

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Second
Legislature*

OF THE

STATE OF MAINE

1965

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Wednesday, April 7, 1965

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

Prayer by the Rev. Mr. Wilbur Hogg of the Church of St. Mary's, Falmouth.

The journal of yesterday was read and approved.

Papers from the Senate

From the Senate:

Bill "An Act relating to Ricker College" (S. P. 482) (L. D. 1442)

Came from the Senate referred to the Committee on Education.

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

Senate Reports of Committees Leave to Withdraw

Report of the Committee on Business Legislation on Bill "An Act relating to Production Quotas for Debit Insurance Agents" (S. P. 363) (L. D. 1130) reporting Leave to Withdraw.

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 State Government reporting "Ought not to pass" on Bill "An Act relating to Membership on Board of Trustees of State Retirement System" (S. P. 217) (L. D. 676)

Report of the Committee on Taxation reporting same on Bill "An Act Exempting Liquor Bottled or Manufactured in Maine from Additional Taxes" (S. P. 326) (L. D. 1048)

Came from the Senate read and accepted.

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

Ought to Pass in New Draft

Report of the Committee on Legal Affairs on Bill "An Act Revising the Dog Laws" (S. P. 319) (L. D. 1045) reporting same in a new draft (S. P. 481) (L. D.

1436) under same title and that it "Ought to pass"

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

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

Ought to Pass

Report of the Committee on Judiciary reporting "Ought to pass" on Resolve Approving Draft and Arrangement of the State Constitution Made by the Chief Justice of the Supreme Judicial Court, and Providing for its Publication and Distribution (S. P. 94) (L. D. 261)

Report of same Committee reporting same on Bill "An Act relating to the Powers of the Maine Turnpike Authority" (S. P. 457) (L. D. 1394)

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 assigned the next legislative day.

Ought to Pass with Committee Amendment Tabled and Assigned

Report of the Committee on Business Legislation on Bill "An Act Revising the Laws Relating to Registration of Physicians and Surgeons" (S. P. 351) (L. D. 1126) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

(On motion of Mr. Sawyer of Brunswick, tabled pending second reading and specially assigned for Wednesday, April 14.)

On motion of the gentlewoman from Windham, Mrs. Harvey,

House Rule 25 was suspended for the remainder of today's session in order to permit smoking.

Report of the Committee on Business Legislation on Bill "An Act relating to Labeling of Imported Meats Sold in Retail Stores" (S. P. 360) (L. D. 1122) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 360, L. D. 1122, Bill, "An Act Relating to Labeling of Imported Meats Sold in Retail Stores.

Amend said Bill by striking out all of the 3rd underlined paragraph from the end and inserting in place thereof the following:

'No person, firm, corporation or society shall sell or offer for sale hamburger or ground beef made from imported frozen meat in a retail or wholesale outlet unless there is posted on or adjacent thereto a sign made of letters not less than 2 inches in height stating that the product displayed or offered for sale has been manufactured wholly or in part from frozen meat imported from

**.
(Name of country)**

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

Report of the Committee on Judiciary on Bill "An Act Increasing the Number of Justices of the Superior Court (S. P. 290) (L. D. 852) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

In the House, the Report was read and accepted in concurrence and the Bill read twice

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

COMMITTEE AMENDMENT "A" to S. P. 290, L. D. 852, Bill, "An Act Increasing the Number of Justices of the Superior Court."

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

'Sec. 3. Appropriation. There is appropriated from the Unappropriated Surplus of the General Fund the sum of \$24,900 for the fiscal year ending June 30, 1966 and the sum of \$25,000 for the fiscal year ending June 30, 1967 to the Superior Court to carry out the purposes of this Act. The breakdown shall be as follows:

SUPREME JUDICIAL AND SUPERIOR COURTS		1966-67
Personal		
Services	(1) \$16,500	(1) \$16,500
All Other	8,400	8,500
Total	\$24,900	\$25,000'

Further amend said Bill by striking out in the last line the words "when approved" and inserting in place thereof the following: 'on July 1, 1965'

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

Report of the Committee on Retirements and Pensions on Bill "An Act relating to Credit for Military Service under State Retirement Law" (S. P. 366) (L. D. 1133) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

In the House the Report was read and accepted in concurrence and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to S. P. 366, L. D. 1133, Bill, "An Act Relating to Credit for Military

Service Under State Retirement Law.”

Amend said Bill by striking out all of the last 8 underlined lines and inserting in place thereof the following: “5% of the earnable compensation paid such member as a teacher, state employee or participating district employee during the first year of employment subsequent to service in the armed forces, plus such interest amounts as provided under section 1094, subsections 8, 9 and 10. Credit for military service under this subsection shall be limited to 4 years. Such credit shall be available to those persons who were separated under conditions other than dishonorable from the Armed Forces of the United States. This subsection shall be made available to those who have retired and desire to make the necessary contributions.”

Committee Amendment “A” was adopted in concurrence and the Bill assigned for third reading the next legislative day.

Non-Concurrent Matter

Majority Report of the Committee on Towns and Counties on Bill “An Act Providing for Penobscot County Funds for Buildings for Education Programs for Retarded Children” (H. P. 16) (L. D. 16) reporting that it be referred to the Committee on Appropriations and Financial Affairs, and Minority Report reporting “Ought not to pass” which Reports and Bill were recommitted to the Committee on Towns and Counties in the House on April 2.

Came from the Senate with the Majority Report accepted in non-concurrence and the Bill referred to the Committee on Appropriations and Financial Affairs in non-concurrence.

In the House: On motion of Mr. Bishop of Presque Isle, the House voted to insist and request a Committee of Conference.

Non-Concurrent Matter

Bill “An Act relating to Executions on Civil Judgment” (S. P. 232) (L. D. 690) which was indefinitely postponed in non-concurrence in the House on March 17.

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

In the House:

On motion of Mr. Healy of Portland, the House voted to recede and concur with the Senate.

Non-Concurrent Matter

Bill “An Act relating to Budget Committee of Town of Fairfield” (H. P. 345) (L. D. 447) which was passed to be engrossed as amended by Committee Amendment “A” in the House on February 26.

Came from the Senate passed to be engrossed as amended by Committee 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.

The SPEAKER: The Chair at this time would like to recognize in the rear of the House Representative Daulton Mann, Chairman of the House Banking Committee in the Vermont Legislature. Representative Mann is vitally interested in the Community Antenna Television situation relative to State regulation through the Public Utilities Commission. The Chair at this time would request the Sergeant-at-Arms to escort this gentleman to the rostrum for the purpose of being recognized.

Thereupon, Representative Mann was escorted to the rostrum by the Sergeant-at-Arms, amid applause, the members rising, and he was granted consent to briefly address the House.

Mr. MANN: Mr. Speaker and Members of the House: I want to thank you for extending me the courtesy of your body and I want to thank your members through you for the gracious reception which they have given me. I bring to you the greetings from our House of Representatives and best wishes for a productive session. We in Vermont are faced with the odious task of reapportioning ourselves. I hope that your session will be more productive than ours appears to be at this moment. Thank you. (Applause)

The SPEAKER: On behalf of the House the Chair thanks the gentleman from Vermont for a few remarks and we thank him for being with us here this morning. The Clerk will proceed.

Petitions, Bills and Resolves Requiring Reference

The following Bill and Resolve, approved by a majority of the Committee on Reference of Bills for appearance on House Calendar, less than one-tenth of the members present objecting, were received and referred to the following Committees:

Business Legislation

Bill "An Act relating to Community Insurance Company" (H. P. 1067) (Presented by Mr. Drigotas of Auburn)

(Ordered Printed)

Sent up for concurrence.

State Government

Resolve Proposing an Amendment to the Constitution Relating to the Election of the Clerk of the House of Representatives (H. P. 1068) (Presented by Mr. Pike of Lubec)

(Ordered Printed)

Sent up for concurrence.

House Reports of Committees Leave to Withdraw

Mr. Ward from the Committee on Agriculture on Bill "An Act Establishing the Maine Apple Fund and Maine Apple Commission" (H. P. 657) (L. D. 966) reported Leave to Withdraw.

Mr. Binnette from the Committee on Health and Institutional Services reported same on Bill "An Act Defining Mental Illness for Public Assistance" (H. P. 801) (L. D. 1093)

Reports were read and accepted and sent up for concurrence.

Ought Not to Pass Tabled and Assigned

Mr. Anderson from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Bill "An Act Appropriating Moneys for Sprinkler System at State Military and Naval

Children's Home" (H. P. 28) (L. D. 40)

Report was read.

(On motion of Mrs. Carswell of Portland, tabled pending acceptance of Committee Report and specially assigned for Wednesday, April 14.)

Mr. Dunn from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Bill "An Act to Provide for Trade and Industrial Teacher Training Service at Gorham State Teachers College" (H. P. 112) (L. D. 136)

Mr. Healy from same Committee reported same on Resolve Relating to Treatment of Lake Sabattus to Eliminate Aquatic Growth (H. P. 117) (L. D. 141)

Mr. Peaslee from the Committee on Health and Institutional Services reported same on Bill "An Act Prohibiting Placement of State Children in a Receiving State Without Certain Notification" (H. P. 803) (L. D. 1095)

Reports were read and accepted and sent up for concurrence.

The SPEAKER: The Chair at this time would like to recognize in the balcony of the House twenty-eight students from the Farmington State Teachers College and they are students of the Maine History Class, and they are accompanied by their teacher Miss Agnes Mantor. They are the guests of the gentleman from Farmington, Mr. Whittier. On behalf of the House, the Chair welcomes you and we hope that your visit will be both educational and enjoyable. (Applause)

Ought to Pass in New Draft New Drafts Printed

Mr. Graham from the Committee on Education on Bill "An Act relating to Status of Academies, Seminaries and Institutes as Public High Schools for Certain Purposes" (H. P. 797) (L. D. 1074) reported same in a new draft (H. P. 1069) (L. D. 1444) under title of "An Act Defining a Public School" and that it "Ought to pass"

Mrs. White from the Committee on Health and Institutional Services on Bill "An Act relating to Advisory Committee on Health and Welfare" (H. P. 692) (L. D. 929) reported same in a new draft (H. P. 1070) (L. D. 1445) under title of "An Act relating to Advisory Committee of Health and Welfare" and that it "Ought to pass"

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

Ought to Pass Printed Bills

Mr. McKinnon from the Committee on Business Legislation reported "Ought to pass" on Bill "An Act Defining Interest on Loans" (H. P. 990) (L. D. 1335)

Mrs. Carswell from the Committee on Health and Institutional Services reported same on Bill "An Act relating to Qualifications and Fees under Nursing Law" (H. P. 581) (L. D. 773)

Mr. Haugen from same Committee reported same on Bill "An Act relating to Duties of Department of Health and Welfare Concerning Water Supplies" (H. P. 994) (L. D. 1344)

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

Ought to Pass with Committee Amendment

Mr. Anderson from the Committee on Appropriations and Financial Affairs on Bill "An Act Providing for a Legislative Conference Prior to the Convening of the 103rd Legislature" (H. P. 265) (L. D. 347) 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. 265, L. D. 347, Bill, "An Act Providing for a Legislative Conference Prior to the Convening of the 103rd Legislature."

Amend said Bill by striking out all of the last 3 lines of section 1 and inserting in place thereof

the following: 'of the several state departments, the problems of State Government and the procedures of the Legislature.'

Further amend said Bill by striking out in the 3rd line of section 2 the figure "\$15,000" and inserting in place thereof the figure "\$12,000"

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

Mr. Birt from the Committee on Appropriations and Financial Affairs on Bill "An Act Providing a Bond Issue in the Amount of One Million Two Hundred and One Thousand Dollars for a Vocational Educational Institute in Penobscot County" (H. P. 4) (L. D. 4) 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. 4, L. D. 4, Bill, "An Act Providing a Bond Issue in the Amount of One Million Two Hundred and One Thousand Dollars for a Vocational Educational Institute in Penobscot County."

Amend said Bill by adding after the word "board" in the 3rd line of section 7 the words 'upon the approval of the Director of Public Improvements'

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

Mr. Bishop from the Committee on Appropriations and Financial Affairs on Bill "An Act to Provide Funds for Expansion of Home Teaching Programs for the Blind" (H. P. 12) (L. D. 12) 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. 12, L. D. 12, Bill, "An Act to Provide Funds for

Expansion of Home Teaching Programs for the Blind."

Amend said Bill by striking out everything after the first 3 lines and inserting in place thereof the following: 'the sum of \$7,260 for the fiscal year ending June 30, 1966 and the sum of \$7,661 for the fiscal year ending June 30, 1967 for additional home teaching positions for the blind. The breakdown shall be as follows:

	1965-66	1966-67
HEALTH AND WELFARE, DEPARTMENT OF		
Eye Care and Special Services Personal Services (2)	\$6,260 (2)	\$6,661
All Other	1,000	1,000
	<hr/> \$7,260	<hr/> \$7,661'

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

Mr. Bishop from the Committee on Appropriations and Financial Affairs on Bill "An Act relating to Death Benefits for Members of the State Police" (H. P. 13) (L. D. 13) 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. 13, L. D. 13, Bill,
"An Act Relating to Death Benefits for Members of the State Police."

Amend said Bill by striking out all of section 5 and inserting in place thereof the following:

'Sec. 5. Appropriation. There is appropriated from the General Fund to Contributions and Transfers the sum of \$559.07 for the fiscal year ending June 30, 1966 and the sum of \$559.07 for the fiscal year ending June 30, 1967. The breakdown shall be as follows:

	1965-66	1966-67
Contributions and Transfers To Highway Fund		
General Funds Share of State Police Administration	\$559.07	\$559.07'

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

Mr. Dunn from the Committee on Appropriations and Financial Affairs on Resolve Appropriating Money to Repair Fish Screen at Outlet of Kezar Lake (H. P. 118) (L. D. 142) 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. 118, L. D. 142, Resolve, Appropriating Money to Repair Fish Screen at Outlet of Kezar Lake.

Amend said Resolve, in the Title, by striking out the word "Appropriating" and inserting in place thereof the word 'Allocating'.

Further amend said Resolve by striking out the first 2 lines after the word "Resolved" and inserting in place thereof the following: 'The Department of Inland Fisheries and Game is directed to expend from its funds the sum of \$850 for the purpose of'

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

Tabled and Assigned

Mr. Laberge from the Committee on Business Legislation on Bill "An Act relating to Unlawful Practices under Unfair Sales Act" (H. P. 989) (L. D. 1334) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read.

(On motion of Mr. Sahagian of Belgrade, tabled pending acceptance of Committee Report and specially assigned for Wednesday, April 14.)

Mr. McKinnon from the Committee on Business Legislation on Bill "An Act Establishing a Commercial Standard for Maine White Cedar Shingles" (H. P. 947) (L. D. 1283) 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. 947, L. D. 1283, Bill, "An Act Establishing a Commercial Standard for Maine White-Cedar Shingles."

Amend said Bill in the first line of subsection 3 of that part designated "§3704," of section 1 by inserting after the underlined word "shingles" the underlined word 'which'

Further amend said Bill by striking out in the first line of subsection 3 of that part designated "§3706" of section 1 the underlined word "first"

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

Mr. Cressey from the Committee on Health and Institutional Services on Bill "An Act relating to Sale or Compounding of Drugs by Apothecary Only" (H. P. 772) (L. D. 1015) 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. 772, L. D. 1015, Bill, "An Act Relating to Sale or Compounding of Drugs by Apothecary Only."

Amend said Bill, in the 2nd line from the end, by striking out the underlined words and comma "personally sell drugs,," and by striking out in the last line the underlined word "prepared" and inserting in place thereof the underlined word 'prepare'

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

Tabled and Assigned

Mr. Cottrell from the Committee on Taxation on Bill "An Act Repealing Property Tax Exemption for Pleasure Boats in the State for Storage or Repair" (H. P. 760)

(L. D. 997) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read.

(On motion of Mr. Benson of Southwest Harbor, tabled pending acceptance of Committee Report and specially assigned for Wednesday, April 14.)

Mr. Cottrell from the Committee on Taxation on Bill "An Act relating to Repeal of Sardine Tax on Exports" (H. P. 848) (L. D. 1261) 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. 848, L. D. 1261, Bill, "An Act Relating to Repeal of Sardine Tax on Exports."

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

"Sec. 3. R. S., T. 32, § 4161, additional. Title 32 of the Revised Statutes is amended by adding a new section 4161 to read as follows:

§ 4161. Short title

This chapter shall be known as the Maine Sardine Law." "

Further amend said Bill by striking out all of the underlined section 5.

Further amend said Bill by renumbering section 6 to be section 5.

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

The SPEAKER: The Chair at this time would like to recognize in the balcony of the House fifty-four seniors of the American Government Class at Skowhegan High School, accompanied by Mr. David Mattsen and Mr. Richard Benner, their teachers. They are the guests of the gentleman from Skowhegan, Mr. Poulin. On behalf of the House the Chair welcomes you and we hope that your visit will be both educational and enjoyable. (Applause)

At the same time may the Chair welcome in the balcony of the House sixty pupils of the Eighth Grade at Palmyra Consolidated School and St. Albans Consolidated School, accompanied by former State Senator Clair Lewis, Donald Hill, Principal at the Palmyra School and Roland Wortman, Principal at the St. Albans School. They are the guests of the gentleman from Pittsfield, Mr. Susi. On behalf of the House the Chair welcomes you and we hope that your visit will be both educational and enjoyable. (Applause)

And in the rear of the House the Chair would like to welcome a group of women from the Maine Division of the American Association of University Women and their President, Mrs. Robert Hutchinson. On behalf of the House, the Chair welcomes you and we hope that your visit will be enjoyable and educational. (Applause)

At the same time in the rear of the House the Chair would like to welcome members of the Maine Federation of Business and Professional Women's Club, and they are accompanied by their Vice-President Beatrice Grant. On behalf of the House, the Chair welcomes this group and we hope that your visit will be enjoyable. (Applause)

Third Reader Indefinitely Postponed

Bill "An Act relating to Chiropractic Treatment under Workmen's Compensation Law" (S. P. 95) (L. D. 262)

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

The SPEAKER: The Chair recognizes the gentleman from Brewer, Mr. Libhart.

Mr. LIBHART: Mr. Speaker and Ladies and Gentlemen of the House: In conclusion of the debate on this bill L. D. 262 "An Act relating to Chiropractic Treatment under Workmen's Compensation Law," it was suggested by the gentlewoman from Portland, Mrs. Carswell, after she had conferred with a member of the third house, that there was no conflict between L. D. 262 and L. D. 1253. I hope

that the gentlewoman from Portland has had an opportunity to consult with another member of the third house, whom she knows very well, who happens to be an attorney, as to the statements that she reported to us, because I feel quite sure that he would not agree with that statement.

Let's take a look at L. D. 262. It is amending 1964 Revised Statutes, Title 39, Section 52. If you will be good enough to look at L. D. 1253, in the section that I was referring to yesterday, you will see that the exact same section of the present law is attempting to be amended by that L. D. Now, if there isn't a conflict between the writing of L. D. 262 and L. D. 1253 then I respectfully suggest that I better stop practicing law and go back to pulling lobster traps.

Now, one of the arguments that I have heard in the corridors since our debate yesterday or one of the questions I have heard is, why should a person who falls down in their house be able to go to this particular professional person, or type of person, and receive treatment, and then on the basis of some insurance coverage go to court to recover on that coverage using this very type of professional person? Why should this be allowed to happen and not be allowed to happen under Workmen's Compensation laws?

Well, the answer I take it is fairly simple. Our Workmen's Compensation Laws are laws that were passed many years ago changing the common law. Under common law the employee, the laborer, had very little chance to sue his employer for recovery when he was hurt on the job because of certain common law defenses which had been developed over the years in the common law courts. We passed Workmen's Compensation laws to give the laborer a chance to recover against his employer, feeling that while he was working for the employer he should be able to recover for his injuries sustained on the job. And when these laws were passed these common law defenses were removed and the employer no longer had them, and this is why the

Legislature over the years has felt that it could regulate very closely the Workmen's Compensation Law.

Now, there has been an attempt made over the years to make the Workmen's Compensation laws fair and equitable to both side, labor and management. Now, what I don't like about L. D. 262 is because in my opinion it is unfair to labor and I mean this honestly. We have never represented an insurance company in our practice; we probably never will because we are plaintiffs' attorneys. And in these cases we represent the laborers, and if you folks have had the occasion to sit in court on the case, in which I cited the first time, the ordinary citizen going to a chiropractor and then going to court, you will rarely see that a plaintiff's attorney will ever use this type of physician because he knows that going before a jury the people on the other side, the insurance companies, are going to have the very best they can get, a board specialist, a medical man. And in a debate in court between these, the untrained person comes out on the short end.

Now, the same thing happens in Workmen's Compensation cases. You don't go before a court; you go before the board. The board is very highly trained and the insurance companies have highly trained specialists, all board specialists normally, who practice in — before this board, and they are very intelligent and they know the Workmen's Compensation Law very well; and the lawyer who is representing the laborer must find the very best physician that he can find to represent his client so that on cross-examination before the board, the board specialist, the highly trained man who is before the Workmen's Compensation Board all the time, will not cross him up.

As I told you yesterday, the cases that we have tried before the Board that we have felt that our laborer client has not been properly taken care of are only those cases in which our particular physician was not a person sufficiently trained in the particular thing that he was trying to treat,

so that the board registered specialist on behalf of the insurance companies, the carriers, the employer, were able to confuse them on cross-examination and they were not able to come across well; and therefore our compensation wasn't what it should have been.

Now, if you want to be sure that laborers going before the Workmen's Compensation Board are not going to be getting what they should be getting, the maximum amount of their recovery, allow them to get people who are not trained for their positions as professional people and let them go in with them. You know as well as I do that if we pass this law the chiropractors are going to say, we are allowed by law to practice here and implying from that that they are completely trained in order to go before these boards. I submit that this is not the case. By their training they can't be as trained as people who have spent many, many years in their specialties. This can't happen.

Now, this is not a party issue. It is not a partisan issue. It is not a labor versus management issue in that sense. It is simply an issue of whether you want to do the best you can by the laborers who are under this Workmen's Compensation Law; and if you want them to get the very best you will be sure that this section of L. D. 1253, which in my opinion is very well written, this section 52 which is the exact same section that L. D. 262 applies to, you will take 1253 and not 262. Therefore, Mr. Speaker, I move that L. D. 262 and its accompanying papers be indefinitely postponed.

The SPEAKER: The question before the House now is on the motion of the gentleman from Brewer, Mr. Libhart, that this bill and its accompanying papers be indefinitely postponed.

The Chair recognizes the gentleman from South Thomaston, Mr. Kittredge.

Mr. KITTREDGE: Mr. Speaker, when the vote is taken I request that it be taken by the yeas and nays.

The SPEAKER: The gentleman from South Thomaston, Mr. Kit-

tredge, moves that when the vote is taken that it be taken by the yeas and nays.

The Chair recognizes the gentleman from Skowhegan, Mr. Poulin.

Mr. POULIN: Mr. Speaker and Ladies and Gentlemen of the House: Unfortunately I am not learned. I am not a lawyer and I don't pretend to be one. As far as a lawyer's language goes I don't understand it. All I know is I am representing a lot of small workers, little workers that work for \$50 a week. I would like to see some of these people work in a shoe shop for about one year at that rate. Yet, they say you are allowed to get compensation if you go see a psychiatrist, but if you have to see a chiropractor, no sir, we can't afford it. It does not cover you. You may carry your own personal insurance like I do which will cover it, but these unfortunate people, let's put it that way, have to work for a living and have to be compensated and protected while they are hurt. Now, I say, forget the other L. D. that's coming up. Let's get this one here through, at least protect the little guys for a change.

The SPEAKER: The Chair at this time would like to recognize in the rear of the House a group of women of the Lincoln County Women's Republican Club and they are with their President, Mrs. Christina Albee. On behalf of the House the Chair welcomes you and we hope that your visit will be both educational and enjoyable. (Applause)

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

Mr. CROMMETT: Mr. Speaker, Members of the House: In regard to L. D. 262, my feeling on the matter is this, that the injured workman should have the privilege of free choice in seeking aid for the relief of pain and the services rendered should be considered as any medical aid under the Workmen's Compensation Law.

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

Mrs. CARSWELL: Mr. Speaker and Members of the House: I have disagreed with attorneys before and not been proven to be wrong and attorneys have disagreed with attorneys, so just because a person disagrees with an attorney and he comes up with a lot of legal Mumbo Jumbo, whatever it might be, that doesn't mean that the rest of us are wrong. Now if I was working in the shipyard and I was Rosy the Riveter and I hurt my back and I felt like going to a chiropractor, I wouldn't want somebody to say, oh, the poor thing, she doesn't know what she wants; we better make sure that she goes to another doctor. I don't think that the laboring man is that much of a dumb-bell that he doesn't know who he wants for a doctor.

Now I will go on further to say, that stripped of all the words and arguments, pros and cons, this bill comes down to just these two basic inescapable facts. It gives the chiropractors no new powers or rights. They are not asking for any. It simply provides that a victim of an industrial accident choosing to use a chiropractor be given the same right he now possesses in private life if he has an individual accident policy, that his expenses be paid by the insurance company just as if he had chosen a medical doctor or an osteopath.

The SPEAKER: The Chair recognizes the gentleman from Saco, Mr. Bedard.

Mr. BEDARD: Mr. Speaker, Members of the House: I don't know how it's done, but I do know that a chiropractor can help people, especially those who are hurt at work. If I was hurt at work and a chiropractor could help me to get back on the job quicker and easier than a doctor, why should I have to pay myself for this? If the doctors want to drive the chiropractors out of business, all they have to do is to cure their own patients before they go to chiropractors.

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

Mr. LEVESQUE: Mr. Speaker, Ladies and Gentlemen of the

House: I certainly don't want to be repetitious this morning, but this bill had a very good airing here yesterday on the floor of the House and the gentleman from Brewer, Mr. Libhart, has brought up again the fact of 1253 being very much related. They are definitely related because they are both coming under Workmen's Compensation. Well, L. D. 1253 has not yet had a hearing. So if there is a conflict I am sure that the committee that is going to hear this document will make sure that there is no conflict should this chiropractic bill be passed in this House this morning.

And I think probably the gentleman from Portland, Mrs. Carswell, has pointed out the fact that this does not give any authority or any additional education to the chiropractors to practice. This is relative to their field that they have been sanctioned to practice under the laws of the State of Maine. So I don't think that this is going to be giving the chiropractors in this State any additional powers as far as their profession is concerned. So I beg with you again this morning that this bill should receive passage.

The SPEAKER: The Chair at this time would like to recognize in the balcony of the House thirty-three pupils of the Eighth Grades from the Glenburn Consolidated School and the Hudson Elementary School. They are accompanied by their Principals, Mr. Morrison of the Glenburn School and Mr. Fugal of the Hudson School. And they are the guests of the gentleman from Glenburn, Mr. Cookson. On behalf of the House the Chair welcomes you and we hope that your visit will be both educational and enjoyable. (Applause)

And at the same time the Chair would like to recognize in the balcony of the House twenty-one students from the British Isles. They are guests of the World Affairs Council of Maine and they are visiting Augusta today. They are under the supervision of Louis L. Doyle, Chairman of the History Department of the Waynelete School and Director of School Activities for the Council. This group

is taking a first-hand look at American Government in action. The boys and girls are all secondary school students and they are spending this week in the Portland area. They are the guests of the gentleman from Freeport, Mr. Graham. On behalf of the House the Chair welcomes you and we hope that your visit with us will be both educational and enjoyable. (Applause)

The SPEAKER: The Chair recognizes the gentleman from Eastport, Mr. Mills.

Mr. MILLS: Mr. Speaker and Members of the House: I am on the Board of Trustees for the Eastport Memorial Hospital. On this item here, I am going to vote in favor of the chiropractors.

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

Mr. BUSSIERE: Mr. Speaker, Members of the House: I spent a great deal of time here yesterday and I got home late. But the minute I got home I received a telephone call from someone who was here yesterday, sitting behind here and the call—it was a very short one but a good one. It said, praise the Lord and pass the ammunition to a brave man who can stand on his own two feet. Thank you, Mister, and keep up the good work.

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from Brewer, Mr. Libhart, that this bill and its accompanying papers be indefinitely postponed and the gentleman from South Thomaston, Mr. Kittredge, has moved that when the vote is taken that it be taken by the yeas and nays. For the Chair to order the yeas and nays it must have the expressed desire of one-fifth of the members present. All those in favor of the yeas and nays being taken on this bill will kindly rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

The SPEAKER: Obviously more than one-fifth having risen, the yeas and nays are in order.

Mr. Baldic of Waterville, who would have voted "no" had he voted, was excused from voting as he paired his vote with Mr. Hammond of Paris, who was absent but would have voted "yes" were he present.

The SPEAKER: The Chair will repeat the question once more. The question before the House is on the motion of the gentleman from Brewer Mr. Libhart, that this Bill "An Act relating to Chiropractic Treatment under Workmen's Compensation Law," Senate Paper 95, L. D. 262, and its accompanying papers be indefinitely postponed.

The Clerk will call the roll.

ROLL CALL

YEA—Anderson, Ellsworth; Anderson, Orono; Baker, Orrington; Baker, Winthrop; Beane, Benson, Southwest Harbor; Bernard, Berry, Birt, Bishop, Bragdon, Brennan, Brewer, Champagne, Cottrell, Cressey, Crosby, Curran, D'Alfonso, Dickinson, Doyle, Drigotas, Dumont, Dunn, Erwin, Eustis, Farrington, Gaudreau, Gifford, Graham, Hanson, Gardiner; Hanson, Lebanon; Harriman, Harvey, Bangor; Hawes, Hawkes, Huber, Hunter, Clinton; Jalbert, Katz, Kennedy, Kittredge, Lang, Lewis, Libhart, Lincoln, Lowery, Lund, Lycette, Meisner, Millay, Mosher, Payson, Pendergast, Pike, Richardson, Stonington; Ross, Bath; Ross, Brownville; Sawyer, Scott, Stoutamyer, Susi, Waltz, Watts, Wheeler, White, Guilford; Wight, Presque Isle; Young.

NAY — Avery, Bedard, Benson, Mechanic Falls; Berman, Binnette, Blouin, Boissonneau, Bourgoin, Buck, Burwell, Bussiere, Carroll, Carswell, Carter, Conley, Cote, Crommett, Cushing, Davis, Dostie, Drouin, Dudley, Edwards, Faucher, Fecteau, Fortier, Fraser, Mexico; Fraser, Rumpf; Gauvin, Gilbert, Harvey, Windham; Haugen, Haynes, Healy, Hunter, Durham; Jewell, Jordan, Keyte, Kilroy, Knight, Laberge, Lane, Lebel, Lent, Levesque, Littlefield, Martin, McKinnon, Mills, Mitchell, Nadeau, Palmer, Peaslee, Pitts, Poulin, Prince, Rackliff, Roberts, Searles, Starbird, Storm, Sullivan, Ward, Whittier, Wood, Wuori.

ABSENT — Bradstreet, Cookson, Danton, Evans, Gillan, Glazier, Harvey, Woolwich; Hoy, Norton, Richardson, Cumberland; Roy, Ruby, Sahagian, Truman.

Yes, 68; No. 66; Absent, 14. Paired, 2.

The SPEAKER: Sixty-eight having voted in the affirmative and sixty-six in the negative, fourteen being absent, the motion carries.

The Bill was indefinitely postponed in non-concurrence and sent up for concurrence.

The SPEAKER: The Chair at this time would like to recognize in the balcony of the House twenty-five students of the American Government Class at the University of Maine. They are accompanied by Professor Collins and Professor Heidorn and they are guests of the gentleman from Orono, Mr. Anderson. On behalf of the House the Chair welcomes you and we hope that your visit will be both educational and enjoyable. (Applause)

Bill "An Act relating to Bringing Contraband Articles within the State Prison" (S. P. 336) (L. D. 1082)

Bill "An Act relating to Good Time Deductions for Convicts at the Maine State Prison" (S. P. 337) (L. D. 1081)

Bill "An Act relating to Licensing Small Loan Agencies" (S. P. 350) (L. D. 1125)

Bill "An Act to Incorporate the Abby Finance Company" (S. P. 390) (L. D. 1205)

Bill "An Act relating to Minimum Salaries for Teachers" (H. P. 199) (L. D. 254)

Bill "An Act Revising the Gasoline Road Tax and Use Fuel Tax" (H. P. 899) (L. D. 1209)

Resolve Providing for a Maine Key Number Digest Committee (S. P. 161) (L. D. 491)

Resolve Creating an Advisory Commission for the Higher Education Study (S. P. 480) (L. D. 1428)

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 Size of Temporary Number Plates for Motorcycles" (S. P. 369) (L. D. 1136)

Bill "An Act relating to Number Plates on Motorcycles" (S. P. 370) (L. D. 1137)

Bill "An Act relating to Operation of Motorcycles while Learning to Drive" (S. P. 371) (L. D. 1138)

Bill "An Act Providing for Tax Sheltered Annuities for Employees of School Administrative Units" (S. P. 396) (L. D. 1220)

Bill "An Act relating to Grouping of Certain School Administrative Units" (S. P. 412) (L. D. 1308)

Bill "An Act relating to Definition of Agricultural Societies to Qualify for Stipend" (H. P. 602) (L. D. 823)

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.

Bill "An Act relating to Sick Leave Benefits for Employees of the Department of Public Works of the City of Lewiston" (S. P. 234) (L. D. 692)

Bill "An Act Prohibiting Employment of Professional Strikebreakers to Replace Employees Involved in Labor Strikes or Lockouts" (S. P. 267) (L. D. 816)

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

Orders of the Day

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

DIVIDED REPORT—Majority (7)—"Ought to pass"—Minority (3)—"Ought not to pass"—Committee on Labor on Bill, "An Act relating to Minimum Wages for Firemen." (H. P. 503) (L. D. 656)

Tabled—March 26, by Mr. Bishop of Presque Isle.

Pending—Motion of Mr. Danton of Old Orchard Beach to accept Majority "Ought to pass" Report.

The SPEAKER: The Chair recognizes the gentleman from Old Orchard Beach, Mr. Danton.

Mr. DANTON: Mr. Speaker, Ladies and Gentlemen of the House: This bill seeks to remedy a wrong that has existed in this state since the minimum wage law has been enacted. Though in most communities the town fathers have been realistic and practical and have taken the necessary steps so that firefighters are paid at least the minimum of one dollar an hour, there are a few communities in this state, including my own community by the way, that at this day and age are paying less than a dollar and some of them as low as sixty-two cents an hour. It seems to me that if a state enacts a law which sets minimum wage rates, it should take care of its own backyard first.

I submit to you that the towns, cities, are a political sub-division of this state. It is very easy for the state to tell the industrialist and other employers to pay a certain amount of money for a minimum wage law. Is it not only right and fair that they should take proper action and do the same thing for their own employees? I am sure that the people that will follow me will tell you that this is an invasion of the home rule and this is a pretty slick device to continue to pay these niggardly wages.

I hope that the members of this Legislature do not put much stock into this. As a matter of fact, in most communities, the police chiefs are obligated to get into what they call moonlighting in order to keep their fire department intact with efficient employees. They have them at the fire station for more hours than they are required to be, or needed to be, in order that the fireman is assured a decent living wage. I think that this bill will eliminate this undesirable moonlighting practice.

Also, the people that will follow me, will tell you oh, these firemen, all they do is sleep. They

sleep in the fire barn and they are getting paid for it. I submit to you, ladies and gentlemen, that these people do sleep in the fire barn but they do so for the convenience of the community. They do so for the convenience of the municipality. They don't do it for their own convenience. And I wonder, if any of those people who will say this would prefer the fire barn to their own home, their own family, their own wife.

I would like at this time to read to you a letter sent to Mr. Walker Longley, of Bath, Maine, November 12, 1959. And the reason why I want to read this letter is to indicate to this Legislature that it was originally the intent, it was an aspiring intent of that Legislature when they enacted this municipal or this minimum wage law, that municipalities would be encompassed.

"Dear Mr. Longley: On October 2, we had an opinion from the Attorney General concerning municipalities as follows" — and this was in regard to the minimum wage law that was then enacted—"It is our opinion that employees of municipalities are not exempt or excepted from the minimum wage law.

"That portion of Section 132-B III D, which provides any individual engaged in the activities of a public supported, non-profit organization,' is not the usual term used by the legislature in referring to municipalities.

"We would like to draw your attention to the fact that the State of Vermont in enacting its minimum wage law has a clause identical to that above quoted."

Ladies and gentlemen of the House, you will hear the opponents of this bill talk about rising costs to the municipalities. The costs, I feel, will not rise as much as they will have you believe that they will, because the moonlighting will be gone, will be erased. They will talk to you about the home rule. This is just a slick device that has been brought up by the people who refuse to pay a decent wage. Let's give the firemen a decent wage with which they can maintain and sustain

their families. Let's not come up with the medals when one of them goes to a fire and gets injured or killed and award these medals posthumously and make flowery speeches, and while they are living and while they are responsible for the maintenance of their family we pay them sixty-two cents an hour.

Again, I remind you that most towns and communities and municipalities here in this state do pay the one dollar an hour minimum. It is only a few that do not and only a few that will be affected and the only reason why other municipal employees are not here battling for the same privilege, for the same minimum wage, is because every other employee in municipal employment does receive the minimum wage law. I urge you to support this bill. Thank you very much.

Th SPEAKER: The question before the House is on the motion of the gentleman from Old Orchard Beach, Mr. Danton, that we accept the Majority "Ought to pass" Report.

The Chair recognizes the gentleman from Presque Isle, Mr. Bishop.

Mr. BISHOP: Mr. Speaker, Ladies and Gentlemen of the House: I am sorry to disagree with my close friend and neighbor, the gentleman from Old Orchard Beach. On the other hand, if there is an inequity here, this bill does not remedy it; in fact I think it adds to the confusion. It attempts to make a special class out of firemen and I think all of you who have been connected with municipal government know what this will do. There will be dissension between the different departments and everyone will be criticizing the municipal officials for the payment made to firemen. I don't mean to minimize the risks the firemen take or say that they sleep on the job, but everyone knows the practicalities of this. They are on duty certain hours, sometimes as much as eighty-four hours in a week, but they do sleep a great deal of the time. Let's face it. Perhaps they should be paid

a minimum wage for sleeping but, as I go on in my argument, let's see if this is fair.

This affects mainly the municipalities that have full time fire departments. Those who depend entirely on volunteers are not faced with this, because they don't sleep in. This affects the fewer number of municipalities including my own which have a full time department. My city manager tells me that this is going to cost the City of Presque Isle \$16,000 a year additional. I have been told by Mr. Sawyer from Brunswick, that they anticipate it will cost Brunswick \$20,000 a year. Now, I would be in favor perhaps of all municipal employees getting a minimum wage, but remember that the municipalities have run to the hilt on the property tax. It's the only source of revenue that they have. They have exhausted it. They have wrung it dry.

We have bills before us this session to try to relieve this pressure on the municipalities in the form of the Uniform Effort bill and others. We are imposing another obligation on them and giving them no chance to — no source of revenue to pay for it with. It's easy for us to — if we were passing a bill for which we would appropriate the money, that's responsible, because if we pass a bill that calls for appropriation we have got to pass corresponding legislation to raise the money. But here we are telling the municipalities they have got to pay an extra amount of money and we are not even suggesting where they are going to get it.

The only other thing I have to say is, that — I am not going to talk about home rule, I think someone else has suggested it. I'm talking about the practical results of what is going to happen, and I move for the indefinite postponement of this measure and all its accompanying papers.

The SPEAKER: The question before the House is on the motion of the gentleman from Presque Isle, Mr. Bishop, that this bill and its accompanying papers be indefinitely postponed.

The Chair recognizes the gentleman from Old Orchard Beach, Mr. Danton.

Mr. DANTON: Mr. Speaker, Members of the House: A firefighter may not have a degree like some of these town managers who are so concerned about the costs that may increase to the municipality, or to the town or city, but it seems to me that the fireman has to provide for his family the same as the town manager. I note almost every day in newspapers that these town managers are not hesitant about asking for an increase in their wages. And I don't think that the average property owner, taxpayer of a municipality, realizes that the fireman lives on sixty-two cents an hour in order that he keeps his taxes down. I don't think that we have that kind of people in this state.

I would like also to read another letter written by the Department of Labor and Industry of this State. November 19, 1959.

"Mr. William Dutton, Fire Department, Bath, Maine. Dear Mr. Dutton: We have received word from the Attorney General's Department that there will be no change in their previous ruling regarding coverage of municipal employees under the Maine minimum wage law.

"Municipal employees are covered by the law and must receive at least \$1.00 for each hour worked."

This was the spirit. This was the intent of that Legislature. Later on a few attorneys got together with a few municipal town managers and they evaded this law. Let's make this right. Let's put it in writing in plain, simple language. That's what this bill is, just plain, simple language providing a dollar an hour for these firemen, and I urge you to defeat the motion of indefinite postponement. I request a division when the vote is taken.

The SPEAKER: The gentleman from Old Orchard Beach, Mr. Danton, requests a division when the vote is taken.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I certainly don't want this morning to be classified as trying to debate an issue with the members of the Bar Association. I am sure that I would not be very long standing for a favorable vote. Although I note in the report that the Labor Committee, of which I am House Chairman, reported this document seven to three ought to pass. However, I have heard this morning here the fact that the municipalities would be hard pressed to pay their firemen, which I call a decent and fair minimum dollar an hour. I don't think that if you would ask any of these firemen if they would go see the town father and say well, we would like to bargain for our own wages, how long these would last. The discussion would be very short, I am sure.

So that's most likely why the gentleman from Presque Isle, Mr. Bishop, has eliminated the home rule. There is absolutely no bargaining power between the town managers, or town fathers, with the firemen. This is an absolute necessity. They have got to be there for the protection of life and property. I am sure that they would consider nothing else but for that purpose, for the protection of life and property, that they are entering this service. And I am very sure, that in some cases these people that are being paid sixty-nine, sixty-two, seventy-two cents an hour have got a family. How in good God can they support a family with such kind of wages?

And now somebody has mentioned the fact that the fire departments are allowed to sleep on the job. Well, I will assure you that they are not sleeping when there is a fire going, but they are allowed to sleep or requested to sleep because of time scheduling of these fires; and it is purely for the benefit of the municipalities that they are sleeping on duty and not sent home to sleep with their families.

I think again this morning, that if we are going to leave the firemen into a special category and look into all the other aspects of municipal administration, you will find that many dollars can be saved by the administration of the municipalities that could very well afford a basic one dollar minimum for the firemen. So I ask you this morning to vote against the indefinite postponement of this document.

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

Mrs. CARSWELL: Mr. Speaker, Members of the House: I am in favor of this bill. I think the fireman has a much more hazardous job to do than many municipal employees. I think this matter is important enough to have a roll call vote. Therefore, I request the same.

The SPEAKER: The Chair recognizes the gentleman from Southwest Harbor, Mr. Benson.

Mr. BENSON: Mr. Speaker and Ladies and Gentlemen: I was one of the signers of the "ought not to pass" report on this piece of legislation. This bill seeks to establish a minimum wage for one specific group under municipal regulation. Maine presently has one of the four highest municipal tax rates in this country. This is caused by the cost of the operation of our schools having increased by one hundred and sixty per cent in the last ten years, and this would be just one more boost of this already overloaded tax rate.

I received a call this morning from the town manager of the town of Bar Harbor. His concern was for the devastating effect of this legislation on his municipality, but I am afraid that I am going to have to mention that he was also vitally concerned about home rule. I feel that his concern is that of mine also. I think that when we dictate here what the municipality will pay for its services without supplying some aid, some relief for these people of the municipalities to supply these services, then we are headed in the wrong area.

I most sincerely urge that this House support the motion to indefinitely postpone. Thank you.

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

Mr. HEALY: Mr. Speaker and Ladies and Gentlemen of the House: The remarks made by the gentleman from Madawaska, Mr. Levesque, regarding the wages that firemen are earning, has smoked me out. And the gentleman from Southwest Harbor, Mr. Benson, I believe, is concerned about the wealth that there is down there, plenty of it, and they don't want to pay these firemen a dollar an hour. I can't believe it. I am also opposed to the indefinite postponement of this bill, and will vote for the firemen. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Old Town, Mr. Binnette.

Mr. BINNETTE: Mr. Speaker, Ladies and Gentlemen of the House: I most heartily agree with the gentleman from Madawaska, Mr. Levesque, because I really am sincere in the thought that these men are not overpaid. And when the statement was brought out that they are getting seventy or eighty cents an hour, that perhaps is true, but there is another factor that is involved. There are a lot of these firemen that have a day off and when that time is their own that another alarm comes in, they have to leave what they are doing on their own free time and go and assist that fire. And I say that they are not overpaid.

The SPEAKER: The Chair recognizes the gentleman from Union, Mr. Hawes.

Mr. HAWES: Mr. Speaker, Members of the House: I think there is one fact that has not been brought out yet on this. What type of men do you think you are going to get for sixty-two cents an hour? I'm from a small town so it doesn't concern me much anyway, but I am associated with a mutual aid agreement with the City of Rockland which is on full-time and I am the fire chief of my town so I

do know something about firemen. Now, I know the type of men that they get down there for the prices they pay, wages they pay. They don't make the best firemen.

Now there was a — to go back to the tax rate on the towns, the rating bureau sets up a rating for every town, every city, and out of this rating bureau you get a rating on your fire insurance. Now, they come into these fire stations in towns and cities from the rating bureau and set up a rating, and one of the rating things they go on is the type of men that the city employs. The better trained men, the longer they have been in service, the better rating you get. The better rating you get, the less insurance premium you have to pay. Another thing, you get these poorly trained men, men that aren't paid too much, they don't stay on the job very long. If you keep them there a year, you do well. So, you are always training men in the fire department which doesn't make a good fire department. You may get them out onto a fire, you lose a block in your city, the tax rate is sure going to go up pretty fast on account of your fire loss there.

Now, I hope that you take into consideration this sleeping business. When you get up at two o'clock in the morning in the middle of February and the weather is twenty degrees below zero and you're out there fighting a fire for six or eight hours, it's no fun. Most of you may get up and go to see what it was but then you go back to bed again. You don't stay around for six or seven hours out there in the cold with the water and everything else. I urge you to support this minimum wage law for firemen.

The SPEAKER: The Chair recognizes the gentleman from Presque Isle, Mr. Bishop.

Mr. BISHOP: I just want to say that all this concern for the pay that the fireman is going to take home may be misplaced because the fireman at least in Presque Isle, isn't going to get a nickel more a week than he is getting now. The only difference is, that

instead of being on a forty-eight hour shift where he sleeps half the time at least in the firehouse they will put on more men, they will put them on eight hour shifts and they will stay awake, and the individual fireman will get no more money per week. It will provide more employment.

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

Mr. HANSON: Mr. Speaker, Members of the House: I am very interested in the remarks that have been made, I agree with many of them; but I think possibly that we may have a little different situation in our own municipality. In fact we possibly could be considered as a unique setup that we have because the fire chief and police chief is one individual which is controlling both department. We find in a town of our size, that it is more efficient. As for the pay that they receive, I believe that they are receiving the minimum wage plus clothing allowance and also their meals at the fire station. I did receive a letter from the city manager and this is the way that they feel. Now, we have the council manager form of government and I will say that every department has the privilege of coming before the council and the manager at any budget meetings, come before them at any hearings with any grievances that they may have. But I am going to support the motion for indefinite postponement on these grounds. And I am not going to read all of the letter.

"Many communities are extremely thorough in initiating and amending personnel policies encompassing very adequate uniform compensation plans, position classification plans, fringe benefits, and personnel rules and regulations. In fact, it may not be at all uncommon to find one title of public safety officer to apply to both positions . . . under this single title. The difference in hours worked, uniform allowance, number of shifts of rotation, etc., are the criteria that predominately determines the individuals choice to

select one position or the other. In this respect, I must point out that Gardiner's experience of a high turn-over rate has never been in the fire department, but rather in the police department, indicating the apparently sufficient provisions and conditions of employment as a fire fighter in Gardiner."

I feel that possibly we could have a problem within our own municipality if this bill did pass and I know that we have been criticized—or I have been criticized, by certain individuals the fact that we are paid more money in our own municipality than they are in some of the surrounding communities here. Therefore, I support the motion to indefinitely postpone. Thank you.

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

Mr. CROMMETT: Mr. Speaker, Ladies and Gentlemen of the House: In my town of Millinocket, we pay our firemen. We do not begrudge what they get. I am not speaking for them. I am speaking for those who do not receive an adequate wage, and I will support the motion to pass.

The SPEAKER: The question before the House is on the motion of the gentleman from Presque Isle, Mr. Bishop, that this bill and accompanying papers be indefinitely postponed. The gentlewoman from Portland, Mrs. Carswell, has requested that when the vote is taken that it be taken by the yeas and nays. In order for the Chair to order the yeas and nays it must have the expressed desire of one-fifth of the members present. All those in favor of having the vote taken by the yeas and nays will kindly rise and remain standing until the monitors have made and returned the count.

Twenty-three members arose.

The SPEAKER: Twenty - three having voted in the affirmative and there being one hundred thirty - three members in their seats, a sufficient number has not arisen and a roll call is not in order.

The gentleman from Old Orchard Beach, Mr. Danton, has requested that when the vote is taken that it be taken by a division. All those in favor of this Bill "An Act relating to Minimum Wages for Firemen," House Paper 503, L. D. 656, and its accompanying papers being indefinitely postponed will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Fifty having voted in the affirmative and eighty-two having voted in the negative, the motion did not prevail.

The SPEAKER: The question before the House now is on the motion of the gentleman from Old Orchard Beach, Mr. Danton, that we accept the Majority "Ought to pass" Report. Is this the pleasure of the House?

The motion prevailed.

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

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

DIVIDED REPORT — Majority (9) — "Ought to pass" as Amended by Committee Amendment "A" — Minority (1) — "Ought not to pass" — Committee on Labor on Bill, "An Act relating to Payments Under Employment Security Law for Dependent Children." (H. P. 828) (L. D. 1056) (C. "A" H-150)

Tabled — March 26, by Mr. Levesque of Madawaska.

Pending — Acceptance of Either Report.

On motion of Mr. Levesque of Madawaska, retabled pending acceptance of either report and specially assigned for Wednesday, April 14.

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

DIVIDED REPORT — Majority (7) — "Ought to pass" — Minority (3) — "Ought not to pass" — Committee on Natural Resources on Bill, "An Act Requiring Land-

owner's Permission to Trap Beaver." (H. P. 814) (L. D. 1257)

Tabled — March 26, by Mr. Cookson of Glenburn.

Pending — Motion of Mr. Palmer of Phillips to accept Majority "Ought to pass" Report.

On motion of Mr. Martin of Eagle Lake, retabled pending motion of Mr. Palmer of Phillips to accept the Majority "Ought to pass" Report and specially assigned for Tuesday, April 13.

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

Bill, "An Act relating to Time of Ordering Liquor by Certain Licensees." (S. P. 403) (L. D. 1227) (C "A" S-74)

Tabled — March 31, by Mr. Benson of Southwest Harbor.

Pending — Passage to be Engrossed.

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

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

HOUSE REPORT—"Ought not to pass"—Committee on Inland Fisheries and Game on Bill, "An Act Permitting Sunday Hunting in Unorganized Territory of Aroostook County." (H. P. 64) (L. D. 75)

Tabled—April 2, by Mr. Bourgoin of Fort Kent.

Pending—Acceptance.

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

Mr. BOURGOIN: Mr. Speaker, I move that we substitute the bill for the report.

The SPEAKER: The question before the House now is on the motion of the gentleman from Fort Kent, Mr. Bourgoin, that we substitute the bill for the report.

The Chair recognizes the gentleman from Ellsworth, Mr. Anderson.

Mr. ANDERSON: Mr. Speaker, Ladies and Gentlemen of the House: I am very much opposed to the motion. I am opposed to

this legislation both from a moral standpoint and the matter of conservation. If this should pass, it would open the door for other sections of the state. Soon it would be state-wide. I think our deer herd could certainly stand one day of rest. I repeat I am opposed to this on a moral standpoint and as a matter of conservation. I hope the motion of the gentleman does not prevail.

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

Mr. BOURGOIN: Mr. Speaker, Members of the House: I wish to submit to you that we are not very realistic in our sports program. We are using state money to finance skiing on Sunday and we are promoting marinas which are costing the state quite a bit of money. This bill would bring in money to the state, to the Fish and Game Department, instead of spending money and as my friend, Mr. Anderson, from Ellsworth said, it would be a foot in the door. That foot should have been in the door twenty years ago, because our deer herd in Aroostook County could be hunted three times what it is at the present time and stand it very easily, and I would say that if this bill is passed we will report to the 103rd Legislature on accident increases if there are any and how the deer herd has stood it. It is with the approval of the biologist of Fish and Game and the department that this bill is submitted. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Ellsworth, Mr. Anderson.

Mr. ANDERSON: Mr. Speaker, I now move for indefinite postponement.

The SPEAKER: The question before the House now is on the motion of the gentleman from Ellsworth, Mr. Anderson, that this bill and its accompanying papers be indefinitely postponed.

Mr. Bourgoin of Fort Kent requested a division.

The SPEAKER: A division has been requested by the gentleman from Fort Kent, Mr. Bourgoin. All those in favor of this bill and its accompanying papers being indef-

initely postponed will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Seventy having voted in the affirmative and forty-eight having voted in the negative, the motion prevailed.

Sent up for concurrence.

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

DIVIDED REPORT—Majority (8)—“Ought not to pass”—Minority (2)—“Ought to pass”—Committee on Towns and Counties on Bill, “An Act Repealing Law Providing for a Fire Marshal for Aroostook County.” (H. P. 901) (L. D. 1211)

Tabled—April 2, by Mr. Bishop of Presque Isle.

Pending—Acceptance.

On motion of Mr. Crommett of Millinocket, the Majority “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:

House Report—“Ought to pass” as Amended by Committee Amendment “A”—Committee on Inland Fisheries and Game on Bill, “An Act relating to Closed Season on Bear.” (H. P. 886) (L. D. 1183) (C. “A” H-157)

Tabled—April 2, by Mr. Martin of Eagle Lake.

Pending—Acceptance.

On motion of Mr. Haynes of Camden, the “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. 886, L.D. 1183, Bill, “An Act Relating to Closed Season on Bear.”

Amend said Bill, in the last line, by striking out the underlined word “March” and inserting in place thereof the underlined word “June”

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

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

Bill, "An Act Increasing Fees of Registers of Deeds." (H. P. 763) (L. D. 1000)

Tabled—April 6, by Mr. Libhart of Brewer.

Pending — Passage to be Engrossed.

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

Mr. COTE: Mr. Speaker, this bill was introduced by myself at the request of the Association of Registers of Deeds. It had a hearing before Towns and Counties, came out unanimous ought not to pass. On my motion two or three weeks ago, the bill was substituted for the report. Since that time, I have done some research on this bill, and I find that in Androscoggin County alone that the Registry of Deeds office is costing the taxpayers of the county \$3,551.20 to support that office.

This bill asks for a moderate increase for recordings done by that office. It was said on the floor of the House the last time this bill was debated that there was a doubling of a fee for a deed or mortgage. After some research it is only adding a dollar for the average deed or mortgage costs four dollars to record. Other fees in this bill, organization of corporations at the county level are asking for an increase from five to eight dollars, and I found out if you do it at the state level through the office of the Secretary of State it costs fifteen dollars. Now since we have laid down the county taxes for the biennium we have seen in the newspapers comments about rising costs of county government. I firmly believe that if this bill is passed that all registers of deeds' offices will become self-sustaining, for the person who will use the service will pay for it. Therefore, Mr. Speaker and ladies and gentlemen of the House, I now move that we pass this bill to be engrossed.

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

Mr. FARRINGTON: Mr. Speaker, Ladies and Gentlemen of the

House: I merely would like to concur with the gentleman from Lewiston, Mr. Cote. I think that those who dance must pay the fiddler. In this case, it seems to be only an increased fee consistent with the day and age. Therefore, I would move that it be passed to be engrossed.

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

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

Bill, "An Act relating to Tuition for Students Attending Secondary School Outside of Residence." (S. P. 335) (L. D. 1080) (C. "A" S-77)

Tabled—April 6, by Mr. Levesque of Madawaska.

Pending—Motion of Mr. Gilbert of Turner to suspend rules for purpose of reconsideration.

Mr. Gilbert of Turner withdrew his motion to suspend the rules for the purpose of reconsideration.

Mr. Levesque of Madawaska offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 335, L. D. 1080, Bill, "An Act Relating to Tuition for Students Attending Secondary School Outside of Residence."

Amend said Bill, in the 4th sentence from the end, by striking out the underlined words "**from bond issues**"

Further amend said Bill by inserting after the 3rd sentence from the end the following:

'Any unit which receives state or federal funds as school construction aid under Title 20, section 3518, shall have such amounts deducted from the allowable insured value of buildings and equipment in the tuition computation.'

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

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

DIVIDED REPORT—Majority (6)—“Ought to pass”—Minority (4)—“Ought not to pass”—Committee on Industrial and Recreational Development on Resolve, Proposing an Amendment to the Constitution Pledging Credit of State for Guaranteed Loans for Recreational Purposes. (H. P. 582) (L. D. 774)

Tabled—April 6, by Mr. Levesque of Madawaska.

Pending—Motion of Mr. Fortier of Waterville to accept Majority “Ought to pass” Report.

The **SPEAKER** The Chair recognizes the gentleman from Augusta, Mr. Katz.

Mr. **KATZ**: Mr. Speaker, Ladies and Gentlemen: L. D. 774 is part of the one, two, three punch which developed out of the Governor's select committee on the state's credit research. This was an unusual committee. It was comprised of the Chairman of the Dead River Company, the Commissioner of the Department of Economic Development, the President of the Central Maine Power Company, the President of the Depositors Trust and indeed a very distinguished panel of community leaders. They studied the question of the financial needs of the Maine community in the field of industrial development. They came up with the finding that recreation is the most important economic activity in the State of Maine. They also came up with a finding that there just is not adequate investment capital to expand the recreational development of the state at a proper rate.

This constitutional amendment was bi-partisan in support. It was sponsored by myself and by the distinguished barrister from Old Orchard Beach, Mr. Danton, and if indeed Maine is to live up to its exciting image as a four-season vacationland, if indeed we are not presently attracting adequate investment capital, this bi-partisan measure warrants your full support. It is state-wide in its appeal; it is financially sound in its approach; it is exciting in its implications, and it cries out for a fresh, forward-looking approach for the attraction of investment capital, and I hope that you support the

Majority “Ought to pass” Committee Report.

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

Mr. **LITTLEFIELD**: Mr. Speaker, Ladies and Gentlemen of the House: I was sent here to represent the people, the taxpayers of Hampden and Newburg. I do not represent a bank nor a recreational facility, and I shall oppose not only this bill, but all bills of this nature.

Now guaranteeing a loan for a recreational facility is entirely different from guaranteeing a loan for an industrial project, and I debated that point yesterday. This bill would have the taxpayer guarantee loans up to ten million dollars. With the recreation business in Maine being what it is, I believe the banks can make loans without the taxpayers guaranteeing all the money, and I would urge you to vote against the ought to pass report of this bill.

The **SPEAKER**: The Chair recognizes the gentleman from Old Orchard Beach, Mr. Danton.

Mr. **DANTON**: Mr. Speaker, Ladies and Gentlemen of the House: I too am here representing the people, and for that reason I am in wholehearted favor of this bill. The reason I am in favor of it, I would like to substantiate my position based on figures and not on conjecture and innuendo.

Yesterday, I went to the Department of Finance and Administration, and the Bureau of Accounts and Controls gave me a financial report which is available to any member of the House. I have always had the feeling that this state of ours is a farming state, it is a rural state and it is a recreational state. Geographically, we are not located so that we are able to entice or attract heavy industry. I think that we are being very unrealistic when we dream about getting General Motors, Ford, General Electric here in this state. The industries that we have here today belong here, and we should concentrate toward their expansion, toward their improvement. The paper mills belong here, boat building plants belong here, and the textile industry belonged here

at the turn of the century when we had a vast labor pool, when we had hydro-electric power available to them. But today the facts and figures will show that industry does not consider the State of Maine as being well geographically located in order for them to come here.

Now going through this book that I received yesterday from that department, I would like to point out in answer to the gentleman from Hampden, Mr. Littlefield, whom I have great respect for, that the state received \$40,779,000 from sales and use tax; from corporations they received \$495.00. Now if we are really interested about the taxpayer, we know where the state receives the amount of money that we here in the Legislature can allocate for the needs of our people. Now why did I pick out the sales and use tax? I picked it out because a great percentage of the sales and use tax is being derived from the tourist industry through the form of sales and use tax. I am not including the gasoline tax and other taxes, the cigarette tax, for example. I am only going on the sales and use tax and that is enough to make my point clear.

With the \$40,000,000 that we received from the sales and use tax, plus the \$46,000,000 that we receive from the federal government, we are able to maintain our operating funds in this state. All the other taxes combined, by this I mean taxes that are not dedicated to the highway department, combined, don't equal the money that we derive from the sales tax, and I have here today with me a report from the Sales Tax Division. In August of 1964 we received, our department received \$18,549,000 of taxable sales. Comparing it with November of 1964, I tried to get an off season report, eating, drinking and lodging places brought in \$5,000,000; that means that we dropped thirteen million dollars between the two months. This wasn't enough. I felt that I should have more comparison. July of 1964, the state realized from eating, drinking and lodging places another \$16,000,000. Dur-

ing the month of February, an off season, we realized four million dollars, another drop of twelve million dollars in one month of taxable sales.

I think that that indicates that our source of revenue today is from the tourist industry and not from the industrial industry. I think that we should encourage our industrial industry as much as we can. I think that it was wrong for us to put the Maine Industrial Building Authority before the Recreational Authority. We are in the recreational business and we are well located for the recreational business. This is our place where we get our most revenue, and the Governor, I felt, in his message, took a bold step forward in proposing that we develop this authority, and I am in full favor of this, and I urge you all to accept the Majority Report.

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

Mr. FORTIER: Mr. Speaker, Ladies and Gentlemen of the House: I merely want to call your attention to the committee report, if you will notice, it was nine ought to pass and one ought not to pass, so I will leave the further debate of this bill to the co-sponsors, Mr. Danton from Old Orchard and Mr. Katz from Augusta. Thank you.

The SPEAKER: May the Chair correct the gentleman. The Committee Report was six ought to pass and four ought not to pass.

Mr. FORTIER: I am sorry, Mr. Speaker, I was looking at item eleven, I stand corrected.

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

Mr. COTTRELL: Mr. Speaker and Ladies and Gentlemen of the House: Since that Report has changed scores here, it has given me courage to get up here to speak. I think we all realize that all the states are trying to find a way to pay their increasing costs in education through the population growth and trying to cut down

their welfare costs by getting more jobs perhaps, and economically I think we all realize that we have three objectives: one, to attract more industry; two, to hold what industry we have, and number three, to develop our great natural resources.

I can agree with our representative from Old Orchard Beach. In the Christian Science Monitor last week it gives a little review of what other states are doing to compete for industry, and I agree with him because I think it is going to be too long in the future before we have too much industrial development in this state. Here is Governor Warren D. Knowles of Wisconsin announcing the appointment of a high level task force to scour the country for industry. Governor Otto Kerner of Illinois has made personal calls on industrialists in all the states in the mid-west. James A. Rhodes, Ohio's Governor, has made industrial development his whole program. Governor Roger D. Branigin of Indiana asks for funds to establish a liaison office in Washington, as did Governor Romney.

There are 10,000 agencies in this country competing for the one to two hundred new plants or the expansion of plants which might move somewhere. Here in the paper it is filled with advertisements of places to travel in Europe and Mexico and California. People can go many, many other places besides Maine, and I think that this is our greatest industry that we can develop, the recreational industry, and we will have to work very hard to develop that with all of the competitive advertisements, the rapid means of travel where people can go to Europe on the installment plan, buy a car on the installment plan without paying taxes, and I think this is a minimum step for this state to take if we are going to get more income here to do the things that we know we have to do, and so I should hope that this bill would go flying through this House quickly, and with great support.

The SPEAKER: The Chair recognizes the gentleman from Milbridge, Mr. Kennedy.

Mr. KENNEDY: I can't help but admire, ladies and gentlemen, the able and masterful presentation of the sponsors of this bill this morning, so I have little to do but report to you that this is of course in the Governor's message to you at the convening of the 102nd Legislature. And he says thus: "There exists a particular need for greater recreational planning services in Maine. We have but opened the door on this most important economic activity. The success we achieve in realizing the full potential of the state's recreational assets depends in large measure on how well we plan for the future.

"To stimulate the development of large recreational projects additional credit will be necessary. I recommend the creation of a Maine Recreation Authority to provide first mortgage loan guarantees for recreational enterprises.

"Legislation will be introduced to empower this Authority to extend the credit of the state to those projects that will generate widespread economic benefit.

"The loan authority limit will be set at \$10,000,000 and the minimum individual guarantee will be \$350,000. The Authority will provide one hundred percent guarantees on loans covering not more than seventy-five percent of the total cost of a single project."

Ladies and gentlemen, you fully realize my record relative to bonding and indebtedting the State of Maine, but the history of such projects throughout this nation has proven very successful. I don't have the figures; I am not prepared to debate this, because this was left to the sponsors of the bill, but I think you will find in the states of California, Florida and Arizona where such authorities are in existence, that the returns have been overwhelmingly in favor of such legislation.

The SPEAKER: The question before the House is on the motion of the gentleman from Waterville, Mr. Fortier, that we accept the Majority "Ought to pass" Report

on Resolve Proposing an Amendment to the Constitution Pledging Credit of State for Guaranteed Loans for Recreational Purposes, House Paper 582, L. D. 774. All those in favor of accepting the Majority "Ought to pass" Report will say aye; those opposed, no.

A viva voce vote being taken, the motion prevailed, the Resolve read once and assigned for second reading the next legislative day.

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

DIVIDED REPORT — Majority (9)—"Ought to pass"—Minority (1)—"Ought not to pass"—Committee on State Government on Bill, "An Act to Authorize a Bond Issue for Purchase of Voting Machines for Resale to Municipalities." (H. P. 546) (L. D. 768)

Tabled—April 6, by Mr. Danton of Old Orchard Beach.

Pending — Motion of Mrs. Wheeler of Portland to accept Majority "Ought to pass" Report.

The **SPEAKER**: The Chair recognizes the gentleman from Harrison, Mr. Pitts.

Mr. **PITTS**: Mr. Speaker, Ladies and Gentlemen of the House: Our State Government Committee has always been pretty conservative, but they happened to have a liberal day evidently when we heard this bill, and it came out of committee nine to one, ought to pass, which surprised me very much. I was the one that signed the "ought not to pass" Report. I have been asked a good many times why I signed this as I did. Well, I don't think it is a good bill and a bill that is not necessary at this time and the state shouldn't get into this particular branch of the bondedness. We have got plenty of large bonds to float here later on, and it is my opinion that if L. D. 774 should pass, sooner or later there will be another bureau set up, that will mean a high-salaried man at the head of that, and he will have to have a secretary, and now in these state offices they can't do anything without a filing clerk; that means three help and an office, and when the 103rd rolls around they are going to come in here and ask for

\$25,000 or \$30,000 extra money. I don't think it is a bill that is very urgent at this time and we could very well get along without it. Thank you.

The **SPEAKER**: The Chair recognizes the gentleman from Ellsworth, Mr. Anderson.

Mr. **ANDERSON**: Mr. Speaker, Ladies and Gentlemen of the House: I wonder if we all realize the implications of this bill as the gentleman from Harrison, Mr. Pitts has stated. This bill will simply open the door for another costly ever-expanding bureau. If municipalities want voting machines, they can get just as good a deal from the local banks as they can from the state. We are encroaching too much on private enterprise. It is high time that we let our people do a little thinking for themselves. We are already in the real estate business and in the television business. Let's not go into the banking and wholesale and retail business. Mr. Speaker, I now move indefinite postponement of this bill.

The **SPEAKER**: The question before the House is on the motion of the gentleman from Ellsworth, Mr. Anderson, that this bill and its accompanying papers be indefinitely postponed.

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

Mr. **BUSSIERE**: Mr. Speaker, Ladies and Gentlemen of the House: I wholeheartedly will support this motion for indefinite postponement. I have good reason for it, and I would like to speak briefly on it.

I have a copy of an article that was reproduced from the Reader's Digest of September, 1964, and you had a copy on your desk this morning and some last week, and I guess you have enough information on this bill that—enough to prove that we want to do away with these one-armed bandits. I would like to read the first part of this reproduction from the Reader's Digest there. "In the 1960 Presidential election, there was an early turnout of voters in the City of Chicago Precinct One. By 10:15 a.m., the voting machine showed 121 ballots cast. Poll

watchers, however, had counted only 43 voters."

A few years ago if you remember as well as I do, they passed a bill to outlaw those one-armed bandits. This is just as bad, Mr. Speaker and Members of the House, and I don't believe in the state having to float a bond issue using the taxpayers' money, paying interest, to buy voting machines, they have no business letting the municipalities to buy the voting machines they want to. Why should the state force you to buy a voting machine? That's going too far. We don't want voting machines.

I have another quote here that will prove to you, it says here: "Sometimes, dishonest precinct workers cast a substantial number of votes before the polls even open." That's a good deal isn't it? They put a tape on the —and even if you vote all day they won't be even registered, and in Chicago, which I am very familiar with, I lived there four years, and I was in Chicago two years after the last Presidential election. They had about 200 precinct workers in court, but the politicians weren't able to whitewash that thing, and I hope that you agree with me and vote this bill, vote for the indefinite postponement of this bill.

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

Mr. JALBERT: Mr. Speaker, there must be a little levity to everything. The good gentleman from Lewiston, Mr. Bussiere, talks about politicians. Being an alternate from the City of Lewiston and a member of the Legislature here, I wonder if he calls himself a cribbage player.

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

Mr. ROSS: Mr. Speaker and Members of the House: I rise in opposition to the motion to indefinitely postpone this legislation. We certainly are not trying to force voting machines on any municipality, and most certainly we have no intention of creating another bureaucracy. We are just trying to help towns who them-

selves want to procure the machines.

I have read with interest the article reproduced from Reader's Digest and distributed to each legislator last Friday. This was done at the direction of a legislator from the other body, and it was entitled "Let's Make this an Honest Election." I think that the timing is quite good on the redistribution of this this morning. It was passed to you about five minutes ago.

I notice that many persons and groups are always quoting from this periodical with the suggestion that we legislate accordingly. I also find it an interesting magazine, but not necessarily quid pro quo and the authority on all things. Furthermore, it was printed last September as a warning against dishonest politicians and their probable shenanigans in the upcoming election. It was not necessarily a treatise against the machines themselves.

In the entire four pages of this they only mentioned two specific examples of actual machine error due to manipulation. They did list three different ways in which the machines could be rigged. They also listed six examples of dishonesty at the precinct worker level. In other words, most of these things could have been done anyway and probably even more so with paper ballots. However, we would first have to admit that we have a real problem concerning dishonesty and fraud. This may be the case in some large metropolitan areas, but I for one am not willing to concede that this situation exists in Maine.

I believe that the key sentence in the aforementioned article is found in the middle of the first page. It is as follows, "Voting machines run by honest people can be fraud proof, but any machines in the hands of crooks is not." I feel that a negative vote today would be an admission of something that I, for one, do not believe exists in Maine.

Two years ago, the Secretary of State spoke in favor of a similar bill before committee. This year the Deputy Secretary of State

speaking in behalf of the Secretary, expressed his opinions in the same manner. As you may realize, these two Secretaries have different political leanings. This legislation today is co-sponsored by a legislator from Portland and me! Not only are we of different political parties, but we are even of different gender. I refer to the charming lady from Portland, Mrs. Wheeler.

Please bear in mind that we are not trying to force machines on any community. This is only permissive legislation so that any municipality wishing to purchase these units can do so at a great deal cheaper than they could on their own. Furthermore, they do not have to make a lump sum payment, but can amortize them over a period of 20 years. The cost to the state would be negligible since the towns would eventually pay for their own machines. If the voters approve of this plan in referendum, the mechanics will be simple. Any city or town wishing to make a purchase would only contact the Secretary of State or State Treasurer and indicate the number of machines desired. In this manner from time to time the state would purchase machines in quantity lots at a sizeable discount which would accordingly be passed on to the town concerned. In the final analysis this is not an extravagant expenditure of funds, but only a method of reducing local costs in the purchase of this specific item if desired by the community, and I hope the House does not go along with the motion to indefinitely postpone.

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

Mr. BUSSIERE: Mr. Speaker, I don't agree with the gentleman from Bath, Mr. Ross, although he found my information very interesting. He read a good part of it. I don't think that Mr. Ross of Bath thinks that voting machines are good. I would suggest that he sell the idea to the city council in Bath, but as for us there, I don't believe in this bill at all. I can't see why the state should go into the expense of floating a bond

to buy voting machines. They are floating enough bonds now, you don't know which way to go. The trouble will be to find the money, and I urge the members of this House to kill this bill.

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

Mrs. WHEELER: Mr. Speaker and Ladies and Gentlemen of the House: This, of course is just permissive legislation. It is presented primarily so that cities and towns desiring the voting machines can purchase them inexpensively. If this legislation receives approval of the voters, any municipality may purchase these machines at cost from the State and pay for them over a period of twenty years. The law will be administered by the office of the Treasurer of State under the direction of the Governor and Council. It would cost the State of Maine little or nothing to administer. Only cities and towns which purchase voting machines after local referendum will assume any liability. The entire bond limit of \$1,526,000 would only be needed if every city and town in the state decided to purchase machines. Towns with under one thousand registered voters would not need voting machines.

There are several advantages to this method of conducting an election. The state would save approximately \$35,000 at each election in printing and transportation costs alone. The recount situation, with its high cost to candidates, would be greatly reduced. A voting machine makes it impossible for a voter to spoil his ballot. One of the great advantages is the immediate return of voting results. Furthermore, this of course eliminates the cost of extra help in counting votes. The count is always accurate. The only exception to this would be an error in copying the results from the machine itself. There is no possible way to alter either the voter's intent or the total results.

In summary, it is felt that there are a great many advantages in the utilization of voting machines and this law would enable municipalities to purchase them at a

very reasonable price if they so desire. I urge you to support this bill.

The SPEAKER: The Chair recognizes the gentleman from Ellsworth, Mr. Anderson.

Mr. ANDERSON: Mr. Speaker and Ladies and Gentlemen of the House: I still contend that municipalities can get just as good a deal through their local banks as they can through the state. Mr. Speaker, when the vote is taken, I move it be taken by division.

The SPEAKER: The Chair recognizes the gentleman from Milbridge, Mr. Kennedy.

Mr. KENNEDY: Mr. Speaker and Ladies and Gentlemen of the House: I have the highest respect for the sponsors of this bill. I am sure that their motives are of the highest intent, and I am reluctant to follow the remarks of my eloquent friend from Lewiston, Mr. Bussiere, but I agree with him this morning. I have no quarrel with electronic computers. I think they are a wonderful piece of machinery.

This bill I think has been before this body at least three times and gone down to defeat at least three times, so it is really an old shoe. I hope the record won't be spoiled by passing this legislation today.

Voting machines are a wonderful implement. They are used in many communities throughout the state. I don't believe there is any falderal or crooked works in the mechanics of the counties. My only argument against this proposal this morning is the argument I have used in the past two or three sessions, and that is in effect this, that I am reluctant to see small communities look to the state government as the paternalistic father of all. I fear that the time is coming and coming soon when each community will be asking the state to provide wheelbarrows and shovels for workmen on the road. This is a step in that direction.

As has been pointed out by my colleague from Ellsworth, Mr. Anderson, the state need not be in the banking business for a small thing like a voting machine for our

municipalities. My bank would be delighted to loan money and we loan money probably as cheaply as the State of Maine because banks, of course you know, do not impose the rate of interest on a municipality because the revenue from that is free from taxation. Therefore, ladies and gentlemen, if the municipalities need voting machines, let's allow them to go through the normal process of going to the banks and borrowing the money to purchase same.

I have been a selectman of a small municipality and I know sometimes how irresponsible the officers of a community and sometimes the annual town meetings can become irresponsible. It so happens in small municipalities as it happens in the State of Maine House of Representatives, we will argue perhaps for days over a minor sum of a half a million dollars but when it comes to ten million it passes through. I voted for a ten million dollar bond issue because I felt and I do consider that you will get good returns on that ten million. I don't believe you will get as a state returns on bonding for voting machines sold to municipalities. I don't believe this is good. I think it is bad legislation. It was bad legislation in the 99th, the 100th and the 101st. I hope it will be bad legislation for the 102nd. I support the motion to indefinitely postpone.

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

Mr. EDWARDS: Mr. Speaker, Ladies and Gentlemen of the House: I rise to defend the committee majority report. We heard this bill. We heard the opposition to it in committee. We heard many of the same arguments you have heard here today. It became obvious to us that this was not a gift to the cities and towns. We are not supporting the cities and towns. We are simply enabling the cities and towns to purchase something at a lower rate than they would normally have to pay. It isn't costing the state money. It isn't going to create a new bureau or a new department. This

allegation is ridiculous. I think it's a shame that the bureau of voting machines has to be attacked before it's even in existence. It isn't going to exist.

There is another thing that we seem to be blithely overlooking here and this is the fact that one of the greatest problems facing us here in this Legislature and this state as a whole is our local tax problems. And it seems to me that it is not our right, but our duty, to keep these taxes at a minimum. This is one way we can do it, simply by buying in quantity.

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

Mr. KATZ: Mr. Speaker and Ladies and Gentlemen of the House: Very briefly, I was one of the scallywags too, who came out with a nine to one report. And it is always a privilege to hear a dissertation on good government from the gentleman from Milbridge, Mr. Kennedy, and I think he succeeded in clearing the air that this is not a question as to whether these machines are good or bad. I don't think there is any question. They are good. And yet I support the gentleman from Bath, Mr. Ross, in his bill and hope that you will pass it. Augusta has had voting machines for some years now and as a coincidence I look across the hall and see the Chairman of the Democratic City Committee from Augusta, my good friend, Mr. Dumont, and I am the Chairman of the Republican Committee, and between us neither of us have ever figured out a way to beat the system, to take advantage of these good machines. But anything that helps good government, I think we should be for, anything that helps good government. Voting machines give better government. They take away the air of doubt on election day. And believe me, they do it very successfully. And if we can help good government by encouraging the communities, encouraging them, not forcing them, encouraging the communities to get voting machines without cost to

the state this looks like a free ride and I am all in favor of the bill.

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

Mr. ROSS: Mr. Speaker, Members of the House: I am neither for or against voting machines, but I am against bonding the state and putting the state in the voting machine business. Now, as my good friend from Augusta, Mr. Katz, just said, he thinks it's a good idea for the state to back them, but how about fire engines? Every community needs a fire engine. Is the state going to get in the fire engine and the police car business? That's the objection that I have to this bill.

The SPEAKER: The Chair recognizes the gentlewoman from Bangor, Mrs. Ruby.

Mrs. RUBY: Mr. Speaker and Ladies and Gentlemen of the House: I was called upon at the last election to witness a recount of a particular section of our city and I was amazed at the number of spoiled ballots that could not be counted because it could not be determined as to the intent of the voter. The voting machine, as I see them in operation, is foolproof. The voter, if he wants to change his mind, can do so and not spoil the ballot. Everything is uniform and neat. The X is in the proper place beside the proper name and there can be no doubt as to the intent of the voter.

Now, in regards to money and borrowing money, it is my understanding that the banks would charge a rate of six percent and the state can borrow money for two and three quarters percent. I therefore would be in favor of this bill.

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

Mr. LUND: Mr. Speaker, Ladies and Gentlemen of the House: I rise in support of the motion for indefinite postponement, but not because I lack faith in the voting machines or because I lack faith in the workers at the polls. I was on the city council here in Augusta when we first purchased the ma-

chines and we followed an interesting procedure. We didn't buy them for the whole city. We bought enough machines for one ward only. They were so successful and well received in Ward 4 that rather than lose them and have them shifted to another ward, the following year the city voted to buy machines all around.

It seems to me that this is an area where the state ought not to be, in the merchandising business, for this reason. This is an item which does not have to be bought on credit. The idea of bonds, basically, it is used where the item purchased involves a large capital expenditure. This isn't so with voting machines. It is true that if you buy all the machines at once it is a big item. But at \$1500 a piece the town that wants them can certainly buy them on a cash and carry basis. And it seems unnecessary to use credit in the situation and I feel that the state should not get into this area of credit.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Bussiere, who requests a third time to address the House. Is there objection? The Chair hears none, the gentleman may proceed.

Mr. BUSSIERE: Mr. Speaker, Ladies and Gentlemen of the House: For once I want to compliment the gentleman from Milbridge for agreeing with me. I think he is a gentleman. He is more or less like myself. When he sees a good piece of legislation he can tell the difference. A few weeks ago he even saved my life. You see he is even better than a chiropractor, he got me on my feet. I want to thank him very much.

And speaking about this bill again, in Lewiston we are not too well off. We prefer the old-fashioned way which is the honest way and if Mr. Ross would like to amend this bill to restrict it to the City of Bath, I will go along with him, but I don't believe in having any super-salesmen coming to Lewiston and try to tell us how good those voting machines are. They are no good. And no one is

going to sell me a voting machine because I chased one of the salesman out of the council room once. Thank you very much, Mr. Speaker.

The SPEAKER: The Chair recognizes the gentleman from Milbridge, Mr. Kennedy.

Mr. KENNEDY: Mr. Speaker, Members of the House: For fear there might be some misunderstanding by a statement that has been made on the floor of the House relative to interest rates of banks to municipalities and cities in the State of Maine, I would like to clarify that to the point of saying this, that I have known the City of Bangor to loan money for one plus percent. Of course, this was large loans. Now the officers of my bank, which is a small bank, loan to municipalities at the rate of three percent. In extenuating circumstances they even lowered this to two and a half. So I don't think there is much problem in municipalities obtaining voting machines if they desire them and if they haven't exceeded their debt limit. That is the reason, the only reason, that I am opposed to this method of purchasing voting machines to go to municipalities. As has been pointed out, how far is the state going? Are we going to bond to purchase fire engines, trucks and other equipment? I have no opposition, ladies and gentlemen, to voting machines. I think they are a wonderful gadget, but I do oppose this measure.

(Off the record remarks)

The SPEAKER: The question before the House is on the motion of the gentleman from Ellsworth, Mr. Anderson, that this Bill, "An Act to Authorize a Bond Issue for Purchase of Voting Machines for Resale to Municipalities," H. P. 546, L. D. 768, and its accompanying papers be indefinitely postponed and he has requested a division.

All those in favor of this bill and its accompanying papers being indefinitely postponed will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Eighty-seven having voted in the affirmative and thirty-one having voted in the negative, the motion prevailed.

Sent up for concurrence.

On motion of Mr. Anderson of Orono

Adjourned until Friday, April 9, at nine-thirty o'clock in the morning.