

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Fourth
Legislature*

OF THE

STATE OF MAINE

Volume II

May 9, 1969 to June 17, 1969

KENNEBEC JOURNAL
AUGUSTA, MAINE

Revise the Credit Union Law" (S. P. 200) (L. D. 609)

Came from the Senate with the Bill substituted for the Report and passed to be engrossed as amended by Senate Amendment "A".

In the House: Report was read and accepted in non-concurrence and sent up for concurrence. (Later Reconsidered)

Divided Report

Majority Report of the Committee on Judiciary reporting "Ought to pass" on Bill "An Act relating to Comparative Negligence in Civil Actions" (S. P. 89) (L. D. 251)

Report was signed by the following members:

Messrs. QUINN of Penobscot
MILLS of Franklin
VIOLETTE of Aroostook
— of the Senate.
Messrs. BRENNAN of Portland
DANTON
of Old Orchard Beach
MORESHEAD of Augusta
FOSTER
of Mechanic Falls
BERMAN of Houlton
— of the House.

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

Report was signed by the following members:

Messrs. HEWES of Cape Elizabeth
HESELTON of Gardiner
— of the House.

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

In the House: Reports were read.

On motion of Mr. Berman of Houlton, the Majority "Ought to pass" Report was accepted in concurrence.

The Bill was given its two several readings.

Senate Amendment "A" (S-217) was read by the Clerk and adopted in concurrence and the Bill assigned for third reading tomorrow.

Divided Report

Majority Report of the Committee on Judiciary reporting "Ought to pass" on Bill "An Act relating to Time of Filing Security Inter-

ests under the Uniform Commercial Code" (S. P. 377) (L. D. 1287)

Report was signed by the following members:

Messrs. MILLS of Franklin
QUINN of Penobscot
VIOLETTE of Aroostook
— of the Senate.

Messrs. DANTON
of Old Orchard Beach
FOSTER

of Mechanic Falls
BERMAN of Houlton
— of the House.

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

Report was signed by the following members:

Messrs. MORESHEAD of Augusta
HEWES of Cape Elizabeth
BRENNAN of Portland
HESELTON of Gardiner
— of the House.

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

In the House: Reports were read.

On motion of Mr. Berman of Houlton, the Majority "Ought to pass" Report was accepted in concurrence.

The Bill was given its two several readings.

Senate Amendment "A" (S-205) was read by the Clerk and adopted in concurrence and the Bill assigned for third reading tomorrow.

Divided Report

Majority Report of the Committee on State Government reporting "Ought not to pass" on Bill "An Act Providing for a State Pilotage System for the Penobscot Bay and River, Maine" (S. P. 338) (L. D. 1136)

Report was signed by the following members:

Messrs. LETOURNEAU of York
BELIVEAU of Oxford
— of the Senate.

Messrs. DONAGHY of Lubec
STARBIRD
of Kingman Township
RIDEOUT of Manchester
D'ALFONSO of Portland
— of the House.

Minority Report of same Committee on same Bill reporting

"Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Mr. WYMAN of Washington
— of the Senate.
Mr. DENNETT of Kittery
Miss WATSON of Bath
Mr. MARSTALLER

of Freeport
— of the House.

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

In the House: Reports were read.

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

Mr. DENNETT: Mr. Speaker, I move the acceptance of the Minority "Ought to pass" Report in concurrence.

The SPEAKER: The gentleman from Kittery, Mr. Dennett moves that the House accept the Minority "Ought to pass" Report in concurrence.

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

Mr. RIDEOUT: Mr. Speaker and Ladies and Gentlemen of the House. I really don't want to go at this with Mr. Dennett this morning in the House, but we might just as well I suppose.

This L. D. 1136, I think it is undesirable and unnecessary and I signed the "ought not to pass" report as did the majority of the State Government Committee.

Now this legislative document is undesirable because it is designed to benefit a handful of local pilots. I asked the president of the Penobscot Bay Pilots Association just how many members they had in their Association and he astounded me, he said there were four members. Now this would require all vessels sailing in Penobscot Bay to hire them. In other words, it creates an artificial monopoly for the benefit of a few people, thereby restraining and reducing trade. The restrictive intent of this bill is underscored by Section 90(i) which would limit the number of

licensed pilots to and I quote "only such number of pilots as would be necessary to permit adequate pilotage in these waters."

Now I think this is unnecessary. The port of Searsport now receives about 150 vessels a year. Most already have coastal pilots who are qualified to navigate several ports along the Atlantic Coast, including all of those in Penobscot Bay. Those that do not, mostly large tankers, do hire local pilots. In over thirty years, during which time several thousand vessels have used Searsport, there has never been an accident attributable to lack of pilotage.

This bill will add from \$400 to \$2,000 to the cost of every vessel, and will have the effect of reducing use of the port. This is so mainly because many of the vessels using Searsport have small loads, and include Searsport as but one of several stops. If these unnecessary costs are added, many of these vessels will simply discontinue use of the port. This \$400 is the estimated cost of the additional pilotage. Also, if a pilot insists on it, the vessel would have to use a tug which is not now required, which could add as much as up to \$1,600 more to the cost, depending on the size of the vessel.

The ports of Bucksport and Bangor now receive fewer vessels than Searsport and they are mostly tankers. Those who do not have coastal pilots use the local pilots. The only significant accident in Penobscot Bay occurred about two years ago when a tanker pierced her bottom on the river. It was being piloted by one of the men there who would have to be hired if this bill passes.

Now I submit to you further that one of the provisions of this bill is that if a ship does not employ one of these four men then a fee will be paid to the pilots anyway. Also if for one reason or another, let's say weather for instance, that the pilot cannot be discharged for an outgoing ship then he the pilot will be paid \$75 a day until he is discharged and I will read to you in a minute the provisions that cover this.

Now it seems to me that this is a special piece of legislation de-

signed to benefit a very few persons. Now I don't blame them for wanting this passed. I would too if I were one of the four members of this organization.

Now think for a minute if you will what would happen if this is passed should these four gentlemen get unhappy with the terms of their employ. They could strike and tie up all the heavy shipping in the whole Penobscot Bay region and the way these sympathy strikes spread perhaps the actions of these four men could disrupt the whole east coast.

Now I am not going to make a federal case of this but I just ask you to read parts of this bill. On page 1, bottom of the page, "in case of refusal to take such pilot, the master, owner, agent or consignee of any such vessel shall pay the established pilot fee as if a pilot had been employed." That's a safety measure.

As I quoted before, on page 3, "Select only such number of pilots." The Commission shall "Select only such number of pilots as would be necessary to permit adequate pilotage in these waters"; and apparently that is four men.

On page 4, Liens, "Every licensed pilot shall have a lien for his pilotage fees upon the whole of any vessel liable to him therefor."

Now I don't know what these things cost but I am sure it must be considerable, and more than \$75 a day. Now the kicker in my mind is this: Carrying a pilot to sea against his wishes. Now I would just read this to you.

"If any master of any vessel shall carry any licensed pilot to sea under circumstances beyond the control of the said licensed pilot, the master of said vessel shall pay the said licensed pilot at the rate of \$75 per day until the said pilot's return or death; he shall provide first-class accommodations and maintenance and the said pilot shall be returned to his home port at the first opportunity by first-class passage; and for every day's detention at quarantine by order of the health officer, \$75 per day for every day of such detention and maintenance. Any

pilot being detained on board of any vessel for any reason whatsoever shall be allowed \$75 per day and maintenance for each day he may be so detained. The payments and expenses incident to this section shall be a liability of the master, agent, owner or consignee . . ."

Now I see that the Senate has amended it to make it a little better, I think. "Whenever a master of any vessel shall convey any licensed pilot to sea under circumstances beyond the control of the licensed pilot, the master of said vessel shall be punished by a fine of not more than \$1000 or by imprisonment for not more than six months."

Now this probably is a good concept. That I don't know. Mr. Dennett will tell you so anyhow, but I just think it is a ridiculous bill and I hope you agree with me.

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

Mr. DENNETT: Mr. Speaker, Members of the House: I will assure the members of this House that I have tried, I have tried almost without limit to convince the gentleman from Manchester, Mr. Rideout, that this is a good bill. I have attempted to explain and explain and explain and all my explanations have fallen upon deaf ears and he has been absolutely immovable. But be that as it may, I well understand the gentleman comes from the shores I believe of Lake Cobbosseecontee, whose waters are quite shallow and it does not have many dangers and I fear that he does not just quite understand the dangers that lurk in the perils of the sea.

However, let me explain what this bill is for and what it attempts to accomplish. To the best of my knowledge, and I think that I have pretty fair knowledge on the subject, the several ports of the Penobscot are the sole places that are left in this continent that do not have compulsory pilotage. All other ports, pilotage is compulsory. Pilotage is compulsory for the safety not only of the vessel but the safety of the various ports

and the waterways leading to them. It is quite necessary that men who are experienced, who have passed examinations given by the federal government to qualify them to act as pilots, take the vessels in and out of these ports.

There are three principal ports to the Penobscot, perhaps excluding Rockland which lies relatively near to the sea, and these are Searsport, Brewer and Bucksport. Brewer and Bucksport handle mostly tankers. Searsport handles not only tankers but both carriers and freighters and mixed cargo ships. Now generally speaking vessels bound into the Penobscot do pick up the Penobscot Bay pilots, but some of them don't. Now there is one thing that Mr. Rideout stated which should be corrected, and that is he has given you the impression that all vessels bound up the Penobscot would be required to take a pilot. Such is not the case. The bill provides only foreign vessels and United States vessels under registry shall be compelled to take a pilot.

Now what is a vessel under registry? A vessel under registry is a vessel that is plying between foreign ports. Vessels plying between ports in the United States are not under registry; they are under what is known as enrollment. It would not include a vessel under enrollment. A vessel under enrollment would not be compelled to take a pilot. It does not include yachts; it does not include fishing vessels; it does not include small craft of any type whatsoever.

This bill only applies to these larger vessels, the bulk of them under foreign flags and most of them flying what is known as flags of convenience. A flag of convenience is a flag of a country who registers vessels actually without any regard for ownership and the three principal countries that do this are Liberia, Panama and Honduras. There are many vessels registered under these flags that never see the country under the flag of whom they are registered. These are generally the worst offenders because they are registered under these flags mainly to avoid or evade the regulations of

the countries in which they are owned to hire crews at reduced rates and to eliminate safety features which are required by the United States and most large maritime nations. These vessels are the chief offenders.

In the past two months the vessels coming into the Penobscot, of which I have a list, only two of them attempted not to take a pilot and these were two Japanese vessels. Now of course the Japanese are inclined to save money where they can and they came up without taking a pilot.

Now what are the disadvantages to not taking a pilot and where might it be disastrous for the people of the State of Maine? Number one, you have ferries constantly plying across Penobscot Bay into Vinalhaven, North Haven and Islesboro. What do you think for instance the master of a Japanese vessel who comes up without a pilot knows about these ferry schedules and where they cross? He has no knowledge whatsoever. Say he is attempting to negotiate the waters of Penobscot Bay in a thick fog. One of these Vinalhaven, North Haven ferries could very well be cut in two with a great loss of life. The Penobscot pilots know the schedules, they know the waters, they are careful.

A further disaster that could happen — what if one of these large tankers loaded with Bunker "C" oil should come up and strike a rock and puncture a tank and spill 50,000 — 100,000 gallons of crude oil into Penobscot Bay, to kill all the marine life, to smear the shores with crude oil? Think of what a mess it would be, and this thing happens. Now I will agree there is no guarantee that even a Penobscot Bay Pilot won't have this happen but I assure you that his chances of hauling his vessel and spilling the oil or running down a ferry is far less than it would be with a vessel coming up without a pilot.

I don't want to belabor this thing and I don't want to be long-winded on the subject, but I would simply point out to you that this is a safety measure to take the pilots, that it is not a union of four men. Of course these four people who are

presently pilots are employed for perhaps their own livelihood but they are looking beyond their own livelihood; they are looking to the safety of the vessels, to the safety and well-being of the people of the State of Maine.

They go further in the bill, they offer to provide a pilot station, a pilot boat to be on duty at all times, to be on call at all times for the safe navigation of this river and bay. They go a little further than this. Not only do they seek the safety but they are willing to employ more pilots and not confine it to four as the business of the Penobscot increases, and it is increasing, and perhaps the Penobscot is on its way to be a great port. It is not beyond the realm of a possibility, and this too is for the benefit of the State of Maine.

I think that these various concerns that did offer objections in the first place have withdrawn them. They realize that this is not going to result in any great added cost and that actually this thing is for the benefit of the people of the State of Maine and I trust that you will accept this "ought to pass" report. When the vote is taken I ask that it be taken by division.

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

Mr. WILLIAMS: Mr. Speaker and Members of the House: After listening to my friend, Mr. Dennett, I don't think it would be safe for me to go up Penobscot Bay even in a super tanker. I don't know an awful lot about Penobscot Bay but I always understood it was more or less an arm of the sea.

Now I came here in '51. This same bill was before us in '51, the only difference being that the gentleman from Belfast, Harry Rollins had the bill. He gave as far as I can remember, just the same arguments that Mr. Dennett has just given us, but I would submit to you that that was approximately twenty years ago and the ships have been traveling Penobscot Bay ever since and all these dire consequences have never happened. Apparently there were four pilots then and there are still four

pilots now and they are available in case they are needed and if they aren't needed they don't get this \$400. If a few ships didn't go into Searsport for the lack of this \$400 the cost to the longshoremen there could be much more than this \$400.

So I would like to go along with my friend, Mr. Rideout, for the indefinite postponement of this bill.

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

Mr. BRAGDON: Mr. Speaker, as you ladies and gentlemen know I don't generally vote against the gentleman from Kittery, Mr. Dennett. However, one item in his remarks intrigued me very much when he commented that two Japanese vessels I believe were the only ones that didn't ask for a pilot and he commented further that the Japanese like to save money. I suggest that we follow their example in this case.

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

Mr. KELLEY: Mr. Speaker and Ladies and Gentlemen of the House: I made my first trip in the Penobscot in 1913. Almost every year I have been in there at least once and many times more often. This bay or river or river mouth, whatever you want to call it, is quite a tricky piece of water. I have run it in the winter in the snowstorms, I have run it in fog, I know something about the sets of tides over there. Lots of your foreign boats coming in do not realize this. There is little I can add to what Mr. Dennett has said except that there is one point. You want to try to raise one of those foreign boats on a radio and find out what his intentions are. They do not understand the tide sets and you want to try sometime like I have to be going up there with a long tow in back of you and you get crowded by one of these fellows that doesn't realize what the tide is doing.

We need an organized pilotage in that waters. We have it everywhere else up and down the coast. I have cruised—I have seen them in the St. John River, in Florida, I have seen them at the mouth of the Mississippi, New York Harbor,

Boston Harbor, Portland Harbor, Charleston, South Carolina. One of the advantages, these fellows know when the other boats are coming, know who is on them, they have communications and it is a great safety factor.

I too would hate to see a big oil spillage in Penobscot Bay and I really think that this is a worthwhile bill and deserves the support of the people that understand the problems of the sea.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: I too would like to urge the House to support Mr. Dennett's motion to accept the Minority Report, and I would like to pose a question to the gentleman from Manchester, Mr. Rideout, because it seems to me that under the present law we are being a little bit restrictive on American shipping and giving the foreign shipping a little benefit. It is my understanding at the present time that every American vessel must carry a pilot going up the river, is this true or isn't it?

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

Mr. RIDEOUT: Mr. Speaker, in answer to the question from the gentleman, I don't think so. I don't know.

But further, if I may Mr. Speaker, I don't question the fact that probably some safety measure is in order for this sort of thing, but as the gentleman from Hodgdon, Mr. Williams pointed out we have been at this now for twenty years on this same type of bill and there hasn't been any great disasters.

The thing that bothers me is not particularly the fundamental concept of the bill, it is the bill itself. It just seems to me to be so restrictive and so much to the benefit of the pilot, not necessarily to the benefit of the safety features, but the bill itself is terrible. Mr. Dennett referred to those several countries—I submit there is another one, it is known as Aristotle Onassis.

Now if this bill passes the next time around I am going to demand that the pinks and the skiffs that ply the Cobbosseecontee Lake shall have a pilot for my family.

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

Mr. BENSON: Mr. Speaker and Members of the House: Several things that the gentleman from Manchester, Mr. Rideout said led me to believe that he didn't care for this bill. Now I know that he has read it very carefully and I think he is under a misapprehension, and that is that this pertains to oils trucks also. And it doesn't really.

I was out in our little harbor, Southwest Harbor, with a sea captain last year, a member that had been on the water all his life, and he was telling me about his many adventures. As a matter of fact, he said—"I know every rock in this harbor." It was about then there was a horrendous hump and he says "there's one now." (laughter)

Now many of these vessels that are coming in to the Penobscot Bay area are from foreign countries and the skippers are people who have never been to these shores before at all. And I just think that this is a step in the right direction; I do not look at it as the gentleman from Manchester, Mr. Rideout does as a special interest group. I look at it strictly from the point of view of safety. Enough has been said about the bill. I am sure that you thoroughly understand it and no votes are going to be changed. I think that it's a good bill, and I come from the coast and I am not too terribly concerned about the lake areas, but I do think that the protection should be extended through the passage of this bill.

The SPEAKER: The Chair recognizes the gentleman from Owls Head, Mr. MacPhail.

Mr. MACPHAIL: Mr. Speaker and Ladies and Gentlemen of the House: Since 1936 I have lived on the shores of Penobscot Bay and I am somewhat familiar with the territory. The gentleman from Kittery, Mr. Dennett has given you

a very good idea on what this is all about and explained some things, but there are two of the things I would like to bring out in addition to this.

He mentioned the various problems of the State ferries. He didn't go into it quite deep enough because there are also boats plying between the mainland and Monhegan daily and the mainland to Matinicus and the other islands that he mentioned. These total about 40 transverse crossings per day in the summertime, and in the summertime that river and bay can be enshrouded in quite thick fog.

I think this is an excellent idea in precaution. It has been stated that we have never had an accident there. I don't think we should wait for an accident but take precaution to prevent one. We had a very good example of this down south recently, as you read in the papers, where an Australian ship cut one of our destroyers in two and resulted in the loss of 76 lives. This could very well happen in Penobscot Bay. We have a United States trial course out there. There are times when government ships are plying up and down those waters. The local boys that are pilots there are very familiar with these waters. They know where the lobstermen's gear are.

Now in the past some of these ships have cut through these with the resultant destruction of lobstermen's gear. They do, as has been stated, have their own radio communications. They can be in touch with any ship. They are familiar with the boat schedules. They know exactly where they are crossing and where they are and they can be in contact with them. I urge the acceptance of the Minority Report of this bill.

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

Mr. DONAGHY: Mr. Speaker and Members of the House: I enjoy as much as the rest of you folks speaking between Mr. Rideout and Mr. Dennett. I kind of feel that I would like to be on Mr. Dennett's side but here is once that I can't be. He comes from down around the New Hampshire line. It seems

to me that we have three thousand miles of coast and we are opening this up to nothing but a closed shop as far as union goes.

Now it hasn't been mentioned at all that we are talking about boats of a nine foot draft, which if we come to small freighters that we have along this coast it doesn't mean very much, and we must remember that we have a foreign country, as far as I am concerned what we call spitting distance down east. As a matter of fact, many of the goods that are packed in my area are shipped out of Canadian ports through the Canadian railways and back into the United States.

Here we are—this whole business is regulated by the United States Coast Guard, and they have done a pretty good job over the years. I think that I would take their abilities and thought far ahead of four special interest people that we heard down here in State Government Committee. And as far as this happening in the Pacific, it was tragic—I mean this recent one, but I can remember I had a brother aboard a boat during World War II and of course it was actual combat instead of convoy, instead of exercises, but they had a nine day wonder on the bridge and they zigged when they should have zagged in convoy. And it was after dark and these things happen.

But we are talking here about commerce, things—as I said we have three thousand miles of coast, we have had very little difficulty and if we are going to have human error it can happen tomorrow or it may never happen. I urge you to go along with my friend, Mr. Rideout.

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

Mr. DUDLEY: Mr. Speaker and Ladies and Gentlemen: I find myself somewhat in the same position as the man from Aroostook County. I have listened to this many times and it has been very eloquently presented this morning and it has been in years past by some other very eloquent speakers.

I just wanted to point out a few things that leads me to believe that

there is no hurry about this. First of all the gentleman, Mr. Dennett says that the crude oil might damage our shoreline. I hope I live to see the day when we do have crude oil coming up there, we have Bunker "C" occasionally now but crude oil is coming to a manufacturer to be manufactured and at the present time we don't have a refinery in the Penobscot area, which I hope some day we will have.

And I might point out that the bad accidents that I have read about in the sea, in the Mississippi and the mouth of the river there, at the Hudson River in New York, the ships in all cases were piloted by a harbor pilot so to speak. In all cases they were. And like he has already so eloquently said, we have had twenty years and this has got along very nicely and I don't think there is a great many more ships now than there has been in the past. There again I hope some day there will be more and there will be a need for this law, possibly when the shipping gets so there is some congestion in the area, that we will need a law of this type, but it has gone on for many years and we don't seem to.

And I might point out that your charts, your sea going charts do show these ferries where they run; it is marked on the sea charts I am pretty sure, any ferry that is run regularly is shown on the sea charts. And this can be seen by even me if I was to run a ship up and down the Penobscot. And I have also run up and down the Penobscot from Bucksport on down through. So at the present time I don't see a need for this. During my time in this House I have always been quite reluctant to vote for any special legislation whether it be sea pilots or plumbers or carpenters or what have you. I dislike very much special legislation. Thank you.

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

Mr. HUBER: Mr. Speaker, Ladies and Gentlemen of the House: I too live on the shores of Penobscot Bay. I would submit that there has been an increase in traffic since 1951, boat traffic,

and there has been an increase in people who make their livelihood and their living from the sea. I also would remind you that there are quite a few people sitting in the House this morning who rode the Governor Curtis after it was christened last summer, the new Vinalhaven ferry. While some of us tried to take credit for the fact that the weather was good that day, I do remind you however that we have a lot of weather that is not like that day. That one was ordered specifically.

The traffic in Penobscot Bay is not all in one direction, it is not all north and south, primarily north and south. There is a tremendous amount of cross traffic to all of the islands, not only the ferry service but the lobstermen use the area, there are small boats and small craft. I submit to you that this bill is a—no it may not be absolutely necessary now, but I don't know that I am exactly willing to sit around here for another twenty years and take the chance, because I think that this particular piece of legislation represents just a good old-fashioned ounce of prevention.

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

Mr. McNALLY: Mr. Speaker, I would like to ask a question from the Committee or somebody that could answer. Mr. Dennett said that some ships didn't have to have pilots, if I understood him like he said, it only applied from say Boston into Maine ports or perhaps any United States coastal port to another one and didn't go outside in foreign waters, and I am wondering. And the other question is, who are these other pilots that they call them local pilots that are aboard these ships when they come in?

The SPEAKER: The gentleman from Ellsworth, Mr. McNally poses a question through the Chair to any member who may answer if they choose.

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

Mr. KELLEY: Mr. Speaker, as far as pilotage is concerned, you have two types of things. The Coast Guard will issue to officers on vessels after they have run into

ports various numbers of times and can draw a map or chart from memory showing all the buoys and hazards, and there are many people on coastal shipping that do have pilotage into these ports and they would not need to pick up a local pilot. Now these are the American vessels that are licensed to operate coastwise but not into international trade. So there is your difference between having pilotage and being a pilot.

The other problem that I would like to mention to you people is the use of radar. A few years ago vessels anchored when it was thick fog. Today they run. I have run many hundreds of hours on radar. I have run mostly in waters with which I am familiar and to take a chart and try to compare it to the radar picture is not easy. Local knowledge is very desirable to know which objects you are seeing, and this is another thing that our local pilots there have a very intimate knowledge of is the use of radar running in thick weather and I really hope that this House will support the Minority Report and give this bill passage.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: I was very much interested in my good friend, Mr. Donaghy's reference to the Coast Guard because about six or seven years ago a Coast Guard vessel with two radars, which they necessarily use when they have foggy weather and it is required on a Coast Guard vessel, ran into the side of a yacht shortly outside of Rockland Harbor. Within two weeks of that time we lost a sardine boat because there is a dead spot as far as radar is concerned in Penobscot Bay. Now this is something which our skipper was very familiar with but the radar picture kept coming and then all at once disappeared. In simply trying to adjust the set, which he thought had gone out, he ran face first into one of the trial course buoys out in Rockland Bay with a full load of sardines and the boat went to the bottom.

So I would submit that even though these vessels do have radar

that unless you have a local person, as my good friend Mr. Kelley has pointed out, that in case of the radar flicking off which it can do, it can create an extremely bad situation. I know many in this House probably have been driving along the highway, following the white line and come to a spot where the tar truck has been along and has covered the white line, and if it's in a fog you can very easily take a head first right off a curve without even knowing you are going off the road because you have been depending upon that white line. And this is what a radar is; it just gives you something to depend upon but you have to have intimate knowledge of the area in which you are operating.

I certainly feel that this is a safety factor for shipping.

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

Mr. TEMPLE: Mr. Speaker, I would like to ask that this be tabled for one legislative day.

Whereupon, Mr. Rideout of Manchester requested a vote on the tabling motion.

The SPEAKER: The gentleman from Portland, Mr. Temple moves that item 11, L. D. 1136, be tabled pending the motion of the gentleman from Kittery, Mr. Dennett to accept Minority "Ought to pass" Report in concurrence. A vote has been requested on the tabling motion. All in favor of this matter being tabled will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

13 having voted in the affirmative and 112 having voted in the negative, the motion did not prevail.

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

Mr. TEMPLE: Mr. Speaker and Members of the House: I am a little at sea this morning on this thing. Number one, to begin with I am a licensed U.S. Coast Guard first-class pilot, I have been for 25 years. I am very much concerned with this bill in regard to its superseding the Coast Guard

law in regard to pilotage. One thing in here that concerns me very much is the fact that there will be a commission that will examine and license these pilots. That is why I asked that this be tabled to give me a chance to go into this thing more thoroughly.

I do know of our other organizations in regard to pilots along our coast. I am very familiar with the one in Portland. I know it is a closed corporation. I know what it costs to try to buy into this corporation and there are so many unanswered factors in here that is why I asked that this would be tabled.

I cannot go along with this bill this morning, neither can I oppose it, but I just wanted to explain why I asked for the tabling motion.

The SPEAKER: The Chair will order a vote. All in favor of accepting the Minority "Ought to pass" Report in concurrence on Bill "An Act Providing for a State Pilotage System for the Penobscot Bay and River, Maine," Senate Paper 338, L. D. 1136, will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

80 having voted in the affirmative and 47 having voted in the negative, the motion did prevail.

The Bill was given its two several readings.

Committee Amendment "A" (S-199) was read by the Clerk and adopted in concurrence.

Senate Amendment "A" (S-221) was read by the Clerk and adopted in concurrence and the Bill was assigned for third reading tomorrow.

Divided Report

Majority Report of the Committee on Towns and Counties reporting "Ought to pass" on Bill "An Act Creating Oxford County Commissioner Districts" (S. P. 462) (L. D. 1525)

Report was signed by the following members:

Messrs. PEABODY of Aroostook
MARTIN of Piscataquis
— of the Senate.
Messrs. WIGHT of Presque Isle
DYAR of Strong

HAWKENS of Farmington
LABERGE of Auburn

— of the House.

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

Report was signed by the following members:

Mr. MILLS of Franklin
— of the Senate.

Messrs. HANSON of Vassalboro
CROMMETT

of Millinocket
FORTIER of Waterville

— of the House.

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

In the House: Reports were read.

The SPEAKER: The Chair recognizes the gentlewoman from Bethel, Mrs. Lincoln.

Mrs. LINCOLN: Mr. Speaker, I move that we accept the Majority "Ought to pass" Report.

The SPEAKER: The gentlewoman from Bethel, Mrs. Lincoln moves that the House accept the Majority "Ought to pass" Report in concurrence.

The Chair recognizes the gentlewoman from Topsham, Mrs. Coffey.

Mrs. COFFEY: Mr. Speaker, could I ask for a division on that motion?

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I would beg your indulgence this morning for a few moments, knowing that on a few pages hence on today's advance journal and calendar there is a message from the Governor regarding one of these County Commissioner Districts and I think rightly so that the position that the Governor has taken regarding these County Commissioner Districts should very well be good for us to look at this district this morning, of Oxford County.

Knowing and remembering what has happened this winter regarding the county budget in the County of Oxford, and knowing very well that the home rule provisions for the districting of county commissioners