

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

Tuesday, April 11, 1967

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

Prayer by the Rev. Mr. John MacKerron of Hollis.

The members stood at attention during the playing of the National Anthem by the Bangor High School Band.

The journal of the previous session was read and approved.

**Papers from the Senate
Reports of Committees
Ought Not to Pass**

Report of the Committee on Claims reporting "Ought not to pass" on Resolve to Reimburse Town of Vanceboro for Aid Extended William Gardner (S. P. 494) (L. D. 1344)

Came from the Senate read and accepted.

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

Ought to Pass in New Draft

Report of the Committee on Legal Affairs on Bill "An Act relating to Driving Motor Vehicles so as not to Startle Animals Being Ridden or Driven Upon Roads" (S. P. 110) (L. D. 181) reporting same in a new draft (S. P. 593) (L. D. 1566) under title of "An Act relating to Driving Motor Vehicles so as not to Startle Animals Being Ridden or Driven Upon or Near a Public Way" and that it "Ought to pass"

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

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

Ought to Pass

Report of the Committee on Appropriations and Financial Affairs reporting "Ought to pass" on Resolve to Provide Funds for the Purchase of Copies of the Maine Reports (S. P. 330) (L. D. 864)

Report of the Committee on Business Legislation reporting same on Bill "An Act to Amend

the Charter of the Union Mutual Life Insurance Company" (S. P. 393) (L. D. 1026)

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

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

**Ought to Pass with
Committee Amendment**

Report of the Committee on Business Legislation on Bill "An Act relating to Certain Guaranteed Loans by Savings Banks" (S. P. 390) (L. D. 1023) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report of the Committee on Education on Bill "An Act relating to Ricker Classical Institute and Ricker College" (S. P. 397) (L. D. 1030) reported "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.

Non-Concurrent Matter

Bill "An Act relating to Carrying Operator's License when Operating Motor Vehicle" (H. P. 178) (L. D. 241) which was passed to be engrossed as amended by Committee Amendment "A" in the House on February 23.

Came from the Senate with Committee Amendment "A" indefinitely postponed and the Bill passed to be engrossed as amended by Senate Amendment "B" in non-concurrence.

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

**Non-Concurrent Matter
Tabled and Assigned**

Bill "An Act relating to Licensing of Premises for Dancing Purposes" (S. P. 83) (L. D. 164) which was passed to be engrossed as amended by Committee Amendment "A" and House Amendment "A" in non-concurrence in the House on March 31.

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

In the House: On motion of Mr. Birt of East Millinocket, tabled pending further consideration and specially assigned for tomorrow.

Orders

The SPEAKER: The Chair recognizes the gentleman from China, Mr. Farrington.

Mr. FARRINGTON: Mr. Speaker, may I inquire if the House has in its possession S. P. 189, L. D. 424?

The SPEAKER: The answer is in the affirmative.

Mr. FARRINGTON: Mr. Speaker, I now move for reconsideration and would like to talk briefly to the motion.

The SPEAKER: The gentleman from China, Mr. Farrington, moves that the House reconsider its action whereby An Act Prohibiting the Use of Dogs for the Hunting of Wild Animals in Lincoln County was passed to be enacted on April 7. Is this the pleasure of the House? It's a vote.

Mr. FARRINGTON: Mr. Speaker, Ladies and Gentlemen of the House: This bill pertains to regulation of dogs during deer hunting season in Lincoln County, and it is my firm opinion that if we pass laws of this nature in a general sort of way, they should pertain to all counties and not to one particular county. For instance, we buy hunting licenses for the entire State and not just one county.

This particular piece of legislation would be very difficult to control. Kennebec County is next to Lincoln County and of course the hunter could be in one county

and the dog be in another county. I certainly do not think that this is prudent, fair, just legislation. I therefore move indefinite postponement.

The SPEAKER: The Chair would advise the gentleman that the next procedure before the House would be to reconsider our action whereby this Bill failed of indefinite postponement on April 7.

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

Mr. ROSS: Mr. Speaker and Members of the House: I have another reason to favor the reconsideration and the ultimate indefinite postponement.

Like many persons, I am a bird hunter. In my opinion there is no sport more fascinating than the quest for partridge, pheasants and woodcock behind a very good bird dog. When I first saw this bill I was a bit apprehensive. Not only did it affect my neighboring county, Lincoln, but I wondered about a definition. So I went to the font of all knowledge, our incomparable Law Librarian, Miss Edith Hary, and I said: "Edith, I have a little different type of question, but very serious I think. Is a bird an animal?" Well, she didn't know exactly what to say, so her decision was that I should look in Webster's Unabridged Dictionary, and the definition for an animal is—"a sentient living organism, broadly distinguished from a plant by incapacity to convert inorganic into organic material." And this morning I saw our Deputy Commissioner of Inland Fish and Game, Mr. George Bucknam, and I asked him the question and he said, yes, in his Department they would consider a bird an animal.

Consequently, if this law did go through, you would be cutting two weeks off of the bird hunting with bird dogs in Lincoln County, and I certainly favor the reconsideration.

The SPEAKER: The gentleman from Bath, Mr. Ross, now moves that the House reconsider its action whereby the motion to indefinitely postpone was defeated on April 7. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: Now the pending question is the indefinite postponement of Senate Paper 189, L. D. 424. Is the House ready for the question? All those in favor of indefinite postponement will answer yes; those opposed no.

A viva voce vote being taken, the Bill was indefinitely postponed in non-concurrence and sent up for concurrence.

House Reports of Committees Ought Not to Pass

Mr. Brennan from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act relating to Examination of Vehicles by Police Officers" (H. P. 106) (L. D. 133)

Mr. Danton from same Committee reported same on Bill "An Act relating to the Reporting of Traffic Accidents" (H. P. 843) (L. D. 1251)

Mr. Darey from same Committee reported same on Bill "An Act Taking Jurisdiction of Alleged Homicides from the Juvenile Courts" (H. P. 587) (L. D. 818)

Reports were read and accepted and sent up for concurrence.

Tabled and Assigned

Mr. Darey from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act relating to Use of Certain Radio Receiving Sets in Motor Vehicles" (H. P. 898) (L. D. 1311)

Report was read.

(On motion of Mr. Martin of Eagle Lake, tabled pending acceptance of the Report and specially assigned for Thursday, April 13.)

Mrs. Baker from the Committee on Legal Affairs reported "Ought not to pass" on Bill "An Act relating to Definition of Public Place under Public Drinking Law" (H. P. 531) (L. D. 761)

Same member from same Committee reported same on Bill "An Act relating to the Composition of Certain Boards and Commissions of City of Lewiston" (H. P. 797) (L. D. 1175)

Mr. Cushing from same Committee reported same on Bill "An Act Providing for Regulating Water Well Construction and Pump Installation" (H. P. 584) (L. D. 831)

Same gentleman from same Committee reported same on Bill "An Act relating to Political Composition of the Various Boards and Commissions of City of Lewiston" (H. P. 798) (L. D. 1176)

Reports were read and accepted and sent up for concurrence.

Tabled and Assigned

Mrs. Wheeler from the Committee on Legal Affairs reported "Ought not to pass" on Bill "An Act relating to Election of Aldermen at Large for City of Lewiston and Increasing their Compensation" (H. P. 1014) (L. D. 1479)

Report was read.

(On motion of Mr. Cote of Lewiston, tabled pending acceptance of Report and specially assigned for Thursday, April 13.)

Ought to Pass in New Draft New Draft Printed

Mr. Lewin from the Committee on Veterans and Military Affairs on Bill "An Act relating to War Orphans" (H. P. 337) (L. D. 471) reported same in a new draft (H. P. 1107) (L. D. 1574) under same title and that it "Ought to pass"

Report was read and accepted, the New Draft read twice and tomorrow assigned.

Ought to Pass Printed Bills

Mr. Richardson from the Committee on Legal Affairs reported "Ought to pass" on Bill "An Act Amending the Charter of the City of Augusta" (H. P. 323) (L. D. 457)

Mr. Shaw from same Committee reported same on Bill "An Act relating to Compensation for Appointive Members of the Various Boards and Commissions in City of Lewiston" (H. P. 799) (L. D. 1177)

Mrs. Wheeler from same Committee reported same on Bill "An Act relating to Keeping Dogs within an Enclosure under Kennel Licenses" (H. P. 610) (L. D. 853)

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

**Ought to Pass with
Committee Amendment**

Mr. Darey from the Committee on Judiciary on Resolve Authorizing Seaward Construction Company, Inc. to Bring Civil Action Against the State of Maine (H. P. 513) (L. D. 726) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Resolve read once.

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

COMMITTEE AMENDMENT "A" to H. P. 513, L. D. 726, Resolve, Authorizing Seaward Construction Company, Inc. to Bring Civil Action Against the State of Maine.

Amend said Resolve by striking out in the 21st line from the end (18th line from the end in L. D. 726) the figure "1966" and inserting in place thereof the figure '1967'

Further amend said Resolve by striking out all of the last sentence (same in L. D. 726) and inserting in place thereof the following sentence: 'Hearing thereon shall be before a Justice of the Supreme Judicial or Superior Court, without a jury, as assigned by the Chief Justice of the Supreme Judicial Court.'

Committee Amendment "A" was adopted and the Resolve assigned for second reading tomorrow.

Mrs. Baker from the Committee on Legal Affairs on Bill "An Act Clarifying the Law relating to Serving Liquor to Minors in the Home" (H. P. 527) (L. D. 758) 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. 527, L. D. 758, Bill, "An Act Clarifying the Law Relating to Serving Liquor to Minors in the Home."

Amend said Bill in the 10th line (9th line in L. D. 758) by striking out the underlined word "his" and inserting in place there-

of the underlined word 'a'; and by striking out in the 11th line (10th line in L. D. 758) the words "a parent" and inserting in place thereof the following: 'a his parent

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

Mr. Carey from the Committee on Veterans and Military Affairs on Bill "An Act relating to Disability Compensation for Members of Maine State Guard" (H. P. 567) (L. D. 799) 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. 567, L. D. 799, Bill, "An Act Relating to Disability Compensation for Members of Maine State Guard."

Amend said Bill in the 5th line (4th line of L. D. 799) by striking out the underlined word and figure "and 1041" and inserting in place thereof the underlined punctuation, words and figures ', 1041 and 1081'

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

Divided Report

Report "A" of the Committee on Legal Affairs reporting "Ought to pass" on Bill "An Act relating to Education of Members of Lewiston Police Department" (H. P. 207) (L. D. 298)

Report was signed by the following members:

Mr.	STERN of Penobscot
Mrs.	SPROUL of Lincoln
	—of the Senate.
Mr.	RICHARDSON
	of Stonington
Mrs.	WHEELER of Portland
Mr.	BELIVEAU of Rumford
	—of the House.

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

Report was signed by the following members:

Mr. GOOD of Cumberland
—of the Senate.
Mrs. BAKER of Orrington
Messrs. CUSHING of Bucksport
SHAW of Chelsea
CONLEY of Portland
—of the House.

Reports were read.

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

Mrs. BAKER: Mr. Speaker, I move acceptance of Report "B".

The SPEAKER: The gentlewoman from Orrington, Mrs. Baker, moves that the House accept the "Ought not to pass" Report "B". Is this the pleasure of the House?

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

Mr. GAUDREAU: Mr. Speaker and Members of the House: L. D. 298, which I sponsored, will permit some of our policemen to have F.B.I. training in Lewiston. There is nobody now in our Police Department who has this training, and I mean no one, not even the Chief.

The day is past when you can give a man a uniform and a badge and say, "you are now a policeman." Recent decisions of the Supreme Court make it harder and harder to obtain a conviction. Speaking to the Attorney General in the hall of the House, he stated that it is imperative that immediate steps be taken, especially in the larger cities, to give our policemen F.B.I. National Academy Training. He also gave me permission to quote him. "I must stress that immediate action must be taken in making this part of our Charter as it is the only, and I mean the only, guarantee that this will be done."

This bill simply states that a sum of \$2,000 shall be made available. If for some reason the City cannot send a man any particular year, the money simply returns to the General Fund, and if they want to send more than one man

to the Academy, all they have to do is appropriate more money.

The City of Lewiston must apply, or any city, a year ahead of time to send a policeman to the National F.B.I. Academy. This simply will guarantee that the money will be available the following year. None has been made available for the last five years or more, and I would ask for a vote on the motion.

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

Mrs. BAKER: Mr. Speaker and Members of the House: Certainly I have no personal interest in the Lewiston Charter, but I would simply like to explain the decision of the members of the committee who signed the "ought not to pass" report.

It was felt that this bill would be mandatory, and the city charter should provide broad guide lines for the city, but the choice in matters such as this should be left with the city, and I understand that there has been a move to provide funds for the education of the police a couple of times, and it was turned down either by the Board of Finance or by the City Council; and that is the reason that the bill was put in here making it mandatory under the City Charter, but the committee felt that that should not be a charter section. Besides, the amount is set up as \$2,000, a fixed amount, and we thought there might be some mistake about that.

In the Portland Press Herald of March 29, 1967, there was an announcement to the effect that the Justice Department has approved a \$15,000 dollar grant to initiate a state-wide law enforcement training program, and it is felt that possibly they might get some assistance under that.

The SPEAKER: Is the House ready for the question? The pending question is the motion of the gentlewoman from Orrington, Mrs. Baker to accept Report "B" or "Ought not to pass" Report.

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

Mr. GAUDREAU: Mr. Speaker and Members of the House: I understand that this could well be done in the City of Lewiston without coming up here. But, how long can we afford to wait? How can home rule help the situation? Nobody has done anything for quite a few years, and this measure simply guarantees that the funds will be made available.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I have a great deal of respect for the people who signed the Report on this measure "ought not to pass." However, I have no charter bills at all, I did not go to any of the hearings on this measure here which apparently is the only one that has a split report. I feel this is permissive legislation, I think the City of Lewiston should be allowed to run their own affairs if they want to do it through here.

The SPEAKER: Is the House ready for the question? The pending question is the acceptance of Report "B" or "Ought not to pass" Report, and a vote has been requested. All those in favor of accepting the "Ought not to pass" Report will vote yes; those opposed will vote no, and the Chair opens the vote.

57 having voted in the affirmative and 67 having voted in the negative, the motion did not prevail.

Thereupon, Report "A" "Ought to pass" was accepted, the Bill read twice and assigned for third reading tomorrow.

Passed to Be Engrossed

Bill "An Act relating to Keeping a Live Bear in Captivity" (H. P. 315) (L. D. 449)

Bill "An Act relating to Closed Season on Bear" (H. P. 355) (L. D. 502)

Bill "An Act relating to Use of Otter or Beam Trawls in Washington County" (H. P. 377) (L. D. 524)

Bill "An Act Repealing Bounty on Porcupine" (H. P. 502) (L. D. 715)

Resolve Allocating Money to Rebuild Fish Screen at Outlet of China Lake (H. P. 936) (L. D. 1352)

Resolve Regulating Ice Fishing on Messalonskee Lake, Kennebec County (H. P. 937) (L. D. 1353)

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

Amended Bills

Bill "An Act relating to Licenses Under Harness Racing Law" (H. P. 522) (L. D. 753)

Resolve to Provide Funds to Convert Ferry Terminal at North Haven (S. P. 243) (L. D. 603)

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 as amended by Committee Amendment "A" and sent to the Senate.

Passed to Be Enacted Emergency Measure

An Act relating to Brucellosis in Swine (H. P. 790) (L. D. 1152)

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. 128 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.

Passed to Be Enacted

An Act Reclassifying Certain Inland Waters of the Saco River Basin and Mousam River Basin (S. P. 164) (L. D. 335)

An Act relating to Protection of Corporate Name of Corporations Excused or Suspended (S. P. 339) (L. D. 872)

An Act relating to Bail for Juvenile Offenders (S. P. 406) (L. D. 1037)

Were 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 relating to Powers of Attorneys in Taking Acknowledgements for Instruments for Recording (S. P. 430) (L. D. 1084)

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

(On motion of Mr. Conley of Portland, tabled pending passage to be enacted and specially assigned for Tuesday, April 18.)

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

An Act Revising the Laws Relating to Support at State Institutions (H. P. 149) (L. D. 213)

An Act relating to Farm Supervisor for Department of Mental Health and Corrections (H. P. 158) (L. D. 221)

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

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)

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

An Act Revising the Vital Statistics Laws (H. P. 709) (L. D. 1004)

An Act relating to Sale of Certain Biologics (H. P. 789) (L. D. 1151) **(Later Reconsidered and Tabled)**

An Act Authorizing State Highway Commission to Study Desirability of Bridge Between Bath and Phippsburg (H. P. 791) (L. D. 1169)

An Act relating to Advisory Board of Examinations of Fire, Casualty and Surety Agents (H. P. 826) (L. D. 1234)

An Act Providing for a Cost-Estimate Study of an East-West Multi-Purpose Highway Through Maine (H. P. 833) (L. D. 1241)

An Act relating to Qualifications of Insurance Brokers and Agents (H. P. 874) (L. D. 1286)

An Act relating to Tuition for Pupils Attending Secondary

Schools in Other States or Countries (H. P. 1096) (L. D. 1562) **(Later Reconsidered and Tabled)**

An Act relating to the Prohibited Practices of Collection Agencies (H. P. 1097) (L. D. 1563)

Finally Passed

Resolve in favor of Town of New Sharon for Support of Angie Thompson (S. P. 531) (L. D. 1366)

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

Orders of the Day

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

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

Tabled — April 4, by Mr. Henley of Norway.

Pending — Passage to be engrossed.

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

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

Bill "An Act Providing for a Council-Manager Charter for the Town of Cape Elizabeth" (H. P. 233) (L. D. 341) (Committee Amendment "A") (H-117)

Tabled — April 4, by Mr. Hewes of Cape Elizabeth.

Pending — Passage to be engrossed.

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

Mr. HEWES: Mr. Speaker, during the past week some civil authorities have gone into one certain portion of the bill relating to where the banks would loan money as is proposed, and we received a report from a bank attorney yesterday and we have now prepared a House Amendment to a Committee Amendment but it hasn't been reproduced yet, and I would appreciate it if someone

else would table this until tomorrow so that the amendment which I hold in my hands now may be reproduced for the entire House.

Thereupon, on motion of Mr. Richardson of Cumberland, tabled pending passage to be engrossed and specially assigned for tomorrow.

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

SENATE REPORT "A" (5) — Ought to Pass as Amended by Committee Amendment "A" (S-54) — Committee on Education on Bill "An Act Revising the Laws Relating to Barbers and Schools of Barbering" (S. P. 247) (L. D. 607) REPORT "B" (5) — Ought Not to Pass. (In Senate, Report "B" accepted)

Tabled — April 5, by Mr. Shute of Farmington.

Pending — Motion of Mrs. Hanson of Lebanon to accept Report "A" in non-concurrence.

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

Mr. SHUTE: Mr. Speaker, Ladies and Gentlemen of the House: We feel that we should state our position for having signed a negative report on L. D. 607, an Act Revising the Laws relating to Barbers and Schools of Barbering.

We admit that in some states, there are state-supported and state-sponsored barber schools. We admit that there may be a need for the special training called for in this measure and that the controls over any schools of barbering suggested herein are logical and necessary controls over schools operated by the State Department of Education. We admit that the Hanson Barber School on Lisbon Street, Lewiston is a well-run institution, employing the finest instructors and using the finest equipment, and turning out no doubt good trainees.

But we don't believe the State of Maine should operate this school, fine as it is. Rather, we believe that if the State Department of Education is so anxious to start instruction in the ton-

sorial art, it could set up a few chairs at one of its Vocational-Technical schools, hire a good instructor and turn out its barbers sufficient to meet a need, if indeed there is a need demonstrated. But really, we believe this aspect of vocational-training belongs right where it is now, in the field of private enterprise.

Our good friend and colleague from Gardiner, Mr. Hanson, has stated he has received offers to sell his barber school business to private interests. What deters him from doing so, however, he reports, is the possible lowering of high standards he has established for his institution. We believe there is a greater risk, that of possible conflict of interest should the sale to the State be consummated. Hanson's Barber School has done such an excellent job in turning out barbers, the State of Maine, or at least the southern half of it, has been surfeited with barbers and would-be barbers. The Lewiston area particularly has seen its share of barbers per person.

Please note that we have received a haircut over the weekend. Our barber was quite aware we had signed a negative report on this bill. He did not miss with scissors or with razor. He gave us a good haircut, we consider. In fact, he and his partner agree that the State of Maine should not be in the barber school business. They claim that there are 2300 trained barbers in the State who would take their barber exams if they could be sure of a chair from which to operate.

Up until two weeks ago, we had ten barbers in five shops in Farmington. Uncle Sam grabbed the youngest at that time to swap clippers for cadence calls. In Farmington, the only time we have to wait for a haircut is perhaps Friday afternoon or evening and Saturday afternoon, so there shouldn't be a jam-up to replace our missing Army-bound barber.

We believe Maine might place the \$65,000 needed to purchase Hanson's Barber School in the field of adult education leading to a high school diploma. We believe that if Maine feels an overpowering urge to get into the

barber school business for its vocational - technical schools, it doesn't need to acquire a quarter mile of barber chairs to accomplish this feat. We believe that running a barber school is a definite business area which very well should remain in the field of private enterprise.

In spite of the obvious high quality of this school and its personable originator and proprietor, if this Legislature in its wisdom decides that Maine taxpayers should support a vocational program of this nature, we feel it should be accomplished through present vocational - technical schools.

Now those, Mr. Speaker and ladies and gentlemen of the House are our reasons we set forth now for having signed a negative "Ought not to pass" Report. You may like to discuss this further and we will not speak to the motion that is currently before you.

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

Mrs. HANSON: Mr. Speaker and Members of the House: The reason I signed the "Ought to pass" Report was that I feel very strongly that anything we can do to provide vocational training along various lines for eventually leading people to be wage earning citizens, I feel we should do as an obligation and duty.

I visited the barber school in Lewiston and was impressed with the scope, quality and detail of the program.

This morning some information was handed to me that was not available at the time of the hearing, and they say that there are now operating 40 barber schools in 20 different states, and there are an additional 46 barber schools operating in 8 additional states which are not classified as vocational schools but which operate on public funds, county or state. This is a total of 86 barber schools operated and supported by public funds.

Some members of the Legislature may feel this is a relatively new concept of training, which is not true, as this type training has

been in operation in many states for a period of years, and increasingly in others. In many of these states both private and vocational schools are in operation within the same state. For example, the state of New York has 13 private barber schools with nine additional vocational and public fund supported barber schools.

This is not a new idea on the part of Maine barbers as it has been considered for a period of time but was not submitted to the Legislature prior to this as the feeling was that the Legislature would be hesitant to enter the barber training field in competition with private enterprise. With the advent of Mr. Hanson's Barber School closing, with a vacancy and a need, this legislation was entered in this session of Legislature.

State Vocational Training is working efficiently in the nursing field in Maine and we feel it can work as efficiently in the barbering field.

Recently the Federal Government conducted a pilot program of advanced training for barbers in 30 cities of this country and found as a result of this program, the income of barbers who participated was up-graded from \$1,000 to \$2,000 yearly because of this training.

Therefore I think that this L. D. 607 should receive the "Ought to pass" Report.

The SPEAKER: The pending question is the motion of the gentlewoman from Lebanon, Mrs. Hanson, that the House accept Report "A" or "Ought to pass" Report.

The Chair recognizes the gentleman from Gardiner, Mr. Hanson.

Mr. HANSON: Mr. Speaker and Members of the House: To clear the air just a bit as to one of the reasons why this bill happened to be before the Legislature, I believe it was in 1957 when Dr. Hill was Commissioner of Education. He was very interested, and other members as well within the Department of Education, of including the barber course in the State Vocational Schools, and at that time after several meetings, he was convinced that there was absolutely no need of it, and as the gentle-

man from Farmington, Mr. Shute, said at that time I believe that there were approximately 1800 to 2000 which were eligible to pick up a license within the State who had had training under the old G. I. bill as well.

I haven't anything more to say on this except that when the vote is taken I would like to abstain from voting because of the possibility of conflict of interest.

The SPEAKER: The gentleman from Gardiner, Mr. Hanson, requests permission to abstain or be excused from voting when the vote is taken.

Thereupon, Mr. Hanson of Gardiner was excused from voting because of possible conflict of interest.

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

Mr. NADEAU: Mr. Speaker and Members of the House: I rise in support of Mr. Shute. I only feel that the Maine Vocational School could adopt this training and could train our future barbers at a much lesser cost than what we are giving to—never mind buying this installation.

Our state sponsored school would also be under the State Department. Now we're trying to vary our thinking and allow different cities to run our training. I therefore oppose this.

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

Mr. CARROLL: Mr. Speaker and Members of the House: I also agree with Dr. Hill's finding of 1957. We don't need this barber school, it's being run by private enterprise, and I believe that private enterprise should continue to run this, and I think that we should endeavor to spend the State's funds in vocational training where a shortage exists in various fields, and therefore I would urge you not to accept this report.

The SPEAKER: Is the House ready for the question? All in favor of accepting Report "A" or "Ought to pass" Report will vote

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

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

Thereupon Report "B" "Ought not to pass" was accepted in concurrence.

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

HOUSE REPORT—Ought Not to Pass—Committee on Education on Bill "An Act relating to Unity Institute" (H. P. 934) (L. D. 1350)

Tabled—April 6, by Mr. Susi of Pittsfield.

Pending—Acceptance.

The SPEAKER: The Chair recognizes the gentleman from Pittsfield, Mr. Susi.

Mr. SUSI: Mr. Speaker, I move that we substitute the Bill for the Report, and would speak to my motion.

The SPEAKER: The gentleman from Pittsfield, Mr. Susi, moves that the House substitute the Bill for the Report. The gentleman may proceed.

Mr. SUSI: Mr. Speaker and Members of the House: First off, I would like to give you a little explanation of what this bill is and what it would do if it were adopted.

The first and most important provision of the bill is that it would allow what is now known as "Unity Institute" to use the word "college" and thus be known as "Unity College." It would secondly become eligible to bid on or receive State and Federal surplus properties.

The third provision would make us eligible for loans under the Higher Education Loan Authority Act, which we're considering during this term of Legislature if it were enacted.

Now for those of you who aren't acquainted with what Unity Institute is, it's a four-year college level liberal arts school, opened last September in the Town of Unity, Maine. It is private, and non-profit. It opened last Sep-

tember with 42 students, it now has 53 students. It has a staff of 15 instructors, plus administrators, a maintenance staff and so forth. The present ratio of students to instructors is less than 4 to 1.

The Director of our School is Mr. Clair Wood of Waterville, a person whom I know a great many of you are acquainted with, and from my knowledge of him and knowing him, as fine a person as you could ask for. He has 43 years of dedicated service to education here in Maine, and is thoroughly and completely devoted to the promotion of a top school in Unity and is working every day to that end.

The staff this coming September will consist of 14 instructors, all with Masters Degrees, and 4 with Ph.D.s.

Every step in the development of this school has been guided by the recognition of the need to get accreditation from the New England Board of Accreditation for Colleges, and to get from the State at some later time the authority to grant degrees. This bill which we're considering this morning does not ask for this right; we fully intend to earn this and we feel we will have that later.

I have worked with the Trustees of Unity Institute since the school's inception, and I say to you without any reservation that I have never known a group of people with any greater dedication and perseverance than these people who started out, and have worked their heads off trying to get a school going.

The Board of Trustees at Unity Institute are not millionaires. I don't say that apologetically any more than any one of us have to apologize that we individually aren't millionaires. People in education have inferred to us that we would have been wise to have waited until we had a million dollars cold cash setting in the kitty before we started a college, and I certainly, based on the experience that I have been through with the other Trustees, can see the merit of their position, but I

just can't see that it is a practical thing in the State of Maine with the limited resources that we do have for any school ever to attain that position, practically speaking, before it starts to move. In spite of the fact that we have worked with limited resources and dibbles and dabbles from hundreds of kind Maine people who believed as we did in the need for such school, have come up with some \$300,000 in gifts, loans and bond sales to get this school open and on its way. The extent of this effort I doubt that you can imagine.

Now as to the bill. The provision for our eligibility under the Higher Education Loan Authority Act if passed, is one without which we undoubtedly would survive, although it could offer us a valuable assist at sometime prior to our getting the right to award degrees, but if anyone has any serious objections to it I feel that we can do without it. The provision on eligibility for surplus was prompted by an experience we had in attempting to get a cook stove, a hood and some odds and ends which had been declared surplus at one of the State Teachers Colleges. Now to have gotten this material would have meant a saving of several hundreds of dollars to us in the situation we were in, we had to count every penny several times. Over many weeks we were in constant contact with everyone from the Governor and his staff right on down through the state hierarchy in attempting to get this job done, and we were assured at all times that this was a crash program to get us a cook stove. Well, time came for school to open and we had to go out and buy a stove, but we still have faith that any year now we will get notice that they will now accept our bid on the cook stove.

This provision on surplus is not crucial. It would make little difference to us except a little satisfaction perhaps whether or not this provision were in. What we do need, and we need badly, is the right to call the school a "college." Now our law provides that a school shall operate two years, and at the

end of two years petition the State Department for the right to use the word "college" and the Department at that time would review the petitioning school and make its recommendations to the next session of the Legislature.

Now I agree wholeheartedly that some restriction is needed to insure that the term "college" is not used indiscriminately by schools which have not established their intent, their commitment or their purposes. I believe that Unity has so established itself from its record of development and operation, although technically not having operated for two full years at this time. This is so important to us, not for any high-flown academic reasons nor false pride. We need the word "college" for the very practical and crucial reason that young people and parents alike universally believe that when a young person goes on from high school in pursuit of a degree, he or she is ready to go to college, not to an academy or an institute, but they are ready for college.

Now we spent about \$20,000 last year recruiting students; this year it will be more. With family after family after family, Mr. Bartlett, our Admissions Director, has hit head on first thing in interview after interview with this one problem, the name of our school. After the lengthy explanation of the peculiar circumstances which require our using this name "institute," the family has long since lost interest—Johnny is ready for college and he is going to college, and the family isn't about to spend all its time explaining to relatives and friends why Johnny isn't in college.

Please note that this bill pertaining to a phase of Maine education is practically unique in this day and age. It has no price tag. We are not asking for a handout. We are asking that we be given an equal competitive position with other emerging institutions in neighboring states which do not have this restriction. During the past few years particularly, our college population has increased tremendously. This is good and

we are all glad to see this happening. However, nearly all of this expansion has had to be accommodated by Government-sponsored institutions. This has had two major immediate effects. First, that the burden on the taxpayers has increased by leaps and bounds, and second, that a higher and higher percentage of our young people are being educated under the greater or lesser control of centralized government educational authorities.

To allow and even encourage the increased operation of private educational facilities obviously lessens the direct taxpayer expense, and, more important, allows a degree of individualism—that factor which has been so tremendously important in the development of our nation and its people. Individualism I believe will more and more tend to disappear under our current great government concept of mass education.

I feel as surely as I stand here, that if we are forced by your denying us this bill, to go the two year route and the Department review, that we will that way enter into an endless period of that same cook stove treatment.

We need this word "college" and we need it badly. I feel honestly that our efforts, our goals, our motivations and our results to date all exceed what man can ask of man. If there are those who would like time to affirm our assertions to you here today, I would welcome your tabling this bill for that purpose. The more acquainted you become with our school, the more inclined you will become to support this bill, but in your final action, I most urgently request that you give us this small word "college" which I believe we so much deserve.

Mr. Speaker, I request that when the vote is taken, it be taken by a division. Thank you.

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

Mrs. HANSON: Mr. Speaker, I assure you that the Education Committee dealt with this very very carefully, and I must admit that my heart bleeds for these

small schools, and especially Unity. After Mr. Susi's report, it seems as if it is well worthy of what he is asking. However, the judgment of the committee as a whole after I know in my case of many hours of sleepless nights, sleepless hours at night trying to make up my mind, we came out with a unanimous ought not to pass report and therefore, I must ask that that report pass.

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

Mr. WOOD: Mr. Speaker, Ladies and Gentlemen of the House: I think the gentleman from Pittsfield, Mr. Susi, has given an excellent explanation of what our school in Unity is and what it would like to do. It seems incredible to me that the Department of Education or any individual could oppose any institution that would help further the education of our young people that are having such a hard time to get into colleges and schools of higher learning.

I talked with administrators from the University of Maine and from our other institutions and they are turning down applications every day of our students that we are paying so much to graduate from our high schools. We have other schools like the institute in Unity that have started in the State of Maine, started on the same footing, started for the same purpose, that have become a credit to the State and they have turned out young people that have gone forth into the world and excelled in their chosen field of endeavor.

This school in Unity can do the same thing. The people that are behind it are that kind of people that will work and hope to do what we are asking for this school to do. We only need to be able to name our school in such a way that these students will be glad to come and get their education there. And by being able to call it a college we can do just that. We desperately need these schools, and this institute that we have in Unity can become a school that we can be proud of in the community and in the State, and be a credit to all the people, all of

the young people that are asking for an education in the Institute. Therefore, I hope the motion of the gentleman from Pittsfield, Mr. Susi, will prevail.

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

Mrs. BAKER: Mr. Speaker, Fellow Members of the Legislature: I want to further give you reasons for the Committee on Education signing this bill out unanimous ought not to pass. If you will recall, a little while back you denied the right of eliminating from the law this section which I will read to you. This was asked for to help the John F. Kennedy Institute up in Fort Kent. At that time if we had repealed this section of the law this would have given that institute also the right to use the name "college" and you rejected that repeal of the present law, so this would be setting up a precedent of which I think the House would want to think very carefully. This is the law, and it sets up in section 2203 the reasons that — plans that an institution has to abide by before they can be a degree-granting college. Then down in Paragraph 3 it says: "No person, school, board, association, or corporation shall use in any way the term 'junior college' or 'college' or 'university' in connection with an institution or use any other name, title or descriptive matter tending to designate that it is an institution of higher learning with the power to grant educational literary or academic degrees unless the institution has been given the right to grant degrees in accordance with this section."

We are bound at the present time by this law. These go hand in hand. When the institution can grant degrees then they can use the term "college" and you will be setting up a precedent here. We feel very badly to have had to sign this out ought not to pass because we have a strong feeling that this institute is going to go places, and certainly has a wonderful faculty, many of them have Masters degrees. They have said that they have fifty-three students at the

present time and could probably be growing faster with admissions of students, but we do feel that it is only fair that every institution in the State abide by this law, and it would be at least two years before approval by the Board. They have only been in operation one year, one full year, so we ask you please to go along with the ought not to pass report of the committee; not to substitute the bill for the report.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I think this morning this House could stand very well and extend its commendation to not only the representative from Pittsfield, Mr. Susi, but all the representatives that came down to the hearing and made presentations before the Joint Committee on Education. These people that came down before the Committee made an outstanding contribution to the State and to this House of Representatives for the outstanding way in which they performed before the Committee.

However, Unity being almost a brand new school, we felt the same as the John F. Kennedy Institute in Fort Kent, Maine, that a little bit of time, a little bit of maturity, and these institutions could become colleges. With all the ramifications and implications of becoming a college, the availability of funds, of bondings, of receiving students, of going out and recruiting students, certainly this is forthcoming. They have made their case; they have shown their case to be justifiable, although the newness and the lack possibly of maturity as a new school would make it almost impossible at this time to give the dedicated word "college" to this type of institute on this day, so I ask that you vote for the Committee Report. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Pittsfield, Mr. Susi.

Mr. SUSI: Mr. Speaker, Ladies and Gentlemen of the House: The

response that you have heard here this morning from various members of the Education Committee has been the same response that I have received from every member of the Committee who has spoken to me.

I believe they have honestly been disturbed in turning out a report ought not to pass on this. They have indicated to you this morning that they feel that there is great merit there, and I think it could be paraphrased very nicely by taking an old campaign slogan and saying in their heart they know we're right.

I believe that this is a discretionary group. We are sent down here with judgment; we are presumed to have judgment, that we set rules; or that when our need not be bound by any hard judgment dictates that an exception should be made, it is in our power to make that exception, and I would hope that we would have the courage to make it. I think there is a job to be done here. We have worked our hearts out on this and this is a terrible handicap that we are working under and I hope you will give us this chance. Thanks.

The SPEAKER: The Chair recognizes the gentleman from Freedom, Mr. Evans.

Mr. EVANS: Mr. Speaker and Ladies and Gentlemen of the House: I live about possibly seven miles from this institution and I know quite a number of them that have been working for it and they have really worked for this, and I believe as a rule we should accept the report of your committees, but in this case I do not. I think that they have been poorly informed on a lot of occasions on this institution there in Unity and I think that we ought to accept the motion of the Representative from Pittsfield, that we substitute the bill for the report.

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

Mr. SHUTE: Mr. Speaker, I heartily concur with everything that the gentleman from Pittsfield,

Mr. Susi, has said. As a matter of fact I also agree with him in his description of "in their hearts they know they are right," speaking of the Education Committee.

Also, I would like to refer the gentleman from Pittsfield, Mr. Susi, to another old campaign slogan that goes something like this: "don't change horses in the middle of a stream," and Mrs. Baker did not read quite far enough in this law I believe. Page 123 of our green book, which is our Bible on the Committee of Education as far as State law is concerned, says: "Any institution not previously authorized to confer a degree or an associate degree must have been in regular operation at least two years before the Legislature grants authority to confer a degree or associate degree." It's as simple as that.

I too concur with the gentleman from Madawaska, Mr. Levesque, who said that they made a wonderful presentation. They indeed did. They are simply asking for this two year exemption or an exemption of a two year waiting period to be called a college. They have fifty-three students now and fifteen commuting students. Their tuition charge is \$2,150 per year which includes tuition, board and room, and they have a remarkably fine staff, and they should go places.

Clair Wood whom I have known for years is the Administrator at Unity and he has done an excellent job there, but what they are asking you to do in effect is to fly in the face of a law which says they should be in operation for two years. This is why we do feel deeply for the cause of Unity, but gave unanimous ought not to pass report in this instance.

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

Mr. COTTRELL: Mr. Speaker, Ladies and Gentlemen of the House: I was reading this prayer: Lord, thou knowest better than I know myself that I am growing older and will someday be old. Keep me from getting talkative and particularly from the fatal

habit of thinking I must say something on every subject on every occasion.

I try to follow that, partially. I want to point out this though. I think education is going through a very revolutionary period. I think its present procedures are going to be more scrutinized than ever before because of the increasing costs in our budget of education. I can go along with Dr. Conant and say that we must spend millions and millions more for education, but on the other hand, to be brief, as we read about our colleges today, one of the great criticisms by the students, the beneficiaries of our great program in education, is that universities and colleges are getting too large and impersonal. We do have also this pressure on our State educational institutions to accommodate students, and so to be brief again, I think this is a worthy experiment. I don't like to see it held up by technicalities. I think to make progress in many fields, in this world where our knowledge is increasing every twelve years, we should not be afraid to break with tradition. So I am going to vote for this motion to substitute the bill for the report, and I hope that every representative may read this oncoming series of articles in the Christian Science Monitor. I think they are starting in either yesterday's or today's edition of the Monitor and are going to run seven days. Thank you.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Pittsfield, Mr. Susi, that the House substitute the Bill "An Act relating to Unity Institute," House Paper 934, L. D. 1350, for the "Ought not to pass" Committee Report, and the Chair will order a vote. As many as are in favor of substituting the bill for the report will vote yes and those opposed will vote no, and the Chair opens the vote.

86 having voted in the affirmative and 43 having voted in the negative, the motion did prevail,

the Bill read twice and tomorrow assigned for third reading.

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

Bill "An Act Prohibiting the Hunting of Mink and Otter with Firearms or Bow and Arrow" (S. P. 6) (L. D. 12) (In Senate, passed to be engrossed as amended by Senate Amendment "A") (S-24) (In House, Senate Amendment "A" as amended by House Amendment "A" thereto adopted) (H-141)

Tabled — April 6, by Mr. Cookson of Glenburn.

Pending — Passage to be engrossed.

On motion of Mr. Richardson of Cumberland, retabled pending passage to be engrossed and specially assigned for Wednesday, April 12.

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

HOUSE REPORT — Ought Not to Pass — Committee on Agriculture on Bill "An Act to Establish the Quality Rating of Gasoline" (H. P. 957) (L. D. 1401)

Tabled — April 6, by Mr. Benson of Southwest Harbor.

Pending — Acceptance.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: This morning, in view of what has just transpired, I feel that if I would have the capabilities of the representative from Pittsfield, Mr. Susi, I might be able to accomplish something. However, not having those qualities readily at hand, this document 1401 is establishing a quality rating of gasoline in the State of Maine which would be permissive legislation to regulate possibly the quality of gasoline being distributed to the 2,000 some odd distributors in the State of Maine.

In order not to belabor this document any further, I certainly feel that there is a need for this. In view of the gas wars that are going on in different cities, it is quite questionable as to the quality of gasoline being pumped into

motorists' automobiles, so in view of my very brief remarks, and in view of the accomplishments of the gentleman from Pittsfield, Mr. Susi, I now move that we substitute the bill for the report.

The SPEAKER: The gentleman from Madawaska, Mr. Levesque, now moves that the House substitute the Bill for the "Ought not to pass" Report.

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

Mr. RIDEOUT: Mr. Speaker, I find that I have tackled a formidable opponent in Mr. Levesque, the gentleman from Madawaska, and I want to hark back to the prayer from the gentleman from Portland. As I get older everything I want to do is either illegal, immoral, impossible or fattening, and this bill is both illegal, immoral and is fattening to just a certain segment of the industry. I therefore request you to vote against the motion.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Madawaska, Mr. Levesque to substitute the bill for the report. All those in favor of substituting the bill for the report will answer yes; those opposed, no.

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

Thereupon, the "Ought not to pass" Report was accepted and sent up for concurrence.

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

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)

Tabled — April 6, by Mr. Benson of Southwest Harbor.

Pending — Passage to be enacted.

On motion of Mr. Brennan of Portland, retabled pending passage to be enacted and specially assigned for tomorrow.

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

Bill "An Act to Create the Orrington Water District" (H. P. 913) (L. D. 1336)

Tabled — April 6, by Mr. Benson of Southwest Harbor.

Pending — Adoption of Committee Amendment "A" (H-129)

Mr. Robertson of Brewer offered House Amendment "B" to Committee Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "B" to COMMITTEE AMENDMENT "A" to H. P. 913, L. D. 1336, Bill, "An Act to Create the Orrington Water District."

Amend said Amendment by inserting after the word "Orrington" in the 4th line and before the period, the words "with the exception of Brewer Lake, Fields Pond, their sources and tributaries"

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

Mr. WILLIAMS: Mr. Speaker and Members: I don't know much about the terrain around Orrington, but I understand that Brewer Lake is quite a large lake with a considerable water shed. I wonder whether this amendment, if passed, would not seriously limit the Orrington Water District. We had a good hearing on the bill and there was no opposition and there was no mention made of Brewer Lake. I would like to inquire through the Chair of the gentleman from Brewer, Mr. Robertson, what's the purpose of this amendment?

The SPEAKER: The gentleman from Hodgdon, Mr. Williams, poses a question through the Chair to the gentleman from Brewer, Mr. Robertson, who many answer if he chooses and the Chair recognizes that gentleman.

Mr. ROBERTSON: Mr. Speaker, I would be very happy to try to clarify this amendment. Originally the bill did not include Brewer Lake, Fields Pond or its tributaries. This particular lake and the Fields Pond and the tributaries to this lake supply the entire water supply of the Eastern Fine Paper and Pulp Division of Standard Packaging Corporation. It has done

this since 1870 and consequently it is not only the sole support as far as water is concerned, in their opinion it is a right and prerogative which they have exercised through the years. And incidentally, I might add that this particular amendment has been approved by the sponsor of this bill and also the representatives of the community of Orrington. Thank you.

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

Mrs. BAKER: Mr. Speaker and Members of the House: While the Town of Orrington feels there might be some question concerning the water rights of Brewer Lake and its tributaries, we do not oppose this amendment at this time.

Thereupon, House Amendment "B" to Committee Amendment "A" was adopted. Committee Amendment "A" as amended by House Amendment "B" thereto was adopted, and the Bill assigned for third reading tomorrow.

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

Bill "An Act relating to Reimbursement for Driver Education and Special Education" (H. P. 310) (L. D. 444) (In House, passed to be engrossed without Amendment) (In Senate, passed to be engrossed as amended by Senate Amendment "A" in non-concurrence. (S-30)

Tabled—April 6, by Mr. Benson of Southwest Harbor.

Pending—Further consideration.

On motion of Mr. Richardson of Stonington, the House voted to recede.

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

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

HOUSE AMENDMENT "A" to H. P. 310, L. D. 444, Bill, "An Act Relating to Reimbursement for Driver Education and Special Education."

Amend said bill in the 3rd line (2nd line of L. D. 444) from end of subsection 2 of section 1 by striking out the words and figure "subsidy of \$10" and inserting in

place thereof the following: 'subsidi of \$10 \$15'

Further amend said Bill by striking out in the next to the last line (same in L. D. 444) the underlined figure "\$10" and inserting in place thereof the underlined figure '\$15'

House Amendment "A" was adopted.

Senate Amendment "A" was then read by the Clerk and adopted in concurrence.

The Bill was then passed to be engrossed as amended by Senate Amendment "A" and House Amendment "A" in non-concurrence and sent up for concurrence.

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

An Act Establishing Two Zones for Open Season on Deer (S. P. 3) (L. D. 6)

Tabled—April 7, by Mr. Richardson of Cumberland.

Pending—Passage to be enacted.

Thereupon, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

The SPEAKER: The House is proceeding under Orders of the Day.

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

Mr. GILL: Mr. Speaker, Ladies and Gentlemen of the House: I wish to move that we reconsider our action whereby on page 5, item 13, An Act relating to Sale of Certain Biologics, was passed to be enacted, House Paper 789, L. D. 1151, and I would like to speak briefly to my motion.

I would like to be able to amend this bill to replace in the last line a phrase that has been removed by this bill, perhaps intentionally and perhaps not intentionally. It says: this section shall not apply to registered drug stores or pharmacies. Now the purpose of my bringing about this point is to bring to your attention at this time that a registered drug store now is controlled by the U.S. Bureau of Narcotics, the Food and Drug Administration, The Bureau of Drug Abuse Control, the Maine State Board of Pharmacy, which is

a Board created by the Governor for the control of the practice of pharmacy, and it is also a requirement now for a pharmacist to have attended college for a period of five years and to have successfully passed the State Board of Examination for Pharmacy.

Actually, the general intention of this bill is good. It is connected to the sale of drugs and biologicals by people to the farmers, who would not be either a doctor or a veterinarian or a pharmacist, and I agree with the intentions of this bill. However, I don't think we should require the Board of Pharmacy and Pharmacists to be placed under the Department or the Commissioner of Agriculture. For that reason, I would appreciate it if a colleague of mine would place this upon the table.

The SPEAKER: The gentleman from South Portland, Mr. Gill, now moves that the House reconsider its action whereby it enacted L. D. 1151.

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

Mrs. CARSWELL: Mr. Speaker, if I am looking at the right Legislative Document, 1151, it seems to me that this came before the Health and Institutional Services Committee, and I am just wondering why this amendment wasn't made in committee.

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

Mr. GILL: Mr. Speaker, I was a little bit asleep at the switch. This came before our committee and it was requested by a committee of Agriculture that we refer to them and we did, we referred this to the Committee on Agriculture. It was not heard.

Thereupon, on motion of Mr. Richardson of Cumberland, tabled pending the motion of Mr. Gill of South Portland to reconsider enactment, and specially assigned for tomorrow.

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

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

like to make a motion to reconsider our action taken earlier this morning whereby we passed to be enacted item 18, An Act relating to Tuition for Pupils Attending Secondary Schools in Other States or Countries, House Paper 1096, L. D. 1562. I hope that you will go along with me in this motion for reconsideration in order that I might have an opportunity to take a further look at this bill and if you do go along with me, I would make a motion to table it until tomorrow.

The SPEAKER: The gentleman from Perham, Mr. Bragdon, now moves that the House reconsider

its action of earlier in today's session whereby this bill was passed to be enacted.

On motion of Mr. Richardson of Cumberland, tabled pending the motion of Mr. Bragdon of Perham to reconsider enactment, and specially assigned for tomorrow.

(Off Record Remarks)

On motion of Mr. Richardson of Cumberland,

Adjourned until nine-thirty o'clock tomorrow morning.