

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

*One Hundred and Second  
Legislature*

OF THE

STATE OF MAINE

1965

DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE

## HOUSE

Friday, March 5, 1965

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

Prayer by the Rev. Mr. Lewis Mills of the Dixfield Congregational Church.

The journal of the previous session was read and approved.

### Report of Committee of Conference

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on

Bill "An Act to Authorize the Town of Pownal to Form a School Administrative District" (H. P. 47) (L. D. 59)

reporting that the House recede from its action whereby the Bill was passed to be engrossed, adopt Conference Committee Amendment "A" submitted herewith, and pass the Bill to be engrossed as amended by Conference Committee Amendment "A"; that the Senate recede from its action whereby it accepted the Majority "Ought not to pass" Report of the Committee, concur with the House in the acceptance of the Minority "Ought to pass" Report, adopt Conference Committee Amendment "A"; and pass the Bill to be engrossed as amended by Conference Committee Amendment "A" in concurrence.

(Signed)

GRAHAM of Freeport  
MARTIN of Eagle Lake  
HAMMOND of Paris

—Committee on part of House

FALON of Penobscot  
HARDING of Aroostook  
SNOW of Cumberland

—Committee on part of Senate

Report was read and accepted. The House receded from its action whereby the Bill was passed to be engrossed.

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

CONFERENCE COMMITTEE AMENDMENT "A" to H. P. 47, L. D. 59, Bill, "An Act to Authorize

the Town of Pownal to Form a School Administrative District."

Amend said Bill by striking out everything after the enacting clause, except the emergency clause, and inserting in place thereof the following:

**'School Administrative District for Pownal authorized.** Subject to the condition set forth in the 2nd paragraph, the municipality of Pownal is exempted from the limitations provided in the Revised Statutes of 1964, Title 20, section 213, and the State Board of Education is directed to proceed pursuant to sections 214 to 307 to take the necessary action to allow the municipality of Pownal to form a School Administrative District. Said district shall be authorized to contract with the Town of Freeport, or any other administrative unit or School Administrative District, in accordance with the procedure outlined in the Revised Statutes, Title 20, section 214; but the existence of any such contract shall not entitle such administrative unit to qualify for construction aid under section 3518 of the reference statute, nor shall such contract be considered by the receiving School Administrative District in the computation of any school construction aid.

The municipality of Pownal is authorized to make application to the State Board of Education pursuant to the Revised Statutes of 1964, Title 20, section 215, for the purpose of forming a single town School Administrative District, provided that the Towns of Freeport, North Yarmouth or Cumberland singularly or in any combination, again refuse, by vote of the citizens of the respective towns, to enter into a School Administrative District with Pownal.

Nothing contained in this Act shall be construed to limit the number of times that Pownal may make application to the State Board of Education, nor shall the authority heretofore granted to the State Board of Education under this Act be limited to any specified number of times for the board to authorize Pownal to act on the formation of a School Administrative District.'

Conference Committee Amendment "A" was adopted and the Bill passed to be engrossed as amended and sent up for concurrence.

#### **Papers From The Senate**

From the Senate:

From the Senate: The following Communication: (S. P. 448)

#### **MAINE-NEW HAMPSHIRE INTERSTATE BRIDGE AUTHORITY**

March 1, 1965

To the Honorable Senate and House of Representatives of the One Hundred and Second Legislature:

Transmitted herewith is the thirteenth Biennial Report of the Maine-New Hampshire Interstate Bridge Authority which is being presented in accordance with Chapter 18, Article VI, Private and Special Laws of 1937.

Respectfully submitted,

(Signed) DAVID H. STEVENS  
David H. Stevens  
Chairman

Maine-New Hampshire Interstate  
Bridge Authority

Came from the Senate read and with accompanying Report ordered placed on file.

In the House, the Communication was read and with accompanying report ordered placed on file in concurrence.

From the Senate: The following Order:

ORDERED, the House concurring, that there be paid to John S. Nelson, Representative of the Penobscot Tribe of Indians, and to George Stevens, Jr., Representative of the Passamaquoddy Tribe of Indians, on account of compensation, the sum of one hundred dollars, plus mileage (S. P. 447)

Came from the Senate read and passed.

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

From the Senate:

Resolve Appropriating Money to Continue Review of Maine Criminal Statutes (S. P. 445) (L. D. 1384)

Came from the Senate referred to the Committee on Appropriations and Financial Affairs.

In the House, referred to the Committee on Appropriations and Financial Affairs in concurrence.

From the Senate:

Bill "An Act Authorizing Payroll Deductions for Union Dues of Certain Governmental Employees" (S. P. 446) (L. D. 1383)

Came from the Senate referred to the Committee on Labor.

In the House, referred to the Committee on Labor in concurrence.

#### **Senate Report of Committee Ought Not to Pass**

Report of the Committee on State Government reporting "Ought not to pass" on Resolve Providing for Distinctive Name Tags for Members of the Legislature (S. P. 218) (L. D. 677)

Came from the Senate read and accepted.

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

#### **Non-Concurrent Matter**

Bill "An Act Directing Review of the Liquor Laws" (H. P. 988) (L. D. 1342) which was referred to the Committee on Appropriations and Financial Affairs in the House on February 23.

Came from the Senate referred to the Committee on Liquor Control in non-concurrence.

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

#### **Non-Concurrent Matter**

Bill "An Act Providing for Compulsory Retirement of Teachers at Age 65" (S. P. 404) (L. D. 1355) which was referred to the Committee on Retirements and Pensions in non-concurrence in the House on March 2.

Came from the Senate with that body voting to insist on its former action whereby the Bill was referred to the Committee on Labor and asking for a Committee of Conference, with the following Conferees appointed on its part:

Messrs. O'LEARY of Oxford  
HARDING of Aroostook  
SMITH of Cumberland

In the House: On motion of Mr. Levesque of Madawaska, the House voted to insist and join in the Committee of Conference.

The Speaker appointed the following Conferees on the part of the House:

Mrs. CARSWELL of Portland  
Messrs. LEVESQUE

of Madawaska  
KENNEDY of Milbridge

#### Non-Concurrent Matter

Bill "An Act Providing for Compulsory Retirement of Teachers" (S. P. 432) (L. D. 1366) which was referred to the Committee on Retirements and Pensions in non-concurrence in the House on March 2.

Came from the Senate with that body voting to insist on its former action whereby the Bill was referred to the Committee on Labor and asking for a Committee of Conference, with the following Conferees appointed on its part:

Messrs. O'LEARY of Oxford  
SMITH of Cumberland  
HARDING of Aroostook

In the House: On motion of Mr. Levesque of Madawaska, the House voted to insist and join in the Committee of Conference.

The Speaker appointed the following Conferees on the part of the House:

Mrs. CARSWELL of Portland  
Messrs. LEVESQUE

of Madawaska  
KENNEDY of Milbridge

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn they adjourn to meet on Tuesday, March 9, at ten o'clock in the morning. (S. P. 454)

Came from the Senate read and passed.

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

#### Messages and Documents

The following Communication:

#### THE SENATE OF MAINE AUGUSTA

March 3, 1965

Honorable Jerome G. Plante  
Clerk of the House  
of Representatives  
102nd Legislature

Sir:

The President of the Senate today appointed the following Conferees on the part of the Senate on the disagreeing actions of the two branches of the Legislature on L. D. 231, S. P. 87 — Bill, An Act Approving the Course of Study in Private Schools:

Senator Snow of Cumberland  
Senator Mendell of Cumberland  
Senator Faloon of Penobscot

Respectfully submitted,  
(Signed)

EDWIN H. PERT  
Edwin H. Pert  
Secretary of the Senate

The Communication was read and ordered placed on file.

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

#### Joint Resolutions

The following Joint Resolutions, approved by a majority of the Committee on Reference of Bills for introduction in accordance with Joint Rule 11A, were referred to the following Committee:

#### State Government

Joint Resolution Memorializing Congress to Promote the Protection of our Gold Reserves (H. P. 1021) (Presented by Mr. Sahagian of Belgrade)

(Ordered Printed)

Joint Resolution Memorializing the President of the United States and the Secretary of State to Pre-avail upon the West German Government to Recall Certain Scientists Developing Missiles for the United Arab Republic, and to Extend its Statute of Limitations Relative to War Crimes (H. P.

1022) (Presented by Mrs. Wheeler of Portland)

(Ordered Printed)

Sent up for concurrence.

### **Petitions, Bills and Resolves Requiring Reference**

The following Bills, approved by a majority of the Committee on Reference of Bills for appearance on House Calendar, less than one-tenth of the members present objecting, were received and referred to the following Committees:

#### **Education**

Bill "An Act relating to School Construction Aid in Certain Administrative Units" (H. P. 1023) (Presented by Mr. Birt of East Millinocket)

(Ordered Printed)

Sent up for concurrence.

#### **Highways**

Bill "An Act relating to Registration Fee for Motor Vehicles Operated Exclusively on Certain Islands" (H. P. 1024) (Presented by Mr. Edwards of Portland)

(Ordered Printed)

Sent up for concurrence.

#### **Judiciary**

Bill "An Act relating to the Reporting of Traffic Accidents" (H. P. 1025) (Presented by Mr. Danton of Old Orchard Beach)

(Ordered Printed)

Sent up for concurrence.

### **House Reports of Committees Leave to Withdraw**

Mr. Fecteau from the Committee on Business Legislation on Bill "An Act relating to Newspaper Advertisements of Motor Vehicle Dealers" (H. P. 685) (L. D. 922) reported Leave to Withdraw.

Mr. Dudley from the Committee on Highways reported same on Bill "An Act Repealing Restrictions on Advertising Signs Adjacent to Turnpike" (H. P. 808) (L. D. 1100)

Same gentleman from same Committee reported same on Bill "An Act Providing for an Interchange to the Maine Turnpike from the Town of Old Orchard Beach" (H. P. 911) (L. D. 1239)

Mr. Davis from the Committee on Judiciary reported same on Bill

"An Act Revising the Lien Law on Buildings" (H. P. 738) (L. D. 975)

Mr. D'Alfonso from the Committee on Public Utilities reported same on Bill "An Act relating to Notice of Hearing on Railroad Safety Matters" (H. P. 529) (L. D. 703)

Reports were read and accepted and sent up for concurrence.

### **Covered by Other Legislation**

Mr. Bishop from the Committee on Appropriations and Financial Affairs reported Leave to Withdraw on Resolve Providing Funds for a Pilot Research Project to Study Means of Increasing Lobster Supply (H. P. 266) (L. D. 348), as covered by other legislation.

Mr. Levesque from the Committee on Education reported same on Bill "An Act Transferring Education of Indians to the Department of Education" (H. P. 770) (L. D. 1014), as covered by other legislation.

Reports were read and accepted and sent up for concurrence.

### **Ought Not to Pass**

Mr. Lane from the Committee on Agriculture reported "Ought not to pass" on Bill "An Act relating to Elevators Used on Farms" (H. P. 508) (L. D. 661)

Report was read and accepted and sent up for concurrence.

### **Covered by Other Legislation**

Mr. Evans from the Committee on Agriculture reported "Ought not to pass" on Bill "An Act Regulating Use of Pesticides on and Adjacent to Sebago Lake" (H. P. 438) (L. D. 593), as covered by other legislation.

Mr. Nadeau from the Committee on Highways reported same on Bill "An Act relating to Reimbursement to Towns for Highway Winter Maintenance" (H. P. 694) (L. D. 932), as covered by other legislation.

Reports were read and accepted and sent up for concurrence.

### **Tabled and Assigned**

Mr. Ross from the Committee on Highways reported "Ought not to pass" on Bill "An Act Increasing Reimbursement to Towns for

Snow Removal" (H. P. 332) (L. D. 435), as covered by other legislation.

Report was read.

(On motion of Mr. Hunter of Clinton, tabled pending acceptance of the Committee Report and specially assigned for Friday, March 12.)

#### **Tabled and Assigned**

Mr. Stoutamyer from the Committee on Highways reported "Ought not to pass" on Bill "An Act relating to Snow Removal in Towns Exceeding Three Thousand Inhabitants" (H. P. 410) (L. D. 522), as covered by other legislation.

Report was read.

The SPEAKER: The Chair recognizes the gentleman from Frankfort, Mr. Mitchell.

Mr. MITCHELL: Mr. Speaker, I move that we substitute the bill for the report.

The gentleman from Frankfort, Mr. Mitchell, now moves that we substitute the bill for the report. The gentleman may proceed.

Mr. MITCHELL: Mr. Speaker, this bill as it is now drawn up has quite a price tag on it. I have talked to some of the members of the Committee and we feel as though now it can be amended to remove the price tag and still accomplish what we were trying to do in the first place. I would like somebody to table this to give us time to have it amended and straighten it out.

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

Mr. ROSS: Mr. Speaker, we had five of these so-called snow removal bills before our committee. We had unanimous "Ought not to pass" Reports on all five of them, and we came up with a bill in a new draft which we feel takes care of the situation.

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

Thereupon, on motion of Mr. Stoutamyer, the Report and Bill were tabled pending the motion of Mr. Mitchell of Frankfort, and specially assigned for Friday, March 12.

Mr. Waltz from the Committee on Highways reported "Ought not to pass" on Bill "An Act relating to Maintenance and Snow Removal of Certain State Highways" (H. P. 212) (L. D. 280), as covered by other legislation.

Report was read and accepted and sent up for concurrence.

#### **Tabled and Assigned**

Mr. Hammond from the Committee on Towns and Counties reported "Ought not to pass" on Bill "An Act relating to Appointment and Duties of Fire Department Officers as Forest Fire Wardens" (H. P. 105) (L. D. 113), as covered by other legislation.

Report was read.

(On motion of Mr. Hunter of Durham, tabled pending acceptance of Committee Report and specially assigned for Wednesday, March 10.)

#### **Referred to Committee on Judiciary**

Mrs. Lincoln from the Committee on Claims on Resolve in favor of Seth A. Whitcomb of Readfield for Injuries Sustained While State Employee (H. P. 458) (L. D. 612) reported that it be referred to the Committee on Judiciary.

Report was read and accepted, the Resolve referred to the Committee on Judiciary and sent up for concurrence.

#### **Referred to Committee on Transportation**

Mr. D'Alfonso from the Committee on Public Utilities on Bill "An Act relating to Penalty for Weight Violations of Trucks" (H. P. 158) (L. D. 181) reported that it be referred to the Committee on Transportation.

Report was read and accepted, the Bill referred to the Committee on Transportation and sent up for concurrence.

#### **Referred to Committee on Highways**

Mr. Hammond from the Committee on Towns and Counties on Bill "An Act relating to Notice to Utilities in Discontinuing Town and County Roads" (H. P. 783) (L. D. 1036) reported that it be re-

ferred to the Committee on Highways.

Report was read and accepted, the Bill referred to the Committee on Highways and sent up for concurrence.

The SPEAKER: At this time the Chair would like to recognize the presence in the rear of the House of the Honorable Representative George Stafford of Laconia, New Hampshire, Chairman of the Joint Standing Committee on Public Works of the New Hampshire Legislature, and also Representatives: Maurice Downing of Newport, N. H.; George McGee of Lincoln, N. H.; William Keefe of Portsmouth, N. H.; Cecil Dame of Portsmouth, N. H.; and Emile Soucey of Manchester, N. H.

These Representatives are with us today for the purpose of discussing with our Joint Standing Committee on Highways and the Maine State Highway Commission, the proposed high-level bridge between Maine and New Hampshire. They will be dinner guests of our Highway Committee, David H. Stevens, Chairman of the Maine State Highway Commission, Representative James Dudley, House Chairman and other members of the Highway Committee.

Will the Sergeant-at-Arms please escort the Representatives to the rostrum.

Whereupon, the distinguished guests were escorted to the rostrum by the Sergeant-at-Arms amid applause, the members rising.

The SPEAKER: Gentlemen of New Hampshire, it is a pleasure to have you with us. We know that in comparison with your House of Representatives, this must seem like a real small House. It is a pleasure to have you here and we hope that your visit will be an enjoyable one and also be a profitable one, and I imagine that it must seem just like you are back home now, because in my visits with other legislatures it seems that every routine seems to be somewhat the same. Gentlemen, we are glad to have you with us today. (Applause)

### Ought to Pass Printed Bills

Mr. Carroll from the Committee on Education reported "Ought to pass" on Bill "An Act Clarifying the Education of Penobscot and Passamaquoddy Indian Children" (H. P. 733) (L. D. 971)

Mrs. Hanson from same Committee reported same on Bill "An Act relating to Payment of Insurance Premiums of School Employees" (H. P. 730) (L. D. 968)

Mr. Peaslee from the Committee on Health and Institutional Services reported same on Bill "An Act relating to Licensing of Children's Homes and Defining Day Care Facilities" (H. P. 693) (L. D. 930)

Mr. Lent from the Committee on Highways reported same on Bill "An Act Providing for Area Directional Sign for Sebago and Long Lakes on Maine Turnpike" (H. P. 917) (L. D. 1240)

Mr. Davis from the Committee on Judiciary reported same on Bill "An Act Clarifying the Offense of Affray" (H. P. 703) (L. D. 941)

Mr. Levesque from the Committee on Labor reported same on Bill "An Act relating to Definition of Average Weekly Wages under Workmen's Compensation Law" (H. P. 232) (L. D. 301)

Same gentleman from same Committee reported same on Bill "An Act Regulating Manufacture and Sale of Stuffed Toys" (H. P. 590) (L. D. 782)

Mr. Boissonneau from the Committee on Legal Affairs reported same on Bill "An Act Establishing Representative Town Meetings in the Town of Fort Fairfield" (H. P. 423) (L. D. 567)

Mr. Conley from same Committee reported same on Bill "An Act Increasing Fees for Inspections and Inspection Certificates for Elevators" (H. P. 507) (L. D. 660)

Same gentleman from same Committee reported same on Bill "An Act relating to Definition of Elevator under Elevator Laws" (H. P. 509) (L. D. 662)

Mr. Hunter from same Committee reported same on Bill "An Act relating to Number and Boundaries of Wards in City of Calais" (H. P. 513) (L. D. 666)



Mr. Libhart from same Committee reported same on Bill "An Act relating to Procedure for Commitment to the State Hospitals" (H. P. 641) (L. D. 866)

Mrs. Harvey from the Committee on Natural Resources reported same on Bill "An Act relating to Classification of Dunstan River, in Town of Scarborough, Cumberland County" (H. P. 527) (L. D. 701)

Mr. Jewell from same Committee reported same on Bill "An Act to Classify Interstate Tributaries of the Androscoggin River Between New Hampshire and Maine" (H. P. 525) (L. D. 699)

Mr. D'Alfonso from the Committee on Public Utilities reported same on Bill "An Act to Extend the Charter of the R. and T. Cement Railroad Company" (H. P. 599) (L. D. 791)

Same gentleman from same Committee reported same on Bill "An Act Increasing the Compensation of the Trustees of the Portland Water District" (H. P. 679) (L. D. 906)

Mr. Doyle from same Committee reported same on Bill "An Act relating to Amount Paid by State or Railroad Corporation in Abolishment of Grade Crossings" (H. P. 844) (L. D. 1145)

Mr. Pendergast from same Committee reported same on Bill "An Act relating to Construction and Operation of Intrastate Natural Gas Pipelines" (H. P. 845) (L. D. 1146)

Reports were read and accepted, the Bills read twice and assigned the next legislative day.

#### Passed to Be Engrossed

Mr. Sawyer from the Committee on Public Utilities reported "Ought to pass" on Bill "An Act relating to Cumberland Water District and Portland Water District" (H. P. 429) (L. D. 568)

Report was read and the Bill read twice.

On motion of Mr. Richardson of Cumberland, the rules were suspended, the Bill given its third reading, passed to be engrossed and sent forthwith to the Senate.

Mr. Sawyer from the Committee on Public Utilities reported "Ought to pass" on Bill "An Act Authorizing Municipalities to Raise Money for Assistance to Water or Sewer Districts" (H. P. 757) (L. D. 994)

Same gentleman from same Committee reported same on Bill "An Act Creating a Sewer District in the Town of Corinna" (H. P. 766) (L. D. 1003)

Mr. Searles from same Committee reported same on Bill "An Act Creating a Sewer District in the Town of Medway" (H. P. 153) (L. D. 176)

Same gentleman from same Committee reported same on Bill "An Act Creating the Newport Water District" (H. P. 764) (L. D. 1001)

Same gentleman from same Committee reported same on Bill "An Act Creating a Sewer District in the Town of Newport" (H. P. 765) (L. D. 1002)

Mrs. Carswell from the Committee on Retirements and Pensions reported same on Bill "An Act relating to Retirement of Employee Option by Local Districts under Maine State Retirement System" (H. P. 535) (L. D. 709)

Mr. Drouin from same Committee reported same on Resolve Providing a Pension for Paul Caron of Wallagrass Plantation (H. P. 537) (L. D. 711)

Mr. Gaudreau from same Committee reported same on Resolve Providing for a State Pension for Floyd Merrill of Bath (H. P. 371) (L. D. 473)

Mr. Glazier from same Committee reported same on Resolve Providing Pension for Mrs. Viola R. Townsend of Hudson (H. P. 370) (L. D. 472)

Same gentleman from same Committee reported same on Bill "An Act relating to Service Retirement of Members in Hazardous Employment in Department of Mental Health and Corrections" (H. P. 654) (L. D. 882)

Mr. Crommett from the Committee on Towns and Counties reported same on Bill "An Act relating to Payments to Androscog-

gin County Law Library" (H. P. 565) (L. D. 735)

Same gentleman from same Committee reported same on Bill "An Act relating to Meridian Lines and Standards of Length in Aroostook County" (H. P. 663) (L. D. 890)

Reports were read and accepted, the Bills read twice, Resolves read once, and assigned the next legislative day.

#### Tabled and Assigned

Mrs. Kilroy from the Committee on Towns and Counties reported "Ought to pass" on Bill "An Act relating to Certain Fees of Registers of Deeds" (H. P. 664) (L. D. 891)

Report was read.

(On motion of Mrs. Kilroy of Portland, tabled pending acceptance of the Report and specially assigned for Friday, March 12.)

Mr. Lewis from the Committee on Welfare reported "Ought to pass" on Bill "An Act relating to Remedy for Paupers' Refusal to be Removed" (H. P. 902) (L. D. 1212)

Report was read and accepted, the Bill read twice and assigned the next legislative day.

#### Ought to Pass with Committee Amendment

Mrs. Baker from the Committee on Legal Affairs on Bill "An Act to Clarify Law Relating to Junked Automobiles" (H. P. 512) (L. D. 665) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT  
"A" to H. P. 512, L. D. 665, Bill, "An Act to Clarify Law Relating to Junked Automobiles."

Amend said Bill, in the 2nd line from the end, by inserting after the underlined word "vehicles" the underlined punctuation and words 'or parts thereof,'

Committee Amendment "A" was adopted and the Bill assigned for third reading the next legislative day.

Mr. Cote from the Committee on Legal Affairs on Resolve Designating May Mountain in Island Falls as Robinson Mountain (H. P. 954) (L. D. 1290) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve read once.

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

COMMITTEE AMENDMENT  
"A" to H. P. 954, L. D. 1290, Resolve, Designating May Mountain in Island Falls as Robinson Mountain.

Amend said Resolve by inserting after the Title the following:

'Emergency preamble. Whereas, Acts and resolves do not become effective until 90 days after adjournment unless enacted or passed as emergencies; and

Whereas, the date of President Lincoln's death was April 14, 1865; and

Whereas, to honor and perpetuate the memory of George F. Robinson is vital to Maine's tradition to honor its heroes of all Wars; and

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

Further amend said Resolve by adding at the end thereof the following:

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

Committee Amendment "A" was adopted and the Resolve assigned for second reading the next legislative day.

Mr. D'Alfonso from the Committee on Public Utilities on Bill "An Act Changing the Designation of Clerk of the Public Utilities Commission to Secretary of the

Commission" (H. P. 713) (L. D. 951) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 713, L. D. 951, Bill, "An Act Changing the Designation of Clerk of the Public Utilities Commission to Secretary of the Commission."

Amend said Bill by inserting after the enacting clause the following:

"Sec. 1, R. S., T. 5, Sec. 711, sub-sec. 3, amended. Sub-section 3 of section 711 of Title 5 of the Revised Statutes is amended to read as follows:

**"3. Appointed by Governor; certain official clerks. Heads of departments and members of boards and commissions required by law to be appointed by the Governor with the advice and consent of the Council, bureau directors, and the official clerk of the Public Utilities Commission and of the State Liquor Commission, and the secretary of the Public Utilities Commission."**

Further amend said Bill by renumbering sections 1 to 6 to sections 2 to 7, respectively.

Committee Amendment "A" was adopted and the Bill assigned for third reading the next legislative day.

Mr. Pendergast from the Committee on Public Utilities on Bill "An Act Increasing Indebtedness of Jay Village Water District" (H. P. 611) (L. D. 803) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 611, L. D. 803, Bill, "An Act Increasing Indebtedness of Jay Village Water District."

Amend said Bill by striking out all of the 6th line and inserting in place thereof the following:

**"time, not exceeding \$100,000 \$125,000, outstanding at any one time, and to issue therefor the'**

Committee Amendment "A" was adopted and the Bill assigned for third reading the next legislative day.

Mr. Searles from the Committee on Public Utilities on Bill "An Act relating to Extension of Old Town Water District" (H. P. 425) (L. D. 557) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 425, L. D. 557, Bill, "An Act Relating to Extension of Old Town Water District."

Amend said bill by striking out all of the last two clauses of Section 1 commencing with the words "thence northerly on the easterly line of lots 47, 38 and 35 . . ." and ending with the words "to the point of beginning." and inserting in place thereof the following: thence northerly on the easterly line of lots 47, 38 and 35 as shown on said map to the southerly line of the Bennoch Road; thence northwesterly on the southerly line of the Bennoch Road to the south line of Old Town; thence westerly on the line between Old Town and Orono to the point of beginning."

Committee Amendment "A" was adopted and the Bill assigned for third reading the next legislative day.

### Divided Report

Majority Report of the Committee on Judiciary reporting "Ought to pass" on Resolve Discharging Town of Brooks from Part of the Indebtedness to State for Preparation of Agreement for Dissolution of School Administrative District No. 3" (H. P. 419) (L. D. 531)

Report was signed by the following members:

Mr. GLASS of Waldo  
— of the Senate.  
Messrs. DANTON  
of Old Orchard Beach  
GILLAN  
of South Portland  
BRENNAN of Portland

DAVIS of Calais  
BERMAN of Houlton  
— of the House.

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

Report was signed by the following members:

Messrs. VIOLETTE of Aroostook  
STERN of Penobscot  
— of the Senate.

Reports were read.

On motion of Mr. Richardson of Cumberland, recommitted to the Committee on Judiciary and sent up for concurrence.

## Divided Report

Majority Report of the Committee on Legal Affairs on Bill "An Act Providing for Election of School Board of City of Old Town" (H. P. 506) (L. D. 659) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. JACQUES

Mrs. SHIRO SPROUL of Androscoggin  
of Kennebec  
of Lincoln  
— of the Senate.

Mr. BOISSONNEAU of Westbrook  
Mrs. WHEELER of Portland  
Messrs. CONLEY of Portland  
COTE of Lewiston  
— of the House.

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

Report was signed by the following members:

Mrs. BAKER of Orrington  
Messrs. LIBHART of Brewer  
HUNTER of Clinton  
— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentlewoman from Orrington, Mrs. Baker.

Mrs. BAKER: Mr. Speaker, I move the acceptance of the Minority Report and wish to speak to the motion.

The SPEAKER: The question before the House now is to accept the Minority "Ought not to pass" Report, and the gentleman may proceed.

Mrs. BAKER: Mr. Speaker and Members of the House: This is a bill which would amend the charter of the City of Old Town. It would change the method of election of the school board. They are now appointed by the Council, one each year for a term of five years. This would change it to election at large. I would have no objections to this bill if there had been any obvious support for it by the citizens of Old Town. The only support for the bill, as it was heard in committee, was from the sponsor of the bill. There was opposition to the bill on the basis that it had not been aired properly in Old Town, that the citizens there were not aware that there was such a bill. The proponent failed to show any dissatisfaction with the schools or with the school department in general; and for that reason it seems to me ridiculous to put the City of Old Town to the expense of having a referendum, as recommended in the amendment by the committee — by the majority report of the committee. I think that this bill ought not to pass.

The SPEAKER: The Chair recognizes the gentleman from Old Town, Mr. Binnette.

Mr. BINNETTE: Mr. Speaker and Members of the House: In response to the gentlewoman from Orrington, I was the sponsor of that bill; and I presented that bill at the request of many citizens who could not be able to come down here due to the fact that they were working in factories and that that would cause them considerable loss of time. The only thing that we would like to have is the right of the people to elect their members of the school board because, from what they have found out, there are very few communities in the state who appoint their school boards; and they would like to have that corrected, and if the people so desire I would appreciate it a great deal if you would accept the Majority "Ought to pass" Report.

Mr. Hunter of Clinton requested a division.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: There has been called to the attention of the House — I think this is worthy of mention — this bill has a referendum on it. This only says that the people in Old Town will have a chance to make a choice, whether they want to elect their school board or have some certain few people appoint the school board. I know in our town we elect the school board and we are quite satisfied with it that way.

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentlewoman from Orrington, Mrs. Baker, that we accept the Minority "Ought not to pass" Report and a division has been requested. All those in favor of accepting the Minority "Ought not to pass" Report will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Twenty-four having voted in the affirmative and ninety-seven having voted in the negative, the motion did not prevail.

Thereupon, the Majority "Ought to pass" Report was accepted and the Bill read twice.

Committee Amendment "A" was read by the Clerk as follows: COMMITTEE AMENDMENT "A" to H. P. 506, L. D. 659, Bill, "An Act Providing for Election of School Board of City of Old Town."

Amend said Bill by adding at the end thereof the following:

**Referendum; effective date.** This Act shall take effect 90 days after adjournment of the Legislature, only for the purpose of permitting its submission to the legal voters of the City of Old Town at the next regular city election or at a special election to be called and held for the purpose. Such special election shall be called, advertised and conducted according to the law relating to municipal elections; provided that the board of registration in said City of Old Town shall not be required to prepare, nor the city clerk to post, a new list of voters.

The City Clerk shall prepare the required ballots, on which he shall reduce the subject matter of this Act to the following question: "Shall the Act Providing for Election of School Board of City of Old Town, passed by the 102nd Legislature, be accepted?" The voters shall indicate by a cross or check mark placed against the words "Yes" or "No" their opinion of the same.

This Act shall take effect for all the purposes hereof immediately upon its acceptance by a majority vote of the legal voters voting at said election; provided that the total number of votes cast for and against the acceptance of this Act at said election equaled or exceeded 20 per cent of the total vote for all candidates for Governor in said city at the next preceding gubernatorial election.

The result of such election shall be declared by the municipal officers of the City of Old Town and due certificate thereof shall be filed by the city clerk with the Secretary of State.

Committee Amendment "A" was adopted and the Bill assigned for third reading the next legislative day.

### Third Reader Tabled and Assigned

Bill "An Act Authorizing the Leasing by the State of Wing of Community General Hospital, Fort Fairfield, to the Hospital" (S. P. 163) (L. D. 493)

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

(On motion of Mr. Dudley of Enfield, tabled pending passage to be engrossed and specially assigned for Wednesday, March 10.)

### Passed to Be Engrossed

Bill "An Act relating to Hunting Turkey under Inland Fish and Game Laws" (S. P. 242) (L. D. 752)

Bill "An Act Establishing a State Board of Pesticides Control" (S. P. 420) (L. D. 1329)

Were reported by the Committee on Bills in the Third Reading, read the third time, passed to be

engrossed and sent to the Senate.

### **Third Reader Tabled and Assigned**

Bill "An Act to Appropriate Moneys for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1966 and June 30, 1967 (S. P. 442) (L. D. 1354)

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

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

Mr. BERRY: Mr. Speaker and Members of the House: With the indulgence of the Chair, if I can procrastinate until the Pages have distributed this amendment, I will be complying with the spirit of the rules of the House. An amendment is proposed which I offer under Filing H-95 which all members will have in a minute, which makes some wording changes in the preamble to the General Services Budget. Accordingly, Mr. Speaker, I offer House Amendment "A" and move its adoption.

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

HOUSE AMENDMENT "A" to S. P. 442, L. D. 1354, Bill, "An Act to Appropriate Moneys for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1966 and June 30, 1967."

Amend said Bill, by striking out the 3rd sentence of the 4th paragraph and inserting in place thereof the following sentence: 'Savings accruing within appropriations made, for permanent positions, may be used for other personal services when approved by the Department Head and the Governor and Council.'

(On motion of Mr. Anderson of Orono, the Bill was tabled pending the adoption of House Amendment "A" and specially assigned for Tuesday, March 9.)

### **Amended Bills**

Bill "An Act to Amend Charter of the Home for Aged Men" (S. P. 162) (L. D. 492)

Bill "An Act relating to Removal of Justices of the Peace and No-

taries Public" (S. P. 167) (L. D. 536)

Bill "An Act relating to Renewal of Operators' Licenses for Motor Vehicles" (S. P. 254) (L. D. 764)

Bill "An Act Authorizing Expenditure of Moneys by Oxford County for Economic and Recreational Development" (H. P. 176) (L. D. 197)

Bill "An Act relating to Payment of Tax Assessments for Flanders Bay Community School District" (H. P. 208) (L. D. 276)

Bill "An Act relating to Compensation of Aldermen of City of Lewiston" (H. P. 347) (L. D. 449)

Bill "An Act Increasing Compensation of Members of City Council of City of Portland" (H. P. 352) (L. D. 455)

Bill "An Act to Repeal the Act Creating the Paris Village Corporation" (H. P. 357) (L. D. 460)

Bill "An Act relating to Free Access to Waters Stocked with Fish Raised by State" (H. P. 735) (L. D. 1009)

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

### **Passed to Be Enacted Emergency Measure**

An Act to Establish a Keep Maine Scenic Program (H. P. 291) (L. D. 373)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 134 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

### **Emergency Measure**

An Act relating to Area Directional Sign for Acadia National Park (H. P. 481) (L. D. 634)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members

elected to the House being necessary, a division was had. 136 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

#### **Emergency Measure Tabled Until Later in the Day**

An Act to Promote the Production of Sugar Beets in the State and Reclassifying Certain Waters in Aroostook County (H. P. 928) (L. D. 1266)

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

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

Mr. SAHAGIAN: Mr. Speaker, if I am in order, I would like to pose two questions through the Chair to who may care to answer.

The SPEAKER: The gentleman is in order, he may proceed. This matter is debatable.

Mr. SPEAKER: Mr. Speaker, Members of the House: One, I would like to know how many pounds of sugar can be produced from a pound of beets? The second, do I understand that there are two conflicting reports from the University of Maine as to the killing a certain type of weed which is detrimental to beets?

Mr. SPEAKER: The gentleman from Belgrade, Mr. Sahagian, has posed two questions to any member of the House. If any member of the House so desires he may answer these two questions.

Apparently no member of the House desires to answer these two questions.

The Chair recognizes the gentleman from Wilton, Mr. Scott.

Mr. SCOTT: Mr. Speaker, Ladies and Gentlemen of the House: Wednesday when I rose to speak on this matter I felt somewhat alone. I think we are all familiar with the adage that "haste makes waste." Today I seem to feel that same way. I'd like to call to the attention of the members of the House the editorial in the Portland Evening Express last evening. I would like to bring out certain

parts of this editorial without boring you too long.

"We staunchly believe in industrial development. It is essential to the state's economy. We rejoiced in the news that Maine was to have an experimental crop of sugar beets and that a refinery was to be built here. When initial plans disintegrated we shared in the general gratification that attended news that Fred H. Vahlsing, Jr. would bring a refinery to Easton. We continue to hope that all the planning and promoting and research that has gone into the sugar beet project in Maine will not be in vain.

"But we have also spoken out many times for an effort to rid Maine streams of pollution. We have urged industry and municipalities to bestir themselves for the greater good of the state and in recent years, it has been gratifying to see precisely that happening.

"Many firms, notably those in the pulp and paper processing, have undertaken major projects to control the discharge of waste matter into the rivers. Here in our own area the S. D. Warren Co. has spent thousands of dollars in a conscientious attempt to reduce the nuisance of the polluted Presumpscot. As a result of such laudable efforts, and more that are to come, industry has gained favor with the public.

"We believe Prestile Stream should not be downgraded, . . ." because ". . . the whole cause of antipollution will be retarded and weakened if this exception is granted."

The SPEAKER: The Chair recognizes the gentleman from Presque Isle, Mr. Bishop.

Mr. BISHOP: Mr. Speaker, Ladies and Gentlemen of the House: I am not going to be brief because there are many questions to be answered. In the first place, we must divorce ourselves from the idea that pollution abatement and industry are incompatible and are opposing concepts. The whole history of pollution abatement in this state has been tied to industry. It has been designed to accommodate industry and industry has gone along with it and has

helped to evolve it. Any concept of pollution abatement that denies industry isn't good for the State of Maine. Now take for example the S. D. Warren Company. I understand that they have been granted extra time to comply. They have an existing industry. We in Aroostook are trying to create an industry. We are only asking for time.

There are many D streams in the State of Maine. When these classifications were made they were made rather arbitrarily. If a stream met B classification, it was classified B. If it was D, they classified it D. Then steps were taken gradually to try to improve it. Now the Prestile Stream is now B. This isn't ordained from on high. It is an arbitrary classification and it can be changed to accommodate industry. It must be changed.

Now this is a bi-partisan measure. Our Governor endorsed it. Our Senator Muskie endorsed it. You have seen the papers this morning indicating their position, their respective positions. This sugar beet refinery is to be combined with an existing potato processing plant. This plant is completing a nearly half million dollar treatment plant. The waste from the sugar refinery will go through this same half million dollar plant, which includes lagoons, aerators, chemical treatment and other processes that I am not familiar with. The reclassification is requested because no one can guarantee that they can maintain a B classification. This request is not made at the request of Mr. Vahlsing, this is a requirement of the ARA financing agents.

There isn't time for us to sell the ARA on a moratorium. Action must be taken today, or Monday the Secretary of Agriculture acts to take away Maine's 33,000 acre beet allotment. Now every industry in this State lives with a two year moratorium. Every two years the Legislature convenes. That is the protection of the people and it is the protection of industry. There is no necessity for putting in a moratorium, five years, six years, two years or

any other. The Constitution provides that the Legislature will convene. They can raise this to A if they want to two years from now. Of course, we would hope they wouldn't do that, but this industry must be given time to find out what the problems of beet waste are and what steps to take to correct them.

Now I am advised that just recently within the last day or two, three representatives of the staff of DED have left for California to find industry to bring to Maine. Here in Aroostook County our people have evolved and discovered and tried to bring into being a potential hundred million dollar industry, and as far as I know without any help from DED. Now are we going to continue to spend money — which I think we should, are we going to continue to spend nearly a million dollars a year on DED to bring in industry and throw out a hundred million dollar industry that the people have brought about through their own efforts? Now pollution control and industry, as I say, are not incompatible. We have got to have both, but we will never get anywhere by denying the efforts of the people to create industry and better our state, and I ask that you vote for this measure.

The SPEAKER: The Chair recognizes the gentleman from Skowhegan, Mr. Poulin.

Mr. POULIN: Mr. Speaker, Members of the House: I tried to explain the other day about classification of waters. In Skowhegan we are about half way up the middle of the Kennebec River. The waters above us are not classified. The waters below us are not classified until you get down to Waterville-Winslow. Therefore the classification is left up to a certain board, I believe the —, I can't think of it now. But I believe they can control that as well, if they want to. They have the powers to do it. Now we're going to spend two million dollars for a plant and up above us they are going to dump their junk in the river anyway, come right down through our clear waters. What are you going to do about that? And you are



worrying about ten miles of water?

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Lund.

Mr. LUND: Mr. Speaker and Ladies and Gentlemen of the House: This measure, which was introduced February 12, didn't come up for hearing until Tuesday of this week. It came onto the floor of this House Wednesday of this week and because of the speed with which it was handled many of us did not have the opportunity to inform ourselves as to the facts in this case. I have tried to do that in the meantime, and I would like to relate some of what I have learned since I opposed this measure Wednesday.

The water shed of the stream we're concerned with, the Prestile Stream, is only ten square miles at the point where the proposed plant would draw the water from. As a result the flow there is very small. If this plant were built it would in effect absorb, when it was operating, it would absorb all of the flow of the stream and the stream below the plant would consist completely of effluent from the plant. This is what makes pollution problem such a serious one, because there isn't sufficient other water to dilute the effluent as it leaves the plant. The stream flows through Easton, Westfield, Mars Hill and Robinson down stream. According to Mr. MacDonald of the Water Improvement Commission the stream is now very nearly a class D at Easton. The present pollution load on this stream is equivalent to a city of twenty thousand people.

Mr. Vahlsing plans to double the size of his potato plant, that is the existing plant. But last year action was commenced to obtain a cease and desist order against this operation because of the way he was polluting the stream. As a result, the ARA withheld action on his financing for the increased plant until such time as Mr. Vahlsing could settle accounts with the Water Improvement Commission. Of course if this bill passes this

will resolve the problem and Mr. Vahlsing will no longer have any problem of pollution with his existing plant. The flow in the proposed plant would be so small he would have to reuse the water. Now so much for the effect on this particular stream. I think we shouldn't regard this just as one stream, but where does it fit in in the picture in Maine.

A great deal of time is spent, of course, in attracting new industry, but let's not forget the existing industry. On the Kennebec, Scott Paper alone has spent a half million dollars in reducing its pollution. The S. D. Warren Company on the Presumpscot in 1965 alone expects to spend a half million to reduce pollution. The International Paper Company plant at Jay which is being built will spend two or three million dollars on pollution control. On the Androscoggin River the Oxford Paper Company and Brown Company have spent some twenty-five million dollars to reduce pollution. On the Penobscot the Great Northern expects to spend between twenty and thirty million dollars on pollution control. They are trying very hard to reduce this expenditure, but they are sure that they are going to have to put at least six or seven million dollars into pollution control. So much for the industrial plants. How about our communities?

It was mentioned here on the Floor that Augusta has put in a plant, and Winthrop; Mars Hill has put in a treatment plant at a cost of \$550,000. \$250,000 of that plus, came from the town and I am sure many of us know how difficult it is to raise this kind of money in our towns.

What effect is this going to have on future plans to treat pollution in Maine? The nearby town of Washburn had contracted for a survey preliminary to planning a pollution treatment plant for its facilities. As a result of what happened here the other day, I understand that they have cancelled their plans for treatment, for a survey. It seems to me that we would be remiss if we prostituted

ourselves for a new industry and left the towns that have spent money and the industries that have spent money, and the towns and industries that plan to spend money on pollution control, and declassified this stream; and for this reason I will again vote in opposition to the measure.

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

Mr. HEALY: Mr. Speaker and Ladies and Gentlemen of the House: I don't think it's effluents that we should be concerned with here as much as affluents. In the State of Maine we have been crying for new industry to create new tax revenue to relieve the suffering taxpayers of the State of Maine. I have been sitting on the Appropriations Committee since I have been a member of this session of the Legislature, and I have heard them come up with requests for money of all kinds 'til I have got a blown up dollar sign in front of me at all times. This has been aided and abetted by rivers of tears and we should do something in this state to produce industry that would create revenue to pay the bill. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Caribou, Mr. Norton.

Mr. NORTON: Mr. Speaker, Ladies and Gentlemen of the House: The gentleman from Belgrade, Mr. Sahagian, posed a question which I am only partially able to answer. On 33,000 acres of beets grown, it is estimated they would have an annual production of 50,000 tons of sugar. I would also like to remind the members of this Legislature that the financial arrangements for a beet sugar plant was passed and approved by the — was passed by the 101st Legislature, the Constitutional Amendment voted on by the people. So the money is available when necessary. They authorized at that time up to an eight million dollar bond issue.

At that time we were discussing a beet sugar mill estimating \$17,500,000. Now the Northern Sugar Mill Company or Mr. Vahl-

plant they can estimate only approximately less than 60 percent of the original investment to complete a plant. The MIBA already do have — are in this Easton plant of Mr. Vahlings.

A few points I'd like to bring out are that of the fifty-nine sugar, beet sugar plants in the United States, two are east of the Mississippi. The nearest one, the State of Ohio, nearly 900 miles away.

The projected minimum production would supply 18.8% of the needs of New England. Therefore, we have a ready market in our area. Quoting sugar in the hundred pound bags to industrial users, sugar is higher in New England by from 18 to 68 cents per hundred weight than other major markets in the United States. It is also estimated they would have a twenty million ton beet pulp and there is a ready market for beet pulp; estimating a minimum of 33,000 acres of beets, the state sales tax on building and machinery and other allied items would be considerable.

I would like to quote from a presentation made to the Industrial and Recreational Development Legislative Committee two years ago. I quote, this is taken from the Lockwood-Green Feasibility Study, reminding you once again all our projections are based on minimum levels of production and substantial discounts in price. I quote from their conclusions. "The annual benefits which will accrue to the State of Maine would approach \$6,803,000. These benefits include \$1,710,000 additional net income to growers and \$1,169,000 in wages and benefits to employees. The transportation industry of New England will benefit by \$1,506,000 and New England sugar consumers will save \$745,000."

There are a considerable amount of figures available but it's too long to present them here. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Katz.

Mr. KATZ: Mr. Speaker, Ladies and Gentlemen: No matter which way we vote today, I would like to say that I feel that the people

of this State are not getting a fair shake. This is a deliberative body, the best system we have ever devised, and if we vote today, and of course we have to, we are not going to take advantage of the tremendous deliberative safeguards that are built into this body. This thing has been rushed and rushed and rushed, and I feel that my constituents are being victimized today by an arrogance that is emanating from Washington. If all of you feel perfectly calm in your own minds that you have all the facts and all the figures that you need, you are unique from me. I don't think so. But the Federal Government which has infinite patience in foreign affairs is being infinitely arrogant in the State of Maine here today.

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

Mr. COTTRELL: Mr. Speaker, I am going to be brief, but I do want to bring to this body the great sense of urgency which hangs over our heads. We vote today for this bill as it is or by next Friday Minnesota will have this last sugar allotment acreage to be given by the Department of Agriculture.

Our distinguished Representative from Augusta has made the remark that the Federal Government has been acting with great arrogance, that the people of Maine have not had an opportunity to consider these things. We must remind ourselves again that the 101st Legislature in its special session a year ago passed an emergency bill to create this business and industry. It's not the people of Maine, or it's not the agricultural department that has been dillydallying, it has been the Great Western Sugar Company. The Secretary of Agriculture is growing impatient. He has prodding him, the great Senator from Minnesota, Eugene McCarthy; he has the great Vice President, ex-senator Hubert Humphrey, that are just hoping we will turn this bill down today. Technically, the ARA which is loaning four million dollars, cannot loan it with any restrictive conditions.

It has been pointed out that our State has been working against the pollution of our streams. There is not one of us who is not wholeheartedly in favor of this. But if you put an amendment on, for instance, that this stream be totally cleaned up in five years after production starts the ARA cannot possibly loan this money. Their loan extends for fifteen years, and if there is a limitation like that for five years, they must turn this loan down. The ARA must make its recommendation to the Secretary of Agriculture, who is bothered, who has been pressed, who has been holding off on this through the efforts of our senators, and if the ARA must — the ARA must make its recommendation to the Secretary of Agriculture by Tuesday night. Now, we vote against this bill as is, you have forever eliminated the opportunity of having a sugar beet industry in the State of Maine. And that is just as simple as it is.

There comes a time in life when you have got to act, and you have got to take the matter in hand and decide, and this is certainly Maine's day of decision. Thank you.

The SPEAKER: The Chair recognizes the gentleman from York, Mr. Erwin.

Mr. ERWIN: Mr. Speaker, Members of the House: The eloquence of the gentleman from Portland, Mr. Cottrell, stands him in good stead, and I admire him greatly, but let me point out just briefly what the urgency to which he addressed himself is doing to us. Let me also point out in passing that the State of Maine's patience has been long and abundant for more than a generation, and for more than a generation the State of Maine has been waiting patiently for Passamaquoddy which doesn't seem to flow in any two way street we can discern in Washington. We are pushed and pressed to this particular endeavor and there remains something that hasn't been spoken of and perhaps it takes an attorney to bring it out. It is a very narrow thing. It's the Fourteenth Amendment to the Constitution of the United States

which provides for equal protection under the law.

You are about to vote upon something which I at least consider to be class legislation. This is forbidden under the general constitutional interpretation which states that all groups, classes, and individuals must be treated equally. Legislatures may set up rules and restrictions for a particular class, but if they do, all within the class must be treated equally.

What is this legislation going to accomplish? Two things. It encourages the development of an industry, and I really don't think there is anybody in this room who doesn't want to see more industry come in the State of Maine. But it does something else, it tries to help it by permitting the pollution of a stream. This bill in essence is a pollution bill. It enables the downgrading of a river, not by a paper mill, which would provide jobs; not by a potato processing plant which would provide jobs; but only by a sugar beet mill. In law, constitutionally, the class we are dealing with here is industries that pollute, not just sugar beet mills. It is unconstitutional to discriminate within this class by saying that it's all right for a sugar beet mill to pollute, if it ever gets built, but it's not all right for a paper mill, a starch factory, a tannery, or a shoe factory.

In law, constitutionally, there must be a reasonable, rational relationship between the restrictions you impose and the public purpose you're trying to bring about.

If we are trying to encourage industry to come here by letting them pollute a river, we cannot restrict it just to sugar beet mills. In the same way, if we are going to maintain the standards of our streams, we cannot constitutionally allow sugar beet mills to do what paper companies cannot do. As far as the standards of a river are concerned, their pollution is the same.

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

Mr. DRIGOTAS: Mr. Speaker, Members of the House: Because one editorial was read, I would like to read this one to the mem-

bers of the House. This one is written by Lal Lemieux, the Editor of the Sun, and I will try to read it quickly. I know he is an ardent sportsman, I know him personally. He is a fisherman and a hunter and this is what he writes in this morning's paper, Friday, March 5; he writes this: "Downgrading a Stream" is how he titles it and as he says: "Much as we favor the clean water program which Maine has been working on for two decades, we feel that Legislature is acting wisely in backtracking in an unusual and important case: That of the Prestile Stream in Easton."

I will take just only a short time here to weed out what he says. The last part of it: "The downgrading need not prove a precedent to similar actions on other classified waters. The Prestile Stream is an exception. The Legislature has the power, and responsibility, to keep it that way."

I also haven't got last night's journal with me, but I know that the editor of the Lewiston Journal, Mr. Pendexter, shares the same views.

The SPEAKER: The Chair recognizes the gentleman from Fort Kent, Mr. Bourgoïn.

Mr. BOURGOÏN: Mr. Speaker, Members of the House: I want again to mention to you that there is not going to be any solids that goes along with that pollution. It is lowering the oxygen content of the stream.

The SPEAKER: The Chair recognizes the gentleman from Brewer, Mr. Libhart.

Mr. LIBHART: Mr. Speaker, Ladies and Gentlemen of the House: I cannot let go the reference to the constitutionality of this bill without comment. Some time ago in the Navy we eliminated our smoke screen makers on our destroyers in favor of more modern devices, and this is a smoke screen, and I would like to see it spoken about. My brother, Mr. Erwin from York, suggests that this bill is unconstitutional and referring to it, it may very well be that Section 3 of the bill is unconstitutional. I don't say that it is; I don't say that it isn't, but it may be, and it probably is. But

this should not affect our vote. Well established thing in our law that where there is severability, the Courts can sever. The only case that I can find in the State of Maine is the case by the name of Cain versus Savage in 126 Maine at page 121. It's dictum states the general rule that where a section of a statute can be severed without doing violence to the statute, the severability can be done and will be done in this state. I say it is dictum because in that case this ruling did not happen in Maine, it's the only case that I can find nearly in point.

But there are literally hundreds of cases in other jurisdictions and there are cases in the U. S. Reports, all of which state this rule as to severability. Now it is perfectly clear to me that section 3 of this act can be severed and once it is severed by the Court, if a Court test takes place, the rest of the bill can be saved and this is all we need. The effective date doesn't bother us if we enact this as an emergency measure. Please don't be fooled by this reference as to constitutionality.

Now there are two or three more things that have been said here. I don't think that there is anyone in this House that likes to hunt and fish better than I do. It is my avocation. And as far as I'm concerned this is an important thing, this business of classifying streams. Mr. Berry of Cape Elizabeth has in this House an act to classify the Penobscot, and I will vote with him when he does, and my City of Brewer will be greatly affected by that bill and it is going to cost us probably two million dollars as a result. There is a great deal of difference between the Penobscot and the Prestile. Mr. Lund of Augusta suggests that all of the available water will be used in this plant. This plant is situated at the headwaters of the Prestile and it may be that all of the available waters will be used. But as that stream flows, it becomes larger, and it will be joined with other waters and the effluent will be then mixed. And it's only a question of where. As far as I'm concerned personally as a fisherman, I don't care if you pollute

ten miles of a little stream in order to save this State an industry of this size.

To say that we are being inconsistent is not fair. Throughout the State of Maine streams are classified by different designations, and until all streams are classified B, then you are not discriminating by classifying this one D. That is another smoke screen.

The question comes down to this in my opinion. What do we in the State of Maine want to do in this situation? We may not like it, and I don't like it as Mr. Katz from Augusta doesn't like it, that we are forced to make decisions rapidly. I would like to have the time to analyze this whole situation and know all the facts, but I have been doing nothing else with my spare time since this bill came up but trying to find out the ins and outs of it. I have talked to people on both sides. I have been talking to my good friends about it who apparently have changed their minds from the other day. I have not changed my mind. I will not change my mind. We must make this decision today and we must make the right decision or this state will lose an industry that may very well mean in the future many, many millions of dollars and many, many millions of dollars in tax money for this state so that we can do all the things that we want to do here, make our education system better and all the other things we want to do. This is the simple question and if you eliminate the smoke, and you know what smoke does eventually, even in this House, it rises and it clears and then it becomes clear to us all what we must do. And you know it as well as I do, and regardless of what your thinking may be as far as classification of streams and rivers goes, the fact remains that we must today approach this thing and vote for it, and then later on we will have the opportunity in later years to see that this stream as well as other streams will be classified in accordance with our liking.

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

Mrs. CARSWELL: Mr. Speaker, and Members of the House: I think we should be consistent in our action. Much has been said about the haste in which we are trying to put this bill through, but it seems to me when somebody was willing to give us something for nothing we didn't look at it with an evil eye. We passed it in about an hour. This was the stocks that former Governor Baxter gave us. So I think we should do away with this business about we are doing this in haste. This will take a lot longer and has taken a lot longer than getting something for nothing.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I am going to try to be brief and as brief as possible this morning, although I feel that this subject could be dwelt on for quite a period of time. I have heard from different members of this House here this morning that we are trying to pass class legislation, or be it unconstitutional legislation. In my service here in Augusta I have found out that if people cannot find something wrong or right with a bill they say it's unconstitutional. And for the better part of class legislation I think if this House or this body in their wisdom see that we should have class legislation, then we should call on all the pulp and paper industry, all the starch factories that are putting deadly residues in our streams and rivers, all the tanneries that are doing the same, and say to them or any other industry that is now in our state or is to come in our state, before you even start to produce anything that starting as of this coming Monday or Tuesday you will have to shut down your factory until all streams will become as designated by the Water Improvement Commission. Now those things are hardly possible. They are most improbable and impractical because of the nature of the industry. These industries have been here for hundreds of years in some cases. Only in the last few years have we asked some

of these industries to please consider the possibility of eliminating some of the pollution. Some companies have taken the steps in the right direction. Other companies have done absolutely nothing to this day but to postpone and to delay.

My feeling on this industry, if it is going to be an industry, and I have all the belief in the world that it will be an industry in our state, which we very much need in order to increase ourselves and our own people, but yet I find the same people here this morning that say well, a hundred years ago it could not be done, twenty-five years ago it could not be done, but now, because one industry wants to come in and wants to ask for an exception for a few years, the representatives of the people are saying — we can't do that because you are going to pollute part of our waters. But, by the same token anywheres within an area of fifty miles around the area or any other designated place in the State of Maine they are polluting the waters. They will remain polluted until steps are taken, which we are trying to do, to eliminate some of this pollution.

These industries will do right by the State of Maine. They will do right by their people. Only haste, says somebody this morning, makes waste. Well, I think we have wasted a lot of time in years past, and nobody mentioned the fact that these companies are not soluble, they're not right. Of course they are soluble, they are employing people and they are making revenues for the people of the State of Maine. In due time necessary corrections will be made by most of the factories in our state and I have no doubt in my mind whatsoever that Vahlsing Corporation after they get this sugar beet industry into production will more than readily say to the people of the State of Maine — we will clean our waters that we are going to use in this sugar beet processing plant. So in good conscience this morning, I don't feel that a partisan tag should be put on this piece of legislation. This is strictly a non-partisan

matter before us this morning and I will sincerely hope that if your good conscience here before this body this morning that you will vote according to that conscience and help us to procure some safeguard for the future people of our State. Thank you.

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

Mr. RICHARDSON: Mr. Speaker, Ladies and Gentlemen of the House: I am going to address myself solely to the legal question involved. I have the greatest respect for the legal judgment of my friend, the gentleman from Brewer, Mr. Libhart. However, I must disagree with him. I think it is the basic—one of the basic principles of our law, that in order to be upheld the classification must be reasonable. It must reasonably apply to all of those similarly situated. And I submit to you the constitutional question raised by Brother Erwin of York is a very sound one.

Now, I could discuss the merits of this bill at great length. I am only bringing up this legal question because I feel that there is a basic problem involved in addition to the one that has been set out by the gentleman from York, Mr. Erwin. That is this—this Legislature can declassify or downgrade a stream in its wisdom, but that bill that we have before us now, 1266, does not do this. It leaves the judgment as to whether or not this is going to be declassified to the action of a man who has no connection with this Legislature. The bill says that when the sugar beet plant is built on, near or adjacent to Prestile Stream, the downgrading will take place. And if and when this takes place, this act on his part will make our act today legal.

I submit to you that this is very possibly, and I will not speak in absolutes, an unconstitutional delegation of the authority of this Legislature.

Now with the respect to the constitutional problems involved, they have been referred to by the gentleman from Brewer, Mr. Libhart, as a smoke screen. I think that when the farmers in Aroos-

took County and those other people who in reliance on our action today go out and make financial commitments, they should do so with some reasonable assurance that what they have done in response to our action is going to hold up. I think it would be a tragedy to lead the people of Aroostook County into a thicket, into a swamp, only to find that this act is challenged at some later date and may possibly be upset. Thank you.

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

Mr. TRUMAN: Mr. Speaker, Members of the House: In reply to the gentleman from Belgrade, Mr. Sahagian's, question as to finished product from beets. For every ton of raw beets there is fifteen percent finish sugar product; there is fifteen percent bulk beet product, there is one percent molasses. To his second question as to weed problems and acid soil problems, there are chemical means of solving this problem. Now would the gentleman care to reply, what was the nature of this question?

The SPEAKER: The gentleman from Biddeford, Mr. Truman, poses a question to the gentleman from Belgrade, Mr. Sahagian, who may answer if he so desires.

The Chair recognizes the gentleman from Belgrade, Mr. Sahagian.

Mr. SAHAGIAN: Mr. Speaker, in answer to my good friend and colleague from Biddeford, Mr. Truman, my reason for asking that question was whether it was feasible and profitable to go into refining sugar from beets, and that was my question and he answered it; and if those are true, I think it might work out well. Now as long as I am up I would like to make a comment.

I rose three times and I guess I was not recognized because others have risen before me.

The SPEAKER: The gentleman may proceed.

Mr. SAHAGIAN: Mr. Speaker, Members of the House: Today is the day and the time we as Legislators must ask ourselves if we

want to jeopardize the significant program made in pollution abatement by consenting to the degradation of Prestile Stream at Easton in Aroostook County.

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

Mr. EUSTIS: Mr. Speaker, Members of the House: I think you are fully aware of what my opinion is. I have tried to express it on Wednesday last. I stand simply to reiterate what I said then. My opinions have not changed.

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

Mr. RACKLIFF: Mr. Speaker, Members of the House: In order to clarify some misunderstandings that presently remain regarding the declassification of the Prestile Stream and its ramifications, I would like to present the following information to the Chairman and Members of the House.

The present potato processing waste is being treated by a system installed by the process plant in the summer of 1964. This system based on development work of the University of Maine, is operating although final touches will be completed this summer.

This system consists of the following: solids removal, settling basins, air flotation, aeration basin, three lagoons with aeration.

I have contacted the quality control laboratory at the Vahlsing, Inc. processing laboratory for data and received the following information regarding the effectiveness of the system. They informed me that tests were made on the 27th day of February by a chemist of the University of Maine and the Vahlsing organization showed that the stream was meeting the B-1 classification based on dissolved oxygen content requirements. This work was further substantiated on March 2nd when the head of the chemistry laboratory of the Foster D. Snell Co. came to Easton and ran tests for dissolved oxygen. Again, results showed that the stream was meeting the B-1 clas-

sification as required by the Water Improvement Commission. These results agreed closely with results obtained on the stream by the Quality Control Laboratory of Vahlsing, Inc. Therefore, based on three results the Prestile Stream immediately after the potato processing plant at Easton met the dissolved oxygen content for B-1 classification.

Let us now look at the situation once the sugar beet plant comes into operation.

I would like to refer you to a little item in the Kennebec Journal this morning. I think most of you saw it by the Krupp industries in Germany in an excerpt I will read, I hate to take up the time but—whereby it told the Governor there will be comparatively little waste discharge and no odors or solid residue. He said German farmers have corrected acid soil and found chemical means to control weeds, the two principal problems with beet growing in Maine. And you have also read in this morning's paper that Prestile Stream—flexibility necessary, says Muskie. Which says without the assurance of some flexibility on waste discharges during initial stages of plant operation, it is doubtful that the financial package would be approved within the time available to us. We have no control of time limit and it is imperative that we remove every unnecessary obstacle if we are to have any chance of retaining this valuable offer. Now we need time on this and I think everybody is aware of that. I have some other notes here that have been touched on so I am going to close my statement with this.

Now, Mr. Chairman and Members of this House, it is apparent that last minute efforts to kill this reclassification bill have been started. Their efforts are being directed by large interests in our state because they realize that a sugar beet plant in Maine may cause them to pay their workers a fair living through a higher wage. Their efforts have been directed against the reclassification



bill because they can hide behind this disguise and not expose themselves in a true crusade to keep the average worker at a low wage.

Ladies and gentlemen of this distinguished House, let us all realize that a vote against the sugar beet plant is a vote against the Maine working man, while a vote for the bill is your way of showing your faith in our people. Ladies and gentlemen of this House — there is no other choice, the decision is in your hands and you and your grandchildren will live by it.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mrs. Carswell.

Mrs. CARSWELL: Mr. Speaker and Members of the House: I think that we should keep in mind the past performance of this gentleman who will be operating this sugar beet plant. He also operates a potato processing plant and within two and a half years he provided pollution abatement equipment. Now, I think that he has pride in his past operations and we should show pride in his future operations. I do feel that we should go along and pass this bill. As I look back to the days that we were all campaigning, everybody was trying to take credit for getting the sugar beet allotment to Maine, and I think that we have a good opportunity to see this come true now and I don't think that we should do anything to prevent us from getting it. I talked to the Portland Chamber of Commerce this morning, there was a phone call for me when I arrived here, and I explained the past performance of this gentleman, and they seemed to agree that perhaps the situation is not as bad as some people would like to have it look. So I think that we should keep these things in mind and try to do something to develop industry in our state.

The SPEAKER: The Chair recognizes the gentleman from Brewer, Mr. Libhart.

Mr. LIBHART: Mr. Speaker, Members of the House: In answer to the gentleman from Cumberland, Mr. Richardson, His remarks as to constitutionality again

referred only to section three of L. D. 1266. In addition to the Maine case I cited him to, I cite him further to American Jurisprudence, Constitutional Law, Section 152 and those sections following which cite cases from every state in the United States including cases from the United States Supreme Court, all of which hold this rule that I told you about as to severability to be a viable one and it certainly, in my opinion, would be used in this State and if the people in Aroostook have any doubt as to investing in this corporation when the shares come out they can get a ruling on it.

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

Mr. COTTRELL: Mr. Speaker, Members of the House: I dislike to get up twice on the same question, but there is one important fact, I think, that escaped us and that is that Mr. Vahlsing in his budgeting, has already budgeted half a million dollars for cleaning up any pollution that he deposits. And I think that is very good for an infant industry. If we are going to impose a tax, you might say, an anti-pollution tax, and a big one, on every new industry that tries to get in here, we are certainly not putting our right foot forward. And just this—I would say it again and again, the bell is tolling at this hour and it's going to toll either the death or the life of a great new industry for the State of Maine.

The SPEAKER: The Chair recognizes the gentleman from South-west Harbor, Mr. Benson.

Mr. BENSON: Mr. Speaker, it seems to me that we are authorizing the downgrading of a stream on the simple stipulation that a sugar beet refinery be constructed on that stream. Now I must object to this for two reasons. There are no specific requirements spelled out in this bill defining a sugar beet plant or setting up any basic minimum requirements for the sugar beet plant itself. Number two, one week ago the Water Improvement Commission reported this stream, Prestile Stream, presently below a D classification. Now it seems to me to

be a bit naive to allow further pollution of an already polluted stream and worsening a condition that already exists.

The gentleman from Portland, Mr. Cottrell, has just said that there is already allotted one half million dollars for a treatment plant which is proposed to be built on this Prestile Stream, but there is nothing in this bill which spells this out. The effective date of this bill, and I shall read section 3, this act shall not become effective until the sugar beet refinery has been constructed on, near or adjacent to Prestile Stream, Aroostook County. Now with all due respect to Vahlsing, Incorporated, it seems to me that this bill is rather loosely drawn. It seems to me further, that if their intent is to construct a one-half million dollar pollution abatement plant, then that should be spelled out in this bill and should possibly be — we should possibly add to the end of this section 3, and I think in all fairness we can make the figure \$450,000 rather than to hold to the proposed \$500,000, we might add "and a waste treatment plant has been completed at a cost of not less than \$450,000." I think that the thing we are after is tightening up the restrictions here and making them reasonable. I think that we have done a great deal in the way of cleaning up our streams. Today we passed a bill L. D. 699 which raises to B-1 waters the number of streams in our state. We did not pass it, I beg your pardon, we gave it a second reading, and it is in this spirit that I think we should continue, and it is in this spirit that I—I do not propose an amendment, but I merely ask the proponents of this measure if they feel it to be reasonable that this stipulation be put into this act whereby we will have a minimum requirement for the operation of this proposed plant. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Presque Isle, Mr. Bishop.

Mr. BISHOP: Mr. Speaker, Members of the House: The sewage treatment plant to which I

referred and to which Mr. Cottrell referred, costing nearly a half million dollars, is already constructed or in the process of being completed in connection with Mr. Vahlsing's potato processing plant and it is proposed that the waste from the beet refinery will go through this existing treatment plant.

I wish to speak just briefly to the constitutional question which I hope you will not be misled by. If the downgrading of this stream is unconstitutional, then the whole program of stream classification, waters classification, is unconstitutional. The Attorney General has rendered his opinion that this is constitutional legislation. The only requirement that we should be concerned with, I think, is equality. Perfect equality would be to classify all waters equal whether A, B, C or D. You have determined in your wisdom by previous legislation that you want to make differences for a good reason. You are the general court of this state. We have come to you and said that an inequality exists because we want to develop this stream for industrial purposes and we ask you to change its classification. You have every right to do that. You determined that the stream should be classified in the first place and you have every right to determine that this should be changed for a good and sufficient purpose, we submit, that this is.

The SPEAKER: The Chair recognizes the gentleman from Palmer, Mr. Phillips.

Mr. PHILLIPS: Mr. Speaker, Members of the House: I think the question here is, to me, is something like this — is this 102nd Legislature weak or strong? If we are strong, have we the strength to downgrade this stream and still have the strength to fight and redouble our efforts on pollution of the waters of the State of Maine? I hope that those that have that strength will be on their feet in favor of this bill.

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

Mr. BERRY: Mr. Speaker and Members of the House: Allusion

has been made in the House to remarks printed in today's Bangor Daily News by the senator from Maine, Senator Muskie. I would read a little bit further than the gentleman from Easton, Mr. Rackliff did. I quote: "Sen. Edmund Muskie (D-Me.) does not favor a permanent reduction in the quality of the Prestile Stream but believes that flexibility on waste discharges during the initial stages of the sugar beet plant's operation is essential if the project is to get off the ground."

Donald Nicoll issued a statement relative to the Senator's attitude toward reclassification of Prestile Stream. "Senator Muskie in his conversations with Mr. Vahlsing and others has made it clear that he does not favor a permanent reduction in the quality of the Prestile Stream. At the same time he recognizes the difficulties created in the present case by the inflexibility of Maine's stream classification law. Mr. Vahlsing feels . . . that . . . "he needs, therefore, some temporary flexibility on the allowable waste discharges. He favors a plan which will permit the growth of an important industry for Maine and the maintenance of the high quality of the Prestile, to which, incidentally, Mr. Vahlsing has contributed. Senator Muskie believes that we can have industrial development and high quality water."

Reading a little bit further from the editorial referred to by the gentleman from Auburn, Mr. Drigotas, in today's Daily Sun:

"The law spells out that downgrading of the stream will be effective only after the plant is built. It also should specify a period of time, such as five years, during which the new firm would take care of its wastes."

I think the members of this House know my position on stream pollution. This is my third session when I have been a very ardent advocate against stream pollution. It was my privilege this session to sponsor two bills for the Governor looking toward upgrading sections of the Penobscot and the Androscoggin, and I am proud to do it, and I shall fight diligent-

ly for these two measures. However, we are faced here with the decision — shall a new industry come in Maine? And I think that even the new people here this year realize a compromise is an essential ingredient of politics. I am willing to compromise my principles today. I am willing to agree that we should downgrade the Prestile Stream and keep it there for five years. If we will do this by an amendment to the bill, which can be done today, I will strongly support the measure.

The SPEAKER: The Chair recognizes the gentleman from Mars Hill, Mr. Dickinson.

Mr. DICKINSON: Mr. Speaker and Members of the House: In our geographic location we cannot find any consolation in the assurance that other streams in the state will not be downgraded, particularly the statement of the gentleman from Brewer, Mr. Libhart, when he said: I don't care if they downgrade ten miles of water. We, in the Mars Hill area would subscribe to the idea as expressed by the gentleman from Cape Elizabeth, Mr. Berry. I think there is plenty of evidence that we have kept a tongue in cheek on this thing, so as not to block industry. However, I believe it is too easy to lose sight of the woods because of the trees, and the whole question in this instance is water pollution.

We have recognized the possibility of potential economic benefits to Aroostook and Maine if this sugar beet industry, which has been referred to by writers of some editorials as a fly in the sky, becomes a reality. We received the explanation that ARA will not consider applications for a construction of building and plans including sewage treatment facilities. I would certainly hope our State's Industrial Building Authority would not rule out plans including facilities for the treatment of the sewage. It has been further suggested that time is of the essence as justification for haste involving what seem like steamroller tactics. However, people in the Mars Hill area have been trying to live with this potential nightmare and not ob-

struct progress by crying, perhaps as a courtesy in line with suggestions of yours truly.

I was quite disturbed when I stepped into the corridor last Wednesday following comments made here, when a big executive from a city above Easton, who admittedly did not hear my comments, confronted me with sarcastic language with threatening implications. This seemed uncalled for and carrying the steamroller tactics a little too far. In any event, this incident jarred my tongue loose, and the more I think about it, the less I like such tactics. This has made it more difficult to be an accessory after the fact of special dispensation proceedings.

As previously pointed out, this little stream flows through the center of Mars Hill about a dozen miles below the proposed site of this beet refinery, where Mr. Vahlsing now operates a potato processing plant, and the thought of more potato waste overwhelms me. Mars Hill has plans in the works to improve a bathing area on the stream behind two grade schools. Obviously, such plans will have to be sidetracked. One of the nightmarish factors associated with potential pollution, which has interfered with the sleep of many in my district on more than one night, is the possibility of small children drinking water from this stream, which according to many writers, might become an open sewer.

You have been hearing mostly about Mars Hill, but we have other towns along this ten miles of stream. One is Westfield, and I hope that you read a letter from one in Westfield addressed to Mr. Bud Leavitt a few days ago. Nothing has been said about Westfield. Perhaps I had more personal concern after a very unpleasant personal experience a few years ago when I removed and buried a prize German shepherd dog who had sampled water from a polluted stream. Thank God it wasn't a child. In our position, I believe that I would be remiss if I didn't state the facts that exist in that particular community of Mars Hill. Thank you.

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

Mr. EDWARDS: Mr. Speaker, I would refer to the remarks of the gentleman from Cape Elizabeth, Mr. Berry, and point out that he added a certain section from the Bangor Daily News. I would like this brought to the attention of the House. It says: We do not have to go back to the old payrolls of pickere! cry, we can have both. It would be a tragedy to throw away that opportunity because we are unwilling to make temporary concessions in the interests of long-term gains. It seems to me this sums up our arguments here today.

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

Mr. KENNEDY: Mr. Speaker, Ladies and Gentlemen of the House: I will preface my remarks this morning as I did last Wednesday, that I am not speaking as the Minority Leader of the Republican Party, I am speaking as an individual and a citizen of the State of Maine.

I also stated last Wednesday that I was torn between two loyalties and I had concern for both industry in the State of Maine for which I have voted consecutively through my terms in this Legislature; have voted also for anti-pollution bills that have come before this body.

Since I spoke last Wednesday, many developments have injected themselves into the problem before us, and I today am still on the horns of a dilemma. However, I have approached the proponents to this bill and have suggested to them that if they would write some safeguards into this bill, if they would amend this bill to the effect that five years succeeding the operation of the sugar processing plant, I could now support it wholeheartedly. The arguments that they have given me, to me, do not seem sound. As the gentleman from Augusta has mentioned, all of a sudden this bill must get the rush, rush, rush treatment. This bill was introduced some time ago and certainly has had sufficient time for hearing and be

before us before this deadline. This hour before the train must leave the station; this hour when it shall have the green light or the red light. If these conditions could be met with safeguards written in as I said, I can support it wholeheartedly.

This is a speculative proposition. \$4,000,000 or approximately that sum of money will be guaranteed by the citizens of the State of Maine. I am concerned about this too. However, I will vote for it. I would remind the Republicans and the Democrats in this House that our Governor of the State of Maine wants this bill passed, and he wants it passed today, but when the vote is taken, unless an amendment can be presented to satisfy me that this stream will be cared for within five years after the operation of the sugar refinery, I will be forced to vote no. I am not pleading with any party member relative to this matter. This is my position and my position alone.

On motion of Mr. Levesque of Madawaska,

Recessed for five minutes.

#### After Recess

The House was called to order by the Speaker.

On motion of Mr. Levesque of Madawaska, "An Act to Promote the Production of Sugar Beets in the State and Reclassifying Certain Waters in Aroostook County", H. P. 928, L. D. 1266, tabled until later in today's session pending enactment.

#### Order Out of Order

Mr. Levesque of Madawaska presented the following Order out of order and moved its passage:

ORDERED, the Senate concurring, that a Joint Convention be held forthwith in the hall of the House for the purpose of having the Governor attend and address the Legislature. (H. P. 1026)

The Order received passage.

Thereupon, the Clerk was charged with and delivered the Order forthwith to the Senate proposing a Joint Convention of the two branches of the Legislature to be held forthwith.

The SPEAKER: Until the Senate comes to the House, we will proceed with the rest of today's Journal.

#### Finally Passed Emergency Measure

Resolve Permitting Owners of Maple Ridge Island to Construct Road Across Dismal Swamp (H. P. 521) (L. D. 694)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 128 voted in favor of same and none against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

#### Passed to Be Enacted

An Act Creating the Uniform Hazardous Substances Labeling Act (S. P. 77) (L. D. 297)

An Act Providing for Research of Commercial Fishery Resources by Department of Sea and Shore Fisheries (S. P. 99) (L. D. 266)

An Act relating to Organization of Cemetery Corporations (S. P. 183) (L. D. 548)

An Act relating to Corporate Names (S. P. 184) (L. D. 549)

An Act to Reconstitute School Administrative District No. 31 (S. P. 187) (L. D. 552)

An Act to Reconstitute School Administrative District No. 24 (S. P. 188) (L. D. 553)

An Act to Provide Protection for Physically Abused Children (S. P. 195) (L. D. 574)

An Act relating to Hospitalization for Mental Illness of Convicts in County Jails (H. P. 68) (L. D. 79)

An Act Providing for Adult Identification Cards under Liquor Law (H. P. 149) (L. D. 172)

An Act to Create the Brewer Sewerage District (H. P. 154) (L. D. 177)

An Act relating to Taking of Alewives in Tremont, Hancock County (H. P. 215) (L. D. 283)

An Act Increasing Number of Members of Superintending School Committee of Town of Fairfield (H. P. 234) (L. D. 303)

An Act relating to Trespass on Unimproved Land Devoted to Preservation of Wildlife (H. P. 238) (L. D. 307)

An Act Amending Charter of St. Mark's Home, Augusta (H. P. 267) (L. D. 349)

An Act relating to Marine Worm Licenses, Marine Worm Research and Establishment of the Marine Worm Fund (H. P. 288) (L. D. 370)

An Act relating to Amount of Property Held by Portland Public Library (H. P. 315) (L. D. 418)

An Act Increasing Salaries of Members of Council of City of Rockland (H. P. 359) (L. D. 462)

An Act Increasing Payments to Franklin County Law Library (H. P. 381) (L. D. 483)

An Act to Reconstitute School Administrative District No. 32 (H. P. 407) (L. D. 519)

An Act relating to Enforcement of Laws Relating to Taking Alewives in Town of Blue Hill (H. P. 413) (L. D. 525)

An Act Regulating Taking of Alewives in Narraguagus River (H. P. 414) (L. D. 526)

An Act Revising the Laws Relating to Credit Unions (H. P. 456) (L. D. 610)

An Act relating to Filing of Corporation Clerk's Acceptance and Resignation (H. P. 457) (L. D. 611)

An Act to Reconstitute School Administrative District No. 35 (H. P. 469) (L. D. 622)

An Act relating to Authority of Bureau of Social Welfare (H. P. 480) (L. D. 633)

An Act Providing for Access Roads to Public Industrial Development Areas (H. P. 485) (L. D. 638)

An Act relating to Relief of Paupers in Deorganized Places (H. P. 576) (L. D. 746)

An Act Permitting Berwick to Apply for Aid under the Bridge Act for Construction of Eddy Bridge (H. P. 1010) (L. D. 1304)

An Act relating to Imposition of Sentence to the County Jail by the Court (H. P. 1011) (L. D. 1305)

Resolve Providing for Pension for Mrs. Mary Belanger of Caribou (H. P. 92) (L. D. 101)

Resolve Authorizing Kermit O. Stadig to Bring Civil Action

Against State of Maine (H. P. 230) (L. D. 299)

Resolve Changing Name of Ames Cove, Knox County, to Flood's Cove (H. P. 240) (L. D. 309)

Resolve in favor of Town of Woolwich for Loss of Tax Revenues (H. P. 316) (L. D. 419)

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

### Enactor

#### Tabled and Assigned

Resolve Authorizing the Erection of a Marker Honoring the Memory of the Reverend Peter Powers of Deer Isle (H. P. 411) (L. D. 523)

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

On motion of Mr. Richardson of Stonington, the House voted to suspend the rules in order for reconsideration.

On further motion of the same gentleman, tabled pending reconsideration and specially assigned for Tuesday, March 9.

Resolve Authorizing State Highway Commission to Study Desirability of Bridge Across Saco River (H. P. 412) (L. D. 524)

Resolve Providing Pension for Emily Withee of Vassalboro (H. P. 536) (L. D. 710)

Resolve Granting World War I Bonus to Stanley D. Royles of Portland (H. P. 613) (L. D. 805)

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

### Orders of the Day

The SPEAKER: We will continue with today's House Calendar until the Senate arrives here, and if there is no objection, when the Senate does arrive, we will defer whatever action we are taking at that time, and continue after we have finished our joint convention.

The Chair laid before the House the first tabled and today assigned matter:

Bill "An Act relating to Sale of Publications of Department of Inland Fisheries and Game." (H. P. 216) (L. D. 284) (S. "A" S-11)

Tabled — February 23, by Mr. Anderson of Ellsworth.

Pending — Further consideration.

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

Mr. ANDERSON: Mr. Speaker, I now move that we recede and concur.

The SPEAKER: The gentleman from Ellsworth, Mr. Anderson, now moves that we recede and concur with the Senate.

The Chair recognizes the gentleman from Biddeford, Mr. Truman.

Mr. TRUMAN: Mr. Speaker, I move to table this until the next legislative day.

Mr. Anderson of Ellsworth requested a division.

The SPEAKER: A division has been requested. All those in favor of this matter being tabled until the next legislative day pending the motion of Mr. Anderson of Ellsworth to recede and concur will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Eighty-three having voted in the affirmative and forty-three having voted in the negative, the tabling motion did prevail.

The Chair laid before the House the second tabled and today assigned matter:

Bill "An Act relating to Application of Federal Social Security to Firemen." (H. P. 104) (L. D. 112)

Tabled—March 2, by Mr. Bussiere of Lewiston.

Pending—Passage to be Engrossed.

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

Mr. BUSSIÈRE: Mr. Speaker and Members of the House: I would like to table this bill in order to further investigate the person-

nel of the fire department in the City of Lewiston who—

The SPEAKER: The Chair would remind the gentleman that a tabling motion is not debatable.

The Chair recognizes the gentleman from Portland, Mrs. Kilroy.

Whereupon, on motion of that gentleman, the Bill was tabled pending passage to be engrossed and specially assigned for Friday, March 12.

The Chair laid before the House the third tabled and today assigned matter:

HOUSE REPORT—"Ought to pass" as Amended by Committee Amendment "A"—Committee on Inland Fisheries and Game on Bill "An Act relating to Hunting by Nonresident Aliens." (H. P. 699) (L. D. 937) (C. "A" H-65)

Tabled—February 26, by Mr. Harvey of Woolwich.

Pending—Acceptance.

On motion of Mr. Harvey of Woolwich, retabled pending acceptance of the Report and specially assigned for Wednesday, March 10.

The Chair laid before the House the fourth tabled and today assigned matter:

Bill "An Act relating to Employment of Minors under 16 Years of Age." (H. P. 342) (L. D. 445)

Tabled—March 3, by Mr. Levesque of Madawaska.

Pending—Motion of Mr. Benson of Southwest Harbor to insist. (In Senate, Engrossed in non-concurrence.)

The SPEAKER: Is it the pleasure of the House that we insist?

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

Mr. LEVESQUE: Mr. Speaker, I move that we recede and concur with the Senate.

Thereupon, on motion of Mr. Benson of Southwest Harbor, the Bill was tabled pending the motion of Mr. Levesque of Madawaska to recede and concur with the Senate

and specially assigned for Wednesday, March 10.

The Chair laid before the House the fifth tabled and today assigned matter:

HOUSE DIVIDED REPORT — Majority (7)—“Ought to pass” Minority (3)—“Ought not to pass” —Committee on Liquor Control on Bill “An Act relating to Malt Liquor Licenses.” (H. P. 710) (L. D. 948)

Tabled—March 3, by Mr. Cote of Lewiston.

Pending—Acceptance of either Report.

On motion of Mr. Cote of Lewiston, recommitted to the Committee on Liquor Control and sent up for concurrence.

The Chair laid before the House the sixth tabled and today assigned matter:

HOUSE DIVIDED REPORT — Report “A” (5)—“Ought to pass” —Report “B” (5)—“Ought not to pass”—Committee on Liquor Control on Bill “An Act Regulating Liquor Salesmen.” (H. P. 755) (L. D. 992)

Tabled—March 3, by Mr. Lund of Augusta.

Pending—Motion by Mr. Meisner of Dover-Foxcroft to accept Report “A,” “Ought to pass.”

On motion of Mr. Lund of Augusta, recommitted to the Committee on Liquor Control and sent up for concurrence.

At this point a message was received from the Senate, borne by Secretary Pert of that body, that the Senate concurred in the proposal for a Joint Convention to be held forthwith in the Hall of the House.

The Chair laid before the House the seventh tabled and today assigned matter:

Resolve, in Favor of Lloyd Magoon of Mattawamkeag. (H. P. 464) (L. D. 618)

Tabled — March 3, by Mr. Bragdon of Perham.

Pending — Further consideration. (In Senate, Engrossed as Amended by Senate Amendment “A.”) (S. “A” 27)

On motion of Mr. Brewer of Bath, retabled pending further consideration and specially assigned for Friday, March 12.

At this point, the Senate entered the Hall of the House of Representatives and a Joint Convention was formed.

### In Convention

The President of the Senate, the Honorable Carleton Day Reed, Jr. in the Chair.

The Convention was called to order by the Chairman.

On motion of Senator Harding of Aroostook, it was

ORDERED, that a Committee be appointed to wait upon the Honorable John H. Reed, Governor, informing him that the two branches of the Legislature are in Convention assembled ready to receive such communication as he may be pleased to make.

The Chairman appointed the following Committee:

Senators:

HARDING of Aroostook  
DUNN of Kennebec  
MAXWELL of Franklin

Representatives:

LEVESQUE of Madawaska  
JALBERT of Lewiston  
KILROY of Portland  
HUNTER of Durham  
DAVIS of Calais  
AVERY of Kittery  
ROSS of Brownville

Senator Harding, for the Committee, subsequently reported that the Committee had discharged the duties assigned to it, and the Governor was pleased to say that he would forthwith attend the Convention.

Whereupon, Governor John H. Reed, entered the Convention Hall amid applause, and addressed the Convention as follows:

GOVERNOR REED: Mr. President, Mr. Speaker and Members of the 102nd Legislature: I appreciate this opportunity to ad-



dress you in joint convention. I realize that it is probably a bit unusual this early in the session for a Governor to appear in reference to a specific bill. However, I want you to know that I attach tremendous significance to the legislation that you currently have under consideration.

First, let me say that I am as reluctant as any citizen of Maine to support any measure that would result in the reduction of the classification of any body of water in our state, and it is only under what I consider an extreme emergency situation that I lend my full support to the measure you are now considering.

I would like to say that past Maine Legislatures have seen fit, in the support to acquire a sugar beet allotment for our State, to provide substantial appropriations for experimental acreage to find out if it is economically feasible to produce sugar beets in our State. Subsequent results and surveys have proven that it is. Monies from the Legislature and monies from the contingent account by the Governor and Council have been provided.

I think we should bear in mind what I consider to be the most pertinent argument in favor of this legislation: the fact that in special session the Maine Legislature authorized the increasing of the loan limits of the Maine Industrial Building Authority from \$2,000,000 to \$8,000,000 for the express purpose of providing adequate financing for a sugar beet plant; and I would say to you that the Legislature, and indeed the people of Maine, were well aware that this was the reason and the prime reason for expanding this credit availability at that time, so that we would leave no stone unturned to secure for this State an industry that would bring in tremendous advantage. And what happened when this legislation and this question was submitted to Maine voters? The result was 164,000 in favor of the expansion, and only 69,000 in opposition, and I would submit that the people of Maine were likewise well aware of the implication in-

involved; that we had an opportunity, a rare chance indeed, to acquire for our State a vast new industry.

Everybody worked, this was a bi-partisan movement from the start. Senator Muskie has certainly been in the forefront of this action; Congressman MacIntire worked unceasingly for it. Members of both parties, delegations from Maine, from Aroostook County, and all over, travelled to Washington to appear before the United States Department of Agriculture encouraging and pleading them to allot for our state a sugar beet quota; and our chances at times were not too good of having this allotment assigned to the State of Maine, but thanks to the work on the part of everybody, we were successful finally in having the 33,000 acres assigned to our State.

Now we arrive at the time in which through succeeding ventures other possible developers of this sugar beet refinery have worked on plans; we had hoped of course for a long time that Great Western Sugar Beet Company would follow through on their plans to build a plant. However, for one reason or another, this did not come to pass. Another concern was contacted and nothing came of that particular venture. And finally we have a corporation, a new organization, that is prepared to invest the capital, the time and the energy to build this plant for our State. Plans have been developed and it has taken time. I don't feel that this is in any way a hasty action, that is why I give you the background of what the Legislature has done, the University of Maine has done, and the people of this State have done. But on the information that I have available to me from responsible officials in Washington, as well as State officials, officials of the University of Maine and of the corporation that is interested in constructing this plant, I am convinced, and I have respect for these individuals, that we have now reached the absolute deadline, and this is the information they have given to me, and I accept it at face value, that if we do not act at this time, we are forever slamming the door in

the face of this great potential that we may be able to acquire by action of this Legislature. And that is why I am certain that you are searching your consciences to make certain that you take no action that would deter or delay or close the door in the face of any great opportunity that we have to advance our State.

Indeed, we have appropriated hundreds of thousands of dollars and millions of dollars to bring new industry within the borders of the Pine Tree State, and we recognize that we must move forward to provide more jobs. The deadline is approaching. In Washington I understand that unless action is taken favorably that we will be in dire jeopardy of forever losing this allotment in Washington, that only through the auspices of Senator Muskie have we been able to hold this sugar beet allotment firm in Washington to give us an opportunity to act here in Maine; and that's why I say to you that this is in every way and every respect, a bipartisan effort to assure for Maine this great new industry, because other states definitely want this. They have put into print that why doesn't the department give it to Minnesota or to Colorado or to Arizona. I know, because I have talked to my fellow governors, and they covet this, believe me, a great deal, and that is why we must be very cognizant of the fact that if we do not act favorably, that we are going to close the door on this tremendous opportunity that now awaits us.

The financing, as I understand it, the proposal that is being prepared by the corporation that is proceeding with the plans now, will not receive favorable approval unless some modification in this stream classification is forthcoming. And I have heard it mentioned that possibly a limitation should be put on over a number of years. Well I am certain that it has been well brought out in debate here this morning that this Legislature in another special session or future Legislatures do not need any time limitation. They can change this classification from a D back to a B or even

an A if this is feasible, and I would look at this as a temporary move to assure us of this great potential from the sugar beet industry coming to our State, and that we would proceed to move on with action that would once again bring the rating of this stream back to where it currently is rated at or even beyond. This can be done, but certainly if we say no to the sugar beet industry, I doubt very much if we are going to have a chance in our lifetime to see this industry come to our State. So I say, do not jeopardize the chances of this great new potential. (Applause)

Yesterday, I had a very interesting session with two engineers from Krupp International, headquartered in Germany, who have been dealing in manufacturing sugar beet equipment for many, many years, and I talked with an engineer who during his seven years with the Krupp people had been responsible for constructing thirteen new plants, and reconstructing eleven plants, and I asked him if he felt that the waste disposal system as contemplated in the Great Northern Sugar Company plant was comparable with other plants throughout the world, and he answered an unequivocal 'yes,' that he thought this would be adequate, that he did not envision any problem of any extreme nature. He assured me that there would be no residue or no sludge or no odor attached to any discharge when it was finally discharged into this stream.

Well the facts have been presented I think very forcibly in debate today, but I am grateful to have the opportunity to be here and to give you my personal views on this. I think it would be unfortunate if we, as a State, would be so inflexible that we could not make at least a temporary change in the classification of a stream in order to acquire this industry.

But I think there is one thing more that prompts me to take this position as strongly as I do, as I see the future unfolding for us here in Maine, and that is the

hundreds and yes, the thousands, of people who will have employment, who will have jobs, who will have careers as the result of this industry coming in, in the plant, jobs that we are looking for, payrolls for the State of Maine, and of course for the farmers, to provide a much-needed second cash crop in Aroostook County. Surely, we must consider the individuals, the men and women, the children, who will benefit as a result of this great stimulant to the Maine economy. So I submit to you the arguments are strong for taking favorable action on this bill, so that we can open the door for a new era in industrial expansion in this great State of ours. Thank you, very much. (Applause, the members rising).

Thereupon, Governor Reed retired from the Hall of the House.

The purpose for which the Convention was called having been accomplished, the Chairman declared the same dissolved. The Senate then retired to its Chamber, amid applause of the House, the members rising.

#### **In the House**

The House was called to order by Speaker Childs.

On motion of Mr. Kennedy of Milbridge,

Recessed for five minutes.

#### **After Recess**

Called to order by the Speaker.

The Chair laid before the House an Enactor tabled earlier in today's session:

An Act to Promote the Production of Sugar Beets in the State and Reclassifying Certain Waters in Aroostook County (H. P. 928) (L. D. 1266)

The SPEAKER: The Chair recognizes the gentleman from Caribou, Mr. Doyle.

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

The SPEAKER: The gentleman from Caribou, Mr. Doyle, now moves the previous question. For the Chair to entertain a motion

for the previous question it must have the consent of one-third of the members present. All those in favor of the Chair entertaining the motion for the previous question will rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

The SPEAKER: Obviously, a sufficient number having arisen, the previous question is entertained. The question now before the House is, shall the main question be put now, which is a debatable matter and any member may speak on this particular motion for no more than five minutes. The question before the House now is, shall the main question be put now? All those in favor will say aye; those opposed, no.

A viva voce vote being taken, the main question was ordered.

The SPEAKER: This being an emergency measure, under the Constitution a two-thirds vote of all the members elected to the House is necessary. All those in favor of this matter being passed to be enacted as an emergency matter will please rise and remain standing until the monitors have made and returned the count.

Mr. Levesque of Madawaska requested the yeas and nays.

The SPEAKER: The gentleman from Madawaska, Mr. Levesque, has requested the yeas and nays. For the Chair to entertain a roll call vote it must have an expressed desire of one-fifth of the members present. All those in favor of a roll call vote will rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

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

Mr. Ross of Bath, who would have voted "No" had he voted, was excused from voting as he paired his vote with Mr. Jalbert of Lewiston, who was absent but would have voted "Yes" were he present.

The SPEAKER: The question before the House is on the enactment of this matter. The Clerk will call the roll.

## ROLL CALL

YEA — Anderson, Ellsworth; Anderson, Orono; Avery, Baker, Orrington; Baker, Winthrop; Baldic, Beane, Bedard, Benson, Mechanic Falls; Berman, Bernard, Binnette, Bishop, Boissonneau, Bourgoin, Bradstreet, Bragdon, Brennan, Buck, Burwell, Busiere, Carroll, Carswell, Carter, Champagne, Childs, Conley, Cote, Cottrell, Cressey, Crommett, Curran, Cushing, D'Alfonso, Danton, Davis, Doyle, Drigotas, Drouin, Dudley, Dumont, Edwards, Evans, Farrington, Faucher, Fecteau, Fortier, Fraser, Mexico; Fraser, Rumford; Gauvin, Gilbert, Gillan, Graham, Hammond, Hanson, Gardiner; Hanson, Lebanon; Harvey, Bangor; Harvey, Windham; Harvey, Woolwich; Haugen, Hawes, Hawkes, Healy, Huber, Hunter, Durham; Jewell, Katz, Keyte, Kilroy, Knight, Laberge, Lane, Lang, Lebel, Lent, Levesque, Lewis, Libhart, Littlefield, Lycette, Martin, Mills, Mitchell, Mosher, Nadeau, Norton, Palmer, Pitts, Poulin, Prince, Rackliff, Richardson, Stonington; Roberts, Roy, Ruby, Searles, Starbird, Storm, Stoutamyer, Sullivan, Truman, Waltz, Ward, Watts, Wheeler, Whittier, Wight, Presque Isle; Wood, Wuori, Young.

NAYS — Benson, Southwest Harbor; Berry, Birt, Brewer, Dickinson, Dunn, Erwin, Eustis, Gifford, Harriman, Haynes, Hunter, Clinton; Kennedy, Kittredge, Lincoln, Lowery, Lund, Meisner, Millay, Payson, Peaslee, Pendergast, Pike, Richardson, Cumberland; Ross, Brownville; Sahagian, Sawyer, Scott, Susi, White, Guilford.

ABSENT — Blouin, Cookson, Crosby, Dostie, Gaudreau, Glazier, Hoy, Jordan, McKinnon.

EXCUSED — Jalbert, Ross, Bath.

Yes, 110; No, 30; Absent, 9; Excused, 2.

The SPEAKER: One hundred and ten having voted in the affirmative and thirty in the negative, this bill has been passed to be enacted, signed by the Speaker and sent to the Senate.

The motion of Mr. Levesque of Madawaska to reconsider enactment of this bill failed on a viva voce vote.

On further motion of the same gentleman, by unanimous consent, the bill was sent forthwith to the Senate.

The SPEAKER: The House is proceeding under Orders of the Day. The Chair recognizes the gentleman from China, Mr. Farrington.

Mr. FARRINGTON: Mr. Speaker, I would inquire if L. D. 206 House Paper 100 is in the possession of the House?

The SPEAKER: The answer is in the affirmative.

Mr. FARRINGTON: Mr. Speaker, I move we reconsider our action whereby we indefinitely postponed this matter on March 3.

The SPEAKER: The gentleman from China, Mr. Farrington, now moves that we reconsider our action whereby on March 3 we indefinitely postponed Report and Bill "An Act Relating to Itemized Statements Filed by and Identification Badges for Legislative Counsel and Agents."

The Chair recognizes the gentleman from Millinocket, Mr. Crommett.

Thereupon, on motion of Mr. Crommett of Millinocket, tabled pending the motion of Mr. Farrington of China for reconsideration and assigned the next legislative day.

On motion of Mr. Searles of Bangor,

Adjourned until Tuesday, March 9, at ten o'clock in the morning.