

# 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

Friday, March 31, 1967

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

Prayer by the Rev. Mr. Richard D. Cleaves of Augusta.

The journal of yesterday was read and approved.

### Paper from the Senate

From the Senate:

Bill "An Act relating to Leases of Right to Take Marine Algae on Submerged Lands" (S. P. 590) (L. D. 1559)

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

In the House, referred to the Committee on State Government in concurrence. (Later Reconsidered)

### Senate Reports of Committees Ought Not to Pass

Report of the Committee on Liquor Control reporting "Ought not to pass" on Bill "An Act Permitting Pin Ball Machines on Premises of Liquor Licensees" (S. P. 477) (L. D. 1198)

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 Education reporting "Ought to pass" on Bill "An Act Appropriating Matching Funds under Title VI of the Federal Higher Education Act for Maine Maritime Academy" (S. P. 328) (L. D. 983)

Report of same Committee reporting same on Bill "An Act to Permit School Administrative Districts to Join Together" (S. P. 396) (L. D. 1029)

Report of same Committee reporting same on Bill "An Act to Reconstitute School Administrative Districts Numbers 9, 17, 27, 46, 47, 48, 49, 55 and 61" (S. P. 399) (L. D. 1071)

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

In the House, the Reports were read and accepted in concurrence, the Bills read twice and assigned the next legislative day.

### Ought to Pass with Committee Amendment

Report of the Committee on Education on Resolve Providing Funds for Dental Education (S. P. 260) (L. D. 640) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report of same Committee on Bill "An Act to Provide for Practical Nursing Course at Central Maine Vocational-Technical Institute" (S. P. 400) (L. D. 1031) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report of same Committee on Bill "An Act relating to Costs of Flander's Bay Community School District" (S. P. 470) (L. D. 1162) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report of the Committee on Legal Affairs on Bill "An Act Prohibiting Annoying Telephone Calls" (S. P. 269) (L. D. 650) 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 and Resolve passed to be engrossed as amended by Committee Amendment "A."

In the House, Reports were read and accepted in concurrence, the Bills read twice and the Resolve read once. Committee Amendment "A" to each was read by the Clerk and adopted, and third reading of the Bills and second reading of the Resolve assigned the next legislative day.

### Divided Report

Majority Report of the Committee on Education reporting "Ought to pass" on Bill "An Act Creating the Maine Higher Education Loan Authority Act" (S. P. 59) (L. D. 72)

Report was signed by the following members:

Messrs. MacLEOD of Penobscot  
KATZ of Kennebec  
SNOW of Cumberland  
—of the Senate.  
Mrs. BAKER of Winthrop  
Mrs. HANSON of Lebanon  
Messrs. ALLEN of Caribou  
SHUTE of Farmington  
RICHARDSON  
of Stonington  
—of the House.

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

Report was signed by the following members:

Messrs. LEVESQUE  
of Madawaska  
CARROLL of Limerick  
—of the House.

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

In the House: Reports were read.

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

Mrs. BAKER: Mr. Speaker and Members of the House: I move we adopt the Majority Report.

The SPEAKER: The gentlewoman from Winthrop, Mrs. Baker, moves that the House accept the Majority "Ought to pass" Report. Is this the pleasure of the House?

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

Mr. CARROLL: Mr. Speaker and Ladies and Gentlemen of the House: I feel that this is no time to accept the Majority "Ought to pass" Report. I have made a study of this in the last Legislature. This is a copy of the Dormitory Authority Act in New York State. It was recommended that the Committee on Education hear this bill; we did. We requested a study be made of the Dormitory Authority Act, New York State, that the Department of Education send people well qualified in this field to New York; and this was never done. But one of the big reasons that I object to this is that these private colleges are not taking care of the students in the State of Maine. We asked them at our

hearing—how many children of the State of Maine do you have in your colleges? They told us eight percent—ten percent. Now, if we're going to pledge a credit of the State of Maine in this manner to these colleges, we should have a commitment from these colleges that they will educate a certain percentage of the students of the State of Maine.

I would feel that we should at least have a commitment from them for thirty percent of the students of the State of Maine. Now how many directions can we pledge a credit of the State of Maine, to continue to pledge a credit of the State of Maine, and have our credit worth looking at? Therefore, I would hope that the House here this morning would not accept the Majority "Ought to pass" Report but would go along with the Minority "Ought not to pass" Report.

The SPEAKER: The Chair recognizes the gentlewoman from Lebanon, Mrs. Hanson.

Mrs. HANSON: Mr. Speaker, I would like a division please.

The SPEAKER: A vote has been requested. All those in favor of accepting the Majority "Ought to pass" Report will vote yes; those opposed will vote no. The Chair will open the vote.

A vote of the House was taken.

66 having voted in the affirmative and 42 having voted in the negative, the Majority "Ought to pass" Report was accepted in concurrence.

The Bill was then given its two several readings and assigned for third reading the next legislative day.

#### Divided Report

Majority Report of the Committee on Education on Resolve Proposing an Amendment to the Constitution Pledging Credit of State and Providing for the Issuance of Bonds Not Exceeding, at Any One Time Issued and Outstanding, Twenty-five Million Dollars for Loans to Private Colleges for Construction and Expansion of Facilities (S. P. 60) (L. D. 73) reporting "Ought to pass" as

amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. MacLEOD of Penobscot  
KATZ of Kennebec  
SNOW of Cumberland  
—of the Senate.

Messrs. ALLEN of Caribou  
SHUTE of Farmington

Mrs. HANSON of Lebanon

Mrs. BAKER of Winthrop

Mr. RICHARDSON  
of Stonington  
—of the House.

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

Report was signed by the following members:

Messrs. LEVESQUE  
of Madawaska  
CARROLL of Limerick  
—of the House.

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

In the House: Reports were read.

On motion of Mrs. Hanson of Lebanon, the Majority "Ought to pass" Report was accepted in concurrence and the Resolve read once. Committee Amendment "A" was read by the Clerk and adopted in concurrence and the Resolve assigned for second reading the next legislative day.

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

Bill "An Act relating to Quantity of Liquor to be Transported into State by an Individual" (H. P. 534) (L. D. 764) which was passed to be engrossed as amended by Committee Amendment "A" in the House on March 24.

Came from the Senate indefinitely postponed in non-concurrence.

In the House: On motion of Mr. Haynes of Camden, the House voted to recede and concur with the Senate.

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

Resolve to Reimburse Dwight H. Wheeler of Manchester for Payment of Fine in Motor Ve-

hicle Speeding Case (H. P. 877) (L. D. 1289) which was passed to be engrossed in the House on March 24.

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.

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Tuesday, April 4, at ten o'clock in the morning. (S. P. 591)

Came from the Senate read and passed.

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

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

The following Bill, 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, was received and referred to the following Committee:

#### **Education**

Bill "An Act relating to School Administrative District No. 60 and the Formation of a New District Among the Towns of Berwick, Lebanon and North Berwick" (H. P. 1098) (Presented by Mrs. Hanson of Lebanon)

(Ordered Printed)

Sent up for concurrence.

#### **Orders**

On motion of Mr. Hanson of Gardiner, it was

ORDERED, that the Assistant Clerk of the House, Mrs. Regis T. Strout, while recuperating at the Augusta General Hospital from surgery, be wished a complete recovery and speedy return to her duties.

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

Mr. Evans from the Committee on Agriculture on Bill "An Act relating to Labeling of Bread, Rolls and Pastry Products" (H. P. 956) (L. D. 1400) reported Leave to Withdraw.

Mrs. Baker from the Committee on Legal Affairs reported same on Bill "An Act relating to Transfer of Members of Boards and Commissions in City of Lewiston" (H. P. 1018) (L. D. 1482)

Mr. Cushing from same Committee reported same on Bill "An Act Increasing Salaries of Mayor and Aldermen of City of Lewiston" (H. P. 1017) (L. D. 1481)

Mr. Maddox from the Committee on Sea and Shore Fisheries reported same on Bill "An Act Enabling Towns to Form Districts to Operate Alewife Fisheries" (H. P. 722) (L. D. 1017)

Mr. Ross from the Committee on Taxation reported same on Bill "An Act Providing for Sales Tax on Advertising" (H. P. 251) (L. D. 359)

Mr. Susi from same Committee reported same on Bill "An Act relating to Taxation of Casualty Insurance Companies for Administration of Bureau of Fire Prevention" (H. P. 809) (L. D. 1185)

Reports were read and accepted and sent up for concurrence.

#### **Covered by Other Legislation**

Mr. Dennett from the Committee on State Government reported Leave to Withdraw on Bill "An Act Creating the Office of Chief Medical Examiner for the State of Maine" (H. P. 244) (L. D. 352), as covered by other legislation.

Report was read and accepted and sent up for concurrence.

#### **Ought Not to Pass**

Mr. Evans from the Committee on Agriculture reported "Ought not to pass" on Bill "An Act relating to Trucking of Livestock" (H. P. 773) (L. D. 1120)

Report was read and accepted and sent up for concurrence.

#### **Tabled and Assigned**

Mr. Hanson from the Committee on Agriculture reported "Ought not to pass" on Bill "An Act to Establish the Quality Rating of Gasoline" (H. P. 957) (L. D. 1401)

Report was read.

(On motion of Mr. Levesque of Madawaska, tabled pending acceptance of the Committee Report

and specially assigned for Thursday, April 6.)

Mr. Scott of Wilton from the Committee on Business Legislation reported "Ought not to pass" on Bill "An Act Repealing Authority of Insurance Commissioner to Restrict Licenses for Certain Kinds of Insurance" (H. P. 827) (L. D. 1235)

Mr. Dudley from the Committee on Highways reported same on Resolve to Reconstruct Mallison Falls Bridge Between the Towns of Windham and Gorham (H. P. 792) (L. D. 1170)

Reports were read and accepted and sent up for concurrence.

#### **Tabled and Assigned**

Mr. Waltz from the Committee on Highways reported "Ought not to pass" on Bill "An Act relating to Reimbursement of Fuel Tax for Miles Traveled on Maine Turnpike" (H. P. 29) (L. D. 50)

Report was read.

(On motion of Mr. Crosby of Kennebunk, tabled pending acceptance of the Committee Report and specially assigned for Friday, April 7.)

Mr. Ewer from the Committee on Labor reported "Ought not to pass" on Bill "An Act Revising the Minimum Wage Law" (H. P. 368) (L. D. 515)

Same gentleman from same Committee reported same on Bill "An Act relating to Overtime for Hotels and Motels under Minimum Wage Law" (H. P. 412) (L. D. 578)

Mr. Hoover from same Committee reported same on Bill "An Act Increasing Minimum Wages" (H. P. 321) (L. D. 455)

Reports were read and accepted and sent up for concurrence.

#### **Tabled and Assigned**

Mr. Lowery from the Committee on Sea and Shore Fisheries reported "Ought not to pass" on Bill "An Act Providing for Non-commercial Lobster Fishing Licenses" (H. P. 455) (L. D. 630)

Report was read.

(On motion of Mr. Quinn of Bangor, tabled pending acceptance of

the Committee Report and specially assigned for Friday, April 7.)

**Referred to Committee  
on Judiciary**

Mr. Scott of Wilton from the Committee on Business Legislation on Bill "An Act relating to Payment of Bank Deposits and Interest and Loan and Building Shares When Payable to Two or More Names" (H. P. 873) (L. D. 1285) reported that it be referred to the Committee on Judiciary.

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

**Referred to Committee  
on Claims**

Mr. Burnham from the Committee on Highways on Resolve Reimbursing the Town of Brunswick for Property Tax Exemption on Property of State of Maine (H. P. 26) (L. D. 47) reported that it be referred to the Committee on Claims.

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

**Referred to Committee  
on Natural Resources**

Mr. Lowery from the Committee on Sea and Shore Fisheries on Bill "An Act relating to Coastal Marshlands" (H. P. 763) (L. D. 1110) reported that it be referred to the Committee on Natural Resources.

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

**Ought to Pass in New Draft  
Indefinitely Postponed**

Mr. Hanson from the Committee on Agriculture on Bill "An Act Prohibiting the Coloring of Live Rabbits or Fowl" (H. P. 653) (L. D. 908) reported same in a new draft (H. P. 1095) (L. D. 1561) under title of "An Act relating to Sale or Gift of Rabbits or Fowl" and that it "Ought to pass"

Report was read.

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

Mr. WOOD: Mr. Speaker and Members of the House: I wonder how many people in this House know what this bill is? It seems pretty ridiculous to me. The bill reads that, "It shall be unlawful to sell, offer for sale or give away within this State any live rabbits or fowl of any kind in any quantity less than 6, unless the seller or donor receives a written statement from the purchaser or the donee stating facts which reveal that the purchaser or donee possesses adequate facilities with which to care for the rabbits or fowl."

It seems pretty ridiculous that people that live in the State of Maine out on these farms, out in the country, when their children want a rabbit and somebody offers to give them a rabbit, and whoever makes that offer has got to go to the farm and see if they've got a pen to put it in, to see if they've got facilities to care for it in. It seems ridiculous to me that if I go to a friend and he has chickens running around that have been left after the poultry comes and picks up the chickens, he wants to give me two chickens that I take home and keep for a few days to eat later, that he's got to find out if I've got to have a pen to put it in, or all of those things. I don't know why even number "six" is in there.

I've heard some statements that little chickens or little rabbits were given away to people in towns and cities, and they died and were flushed down the flush and one thing and another. How much worse it would be if six were flushed in the place of one?

I can't understand why that it's like it is. If you people can understand it, why I guess you're smarter than I am. I want to move that this be indefinitely postponed.

The SPEAKER: The gentleman from Brooks, Mr. Wood, now moves that the report and bill be indefinitely postponed.

The Chair now recognizes the gentleman from Solon, Mr. Hanson.

Mr. HANSON: Mr. Speaker and Members of the House: I think if the gentleman had attended the hearing, a lot of his questions would have been answered. I think I should point out first of all that the original draft of the bill specifically excluded any sale or gift of fowl or rabbits in quantities less than six. This received at the executive hearing, or the executive session of the Agricultural Committee, all of the members were unanimous in reporting it "ought to pass" on this original bill. I, however, did have reservations, which were the very same reservations that this gentleman has just raised, and that is that there are a great number of legitimate occasions where people might well want to purchase or give away quantities of fowl or rabbits less than six.

So, the Chairman of the Agricultural Committee delegated to me the responsibility of trying to arrive at some amendment or redraft which would allow this and yet eliminate the abuses of this sale or gift of rabbits or fowl. What actually happens and what testimony at the hearing brought out was that primarily at the Easter season a great number of these chickens and rabbits are sold in the chain stores or large department stores and one thing and another, and they are sold to persons almost in the nature of toys. They're not sold as stock or animals, they're sold as toys to people who have a very fleeting and very passing interest in their safety and well-being.

It was pointed out during the hearing that, as this gentleman has referred, that they end up sometimes flushed down the flush or crushed to death, and those few that do survive, and the mortality rate was estimated to be something in the nature of ninety percent, those few that do survive end up in the care and keeping of the Humane Society and they have no avenue with which to dispose of them. They can't give them to commercial flock owners—they are so afraid of disease and one thing and other. So the Maine Society and the Humane Agents throughout

the State were deeply concerned about this problem. Eventually, with the cooperation of the Attorney General's Office, we arrived at this redraft which seemed to be the only compromise. To list all of the specific exemptions to this requirement would have been very very unwieldy and to operate the other way, to list specifically only those circumstances that it would apply to, would be very unwieldy; so the happy compromise was to make it sufficiently difficult for the chain stores or the outlets that aren't proper for these animals and fowl, to make it sufficiently difficult so that they would not sell them, and yet anybody with a legitimate reason for buying one animal, or two, or any small number of animals, could upon signing a written statement to the effect of the proposed redraft, would be able to buy these. It actually served only as an impediment to the indiscriminate sale of these things and, as I say, it was only a happy compromise and I think that's about all the explanation I can give. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Eliot, Mr. Hichens.

Mr. HICHENS: Mr. Speaker and Members of the House: I rise to support the motion for indefinite postponement. I am a poultryman, and I can sympathize somewhat with this idea of one chicken being taken home and perhaps abused a little bit, but when I go around to some of these hatcheries and see live chickens thrown upon barrels and kicking them until they do succumb and some of the other treatment which is given to them, I lose a little of that sympathy.

Along the idea of rabbits, I have raised youngsters and they have liked to have rabbits come. And if we had had them come in quantities of six we'd had to put them in separate cages or the explosion would be beyond our control.

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

Mr. WOOD: Mr. Speaker and Members of the House: The very



reasons the gentleman from Solon has given for this bill is the ridiculous part of it. Anybody that wants to buy one rabbit or one chicken, if they're a little unscrupulous will sign a statement that they've got plenty of place to keep it, but anybody that doesn't want to sign them things have got to buy six. If my grandchildren want a rabbit, I've got to buy six in order to get them a rabbit, or else I've got to either provide a place or lie about it. I still think that it's a very unfavorable bill.

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

Mr. WILLIAMS: Mr. Speaker and Members of the House: No doubt all of you people have seen the magician perform his stunt of pulling the rabbit out of the hat. This time he performs the stunt of pulling the number six out of the hat.

The SPEAKER: Is the House ready for the question? The pending question is the motion of the gentleman from Brooks, Mr. Wood, that the Reports and Bill "An Act relating to Sale or Gift of Rabbits or Fowl" be indefinitely postponed. All those in favor of indefinite postponement will answer yes, those opposed, no.

A viva voce vote being taken, the motion prevailed.

Sent up for concurrence.

Mrs. Baker from the Committee on Education on Bill "An Act Permitting Town of Newcastle to Pay Certain Out-of-State Tuition" (H. P. 132) (L. D. 196) reported same in a new draft (H. P. 1096) (L. D. 1562) under title of "An Act relating to Tuition for Pupils Attending Secondary Schools in Other States or Countries" and that it "Ought to pass"

Mr. Darey from the Committee on Judiciary on Bill "An Act relating to the Prohibited Practices of Collection Agencies" (H. P. 109) (L. D. 136) reported same in a new draft (H. P. 1097) (L. D. 1563) under same title and that it "Ought to pass"

Reports were read and accepted, the New Drafts read twice

and assigned the next legislative day.

#### Ought to Pass Printed Bills

Mr. Evans from the Committee on Agriculture reported "Ought to pass" on Bill "An Act relating to Sale of Certain Biologics" (H. P. 789) (L. D. 1151)

Mr. Hall from same Committee reported same on Bill "An Act relating to Brucellosis in Swine" (H. P. 790) (L. D. 1152)

Mr. Scott of Wilton from the Committee on Business Legislation reported same on Bill "An Act relating to Advisory Board of Examinations of Fire, Casualty and Surety Agents" (H. P. 826) (L. D. 1234)

Mr. Waltz from the Committee on Highways reported same on Bill "An Act Authorizing State Highway Commission to Study Desirability of Bridge Between Bath and Phippsburg" (H. P. 791) (L. D. 1169)

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

Mr. Waltz from the Committee on Highways reported "Ought to pass" on Bill "An Act Providing for a Cost-Estimate Study of an East-West Multi-Purpose Highway Through Maine" (H. P. 833) (L. D. 1241)

Report was read.

The SPEAKER: The Chair recognizes the gentleman from Kingman Township, Mr. Starbird.

Mr. STARBIRD: Mr. Speaker and Members of the House: I'm not going to belabor this point too much because I spoke quite lengthily at the committee hearing this week on this subject. We have here, holding in my hand, an estimate on the feasibility of a Trans-Maine highway. This report has been placed on your desks. There was an Interim Committee formed by special session of the 102nd Legislature to study this matter. We held five meetings, two of them public and—one of them public I believe, in Lincoln. That meeting was attended by a tremendous amount of

people from all parts of Maine, Brunswick, Quebec, Prince Edward Island, Nova Scotia. We found that of all the different proposals, you'll find their proposals in here, we stick primarily to Route 6 because this is the road that we came up with, it is a road already in existence, it is a road that provides direct access across the central part of Maine — that part that runs through northern Washington County, central Penobscot-southern Piscataquis-Somerset Counties; not the southern part of Maine as was expressed in that hearing as the central part of Maine.

This is a direct route from the Maritime Provinces to Montreal, Quebec, and points beyond, and already the State Highway Commission in paying our expenses of these meetings, has spent probably \$1,000 for this study. Why should we spend another \$1,000? Why should we repeat ourselves?

I'm not going to belabor the point too much, but I remember the last few days of the last session that my seatmate, former Representative Wayne Libhart of Brewer, introduced a study to study the studies; and that is exactly what is going on here, and I'm not being facetious as he was. This cost estimate study is simply a study to study our study, and with that remark I will close and move that this report be accepted.

The SPEAKER: Is it the pleasure of the House to accept the committee report?

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

Mr. QUINN: Mr. Speaker and Members of the House: The gentleman from Kingman, Mr. Starbird, held a report in his hand as being an interim report of the Research Committee on a highway. I would like to ask the gentleman if it is the same route in that report that is mentioned in this particular bill that is before us at this time?

The SPEAKER: The gentleman from Bangor, Mr. Quinn, poses a question through the Chair to the gentleman from Kingman Township, Mr. Starbird, who may

answer if he chooses. The Chair recognizes that gentleman.

Mr. STARBIRD: I will say that although the report states specifically in brackets underneath, Route 6, that the report is primarily concerned with Route 6, that we consider it the highway that is proposed by Mr. Bartlett Cram, this four-lane, double-barrelled highway as described in the bill, and we considered several other proposals across the northern part of Aroostook County which would connect parts of Quebec with parts of New Brunswick. Although our original order stated primarily Route 6, we took all of these things into consideration because we did not consider it — that we could come up with a fair, a fair study if we did not, and when we finally came to our conclusions after we had finally heard the testimony of the persons from Canada who are deeply concerned in this matter, they want this shorter access route across our State, and they know that if the Route 6, which goes almost straight across the central part of Maine were built up into anywheres near the condition of a modern highway, that it would be of tremendous value to them and of course it would be of tremendous value to us, tremendous value to a section that is one of the, as all of you who live in that section know, one of the most depressed areas in the state, especially eastern Penobscot and northern Washington and southern Aroostook Counties.

These areas have gone down terribly in the last thirty or forty years. Anyone who has been through that area can see evidence of it on all sides — farms growing up to woods, and abandoned houses, people moving out. A highway through there that would bring people in would be one of the great benefits. And this isn't a benefit only to that section, it's a benefit ultimately to the whole State because this Route 6 crosses squarely in the form of a cross, right angles across Route 95. You've got your north-south highway, then you'd have your east-west highway, and it would be

of tremendous value to the whole State, of tremendous value to the Canadians. We'd have this five or six million people in the West, we'd have another two or three million in the Maritimes that would be travelling constantly through our State and spending money all the way, if money is what we want.

I'm not downgrading the possibility that the highway proposed by Mr. Cram might be of great benefit — it probably would — but it is nothing that we need at the present time, and it is something whose cost is far away — so far above our chances of ever getting it that it is — I won't say the moon, because the moon may be almost in our reach — but, the sky is the limit probably. This Route 6 does lie within the realm of possibility, at least, because at least the road is there; and therefore, as I said before, I'm not going to quibble over a thousand dollars—we spend millions here without the bat of an eyelash, and so I move that this report be accepted.

The SPEAKER: The gentleman from Kingman Township, Mr. Starbird, moves that the House accept the "Ought to pass" Report.

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

Mr. EWER: Mr. Speaker, may I address a question through the Chair?

The SPEAKER: The gentleman may pose his question.

Mr. EWER: Have any of these Canadians who expressed such a tremendous enthusiasm for this road, made any effort to put their money where their mouths are?

The SPEAKER: The gentleman from Bangor, Mr. Ewer, poses a question through the Chair to the gentleman from Kingman Township, Mr. Starbird, who may answer if he chooses.

The Chair recognizes that gentleman.

Mr. STARBIRD: Mr. Speaker and Members of the House: It is my understanding that there is already a good highway to the border in Quebec. I think it is a four-lane highway. It is my understanding that there will be a new

road that is already in the planning stage to reach Vanceboro on the Canadian side, and that is why I say that Route 6, if it were rebuilt, is the most feasible route.

The SPEAKER: The Chair recognizes the gentleman from Solon, Mr. Hanson.

Mr. HANSON: Mr. Speaker and Members of the House: I feel that I should point out, I probably am speaking for selfish reasons because this highway will service to a great extent my district, which is a very, very large district; it's about three-quarters of northern Somerset County. I would, however, make the observation that this area in northern Somerset and Piscataquis, and in Washington County at least, is now without adequate highways. They have a very very poor system of highways. I would like to add a little to Mr. Starbird's observation that the Canadian Government has seen fit to reconstruct the route leading from Route 201 in northern Maine up to Quebec, and they do have a trans-Canada highway, a four-barrelled highway that this would connect with. I would also like to point out that the proposed East-West Highway of Mr. Cram of Bangor would benefit to a great extent southern Somerset County, which I also feel I should represent.

However, I would point out a few salient features of this proposal; one is that it is a four-barrelled highway which requires about seven hundred acres of good land per mile, it will run about seventy miles from Route 95—the proposed route would run about seventy miles west from below Pittsfield—this would take in about forty-nine thousand acres of good land at a cost of about a million dollars a mile, or thereabouts. It seems to me that it would be practically impossible to convince the people of Maine to spend any such sum and to take any such large amount of good acreage out of production. When you have a road now which runs east and west from Pittsfield to Lewiston-Auburn, a road which is probably not more than thirty miles, and runs between fifteen and thirty

miles of the proposed new route, so that I would very much question if any such proposed route could ever be built; the cost would be prohibitive. I would go along with Mr. Starbird in saying that the need is greater in the northern areas of these counties, and I would like very much to see the Route 6 proposal prevail. Thank you.

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

Mr. LITTLEFIELD: Mr. Speaker and Members of the House: Mr. Cram of Bangor asked me to sponsor this bill, and at the time he asked me, I asked him if it was going to interfere with Route 6 which had been considered in this State, and he said it was not.

Now, we're getting away from the subject this morning, I think. This bill is an act providing a cost-estimate study of an east-west multiple purpose highway through Maine. I think everybody in the Legislature realizes that we need some highways across this State; where they're going to be, we've got to find out.

I wish to refer to the report that the gentleman from Kingman, Mr. Starbird, referred to, the feasibility of a trans-Maine Highway, and I'll read one paragraph from the summary of the committee meetings, and it says: "The question of competition between proposed Route 6 improvement and the Trans-Maine Highway proposed by Mr. Bartlett Cram, Bangor public relations specialist, from Calais to Amsterdam, New York was raised. Senator Bernard expressed the opinion that the need exists for both roads since they should not be competitive. It was determined that a public hearing should be held wherein all interested parties would be able to air their views concerning the Trans-Maine highway."

We had a good hearing, there was a good hearing on the bill; I attended the whole of it. Members from various Chambers of Commerce throughout the State spoke on the need of the highway, and this simply is a bill asking for

a thousand dollars to begin a study that Mr. Cram has worked so hard for in the states of Maine, New Hampshire and Vermont, to get a through highway from the Canadian line across our State into northern New York, Ohio and Michigan, and I would move that the Majority "Ought to pass" Report be accepted.

The SPEAKER: The pending question is the motion of the gentleman from Kingman Township, Mr. Starbird, that the House accept the "Ought to pass" Report. Is this the pleasure of the House?

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

Mr. PORTER: Mr. Speaker and Members of the House: I am of the opinion that the State of Maine needs roads, and needs them badly, and the sooner the quicker. We need both of these routes; one of them we're going to get fairly soon, and the other one in the distant future. When we were studying the Route 6, we had a meeting with Governor Reed, and we talked it all through very carefully, and the Governor at that time said he could see no conflict in these two roads. Mr. Cram agrees the same. I can see no conflict here; we're going to need both roads, some day we're going to have them both — at present we're pushing hard for Route 6, as soon as we get that we'll certainly push for the other road.

The SPEAKER: The Chair recognizes the gentleman from Waldoboro, Mr. Waltz.

Mr. WALTZ: Mr. Speaker and Members of the House: As a member of the Highway Committee I will attempt very briefly to clarify this situation somewhat.

To begin with, the objectives of the supporters of Route 6 and this particular bill are the same. They want an east-west highway to reach the markets in the west. We had a very interesting discussion at this committee hearing, and one point that to me seemed rather pertinent was this: Apparently many people along the seaboard rather preferred a route that did not go as far to the north as Route 6 does, or is proposed to go. The feeling was that feeders from the

coast would reach in to this proposed road much easier and more rapidly than they could to shoot up to Route 6. The amount involved is rather small, and I am reluctant really to take your time in discussing the appropriation of a thousand dollars. It was brought out at the hearing, however, that this was just more or less a token payment on the part of the State; that the Federal Government would contribute substantially toward the cost of making this study. This road, if it was passed, that is, eventually the study would start at Machias down in Washington County, and would work gradually west. I certainly feel that the committee was wise in passing this particular bill.

One more point; I don't think it's necessary to bring it to the attention of anyone here. This bill if passed and approved will finally end up on the Appropriations table in the Senate. What the ultimate outcome at that point is, your guess is as good as mine. I certainly feel the bill should be passed.

The SPEAKER: As many as are in favor of accepting the "Ought to pass" Report will say aye; those opposed no.

A viva voce vote being taken, the motion to accept the "Ought to pass" Report prevailed.

Thereupon the Bill was read twice and assigned for third reading the next legislative day.

Mr. Watts from the Committee on State Government reported "Ought to pass" on Bill "An Act relating to Farm Supervisor for Department of Mental Health and Corrections" (H. P. 158) (L. D. 221)

Mr. Drigotas from the Committee on Taxation reported same on Bill "An Act relating to Refund for Malt Liquor Excise Taxes" (H. P. 768) (L. D. 1115)

Mr. Harriman from same Committee reported same on Bill "An Act relating to Exemption from Sales Tax on Materials Used In Repairs of Transient Boats Owned by Nonresidents" (H. P. 770) (L. D. 1117)

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

### Ought to Pass with Committee Amendment

Mr. Scott of Wilton from the Committee on Business Legislation on Bill "An Act relating to Qualifications of Insurance Brokers and Agents" (H. P. 874) (L. D. 1286) 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. 874, L. D. 1286, Bill, "An Act Relating to Qualifications of Insurance Brokers and Agents."

Amend said Bill by striking out in the 10th and 11th lines (8th line of L. D. 1286) the underlined punctuation and words ", employees or debtors" and inserting in place thereof the underlined words 'or employees'

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

Mr. Berman from the Committee on Judiciary on Bill "An Act Revising the Laws Relating to Support at State Institutions" (H. P. 149) (L. D. 213) 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. 149, L. D. 213, Bill, "An Act Revising the Laws Relating to Support at State Institutions."

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

'Sec. 3. R. S., T. 34, § 2513, amended. The 4th paragraph of section 2513 of Title 34 of the Revised Statutes, as enacted by section 3 of chapter 292 of the public laws of 1965 is amended by inserting after the first sentence the following new sentences:  
Any person failing to obey such subpoena upon petition of the

commissioner or representative of the department to any Justice of the Superior Court may be ordered by the justice to appear and show cause for his disobedience of the subpoena. The justice after hearing may order that the subpoena be obeyed, or if it is made to appear to the justice that the subpoena was for any reason inappropriately issued may dismiss the petition. Any person who fails to obey the subpoena when ordered to do so by the justice may be punished as for contempt of court on application to the Superior Court by the commissioner or his representative.'

Further amend said Bill by adding at the end the following new section:

'Sec. 4. R. S., T. 34, § 2515, amended. Section 2515 of Title 34 of the Revised Statutes is amended by adding after the first sentence the following new sentence:

**On and after January 1, 1968, the department shall not charge any parent for the support of his child beyond the child's 21st birthday.'**

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

Mr. Berman from the Committee on Judiciary on Bill "An Act Revising the Vital Statistics Laws" (H. P. 709) (L. D. 1004) 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. 709, L. D. 1004, Bill, "An Act Revising the Vital Statistics Laws."

Amend said Bill in section 1 by striking out all of that part designated "5" (same in L. D. 1004) and inserting in place thereof the following underlined subsection:

**5. Representative. The state registrar may designate an employee of the office of vital**

**statistics to represent the office of vital statistics.'**

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

#### Divided Report

Majority Report of the Committee on Education reporting "Ought to pass" on Bill "An Act relating to Conferring Degrees by Bliss College" (H. P. 262) (L. D. 383)

Report was signed by the following members:

Mr. MacLEOD of Penobscot  
—of the Senate.

Mrs. BAKER of Winthrop  
Messrs. LEVESQUE

of Madawaska  
RICHARDSON

of Stonington  
Mrs. HANSON of Lebanon

Messrs. SHUTE of Farmington  
CARROLL of Limerick

—of the House.

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

Report was signed by the following members:

Messrs. KATZ of Kennebec  
SNOW of Cumberland

—of the Senate.

Mr. ALLEN of Caribou

—of the House.

Reports were read.

On motion of Mrs. Hanson of Lebanon, the Majority "Ought to pass" Report was accepted, the Bill read twice and assigned for third reading the next legislative day.

#### Divided Report

Majority Report of the Committee on Education reporting "Ought to pass" on Bill "An Act relating to the Secondary School Contracts Between School Administrative Districts No. 23 and 38 and the Town of Hermon" (H. P. 483) (L. D. 696)

Report was signed by the following members:

Messrs. KATZ of Kennebec  
SNOW of Cumberland

—of the Senate.

Mr. LEVESQUE  
of Madawaska  
Mrs. HANSON of Lebanon  
Messrs. ALLEN of Caribou  
SHUTE of Farmington  
RICHARDSON  
of Stonington  
Mrs. BAKER of Winthrop  
—of the House.

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

Report was signed by the following members:

Mr. MacLEOD of Penobscot  
—of the Senate.  
Mr. CARROLL of Limerick  
—of the House.

Reports were read.

On motion of Mrs. Hanson of Lebanon, the Majority "Ought to pass" Report was accepted. The Bill read twice and assigned for third reading the next legislative day.

#### Divided Report

Report "A" of the Committee on Education reporting "Ought to pass" on Bill "An Act Exempting State Colleges from Line Category Budget Control" (H. P. 737) (L. D. 1060)

Report was signed by the following members:

Mr. SNOW of Cumberland  
—of the Senate.  
Messrs. SHUTE of Farmington  
RICHARDSON  
of Stonington  
Mrs. HANSON of Lebanon  
Mr. CARROLL of Limerick  
—of the House.

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

Report was signed by the following members of the Committee.

Messrs. KATZ of Kennebec  
MacLEOD of Penobscot  
—of the Senate.  
Messrs. ALLEN of Caribou  
LEVESQUE  
of Madawaska  
Mrs. BAKER of Winthrop  
—of the House.

Reports were read.

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

Mrs. BAKER: Mr. Speaker and Members of the House: I move that we accept the "Ought not to pass" Report.

The SPEAKER: The gentlewoman from Winthrop, Mrs. Baker, moves that the House accept Report "B" "Ought not to pass."

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: I realize that there is a great deal of validity in line budgeting; on the other hand it seems totally unfair to me that money is turned back from these state colleges each year when it could be spent in a different department, to educate some of our youngsters in Maine who cannot go. This has been pointed out several different times, that the state colleges turn back money which cannot be spent in dining hall facilities so these youngsters—they can take in ten or fifteen more students each year. Therefore I hope that Report "B" will not be accepted and that we can accept Report "A".

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

Mr. BIRT: Mr. Speaker and Members of the House: I would just like to make one brief comment on this. There are two educational institutions in the State of Maine at the present time who are not under line budgeting, that is the University of Maine and the Maine Maritime Academy. I would like to point out also in both of these cases these educational institutions are under a board of directors which is appointed by the Governor. I feel that if we did remove line budgeting from the other state colleges, until some form of board of directors was set up to supervise, you would remove all budgetary controls, and I would certainly hope that the "Ought not to pass" Report is accepted.

Mrs. Baker of Winthrop then asked for a division.

The SPEAKER: A vote has been requested. Is the House ready for the question? The pending question is the motion of the gentlewoman from Winthrop, Mrs. Baker, to accept Report "B" "Ought not to pass," and the Chair will open the vote. All those in favor of the "Ought not to pass" Report will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

74 having voted in the affirmative and 31 having voted in the negative, the motion prevailed. Sent up for concurrence.

#### Passed to Be Engrossed

Bill "An Act relating to Duties of State Geologist with the Maine Mining Bureau" (S. P. 182) (L. D. 372)

Bill "An Act relating to Municipal Advisory Organizations" (S. P. 235) (L. D. 560)

Bill "An Act relating to the Reserve Fund for Uninsured Losses on State Property" (S. P. 282) (L. D. 662)

Bill "An Act relating to Acknowledgement of Absentee Ballot by Voter Outside of State" (S. P. 499) (L. D. 1214)

Bill "An Act relating to Inventory of Ballots Furnished Polling Places" (S. P. 587) (L. D. 1552)

Bill "An Act relating to Notice of Removal of Name from the Voting List" (S. P. 588) (L. D. 1553)

Bill "An Act relating to the Board of Water Commissioners of the Town of Boothbay Harbor" (H. P. 374) (L. D. 521)

Bill "An Act to Amend the Charter of the York Sewer District" (H. P. 614) (L. D. 856)

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 Amended

Bill "An Act relating to Importation of Bottled Wines by Licensed Maine Bottlers" (H. P. 636) (L. D. 892)

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

Mr. Sahagian of Belgrade offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 636, L. D. 892, Bill "An Act Relating to Importation of Bottled Wines by Licensed Maine Bottlers."

Amend said Bill in the 7th line (6th line in L. D. 892) by striking out the underlined word "wines" and inserting in place thereof the underlined punctuation and words "table wines, containing no more than 14 per cent alcohol by volume."

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

Bill "An Act relating to Source of Supply of the Brewer Water District" (H. P. 912) (L. D. 1322)

Bill "An Act relating to Board of Trustees of and Increasing Indebtedness of Eagle Lake Water and Sewer District" (H. P. 952) (L. D. 1383)

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 Use of Power Boats on Big Nesowadnehunk (Sourdnehunk) Lake, Piscataquis County" (H. P. 1088) (L. D. 1555)

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

(On motion of Mr. Dickinson of Mars Hill, tabled pending passage to be engrossed and specially assigned for Wednesday, April 5.)

Bill "An Act relating to Protective Headgear by Persons Riding Motorcycles" (H. P. 1092) (L. D. 1560)

Resolve Proposing an Amendment to the Constitution Relating to Time for Codifying the Constitution (S. P. 120) (L. D. 249)

Were reported by the Committee on Bills in the Third Reading, Bill read the third time, Resolve



read the second time, both passed to be engrossed and sent to the Senate.

#### Amended Bills

Bill "An Act Authorizing Work-Release from County Jails" (S. P. 264) (L. D. 645)

Bill "An Act to Grant a New Charter to the Town of Kittery" (H. P. 521) (L. D. 768)

Bill "An Act relating to Eminent Domain Under Urban Renewal Proceedings" (H. P. 585) (L. D. 816)

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

#### Third Reader Tabled and Assigned

Bill "An Act to Establish and Appropriate Funds for a Youth Community Activities Section in the Department of Mental Health and Corrections" (S. P. 221) (L. D. 484)

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

(On motion of Mr. Harriman of Hollis, tabled pending passage to be engrossed and specially assigned for Wednesday, April 5.)

Bill "An Act relating to Forging or Obtaining Absentee Ballots or Applications Therefor under Election Laws" (S. P. 404) (L. D. 1035)

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

#### Passed to Be Enacted Emergency Measure

An Act relating to Nonlapsing Funds for Development of Swan Island (S. P. 242) (L. D. 602)

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 neces-

sary, a total was taken. 111 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

#### Enactor Tabled and Assigned

An Act Prohibiting the Use of Dogs for the Hunting of Wild Animals in Lincoln County (S. P. 189) (L. D. 424)

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

(On motion of Mr. Lewis of Bristol, tabled pending enactment and specially assigned for Wednesday, April 5.)

#### Passed to Be Enacted

An Act relating to Open Season on Muskrats in Somerset County (H. P. 221) (L. D. 311)

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

#### Enactor Tabled and Assigned

An Act to Regulate Boating on Little Nesowadnehunk (Sourdnehunk) Lake, Piscataquis County (H. P. 447) (L. D. 622)

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

(On motion of Mr. Scott of Presque Isle, tabled pending enactment and specially assigned for Wednesday, April 5.)

An Act relating to Fishing Without License for Patients at Veterans Administration Hospital (H. P. 499) (L. D. 712)

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

#### Enactor Tabled and Assigned

An Act to Correct Errors and Inconsistencies in Uniform Commercial Code and to Amend Certain Statutes to Conform Thereto (H. P. 582) (L. D. 814)

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

(On motion of Mr. Brennan of Portland, tabled pending enactment and specially assigned for Thursday, April 6.)

An Act Revising the Savings and Loan Association Laws (H. P. 689) (L. D. 970)

An Act relating to Dealers in Deer Skins and Heads (H. P. 836) (L. D. 1244)

An Act relating to Hunting Waterfowl on Haley Pond, Town of Rangeley and Dallas Plantation, Franklin County (H. P. 841) (L. D. 1249)

An Act relating to Parking Facilities for Handicapped Persons (H. P. 1062) (L. D. 1388)

#### Finally Passed

Resolve Allocating Money to Repair Fish Screen at Outlet of Thompson Lake (S. P. 230) (L. D. 555)

Resolve in Favor of Loudon C. Minor of Cape Elizabeth for Automobile Damage by Escapee from Boys Training Center (S. P. 469) (L. D. 1161)

Resolve Regulating Fishing in Certain Waters in Hancock County (H. P. 448) (L. D. 623)

Resolve in Favor of Town of Greenbush, Penobscot County, for Damage to Bridge (H. P. 878) (L. D. 1290)

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.

On motion of Mr. Lowery of Brunswick, the House voted to reconsider its action of earlier in the day whereby Bill "An Act relating to Leases of Right to Take Marine Algae on Submerged Lands," S. P. 590, L. D. 1559 was referred to the Committee on State Government in concurrence.

On further motion of the same gentleman, tabled pending reference in concurrence and specially assigned for Tuesday, April 4.

#### Orders of the Day

The SPEAKER: The Chair recognizes the gentleman from Farmington, Mr. Shute.

Mr. SHUTE: Mr. Speaker, may I inquire if the House has in its possession Legislative Document 51?

The SPEAKER: The answer is in the affirmative.

Mr. SHUTE: Mr. Speaker, I would like to move now that we reconsider our action of yesterday whereby L. D. 51 was indefinitely postponed and I would like to address myself to this motion.

The SPEAKER: The gentleman from Farmington, Mr. Shute, now moves that the House reconsider its action whereby House Paper 31, L. D. 51, An Act Prohibiting Hunting Deer with Certain Firearms, was indefinitely postponed and the gentleman may continue.

Mr. SHUTE: Mr. Speaker and Ladies and Gentlemen of the House:

Sometimes all of us, as legislators, become so involved in various bills we are liable to assume that others may share our interest and concern about certain pieces of legislation. This is a point where we are perhaps so close to the forest we can't see the trees. Yesterday when we asked for a division on the motion to indefinitely postpone L. D. 51, we were operating on the theory that since we as a body had accepted the committee report, and accepted a later amendment submitted by the gentleman from Woolwich, Mr. Harvey which was subsequently deleted by the Senate and having returned to us reached the enactment stage, we pursued a vote with vigorous naivete.

The gentleman from Lewiston, Mr. Jalbert, stated yesterday that it is a sign of weakness to apologize. But, we believe we owe an apology to those who supported us yesterday for not having stated our position, and most of all, an apology to the gentleman who asked us to submit this bill under the pre-filing rule. This is the reason for its obvious low number.

L. D. 51 would prohibit the use of a .22 rim fire cartridge in the

hunting of deer. If enacted, this bill might save hundreds of deer from being wasted each year. We have a state slaughter house law that specifies the manner in which an animal may be slain. And we have taken pity on the poor bulls and enacted bull fighting legislation. And this morning the gentleman from Brooks, Mr. Wood, had a great deal of compassion for rabbits and for chickens. Should we do less for our deer? A .22 rim fire cartridge is a very low muzzle velocity projectile. It has but 97 pounds of energy at one hundred yards. We are not asking for the prohibition of the .22 Hornet that has 410 pounds of energy at 100 yards or the .218 Bee with its 475 pounds of energy at 100 yards. Nor are we asking for the banning of the .220 Swift with its 1300 pounds of energy at 100 yards. The .22 rim fire Magnum which the gentleman from Woolwich had submitted as an amendment has with its 40 grain bullet, a 2,000 foot per second muzzle velocity, 355 pounds of energy at the muzzle and only 170 pounds at 100 yards.

At the hearing, held before the Fish and Game Committee however, the gentleman from Woolwich, Mr. Harvey, did not appear to protest this bill and to suggest his amendment. At the original hearing one proponent who represented a sportsman's club in Kennebec County, said that his club voted in favor of the bill provided it could be amended to outlaw all .22's. But we are not asking for that.

Another proponent wanted .22 center fire cartridges outlawed because a member of his party wounded and lost seven deer with a .22 High Power rifle before the hunter finally consented to discontinue the use of the weapon. Other proponents, including my friend from Fort Kent, wanted the 25-20 and 32-20 included in the law.

What happens when the young hunter, and most of those who hunt with a .22 are young people, what happens when they see their first deer? Most of them, in their haste, nervousness, possibly a lit-

tle bit of buck fever, aim right for the biggest part of the deer. Possibly the young hunter received the rifle as a gift for plinking tin cans on the dump. And because he heard someone say they shot their first deer with a .22, decided to try the same game. The type of a wound inflicted by a .22 rimfire cartridge is about as effective as one single jab with a four-inch ice pick. This type of wound will kill the deer all right—even- tually. Since the animal dies, the bullet obviously has killing power. Yet it didn't kill the animal quickly nor did it do the job humanely, and the hunter didn't take the deer home on his car. The deer was killed, not stopped. After several days of agonizing suffering while laying somewhere deep in a swamp, the deer dies . . . of peritonitis.

Admittedly, if this hunter could have been so sure of his target that he could have made a brain or spine shot, it would have been instantly fatal. Unless the deer is hit in the jugular vein, the animal will not leave any blood trail when hit with a .22 rimfire projectile. There are altogether too many deer wounded and lost to suffer and die after having been shot with good calibre deer rifles. Should Maine be one of the few states in the Union that still permit .22 rimfire cartridges?

Montana and Maine say in effect, any caliber goes, hand guns, .22's, slingshots. We maintain that this Legislature can make a substantial start on long overdue legislation by adopting L. D. 51. Colorado, Maryland, Nebraska, Nevada, New Mexico and Oklahoma require a minimum of 1000 pounds of energy at 100 yards. Thirty-five states, New Brunswick, Quebec Province prohibit the use of so small a caliber as a .22. Many states go much further prohibiting shotguns with buckshot, 25-20 and 32-20 calibers. Washington State bans the 38-40, the .30 U.S. Carbine, the 32-20 and the 44-40. Now we could gather no information on seven states. Three states have local restrictions and regulations including the State of Vermont. In Wyoming, muzzle loaders are illegal and in Rhode

Island, where two years ago they shot 27 deer, the .22 caliber is permitted for woodchucks only. And in neighboring New Hampshire, the .22 rifle — period — is prohibited in the hunting of deer.

Now, the gentleman from Woolwich, Mr. Harvey, agrees with us that we need a new look at our deer hunting regulations and the type of weapons to be permitted. The right way to start, we believe is not to indefinitely postpone but to resurrect LD 51 and to build from it, a better law that will help to provide a little bit better protection for our deer herd and for sportsmen everywhere to give these deer a sporting chance.

Mr. Speaker and ladies and gentlemen of the House, we have matters of much greater import facing this Legislature. In all honesty, we did not choose to take up your valuable time debating what appears to be an innocuous and seemingly unimportant bill. However, it is important to the gentleman who asked us to present it for him. He was a game warden for 9 years, has operated a sporting goods store in Farmington for 20 years, he sells, repairs guns of all kinds. His firsthand knowledge of this problem made him a convincing witness at its hearing.

I now request that you go along with me in asking for reconsideration of the motion to indefinitely postpone L. D. 51.

The SEPAKER: The Chair recognizes the gentleman from Lewiston, Mr. Gaudreau.

Mr. GAUDREAU: Mr. Speaker, this bill had a unanimous report. It's a good bill, but I also liked the House Amendment introduced by the gentleman from Woolwich, Mr. Harvey. A .22 caliber rim fire Magnum can do an effective job and should be allowed. I hope that an agreement can be reached and this bill will receive passage.

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

Mr. HARVEY: Mr. Speaker, I wasn't prepared for this well-prepared speech, but I think I can give a pretty good rebuttal on it. I did agree with the bill with my

amendment. However, without that amendment on there that does include the .22 rim fire Magnum which is a good caliber and it will allow hunters to hunt with thirty-five other calibers that aren't as potent as a .22 rim fire Magnum. In relation to the ice pick, it's a nice straight little hole and it has no explosive action. You take a .22 rim fire Magnum and a gallon can will be blown wide open with the tremendous shock of that little high velocity bullet.

As far as the wounded deer go in the woods, I have checked with the Fish and Game Department and I wanted a report of all wounded deer found in the Maine woods in the past ten years from .22 bullets and there is none, they have no record. However, my personal record is in the last twelve years there were a number of deer found in the woods with buckshot and also high powered rifles, shot through the stomach with heavy bullets. They neither do a good swift job nor do they leave a wood trail — a blood trail, and wood trail too, if you are trying to find one of those cussed things.

Montana, I have hunted in Montana and hunted Mule deer and cougar and many other animals in Montana, and I have yet to see one hunted in Montana with a .22 rifle. It would be kind of asinine. The .30 U. S. Carbine that they say is outlawed in many states is definitely a mankiller at close range, with the standard bullet manufactured by the manufacturing companies and ammunition companies isn't too good a gun. However, your handloaders knocked that velocity up to 2800 feet per second, a terrific deer-killer, hand loaders. So you see it's a heck of a big thing, there is ballistics in it and everything else considered in a bill of this nature, so until someone that knows something about this subject can sit down and draft a good fair honest bill, I think this should remain dead where it is, and buried. Next session maybe we can come up with some good bill that will do a good job, but it's going to be a hard job and there's going to be

a lot of hard feeling incurred. I request a division.

The SPEAKER: The Chair recognizes the gentleman from Farmington, Mr. Shute.

Mr. SHUTE: Mr. Speaker and Ladies and Gentlemen of the House: I think it is perfectly obvious why I had a prepared speech this morning, I am reluctant to get into an argument over an expert on ballistics, so I wanted to make sure that I had my facts straight.

I have in my hand a projectile which does an excellent job on the killing of deer, this is a 30/06, it is a weapon which I own. It has a 150 grain bullet, has 2370 foot pounds of energy at 100 yards, out where the deer are. This one which I hold in my hand is a .32 special, the type of weapon which many of you own and use in the hunting of deer, it is an effective weapon. This is a .44 Magnum bullet of 240 grains which has 970 foot pounds at 100 yards and is ten times more powerful than the .22 rim fire and eight times more powerful than the .22 Magnum. I also own a .44 Magnum. It does a very effective job at killing deer. If you can see this, this is an ordinary .22 rim fire cartridge. It is a very tiny projectile, and this is the .22 rim fire Magnum about which the gentleman from Woolwich, Mr. Harvey speaks. Now rather than lose this bill I would be perfectly willing to accept Mr. Harvey's amendment, have it restored and take our chances with the Senate, but I think it would be a shame to wait another two years before a start is made on this type of needed legislation.

The SPEAKER: Is the House ready for the question? The Chair recognizes the gentleman from Manchester, Mr. Rideout.

Mr. RIDEOUT: Mr. Speaker and Members of the House: I would like to rise in support of the motion of the gentleman from Farmington, Mr. Shute, primarily because he has done such an outstanding job of research and I think it would be too bad to kill the bill and not the deer, so I

would hope that his motion will prevail.

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

Mr. HARVEY: Mr. Speaker, the research end of this is my whole objection, there has been no research done on this bill. He said out where the deer are at 100 yards, 75 percent of your deer are being shot between twenty-five and fifty yards. That's where the deer are, of course you have got to be a hunter to get 'em. As far as guns go, I've got oh somewhere in the vicinity of 250 down there in the shop right now, and I don't believe that any man would like to have me take a shot at him even at 100 yards with a .22 rim fire Magnum because he wouldn't survive, it would be a quick clean death. My objection to this bill is that this will also include this fine little gun and there will be thirty-five other calibers that you can use for deer hunting that aren't as good as this little gun.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Farmington, Mr. Shute, that we reconsider our action whereby L. D. 51, H. P. 31 "An Act Prohibiting Hunting Deer with Certain Firearms" was indefinitely postponed. A vote has been requested. All those in favor of reconsideration will vote yes, those opposed to reconsideration will vote no, and the Chair will open the vote.

A vote of the House was taken.

86 having voted in the affirmative and 25 having voted in the negative, the motion to reconsider did prevail.

The SPEAKER: The question now before the House is indefinite postponement of this bill. All those in favor of indefinite postponement will say aye; those opposed, no.

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

Thereupon, on motion of Mr. Harvey of Woolwich, tabled pending enactment and specially assigned for Wednesday, April 5.

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

Bill "An Act relating to Licensing of Premises for Dancing Purposes" (S. P. 83) (L. D. 164) (In Senate, passed to be engrossed as amended by Committee Amendment "A") (S-8)

Tabled—March 15, by Mr. Birt of East Millinocket.

Pending—Passage to be engrossed.

Mr. Birt of East Millinocket offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 83, L. D. 164, Bill, "An Act Relating to Licensing of Premises for Dancing Purposes."

Amend said Bill in that part designated "§ 161." by adding at the end of the first paragraph (same in L. D. 164) the following underlined sentence:

**'This paragraph shall not apply to dances conducted by and for elementary or secondary school students in either public school buildings or municipally-owned buildings.'**

Further amend said Bill in that part designated "§ 161." by adding at the end of the 5th paragraph the following underlined sentence:

**'No fee shall be required for the inspection of public school buildings or municipally-owned buildings.'**

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

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

Bill "An Act Providing for an Itinerant Instructor, Fire Service Training, in the Department of Education" (H. P. 480) (L. D. 693)

Tabled—March 29, by Mr. Hawes of Union.

Pending—Adoption of Committee Amendment "A" (H-110)

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

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

Bill "An Act Appropriating Moneys for Research Study of Pesticides" (S. P. 582) (L. D. 1546) (In Senate, passed to be engrossed)

Tabled — March 29, by Mr. Jalbert of Lewiston.

Pending — Passage to be engrossed.

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

Mr. HENNESSEY: Mr. Speaker, Ladies and Gentlemen of the House: If we are so concerned about the effects of DDT, the study should have been made before the dangerous chemical was to have been applied. In reality what is happening is that parliamentary buffoonery to cover up and pacify other interests in the State that are affected by this chemical. Knowing the amount is insufficient to do the job and it will be killed on the appropriations table, as it well should be, I move for indefinite postponement.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: At the time that this matter came up, I had occasion to discuss this bill and the suggested study with Dean Winthrop Libby, the Dean of the College of Agriculture at the University of Maine who assured me that the Department of Entomology at the University was perfectly capable of carrying out a hopefully productive and certainly meaningful study.

The funds that are provided are not as much as perhaps we might want, but they are at least a step in the right direction, and I would urge you to vote against the indefinite postponement of this, and when the vote is taken I would request a division.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I would concur with the gentleman from Cumberland, Mr. Richardson. I was one of those, as a matter of fact a committee of one working that went to him and asked him to get in touch with the University. The idea of making this study is well meant. What happens on the appropriations table after this bill comes off I am not a mindreader, and I don't think that the gentleman from West Bath, Mr. Hennessey can lay claims to be either. If I would have anything to say about it, I would certainly ask that we go into this program and it is a well meant program and a sincere program on the efforts of those who originally set forth a possible final study of this project. I certainly hope the motion to indefinitely postpone this does not prevail.

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

Mr. HARVEY: Mr. Speaker, I believe you all know how I feel about DDT and studies. However, just a couple of short minutes here. This provides for \$10,000. Maybe it will receive the bow in the House and they would receive \$10,000, but I understand this letter where they request \$30,000 because \$10,000 isn't adequate. There have been millions of dollars spent on these studies; conclusions have been derived at, DDT is outlawed in many states by the Forestry Department and it is on its way out. Why pound good money, if we have to raise the taxes, down a rathole? Now a rathole is a small hole in the surface with many veins and many avenues of escape down below. You could stand there and pour money down the rathole all day long and you will accomplish nothing. That's just what this \$10,000 would do, nothing.

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

Mr. RICHARDSON: Mr. Speaker, as the person to whom the letter which the gentleman from Woolwich, Mr. Harvey refers was addressed, that is, the letter was mailed to me, I would like to advise the gentleman that Dean Libby felt that \$30,000 was the maximum. He did not feel that \$10,000 was pouring money down a rathole. The money is to be used to hire graduate assistance to continue research which is already underway. \$10,000 is a responsible figure; I wish it were more, and frankly I am amazed to see people who are interested in pesticide control trying to kill this bill. As one of those who is interested in pesticide control, I urge you to vote against indefinite postponement so that we can carry out this study.

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

Mr. HARVEY: Mr. Speaker, if there is any studies to be made, I would like to see the money go to the Sea and Shore Fisheries where we are on the verge of maybe losing our whole industry on the coast, fishing and lobsters and so forth. It's already been proven, tested, the money has been spent, it's been proven, it's on its way out. So why put your money on a dead horse? I wouldn't if I was playing the races.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from West Bath, Mr. Hennessey that Bill "An Act Appropriating Moneys for Research Study of Pesticides" S. P. 582, L. D. 1546 be indefinitely postponed. The Chair will order a vote. If you favor indefinite postponement you will vote yes; if you oppose indefinite postponement you will vote no. The Chair will open the vote.

A vote of the House was taken.

29 having voted in the affirmative and 77 having voted in the negative, the motion did not prevail.

Thereupon, the Bill was passed to be engrossed and sent to the Senate.

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

HOUSE REPORT—Ought to Pass—Committee on Indian Affairs on Bill "An Act relating to Compensation and Allowances for Members of the Indian Tribes at the Legislature" (H. P. 89) (L. D. 186)

Tabled—March 29, by Mr. Rideout of Manchester.

Pending—Acceptance.

On motion of the same gentleman, retabled pending acceptance and specially assigned for Wednesday, April 5.

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On motion of Mr. Richardson of Cumberland,

Adjourned until Tuesday, April 4, at ten o'clock in the morning.