

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Third
Legislature*

OF THE

STATE OF MAINE

1967

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Thursday, March 23, 1967

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

Prayer by the Rev. Mr. Paul Floyd of Mattawamkeag.

The journal of yesterday was read and approved.

Papers from the Senate

From the Senate: The following Communication: (S. P. 580)

STATE OF MAINE

Bureau of Public Improvements
Augusta, Maine

March 15, 1967

To the Honorable Senate and House of Representatives of The One Hundred and Third Legislature Gentlemen:

In accordance with provisions of Chapter 207 of the Private and Special Laws of 1963, and of Chapter 124 of the Private and Special Laws of 1965, the Bureau of Public Improvements presents the accompanying report pertaining to a study of the desirability of constructing a dam across the Taunton River between the Towns of Hancock and Sullivan in the County of Hancock.

Respectfully submitted,
(Signed) NIRAN C. BATES
Director

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.

Senate Reports of Committees Ought Not to Pass

Report of the Committee on Transportation reporting "Ought not to pass" on Bill "An Act Regulating Unattended Motor Vehicles" (S. P. 440) (L. D. 1092)

Came from the Senate read and accepted.

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

Ought to Pass

Report of the Committee on Election Laws reporting "Ought to pass" on Bill "An Act relating to Election of Town Officials" (S. P. 332) (L. D. 866)

Report of the Committee on Judiciary reporting same on Resolve to Continue Review of Maine Criminal Statutes (S. P. 374) (L. D. 987)

Report of the Committee on Transportation reporting same on Bill "An Act relating to Cooperative Agreements to Enforce Highway Transportation Laws" (S. P. 356) (L. D. 940)

Came from the Senate with the Reports read and accepted and the Bills and Resolve passed to be engrossed.

In the House, Reports were read and accepted in concurrence, the Bills read twice, Resolve read once, and tomorrow assigned.

Ought to Pass with Committee Amendment

Report of the Committee on Judiciary on Bill "An Act relating to Transfer of State Prison First Offenders Under Age of Thirty-six to Reformatory for Men" (S. P. 362) (L. D. 958) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report of same Committee on Bill "An Act Authorizing the Taking of Bail in the District Court" (S. P. 375) (L. D. 988) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Reports read and accepted and the Bills passed to be engrossed as amended by Committee Amendment "A".

In the House, the Reports were read and accepted in concurrence and the Bills read twice. Committee Amendment "A" to each was read by the Clerk and adopted in concurrence, and tomorrow assigned for third reading of the Bills.

Divided Report Tabled and Assigned

Majority Report of the Committee on Industrial and Recreational

Development reporting "Ought not to pass" on Bill "An Act relating to Technical Assistance by Maine State Park and Recreation Commission" (S. P. 214) (L. D. 477)

Report was signed by the following members:

Messrs. HOFFSES of Knox
HILDRETH
of Cumberland
SEWALL of Penobscot
—of the Senate.

Messrs. PORTER of Lincoln
McMANN of Bath
TRUMAN of Biddeford
PAYSON of Falmouth
LEWIS of Bristol
LITTLEFIELD
of Hampden
—of the House.

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

Report was signed by the following member:

Mr. FORTIER of Waterville
—of the House.

Came from the Senate with the Majority Report accepted.

In the House: Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Hampden, Mr. Littlefield.

Mr. LITTLEFIELD: Mr. Speaker and Members of the House: I move to concur with the Senate and accept the "Ought not to pass" Report.

The SPEAKER: The gentleman from Hampden, Mr. Littlefield, moves that the House accept the Majority "Ought not to pass" Report in concurrence.

The Chair recognizes the gentleman from Waterville, Mr. Fortier.

Mr. FORTIER: Mr. Speaker and Members of the House: As the signer of the Minority Report, I would like to urge that you turn down Mr. Littlefield's request, and I would also like to remind the members of the House that this bill is a part of the Republican platform, so I urge you to.

The SPEAKER: Is the House ready for the question? The pending question is the motion of the gentleman from Hampden, Mr. Littlefield, that the House accept the Majority "Ought not to pass"

Report in concurrence. Is this the pleasure of the House?

Mr. Fortier of Waterville requested a vote.

The SPEAKER: A vote has been requested.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: L. D. 477 was an attempt to provide technical assistance by the Maine State Park and Recreation Commission to persons owning and operating camp grounds, bathing beaches, marinas, picnic grounds, etc. This was part of the Republican platform. However, after hearings and after going into the matter it was found that these services, while not provided by one agency are, in essence, provided by various state agencies. It was the judgment, as I understand it, of nine of the members of this Committee that under the circumstances we'd simply be increasing the cost of operating a department without substantially increasing the amount of service that we're giving to the people. Therefore, I would urge you to vote in favor of acceptance of the "Ought not to pass" Report.

Mr. Fortier of Waterville was granted permission to speak a third time.

Mr. FORTIER: I am very embarrassed this morning, I am not in condition to debate the merits of this bill. I would hope that somebody would table it for two days, until Tuesday.

The SPEAKER: The Chair recognizes the gentleman from Hampden, Mr. Littlefield.

Mr. LITTLEFIELD: Mr. Speaker, I request a division on the tabling motion.

The SPEAKER: A tabling motion has not been made. The pending question is the acceptance of the Majority "Ought not to pass" Report in concurrence with the Senate. Is the House ready for the question?

The Chair recognizes the gentleman from Mexico, Mr. Fraser.

Mr. FRASER: Mr. Speaker and Members of the House: I request this matter be tabled until next Tuesday.

The SPEAKER: The gentleman from Mexico, Mr. Fraser, moves that this matter be tabled until Tuesday next, March 28. The pending question now is the motion of the gentleman from Mexico, Mr. Fraser, that this matter be tabled until March 28, pending the acceptance of either report. A vote has been requested on the tabling motion. As many as are in favor of tabling will vote yes, those opposed will vote no, and the Chair will open the vote.

A vote of the House was taken.

76 having voted in the affirmative and 52 having voted in the negative, the tabling motion prevailed.

Non-Concurrent Matter

Bill "An Act Increasing Indebtedness of Town of Woodland School District" (H. P. 479) (L. D. 692) which was passed to be engrossed in the House on March 17.

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

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

Non-Concurrent Matter

Bill "An Act Providing Hospital Insurance Benefits under Social Security Act for State Employees" (H. P. 1065) (L. D. 1532) which was referred to the Committee on Appropriations and Financial Affairs in the House on March 15.

Came from the Senate referred to the Committee on Retirements and Pensions in non-concurrence.

In the House: On motion of Mr. Birt of East Millinocket, the House voted to recede and concur with the Senate.

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 Creating the Town of Old Orchard Beach School District" (H. P. 1082) (Presented by Mr. Danton of Old Orchard Beach)

(Ordered Printed)

Sent up for concurrence.

State Government

Bill "An Act relating to Appointment of Directors of Local Organizations under Civil Defense Law" (H. P. 1083) (Presented by Mr. Henley of Norway)

(Ordered Printed)

Sent up for concurrence.

Orders

On motion of Mr. Ross of Bath, it was

ORDERED, that Mr. RICHARDSON of Stonington be excused from attendance because of illness in his family.

On motion of Mr. Jannelle of Scarborough, it was

ORDERED, that Rev. Howard O. Hough of Falmouth be invited to officiate as Chaplain of the House on Wednesday, April 5, 1967.

House Reports of Committees Leave to Withdraw

Mrs. Lincoln from the Committee on Claims on Resolve to Reimburse Dwight H. Thorsen of Hancock for Well Damage by Highway Construction (H. P. 624) (L. D. 880) reported Leave to Withdraw.

Mr. Snowe from the Committee on Towns and Counties reported same on Bill "An Act to Annex Bar Island to Town of Bar Harbor, Hancock County" (H. P. 206) (L. D. 295)

Reports were read and accepted and sent up for concurrence.

Ought Not to Pass

Mr. Gaudreau from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Bill "An Act Creating the S.A.D. No. 54 Game Management Area, Somerset County" (H. P. 837) (L. D. 1245)

Mr. Lewin from same Committee reported same on Bill "An Act

Repealing Permits to Transport Fish and Game by Aircraft" (H. P. 352) (L. D. 499)

Same gentleman from same Committee reported same on Bill "An Act Establishing a State-wide Closed Season on Rabbits" (H. P. 839) (L. D. 1247)

Mr. Rackliff from same Committee reported same on Bill "An Act relating to Dogs Roaming-at-large in Areas Inhabited by Deer" (H. P. 893) (L. D. 1307)

Mr. Thompson from same Committee reported same on Bill "An Act relating to Closed Time on Rabbits in Penobscot County" (H. P. 578) (L. D. 810)

Mr. Jewell from the Committee on Transportation reported same on Bill "An Act Providing for Local Traffic-control Devices" (H. P. 180) (L. D. 243)

Reports were read and accepted and sent up for concurrence.

Covered by Other Legislation

Mr. Gaudreau from the Committee on Transportation reported "Ought not to pass" on Bill "An Act relating to Boundaries of Androscoggin Game Preserve" (H. P. 141) (L. D. 205), as covered by other legislation.

Report was read and accepted and sent up for concurrence.

Ought to Pass in New Draft New Drafts Printed

Mr. Scott of Wilton from the Committee on Business Legislation on Bill "An Act relating to Insurance for Commercial Driver Education School Graduates" (H. P. 473) (L. D. 686) reported same in a new draft (H. P. 1084) (L. D. 1544) under same title and that it "Ought to pass"

Mr. Lycette from the Committee on Transportation on Bill "An Act relating to Removal of Motor Vehicles Parked Illegally on Highways and Highway Rights of Way" (H. P. 731) (L. D. 1055) reported same in a new draft (H. P. 1085) (L. D. 1545) under same title and that it "Ought to pass"

Reports were read and accepted, the New Drafts read twice and tomorrow assigned.

Ought to Pass Printed Bills

Mr. Immonen from the Committee on Claims reported "Ought to pass" on Resolve to Reimburse Dwight H. Wheeler of Manchester for Payment of Fine in Motor Vehicle Speeding Case (H. P. 877) (L. D. 1289)

Mr. Quimby from same Committee reported same on Resolve in favor of Town of Greenbush, Penobscot County, for Damage to Bridge (H. P. 878) (L. D. 1290)

Mr. Cookson from the Committee on Inland Fisheries and Game reported same on Bill "An Act relating to Open Season on Muskrats in Somerset County" (H. P. 221) (L. D. 311)

Same gentleman from same Committee reported same on Bill "An Act relating to Dealers in Deer Skins and Heads" (H. P. 836) (L. D. 1244)

Mr. Haynes from same Committee reported same on Resolve Regulating Fishing in Certain Waters in Hancock County (H. P. 448) (L. D. 623)

Same gentleman from same Committee reported same on Bill "An Act relating to Hunting Waterfowl on Haley Pond, Town of Rangeley and Dallas Plantation, Franklin County" (H. P. 841) (L. D. 1249)

Mr. Lewin from same Committee reported same on Bill "An Act to Regulate Boating on Little Nesowadnehunk (Sourdnahunk) Lake, Piscataquis County" (H. P. 447) (L. D. 622)

Same gentleman from same Committee reported same on Bill "An Act relating to Fishing without License for Patients at Veterans Administration Hospital" (H. P. 499) (L. D. 712)

Reports were read and accepted, the Bills read twice, Resolves read once, and tomorrow assigned.

Ought to Pass with Committee Amendment

Mr. Scott of Wilton from the Committee on Business Legislation on Bill "An Act Revising the Savings and Loan Association Laws" (H. P. 689) (L. D. 970) 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. 689, L. D. 970, Bill, "An Act Revising the Savings and Loan Association Laws."

Amend said Bill by inserting after section 2, same in L. D. 970, a new section as follows:

'Sec. 3. R. S., T. 9, §1832, sub-§ 1, sub-¶C, sub-¶(2), amended. Sub-paragraph (2) of paragraph C of subsection 1 of section 1832 of Title 9 of the Revised Statutes, as amended by section 3 of chapter 69 of the public laws of 1965, is further amended to read as follows:

(2) To an amount not exceeding 70% 80% of the appraised value of any other type of improved real estate, repayable in a period not exceeding 25 years;'

Further amend said Bill by renumbering sections 3 to 7 to be 4 to 8.

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

Mr. Sahagian from the Committee on Liquor Control on Bill "An Act relating to Quantity of Liquor to be Transported into State by an Individual" (H. P. 534) (L. D. 764) 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. 534, L. D. 764, Bill, "An Act Relating to Quantity of Liquor to be Transported Into State by an Individual."

Amend said Bill by inserting at the beginning of the first line (same in L. D. 764) the underlined abbreviation and figure 'Sec. 1.'

Further amend said Bill by adding at the end (same in L. D. 764) a new section, as follows:

Sec. 2. R. S., T. 28, §1053, sub-§2, amended. The first sentence of subsection 2 of section 1053 of Title 28 of the Revised Statutes is amended to read as follows:

No person, other than a wholesale licensee of the commission under and subject to this Title, shall transport or cause to be transported malt liquor into this State in a greater quantity than one-case 3 gallons, unless said malt liquor was legally purchased in the State.'

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

Passed to Be Engrossed

Bill "An Act relating to Admission of Patients to State Hospitals" (S. P. 156) (L. D. 327)

Bill "An Act relating to Tagging of Bedding and Upholstered Furniture" (S. P. 290) (L. D. 642)

Bill "An Act to Exempt Certain Paraplegic Veterans from a Portion of Real Estate Taxation" (H. P. 1081) (L. D. 1543)

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

Amended Bills

Bill "An Act Authorizing Out-of-State Banks and Trust Companies to Act as Fiduciaries" (S. P. 105) (L. D. 176)

Bill "An Act to Validate Proceedings Authorizing the Issuance of Bonds and Notes by School Administrative District No. 36" (H. P. 663) (L. D. 918)

Resolve relating to Ice Fishing on Fourth Musquacook Lake, T10, R11, T11, R11, Aroostook County (S. P. 229) (L. D. 554)

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

Third Reader

Tabled and Assigned

Bill "An Act relating to a Closed Season on Wild Hares and Rabbits in York County" (H. P. 219) (L. D. 309)

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

(On motion of Mr. Nadeau of Sanford, tabled pending passage

to be engrossed as amended and tomorrow assigned.)

Bill "An Act relating to Signatures on Petitions for Nomination for State and County Officers" (H. P. 313) (L. D. 447)

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

Passed to Be Enacted Emergency Measure

An Act Appropriating Moneys for Spruce Budworm Control (H. P. 22) (L. D. 43)

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 total was taken, 111 voted in favor of same and 23 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 to Repeal the Androscoggin Game Preserve (S. P. 316) (L. D. 839)

An Act relating to Certain Participation Loans by Savings Banks (S. P. 325) (L. D. 835)

An Act relating to Muskrat Trapping Season in Franklin County (H. P. 316) (L. D. 450)

An Act Prohibiting the Obtaining of Transportation on Ski Lift without Payment (H. P. 506) (L. D. 719)

An Act relating to Exchange of Vehicles Between Dealers under Sales Tax Law (H. P. 1067) (L. D. 1468)

Finally Passed

Resolve Regulating Ice Fishing in Certain Waters in Tomhegan, T. 1, R. 2, Somerset County (H. P. 361) (L. D. 508)

Resolve Closing to Fishing that Portion of the Thoroughfare, So Called, Between Nesowadnehunk (Sourdnehunk) Lake and Outlet Dam, Piscataquis County (H. P. 362) (L. D. 509)

Resolve Establishing Bag Limit of Trout on Little Nesowadnehunk

(Sourdnehunk) Lake, Piscataquis County (H. P. 503) (L. D. 716)

Resolve Regulating Fishing, Was-sookeag Lake, Penobscot County (H. P. 504) (L. D. 717)

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.

Orders of the Day

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

Bill "An Act relating to Use of Dealer Registration Plates" (H. P. 124) (L. D. 150)

Tabled — March 16, by Mr. Crosby of Kennebunk.

Pending — Passage to be engrossed.

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

Mr. JEWELL: Mr. Speaker and Members of the House: I believe you know my reasons for opposing this bill, but I will restate them. This is class legislation designed to favor a special interest group and it is poor legislation. There was an amendment put on your desks last week that would allow dealers to charge \$5.00 per day for the use of their cars. This would amount to \$1825.00 per car for one year without paying any sales tax, excise tax or registration fee. That's pretty good business.

If this bill is passed, I can see in the near future we will all be paying at least \$5.00 per day which we can now borrow free of charge. Stranger things have happened. I now move for indefinite postponement of this bill.

The SPEAKER: The gentleman from Monticello, Mr. Jewell, now moves that item one be indefinitely postponed.

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

Mr. CROSBY: Mr. Speaker and Members of the House: I'm not going to take too much of your time because I think this has been debated and it is a much travelled, much tabled bill. After a hearing and a discussion it was reported out of the committee nine to one

“ought to pass.” Since that time something has happened, I don’t know what it is. However, at that time I considered it a good piece of permissive legislation. It does not change the law as it stands now; it simply adds one paragraph of one sentence which allows the dealer if he sees fit to charge a customer whose car is in his garage being repaired for the use of a car during that period up to a period of seven days, a period of seven days as now on the law.

This does not in any way put the dealer in the car rental business that I can see. He can still let you take a car with no charge, and I am sure that in most cases he would. But there have been abuses of this privilege and I think that the dealer is entitled to a sum of money which would cover any damage — or not necessarily damage but abuse to the car which he loaned. For instance, if a car goes out and during the course of the week they haul certain things in it or it has become very dirty, the dealer naturally has to have it cleaned out and gone over before it can be put back on the lot to be sold.

I still feel that it is a good bill, and therefore I hope that the motion to indefinitely postpone does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Van Buren, Mr. Lebel.

Mr. LEBEL: Mr. Speaker and Members of the House: First I want to say that I did vote out of committee, I was one of the nine that moved “ought to pass” on this bill, and the reason that I voted for it was I thought of all it was going to do for the state, the dealer was going to collect a little money for the use of his car. But after we studied the bill we found out that there was a lot more to it. And we are going to have another bill come before our committee, L. D. 1533, pretty soon. And I would like to say what is in this bill.

It was made out by the Registration Board and the Registration Board is composed of two used car salesmen and one non-inter-

ested. So this is what they came out with:

“Loaner plates. New car dealers, used car dealers, body shops, transmission shops and general repair garages which find it necessary to loan cars to their customers while the customer’s car is being repaired, may make application upon a blank provided by the Secretary of State for a loaner registration certificate and plate instead of registering each vehicle owned by them to be used for the loaning of such vehicles. The Secretary of State shall forthwith present said application to the board. The board if satisfied with the facts stated in the application shall order the Secretary of State to issue a certificate of registration. The annual fee for every such certificate of registration shall be \$65. The Secretary of State shall furnish the applicant with 2 registration number plates free of cost. Upon payment of \$5 per plate, additional plates may be furnished and the number of any additional plates to be issued shall be determined by the board.”

Now listen to this paragraph: “New car dealer or used car dealer registration holders, who find having loaner plates a necessity, may purchase the same for the cost of additional plates, without paying the loaner certificate of registration fee.” So that means that the new car dealers who already have the registration certificate he doesn’t have to buy the certificate. And if somebody else wants to buy the certificate and somebody’s car is in his garage, he will have to pay \$65 and he will have two plates free. But the new and used car dealers are getting four plates free.

And here is what they came out with the use of the loaners plates. “Loaner plates may be used on a car loaned by a holder of such plate, while the customer’s car is in his care and custody for the purpose of repair or overhaul. When a car is operated on a loaner plate, a complete record must be kept for inspection at any time stating the hour and date the car is loaned and when it is returned, the serial number of the car loaned,

the loaner plate number and the registration number of the loaneer's car in his care and custody, and he must see that the operator has a current operator's license before releasing a car to him and shall record his name and address. Loaner plates may not be used by the owner on his car or on a car owned by anyone else in lieu of registration for personal use or pleasure. A nominal fee may be charged for the use of this plate."

So if we do pass this bill, L. D. 150, they will be able to use their car for their own pleasure, but the Registration Board came out with the loaners plates which the new car dealers and the used they won't be able to use it for their own use. So I hope that the bill 150 will be killed.

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

Mr. CROCKETT: Mr. Speaker and Members of the House: It isn't often that I get on my feet here, but this particular bill Legislative Document 150 is a bill that should be passed and I am going along with the committee's report nine to one "ought to pass."

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

Mr. DENNETT: Mr. Speaker and Members of the House: I rise in support this morning of the motion made by the gentleman from Monticello, Mr. Jewell. I feel that in this bill there are a number of things that perhaps the members of the House have not noted. Perhaps even like myself, prior to a week or so ago, they didn't really pay much attention to this bill.

I will be very brief but I would like to bring to the members of the House this morning what I feel are a few salient points in this bill, of which they should be fully aware.

Now I do feel that this bill does change the present law. It is quite obvious inasmuch as it strikes out of the law "or operated for hire." In other words, the present law says that if a garage operates a vehicle for hire they definitely cannot operate it on the dealers

plates. This of course would strike this motion out.

Another thing is, and I think that ultimately this would involve a great question of insurance rates, which might prove a boomerang even to the people who seek this legislation. Now I think every one in the House is fully aware and knows fully well that any garage or anyone who has dealers plates must file with the office of the Motor Vehicle Department, the Secretary of State, a certificate of insurance showing that they carry bodily injury and property damage in certain amounts.

Now if a garage operated vehicles for hire they had to carry H plates. These were relatively costly, the insurance was relatively high, because they fell into the same category as any public livery. Now what I think, and this is just an opinion—it's perhaps even a guess but an educated one. I feel very strongly that if dealers plates can be indiscriminately used on vehicles for hire, and this is what it would amount to, the insurance companies—and I mean the insurance companies in general, would again take a pretty long hard look at the insurance rates as they pertain to garage liability, and this might be very hurtful to many dealers, particularly some of the smaller ones even though at the moment they would have no intention of putting out vehicles for hire.

And also I have talked with some of the officials in the Motor Vehicle Department and they say that despite the fact that the law reads "vehicles that are put out for hire while the customer's car is being repaired," this portion of the bill would be most difficult if not impossible to police. I hope that the motion made by the gentleman from Monticello, Mr. Jewell, will prevail.

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

Mr. JALBERT: Mr. Speaker, I would like to ask a question through the Chair of any member of the committee, the question being, did any member of the Motor Vehicle Division at the hearing oppose the bill?

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

The Chair recognizes the gentleman from Kennebunkport, Mr. Pendergast.

Mr. PENDERGAST: Mr. Speaker, as a member of that committee, there was no opposition to this bill at the committee hearing.

The SPEAKER: Does the gentleman consider his question answered?

Mr. JALBERT: Thank you very kindly.

The SPEAKER: The Chair recognizes the same gentleman.

Mr. JALBERT: Mr. Speaker and Members of the House: This is one of the rare occasion that I take very mild issue with my friend from Kittery, Mr. Dennett. I would state that this is a permissive piece of legislation. Insofar as the insurance rates are concerned, I am sure that all good bonafide dealers would make sure that they are protected as well as the state should this law come into effect. I hope that the motion of the gentleman from Monticello, Mr. Jewell, does not prevail.

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

Mr. NADEAU: Mr. Speaker and Members of the House: Mr. Lebel and several others have already noted that there is another bill, which is 1533, which would more or less stop the loopholes that do exist in this 150. I would just like to make this observation. Someone just said that many hearings have no opposition. This particular one didn't, and so do many other hearings. I feel that we must protect the people, because we're going to go into a leasing business. Do you people realize that many manufacturers of various types of cars, in order for a warranty to be in effect you must go to a certain garage? This is going to create also unfair competition.

And are we to say that the garage people, regardless of where they are, will honestly tell the people—go ahead and take a car, and then hand them the bill when they return it without knowing

that they are going to be charged for it? I think this is unfair. We must defeat this bill.

Mr. Bedard of Saco then requested a division.

The SPEAKER: A vote has been requested.

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

Mr. GILL: Mr. Speaker and Ladies and Gentlemen of the House: I am in accord with this bill. Number one, I have a great deal of respect for the committee and the system that we use, and after all, this was a nine to one report although one of the members has changed his mind after he has made a study of the legislation. I should hope we would make the study before we make the report.

However, I think my family is a glowing example of what could happen to a car. I have a family and we like food and various things and at one time we were accorded the privilege of the use of a car while mine was being repaired, and it took me approximately four hours to clean that car out before I returned it at the end of the week.

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

Mr. QUINN: Mr. Speaker and Members of the House: There has been much talk made of using a car while your car is being repaired. Now this bill covers more than that. This bill covers the loan of a car for not more than seven days. It says, "for demonstration." And if you don't own a car you can go down there to a dealer and get a car for up to seven days by paying a small sum of money. Now if you do that you are doing it in competition with people in the car renting business, and you're doing it with the dealer who hasn't a registration for hire but rather is doing it under his registration plates as a dealer. And it gives the dealer an opportunity to use a lot of his used cars on his used car lot or renting them by the day, up to a week. Now a fellow that

does that doesn't have to have a car in for repair.

Now the other, "for demonstration or emergency purposes." If you have an emergency purpose, instead of going to a dealer that has cars for hire you can go to a dealer that is selling cars under this law, convey him a small stipend and then get a car for your use. And then the third amendment is that if your car is up for repair, then you can hire a car up to seven days to replace it.

So there is more to it than using a car merely while yours is tied up for repair.

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

Mr. LYCETTE: Mr. Speaker, Ladies and Gentlemen of the House: I happened to be on that committee and it is quite obvious that I was one of the nine who voted in favor of it. Later I was told by a very reliable gentleman in this House that the dealers in my town were against this bill. And using the shibboleth that's quite come by one of my contemporaries — not in this House, but my constituents want so and so and I've got to vote that way. But to clarify my position, I feel that if my dealers don't want to spend the five cent stamp and let me know how they feel, I am going to go along with my original vote in the committee.

The SPEAKER: The Chair recognizes the gentleman from Kennebunkport, Mr. Pendergast.

Mr. PENDERGAST: Mr. Speaker and Members of the House: It's funny that the gentleman Mr. Quinn didn't notice that in that bill it says while the car is being repaired. I see nothing wrong with this bill. If Mr. Dunn's amendment has been put on — I don't believe it has, this specifies \$5.00 a day rent on this particular day for this purpose. We all know that Hertz charges at least \$11.00 a day, 11 cents a mile for a medium size car, so I can't see how there is any competition between a dealer who wants a few dollars for the use of his car while the custo-

mer's car is being repaired. I had two dealers call me, one was in favor of the bill as it is. The other chap said, I don't care, I keep a couple of cars and have a little extra insurance on them and I don't worry about them, these are my loaner cars. So I don't see what the problem is with this particular bill. I hope you will go along and vote against the indefinite postponement.

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

Mrs. BAKER: Mr. Speaker and Members of the House: I happen to know that dealers and garage owners are possibly being pressed to provide cars for the use of customers. Many times the cars in for repair are nothing but junkers and any car they would have for loan would be one of much more value.

The dealer assumes a real responsibility when he lets his property out and I see no reason why he should not be compensated. If they are allowed to charge a nominal amount as provided in L. D. 150, requests for loans will decrease by a goodly percentage. I can assure you that few dealers will charge their regular customers, potential buyers of new or good used cars, such rental charges. This is permissive legislation only and will give protection against abuses.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Monticello, Mr. Jewell, that Bill "An Act relating to Use of Dealer Registration Plates," House Paper 124, L. D. 150, be indefinitely postponed. As many as are in favor of indefinite postponement will vote yes; those opposed will vote no. The Chair will open the vote.

A vote of the House was then taken.

61 having voted in the affirmative and 75 having voted in the negative, the motion did not prevail.

Mr. Dunn of Denmark 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. 124, L. D. 150, Bill, "An Act Relating to Use of Dealer Registration Plates."

Amend said Bill in the last two lines (last line of L. D. 150) by inserting after the underlined words "service charge" the underlined punctuation and words '**not exceeding \$5 a day,**'

House Amendment "A" was adopted and 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:

Bill "An Act relating to Trial Terms of Superior Court in Penobscot County" (S. P. 337) (L. D. 870) (In Senate, passed to be engrossed.)

Tabled — March 17 by Mr. Ber- man of Houlton.

Pending — Passage to be en- grossed.

On motion of Mr. Dudley of Enfield, retabled pending passage to be engrossed and specially as- signed for Thursday, March 30.

The Chair laid before the House the third tabled and today as- signed matter:

An Act relating to a Compact for Education (H. P. 55) (L. D. 80)

Tabled — March 21, by Mr. Jalbert of Lewiston.

Pending — Passage to be enact- ed.

The SPEAKER: The Chair recog- nizes the gentleman from Lewis- ton, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker and Members of the House: Two years ago there were a lot of us who had feelings against this measure. Since then, however, I think our fears have been alleviated in the fact that thirty-four states now en- joy this program. For that major reason I now move that this bill be passed to be enacted.

The SPEAKER: The Chair recog- nizes the gentlewoman from Lebanon, Mrs. Hanson.

Mrs. HANSON: Mr. Speaker and Members of the House: I feel that there has been some discussion

on this, perhaps the members need a little more information.

This will not be a duplication of information on this bill. It is a com- pact in order to benefit — that the State may benefit from the mutual exchange of ideas and services, and to profit by the trials and errors of the educational sys- tems throughout the fifty states. It will not be a duplication of in- formation but a clearing house of data that have been accumulated, studied, debated and catalogued as to its ultimate use for policy- makers if they need and want the information and advice on what direction to explore or move in when they have problems.

Already 39 states, I have just been informed that there are other states that have joined, have seen the wisdom of belonging to this compact. Joining or canceling out of this compact is entirely per- missive as is the use of its offer- ings.

The Education Commission of the States has been established by the Compact as its operating agency. Dr. Wendell H. Pierce, Executive Director of the Compact, recently stated that the organiza- tion is not anti-federal govern- ment, but would work with the government along with its primary function of helping the States to improve their education.

Each state belonging to the Compact would be represented by its Governor, four top educators appointed by the Governor and a representative from its House and Senate appointed by those bodies.

The first three studies under- taken by the Commission are: Methods of financing elementary and secondary education, com- munity centered post high school education, and trends and needs in vocational and technical educa- tion. Obviously, all three are of particular interest to the State of Maine.

In the future, the Commission plans to make available special studies for individual states. The organization also plans a long- range information service which will provide special information needed by individual states.

You have all, at least former leg- islators, been receiving the month-

ly issue of Compact, keeping legislators and educators informed of activities by the Commission. This compact is a declaration of the states' responsibilities and to assert that they recognize this and propose to do something about it. It is a means to strengthen the capacities of the states to meet the educational needs of our day and age.

We must not forfeit our rights as state leaders to help shape the course of this Nation by not being forceful and forward-looking in our plans for the best of education for the youth of today. Education provides theory and the tools of knowledge to work with, but experience supplies the modifications and amplifications that unite theory and workability in a successful result — whether it be in business, in engineering, or as in this case, the provisions of facts and accomplishments of others to work out the better methods to use in working with today's educational procedures.

It is not wise or feasible that a branch of Federal Government should mandate every move for every school nation-wide and be adamant for rigid obedience to mandate. Localities and states, their people, their geographic differences and their needs are often quite different and they should be allowed to plan for themselves their own individual needs and approach to problems.

This Compact would be a storehouse of information and advice where knowledge and facts could be acquired, used and tailored to the particular need of the state getting the information.

Governor Reed was in favor of this last year; Governor Curtis has been in favor of it this year.

I am hopeful that this will pass as emergency legislation and that Maine will be represented in the annual meeting of the Compact. If we do not add this emergency clause the duly nominated seven commissioners of this state will not be able to sit with a full complement of state commissioners until May, 1968, and there is a meeting of these commissioners in May, 1967 in Denver, Colorado.

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

Mrs. CARSWELL: Mr. Speaker and Members of the House: I voted against this bill last session and I've been asking questions about it ever since, because the answers that I had gotten previously never satisfied me. Yesterday I voted against this bill, and I continue to ask questions. However, today I have some information which I thought was very valuable and it has changed my opinion.

I understand that if we pass this legislation there is a possibility that we could receive something known as block grants from the Federal Government to specific areas, so this is why I am going to vote for this bill today, and I hope that you will change your minds as I have because of this important information.

The SPEAKER: The Chair recognizes the gentleman from Hampden, Mr. Littlefield.

Mr. LITTLEFIELD: Mr. Speaker and Members of the House: I rise to voice opposition to this bill which would have the State of Maine join this Compact for Education.

If you think I enjoy debating bills you are greatly mistaken, but there are 5 thousand people in Hampden and Newburg whom I represent, and under the circumstances I have to talk.

I think you should know how this Compact for Education got started. The Compact for Education was first proposed by Dr. James B. Conant in a book entitled "SHAPING EDUCATIONAL POLICY," and again outlined by him in a speech to the General Assembly of the States in December 1964 in Chicago. Former Governor Terry Sanford of North Carolina developed the compact's draft during 1965. It was approved at a meeting of delegates from states, territories and Puerto Rico, September 29-30 in Kansas City, Missouri.

I agree the compact is designed to foster cooperation and understanding among the various political, professional and lay leaders involved in the field of education.

It is to serve as a forum for discussion as well as a clearing house of information on educational problems and policies. It establishes an interstate commission to make studies and recommendations on educational policy at all levels, elementary, secondary, college and university.

Seven representatives from each member state will form the commission, the seven will be Governor, two legislators and four others from all levels of education. The compact also provides for ten non-voting commissioners representing national education organizations and ten representing all branches of the Federal Government.

An Interim Planning, Development and Steering Committee for the compact met December 7, 1965, in New York City to begin to set up an actual working organization. It accepted \$300,000 in grants from the Carnegie Corporation and the Danforth Foundation approved a tentative six-month budget of \$147,000 and elected officers. Chairman, Governor John Chaffee of Rhode Island, Vice Chairman, Dr. Fred Harvey Harrington, President of the University of Wisconsin and Treasurer, Dr. Wendell Pierce, Superintendent of Cincinnati Schools.

A Bill to join the Compact for Education was defeated at the time of its third reading in this House at the last Special Session by a vote of 107 to 19. Arguments at that time were that the compact would be another paper-shuffling and report - swapping committee requiring another \$10,000 or \$15,000 appropriation added to the already high cost of education.

We have many committees connected with education in this state. We have the Department of Education; we have the New England Regional Council of Education; we have interim committee studies and we have surveys; and we have the U. S. Department of Health, Welfare and Education. In fact, we have so many laws, rules and regulations about education that a teacher hardly knows where she belongs in the program.

I would hope that this bill is defeated when the vote is taken.

The SPEAKER: The Chair recognizes the gentleman from Lincoln, Mr. Porter.

Mr. PORTER: Mr. Speaker and Members of the House: I spent thirty-five years in education. The last half of those years I was greatly disturbed by the creeping control that Federal Government was having over education. I'm still disturbed. I think this compact is one way the states can combine their differences to control the Federal Government rather than the Federal Government controlling us.

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

Mr. ROSS: Mr. Speaker and Members of the House: When the vote is taken I request it be taken by the yeas and nays.

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 please vote yes, those opposed will vote no, and the Chair will open the vote.

A vote of the House was taken.

121 voted in the affirmative and 5 voted in the negative.

The SPEAKER: Obviously, more than one fifth having expressed the desire for a roll call, a roll call has been ordered. Is the House ready for the question of enactment?

This being an emergency measure under the Constitution, it requires for its enactment the affirmative vote of two thirds of the entire elected membership of the House. Those in favor of its passage as an emergency measure will vote in the affirmative, those opposed the negative, and the Chair will open the vote.

ROLL CALL

YEA — Allen, Baker, E. B., Baker, R. E.; Bedard, Belanger, Beliveau, Benson, Berman, Binnette, Birt, Boudreau, Bourgoin, Bradstreet, Brennan, Brown, Buck, Bunker, Burnham, Carey, Carrier, Carswell, Champagne, Clark,

Cornell, Cote, Cottrell, Couture, Crommett, Crosby, Curran, Cushing, Danton, Darey, Dennett, Dickinson, Drigotas, Dunn, Eustis, Evans, Ewer, Farrington, Fecteau, Fortier, Fraser, Fuller, Gaudreau, Gauthier, Gill, Giroux, Hall, Hanson, B. B.; Hanson, H. L.; Hanson, P. K., Harnois, Harriman, Harvey, Healy, Henley, Hennessey, Hewes, Hichens, Hinds, Hodgkins, Hoover, Huber, Hunter, Immonen, Jalbert, Jameson, Keyte, Kilroy, Kyes, Label, Levesque, Lewin, Lewis, Lincoln, Lowery, Lycette, Maddox, Martin, McMann, Meisner, Miliano, Minkowsky, Mosher, Nadeau, J. F. R.; Nadeau, N. L.; Noyes, Pendergast, Philbrook, Pike, Porter, Prince, Quimby, Quinn, Richardson, H. L.; Rideout, Robertson, Robinson, Rocheleau, Ross, Roy, Sahagian, Scott, C. F.; Scott, G. W.; Scribner, Shaw, Shute, Snow, P. J.; Snowe, P.; Soulas, Sullivan, Susi, Tanguay, Thompson, Trask, Truman, Waltz, Watts, Wheeler, White, Wood, The Speaker.

NAY — Crockett, Drummond, Dudley, Durgin, Hawes, Jannelle, Jewell, Littlefield, Payson, Rackliff, Starbird, Wight, Williams.

ABSENT — Bernard, Bragdon, Carroll, Conley, Cookson, D'Alfonso, Edwards, Foster, Haynes, Humphrey, McNally, Richardson, G. A.; Townsend.

Yes, 124; No, 13; Absent, 13.

The **SPEAKER**: 124 having voted in the affirmative and 13 having voted in the negative, the Bill is passed to be enacted as an emergency measure. It will be signed by the Speaker and sent to the Senate.

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

HOUSE REPORT — Ought Not to Pass — Committee on Agriculture on Bill "An Act to Prohibit the Sale or Use of the Chemical Compound Known as DDT" (H. P. 197) (L. D. 286)

Tabled — March 21, by Mr. Jalbert of Lewiston.

Pending — Motion of Mr. Crommett of Millinocket to reconsider acceptance.

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

Mr. **JALBERT**: Mr. Speaker and Members of the House: Yesterday the Appropriations Committee reported a bill out that's on it's way to passage now that would have the Agricultural Department of the University of Maine expend some \$10,000 to make a thorough study of the problem of DDT. For that reason I would hope that the motion to reconsider as made by the gentleman from Millinocket, Mr. Crommett, does not prevail.

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

Mr. **HARVEY**: Mr. Speaker and Members of the House: There's been millions of dollars spent already in research on DDT. \$10,000 is a drop in the bucket. I'd like to bring up a few facts on DDT. One is that it is persistent, it accumulates over the years. In some parts of the Nation there's up to 32 pounds of accumulated DDT, and dead life all around it. Another fact, DDT has been found and is found in the tissues of unborn babies. Another fact, it is found in mothers' milk. The quantity found in a mother's milk, thought to be insignificant, was injected into a male quail, the bird. That bird within seconds went into a stupor and later died. It is a known fact that greenhouse workers subjected to DDT lose the loss of limbs and eyesight. It is a known fact that the U. S. Forestry Department outlawed the use of DDT in all its spraying operations in 1963. It is a known fact that the Pure Foods standards are allowing more and more DDT into the foodstuff you eat, because DDT is being found in everything today. It's a known fact that DDT kills the good as well as the bad. The common little bee that moves from plant to plant for its pollen faces extinction. It's a known fact that the U. S. Public Health Service has just got one hundred million dollars to study the effects of DDT and cancer.

It is the opinion of Dr. Malcolm Hargraves, Mayo Clinic, this isn't a fact, it's his supposition, that there are more deaths caused by pesticides - insecticides, than are caused in automobile accidents throughout the Nation, and we're all very concerned with the accident rate throughout the Nation.

Dr. Martin at the University of Maine, with George Woodwell in 1958 inspected the forests in New Brunswick where they discontinued the DDT spraying in 1958. At that time they found in the soil one half pound accumulation of DDT. In 1961 they went back there and reinspected it. They found one and a half pounds of DDT, and their conclusion was that due to its very nature that the DDT comes through the leaves down through the tree trunks, into the soil, and be there for tens of years.

Everyone sitting here has in their body eleven parts per million of DDT. This is a scientific fact, but they do not know how many units is detrimental to man before he will succumb, and kick the bucket.

Now, we come back to the eagle. The eagle faces extinction right now because in the last four years their eggs have been so full of DDT that they will not hatch. A fellow told me last night, he says "oh I'm sick of hearing eagle." Ladies and gentlemen, there's the eagle right there — the American Eagle, it would be kind of ironical if he had to die to wake us up that we're being poisoned day by day by these insecticides such as this—these persistent insecticides.

Last but not least, the Sea and Shore Fisheries in 1965 and 1966 have been surveying the entire coast of Maine. Their report is here — if anyone is interested enough to look at it. DDT is found in the clams, they're found in the mussel, they're found in the fish, they're found in the oyster, they're found in the lobster. But it's also interesting to note that the amount found in the lobster .013, is enough DDT to kill thousands of lobster larvae. We have been wondering what has been happening to our lobsters; it's not known but this could be where a lot of our lobster

population is going. So I think we as responsible legislators should take a deep look; here's our chance to outlaw this poison and get rid of this particular type. There are sixty thousand insecticides, herbicides, and germicides on the market today. I don't think we need these killers. Thank you.

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

Mr. HEALY: Mr. Speaker and Ladies and Gentlemen of the House: Ever since I have heard about this thing it has been bugging me.

The SPEAKER: The House will be in order.

Mr. HEALY: Through the Chair, I would ask of any person who could explain it, explain to me what the scientific explanation of DDT is?

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

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

Mr. JAMESON: Mr. Speaker and Ladies and Gentlemen of the House: I am a licensed tree surgeon licensed by the State of Maine to spray trees. I got that license by going and attending Mass. Aggy at that time, Massachusetts University now. I attended this college to study insects and insect control. Now that was thirty-five years ago that I left there, ladies and gentlemen. At that time the leading spray was arsenic of lead. I think you are all familiar with arsenic of lead to a certain extent. When arsenic enters the body it will not pass out, it is there and it accumulates forever. What you read, if you believe everything you read, DDT is the same, but I don't believe it. I have been using DDT for the last fifteen years in insect control. Most of the insects the only way you can control them, you must understand the insect, you must understand its habits, how it feeds. A great percentage of the insects absorb their food by a sucking method. This calls for a contact spray. DDT is a contact spray. A great percentage of the insects ab-

sorb their food by chewing method. DDT is a contact spray and a stomach poison. One must know these things to get a license from the State of Maine, and the State doesn't hand out a spraying license to everybody. You will see a list a mile long of licensed tree surgeons but you won't see it very long for licensed sprayers.

Now as I say, ladies and gentlemen, I have been using arsenic of lead for forty years and I am not dead yet I don't think, and I have been using DDT for over fifteen years and I am still alive and kicking, and I'm 69. I haven't got much more time, but I hope that you will not go along with this bill. I think we need it, and until something else takes its place, then ladies and gentlemen we will move to abolish this sale of DDT, but until then, until we have an effective insecticide, lets hold onto this one we have got. Thank you.

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

Mr. CROMMETT: Mr. Speaker, Ladies and Gentlemen of the House: I haven't anything further to say on this bill. It was my intention in bringing this before the House that the members would have an opportunity to express their opinion, and even those who do not speak on this, they certainly should have an opportunity to express themselves by their vote, and so I would urge you to reconsider this bill.

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

Mr. EUSTIS: Mr. Speaker, I stand in support of this bill. The facts that have been cited in this House against DDT have all been validated. The evidence against it is thoroughly documented by competent, dedicated biologists. I believe them. I don't intend to belabor this issue in detail any more, I think enough has been brought to the attention of this House, except to say this. A small pond near the area where I live I have followed through for six years the process of spraying that pond and what happened as a result. The fish kill was heavy; the bird kill

was heavy and at the end of that six year period nobody even bothers to go fishing there now, and the bird population has shrunk to almost nothing.

Perhaps it is ill-timed to be a bit facetious here, but I think perhaps I can bring this case to point by metaphor if I tell a little short one, a bit of folklore that took place in Oxford County. A farmer with a family of five children was eating his breakfast one morning and he looked out the window and there was an owl perched on the barn. He told his fourteen year old boy, he says: Go out and get the gun and get that owl. He is looking those leghorn pullets over and we are going to lose some. So the boy took the gun, which happened to be a muzzle-loader, and probably some of you don't know that to load one of those things is quite an operation. You first pour in your powder, then you take a newspaper or old rags or anything you can with a ramrod and ram that home as tightly as you can, pour in the shot according to your mood and your purpose, and repeat the process. This gun was kept constantly loaded.

The boy took the gun, went out the back door and peeked around the corner until he could get his eye on the owl, he drew a bead on him and touched it off. When the smoke had cleared away all that was left of the owl was a few feathers and bits of shattered flesh. He heaved a sigh of satisfaction and went back to his breakfast. After they had finished their breakfast, they got up and the farmer looked out the window and the barn was all afire; the wadding had evidently dropped on the shingles and started the fire, and they went out, they had no real means of protecting the barn, fire protection, so they got out what stock and what poultry they could and went back to the house. Then the farmer began to belabor the boy for having been responsible for it. He said: Pa, what are you giving me all get-out for? He said: I done just what you told me to, I got the owl didn't I? Well DDT is the owl in this story.

The SPEAKER: The Chair recognizes the gentleman from Durham, Mr. Hunter.

Mr. HUNTER: Mr. Speaker and Ladies and Gentlemen of the House: I believe the most important consideration before us concerning this question is about public interest and I say public interest, I don't say interest for the farmer or interest for the fish or the Fish and Game Department or anything like that, it's just plain, simple public interest.

Now if you remember how DDT came about, those doctors and scientists and technicians and people like that discovered it during World War II to put down the mosquitoes and flies and things like that that we had in foreign countries, and it did an awful good kind of a job and that's why our harvest of food has gone beyond all expectations. Now it was really a glorious thing when we discovered DDT and there hasn't been a single death of man really attributed to it. What the whole thing hinges around is control. Now two years ago we set up a Pesticide Control Board. I was on the Committee, I wasn't here very long, and I thought \$2,000 would do a lot; I think they finally raised it up to \$5,000. Well now for the next two years we got \$20,000 a year, \$40,000 for this pest control Board to operate, and I think with control we can do something. You have to have control about everything you do. All these things that came from God are good, used rightly, such as alcohol or sex or any of those things, but used wrongly, it can bring death to man.

The SPEAKER: The House will be in order.

Mr. HUNTER: You got me all shook up; I'm all done. (Applause)

The SPEAKER: Does the gentleman from Durham, Mr. Hunter, wish to proceed?

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

Mr. WILLIAMS: Mr. Speaker and Members of the House: You people all know that I come from Aroostook County and about twelve or fourteen, maybe eighteen years ago we were spraying potatoes with arsenic poison, we weren't

getting the bugs and we were having a lot of trouble. Then we got DDT. We didn't know anything about DDT except that it was a wonderful insecticide and it really done the job. We use DDT in Aroostook County by the carload and still use a lot of it. We use it to spray potatoes, we used to spray dairy barns with it and we really went to town. As far as it doing any great damage, why I spent probably ten years spraying potatoes for about two days a week during the spraying season and my clothes most of the time was wet through. We use it about approximately four times as strong than they talk about using it now, and I think I am reasonably healthy, and if you think that Aroostook County is a good example of DDT because there has been carloads of the stuff used and they still use it, you go up there sometime next summer and you look around and you will see plenty of birds and you will see plenty of fish in the streams there, even if my friend, Mr. Bourgoin there, he is fighting about the fish being so thick up there we don't need to have the limit cut down, and as far as the reproduction goes, you people come up there and look around and see the school houses we're building and I think that will take care of that.

The SPEAKER: The Chair recognizes the gentleman from Harpswell, Mr. Prince.

Mr. PRINCE: Mr. Speaker, Ladies and Gentlemen of the House: I want to concur with the remarks made by Representative Harvey from Woolwich, I think they are very good.

Now I don't imagine that this bill is going to pass as written. I don't think the State of Maine is going to stop using DDT, but I am interested in this order that Representative Jalbert just mentioned. It does not include fish life which I hope that it will be done, and I am wondering what the procedure would be. Does this mean that this order would have to be amended to include fish life? I would like to have that question answered please.

The SPEAKER: The gentleman from Harpswell, Mr. Prince, poses a question through the Chair to anyone who may answer if they choose.

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

Mr. JALBERT: Mr. Speaker and Members of the House: In answer to the good gentleman from Harpswell, Mr. Prince, the subject that he talks about is not in order form, it is in bill form, and when it comes back here I presume that it could be his prerogative to amend it in any fashion that he would so wish.

The SPEAKER: Does the gentleman consider his question answered?

Mr. PRINCE: Yes.

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

Mr. EUSTIS: Mr. Speaker, perhaps I can shed some light on that on both the Pesticide Board and DDT itself. I had reason to complain about this small pond I was speaking of. The Pesticide Control went up and investigated thoroughly, and they have since then issued a cease and desist order on DDT in that area. They have classified it as a disaster area and for that reason they have forbidden its use in that area.

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

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

The SPEAKER: The gentleman from Augusta, Mr. Brown, has moved 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 vote yes, and those opposed will vote no. The Chair will open the vote.

A vote of the House was taken.

94 having voted in the affirmative and 37 having voted in the negative, the previous question was ordered.

The SPEAKER: The question now before the House is, shall the main question be put now? This

question is debatable for not more than five minutes by any member. As many as are in favor of the main question being put now will say aye; those opposed, no.

The main question was ordered on a viva voce vote.

The SPEAKER: The pending question is the motion of the gentleman from Millinocket, Mr. Crommett, that the House reconsider its action whereby it accepted the "Ought not to pass" Report on Bill "An Act to Prohibit the Sale or Use of the Chemical Compound Known as DDT," House Paper 197, L. D. 286, and the Chair will order a vote. All those in favor of reconsideration will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

31 having voted in the affirmative and 104 having voted in the negative, the motion did not prevail.

Mr. Harvey of Woolwich was granted unanimous consent to address the House.

Mr. HARVEY: Mr. Speaker and Members of the House: I have done over twenty-five hours of research last week on this issue, talked with doctors, veterinarians, and got all the science magazines I can find, and what I have found out is more horrible than you can even anticipate. So I would like to prevail on this body sometime in the next two years to do as much research as I have and probably the next session of the Legislature you will see fit to discontinue and outlaw the use of these kind of insecticides in the State of Maine. Thank you.

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

An Act relating to Construction, Maintenance of Boat Facilities, Public Access and Marking the Waters (H. P. 60) (L. D. 85)

Tabled—March 22, by Mr. Benson of Southwest Harbor.

Pending—Passage to be enacted.

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 total was taken. 135 voted in favor of same and one against, and accordingly the Bill was passed to be enacted, signed by the Speaker and, on motion of Mr. Benson of Southwest Harbor, by unanimous consent was sent forthwith to the Senate.

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

Bill "An Act to Clarify State Aid for School Construction Purposes and Borrowing in Anticipation Thereof" (S. P. 63) (L. D. 107) (In Senate, passed to be engrossed as amended by Committee Amendment "A" (S-2), House Amendment "A" (H-38) as amended by Senate Amendment "A" thereto (S-18), and House Amendment "B" (H-69) in non-concurrence)

Tabled — March 22, by Mr. Levesque of Madawaska.

Pending — Further consideration.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: Yesterday when this document came before you, I considered it a vicious attack upon the Majority Leader, of not only the integrity of a member of the other branch, but a vicious attack and irresponsible remark concerning the integrity and the honesty of the Education Department of the Special Session of the last Legislature, of which there was three members of his own Party.

The irresponsible remarks made by the gentleman were unwarranted, unnecessary and unneeded.

It is my belief that all the members of the Committee had signed this committee report on L. D. 1794 last year, which was a unanimous committee report, and in honesty and with full knowledge of the content of the bill, including the same members of the Republican Party that were

on that committee. It was never the intention of the committee nor myself, a member of that committee then, as trying to pull the wool over anybody's eyes. The bill was there, and I assumed that the Majority Leader then was in the legal profession, it was his right, his prerogative as every other member of this branch to question the bill when it came before him. So, therefore, I regard the remarks very much uncalled for and unnecessary, attacking the integrity and the honesty of all the members of that committee.

As to the choice of this legislation before us today, as it was two years ago, the choice was left for this 103rd Legislature to do whatever they saw fit, to either divide the payments on construction or to pay a lump payment at the end of the construction or at the completion of the construction. This prerogative is still here, it's still with us, and I am assuming and I hope that this Legislature will take the necessary action to do what is needed to pay for these construction costs. And I fail to see that over a fifteen or twenty year period where the total amount of construction money raised will vary from any given total.

The towns have still got their prerogative of building their schools, and it always goes back to the prerogative of the municipalities to raise this money and then the State of Maine matches the total construction money allocated. I don't think that the municipalities in this State are about to change that way of doing business as far as school construction is concerned. So, therefore, I hope this morning that when this document comes before you for a vote that you will give it unanimous support. And as for the gentleman from the other branch that was mentioned yesterday, I'm assuming that he can very well answer for himself. Thank you.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: I think

I understand the explanation that the gentleman has just given us, the Minority Floor Leader, Mr. Levesque. However, I would like to have him enlarge for my benefit a little bit on what he is proposing under L. D. 107. I got the implication that he is proposing that we return to the previous method of paying the State's share of the subsidies, the State's share of construction aid to the towns.

The matter of, that is in this bill, which mentions fifteen years that these municipalities or these school districts may bond, bothers me a little bit. I wonder whether if they've got to go back now, as I think the gentleman is saying, that that is what we now have decided to do and can do under 107, go back to the old system whereby the State pays the District's share after the District has paid their—has met their obligations to the loan companies on their bonds, then the State steps in. I think that I am in complete accord with that method, and I feel that it's probably the only thing we can do. However, we are not exactly, as I see it, we are not exactly meeting the commitments of the last session of the Legislature to these various school administrative districts who have gone ahead in good faith with, at least have been given the impression that when they completed their construction next August or whatever the date may be, the State money would be immediately available.

I think I'm in pretty much agreement with the gentleman, and I hope he will verify my remarks that what I'm saying is what he has in mind. I do say that if the districts—this one point certainly bothers me—that if the districts have got to go back to the old system of bonding, I question in my own mind, and I don't pose as a financial expert, but I question in my mind the wisdom of setting a fifteen-year period where they can do their bonding. I wonder whether there's not going to be a difficult situation of putting it in. Perhaps this is optional, I assume maybe it is.

I would welcome any further comment by the gentleman in re-

gard to this whole program. I've been disturbed, as this has been going through this House right along, at the lack of information that the Education Committee has seen fit to disseminate to us. I'm sure they understood what they had in mind and probably understood it so well that they thought that every one of us did. I'm sure any amount of explanation which they would choose to give us would be well received.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: It is my understanding that it can be done either of two ways. The legislation that was passed two years ago in the special session and signed by the Governor permitted the use of short-term loans at a reduced cost versus a long-term loan which would be divided in equal payments or in divided payments. Now this legislation is here now, but it does not prevent this body that if it sees fit to go back to the old method that was mentioned of dividing payments on a long-term basis. It is my understanding that there is quite a considerable amount of savings if you pay the lump sum at the end of the construction on a short-term basis, so this is the vehicle that we have got now that can be done to finance the school construction that they would be paid at the end of the construction on a short-term note of assuming fifteen years. But if this body, if this Legislature sees fit to go back to the old system of providing long-term loans under divided payments, then I still bow to the wishes of this Legislature. The prerogative is still with us to do one or the other.

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

Mr. JALBERT: Mr. Speaker and Members of the House: In further explanation to the gentleman from Perham, Mr. Bragdon, L. D. 107 is a stop-gap measure. It does not stop this body or the other body combined to, as the gentleman from Madawaska, Mr. Levesque says, go back to the old system,

and the opportunity in another bill will be before us insofar as that is concerned. If we want to retain the present system, then there will only be two ways that we can do it. It will be to pass a bond issue to cover the present commitments or a bond issue large enough to cover two or three sessions of commitments. If that didn't get by the people, then the only answer would be because we are legally and morally obligated until we pass legislation otherwise, we would have to come back here and pass legislation to cover the program under our operating budget.

Now insofar as I personally am concerned, it does not involve my community. It could have, because it had a—but the amendment striking out the vocational schools was taken out of it and rightfully so, because legislation covering that is coming. It doesn't cover anybody insofar as I am concerned in my whole county area. However, it does protect those people whose commitments have already been made and I consider this particular legislation here one of the most important if not the most important piece of legislation before us, and I hope we pass it in its present form so that these people can be relieved of the pressure that no doubt is within them where it concerns their commitments.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: Very briefly, I regret sincerely that the Democratic leadership has taken offense at my remarks of yesterday; none was intended.

As I understand the gentleman from Madawaska, Mr. Levesque's remarks, we had an alternative financing proposal before us during the special session. I said to you yesterday and I say to you again today that the fact that we were radically altering our financing program was not debated, it was not discussed. It was, of course, my obligation as a Legislator to inform myself upon all legislation, a burden which all of us labor under, but I submit that we have a right to anticipate that

the Majority leadership when it brings bills on the Floor of vital significance will inform the members, and that we as Legislators have a right to rely on committees to inform us as to what is going on.

Now the point my friend from Madawaska, Mr. Levesque, seems to miss is that this change in the law in the special session not only changed the method of payments from annual payments to a lump sum, it radically increased the amount of money that an S.A.D. can borrow. For example, S.A.D. 33 in northern Aroostook County comprising the Towns of Frenchville and St. Agatha has a present State valuation of \$2,750,000. At 12½% under the old law they could borrow \$343,750. Under the new law, they could borrow the sum of one thousand—one million, rather, the figure staggers me, \$1,010,625. Now this gives them from a \$300,000 total construction project into a total construction project involving more than a million dollars. Now I think that's a significant change in the law.

The gentleman from Madawaska, Mr. Levesque, says that it left a choice to this Legislature, to us, to decide how we are going to finance this. In an article appearing in the Kennebec Journal in February 1966 during or shortly after this matter was being discussed, Donald Hansen indicated in an article which was headlined "School Subsidy Bill May Cost State Extra Six Million Dollars" that there had been a change. The choice that is left to us is to come up with seventeen and one-half million dollars.

As was pointed out by the gentleman from Lewiston, Mr. Jalbert, this is the most important legislation that we will act on this session, or certainly one of the most important, because it tests our good faith. These towns, S.A.D.'s have relied on us to come up with the funding. Nothing I said yesterday was intended to suggest that the Republican leadership is going to welsch on that obligation. We urge you to pass 107. We can make any changes that we want to make later, but the record I

thought should be clear. Thank you.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: As I pointed out in my earlier remarks the total number or amount of money raised in the State over a fifteen or twenty year period for the construction of schools is relatively going to change very little, and I think the towns of Frenchville and St. Agatha became a School Administrative District before the last session of the Legislature. Their borrowing capacity has changed very little before or after becoming a School Administrative District. Nor would they have increased the value of their borrowing capacity over the next year, two years or going back two or three years.

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

Mr. JALBERT: Mr. Speaker, because I feel that this very important piece of legislation here is being sidetracked by who said what yesterday and today and who should probably say something tomorrow, and I note here that our very good colleagues from the Press are making one of their very rare visits down in the Well, I feel that we should restrict the conversation concerning this very, very important piece of legislation to the issue itself.

Now there are plenty, plenty of opportunities to contact our very good friends who cover from stem to stern both by press, radio and TV and square the things out. Now this is on one of my rare occasions that I am not happy to join a political revolution. I think this is too important, and I beseech the leadership of both parties from now on wherein it concerns this measure, to restrict their comments to this measure. Now I won't start a political revolution later on, but if they want to I will be damned happy to join them.

The SPEAKER: The Chair would advise the gentleman to restrain his language.

The Chair recognizes the gentleman from Limerick, Mr. Carroll.

Mr. CARROLL: Mr. Speaker, Ladies and Gentlemen of the House: I am proud to stand here today and say that I was a member of the 102nd Legislature. I am also proud to stand here and say that I have always acted in the best interests of the State of Maine, of the people I represent, be they little, be they small. I am also proud to say that I have never participated in a ball game where in the sixth inning we changed the rules of the game. And this is what we are being approached with. We are being badgered and banded from side to side with people who are saying you need \$75,000,000, you need \$80,000,000, you need \$50,000,000. Never have I heard figures thrown around so wildly and so rudely as I have had in meetings in which I have participated.

I believe in the principles that if there are methods or a method that is found where you can save State money, you should proceed with caution and attempt to save State money. We found School Administrative Districts were hiring money at a high interest rate and that by changing the formula that these districts could turn to the State and the State would bond and the State can hire their money at a much cheaper interest rate.

I have never misled anybody in my life. I have been faced with courtmartial in the United States Army because I refused to lie, and it behooves me, it irritates me, it makes me ugly when I hear people say that we, the Education Committee of the 102nd Legislature misled anybody. We did not mislead you. We are not leading you down the path of roses and flowers and heavenly things. We are telling you that the children of the State of Maine deserve and need a good education, and I urge you in your thoughts, in your memories, in your days away from here to remember, we do have an obligation, and that is to our children to see that they have a good education, that they can go out into this world and compete, and compete with everybody, and I see no reason why

this bill has laid in this House, why it has been tabled from time to time, badgered around, and I urge immediate passage of this bill.

The SPEAKER: Is the House ready for the question? Is it the pleasure of the House to recede and concur with the Senate?

The motion prevailed.

Mr. Jalbert of Lewiston was granted unanimous consent to address the House.

Mr. JALBERT: Mr. Speaker, the comment I was going to make is concerning the leadership of both parties. Needless to say, my feelings are very high wherein it concerns the personality, integrity and honesty of the leadership of both branches and what I particularly want to address myself to is the Speaker himself, and I would like to commend him for rapping my knuckles when I used the word spelled d-a-m-n. I assure him and the membership of the House —

The SPEAKER: The Chair would advise the gentleman that he should not spell the word.

Mr. JALBERT: What I was going to say is that I cannot take issue with the Speaker, members of the House, because frankly for the moment I don't know what horrendous thought possessed me to use that kind of a word that you all know I never even think of using.

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

HOUSE MAJORITY REPORT (7)—Ought to Pass—Committee on Judiciary on Bill "An Act relating to Equal Fault of Claimant Under Comparative Negligence Law" (H. P. 605) (L. D. 849) MINORITY REPORT (3)—Ought Not to Pass.

Tabled — March 22, by Mr. Dennett of Kittery.

Pending — Acceptance of either report.

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

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

Mr. HEWES: Mr. Speaker, I would move that we reconsider our action or recede from our action we just took accepting the Majority Report.

The SPEAKER: The Chair understands that the gentleman from Cape Elizabeth, Mr. Hewes, moves that the House reconsider its action whereby it accepted the Majority Report.

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

Mr. BERMAN: Mr. Speaker and Members of the House: The hour is late. This is a matter that really deserves considerable time. Some of us on the committee have frankly devoted weeks of work to this project and I think in the interest of a fair hearing before this House that someone should table this matter until next Tuesday.

Thereupon, on motion of Mr. Conley of Portland, tabled pending the motion of Mr. Hewes to reconsider acceptance of the Majority Report and specially assigned for Tuesday, March 28.

Mr. Hinds of South Portland was granted unanimous consent to address the House.

Mr. HINDS: Mr. Speaker and Ladies and Gentlemen of the House: I would like to remind the members that they can pick up the names of the past Legislators from Edith Hary or from the Clerk's office, and that if these members are not notified of this Welcome Back Day, the past members, they will not know about it. It is each individual Legislator's responsibility to notify the people in their particular districts.

We plan a luncheon on that day in the rotunda of the State House. The Southern Maine Vocational Technical Institute will be putting on one of their fine luncheons. The Committee is working further with some other ideas and I will report to you at a later time.

On motion of Mr. Richardson of Cumberland,

Adjourned until nine - thirty o'clock tomorrow morning.