

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 Third
Legislature*

OF THE

STATE OF MAINE

1967

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Friday, March 17, 1967

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

Prayer by the Rev. Mr. Richard V. Rokos of St. Mary's Parish, Augusta.

The journal of yesterday was read and approved.

Papers from the Senate

From the Senate: The following Order:

ORDERED, the House concurring, that the Secretary of the Senate and the Clerk of the House, respectively, be authorized to furnish to each member and officer of the Senate and House postage stamps in the amount of \$10 each and express and parcel post transportation not exceeding \$5 each, and that any unexpended balance at the close of the current biennium shall be available for use in 1969 (S. P. 575)

Came from the Senate read and passed.

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

From the Senate:

Bill "An Act to Clarify the Status of Passenger Tramway Devices" (S. P. 554) (L. D. 1486)

Came from the Senate referred to the Committee on Judiciary.

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

From the Senate:

Bill "An Act to Create an Environmental Improvement Administration" (S. P. 559) (L. D. 1485)

Bill "An Act Creating a Department of Transportation" (S. P. 562) (L. D. 1487)

Came from the Senate referred to the Committee on State Government.

In the House, referred to the Committee on State Government in concurrence.

Senate Reports of Committees**Leave to Withdraw**

Report of the Committee on Taxation on Bill "An Act relating to the Rate of Sardine Tax and Use

of Moneys Received" (S. P. 445) (L. D. 1125) reporting Leave to Withdraw.

Report of same Committee reporting same on Bill "An Act relating to Refunding of Unexpended Portion of the Sardine Tax Funds" (S. P. 464) (L. D. 1156)

Came from the Senate read and accepted.

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

Ought Not to Pass

Report of the Committee on Legal Affairs reporting "Ought not to pass" on Bill "An Act relating to Possession of Dogs or Hunting Gear by Persons Employed in Forest Operations" (S. P. 248) (L. D. 608)

Report of the Committee on Natural Resources reporting same on Bill "An Act relating to Cutting Timber Near Waters and Highways" (S. P. 272) (L. D. 733)

Came from the Senate read and accepted.

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

Ought to Pass in New Draft

Report of the Committee on Business Legislation on Bill "An Act relating to Certain First Mortgage Loans by Savings Banks" (S. P. 45) (L. D. 35) reporting same in a new draft (S. P. 325) (L. D. 835) under title of "An Act relating to Certain Participation Loans by Savings Banks" and that it "Ought to pass"

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

In the House, the Report was read and accepted in concurrence, the New Draft read twice and assigned the next legislative day.

Divided Report

Majority Report of the Committee on Inland Fisheries and Game reporting "Ought to pass" on Bill "An Act to Repeal the Androscoggin Game Preserve" (S. P. 316) (L. D. 839)

Report was signed by the following members:

Messrs. ANDERSON of Hancock
HOFFSES of Knox
FARLEY of York

—of the Senate.

Messrs. CHAMPAGNE of Fairfield
THOMPSON of Belfast
GAUDREAU of Lewiston
LEWIN of Augusta
HAYNES of Camden
COOKSON of Glenburn
—of the House.

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

Report was signed by the following member:

Mr. RACKLIFF of Easton
—of the House.

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

In the House: Reports were read.

The Majority "Ought to pass" Report was accepted in concurrence, the Bill read twice and assigned for third reading the next legislative day.

Non-Concurrent Matter

Bill "An Act Enabling Municipalities to Create Historic Districts and to Provide for the Preservation of Historic Buildings and Places" (H. P. 856) (L. D. 1269) which was referred to the Committee on State Government in the House on March 1.

Came from the Senate referred to the Committee on Industrial and Recreational Development in non-concurrence.

In the House: On motion of Mr. Birt of East Millinocket, the House voted to insist.

Non-Concurrent Matter

Bill "An Act Changing the Name of the Department of Economic Development to the Department of Commerce and Industry" (H. P. 860) (L. D. 1273) which was referred to the Committee on State Government in the House on March 1.

Came from the Senate referred to the Committee on Industrial and Recreational Development in non-concurrence.

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

Non-Concurrent Matter

Bill "An Act Creating an Informational Center on the Capitol

Grounds in Augusta" (H. P. 861) (L. D. 1274) which was referred to the Committee on State Government in the House on March 1.

Came from the Senate referred to the Committee on Industrial and Recreational Development in non-concurrence.

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

Non-Concurrent Matter

Bill "An Act Defining Certain Vessels as an Industrial Project under the Industrial Building Authority" (H. P. 899) (L. D. 1312) which was referred to the Committee on Judiciary in the House on March 2.

Came from the Senate referred to the Committee on Industrial and Recreational Development in non-concurrence.

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

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn they adjourn to meet on Tuesday, March 21, at ten o'clock in the morning. (S. P. 576)

Came from the Senate read and passed.

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

Orders

Mr. Levesque of Madawaska presented a Joint Resolution and moved its adoption:

"Joint Resolution Memorializing Congress Recommending Full Development of Electric Power Potential of Passamaquoddy Bay and Upper Saint John River."

The SPEAKER: The Chair would advise the gentleman that this Memorial must be approved by a majority of the Committee on Reference of Bills, and we would like to return the paper to the gentleman for the signatures of those members.

On motion of Mr. Porter of Lincoln, it was

ORDERED, that Rev. Thomas Caton of Lincoln be invited to of-

ficiate as Chaplain of the House on Wednesday, April 12, 1967.

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

Mr. CROMMETT: Mr. Speaker, I would ask if L. D. 286 is in possession of the House?

The SPEAKER: The Chair would advise the gentleman in the affirmative, it is in possession of the House.

Mr. CROMMETT: Mr. Speaker and Ladies and Gentlemen: I move that we reconsider our action of yesterday whereby on House Paper 197, L. D. 286, Bill "An Act to Prohibit the Sale or Use of the Chemical Compound Known as DDT," the "Ought not to pass" Report was accepted.

The SPEAKER: The gentleman from Millinocket, Mr. Crommett, moves that we reconsider our action of yesterday whereby we accepted the "Ought not to pass" Report on L. D. 286.

Thereupon, on motion of Mr. Evans of Freedom, tabled pending the motion of Mr. Crommett of Millinocket to reconsider and specially assigned for Tuesday, March 21.

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

Mr. BOURGOIN: Mr. Speaker, I would like to know if L. D. 451 is in possession of the House?

The SPEAKER: The Chair would inquire if this item is on the calendar of today?

Mr. BOURGOIN: No, it is not. It is Bill "An Act Regulating the Daily Limit of Certain Fish Taken from Inland Waters of the State," House Paper 317.

The SPEAKER: The Chair would inquire as to what day it was in possession of the House?

Mr. BOURGOIN: Yesterday.

The SPEAKER: The Chair would advise the gentleman that it is not now in the possession of the House.

Mr. BOURGOIN: Thank you.

House Reports of Committees

Ought Not to Pass

Mr. Hall from the Committee on Agriculture reported "Ought not

to pass" on Bill "An Act Appropriating Money for Additional Marine Worm Inspection in the Department of Agriculture" (H. P. 655) (L. D. 910)

Mr. Scott of Wilton from the Committee on Business Legislation reported same on Bill "An Act to Incorporate the Down East Life Insurance Company" (H. P. 662) (L. D. 917)

Mr. Benson from the Committee on Health and Institutional Services reported same on Bill "An Act Repealing Law Relating to Prohibiting Transportation of Certain Poultry" (H. P. 486) (L. D. 699)

Reports were read and accepted and sent up for concurrence.

Ought to Pass in New Draft New Draft Printed Tabled and Assigned

Mrs. Baker from the Committee on Legal Affairs on Bill "An Act to Revise the Oil Burner Men's Law" (H. P. 5) (L. D. 9) reported same in a new draft (H. P. 1074) (L. D. 1504) under same title and that it "Ought to pass"

Report was read.

(On motion of Mr. Robertson of Brewer, tabled pending acceptance of the Committee Report and specially assigned for Friday, March 24.)

Ought to Pass Printed Bills

Mr. Mosher from the Committee on Agriculture reported "Ought to pass" on Bill "An Act Repealing the Law Relating to Labeling of Imported Meats Sold in Retail Stores" (H. P. 652) (L. D. 907)

Mr. Binnette from the Committee on Health and Institutional Services reported same on Bill "An Act relating to Social Security Payments to Beneficiaries after Death of Individual" (H. P. 137) (L. D. 201)

Same gentleman from same Committee reported same on Bill "An Act relating to Definition of the Practice of Barbering" (H. P. 488) (L. D. 701)

Mr. Soulas from same Committee reported same on Bill "An Act Providing for Voluntary Foster

Home Placement of Children" (H. P. 184) (L. D. 273)

Mrs. White from same Committee reported same on Bill "An Act Increasing Fees for Registration of Barbers" (H. P. 487) (L. D. 700)

Same member from same Committee reported same on Bill "An Act relating to Salaries of Members of Board of Optometry and Increasing License Renewal Fees of Optometrists" (H. P. 492) (L. D. 705)

Mrs. Baker from the Committee on Legal Affairs reported same on Bill "An Act Repealing Non-contributory Pension Plan for Police Department of City of Brewer" (H. P. 452) (L. D. 627)

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

Ought to Pass with Committee Amendment

Mr. Nadeau from the Committee on Highways on Resolve Designating U. S. Route No. 1-A in Maine as a Blue Star Memorial Highway (H. P. 628) (L. D. 884) 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. 628, L. D. 884, Resolve, Designating U. S. Route No. 1-A in Maine as a Blue Star Memorial Highway.

Amend said Resolve by striking out everything after the Title and inserting in place thereof the following:

'Resolves, 1947, c. 125, amended, Resolved: That the first paragraph of chapter 125 of the resolves of 1947 is repealed and the following enacted in place thereof:

That U. S. Route 1 and U. S. Route 1-A starting at the junction of Routes 1-A and 1 in Stockton Springs and extending via Bangor and Brewer to the junction of Routes 1-A and 1 in Ellsworth, in Maine be designated as the Blue

Star Memorial Highway; and be it further'

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

Mr. Rackliff from the Committee on Inland Fisheries and Game on Bill "An Act Establishing Long Lake Game Preserve, Aroostook County" (H. P. 501) (L. D. 714) 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. 501, L. D. 714, Bill, "An Act Establishing Long Lake Game Preserve, Aroostook County."

Amend said Bill, in the Title, by striking out the word "Preserve" and inserting in place thereof the words 'Management Area'

Further amend said Bill in the 4th line (4th line of L. D. 714) by striking out the underlined word "**Preserve**" and inserting in place thereof the underlined words '**Management Area**'

Further amend said Bill in the 5th line (5th line of L. D. 714) by striking out the word "preserve" and inserting in place thereof the words 'management area'

Further amend said Bill by striking out all of the last sentence (same in L. D. 714).

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

Mr. Prince from the Committee on Sea and Shore Fisheries on Resolve Providing Funds for Fisheries Instruction and Literature Publication and Dissemination (H. P. 641) (L. D. 896) 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. 641, L. D. 896, Resolve, Providing Funds for Fisheries Instruction and Literature Publication and Dissemination.

Amend said Resolve in the 11th line (9th line of L. D. 896) by striking out the figure "3" and inserting in place thereof the figure '4'

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

Divided Report Tabled and Assigned

Majority Report of the Committee on Business Legislation on Bill "An Act Prohibiting Fictitious Grouping in the Business of Insurance" (H. P. 474) (L. D. 687) reporting "Ought to pass" as amended by Committee Amendment "B" submitted therewith.

Report was signed by the following members:

Messrs. HARDING of Aroostook
MacLEOD of Penobscot
KATZ of Kennebec
—of the Senate.

Messrs. SCOTT of Wilton
GAUTHIER of Sanford
SCOTT of Presque Isle
FECTEAU of Biddeford
TRASK of Milo
SULLIVAN of Portland
—of the House.

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

Report was signed by the following member:

Mr. HARRIMAN of Hollis
—of the House.

Reports were read.

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

Mr. SCOTT: Mr. Speaker, I move the acceptance of the Majority "Ought to pass" Report.

The SPEAKER: The gentleman from Wilton, Mr. Scott, moves the acceptance of the Majority "Ought to pass" Report.

Thereupon, on motion of Mr. Starbird of Kingman Township, tabled pending the motion of Mr. Scott of Wilton to accept the Majority "Ought to pass" Report and

specially assigned for Tuesday, March 21.

Divided Report

Majority Report of the Committee on Natural Resources reporting "Ought not to pass" on Bill "An Act Classifying Portion of Presumpscot River Basin" (H. P. 154) (L. D. 217), which was recommended.

Report was signed by the following members:

Messrs. SEWALL of Penobscot
FERGUSON of Oxford
VILES of Somerset
—of the Senate.

Messrs. PIKE of Lubec
SAHAGIAN of Belgrade
BROWN of Augusta
DICKINSON of Mars Hill
Mrs. FULLER of York
Mr. CURRAN of Bangor
—of the House.

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

Report was signed by the following member:

Mr. EUSTIS of Dixfield
—of the House.

Reports were read.

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

Mr. PIKE: Mr. Speaker, I move that we accept the Majority "Ought not to pass" Report.

The SPEAKER: The gentleman from Lubec, Mr. Pike, moves that the House accept the Majority "Ought not to pass" Report.

The Chair recognizes the gentleman from Falmouth, Mr. Payson.

Mr. PAYSON: This bill should not be disposed of without comment. The body of water involved is now A quality. If this bill does go through it will be downgraded to B quality. This could result in a chain reaction. How can we demand that our big industries which have been the backbone of this State's economy, which hire thousands of workers whose livelihood depend on them, which pay enormous taxes over the years, and which provide many special benefits in the areas where they are located, spend millions of dollars upgrading our streams and waterways? How can we force the tax-

payers in our towns and cities to put up the money to upgrade inland waterways and even coastal waterways for sewers? How can we justify ignoring the time, the effort, the money spent for anti-pollution measures from Maine to California? How can we make an exception for just one institution and hold the line against the others who will certainly want exceptions? It makes no difference if it is a small body of water, if it should be the only A quality in the State, or the whole United States for that matter, we should not allow its A quality to be downgraded to B quality. Thank you very much.

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

Mr. PIKE: I'm afraid there's some misunderstanding here. This particular part of the upper Presumpscot is now graded B-1. If this Majority "Ought not to pass" Report is accepted there will be no change in the grade.

The thing behind this is the proposal of the effluent from the waste from St. Joseph's College to go into a brook into the upper Presumpscot River. The Water Improvement Commission has OK'd this, and has put the tightest restrictions on the quality of the effluent. As a matter of fact, the effluent itself would grade B-1. Now, as to the grading of A, there's a real doubt as to whether Sebago Lake itself or this river would grade A. Sebago Lake, of course, is used for boating, swimming, boys camps, miscellaneous purposes, which on present definitions of Grade A would not be legal. The effluent coming from Sebago Lake into the upper Presumpscot shows a bacteria content way above the limit of A. The bacteria content of the effluent from this proposed drainage would be well within the quality of grade A, and certainly well within the quality of B-1.

This bill merely provides to keep it as it is, B-1, and there's no harm to anybody. I think we had two pretty complete hearings on this bill, because the first one, the room was too small and people couldn't get in. It had a thorough hearing. There are several of us

on the committee who are devoted conservationists and all but one of us came to the conclusion that this was a justified and proper action. I move that this Report, "Ought not to pass" be accepted.

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

Mr. MOSHER: Mr. Speaker and Members of the House: This body of water was tested by the W.Y.C., and tested well within the limits of an A water. Sixteen families take drinking water out of this place; there also is a small growing community that sooner or later must take their drinking water from this. The effluent that is going to be emptied into this isn't wholly St. Joseph's. North Windham has plans to do the same thing, and also there's an island a short ways that has fast developed into twenty thousand dollar homes, that is having trouble with their sewerage. They have got to do something. That is probably the place that this will be emptied.

We feel that these sixteen families, some of them have taken their water out of there for a hundred years, should have some protection and that effluent should not be emptied into this. You can say that this is a good installation that St. Joseph's is putting in there. We agree that it is, but as good as any installation is, there are breakdowns and as it happened here in Augusta in their sewerage it's been dumped raw into the River. We have one in Gorham from the Teachers College that the State put in there that's dumping raw sewerage into the brook and pond right in the village, and I don't feel that these people should be allowed to dump treated swerage into anyone's drinking water. I thank you.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Lubec, Mr. Pike, to accept the "Ought not to pass" Report.

The Chair recognizes the gentleman from Gorham, Mr. Mosher.

Mr. MOSHER: I ask for a division.

The SPEAKER: A vote has been requested. All those in favor of

accepting the "Ought not to pass" Report will vote yes—The Chair recognizes the gentlewoman from Portland, Mrs. Carswell.

Mrs. CARSWELL: I request a roll call.

The SPEAKER: A roll call has been requested. The Chair recognizes the gentleman from Solon, Mr. Hanson.

Mr. HANSON: Mr. Speaker and Members of the House: I am an ardent conservationist and very active in conservation, and I think it should be pointed out to the assembly that there is an alternative; that the effluent from the proposed sewerage system can be dumped into the stream further down where it would not interfere with this classification.

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

Mr. BROWN: Mr. Speaker and Members of the House: We went all through this in our hearings and I think we pretty well determined that this was the proper bill and that this had been taken up before, this dumping the sewerage into another stream, and this is not feasible.

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

Mr. DURGIN: Mr. Speaker and Members of the House: I feel rather insignificant here this morning in taking an opposite stand to my friend, Mr. Pike. However, I would merely like to point out to you that there is not a great deal of difference between Grade A water and B-1. The major difference to these sixteen families down the river is that Grade A does not permit treated effluent, Grade B-1 does. Now, of course we all realize that probably Sebago Lake would not qualify as Grade A because of the recreation and swimming on Sebago Lake. However, it does enjoy the safety of Grade A so that no treated effluent can get in there.

I think that we really should do something to protect these sixteen families that have lived there over a hundred years, of their natural God-given right to this stream, and

I would hope that you wouldn't accept this Majority Report.

The SPEAKER: The Chair recognizes the gentleman from Gorham, Mr. Mosher, who requests permission to speak a third time. Is there objection? The Chair hears none, the gentleman may proceed.

Mr. MOSHER: In regard to the effluent going down by this pond and entering a brook that empties below, way below the pond, the College didn't seem to be able to get easements. The people around North Gorham went to the trouble of getting easements across all the land so that they can if they wish go down by and it won't bother anyone.

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

Mr. QUINN: Mr. Speaker and Members of the House: While I didn't attend this hearing, or rather two hearings, I do understand that they had a very careful hearing and went into all the details and all the facts. On each case the Committee came out with a 9 to 1 "Ought not to pass" Report. I understand it was based on the fact that this stream was not going to be lowered in its classification, but was to retain the same classification. Furthermore, if this stream was reclassified one of the only girls' colleges in the State of Maine would not be able to continue in business. And if you do not accept the "Ought not to pass" report of the Committee, this school will have to close up and move elsewhere.

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

Mr. CONLEY: Mr. Speaker and Ladies and Gentlemen of the House: I would like to reiterate the words of the gentleman from Bangor, Mr. Quinn, and the words of the gentleman, Mr. Pike. This bill, as stated, has had two public hearings and on both occasions the Committee reported it out 9 to 1 "Ought not to pass." I would also like to mention to this House this morning that during the 102nd Legislature, the Special Session, this bill was also brought to the Reference of Bills Committees of

leadership of both parties and was not accepted at the Special Session to be introduced.

I would also like to spell out the fact that the newspapers within the area, the Gannett Publishing Company, has gone on record as disapproving this Act. I would hope that the Members of the House this morning would accept the Majority "Ought not to pass" Report.

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

Mr. DICKINSON: Mr. Speaker and Members of the House: I think everyone in this House knows my position on the subject of clean water, particularly those who were in the 102nd. We do not have a parallel situation in this instance. The title of this Act is very misleading, as pointed out by the gentleman from Lubec, Mr. Pike.

We not only had two hearings on this proposal, we have visited the site personally, and one of the things in this A classification that seems vicious to me is that it would not be possible to dump an effluent even of A classification. This B-1 classification will be protected and is supervised by the Water Improvement Commission. So, in my opinion, these sixteen families are not in danger. That was the basis of our decision. Up where I come from in the Prestile area, B-1 classification seems to be pretty good.

The SPEAKER: The Chair recognizes the gentleman from Falmouth, Mr. Payson.

Mr. PAYSON: Mr. Speaker and Members of the House: I would like to pose a question through the Chair.

The SPEAKER: The gentleman may pose his question.

Mr. PAYSON: Would it cost more to move the institution than it would to run the effluent down below where it could go in without any effect?

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

The Chair recognizes the gentleman from Lubec, Mr. Pike.

Mr. PIKE: Mr. Speaker and Members of the House: I am unable to give exact money answers to this question, one of the reasons being that when they tried to get this alternate right-of-way down to a place below the dam where there is no question about the classification, we could get no figures whatsoever on what they were going to charge for the right-of-way. They said at market prices, and market prices of course don't exist for such a thing. We came to the conclusion that the cost of running this line down about three thousand feet, plus the cost of acquiring the right-of-way, would probably be exorbitant. Now it obviously would be cheaper to run the line down there than it would to move the college.

I think one of the great misunderstandings here is the grade of the effluent to go into this stream. The grade of the effluent to go into this stream will be governed by not only primary, not only secondary, but tertiary improvement to the point that the effluent itself would be good drinking water except for the psychological background that nobody wants to drink sewerage directly.

We have, over the long period, got to realize that water is to be used for more than one purpose, and in this area as one of the gentlemen said, there will be another community who'll want to put in a sewage system as opposed to their present cesspools and septic tanks, and there will be a very high requirement for purification. Frankly I see no danger here whatsoever, and I honestly believe, and most of our Committee believed, that this bill should not receive passage.

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

Mr. HEALY: Mr. Speaker and Ladies and Gentlemen of the House: I think the gentleman from Falmouth, Mr. Payson, inquired if it would cost more to move the institution somewhere else. I would like to remind the gentleman that there are two plants at this college—one was built in 1957 at a cost of \$375,000 and another in 1960 at

a cost of \$700,000. Today the property probably would be worth two and a half million dollars.

The next thought I have is, there has been some reference here to sixteen families drinking this water for a hundred years. This is a hard proposition to be facetious about, but it's hard to believe that in this day and age that they haven't at least built a well for them there.

I now move the previous question.

The SPEAKER: The gentleman from Portland, Mr. Healy, now moves the previous question. For the Chair to entertain the motion for the previous question it must have the expressed desire of one-third of the members present. All those who desire the Chair to entertain the motion for the previous question will vote yes; those opposed will vote no. The Chair will open the vote.

A vote of the House was had.

45 voted in the affirmative and 82 voted in the negative.

The SPEAKER: The Chair will state that 45 being more than one third present and voting, the Chair will entertain the motion for the previous question. The question now before the House is, shall the main question be put now? This is debatable with a time limit of five minutes for any one member. All those in favor of the main question being put now will say aye; those opposed, no.

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

The SPEAKER: A roll call has been requested. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All those who desire a roll call will vote yes; those opposed will vote no, and the Chair will open the vote.

A vote of the House was had.

81 having voted in the affirmative and 48 having voted in the negative, a roll call was ordered.

The SPEAKER: The pending question is the motion of the gentleman from Lubec, Mr. Pike, that the House accept the Majority "Ought not to pass" Report on

Bill "An Act Classifying Portion of Presumpscot River Basin," House Paper 154, L. D. 217. If you are in favor of accepting the "Ought not to pass" Report you will vote yes; if you are opposed, you will vote no. The Chair will open the vote.

ROLL CALL

YEA—Baker, E.B.; Bedard, Belanger, Beliveau, Benson, Binnette, Boudreau, Bradstreet, Bragdon, Brennan, Brown, Buck, Carey, Carrier, Carswell, Champagne, Clark, Conley, Cookson, Cornell, Cote, Cottrell, Curran, Cushing, Danton, Darey, Dickinson, Drigotas, Fraser, Fuller, Gaudreau, Gauthier, Giroux, Hanson, B.B.; Harnois, Hawes, Healy, Henley, Hodgkins, Huber, Hunter, Jalbert, Jameson, Keyte, Kilroy, Kyes, Lebel, Levesque, Lewin, Maddox, Martin, McMann, McNally, Miliano, Minkowsky, Nadeau, J. F. R.; Nadeau, N. L.; Noyes, Pike, Quinn, Rackliff, Richardson, H. L.; Rideout, Robertson, Robinson, Rocheleau, Ross, Sahagian, Scott, C. F.; Scribner, Shaw, Snow, P. J.; Soulas, Thompson, Townsend, Trask, Truman, Watts, Wheeler, Wight, Williams.

NAY—Allen, Baker, R.E.; Ber- man, Bernard, Birt, Burnham, Crommett, Crosby, Drummond, Dudley, Dunn, Durgin, Edwards, Eustis, Evans, Ewer, Farrington, Foster, Hall, Hanson, H.L.; Han- son, P. K.; Harvey, Haynes, Hen- nessey, Hichens, Hoover, Im- monen, Jannelle, Jewell, Lewis, Lincoln, Littlefield, Lycette, Meis- ner, Mosher, Payson, Pendergast, Philbrook, Porter, Quimby, Scott, G. W.; Shute, Snowe, P.; Starbird, Susi, Waltz, White, Wood.

ABSENT — Bourgoing, Bunker, Carroll, Couture, Crockett, D'Al- fonso, Dennett, Fecteau, Fortier, Gill, Harriman, Hewes, Hinds, Humphrey, Lowery, Prince, Rich- ardson, G. A.; Roy, Sullivan, Tanguay.

Yes, 81; No, 48; Absent, 20.

The SPEAKER: 81 having voted in the affirmative and 48 having

voted in the negative, with 20 absent, the Majority "Ought not to pass" Report has been accepted.

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

Mrs. CARSWELL: Mr. Speaker, I move that we reconsider our action whereby we accepted the Majority "Ought not to pass" Report, and I hope that you will vote against my motion.

The SPEAKER: The gentleman from Portland, Mrs. Carswell, now moves that the House reconsider its action whereby it accepted the "Ought not to pass" Report, and the Chair will open the vote. If you wish to vote for reconsideration you will vote yes; if you wish to vote against reconsideration, you will vote no.

Mrs. CARSWELL: Mr. Speaker, I would like a roll call.

The SPEAKER: A roll call has been requested on the reconsideration motion. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All those desiring a roll call will vote yes; those opposed to a roll call will vote no. The Chair will open the vote.

A vote of the House was had.

65 voted in the affirmative and 57 voted in the negative.

The SPEAKER: Obviously more than one fifth having expressed the desire for a roll call on the reconsideration, a roll call is ordered.

The Chair recognizes the same gentleman.

Mrs. CARSWELL: Mr. Speaker, just to clarify the situation I hope that you will vote against my motion for reconsideration.

The SPEAKER: All those in favor of reconsideration will vote yes; all those opposed will vote no. This is a roll call vote, and the Chair will open the vote.

ROLL CALL

YEA—Berman, Birt, Bradstreet, Bragdon, Burnham, Crommett, Crosby, Dudley, Dunn, Durgin, Edwards, Eustis, Evans, Foster, Hanson, H. L.; Harvey, Haynes, Hennessey, Hichens, Immonen,

Jewell, Littlefield, Lycette, Meisner, Payson, Philbrook, Porter, Snowe, P.; Starbird, Thompson, Townsend, Waltz, Wood.

NAY—Allen, Baker, E. B.; Baker, R. E.; Bedard, Belanger, Benson, Bernard, Binnette, Boudreau, Brennan, Brown, Buck, Carey, Carrier, Carswell, Champagne, Clark, Conley, Cookson, Cornell, Cote, Cottrell, Crockett, Curran, Cushing, Danton, Darey, Dickinson, Drigotas, Drummond, Ewer, Farrington, Fraser, Fuller, Gaudreau, Gauthier, Giroux, Hall, Hanson, B. B.; Hanson, P. K.; Harnois, Hawes, Healy, Henley, Hodgkins, Hoover, Huber, Hunter, Jalbert, Jameson, Jannelle, Keyte, Kilroy, Kyes, Lebel, Levesque, Lewin, Lewis, Lincoln, Maddox, Martin, McMann, McNally, Miliano, Minkowsky, Mosher, Nadeau, J. F. R.; Nadeau, N. L.; Noyes, Pendergast, Pike, Quimby, Quinn, Rackliff, Richardson, H. L.; Rideout, Robertson, Robinson, Rocheleau, Ross, Sahagian, Scott, C. F.; Scott, G. W.; Scribner, Shaw, Shute, Snow, P. J.; Soulas, Susi, Trask, Truman, Watts, Wheeler, White, Wight, Williams.

ABSENT — Beliveau, Bourgoin, Bunker, Carroll, Couture, D'Alfonso, Dennett, Pecteau, Fortier, Gill, Harriman, Hewes, Hinds, Humphrey, Lowery, Prince, Richardson, G. A.; Roy, Sullivan, Tanguay.

Yes, 33; No, 96; Absent 21.

The SPEAKER: 33 having voted in the affirmative and 96 having voted in the negative, with 21 absent, the motion for reconsideration does not prevail. This matter will be sent up for concurrence.

Mr. Waltz of Waldoboro was granted unanimous consent out of order to address the House.

Mr. WALTZ: Mr. Speaker and Ladies and Gentlemen of the House: Some few days ago we passed a bill in here putting the veterans of the Viet Nam conflict on an equal basis with those of World War I, II, and the Korean conflict. As House Chairman of the Veterans Affairs Committee and as a veteran of two world wars myself, I am very happy today to

introduce to the House three veterans who have seen service in the Far East.

They are in the rear of the House, accompanied by Bob Washburn, Director of Veterans Services, and I introduce them:

Armand Dostie, West River Road, Augusta, a Specialist Fourth Class in the United States Army. Served in Viet Nam from December 1, 1964 to November 30, 1966.

Fred Carleton Tillotson, RFD 4, Gardiner, a Sergeant in the United States Marine Corps, August 28, 1962 to October 21, 1966. Twelve months in Viet Nam.

Donald Kenneth Morang, Route 3, Gardiner, EM2, United States Navy. Service from January 10, 1963 to January 6, 1967. Spent eighteen months in Viet Nam waters.

Ladies and gentlemen, I feel that we are honored today in having three servicemen who have served in this Viet Nam conflict. May we welcome them. (Applause, Members rising)

The SPEAKER: The Chair at this time is not given an opportunity to express the pleasure of the House in seeing you veterans back home in the land of the free because they have exhibited this by their unanimous applause. On behalf of the Speaker, I will say to you young men it is a great privilege to have you here representing the Army and your services, and we wish you Godspeed. (Applause)

Passed to Be Engrossed

Bill "An Act to Eliminate the Straight Party Ballot in the Election Laws" (S. P. 1) (L. D. 4)

Bill "An Act relating to Approval of Legislative Expenses When Legislature Not in Session" (S. P. 119) (L. D. 248)

Bill "An Act relating to Conveyance of Reservation Lands for Penobscot Tribe of Indians" (S. P. 138) (L. D. 633)

Bill "An Act relating to Definition of Workshop Under Labor Laws" (S. P. 217) (L. D. 480)

Bill "An Act relating to Compensating Counsel for Indigents Accused of Crime" (S. P. 315) (L. D. 861)

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 relating to Trial Terms of Superior Court in Penobscot County" (S. P. 337) (L. D. 870)

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

(On motion of Mr. Berman of Houlton, tabled pending passage to be engrossed and specially assigned for Thursday, March 23.)

Bill "An Act relating to Liens and Certificate to be Filed with Register of Deeds" (S. P. 338) (L. D. 871)

Bill "An Act Establishing a Master Mortgage Recording Act" (S. P. 363) (L. D. 959)

Bill "An Act relating to Property Tax Exemption for Sewage Disposal Facilities" (H. P. 252) (L. D. 360)

Bill "An Act relating to Contracts of Municipal Corporations with Nonprofit Hospital or Medical Service Organizations" (H. P. 277) (L. D. 397)

Bill "An Act relating to Exemption from Sales Tax of Governmental Agencies" (H. P. 289) (L. D. 409)

Bill "An Act relating to Poll Taxes Paid to Caswell Plantation" (H. P. 291) (L. D. 411)

Bill "An Act relating to Issuance of Notes by Clinton Water District" (H. P. 375) (L. D. 522)

Bill "An Act relating to Compensation of Commissioners of the Waterville Sewerage District" (H. P. 419) (L. D. 584)

Bill "An Act Increasing Indebtedness of Town of Woodland School District" (H. P. 479) (L. D. 692)

Bill "An Act relating to North-ern Utilities, Inc." (H. P. 639) (L. D. 895)

Bill "An Act to Repeal the Tax on Insured Pension Plans Qualified Under U. S. Internal Revenue Code" (H. P. 644) (L. D. 899)

Bill "An Act Clarifying Certain Borrowing Provisions of the Char-

ter of the City of Augusta" (H. P. 695) (L. D. 976)

Bill "An Act Prohibiting Unreasonable Noise in Operating Motor Vehicles" (H. P. 1061) (L. D. 1387)

Bill "An Act relating to Licensing of Insurance Companies" (H. P. 1073) (L. D. 1488)

Finally Passed

Resolve Authorizing the Attorney General to Convey a Certain Lot of Land in Bangor to Bangor Hydro-Electric Company (S. P. 349) (L. D. 933)

Resolve in Favor of George Hearin of Knox, Waldo County (H. P. 705) (L. D. 1000)

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

Third Reader Tabled and Assigned

Resolve Proposing an Amendment to the Constitution Changing the Tenure of Office of Senators to Four-Year Terms (H. P. 1063) (L. D. 1399)

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

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

Mr. BERMAN: Mr. Speaker, I notice that my colleague, the gentleman from Kittery, Mr. Dennett, is not present in the House this morning, and I would hope that somebody would table this item until Wednesday next, March 22.

Thereupon, on motion of Mr. Danton of Old Orchard Beach, tabled pending passage to be engrossed and specially assigned for Tuesday, March 21.

Amended Bills

Third Reader Reconsidered

Bill "An Act relating to Legal Size of Salmon Taken from Upper Middle Branch Pond, Aurora, and T 28 MD, Hancock County" (S. P. 108) (L. D. 179)

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

On motion of Mr. Quinn of Bangor, the House voted to reconsider its action of March 16 whereby Committee Amendment "A" was adopted in concurrence, and to indefinitely postpone Committee Amendment "A."

Whereupon, the same gentleman offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 108, L. D. 179, Bill, "An Act Relating to Legal Size of Salmon Taken from Green Lake and Alligator Lake, Hancock County."

Amend said Bill in the Title by striking out the words "and Alligator Lake" and inserting in place thereof the words and punctuation 'Alligator Lake and Upper Middle Branch Pond, Aurora, and T28 MD'

Further amend said Bill in the next to the last line (same in L. D. 179) by striking out the underlined word "and"; and by inserting after the letters and figure "T28 MD" the following underlined words: 'and Upper Middle Branch Pond in Aurora and T28 MD'

House Amendment "A" was adopted, the Bill passed to be engrossed as amended in non-concurrence and sent up for concurrence.

Third Reader Tabled and Assigned

Bill "An Act relating to Religious Faith of Foster and Adoptive Homes" (S. P. 246) (L. D. 606)

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

(On motion of Mr. Robertson of Brewer, tabled pending passage to be engrossed and specially assigned for Wednesday, March 22.)

Third Reader Tabled and Assigned

Bill "An Act Prohibiting Use of the Name Industrial Bank" (H. P. 467) (L. D. 680)

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

(On motion of Mr. Snowe of Auburn, tabled pending passage to be engrossed and specially assigned for Tuesday, March 21.)

Passed to Be Enacted Emergency Measure

An Act Appropriating Funds to Promote Travel to the State of Maine in Connection With the 1967 World Exhibition in Canada (S. P. 102) (L. D. 173)

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 members elected to the House being necessary, a total was taken. 116 voted in favor of same and 7 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act relating to Savings Bank Dividends (S. P. 104) (L. D. 175)

An Act Appropriating Funds to Aid in Dredging the Saco River (S. P. 187) (L. D. 422)

An Act Appropriating Moneys to Provide Uniforms for Employees of Maine State Ferry Service (H. P. 86) (L. D. 116)

An Act to Incorporate the Town of Medford (H. P. 235) (L. D. 343)

An Act Revising the Home Repair Financing Act (H. P. 469) (L. D. 682)

An Act Including Employees of the State Principals Association Under State Retirement System (H. P. 542) (L. D. 774)

An Act relating to Penalty for Littering (H. P. 579) (L. D. 811)

An Act Prohibiting Bullfights (H. P. 581) (L. D. 813)

Finally Passed

Resolve Appropriating Moneys for Search of Lost Persons in the Woodlands of the State (S. P. 209) (L. D. 548)

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

Orders of the Day

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

Bill "An Act Prohibiting Hunting Deer with Certain Firearms" (H. P. 31) (L. D. 51)

Tabled—March 16, by Mr. Harvey of Woolwich.

Pending — Passage to be engrossed.

The SPEAKER: The Chair recognizes the gentleman from Woolwich, Mr. Harvey.

Mr. HARVEY: Mr. Speaker, Ladies and Gentlemen of the House: L. D. 51 prohibits the hunting of deer with a .22 caliber rim fire cartridges. I agree that .22 rim fire as such is not a deer cartridge. However, approximately three years ago the Winchester Company developed a .22 rim fire magnum, and I also agree that maybe that isn't a deer cartridge either. However, there is a big group at the present time who are hunting deer and have been for a number of years with hand guns; a .38 Special which is a popular arm of the state police is one, the 9mm Luger, the famous German Army World War I automatic pistol is another, and the .30 caliber Luger is another. This little high velocity .22 rim fire magnum is better ballistically than the three arms that I just mentioned. Also there are 28 other calibers which are rim fires that do not have the energy nor the velocity of the small .22 rim fire magnum cartridge. Therefore, I would offer this amendment which is House Amendment "A" to House Paper 31, L. D. 51, and hope it is accepted.

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

HOUSE AMENDMENT "A" to H. P. 31, L. D. 51, Bill, "An Act Prohibiting Hunting Deer with Certain Firearms."

Amend said Bill by adding at the end before the period the following:

' , but not including the .22 cal. rim fire magnum'

The SPEAKER: The Chair recognizes the gentleman from Glenburn, Mr. Cookson.

Mr. COOKSON: Mr. Speaker and Ladies and Gentlemen of the House: We on the Inland Fisheries and Game Committee for the most part discussed this with Representative Harvey of Woolwich and we agree wholeheartedly with him

on this and we would concur with him.

The SPEAKER: The Chair recognizes the gentleman from Brooks, Mr. Wood.

Mr. WOOD: Mr. Speaker and Members of the House: I very reluctantly rise to oppose this amendment. I haven't said very much during this session, but I followed this bill since it came in and it is a bill that I was very glad to see presented here.

As one that has hunted deer for a good many years and seen deer killed, I believe that the .22 caliber even though it says maknum, is inadequate to kill deer. We may have many other guns that are inadequate too but they don't happen to be in this bill. I think that perhaps all hand guns should be objected to. We hunt deer through November and when it comes December we travel around the woods and we find deer dead in the woods, eaten by cats and dogs; we spend a good many dollars to pay bounties on bobcats, probably the majority were shot with guns that didn't have killing power to kill them.

We talk a lot about dogs pulling deer down. Everybody would object to seeing a dog pull a deer down and chewing his legs off while he was still alive, but when you shoot a deer with a gun that doesn't kill him and he crawls off into the brush, it is just as inhumane as it is to have a dog do it. And the fact that this says magnum, it makes a gun that will reach out a little further and get to the target a little quicker, but it doesn't kill. I think this bill should have gone a little further, but it doesn't, so I object to this amendment and I move that this amendment be indefinitely postponed.

The SPEAKER: The question now before the House is the motion of the gentleman from Brooks, Mr. Wood, that House Amendment "A" be indefinitely postponed.

The Chair recognizes the gentleman from Woolwich, Mr. Harvey.

Mr. HARVEY: Mr. Speaker, I realize how the gentleman feels.

However, if we are going to outlaw certain calibers and certain weapons that wound deer, we will have to outlaw every bullet there is made in the United States of America today, because a 30.06 220 grain bullet, which is one of the most powerful, shot in the paunch of a deer, the deer will run off and die. This last fall I had a couple of hounds of two friends of mine, and in the haste of shooting shot for the biggest part of the deer with a 30.06 220 grain, it has a ton of shocking power, my hound followed the deer into the swamp approximately three miles, blood all over the place, to where we couldn't travel any further due to the wetness. So regardless of the caliber, if the hunter isn't trained to place his bullet where it belongs, you will always have wounded deer. One of the largest killers of deer, wounded deer, is buckshot. Now if we are going to train the hunters to place the shots and kill the deer humanely or shoot at the biggest part of the deer, but where this little gun is much better than some of the hand guns used to hunt deer, I don't think it should be outlawed. When the rest of them are outlawed, fine, then outlaw the magnum, but until then let's not take one particular little bullet which many women use today due to its lightness and light recoil, and they are good shots. As a matter of fact a .22 long rifle in the hands of an expert is just as deadly as a 30.06, so I hope that the House goes along with me on this amendment. Thank you.

The SPEAKER: The pending question is the motion of the gentleman from Brooks, Mr. Wood, that House Amendment "A" be indefinitely postponed. All those in favor of the indefinite postponement of House Amendment "A" will say yes; those opposed, no.

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

Thereupon, House Amendment "A" was adopted, the Bill passed to be engrossed as amended and sent to the Senate.

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

HOUSE REPORT—Ought Not to Pass—Committee on Legal Affairs on Bill "An Act Prohibiting Aliens Employed in Lumber Operations to Possess Firearms" (H. P. 369) (L. D. 516)

Tabled—March 16, by Mr. Richardson of Cumberland.

Pending—Motion of Mr. Martin of Eagle Lake to reconsider acceptance of report.

The **SPEAKER**: The Chair recognizes the gentleman from Eagle Lake, Mr. Martin.

Mr. **MARTIN**: Mr. Speaker, Ladies and Gentlemen of the House: I first wish to thank the members of the House for having given me the opportunity to table the bill to discuss it with the members of the Legal Affairs Committee, and I also discussed the bill with the Department of Inland Fish and Game. Everyone seems to feel that the bill may not be the answer to the problem of the drain on our game in the lumber camp operations of northern Maine. The reason and the problem they feel, the real problem they feel, is one of enforcement. Of course enforcement can be increased only with a larger warden staff. Therefore, Mr. Speaker, I withdraw my motion to reconsider the bill.

Thereupon, the House granted consent for Mr. Martin to withdraw his motion to reconsider.

On motion of Mr. Richardson of Cumberland, the House voted to reconsider its action of yesterday whereby An Act relating to Closed Season on Rabbits in Washington County, House Paper 62, L. D. 87, was passed to be enacted.

On further motion of the same

gentleman, under suspension of the rules, the House voted to reconsider its action of March 8 whereby the Bill was passed to be engrossed as amended by Committee Amendment "A"; and on further motion of the same gentleman under suspension of the rules, the House voted to reconsider its action of March 7 whereby Committee Amendment "A" was adopted.

And thereupon, on further motion of the same gentleman, the House voted to indefinitely postpone Committee Amendment "A".

Mr. Richardson of Cumberland then offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H.P. 62, L.D. 87, Bill, "An Act Relating to Closed Season on Rabbits in Washington County."

Amend said Bill by adding at the end before the period, (same in L. D. 87) the underlined words "with dogs"

House Amendment "A" was adopted, the Bill passed to be engrossed as amended in non-concurrence and sent up for concurrence.

Mrs. Hanson of Lebanon was granted unanimous consent to address the House.

Mrs. **HANSON**: Mr. Speaker and Members of the House: The ladies of the House would like to thank the gentlemen of the House, whom we understand gave us our corsages, we thank them for their gift.

On motion of Mr. Richardson of Cumberland,

Adjourned until Tuesday, March 21, at ten o'clock in the morning.