

# 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 25, 1967

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

Prayer by the Rev. Mr. Douglas Robbins of Augusta.

The members stood at attention during the playing of the National Anthem by Cony High School of Augusta.

The journal of the previous session was read and approved.

**Papers from the Senate**

From the Senate: The following Communication: (S. P. 611)

STATE OF MAINE  
DEPARTMENT OF AUDIT  
Augusta, Maine

To Governor Kenneth M. Curtis and Members of the One Hundred and Third Legislature

In compliance with statutory requirements, I submit herewith the annual report of the State Auditor for the fiscal year ended June 30, 1966. The financial data presented herewith are based upon the accounting records maintained in the Bureau of Accounts and Control.

Respectfully submitted,

(Signed) ARMAND G. SANSOUCY  
State Auditor

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

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

**Senate Reports of Committees  
Leave to Withdraw  
Covered by Other Legislation**

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1968 and June 30, 1969" (S. P. 76) (L. D. 157) reporting Leave to Withdraw, as covered by other legislation.

Came from the Senate read and accepted.

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

**Ought Not to Pass**

Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act Creating the Uniform Statutory Construction Act" (S. P. 545) (L. D. 1393)

Report of the Committee on State Government reporting same on Bill "An Act relating to Issuance of Motor Vehicle Registrations by Municipal Tax Officers" (S. P. 510) (L. D. 1224)

Report of the Committee on Veterans and Military Affairs reporting same on Resolve Granting World War I Bonus to Charles Girofalo (S. P. 441) (L. D. 1093)

Came from the Senate read and accepted.

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

**Ought to Pass in New Draft**

Report of the Committee on Inland Fisheries and Game on Resolve Regulating Fishing on Part of Moose River, Somerset County (S. P. 536) (L. D. 1370) reporting same in a new draft (S. P. 604) (L. D. 1587) under same title and that it "Ought to pass"

Report of the Committee on Towns and Counties on Bill "An Act Increasing Payments to Waldo County Law Library" (S. P. 369) (L. D. 964) reporting same in a new draft (S. P. 606) (L. D. 1588) under title of "An Act Increasing Payments to County Law Libraries" and that it "Ought to pass"

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

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

**Ought to Pass**

Report of the Committee on Inland Fisheries and Game reporting "Ought to pass" on Bill "An Act relating to Enforcement Duties of Inland Fish and Game Wardens" (S. P. 245) (L. D. 605)

Report of the Committee on Legal Affairs reporting same on Re-

solve Permitting Augusta Golf Company to Draw Water from Lake Cobbosseecontee (S. P. 232) (L. D. 557)

Report of the Committee on Towns and Counties reporting same on Bill "An Act relating to Line Budgets for All Counties" (S. P. 567) (L. D. 1437)

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

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

#### **Ought Not to Pass Bill Substituted for Report**

Report of the Committee on Education reporting "Ought not to pass" on Bill "An Act relating to Approval of School Building Plans" (S. P. 61) (L. D. 74)

Came from the Senate with the Bill substituted for the Report and passed to be engrossed as amended by Senate Amendment "A."

In the House: Report was read.

The SPEAKER: The Chair recognizes the gentleman from Bristol, Mr. Lewis.

Mr. LEWIS: Mr. Speaker, Ladies and Gentlemen of the House: I realize that there is much more important legislation before us, but to me and to the lady Senator from Lincoln County who submitted this bill in the other branch, this bill means a great deal to Mrs. Sproul and me.

Previous to the 102nd Legislature the Town of Bristol, to who this bill is directly involved, voted at a town meeting to expend the sum of \$160,000 to improve their school facilities to the extent of providing four new classrooms and a new shop.

Due to legislation that was passed during the 102nd Legislature, we were stymied because those bills read to the effect that no municipality would be allowed to build a school addition if the high school had less than a hundred pupils, or fewer than ten teachers.

Another bill was also passed during the 102nd Legislature that

allowed students to go outside of their town to take certain language and other courses not offered within their own school setup.

Now, the State Department of Education refused our request to build onto our school because those bills were passed during the 102nd Legislature. We went ahead before the edict was passed out and hired an architect — I say we, the school committee did this — they hired an architect to draw up plans for this \$6,000 proposed addition. We spent \$6,000 because the architect demanded the full amount, regardless of whether the building was erected or not. We bought \$2,800 worth of steel, and that at the present time is lying in the Town of Newcastle, unused. We haven't been able to get rid of the steel yet.

The report, or the edict, from the State Department was really given out before these bills that were passed in the 102nd Legislature became law. We had our application in approximately a month before September third, I think it was, when those bills that were passed during the 102nd would have become law.

Now as the result of the inability to improve our schools, which we were willing to do, we lost 53 students to a private academy which is situated thirteen miles from the Town of Bristol. We are paying approximately \$35,000 a year in addition to our regular school budget to pay tuition for those 53 pupils who felt and whose parents felt, they were unable to get the kind of education that they wished their children to have in the Town of Bristol.

We were left with 51 pupils in our high school, and those pupils during the last two years have been short-changed because we are unable to improve our school facilities.

We have voted four times, two special town meetings and two regular town meetings, as to whether or not Bristol High School should be closed. On every occasion, a majority of the people in

Bristol have voted to retain their high school. Now we have not been miserly or niggardly in supporting our schools. In 1952 we built a new gymnasium and a new six-grade elementary school at the cost of approximately one hundred and thirty-five or forty thousand dollars. On top of that certain groups within the Town during the past ten years, have contributed — this is a theatrical group — that group has contributed over \$15,000 to improve our stage, our locker rooms, our shower rooms and our athletic field that is located there in the high school and new gym.

The Town of Bristol is at a pretty low ebb; I don't like to bring this up. I really hated to read the report in the Sunday Telegram whereby four of our young people met with a terrible fate not over a month ago — their lives were snuffed out in a matter of seconds — and that has further put a cloud on our town, and at this time our town is at a pretty low ebb.

Now the original bill has been amended so that it is quite simple at the present time. The law reads at the present time that no municipality may be allowed to spend more than \$500 on school improvements without the approval of the Department of Education. This bill had been amended so that any municipality might be allowed to spend up to \$5,000. This was done at the suggestion of Mr. Asa Gordon, because he felt that this \$500 allowance had been on the books for years, and it did not signify the costs that are involved in modern improvements at this time. So he suggested that this 5,000 be inserted. And that is all we are really asking for.

We realize that this is a stop-gap; we realize that eventually we will be obliged to go into an SAD, but there is no SAD available at this time. The towns, the logical towns that we would be likely to join up with for an SAD, Newcastle, Damariscotta, Jefferson and Nobleboro, have voted twice on the SAD proposition, and they have turned it down.

Now, I can't comprehend why the Town of Bristol should be subjected to this treatment, because we're willing to do the best we can until we can get into a SAD, and I certainly hope that this amendment to L. D. 74 will be accepted by the members of this House. By doing so you can give the Town of Bristol a tremendous shot in the arm at this time. I thank you very much.

The SPEAKER: The Chair awaits a motion from the gentleman. Does he move that the House substitute the Bill for the Report in concurrence?

Mr. LEWIS: I so move.

Thereupon, the Bill was substituted for the Report in concurrence and given its two several readings.

Senate Amendment "A" was read by the Clerk and adopted in concurrence and the Bill assigned for third reading tomorrow.

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

Bill "An Act to Create Uniform Fishing Relations on all Boundary Waters between State of Maine and Province of New Brunswick" (H. P. 358) (L. D. 505) which was passed to be engrossed in the House on April 19.

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

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

#### **Non-Concurrent Matter Tabled and Assigned**

Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act relating to Mandatory Inspection of Penal Institutions by Court Justices" (H. P. 944) (L. D. 1376) which Report and Bill were recommitted to the Committee on Judiciary in the House on April 20.

Came from the Senate with the Report accepted in non-concurrence.

In the House: On motion of Mr. Hennessey of West Bath, tabled pending further consideration and tomorrow assigned.

### Non-Concurrent Matter

Bill "An Act to Revise the Oil Burner Men's Law" (H. P. 1074) (L. D. 1504) which was passed to be engrossed as amended by House Amendment "A" in the House on March 28.

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

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

### Non-Concurrent Matter

Bill "An Act relating to Insurance for Commercial Driver Education School Graduates" (H. P. 1084) (L. D. 1544) 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 "B" in non-concurrence.

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

### Orders

On motion of Mr. Ewer of Bangor, it was

ORDERED, that Rev. Louis George of Bangor be invited to officiate as Chaplain of the House on Wednesday, May 10, 1967.

On motion of Mr. Shute of Farmington, it was

ORDERED, that Rev. William J. Burger of Farmington be invited to officiate as Chaplain of the House on Thursday, May 4, 1967.

### House Reports of Committees Leave to Withdraw

Mr. Shaw from the Committee on Legal Affairs on Bill "An Act relating to Pensions for Members of the Police and Fire Departments of the City of Portland" (H. P. 1043) (L. D. 1515) reported Leave to Withdraw.

Mr. Cote from the Committee on Liquor Control reported same on Bill "An Act Providing Local Option for Sunday Sales of Liquor by Hotels, Restaurants and Taverns" (H. P. 70) (L. D. 95)

Reports were read and accepted and sent up for concurrence.

### Ought Not to Pass Tabled and Assigned

Mr. Hinds from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Bill "An Act Providing for Clinical Treatment and Rehabilitation of Alcoholics" (H. P. 868) (L. D. 1280)

Report was read.

(On motion of Mr. Hichens of Eliot, tabled pending acceptance of the Report and specially assigned for Tuesday, May 2.)

Mr. Beliveau from the Committee on Legal Affairs reported "Ought not to pass" on Bill "An Act relating to Establishment, Prevention and Redemption of Liens" (H. P. 850) (L. D. 1264)

Report was read and accepted and sent up for concurrence.

### Tabled and Assigned

Mr. Beliveau from the Committee on Legal Affairs reported "Ought not to pass" on Bill "An Act to Provide for a Lien for Hospital Services on Recoveries from Third Persons" (H. P. 901) (L. D. 1314)

Report was read.

(On motion of Mr. Benson of Southwest Harbor, tabled pending acceptance of the Report and specially assigned for Tuesday, May 2.)

### Ought to Pass Printed Bills

Mr. Hinds from the Committee on Appropriations and Financial Affairs reported "Ought to pass" on Resolve Appropriating Funds to Waban Project, Inc. for Retarded Children to Purchase Land for Summer Camp for Handicapped Children (H. P. 688) (L. D. 969)

Mrs. Baker from the Committee on Legal Affairs reported same on Bill "An Act relating to Incorporation of Maine Retail Gasoline Dealers Association" (H. P. 678) (L. D. 950)

Reports were read and accepted, the Bill read twice, Resolve read once, and tomorrow assigned.

**Ought to Pass with  
Committee Amendment**

Mr. Birt from the Committee on Appropriations and Financial Affairs on Resolve Appropriating Moneys for Improvements at Pleasant Point and Indian Township Reservations (H. P. 780) (L. D. 1142) 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. 780, L. D. 1142, Resolve, Appropriating Moneys for Improvements at Pleasant Point and Indian Township Reservations.

Amend said Resolve in the Title by adding after the word "Reservations" the words 'and the Penobscot Indian Reservation'

Further amend said Resolve in the 2nd line (3rd line in L. D. 1142) by striking out the figure "\$5,000" and inserting in place thereof the figure '\$7,500'; and by striking out in the 3rd line (same in L. D. 1142) the figure "\$5,000" and inserting in place thereof the figure '\$7,500'; and by inserting after the word "County" in the 7th line (same in L. D. 1142) the words 'and the Penobscot Indian Reservation in Penobscot County'

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

Mr. Jalbert from the Committee on Appropriations and Financial Affairs on Resolve to Provide Funds for the Purchase of Copies of the "History of the Town of Lisbon" (H. P. 825) (L. D. 1233) 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. 825, L. D. 1233, Resolve, to Provide Funds for the

Purchase of Copies of the "History of the Town of Lisbon."

Amend said Resolve in the first line (2nd line in L. D. 1233) by striking out the figure "200" and inserting in place thereof the figure '100'

Further amend said Resolve in the 6th line (same in L. D. 1233) by striking out the figure "\$1,000" and inserting in place thereof the figure '\$500'

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

**Divided Report**

Majority Report of the Committee on Natural Resources on Bill "An Act relating to Survey of Private Sewage Disposal Systems by Department of Health and Welfare" (H. P. 910) (L. D. 1320) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

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

Messrs. PIKE of Lubec  
BROWN of Augusta  
Mrs. FULLER of York  
Messrs. CURRAN of Bangor  
EUSTIS of Dixfield  
SAHAGIAN of Belgrade  
—of the House.

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

Report was signed by the following members:

Mr. VILES of Somerset  
—of the Senate.

Mr. DICKINSON of Mars Hill  
—of the House.

Reports were read.

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

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

COMMITTEE AMENDMENT  
"A" to H. P. 910, L. D. 1320, Bill, "An Act Relating to Survey of Private Sewage Disposal Systems

by Department of Health and Welfare.”

Amend said Bill by striking out in the 11th line (9th line of L. D. 1320) the underlined figure and word “30 days” and inserting in place thereof the underlined words ‘one year’

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

#### Passed to Be Engrossed

Bill “An Act Repealing Bond Issue for Dining Facilities for the Maine Maritime Academy” (H. P. 129) (L. D. 193)

Bill “An Act relating to Allocation of Funds for Purchase of Real Estate by State” (H. P. 438) (L. D. 613)

Bill “An Act Revising Names of Bureaus in Department of Agriculture” (H. P. 698) (L. D. 979)

Bill “An Act to Permit the Interchange of Government Employees” (H. P. 724) (L. D. 1048)

Bill “An Act to Clarify the Organization of the Department of Health and Welfare” (H. P. 918) (L. D. 1327)

Bill “An Act relating to Closed Season on Black Bear” (H. P. 1119) (L. D. 1591)

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 Granting Complimentary Fishing Licenses for Certain Maine Residents in Armed Forces (H. P. 1120) (L. D. 1592)

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

(On motion of Mr. Carrier of Westbrook, tabled pending passage to be engrossed and specially assigned for Wednesday, May 3.)

Resolve Providing for a State Pension for David Carnevale of Saco (H. P. 1121) (L. D. 1593)

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

#### Amended Bills

Bill “An Act Authorizing Department of Health and Welfare to Provide Comprehensive Health Services” (S. P. 261) (L. D. 641)

Bill “An Act to Make Allocations from Bond Issue for Construction and Equipment of Pollution Abatement Facilities” (H. P. 622) (L. D. 878)

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

Resolve Regulating Fishing in Beaver Tail Pond, T. 14, R. 10 and T. 14, R. 9, Aroostook County (H. P. 505) (L. D. 718)

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

On motion of Mr. Sahagian of Belgrade, the House voted to reconsider its action of April 21 whereby Committee Amendment “A” was adopted.

The same gentleman then offered House Amendment “A” to Committee Amendment “A” and moved its adoption.

House Amendment “A” to Committee Amendment “A” was read by the Clerk as follows:

HOUSE AMENDMENT “A” to COMMITTEE AMENDMENT “A” to H. P. 505, L. D. 718, Resolve, Regulating Fishing in Third Chase Pond, Aroostook County.

Amend said Amendment by striking out all of the first paragraph and inserting in place thereof the following:

‘Amend said Resolve in the Title by striking out the words “Third Chase Pond, Aroostook County” and inserting in place thereof the following: ‘Beaver Tail Pond, T. 14, R. 10 and T. 14, R. 9, Aroostook County, and Long Pond, Kennebec County’

Further amend said Amendment by striking out the period and single quotation mark at the end and inserting in place thereof the following:

‘; and be it further



**Fishing in Long Pond of Belgrade Lakes, Rome and Belgrade Townships, Kennebec County.**

**Resolved:** That there shall be no bag limit on white perch in Long Pond of Belgrade Lakes, Rome and Belgrade Townships, Kennebec County.'

House Amendment "A" to Committee Amendment "A" was adopted.

(On motion of Mr. Crommett of Millinocket, tabled pending adoption of Committee Amendment "A" as amended by House Amendment "A" thereto and specially assigned for Thursday, April 27.)

**Passed to Be Enacted  
Emergency Measure**

An Act relating to Exporting of Sardines (S. P. 602) (L. D. 1584)

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. 123 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

**Emergency Measure**

An Act Establishing the Lewiston-Auburn Water Pollution Control Authority (H. P. 535) (L. D. 770)

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. 123 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

**Emergency Measure**

An Act Granting Knox Agricultural Society Right to Construct Grandstand Across St. George River (H. P. 832) (L. D. 1240)

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. 123 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 to Clarify the Motor Vehicle Laws (S. P. 115) (L. D. 264)

An Act Authorizing Beal Business School to Confer Associate Degrees (S. P. 154) (L. D. 325)

An Act relating to Limited-user Highways (S. P. 340) (L. D. 873)

An Act relating to Deposit of Ballots in Ballot Box (S. P. 603) (L. D. 1585)

An Act relating to Expending Aroostook County Funds for Ricker College (H. P. 77) (L. D. 102)

An Act relating to Carrying Operator's License when Operating Motor Vehicle (H. P. 178) (L. D. 241)

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

An Act relating to Published Records of Vital Statistics Purchased by the State Library (H. P. 378) (L. D. 525)

An Act relating to Compensation of Patients and Inmates at State Institutions (H. P. 446) (L. D. 621)

An Act relating to Maternity Homes or Hospitals (H. P. 485) (L. D. 698)

An Act relating to Municipal Expenses in District Courts (H. P. 597) (L. D. 826)

An Act relating to Application for Aid to Aged, Blind or Disabled (H. P. 603) (L. D. 847)

An Act Authorizing Positions for Casework Services to the Blind (H. P. 649) (L. D. 902)

An Act relating to Claims Against Estates of Deceased Recipients of Aid to the Aged, Blind and Disabled (H. P. 690) (L. D. 971)

An Act relating to Earned Income of Recipients of Aid to the Aged, Blind or Disabled and Aid to Dependent Children (H. P. 706) (L. D. 1001)

An Act Amending Incorporation of and Extending Charter of R. and

T. Cement Railroad Company (H. P. 715) (L. D. 1010)

An Act relating to State Prison Prisoners' Attendance at Funerals or Deathbed Visits (H. P. 740) (L. D. 1063)

An Act relating to Limit to Hold Property of the East Livermore Campmeeting Association (H. P. 758) (L. D. 1105)

An Act to Clarify the Purposes of Northeast District of the Unitarian Universalist Association (H. P. 759) (L. D. 1106)

An Act relating to Salaries of Board of Trustees of Brunswick Sewer District (H. P. 761) (L. D. 1108)

An Act relating to Time of Municipal Election in City of Westbrook (H. P. 787) (L. D. 1149)

An Act relating to Trespass on Lands Appurtenant to State Colleges (H. P. 795) (L. D. 1173)

An Act Making Mandatory the Reporting of Blindness to the Department of Health and Welfare (H. P. 887) (L. D. 1301)

An Act relating to Rules and Regulations of Department of Health and Welfare Regarding Health of Employees (H. P. 888) (L. D. 1302)

An Act relating to Qualifications of Superintendents at the State Hospitals for the Mentally Ill and Mentally Retarded (H. P. 935) (L. D. 1351)

An Act Repealing Law Relating to Medical Care Accumulation Fund (H. P. 987) (L. D. 1428)

An Act Providing for Volunteer Services within Department of Health and Welfare (H. P. 988) (L. D. 1429)

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 Practitioners of Funeral Service, Funeral Directors and Embalmers (H. P. 989) (L. D. 1467)

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

(On motion of Mr. Haynes of Camden, tabled pending passage

to be enacted and specially assigned for Thursday, April 27.)

An Act relating to Inspection Stickers for Motor Vehicles (H. P. 1102) (L. D. 1569)

An Act relating to Voting Rights in Protestant Episcopal Church in the Diocese of Maine (H. P. 1112) (L. D. 1581)

#### Finally Passed

Resolve Reimbursing Certain Municipalities on Account of Property Tax Exemptions of Veterans (S. P. 173) (L. D. 365)

Resolve in favor of the City of Augusta (H. P. 7) (L. D. 19)

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.

Resolve Designating Certain Bridges of the Interstate System Across the Penobscot River as "Vaughan M. Daggett Memorial Bridges" (H. P. 1058) (L. D. 1531)

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

The SPEAKER: The Chair would call to your attention item 36, a Resolve Designating Certain Bridges of the Interstate System Across the Penobscot River as "Vaughan M. Daggett Memorial Bridges." The Chair at this time would like to state that the twin bridges built over the Penobscot River at Medway are the largest such structures built in the State of Maine to date and have been acclaimed nationally for their design and construction.

The project engineer on these bridges and about two-score more across the state was Keith K. Sawtelle of Augusta who retired on December 31 as a civil engineer in the Bridge Division of the State Highway Commission after thirty-one years of service.

Mr. Sawtelle worked closely with Vaughan M. Daggett over the years and is particularly pleased that this legislation has been introduced to name the Medway

Interstate 95 bridges after the late Chief Engineer of the Highway Commission.

Mr. Sawtelle is a Registered Professional Engineer, a member of the National Society of Professional Engineers and Maine Association of Engineers. The Chair understands that he is in the balcony of the House and I am sure that the House would be delighted if he would stand and be recognized. (Applause)

I am sure that we share in your pride, Mr. Sawtelle, in this Resolve being finally passed here today in recognition of our former Chief Engineer, Vaughan M. Daggett.

#### Orders of the Day

Mr. Birt of East Millinocket presented the following Joint Resolution and moved its adoption:

WHEREAS, Vaughan M. Daggett who died on November 12, 1966 was a loyal and valued employee of the State Highway Commission for nearly thirty-eight years, serving the last eleven years as Chief Engineer; and

WHEREAS, his deep concern for the public interest reflected sterling qualities of character and mind; and

WHEREAS, his engineering ability and integrity were always applied for the benefit of those he served—the citizens of Maine; and

WHEREAS, he did much to encourage the youth of our state to follow the engineering profession and thus aid the growth and progress of Maine; and

WHEREAS, he was responsible for the engineering of the Interstate Highway System in Maine; and

WHEREAS, one of his last official duties before his death was to cut the ribbon to open the 27.7-mile section of I-95 south of Medway: now, therefore, be it

RESOLVED, that a copy of this Joint Resolution and an engrossed copy of Legislative Document Number 1531 to designate the bridges across the Penobscot River at Medway as the "Vaughan M. Daggett Memorial Bridges" be sent to the family of Vaughan M. Daggett. (H. P. 1123)

The Joint Resolution was adopted and sent up for concurrence.

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

HOUSE REPORT—Ought to Pass—Committee on Health and Institutional Services on Bill "An Act relating to Appropriation to Maine Institution for the Blind" (H. P. 667) (L. D. 922)

Tabled—April 18, by Mr. Crosby of Kennebunk.

Pending—Acceptance.

On motion of Mrs. Carswell of Portland, the Report was accepted, the Bill read twice and tomorrow assigned.

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

HOUSE MAJORITY REPORT (7)—Ought to Pass as amended by Committee Amendment "A" (H-178)—Committee on Judiciary on Bill "An Act relating to Mental Illness as a Ground for Divorce" (H. P. 319) (L. D. 453)—MINORITY REPORT (3)—Ought Not to Pass.

Tabled—April 18, by Mr. Richardson of Cumberland.

Pending—Acceptance of either report.

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

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

Thereupon, on motion of Mr. Rideout of Manchester, tabled pending the motion of Mr. Quinn of Bangor to accept the Minority "Ought not to pass" Report and tomorrow assigned.

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

SENATE REPORT—Ought to Pass as amended by Committee Amendment "A" (S-53)—Committee on Natural Resources on Bill "An Act relating to Membership of State Soil and Water Conservation Committee" (S. P. 50) (L. D.

40) (In Senate, Report accepted, Bill indefinitely postponed)

Tabled—April 18, by Mr. Birt of East Millinocket.

Pending—Acceptance.

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

Mr. HANSON: Mr. Speaker, Ladies and Gentlemen of the House: The Soil and Water Conservation Districts, their supervisors and cooperators and the present State Committee are unalterably opposed to L. D. 40. I too am opposed for the same basic reasons.

The present committee has functioned well and in the best interests of all of the people. There is no demonstrable need for a change. To increase the size of the committee would make it unwieldy and less workable. It would tend to further remove it from the people.

The additional cost of expansion is unnecessary. An increase in size at this time might well upset the harmonious relations now existing and be both devisive and obstructionist in scope.

These are dedicated people interested only in conserving and using our natural resources of soil and water in the best interests of not only ourselves, but posterity. I believe we should take due cognizance of their wishes.

Before we can intelligently weigh the merits of this proposal, however, we should know something of what and who is involved.

I would refer now to a publication of the State Soil Conservation Service which lists the various organizations involved in this and their primary responsibilities. I will touch only briefly on their responsibilities, but I think the House should be aware of what each is and what it does.

The Soil and Water Conservation Districts are legal subdivisions of State Government. Their primary function is to assist landowners and communities within the District bounds to explore alternatives, develop plans and

carry out plans for soil and water conservation, flood prevention, racehorse development and good land use.

The Maine State Soil and Water Conservation Committee, however is a legal agency of the State which has a primary responsibility of providing assistance and coordination to the local Soil and Water Conservation Districts.

The Soil Conservation Service is a Federal agency. It is a Department of Agriculture agency with primary responsibility of providing technical assistance to the Soil and Water Conservation Districts. The Soil Conservation Service carries out this responsibility upon request only. The request comes from the landowners or the communities to the District, and then to the Soil Conservation Service. The Soil and Water Conservation District supervisors establish priorities from these requests for work within their respective districts.

In a letter to the Editor from Willis Lord, former State Chairman of the Association of Soil and Water Conservation District Supervisors, he states in one paragraph: "The U. S. Soil Conservation Service, through a Memorandum of Understanding, one with each District, agrees to furnish technical assistance in carrying out the program of the District."

In this are several built-in checks and balances, project plans, again referring back to the memorandum from the State office: "Project plans involving large sums of cost-share must receive approval of not only the State Committee, but the Governor, the Agriculture and/or Interior Departments and Congress. Others involving smaller amounts must receive approval of the State Committee, the Governor, and the State Conservationist of the Soil Conservation Service."

None of these things can be done arbitrarily or without due regard for all of the interests involved.

I think, too, you should know that there are currently sixteen Soil and Water Conservation

Districts within the State, and each District is governed by five supervisors; this makes a total of eighty supervisors plus a number of alternate supervisors. Of these supervisors in each District three are elected by the Cooperators within the District; two are appointed by the State Committee from a list submitted by the elected members of the Committee. Typical supervisors are — I have listed a few so that you will get an idea of the type of people involved here: Warren Voter of Farmington, Charles Knight of Presque Isle, Seavey Piper of Troy, Rommy Haines of Fort Fairfield, Merrill Payson of Knox-Lincoln, Willis Lord of Cumberland, Frank McDonald of Kennebec, Gordon Andrews of Piscataquis, and a great number of other equally dedicated people.

Each District is further made up of hundreds of District Cooperators who have come from all walks of life, but share a common interest in some phase of conservation. Typical are, and again I list a few which will give you an indication of the wide range and scope of these people. Typical are: "Gad-about Gaddis" a T. V. personality of Bingham, former County Attorney Anthony Cirrillo of Pittsfield, Walter Westphal of New York who raises Xmas trees; industries such as the Norrwock Shoe Company of Skowhegan and Norridgewock, recreational developments such as the Enchanted Mountain, a development of Jackman.

The groups involved recognize that they share many interests in common with other groups and other agencies. Because of this, they have established memorandums of understanding and mutual agreements which require that they consult each other prior to doing any work or embarking on any project which might affect the work of the others.

I have here a copy — and this Bill of course is primarily aimed at seating on the State Committee a member of the Fish and Game Committee — I have here a copy of the District Memorandum of Understanding with the Depart-

ment of Inland Fisheries and Game, and I will read only briefly from it. It's a rather lengthy document, and it spells out in considerable detail just what rights and responsibilities they have and those that they must share.

The first paragraph reads: "The Maine Department of Inland Fisheries and Game and the Soil Conservation Service, United States Department of Agriculture," I should indicate too, first that this is the Memorandum of Understanding between the Federal Agency and the Department of Inland Fisheries and Game. I have a copy of the Memorandum between the Districts which I will refer to later.

These Departments "serving Maine recognize the need for close coordination of activities concerning the development of natural resources. Both agencies recognize the need for Water Resource Development by the local people through assistance from public agencies. Water resource developments include those for Flood Prevention, Agricultural Water Management (irrigation and drainage)," that is, "Fish and Wildlife Habitat Development and Protection, Recreational Facilities, Municipal and Industrial Water Supply, and Water Quality Control."

I want you to know that only one of these is of primary concern to the Fish and Game people.

And then, another paragraph later in the text: "Both agencies also agree that regardless of the present use or future potential use of specific water resource sites, the future planned use must be of a type that will best preserve the resource and serve the community, area or State for the long-term benefit of the most people."

This Memorandum of Understanding was amended, and I would read one of these amendments. Amendment No. 7, and sub-title 5 under 7. "To keep the Department" — this is the Department of Inland Fisheries and Game, and this is the responsibility of the Soil Conservation Service — "To keep the Department currently in-

formed of any and all potential land and water resource development projects involving community groups or watershed areas with which the District may become involved and to consult with the department concerning fish and wildlife management problems or measures which exist or may result within the project area prior to and during the initiation of such a project by the local groups and communities."

And then I'll refer to the Memorandum of Understanding between the several local Districts which are State agencies, subdivisions of the State Government and the Fish and Game, and I will touch very briefly on this, down in one of the paragraphs under Title A: "The District agrees," and small "a" under A—"Shall provide adequately for wildlife and fish management when appropriate." And then in a further paragraph under section 3: "To furnish to the Department," the Fish and Game Department that is, "or make available for examination, a copy of the conservation plans covered by cooperative agreement for each farm on which supplies, materials, and services provided by the Department will be used."

The major source of difference of opinion or controversy here apparently stems from Public Law 566 which was passed by the United States Congress early in the 1950's. Under this law watershed projects totaling less than two hundred and fifty thousand acres can be initiated and installed under the direction of some group. This law did not spell out which particular persons would be responsible. The Congress in its wisdom delegated this authority and the administration of this program to the Soil and Water Conservation people.

It has been suggested that oftentimes in these small watershed projects that Fish and Game people, particularly, are not made aware of the proposed plans and projects until it is too late to do anything about it.

I'd like to read now briefly from the State Soil and Water Conservation Committee's step-by-step pro-

cedure in the administration of small watershed projects.

First and foremost, a primary requisite is that a demonstrable need and desire of the local people must be present. They in turn must request assistance of the Soil and Water Conservation people and other interested agencies.

It is then the duty of the Soil and Water Conservation Service and the Districts to explain the alternatives possible, different means of implementing this program. Quite frequently this involves Public Law 566. Then the local people who are interested in this project must call a public meeting to explain Public Law 566 and its use, and at this meeting all interested parties are invited to express their views and interest, and this includes the Department of Fish and Game. Now I've attended quite a number of these planning meetings and all of these meetings, save one, the Fish and Game Department has been represented. The one exception — they were notified, but they did not choose to participate.

Another point which I think is of primary concern is the Districts as such, and the State Soil and Water Conservation Committee have many interests in which the proposed additional members to the State Committee have little or no interest, and at this time I would like to refer to the Annual Report of the Somerset County Soil and Water Conservation District for the year 1966. I happen to be Chairman of that District Committee and I won't read all of them—there are a great number of projects and conservation applications which we have been involved in, but I would like to read a few so that you can appreciate how little of the Soil and Water Conservation activities are actually of concern to these other agencies. One is Brush Control, Conservation Cropping Systems, Cover and Green Manure Crops, Diversion Ditches, Field Windbreaks, Firebreaks, Land Smoothing and Grading, Obstruction Removal, Pasture and Hayland Renovation, Contour Strip Cropping, Drainage Field Ditches, Tile Drains, Tree Plan-

ning, Farm Ponds, Woodland Improvement Practices and Land Converted to Recreational use.

Now some of these I would grant, the Fish and Game people and others do have a side interest, but primarily they are not concerned.

In addition to these actual conservation applications, the Districts also sponsor a great number of other activities: One, are scholarships and awards, we sponsor scholarships to the Bryant Pond Conservation campers, scholarships to the University of Maine for young people interested in conservation work. We have a number of contests for young people to encourage them to think about and participate in conservation. We actively encourage and work in conservation education. We make a great amount of equipment available for the installation of conservation measures which the average landowner could not afford to buy, and we make these available on a small fee basis. A major item which we are now concerned with are the "soil suitability guides," which some of you may have heard about. They are tremendously interesting. If you recall, recently, we acted on a Bill to—on the Unity Institute to allow that to be called a college. Well, just as a little side-note here I think it might be interesting to note that Unity Institute was given a tract of land — if was a farmstead—for the purpose of building this school on, and it happened that Birt Clifford was one of the directors, and he was aware of the soil suitability guides and he suggested to the others that prior to the start of construction they should consult the soil suitability guides. This was done, and even though the plans had been drawn, they had a change of plans — it was found that it would have cost several millions of dollars more to construct these same buildings on this type of soil — the suitability guides showed that it was unsuited so they stepped out and bought another piece of ground which in the long run saved them a considerable amount of money.

In the same Annual Report under "Watersheds" I would like to read a couple of paragraphs from that, which shows something of how the workings of these watershed applications do progress.

"The preliminary investigation report for the Austin Stream Public Law 566 Application was completed. This was reviewed by the sponsors of this proposed project at a meeting held in Bingham in May. The preliminary investigation report showed a favorable cost-benefit ratio." I think it's important to note that all of these projects must meet a very strong criteria—they must show a favorable cost-benefit ratio, "and the sponsors requested a planning approval for the project. The project application is in Washington awaiting planning approval by Congress at this time." In other words, this shows the implementation of these checks and balances.

However, on another watershed project in the same area, the Lower Carrabassett River Watershed area, the investigation showed that this area as not having a favorable cost-benefit ratio, and therefore was not feasible for a PL-566 Project.

I won't read the rest of them in the interests of, shall we say brevity, probably it isn't very brief.

I would close at this time by stating that at the Annual Meeting in December 1 and 2 of last year, the members of the State Soil and Water Conservation District Supervisors' Association voted overwhelmingly to oppose this legislation. I feel that we should recognize that these are elected representatives of the people, they are dedicated people; this is legislation which they feel is undesirable at this time, and I would move for the indefinite postponement of L. D. 40 at this time. Thank you.

The SPEAKER: The Chair understands the gentleman from Solon, Mr. Hanson, moves the indefinite postponement of the Report and Bill.

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

Mr. PIKE: Mr. Speaker and Members of the House: I rise in opposition to the indefinite postponement of this bill. The Committee on Natural Resources had a pretty good hearing. It showed some very definite lacks of communication between the various people involved. I have been very much impressed by the reading of the agreements. I was also impressed by some of the things that have gone on without the knowledge of the Fish and Game people until it was too late.

Now I think the way that this was given described very well the way the Soil Conservation thing operated up until the time water conservation was put in. They had from the State the Commissioner of Agriculture, the State Forester and the Dean of Agriculture at the University of Maine. That meant three State officials and four people from Soil Conservation. Due to some real lack of communication, and I think some personal disagreements, it was suggested that Sea and Shore Fisheries, Inland Fisheries and Game and the Commissioner of Parks be put on this. Well this obviously would have overloaded it with State people, with six State people on there, six officials, against four people from Soil Conservation. The Committee heard this and recognized that this was unfair and checked around as far as we could with the various folks involved, suggested that the Commissioner of Inland Fisheries and Game and the Sea and Shore Fisheries Commissioner be put on, and that two other people from Soil Conservation be put on. This would leave still six people from Soil Conservation as against five, giving a majority to the Soil Conservation people.

Now it was not disputed that there had been several areas, several cases where water conservation things had gone a long way before the State officials realized what had happened or what was going to happen. Now it is obvious that if water conservation from let's say the farmers' point of view may not always agree with water conservation from Fish

and Game. Some people want good clear sort of canals to take water; Fish and Game people, they like streams left in their natural condition. As near as we could make out, this amendment was reasonably satisfactory. I don't say that it made everybody hilariously happy, but there was no strenuous objection to it. It apparently is the case that the water conservation function of this area is going to increase quite rapidly, and the Inland Fisheries and Game and Sea and Shore Fisheries people I think are understandably concerned lest some more of these things happen; in spite of all the agreements, apparently they have happened where they have gone a long way, really where it is too late for the Fisheries and Game and Sea and Shore Fisheries people to get in.

The report of the Committee was unanimous; it seems to make sense; the Committee does not deny that the Soil Conservation people have done a wonderful piece of work. We do think there is room for improvement in the water conservation end of it, and the Committee unanimously believed that this bill ought to pass as amended. I hope the motion to indefinitely postpone does not prevail.

The SPEAKER: The Chair recognizes the gentlewoman from York, Mrs. Fuller.

Mrs. FULLER: Mr. Speaker and Members of the House: One of the bases for the decision of the Natural Resources Committee, of which I am a member, in regard to increasing the membership on the State Soil and Water Conservation Committee, was the precedent that was set when the Committee was formed in 1941. The Soil Conservation Committee, until recently, worked only with land conservation committees and farming committees. At that time in 1941, the Commissioner of Agriculture, the Dean of the College of Agriculture and the Commissioner of Forests were included with the four area members of the Soil Conservation Committee, making a committee of



seven with the balance of power in the field.

In 1965 the title of the Committee was changed to the Soil and Water Conservation Committee, thus broadening the whole concept of what this group was dealing with. The Committee has now moved into the water resources planning and operation and are furnishing assistance to the sponsors of small watershed projects. It seemed to the Natural Resources Committee, after considerable thought and discussion, that it was a logical sequence to at this time add the Fish and Game Commissioner and the Sea and Shore Commissioner, and to be sure that the balance of authority be left in the field, two more from the Soil Conservation would be added making the Committee eleven. Areas of conservation of fish and wildlife could be affected by the programs initiated by the Soil and Water Conservation Committee.

A recent report from the Committee states that they anticipate six to ten contract awards each year for watershed projects. They have received twenty-three applications so far this year. The Committee was conscientiously looking to the future and believed that the proposed formation of the Soil and Water Conservation Committee would assure that that Committee continue its good work, not only with land resources but water resources. The legislation sought only to give State officials charged with the water resource conservation a look at these proposals. One wonders why there is such serious objection to this. I go along with Representative Pike in urging that we do not indefinitely postpone this bill.

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

Mr. RICHARDSON: Mr. Speaker, Ladies and Gentlemen of the House: I feel the subject has been rather exhaustively covered but I would say that we have as the House Chairman of the Natural Resources Committee,

one of the outstanding conservationists in the State of Maine. He is the gentleman from Lubec, Mr. Pike.

I would also remind you that this bill was unanimously reported out as ought to pass.

The problem that has been created, ladies and gentlemen, is when water was added to the domain occupied by this group of people. When water was added to the Soil Conservation Service activities, the legitimate interests of fishermen all over the State of Maine became involved. I have studied this matter very carefully; I see no objection whatever to the bill. I would urge all of you, and this is not a partisan matter, to vote against indefinite postponement and I would request a division when the vote is taken.

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

Mr. DICKINSON: Mr. Speaker and Members of the House: I think this subject has been covered much better by the gentleman from Lubec, Mr. Pike, than I could cover it. My lifetime association with agriculture and many years of farming, places me in a position to appreciate all of the good work which has been done by Soil Conservation, and I would be the last one to hamstring their operations, and was opposed to the original bill which would have overloaded the Committee and placed the balance of voting power with Department heads. Notwithstanding the contention of Soil Conservation interests that Fish and Game were posted on projects contemplated, considerable evidence was presented to our Committee to indicate that sometimes they didn't get the word. It sort of reminded me of the story they tell about the remarks of Paul Jones' boatswain's mate who was up on the mast and was cut to ribbons by shellfire when Paul came on with the famous speech: "We have not yet begun to fight." It seems the boatswain's mate said: "Someone never gets the word."

I would have voted ought not to pass on this original proposal, but this amendment was proposed which would leave the voting power with the Soil Conservation interests, and people who had approached me to vote ought not to pass indicated that this met with their approval, and it was only after that that I signed the report ought to pass.

Then out of a clear sky the proposal was indefinitely postponed by a member of the other body and it leaves me somewhat bewildered, but I would hope that you would support the unanimous report of the Committee ought to pass. Thank you.

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

Mr. HANSON: Mr. Speaker, I feel that probably I talked at greater length than I should have. I feel very, very strongly on this bill. I believe the conservation people feel very strongly.

I would like to make a couple of comments at least. The action of the legislature when they added water actually did not broaden the scope, it merely recognized the fact that the Congress of the United States had delegated the authority on these small watersheds to the districts.

The Fish and Game, in regard to Mrs. Fuller's statement that Fish and Game would be affected, we have no quarrel with this. We recognize this. I would further state, however, that there are probably two score different agencies within the State that are affected. Certainly the Water Improvement Commission is affected very greatly; the Highway Commission actually is affected probably more by Soil and Water Conservation than any other agencies. There are so many of them. The Industrial and Recreational Development is affected. Parks and Recreation, all of these various agencies are affected, but this does not necessarily mean that they should serve on the Committee.

I would further like to point out that of the existing Committees in the State, the Boxing Commission has three members, the In-

dustrial Accident Commission has four, the Liquor Commission has three, the P.U.C. has three, the Racing Commission has three, and it goes on and on like this. Eleven is too large a number.

I am going to skip a lot of what I had written down here. I would like to indicate though that Soil and Water Conservation Districts are predicated on a different concept than the Department of Inland Fisheries and Game specifically. They are elected representatives of the people, not appointed, and I believe that we have a very definite responsibility to the people and to the great number of dedicated individuals associated with the Soil and Water Conservation Program. It is not in their interest or the interest of good conservation to enact this legislation for the primary purpose of increasing the authority of select appointive officials. I would like to point out further that the conservation people work entirely without pay; they don't receive a nickel for their services, and I think this has a very, very definite bearing on this. I urge this body to support the motion to indefinitely postpone this.

The SPEAKER: The pending question is the motion of the gentleman from Solon, Mr. Hanson, that Senate Paper 50, Legislative Document 40, Bill "An Act relating to Membership of State Soil and Water Conservation Committee" be indefinitely postponed. A vote has been requested. All those in favor of the indefinite postponement will vote yes, those opposed will vote no, and the Chair will open the vote.

A vote of the House was taken.

26 having voted in the affirmative and 92 having voted in the negative, the motion did not prevail.

Thereupon, "Ought to pass" Report was accepted in concurrence and the Bill read twice. Committee Amendment "A" was read by the Clerk and adopted in concurrence and the Bill assigned for third reading tomorrow.

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

HOUSE DIVIDED REPORT "A" (5)—Ought to Pass—Committee on State Government on Bill "An Act Creating County Commissioner Districts" (H. P. 457) (L. D. 631)—Report "B" (5)—Ought Not to Pass.

Tabled—April 19, by Mr. Dunn of Denmark.

Pending—Acceptance of either report.

On motion of Mr. Dennett of Kittery, retabled pending acceptance of either Report and special-ly assigned for Tuesday, May 2.

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

HOUSE REPORT—Ought to Pass in New Draft—Committee on State Government on Bill "An Act Requiring Constructed Public Buildings be Made Accessible to the Physically Handicapped" (H. P. 857) (L. D. 1270)—New Draft (H. P. 1114) (L. D. 1583)

Tabled—April 19, by Mr. Dunn of Denmark.

Pending—Acceptance.

On motion of Mrs. Carswell of Portland, the Report was accepted and the New Draft read twice.

Mrs. Carswell of Portland offered House Amendment "B" and moved its adoption.

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

HOUSE AMENDMENT "B" to H. P. 1114, L. D. 1583, Bill, "An Act Requiring Constructed Public Buildings be Made Accessible to the Physically Handicapped."

Amend said Bill in subsection 7 of that part designated "§2702." by striking out all of the last line (same in L. D. 1583) and inserting in place thereof the following underlined sentence: **'Steps of stairs shall not have abrupt, square nosing, and should wherever possible have risers not to exceed 7 inches.'**

Further amend said Bill by striking out all of subsection 3, 4 and 5 of that part designated "§2703." and inserting in place thereof the following:

**'3. New buildings. New buildings constructed after the effective date of this Act shall meet all provisions of this chapter.'**

The SPEAKER: The Chair rec-

ognizes the gentlewoman from Portland, Mrs. Carswell.

Mrs. CARSWELL: Mr. Speaker and Members of the House: This amendment corrects a printer's error and it also takes out two sections. These two sections would have — the bill would have proposed that buildings under construction would also have to be built for the handicapped, have ramps and so forth. There was a question as to whether or not this would be expensive for small towns, so we felt that the bill would be more acceptable with these provisions out.

Thereupon, House Amendment "B" was adopted and the Bill assigned for third reading tomorrow.

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

Bill "An Act relating to School Entrance Age Requirements" (S. P. 213) (L. D. 476) (In House Passed to be Engrossed as Amended by Committee Amendment "A" and House Amendment "A" & "B" in non-concurrence).

(In Senate, Committee Amendment "A" (S-43) and House Amendments "A" & "B" (H-134 and H-140) indefinitely postponed and the Bill Passed to be Engrossed as Amended by Senate Amendment "A" (S-74) in non-concurrence.

Tabled—April 19, by Mr. Benson of Southwest Harbor.

Pending—Motion of Mr. Healy of Portland to reconsider receding and concurring.

The pending motion prevailed and the House reconsidered its action whereby it voted to recede and concur.

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

Mr. COTTRELL: Mr. Speaker, Ladies and Gentlemen of the House: I have received so many calls and letters on this particular bill that I felt forced to become at least familiar with it, and as you know, it sets the entrance age for public school children. The main purpose was to have the child a little older at the starting line and to have the boys a little older than the girls, and one could say there

are some very valid arguments for these provisions. I think all of us men know that the women are much smarter than we are and by their very nature, so smart that we have never really been able to understand them.

But this bill has now been amended four times, I believe, and it now provides that any child who has reached his sixth birthday by September 1st may enter school, and if by the accident of birth a child becomes six on September 2nd, 3rd, 4th, or on any other day in September, he must wait another year before going to school. In other words, this bill makes September 1st the cut-off date, and our present cut-off date is October 15th. And so the point at issue is six weeks. These are magic six weeks for many little children and I can say from the mail I have received and the calls, they are a very turbulent six weeks for the parents.

In our system of mass education, there seems to be common agreement that age six or thereabouts, is the accepted age for beginning the first grade. We know that some could do it earlier, and some would be better off later, but it does seem to fit the great majority.

As an old Coach I might report that coaches would like to have the starting age at eight because in this State the basketball player, the football player, high school I am talking about, and the baseball player, can play until he is age twenty, but I think that age six will fit me anyway.

Of course there is no problem with a thoroughbred horse. The breeders of thoroughbred horses, no matter what day the fold may be born, they all have the same birthday, January 1st, but in human affairs of course age is a matter. It starts with us at birth, entrance into school, drivers licenses and it compels us to retire too.

So the problem becomes the cut-off date. Now in the small amount of time I have had to research this, I find that Kansas is the only other state with a September 1st date. Twenty-six states have various dates between October 1st and January 1st. Twenty-one of

those twenty-six states are after October 15th. Massachusetts is December 31st; Pennsylvania even goes to February 1st. Eight others have permissive ages with no cut-off dates, and nine more have semi-annual promotions, so that a child may start in the middle of the year. And then we find that there are still four states that have local option. And so at this point, my conclusions have to be this. First, we in Maine are in pretty good shape with our present cut-off date October 15th. Parents are accustomed to it. Secondly, we should do more research on pre-school testing. And thirdly, we should also research the system of ungraded classes, semi-annual promotions and perhaps also make it possible for parents voluntarily to withhold their child's entrance to a later date and an age, without their child becoming a truant.

Now I don't know what the exact parliamentary procedure might be at this time, but I do feel that I must move to have this bill indefinitely postponed, and I would like to see it referred to the 104th Legislature.

The SPEAKER: The Chair would advise the gentleman that the pending question is the motion of the gentleman from Portland, Mr. Healy, that the House reconsider its action whereby it receded and concurred with the Senate. Is it the pleasure of the House to reconsider our action whereby we receded and concurred with the Senate? All those in favor say yes; those opposed, no.

A viva voce vote being taken, the motion did prevail.

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

Mr. JALBERT: Mr. Speaker and Members of the House: Unfortunately, I was not blessed with a family, but believe me, if I have gotten calls concerning legislation, it's this one. I received several calls over the weekend from fine young mothers and parents who were making plans, and believe me, they make plans ahead of time. I don't think that this is the very best of measures. I think

certainly it could wait to be studied a great deal more and on that basis, Mr. Speaker, I move the indefinite postponement of this bill and all of its accompanying papers.

The SPEAKER: The Chair would advise the gentleman that this is a non-concurrent matter from the Senate, and the only pending questions in order would be recede, concur, insist and adhere.

The pending question is the motion to recede and concur. Is it the pleasure of the House to recede and concur with the Senate? All those in favor say yes.

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

Mrs. CARSWELL: Mr. Speaker and Members of the House: I too received a great deal of mail on this proposal, and one was from a Psychologist at Maine Medical Center, and he explained very, very well why this bill should not pass, and he certainly convinced me, so I hope that it does not pass. I hope that we do not recede and concur and I ask for a division.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I was speaking with my seatmate when the motion was being made. If we receded and concurred, then the motion to indefinitely postpone the bill and all its papers would be in order, is that correct?

The SPEAKER: The Chair will advise the gentleman that that is not correct. The Chair would advise the gentleman and the House that if you recede and concur with the Senate, the Senate indefinitely postponed Committee Amendment "A" and House Amendment "A" and "B" and then passed the bill to be engrossed as amended by Senate Amendment "A".

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

Mr. JALBERT: Mr. Speaker, would the motion then be that we insist — what action would we take — we have not yet taken action on Senate Amendment "A" of course.

The SPEAKER: That is true.

Mr. JALBERT: Would the motion be in order to indefinitely postpone Senate Amendment "A"?

The SPEAKER: If we recede from our former action.

Mr. JALBERT: If we receded from our former action, my question would be then parliamentarily speaking, if we receded from our former action, then would we be in a position to indefinitely postpone Senate Amendment "A" and then would I be in a position to move the indefinite postponement of the entire bill?

The SPEAKER: The Chair would advise the gentleman in non-concurrent matters as printed on your card, is to recede, concur, insist and adhere. The Chair would advise the gentleman and the House if they do not like this bill they can be in non-concurrence with the Senate.

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

Mrs. CARSWELL: May I pose a question to the Chair?

The SPEAKER: The gentlewoman may pose her question.

Mrs. CARSWELL: If we vote against receding, we then can vote for indefinite postponement of the bill, is that not right?

The SPEAKER: The Chair would advise the gentlewoman that if you do not wish to recede from our former action whereby we adopted Committee Amendment "A" and House Amendment "A" and "B" in non-concurrence, we would be out of concurrence with the Senate. Is it the pleasure of the House to recede and concur with the Senate? All those in favor of receding and concurring will say yes, those opposed will say no.

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

Thereupon, on motion of Mr. Jalbert of Lewiston, the House voted to insist and ask for a Committee of Conference.

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

HOUSE REPORT—Ought Not to Pass — Committee on Industrial and Recreational Development on Bill "An Act Changing the Name

of the Department of Economic Development to the Department of Commerce and Industry" (H. P. 860) (L. D. 1273)

Tabled—April 20, by Mr. Cookson of Glenburn.

Pending—Acceptance.

On motion of Mr. Littlefield of Hampden, the "Ought not to pass" Report was accepted and sent up for concurrence.

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

HOUSE REPORT — Ought to Pass with Committee Amendment "A" (H-168)—Committee on Indian Affairs on Bill "An Act Appropriating Funds to Update the Surveys of Penobscot Tribal Lands" (H. P. 751) (L. D. 1098)

Tabled—April 20, by Mr. Cookson of Glenburn.

Pending—Acceptance.

On motion of Mr. Nadeau of Sanford, retabled pending acceptance of Report and specially assigned for Friday, April 28.

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

An Act relating to Licensing of Premises for Dancing Purposes (S. P. 83) (L. D. 164)

Tabled—April 21, by Mr. Danton of Old Orchard Beach.

Pending—Passage to be enacted.

On motion of Mr. Danton of Old Orchard Beach, retabled pending passage to be enacted and specially assigned for Thursday, April 27.

Mr. Drigotas of Auburn was granted unanimous consent to address the House.

Mr. DRIGOTAS: Mr. Speaker, I rise at this moment to express to you the congratulations of a cousin or a brother or somebody who is the mayor of Medina, New York. His name happens to be John P. Kennedy, and he particularly was pleased with the fact that I happened to be in the House of Representatives. Now these are personal congratulations from my part and certainly I have extolled your leadership and the way you have conducted this Assembly Hall. As a matter of record, would you, Honorable Mr. Kennedy, write to your brother Kennedy in New York, if he is a brother of yours, telling him that I mentioned this in the House record?

The SPEAKER: The Chair would advise the gentleman it is a matter of record.

On motion of Mr. Richardson of Cumberland.

Adjourned until ten o'clock tomorrow morning.