPEAKER: Is it now the pleasure of the House to recede from the adoption of House Amendment "B" to Senate Amendment "A"?

The motion prevailed.

The SPEAKER: Is it now the pleasure of the House to concur with the Senate in the indefinite postponement of House Amendment "B" to Senate Amendment "A"?

The motion prevailed.

The SPEAKER: Is it now the pleasure of the House to concur in the adoption of Senate Amendment "A" as amended by House Amendment "C" thereto and Senate Amendment "A" thereto?

The motion prevailed.

Mr. KENNEDY: Mr. Speaker?

The SPEAKER: For what purpose does the gentleman arise?

Mr. KENNEDY: Point of information, what are we working on?

The SPEAKER: The Chair will advise the gentleman from Milbridge, Mr. Kennedy, that we are working on Bill "An Act relating to Salaries of County Officials and Clerk Hire."

For what purpose does the gentleman arise?

Mr. EMMONS: I just want to suggest, if I might have unanimous consent to address the House briefly—

The SPEAKER: Does the gentleman wish to discuss the bill under question?

Mr. EMMONS: No, I want to make a suggestion.

The SPEAKER: The gentleman from Kennebunk, Mr. Emmons, requests consent to briefly address the House. Is this the pleasure of the House?

The motion prevailed.

Mr. EMMONS: The purpose of much of this as I understand it is to enable Mr. Dennison, the gentleman from East Machias, to present an amendment which he thought he had already. It has not been reproduced. Now to enable him to get his amendment, I

would suggest that this might be laid on the table for half an hour because we have other business to take up, while he can get his amendment reproduced which he has been sitting here all day hoping to get in.

The SPEAKER: Would the gentleman from Kennebunk please approach the rostrum?

(Conference at rostrum)

The SPEAKER: The pending question now is, is it the pleasure of the House to recede from the adoption of House Amendment "M"?

The motion prevailed.

The SPEAKER: Is it now the pleasure of the House to indefinitely postpone House Amendment "M"?

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

Mr. MILLER: Mr. Speaker, we are going a little speedily here and after all, some of these counties have taken certain positions on this particular bill, and I think we should slow up a little bit and find out just where we are going. I would like to have permission to approach the rostrum please.

The SPEAKER: The gentleman may approach the rostrum.

(Conference at rostrum)

The SPEAKER: Would the gentleman from Old Orchard Beach, Mr. Plante, please approach the rostrum?

(Conference at rostrum)

The SPEAKER: To try to dispel some of the confusion that is reigning at the moment, it has been decided, if agreeable to the House, that we will retrace our steps and reinstate everything that has been removed within the last few minutes to bring the bill back to the place that it is on the calendar and then a motion will be made to put the whole thing into a Committee of Conference.

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

The motion prevailed.

The SPEAKER: Is it now the pleasure of the House to reconsider the adoption of Senate Amendment "A" as amended?

The motion prevailed.

The SPEAKER: Is it the pleasure of the House to reconsider the indefinite postponement of House

Amendment "B" to Senate Amendment "A"?

The motion prevailed.

The SPEAKER: Is it the pleasure of the House to adopt House Amendment "B" to Senate Amendment "A"?

The motion prevailed.

The SPEAKER: Is it the pleasure of the House to adopt Senate Amendment "A" as amended by Senate Amendment "A" thereto and House Amendments "B" and "C"?

The motion prevailed.

The SPEAKER: The pending question now is on the passage to be engrossed. Is it now the pleasure of the House that this bill be passed to be engrossed as amended?

The motion prevailed.

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

Mr. PLANTE: Mr. Speaker, I now move that the House insist on its former action and request a Committee of Conference.

The SPEAKER: The gentleman from Old Orchard Beach moves that the House insist upon its former action and request a Committee of Conference. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: Would the gentleman approach the rostrum please?

Mr. DENNISON: I just wanted to ask permission to address the House on something else.

The SPEAKER: The gentleman from East Machias, Mr. Dennison, requests permission to briefly address the House. Is there objection? The Chair hears none and the gentleman may proceed.

Mr. DENNISON: Mr. Speaker, I guess I had better apologize for this awful commotion. When I came into the House this morning you were working on the bill on the top of page 2, the first one, and I didn't get in here in time enough to enter this before the vote was taken to recede and concur. Now this morning I found out, much to my surprise, and to the surprise of all the other representatives from Washington County, that someone somewhere had prepared this amendment "E" which took in Ken-

nebec County and Washington County, so that we in Washington County which we didn't want, found this was retroactive, the pay for the county officers to January 1, '59. We depended on the original bill which would have taken place October 1, 1959. Now that would mean that we would be voting here to pay these people for two years and eight months which we didn't want to do. Now I think all of the representatives from Washington County are right here now, and none of them wanted this bill passed, so that we can take care of it in a Committee of Conference.

The SPEAKER: Proceeding under Orders of the Day the Chair now lays before the House the second item on supplement number 3, Bill "An Act relating to Licensing and Safety Operation of Boats," Senate Paper 494, Legislative Document 1374, tabled earlier today by the gentleman from Ellsworth, Mr. Brown, pending passage to be engrossed.

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

Mr. BRIGGS: May I approach the rostrum?

(Conference at rostrum)

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

Mr. CALL: Mr. Speaker and Ladies and Gentlemen of the House: I apologize, I was reading the new amendment and I was so absorbed in it I didn't hear the Speaker. Mr. Speaker, I move the rules be suspended to permit me to move that we reconsider the adoption of Senate Amendment "B".

The SPEAKER: The gentleman from Cumberland, Mr. Call, moves that the rules be suspended so that he may move reconsideration of the adoption of House Amendment "B".

Mr. CALL: Mr. Speaker,

The SPEAKER: Just a minute, we haven't suspended the rules. Is it the pleasure of the House to suspend the rules?

The motion prevailed.

The SPEAKER: The Chair recognizes the same gentleman.

Mr. CALL: Mr. Speaker, I now move we reconsider the adoption of Senate Amendment "B".

The SPEAKER: The gentleman

from Cumberland, Mr. Call, moves that the House reconsider its action whereby it adopted Senate Amendment "B" — did the gentleman mean to say House Amendment "B"?

Mr. CALL: Yes, Mr. Speaker.

The SPEAKER: The gentleman from Cumberland, Mr. Call, moves that the House reconsider its action whereby it adopted House Amendment "B". Is this the pleasure of the House?

The motion prevailed.

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

Mr. CALL: I now move that Senate Amendment "B" be indefinitely postponed and I would like to speak to the motion.

The SPEAKER: The gentleman from Cumberland, Mr. Call, moves the indefinite postponement of House Amendment "B". The Chair would inquire of the gentleman from Cumberland, Mr. Call, whether or not he wishes to reconsider the adoption of House Amendment "B" or "D"?

Mr. CALL: I want to reconsider the adoption of House Amendment "B" and talk about "D", is that right?

The SPEAKER: Would the gentleman from Cumberland please approach the rostrum?

(Conference at rostrum)

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

Mr. CALL: Mr. Speaker, I move that Senate Amendment "B" be indefinitely postponed and I would like to speak to the motion.

The SPEAKER: The gentleman moves the indefinite postponement of Senate Amendment "B". The gentleman may proceed.

Mr. CALL: Mr. Speaker and Ladies and Gentlemen of the House: On the controversial argument this afternoon, several of my good friends opposed this boat bill. I have since talked with Mr. Briggs of Portland, Mr. Carville of Eustis, Mr. Dudley of Enfield and Mr. Moore of Casco. Through several conferences we have come up we hope with an amendment that will please everybody in regard to this boat bill.

In explanation, Mr. Speaker and

Ladies and Gentlemen of the House, there will be no money involved whatsoever from the appropriation fund which would have amounted to \$21,000 approximately, there will be now a dedicated fund to the Inland Fish and Game Department. It will be totally under the Inland Fish and Game Department, deputy sheriffs, policemen or any constable to enforce this law, and I hope the House will go along with me in the indefinite postponement of Senate Amendment "B".

The SPEAKER: The question before the House is the motion of the gentleman from Cumberland, Mr. Call, that the House indefinitely postpone Senate Amendment "B". Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The Chair recognizes the same gentleman.

Mr. CALL: Mr. Speaker, I move the rules be suspended in order to permit me to move that the House reconsider its action of June 4 whereby it adopted Senate Amendment "D".

The SPEAKER: The gentleman moves that the rules be suspended in order that he may move reconsideration of the adoption of Senate Amendment "D". Is it the pleasure of the House that the rules be suspended? Is the gentleman referring to Senate Amendment "D" or House Amendment "D"?

Mr. CALL: House Amendment "D" as in Daisy.

The SPEAKER: The gentleman moves that the rules be suspended in order that he may move reconsideration of the adoption of House Amendment "D". Is this the pleasure of the House?

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

Mr. RANKIN: Mr. Speaker, I am a little confused tonight too. Did I understand the gentleman from Cumberland, Mr. Call, to say that the income from the boat licensing fees is to go to the Department of Inland Fisheries and Game?

The SPEAKER: The gentleman from Southport has addressed a question through the Chair of the gentleman from Cumberland, Mr. Call, who may answer if he chooses.

Mr. CALL: Mr. Speaker, the gentleman from Southport, Mr. Rankin, this would be a dedicated fund to

the Department of Inland Fish and Game who would have complete control of it, the approximate revenue would be around \$40,000 the first year and smaller from there on for a three year period.

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

Mr. RANKIN: One other question of the gentleman from Cumberland, Mr. Call, is the enforcement of this bill to be done entirely by the Department of Inland Fisheries and Game?

The SPEAKER: The gentleman from Southport addresses another question to the gentleman from Cumberland, Mr. Call, who may answer if he chooses.

Mr. CALL: Absolutely not, Mr. Rankin, it will come under any enforcement officer in the State of Maine sworn in by any town, state or city.

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

Mr. CROCKETT: Mr. Speaker, could I ask the gentleman from Cumberland, Mr. Call, through the Chair, an unpaid deputy that only gets paid for the services that he performs like serving papers and so on and so forth, if he goes in and arrests a man for not properly operating his boat which is licensed and so on, who is going to reimburse him?

The SPEAKER: The gentleman from Freeport, Mr. Crockett, has addressed a question through the Chair to the gentleman from Cumberland, Mr. Call, who may answer if he chooses.

Mr. CALL: Being a small town yokel like my good friend from Freeport, Mr. Crockett, he justly knows that a deputy gets paid only when he works and if I make the complaints to him he gets a witness fee and et cetera and et cetera. He spoke to hint that he is a deputy, I didn't know that.

The SPEAKER: The pending question is the motion of the gentleman from Cumberland, Mr. Call, that the rules be suspended that he may move reconsideration of the adoption of House Amendment "D". Is this the pleasure of the House?

The motion prevailed.

Thereupon, on motion of the same

gentleman the House voted to reconsider its action of June 4 whereby House Amendment "D" was adopted and to indefinitely postpone House Amendment "D".

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

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

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

Amend said Bill by striking out all of the first 3 lines and inserting in place thereof the following:

"Sec. 1. R. S., c. 36-A, additional. The Revised Statutes are amended by adding a new chapter 36-A, to read as follows:

'Chapter 36-A.'

Further amend said Bill by striking out the underlined words "Secretary of State" wherever they appear in said Bill and inserting in place thereof the underlined words 'Commissioner of Inland Fisheries and Game'

Further amend said Bill in that part designated "Sec. 4" of section 1 by inserting after the underlined subsection IV, the following underlined subsection:

'IV-A. The Commissioner of Inland Fisheries and Game may award any certificate of number directly or may authorize agents for the awarding thereof. In said event, agents may be assigned a block of numbers and certificates therefor which upon award, in conformity with this chapter and with any rules and regulations of the Commissioner of Inland Fisheries and Game, shall be valid as if awarded directly by the Commissioner of Inland Fisheries and Game. Such agent shall retain 25 cents from the fee provided in this section;'

Further amend said Bill in that part designated "Sec. 4" of section 1 by striking out the period at the end of subsection IX and inserting in place thereof a semi-colon.

Further amend said Bill in that part designated "Sec. 4" of section 1 by inserting after the underlined subsection IX, the following underlined subsection:

'X. Every manufacturer or dealer in new or used motorboats requiring numbering by the State may,

instead of an application for numbering each motorboat owned by him, make application upon a blank provided by the Commissioner of Inland Fisheries and Game for a general distinguishing number, color or mark. If the Commissioner of Inland Fisheries and Game is satisfied that the applicant maintains a permanent place of business in the State where said applicant is engaged in the business of manufacturing, buying or selling of motorboats, he shall issue to the applicant a certificate of number. Such certificate of number shall contain the name, place of residence and business of the applicant and the general distinguishing number, color or mark assigned to him and made in such form as the Commissioner of Inland Fisheries and Game may determine, and all motor boats owned by such applicant shall be regarded as numbered under such general distinguishing number, color or mark until sold or exchanged. To be eligible for the renewal of such motorboat dealer identification plates, the applicant must maintain in the State of Maine a permanent place of business where said applicant is engaged in the business of manufacturing, buying or selling motorboats. The fee for every such certificate of number shall be \$2. The Commissioner of Inland Fisheries and Game shall furnish the applicant with 4 sets of identification plates at \$2 per set.'

Further amend said Bill by striking out all of that part designated "Sec. 13." of section 1 and inserting in place thereof the following:

'Sec. 13. Disposition of fees. All fees collected by the Commissioner of Inland Fisheries and Game under this chapter, upon receipt thereof by him, shall be forwarded daily to the Treasurer of State and shall be credited to the funds of the Department of Inland Fisheries and Game.'

The SPEAKER: The Chair recognizes the same gentleman.

Mr. CALL: Mr. Speaker and Ladies and Gentlemen of the House: I wish you would go along with me now and have patience through this long tedious affair that I just went through. It has been distributed on your desks and I hope you will

peruse it and if there is anything more we can do to it, I hope you will tell us about it, and I hope you will go along with the motion to adopt House Amendment "E".

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

Mr. KENNEDY: Mr. Speaker, I have been interested in this bill since its inception. It has had many changes since that time, and I am disturbed that the delegation of authority is placed upon the Commissioner of Inland Fisheries and Game. I question whether they would condone such responsibility. Now I recognize also that there are areas in the State of Maine which require this sort of supervision. It's been my thought for some time that this should be a local ordinance to take care of this situation. I don't believe that the State as a whole should be responsible in engaging upon this proposition as presented by House Amendment "E". Each town, city or county are able to have their own local ordinances, and I believe that this is a local problem and should be considered as such as a local problem.

Now there are many things in this amendment that I don't like, even though I know the problem that does exist in some areas of the State of Maine. It isn't a statewide problem. I believe it is an area problem, and therefore, when you impose a fee of \$2.00 and expect the Commissioner of Inland Fisheries and Game to present or issue to each applicant two to four number plates at a price of \$2.00, it doesn't seem to me that it is fair on the populous of the state. As this situation does exist, and it being a local problem, I move the indefinite postponement of House Amendment "E".

The SPEAKER: The question now before the House is the indefinite postponement of House Amendment "E". The Chair recognizes the gentleman from Bath, Mr. Mayo.

Mr. MAYO: Mr. Speaker and Members of the House: I very seldom disagree with my good friend from Milbridge, Mr. Kennedy, but on this motion I must disagree. I read an article in the papers the other day about the local option re-

garding motor boat licensing and it has run into terrific difficulties in all states which had that type of licensing and regulation.

Now as I understand this amendment, the Fish and Game Department will have licenses available, they will administer the bookkeeping and so forth of these licenses in their offices; city clerks where we now go to get hunting and fishing licenses will have these licenses to issue. In other words, when I want to take my little sixteen foot boat and go fishing somewhere I will go to the city clerk and at the time I get my fishing license at the first of the year I will also get a license to license my boat. Now that boat — I will be able to use that fishing boat in any waters in the State of Maine. Now all of us who go fishing, we go fishing up into out of the way lakes and ponds where the only person we see is the game warden, we see no local constables or anything of that sort. I have seen some of the greatest violations of boating take place in these out of the way areas where certain people go for a day's fishing, I think that most of them go for a day's outing rather than a day's fishing. And I really feel that this amendment, even though it goes to the Fish and Game Department for administration is the best way to handle this bill.

There is no question there are parts of this bill that are not all we would like to have, but it certainly is a start in the right direction. I have been the owner of a very large boat for many years on tidal waters, and we are regulated by federal regulations. We also have a very well known organization in the State of Maine which has in the past few years tried to teach boating etiquette and boating rules, it is known as the "Power Squadron." I am a past officer of that organization and we have taught in our neighborhood alone over four hundred people how to operate a boat safely, and this legislation and this amendment I truthfully feel is a step that we must follow, and I certainly hope you will not go along with the motion to indefinitely postpone it. Let's get some legislation on the books, try it for two years, and then two years from now who-

ever does come back to this Legislature bring it into line with anything that is not right.

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

Mr. MAXWELL: Mr. Speaker, Ladies and Gentlemen of the House: I am very sorry, but I can in no way buy this amendment. We of the fish and game clubs in the State of Maine feel that the Department of Inland Fisheries and Game has more than they can do at the present time. We feel that the warden force is overloaded with work. Therefore, I must go along with the gentleman from Milbridge in the indefinite postponement of this amendment.

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

Mr. BAXTER: Mr. Speaker and Ladies and Gentlemen of the House: I would like to address a question to anyone, perhaps the gentleman from Cumberland, Mr. Call, through the Chair. The question is a matter of enforcement and as far as I can see from House Amendment "E", enforcement is not dealt with and enforcement is not assigned to the Commissioner of Inland Fisheries and Game. What House Amendment "E" seems to do is to transfer the registration function from the Secretary of State to the Commissioner of Inland Fisheries and Game, and then there is the matter of the registration for the dealers.

I would ask two questions, one, does this specify in any way that the Inland Fisheries and Game is solely responsible for enforcement, and two, I would ask if it is expected that the registration fees which will be collected will cover the cost of the registration function which the Commissioner of Inland Fisheries and Game will perform instead of the Secretary of State performing that function?

The SPEAKER: The gentleman from Pittsfield, Mr. Baxter, has addressed a question through the Chair to anyone who may answer if they choose. The Chair recognizes the gentleman from Cumberland, Mr. Call.

Mr. CALL: Mr. Speaker, I will try to answer the questions. The

new draft of S. P. 79, L. D. 151, Mr. Baxter's first question, enforcement, Section 12. "Enforcement. Every law enforcement officer in this State shall have the authority to enforce the provisions of this chapter and in the exercise thereof shall have the authority to stop and board any motorboat or vessel subject to such provisions."

On his second question, on your revenue, we anticipate in the first year, April 1, 1960, to start registering motorboats, that the total fee we anticipate around \$40,000. The administration shall be around an approximate figure by the Assistant Secretary of State, Paul MacDonald, to be approximately \$21,000, and it sets up a profit of around \$19,000. Of course we do not know the second and third year what the entire revenue will be, but this is the revenue that will be direct for the Inland Fisheries Department for enforcement whereas we would have had to ask for an appropriation of \$21,000 to enforce this law. I hope that will answer the gentleman's question.

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

Mr. WILLIAMS: Mr. Speaker and Members: I don't think these gentlemen need have any worries about enforcement or anything like that. In a couple of years we will have a Commissioner of Boating and he will have to have a deputy do the work, and perhaps it will take fifteen clerks to attend the bookwork and about five hundred inspectors and at the end of about four years we will take over a floor in the office building to house the place.

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

Mr. MAYO: Mr. Speaker and Members of the House: I wish you would look at the first underlined paragraph of this amendment, it says "Such agent", agents who dispense these so-called license plates, "shall retain 25 cents from the fee provided in this section;" that means that your city clerks and your town clerks who a lot of them I know are paid a small salary and depend upon their fees for licensing and so forth for extra revenue, are

going to receive 25 cents from each one of these licenses that they issue.

Now as far as the gentleman mentioning the fact that eventually we will have a Commissioner of Boating, and another office building erected for them and so forth, I think there are enough gentlemen in this House who probably can remember back to the horse and buggy days, if we hadn't started to put some kind of legislation, laws, rules and so forth on the highways, we are in bad shape today, but I think we would be even worse. I think that boating, as Mr. Maxwell, the gentleman from Jay, spoke the other day when he showed you Life Magazine, June 6 issue, boating is becoming the greatest and the fastest growing industry as far as entertainment and outdoor activity is concerned. Other states have this legislation and I hope, I sincerely hope that this House will not do anything at all in any way to kill this legislation.

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

Mr. GOOD: Mr. Speaker, I think those that have worked on this boat bill should be congratulated, it is a nice bill and it has been nicely drafted. I don't think that you can put this regulation of boats on a local option basis, because you take Sebago Lake, for instance, the town lines of several towns run out into the lake, so there would be a question there of jurisdiction, and I don't think it is a question of whether or not the department heads condone the assignments made by the Legislature, the Legislature makes the laws. Therefore, I would be in favor that this amendment be adopted.

The SPEAKER: The Chair recognizes the gentleman from Casco, Mr. Moore.

Mr. MOORE: Mr. Speaker and Members of the House: I think this is a very good amendment, I think this is a step in the right direction to make this law workable and efficient and everyone seems to forget here tonight that this isn't going to throw any extra burden as far as enforcement is concerned on the Fish and Game Department, they already enforce the boat safety laws as much as it will be en-

forced after these few words are inserted in that book. These few printed words isn't going to make any difference to the wardens in the field, they enforce it anyway. The only expense that is going to be involved is the selling of the registration plates, that's the only thing. Those are made by the prison, so that isn't too expensive, I think it's the most efficient and economical way it could be handled.

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

Mr. HUGHES: Mr. Speaker, I would like to address a question through the Chair if I may, to the gentleman from Cumberland, Mr. Call, about this amendment. Sub-section IV of Section 4 under the main bill, it states at the beginning of the section, "Whoever transfers the ownership or discontinues the use of a numbered motorboat or vessel and applies to the Secretary of State for numbering of another motorboat or vessel within the license period shall be entitled to a certificate of number," and down in Sub-section V, it mentions again the records of the Secretary of State. Down in Sub-section VIII, "The owner shall furnish the Secretary of State notice of the transfer of all or any part of his interest other than the creation of a security interest in a motorboat", and I am wondering if provision has been made in this amendment to take care of all of that.

The SPEAKER: The gentleman from St. Albans, Mr. Hughes, has addressed a question through the Chair to the gentleman from Cumberland, Mr. Call, who may answer if he chooses.

Mr. CALL: Mr. Hughes, "Chapter 36-A. Further amend said Bill by striking out the underlined words 'Secretary of State' wherever they appear in said Bill and inserting in place thereof the underlined words 'Commissioner of Inland Fisheries and Game'."

The SPEAKER: Is the House ready for the question?

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

Mr. DODGE: Mr. Speaker and Ladies and Gentlemen of the House: This is a safety measure. Now we talk about safety. Here you have a

chance to do a little about it. We talk about it, but many people don't want to do anything about it. Here is a chance for it. You cannot keep run of these boats without numbers on them and no one can enforce laws, the boats go down the lake with no numbers and somebody is driven ashore and they don't know who it is. We are going to have some numbers and we are going to be able to maybe do something about it, and this is strictly a safety measure. There may be some things that aren't just right about it, but at least it is a start to make our lakes and ponds safe for the children and the rest of us to go out on which aren't at the present time. All you have to do is pick up the paper.

A short time ago one of these speed boats cut down a fishing boat, they didn't even see it and ran right over the thing. Nobody was killed, it was lucky, and you can multiply that by any number of times, an accident where somebody just escaped being killed, and we have had people that have been killed.

The SPEAKER: Is the House ready for the question?

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

Mr. MAYO: I request a division.

The SPEAKER: A division has been requested. The Chair recognizes the gentleman from Friendship, Mr. Winchenpaw.

Mr. WINCHENPAW: Mr. Speaker, I would just like to say one word in favor of this amendment. You people all know I am interested in boats, I am mostly interested in draggers, and the draggers already have their numbers. I certainly hope this amendment passes.

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

Mr. KENNEDY: Mr. Speaker, believe me ladies and gentlemen, I don't stand on the floor of this House to deny anyone the privilege of safety. We have registered our automobiles and we have a large police force but we still have a lot of injuries and serious accidents in the State of Maine. If it will help this amendment any, I would be delighted to withdraw my motion

with the permission of the House. I still think that this amendment is hodge podge. I believe as the gentleman from Casco, Mr. Moore said, that we already have on the statutes safety measures which the Department of Inland Fisheries and Game are committed to defend, but I still feel that this is a local ordinance problem, but rather than delay the process of legislation, with your permission I will withdraw my motion.

The SPEAKER: The Chair understands the gentleman from Milbridge, Mr. Kennedy, to withdraw his motion that House Amendment "E" be indefinitely postponed. The pending question now is the motion of the gentleman from Cumberland, Mr. Call, that House Amendment "E" shall be adopted. Is this the pleasure of the House?

The motion prevailed.

Thereupon, Bill "An Act Relating to Licensing and Safety Operation of Boats", Senate Paper 494, Legislative Document 1374, was passed to be engrossed as amended in non-concurrence and sent up for concurrence.

The SPEAKER: The Clerk will proceed with the items on Supplement number two.

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

Referred to 100th Legislature

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act Establishing Secondary Area Vocational Schools" (S. P. 225) (L. D. 1006) reporting that it be referred to the 100th Legislature.

Came from the Senate with the Report read and accepted.

In the House, the Report was read and accepted in concurrence and the Bill referred to the 100th Legislature.

Non-Concurrent Matter

Bill "An Act relating to Weekly Benefits for Total Unemployment under Employment Security Law" (H. P. 969) (L. D. 1378) on which the House voted to adhere on June 9 to its action whereby the Bill was indefinitely postponed.

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, and asking for a Committee of Conference, with the following Conferees appointed on its part:

Messrs. BATES of Penobscot

CHARLES of Cumberland

MacDONALD of Oxford

In the House:

On motion of Mr. Wade of Auburn, the House voted to insist on its former action and join in a Committee of Conference, to which Committee of Conference the Speaker appointed the following Conferees on the part of the House:

Messrs. GOOD of Sebago

HARDY of Hope

WHITMAN of Woodstock

Non-Concurrent Matter

An Act relating to Hours, Vacations and Sick Pay for County Personnel (H. P. 922) (L. D. 1304) which was passed to be enacted in the House on May 1, and passed to be engrossed as amended by House Amendment "A" on April 28.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

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

Mr. ROLLINS: Mr. Speaker, this bill is contingent upon the Committee of Conference just appointed on this other bill, and I move this lie on the table until we hear from that Committee of Conference.

The SPEAKER: The gentleman must either table it unassigned or to a specific time.

Mr. ROLLINS: Table it unassigned, sir.

The SPEAKER: With respect to this matter, the gentleman from Belfast, Mr. Rollins, moves that this bill be tabled unassigned pending further consideration. Is this the pleasure of the House?

(Cries of "No")

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

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

Thereupon, the House voted to recede and concur with the Senate.

Non-Concurrent Matter

Bill "An Act relating to State Aid for School Construction" (H. P. 3) (L. D. 12) on which the House accepted the Minority "Ought to pass" Report of the Committee on Education and passed the Bill to be engrossed on June 9.

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

In the House:

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

Mr. LETOURNEAU: Mr. Speaker and Members of the House: Due to the action taken in the other body and to the advance stage of the Legislature, it is with some reluctance that I move to recede and concur.

The SPEAKER: The question before the House is the motion of the gentleman from Sanford, Mr. Letourneau, that the House recede and concur. Is this the pleasure of the House?

The motion prevailed.

(Off Record Remarks)

On motion of Mr. Wade of Auburn,

Adjourned until ten o'clock tomorrow morning.