

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

Thursday, May 13, 1965

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

Prayer by the Rev. Mr. Ondon Stairs of Augusta.

The journal of yesterday was read and approved.

Mr. Levesque of Madawaska was granted unanimous consent to address the House briefly.

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I ask unanimous consent that unless previous notice is given to the Clerk of the House by some member of his or her intentions to move reconsideration, the Clerk will be authorized today to send to the Senate, thirty minutes after the House recesses for lunch and also thirty minutes after the House adjourns for the day, all matters passed to be engrossed in concurrence and all matters that require Senate concurrence, and that after such matters have been so sent to the Senate by the Clerk no motion to reconsider shall be in order.

The SPEAKER: Is there objection to this being the procedure of the House? The Chair hears none, it shall be.

Conference Committee Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act to Authorize a Bond Issue for Purchase of Voting Machines for Resale to Municipalities" (H. P. 546) (L. D. 768) reporting that they are unable to agree.

(Signed)

- PITTS of Harrison
- BUSSIÈRE of Lewiston
- KENNEDY of Milbridge
- Committee on part of House.
- STERN of Penobscot
- MAXWELL of Franklin
- WILLEY of Hancock
- Committee on part of Senate.

Report was read and accepted and sent up for concurrence.

**Papers from the Senate
Senate Reports of Committees
Leave to Withdraw**

Report of the Committee on Towns and Counties on Bill "An Act Increasing Salaries of Certain County Officers of Waldo County" (S. P. 273) (L. D. 821) reporting Leave to Withdraw, as covered by other legislation.

Came from the Senate read and accepted.

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

Final Reports

Final Reports of the following Joint Standing Committees:

- Agriculture
- Welfare

Came from the Senate read and accepted.

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

Non-Concurrent Matter

Bill "An Act relating to Uniforms for Deputy Sheriffs" (H. P. 260) (L. D. 330) which was indefinitely postponed in non-concurrence in the House on April 14.

Came from the Senate with that body voting to insist on its former action whereby the Bill was passed to be engrossed as amended by Committee Amendment "A", and asking for a Committee of Conference.

In the House: On motion of Mr. Crommett of East Millinocket, the House voted to recede and concur with the Senate. (Later Reconsidered and Tabled)

Non-Concurrent Matter

Bill "An Act Reactivating the Governor's Committee on Children and Youth" (H. P. 387) (L. D. 500) which was passed to be engrossed as amended by Committee Amendment "A" in the House on May 4.

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

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

Non-Concurrent Matter Tabled and Assigned

Bill "An Act relating to Payment by Dealers to Producers for Milk Purchased" (H. P. 1037) (L. D. 1408) which was passed to be engrossed as amended by House Amendment "A" in the House on March 26.

Came from the Senate with House Amendment "A" indefinitely postponed and the Bill passed to be engrossed in non-concurrence.

In the House: On motion of Mr. Levesque of Madawaska, tabled pending further consideration and specially assigned for tomorrow.

Non-Concurrent Matter

Bill "An Act relating to Inspection of Certain Farm Trucks" (H. P. 1104) (L. D. 1508) which was passed to be engrossed in the House on May 5.

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

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

Orders

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

Mr. LEVESQUE: Mr. Speaker, I would inquire if the House is in possession of Senate Paper 371, Legislative Document 1138, Bill "An Act relating to Operation of Motorcycles While Learning to Drive."

The SPEAKER: The Chair would answer in the affirmative.

On motion of the same gentleman, the House voted to reconsider its action of yesterday whereby it receded and concurred with the Senate.

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

Mr. LEVESQUE: Mr. Speaker, I now move that we recede, adopt Senate Amendment "B" and pass the bill to be engrossed as amended by Senate Amendment "B" in non-concurrence.

The SPEAKER: The gentleman from Madawaska, Mr. Levesque, now moves that we recede from our former action, concur with the

Senate in the adoption of Senate Amendment "B" in non-concurrence. Is this the pleasure of the House?

The motion prevailed.

House Reports of Committees Leave to Withdraw

Mr. Bishop from the Committee on Appropriations and Financial Affairs on Bill "An Act Providing for the Study of a State Building Code and Anti-Shack Statute" (H. P. 185) (L. D. 240) reported Leave to Withdraw.

Mr. Peaslee from the Committee on Health and Institutional Services reported same on Bill "An Act relating to Relatives' Financial Responsibility to Recipients of Aid to the Aged, Blind or Disabled" (H. P. 626) (L. D. 833)

Mr. Berman from the Committee on Judiciary reported same on Resolve Authorizing Donald J. Donovan to Bring Civil Action Against State of Maine (H. P. 501) (L. D. 654)

Mr. Richardson from same Committee reported same on Bill "An Act relating to Persons Summoned for Violation of Motor Vehicle Laws" (H. P. 919) (L. D. 1247)

Mr. Knight from the Committee on Natural Resources reported same on Bill "An Act Prohibiting Pollution of Waters Used by Atomic Plants" (H. P. 528) (L. D. 702)

Reports were read and accepted and sent up for concurrence.

Ought Not to Pass

Mr. Cressey from the Committee on Health and Institutional Services reported "Ought not to pass" on Bill "An Act relating to Board of Visitors for Institutions under Department of Mental Health and Corrections" (H. P. 798) (L. D. 1075)

Report was read and accepted and sent up for concurrence.

Tabled and Assigned

Mr. Haugen from the Committee on Health and Institutional Services reported "Ought not to pass" on Bill "An Act relating to Transfer of Incurables from Training Centers to Reformatories" (H. P. 475) (L. D. 628)

Report was read.

(On motion of Mr. Haugen of South Portland, tabled pending acceptance of Committee Report and specially assigned for Thursday, May 20.)

Mr. Brennan from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act relating to Requests for Information from Filing Officer under the Uniform Commercial Code" (H. P. 962) (L. D. 1297)

Report was read and accepted and sent up for concurrence.

**Ought to Pass in New Draft
New Drafts Printed
Tabled and Assigned**

Mr. Baldic from the Committee on Health and Institutional Services on Bill "An Act relating to Application to Municipalities for Support of Indigent Dischargees from the Pineland Hospital and Training Center" (H. P. 476) (L. D. 629) which was recommitted, reported same in a new draft (H. P. 1126) (L. D. 1536) under same title and that it "Ought to pass"

Report was read.

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

Mr. HUNTER: Mr. Speaker, I move for the indefinite postponement of this bill and all its accompanying papers and I wish to speak on that motion.

The SPEAKER: The question before the House now is the motion of the gentleman from Clinton, Mr. Hunter, that this bill and its accompanying papers be indefinitely postponed and the gentleman may proceed.

Mr. HUNTER: Mr. Speaker, Ladies and Gentlemen of the House: This is the bill that I had recommitted to the committee some time back. They held the second hearing and there was a lot of opposition to this bill. They sent it out in a redraft, but the redraft has done nothing to help the bill out. All you have to do is contact your overseer of the poor or your town or city managers and they will tell you how dangerous this bill is to the towns and cities. As the

sponsor of this bill is not here I would be in hopes that someone would table this for a later date.

Thereupon, on motion of Mr. Baldic of Waterville, tabled pending the motion of the gentleman from Clinton, Mr. Hunter that the bill and its accompanying papers be indefinitely postponed and specially assigned for Friday, May 21.

Tabled and Assigned

Mr. Ealdic from the Committee on Health and Institutional Services on Bill "An Act relating to Practical Demonstrations Without Fee in Schools of Hairdressing and Beauty Culture" (H. P. 804) (L. D. 1096) reported same in a new draft (H. P. 1127) (L. D. 1537) under same title and that it "Ought to pass"

Report was read.

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

Mr. POULIN: Mr. Speaker and Ladies and Gentlemen of the House: This bill, I am aware, reading it, trying to understand it, doesn't really make sense. They say you can charge for the supplies or materials that you use, but you can't charge for the service rendered. Now these pupils that go to these schools pay a nominal fee, a tuition fee, and under this bill the fee would have to be raised about double. And a lot of the girls would not be able to afford the money. And the fee they charge for this demonstration is very nominal.

Any person who has to learn the job, on the job training, has to sacrifice a certain amount. I got my training that way under the GI. Now how much my employer, my instructor got, I don't know and I am not interested. I don't believe these girls feel that way. They feel that if they can get through their course and be able to pass their examinations, state examination, and get their license to operate to be employed by another operator, that that is all they are looking for.

Now I understand this bill here, they tried to make it feel good, sound good and look good, but it

does not help these, well, I should say people that can't go any further than learning a job on the job training. They can't go to an accounting school because they probably couldn't pass the scholastic requirements. Therefore, I hate to move for indefinite postponement. But I guess I will have to the way I feel. I move for indefinite postponement.

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

Thereupon, on motion of Mr. Gaudreau of Lewiston, tabled pending the motion of the gentleman from Skowhegan, Mr. Poulin, that this bill and its accompanying papers be indefinitely postponed, and specially assigned for Tuesday, May 18.

On motion of the gentlewoman from Winthrop, Mrs. Baker, House Rule 25 was suspended for the remainder of today's session in order to permit smoking.

Ought to Pass Printed Bills

Tabled and Assigned

Mrs. White from the Committee on Health and Institutional Services reported "Ought to pass" on Bill "An Act Defining Nursing Home under Health and Welfare Laws" (H. P. 688) (L. D. 925)

Report was read.

(On motion of Mrs. White of Guilford, tabled pending acceptance of Committee Report and specially assigned for Thursday, May 20.)

Mr. Bishop from the Committee on Judiciary reported "Ought to pass" on Bill "An Act relating to Construction and Operation of Intrastate Natural Gas Pipelines" (H. P. 845) (L. D. 1146)

Report was read and accepted, the Bill read twice and tomorrow assigned.

Divided Report

Majority Report of the Committee on Appropriations and Financial Affairs on Resolve Authoriz-

ing the Establishment of a Residential and Day School for the Mentally Retarded in Northern Maine (H. P. 452) (L. D. 606) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. BROWN of Hancock
HARDING of Aroostook
DUQUETTE of York
— of the Senate.

Messrs. HEALY of Portland
BISHOP of Presque Isle
BRAGDON of Perham
ANDERSON of Orono
JALBERT of Lewiston
— of the House.

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

Report was signed by the following members:

Messrs. DUNN of Denmark
BIRT
— of East Millinocket
— of the House.

Reports were read.

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

Mr. HEALY: Mr. Speaker and Ladies and Gentlemen of the House: I move that we accept the majority report.

The SPEAKER: The gentleman from Portland, Mr. Healy, now moves that we accept the Majority "Ought to pass" Report.

The Chair recognizes the gentleman from Denmark, Mr. Dunn.

Mr. DUNN: Mr. Speaker, Members of the House: This bill calls for the establishment of another institution like Pineland. We are having difficulty supporting Pineland as we should and that was my reason for opposing this. I request a division.

The SPEAKER: The gentleman from Denmark, Mr. Dunn, requests a division.

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

Mr. BISHOP: Mr. Speaker, Ladies and Gentlemen of the House: This program that is contemplated here arose out of the efforts of a group of people in northern Aroos-

took County, who have had this problem and who for many years undertook, themselves, to establish a training center and originally staffed it with volunteer help, trained themselves to cope with the problem and have earned the respect and commendation of the professionals in the fields. This is an existing institution using presently the site of the former Northern Maine Sanatorium in Presque Isle. This request is for a pilot program to implement this for live in care. It has been limited so far to day care and the department would like to see it done. I think that they feel if this is successful that similar projects could be used in other areas of the state, rather than putting all these unfortunates in one institution such as Pineland that they could be spread out over the state where they could be under the constant care and affection if you will of their relatives. And I hope that you accept the majority report.

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from Portland, Mr. Healy, that we accept the Majority "Ought to pass" Report and the gentleman from Denmark, Mr. Dunn, has requested a division. All those in favor of accepting the Majority "Ought to pass" Report will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Eighty-five having voted in the affirmative and twenty-seven having voted in the negative, the motion prevailed.

The Bill was then read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 452, L. D. 606, Resolve, Authorizing the Establishment of a Residential and Day School for the Mentally Retarded in Northern Maine.

Amend said Resolve by striking out all of the 2nd, 3rd, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th and 13th lines and inserting in place thereof the following:

'the sum of \$105,057 for the fiscal year ending June 30, 1966 and the

sum of \$74,425 for the fiscal year ending June 30, 1967 for the purpose of establishing and operating a residential and day school, under the supervision of the Department of Mental Health and Corrections for the provision of education and training for the mentally retarded according to the following schedule:

MENTAL HEALTH AND CORRECTIONS, DEPARTMENT OF			
	1965-66	1966-67	
Personal Services	(13) \$42,137	(13) \$43,925	
All Other	29,500	29,500	
Capital Expenditures	33,420	1,000	
	<hr/>	<hr/>	
	\$105,057	\$74,425	

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

**Divided Report
Tabled and Assigned**

Majority Report of the Committee on State Government reporting "Ought not to pass" on Bill "An Act Creating the Land Compensation Board Relating to Soil Conservation" (H. P. 302) (L. D. 405).

Report was signed by the following members:

Messrs. MAXWELL of Franklin
WILLEY of Hancock
— of the Senate.

Messrs. PITTS of Harrison
DOSTIE of Lewiston
STARBIRD
of Kingman Township
BERRY of Cape Elizabeth
— of the House.

Minority Report of same Committee on same Bill reporting same in a new draft (H. P. 1125) (L. D. 1535) under title of "An Act relating to Condemnation by Soil and Water Conservation Committee" and that it "Ought to pass"

Report was signed by the following members:

Mr. STERN of Penobscot
— of the Senate.

Messrs. EDWARDS of Portland
KATZ of Augusta
LIBHART of Brewer
— of the House.

Reports were read.

(On motion of Mr. Storm of Sherman, tabled pending acceptance of either report and specially assigned for Tuesday, May 18.)

The SPEAKER: The Chair recognizes the gentleman from Sanford, Mr. Bernard, and inquires for what purpose does he rise?

Mr. BERNARD: Mr. Speaker, Members of the House: I rise to reconsider our action whereby we receded and concurred with the Senate on item 3, page 1, this morning.

The SPEAKER: The gentleman from Sanford, Mr. Bernard, now moves that we reconsider our action whereby we receded from our former action and concurred with the Senate on House Paper 260, L. D. 330, which is Bill "An Act relating to Uniforms for Deputy Sheriffs." The gentleman may proceed.

Mr. BERNARD: Mr. Speaker, Members of the House: The only reason I want this reconsidered this morning is in order to get it tabled until the next legislative day. I was called into the Speaker's office and asked to appoint two members to a Committee of Conference on this bill and I see this morning the report comes in that they insist on their former action. I would like to talk with the Senators involved and if we reconsider and they do this, and then we could table this until tomorrow.

Thereupon, on motion of Mr. Levesque of Madawaska, tabled pending the motion of the gentleman from Sanford, Mr. Bernard that we reconsider our action and specially assigned for tomorrow.

Passed to Be Engrossed

Bill "An Act Appropriating Money to Match Federal Funds Provided under Titles III and V-A of the National Defense Education Act" (S. P. 56) (L. D. 117)

Bill "An Act relating to Amount of Aid to Aged, Blind or Disabled" (S. P. 261) (L. D. 810)

Bill "An Act relating to Condemnation of Land for Highway Purposes" (S. P. 498) (L. D. 1477)

Bill "An Act relating to Roadside Beautification" (S. P. 499) (L. D. 1476)

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

Third Reader Tabled and Assigned

Bill "An Act Amending the Pittsfield School District" (S. P. 506) (L. D. 1474)

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

(On motion of Mr. Beane of Moscow, tabled pending passage to be engrossed and specially assigned for Tuesday, May 18.)

Bill "An Act to Amend the Charter of the Seaport Water District" (S. P. 508) (L. D. 1478)

Bill "An Act relating to Coercion in Placing Insurance on Real and Personal Property" (S. P. 510) (L. D. 1480)

Bill "An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1966 and June 30, 1967" (S. P. 534) (L. D. 1524)

Bill "An Act relating to Registration Fee for Motor Vehicles Operated Exclusively on Certain Islands" (H. P. 1024) (L. D. 1387)

Bill "An Act Establishing Maine Scale Rule for Logs" (H. P. 1120) (L. D. 1530)

Bill "An Act to Incorporate the Kittery Sewer District" (H. P. 1121) (L. D. 1531)

Bill "An Act relating to the Exemption of Aeronautical Fuel from the Sales Tax" (H. P. 1122) (L. D. 1532)

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

Bill "An Act relating to the Inhalation of Certain Vapors and to the Possession of Certain Drugs" (H. P. 1123) (L. D. 1533)

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

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. D'Alfonso.

Mr. D'ALFONSO: Mr. Speaker, Ladies and Gentlemen of the House: I move that L. D. 1533 be indefinitely postponed. I would like to speak on the motion briefly.

The SPEAKER: The question before the House now is on the motion of the gentleman from Portland, Mr. D'Alfonso, that this bill be indefinitely postponed. The gentleman may proceed.

Mr. D'ALFONSO: Mr. Speaker, I have read over the bill rather carefully and it now appears to me that this type of legislation is as promiscuous as the idea of any person undertaking the so-called pleasure of inhaling what — the person who supposedly would inhale as it is described in Section 3475. To me this is not a matter of legislation; I think it is a matter of proper education, and I can see no reason why the legislature should undertake to try to legislate lessons in education. That is properly the domain of the classroom.

This isn't the type of legislation that I, after having read the bill carefully, am one to pass. I do not wish to condone the idea of a person inhaling toxic vapors. I am not in disagreement with the second part of L. D. 1533, but on the other hand I do believe that for the legislature to undertake to give itself the powers of education, through the means of statutory enactment, the legislature puts itself into a field where it does not rightfully belong. So for that reason I would urge every member of this House to go along with me and indefinitely postpone this bill.

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

Mr. ROSS: Mr. Speaker, Ladies and Gentlemen of the House: This bill originally was put in in very complex form. It was copied after a bill that was unanimously passed by the Senate in New Jersey. And frankly it was too complicated for the Judiciary Committee or anybody else and they came out with this present form. You will note in the redraft of this bill that it says intentionally inhaling; in other

words, if you smell some gasoline fumes you're not going to get in any trouble, it says for intentionally inhaling for the purpose of dulling the senses. That's a minor part of this bill. The Attorney General got very interested in this matter. He took the bill over and he redrafted it himself. The dope part of it frankly came from the Department of the Attorney General and not from me as a sponsor.

To get back to the so-called glue sniffing, which a lot of people think is a joke, there was a boy that died in Portland. His mother wrote a very pathetic letter to the Portland papers suggesting that all parents read it and be forewarned, so the same thing would not happen again. This is a serious bill and as I told you it came out of the Attorney General's office and it came out of the Judiciary Committee with a 7 to 3 ought to pass report and I hope the motion to indefinitely postpone is defeated.

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

Mr. BISHOP: Mr. Speaker, I just want to call attention to one more thing. This bill, which I opposed when it first appeared here and I still oppose, and I support the motion for indefinite postponement. You notice in the last section of the bill it increases the penalty from six months to imprisonment for two years and I would like to have you reflect on that. It's a serious penalty.

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

Mr. BERMAN: Mr. Speaker and Members of the House: I didn't intend to speak on this bill because I had thought that the gentleman from Brownville, Mr. Ross, had explained it very well. But when another member of our committee mentioned this very harsh penalty, and it is a harsh penalty, in the last division, I thought that I should get up and explain it.

That harsh penalty is dealing with one of the most deadly weapons against the people, not only in this country but abroad. And that is the problem of narcotics. And I say to this House that this harsh penalty relates to narcotics and

not to the other problem which was well explained by the gentleman from Brownville. Therefore I hope this motion to indefinitely postpone does not prevail.

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from Portland, Mr. D'Alfonso, that this bill be indefinitely postponed. The Chair recognizes the gentleman from Madawaska, Mr. Levesque.

Mr. Levesque of Madawaska requested a division.

The SPEAKER: The gentleman from Madawaska has requested a division. The Chair recognizes the gentleman from Cumberland, Mr. Richardson.

Mr. RICHARDSON: Mr. Speaker and Members of the House: Like my friend from Houlton, Mr. Berman, I too had not intended to speak on this but I would like to call your attention to the fact that Mr. Ross from Brownville is very very correct when he says this is a serious problem. The Attorney General, Richard Dubord, added in the bill with, I think a good deal of intelligence and foresight, the prohibition of the use of what are sometimes called goof balls and pep pills. This is a substantial problem amongst teenagers, it's a problem in Maine, we cannot pretend that it isn't. And I strongly urge you to defeat the motion to indefinitely postpone.

The SPEAKER: Is the House ready for the question? The Chair recognizes the gentleman from Portland, Mr. D'Alfonso.

Mr. D'ALFONSO: Mr. Speaker, Ladies and Gentlemen of the House: If you will grant me the permission I would like to read section 3475 "No person shall, for the purpose of dulling his senses, intentionally inhale the fumes from any liquid, solid or mixed substance having the property of releasing toxic vapors." A liquid, a solid, or a mixed substance and the word intentional. I am not a lawyer. I am sure that I could not stand and debate successfully with the lawyers on the word intentional, but I submit we are opening up a field of debate if this were ever brought to court

that would almost run wild with a person being brought to court and being told that they had intentionally inhaled either a substance having liquid form, a solid form, or a mixture thereof. To me regardless of the problems that exist in society I would submit that the problems of society are inherent today.

I cannot see why we should pass legislation that the parents and our educators should be trying to solve through the means of classroom exercises and other forms of literature that are so adequately and successfully published today. Why do we have to continuously put on the books something as broad as this? Look at the thing very carefully. I just do not believe that this is the proper type of legislation. This is education. Think of where this actually belongs. It does not belong in the statutes. Vote for indefinite postponement, please.

The SPEAKER: The Chair recognizes the gentleman from Madison, Mr. Stoutamyer.

Mr. STOUTAMYER: Mr. Speaker, Ladies and Gentlemen of the House: That word intentionally bothers me also. I don't know on what basis intent would be decided but it would seem to me that it would be possible for some innocent person to be incarcerated into one of our penal institutions innocently.

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

Mr. LUND: Mr. Speaker, Ladies and Gentlemen of the House: I can appreciate the qualms of the gentleman from Portland, Mr. D'Alfonso, except that when he read the bill he didn't read the entire portion of the bill that we are concerned with. The portion we are concerned with doesn't simply say intentionally inhale, it says: ". . . for the purpose of dulling his senses, intentionally inhale." Now, if we were dealing with a harmless little amusement that people can shrug off and forget about and it is just a matter of administering a spanking to the young man who does this, then I would agree with the gentleman

that this is not a proper statute. However, it has been found in recent years, I believe, that this inhaling of toxic vapors is habit forming. It is habit forming in the same way that a barbiturate or an opiate is habit forming and not only that, it is extremely damaging to the nervous system and the brain.

So while it would be very nice if we could solve this problem like the problem of other kinds of habit forming substances by education, I don't think that is the whole answer. It would be very nice if we could solve the marijuana problem and various other opiate problems in our society by just educating; and we should educate if we can, but education alone is not enough. It seems to me that if this is read carefully, the reader can see that there must be an intention to inhale and there must be a purpose to dull the senses. And I would say that this is difficult enough to prove in court so that the likelihood of an innocent person being trapped is very, very small indeed.

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

Mr. LIBHART: Mr. Speaker, Ladies and Gentlemen of the House: I am sorry to report that I again find a deficiency in the Judiciary Committee in their reporting out this bill. I agree wholeheartedly with my friend from Portland, Mr. D'Alfonso, that this is very poorly drawn. Consider for a moment the number of statutes now on the books that have led a lot of us attorneys in the State of Maine to have a high disregard for an awful lot of our statutes. Do you folks realize that every time a butcher kills a cow in the State of Maine he is violating a state law for which he could be imprisoned for eleven months or fined up to a thousand dollars? This is a fact. Some one of these days we are going to have a revision of our statutes and pick out all these little things that have crept in.

Here is another one. I see no exception in this bill for the person who is in the hospital going to be put to sleep for an operation. Isn't

it true, any member of the Judiciary Committee, that the bill as now written would involve people in hospitals inhaling vapors that are designed to put them to sleep that may have some toxic quality? I hope that you will support Mr. D'Alfonso's motion to indefinitely postpone.

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from Portland, Mr. D'Alfonso, that this bill and its accompanying papers be indefinitely postponed and the gentleman from Madawaska, Mr. Levesque, has requested a division. All those in favor of this Bill "An Act relating to the Inhalation of Certain Vapors and to the Possession of Certain Drugs," House Paper 1123, L. D. 1533, 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. Thirty-three having voted in the affirmative and eighty-three having voted in the negative, the motion did not prevail.

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

The SPEAKER: The Chair at this time would like to recognize in the balcony of the House, thirty-eight Vocational Technical Students from the Freshman Class at Bucksport Junior High School. They are accompanied by their teacher, Mrs. Helen Johnson.

Also with this group there is a Foreign Exchange student from Thailand, Keysra Sriya, accompanied by her host mother, Mrs. Preston Robinson of Bucksport. They are the guests of the gentleman from Bucksport, Mr. Cushing. On behalf of the House the Chair welcomes this group and we hope that your visit will be both educational and enjoyable. (Applause)

At the same time the Chair would like to recognize in the balcony of the House, a group of Sister servants of the Immaculate Heart of Mary from the Provincial House of Bay View, Saco. They are future teachers and they are

studying political science. They are the guests of the gentleman from Saco, Mr. Bedard. On behalf of the House the Chair welcomes this group and we hope that your visit will be both educational and enjoyable. (Applause)

Amended Bills

Bill "An Act to Control and Eradicate Salmonella Infections" (S. P. 173) (L. D. 539)

Bill "An Act relating to Investigation in Divorce Cases Involving Child Custody" (S. P. 410) (L. D. 1306)

Bill "An Act to Correct Errors and Inconsistencies in Uniform Commercial Code and to Amend Certain Statutes to Conform Thereto" (H. P. 816) (L. D. 1107)

Resolve in favor of Development of State Park on Lower Range Pond, Poland, Androscoggin County (H. P. 303) (L. D. 406)

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

Bill "An Act Creating a Second Assistant County Attorney for Penobscot County" (S. P. 50) (L. D. 221)

Was 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.

Bill "An Act Imposing Limitation upon Holding Both Permit for Common Carriers and Contract Carriers" (S. P. 512) (L. D. 1483)

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

Passed to Be Enacted Emergency Measure

An Act to Reactivate Maine Committee on Problems of the Mentally Retarded (S. P. 527) (L. D. 1505)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 115 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Make Allocations from the General Highway Fund for the Fiscal Years Ending June 30, 1966 and June 30, 1967 (S. P. 529) (L. D. 1511)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 114 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure Tabled and Assigned

An Act to Provide Funds for the Continuing of Maine's Participation in the New England Pavilion at the New York World's Fair (H. P. 616) (L. D. 825)

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

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

Mr. BERMAN: Mr. Speaker, Members of the House: I hadn't intended to say anything on the narcotics bill because I really wanted to comment on this one. Now like most members of the House I am really very interested in legislation in the best interests of Maine.

Now some two years ago on roll call vote, as I recall, there was a firm group of legislators, of which I was then a very junior member, who believed that Maine should not waste more than a half million dollars in going to a World's Fair, when there were far

more pressing matters deserving of far higher priority. We felt that spending more than a half a million dollars for the World's Fair was not in the best interests of Maine. This belief of ours two years ago has been borne out in the history of the Fair, and I suggest that we may be able to use this sad experience when we consider some of the money bills pending in this Legislature.

Today, we are going to have to pick up a new tab on what I thought and still think was an glorious and ill advised investment. I will go along today with reluctance, but I am sure there are far better ways to spend twenty thousand dollars in the interests of the people of Maine.

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

Mr. BUSSIERE: Mr. Speaker, Members of the House: I was a member of the 101st Legislature when the amount of \$459,000 was appropriated as our share to finance this New England Pavilion, which turned out to be the biggest flop that you ever heard. And the DED had an expense of \$46,000 for exhibit and they, anyone who has been to the World's Fair didn't have any good report to make. Some of them didn't even find the place. And this year we are faced for more and more money to be spent for the same purpose. A couple of days ago I read an article in the paper saying that the attendance was way below the 1964 figure. So I can't see going along with the waste of the taxpayers' money any more. I will move for indefinite postponement of this bill and I request a division.

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

Mr. BIRT: Mr. Speaker, Members of the House: This bill was quite thoroughly discussed in the Appropriations and Financial Affairs Committee. I think as far as the reports that I have heard coming back from the World's Fair, I have talked with a good many people and I have heard both pro and con. I have heard a

good many people who I felt are quite fair-minded, that we had a good exhibit at the World's Fair and it did a great deal of good. I also do remember that during the latter part of last summer there were a good many comments that this was the best vacation year that the State of Maine had ever enjoyed. I think this was an expenditure into a form of advertising to induce people to come into Maine and if the reports that were in the paper were true, it very adequately paid off in the results that we got.

Now, this appropriation is for \$20,000. It has the same stipulation in the bill that was in the previous bill that the other five New England States will have to join in with it and I believe that having established this program, and I don't think it has worked out as bad as the inference that has been given in the papers at various times, I would certainly hope that the motion for indefinite postponement does not pass.

The SPEAKER: The question before the House is on the motion of the gentleman from Lewiston, Mr. Bussiere, that this bill be indefinitely postponed. All those in favor of this bill 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.

Twelve having voted in the affirmative and ninety-six having voted in the negative, the motion did not prevail.

Thereupon, on motion of Mr. Levesque of Madawaska, tabled pending passage to be enacted, and specially assigned for Monday, May 17.

Passed to Be Enacted Bond Issue Emergency

An Act to Authorize the Issuance of Bonds in the Amount of Nine Million Six Hundred Thousand Dollars on Behalf of the State of Maine to Build State Highways (H. P. 482) (L. D. 635)

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

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

Mr. PIKE: Mr. Speaker, I can't find the bill in my poor house-keeping. May I ask somebody from the Committee as to what years this bond issue covers?

The SPEAKER: The Chair recognizes the gentleman from Enfield, Mr. Dudley.

Mr. DUDLEY: Mr. Speaker, in answer to the question from the gentleman from Lubec, this is to meet our obligations to the federal government whereby we on this 90-10 money we received from the state in building our interstate system, this is to carry the balance. In other words it costs us considerably more than this, but this is the amount that we need to subsidize or finish out the remaining amount of money that we need to complete the program for the next time, or the next two years around. I hope this has answered the question. I know it wasn't very well answered, but that's what it is for.

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

Mr. PIKE: Mr. Speaker, I don't think it has been answered the way I tried to ask it, but I have the impression that in highway things we try to provide for the two next bienniums and I was just wondering if this bond issue was aimed for that purpose. I don't have any objections but I don't think that my question was really answered. I wondered if this covers the next biennium ahead of the one we are in now?

The SPEAKER: The gentleman from Lubec, Mr. Pike, has posed a question again to any member of the Highway Committee and any member may answer if he so desires. The Chair recognizes the gentleman from Enfield, Mr. Dudley.

Mr. DUDLEY: Mr. Speaker, Mr. Pike is right. The highway program is on a four year basis, so this would be financing it four years in advance.

Thereupon, in accordance with the provisions of Section 14 of Article IX of the Constitution a two-thirds vote of the House be-

ing necessary, a division was had. 122 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act Providing State Aid to Towns for Care of Poor Persons (S. P. 80) (L. D. 225)

An Act relating to Application of Certain Carriers to Gasoline Road Tax (S. P. 263) (L. D. 917)

An Act relating to Ownership of Property by Nonstock Corporations (S. P. 394) (L. D. 1219)

An Act Providing for a Study and Revision of Maine Corporate Law (S. P. 500) (L. D. 1466)

An Act relating to Penalty for Indecent Exposure (S. P. 501) (L. D. 1467)

An Act relating to Disposal of Dangerous Buildings in Municipalities (S. P. 515) (L. D. 1491)

An Act relating to Educational Qualifications for Barbers (H. P. 56) (L. D. 68)

An Act relating to Term of Office of Mayor of Lewiston (H. P. 349) (L. D. 452)

An Act to Establish a Bureau of Public Administration at the University of Maine in Orono (H. P. 439) (L. D. 594)

An Act Increasing Salaries of Members of Harness Racing Commission and Running Horse Racing Commission (H. P. 545) (L. D. 717)

An Act relating to Definition of Aid to Dependent Children (H. P. 625) (L. D. 832)

An Act Increasing Appropriation for Stipend Fund for Disbursements to Certain Agricultural Societies (H. P. 794) (L. D. 1256)

An Act relating to Junk Yards (H. P. 832) (L. D. 1059)

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

Enactor Tabled and Assigned

An Act Creating a Second Assistant County Attorney for Androscoggin County (H. P. 867) (L. D. 1164)

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

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

Mr. BUSSIÈRE: Mr. Speaker, if it is possible I would like to table this until tomorrow to allow me enough time to present an amendment on this bill.

The SPEAKER: Is the gentleman making a motion? The gentleman from Lewiston, Mr. Bussiere, moves that this matter lie upon the table assigned for tomorrow. Is this the pleasure of the House?

The Chair recognizes the gentleman from Sanford, Mr. Bernard. For what purpose does he arise?

Mr. BERNARD: Mr. Speaker and Members of the House: I would just like to point out the reason why he is asking to table it is because Mr. Drigotas had an accident and he is not here today. I think he will be here tomorrow.

Thereupon, on motion of Mr. Levesque of Madawaska, tabled pending passage to be enacted and specially assigned for tomorrow.

An Act to Create the Maine Indian Housing Authority (H. P. 933) (L. D. 1270)

An Act Providing for Longevity Pay for State Department Officers Whose Salaries are Fixed by Statute (H. P. 970) (L. D. 1347)

An Act relating to Appointment of Agent or Guardian Ad Litem in Actions for Equitable Relief in Mortgage Foreclosures (H. P. 1016) (L. D. 1381)

An Act Increasing Amount of Property of Bethlehem Lodge, No. 35 (H. P. 1027) (L. D. 1397)

An Act to Provide Adjustments in Pensions Being Paid to Members of the Police and Fire Departments of the City of Portland (H. P. 1071) (L. D. 1458)

An Act Appropriating Money to Match Federal Funds Provided under the Manpower Development and Training Act of 1962 (H. P. 1106) (L. D. 1512)

An Act Exempting Municipal Development Corporations from Fees

under the Securities Law (H. P. 1107) (L. D. 1513)

An Act relating to Examinations as Registered Pharmacists by Assistant Pharmacists (H. P. 1111) (L. D. 1517)

Finally Passed

Resolve Appropriating Funds for Operation of Advisory Committee on Education (S. P. 160) (L. D. 490)

Resolve in favor of Marine Research Society of Bath for Support and Maintenance of Museum (H. P. 193) (L. D. 248)

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

The SPEAKER: The Chair would request the Page to escort the gentleman from Cape Elizabeth, Mr. Berry, to the rostrum for the purpose of acting as Speaker pro tem.

Thereupon, Mr. Berry assumed the Chair as Speaker pro tem and Speaker Childs retired from the Hall.

The Chair laid before the House the first item of Unfinished Business:

Bill, "An Act to Authorize the Construction of Housing for the University of Maine and the Issuance of not Exceeding \$6,000,000 Bonds of the State of Maine for the Financing Thereof." (H. P. 264) (L. D. 346) (C. "A" H-166), the pending question being Passage to be Engrossed.

The SPEAKER pro tem: The Chair recognizes the gentleman from Lubec, Mr. Pike.

Mr. PIKE: Mr. Speaker and Members of the House: I had this set aside yesterday in spite of the action of the House on the general measure. As one who sat on the Board of a sister institution for some twenty-five years, I still feel that we are making a major mistake in policy in keeping the Bureau of Public Improvements in on these matters and the amendment, I believe it is Committee Amendment "A" H-166, does put

the Bureau of Public Improvements in on this bond issue. I realize that the House has disagreed with me on it and I won't say I told you so, but I move for the indefinite postponement of Committee Amendment "A".

The SPEAKER: The question now before the House is on the motion of the gentleman from Lubec, Mr. Pike, that Committee Amendment "A" be indefinitely postponed. In view of the fact that this motion requires a two-thirds vote for passage, all those in favor of suspension of the rules will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had. Twenty-two having voted in the affirmative and seventy-eight having voted in the negative, the motion to suspend the rules failed of passage.

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 second item of Unfinished Business:

Bill, "An Act Clarifying the Inland Fisheries and Game Laws." (S. P. 428) (L. D. 1375) (H. "A" H-214) (H. "A" to C. "A" H-303) (C. "A" S-172), the pending question being Passage to be Engrossed.

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

Mr. CROMMETT: Mr. Speaker, Ladies and Gentlemen of the House: I offer House Amendment "B" to L. D. 1375 and move its adoption.

The SPEAKER pro tem: The gentleman from Millinocket, Mr. Crommett, offers House Amendment "B" and moves its adoption. The Clerk will read the amendment.

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

HOUSE AMENDMENT "B" to S. P. 428, L. D. 1375, Bill, "An Act Clarifying the Inland Fisheries and Game Laws."

Amend said Bill by inserting after section 13, a new section, as follows:

"Sec. 13-A. R. S., T. 12, Sec. 2353, amended. The 2nd and 3rd paragraphs of section 2353 of Title 12 of the Revised Statutes are repealed and the following enacted in place thereof:

'Northern Zone: North and east of a line beginning on Route 201 at the Canadian border; thence southeasterly along said Route 201 to Caratunk; thence easterly and northeasterly along the Appalachian Trail to a point where the Appalachian Trail intersects the West Branch of the Penobscot River; thence southeasterly along the southwest shore line of the West Branch of the Penobscot River and the Penobscot River to the confluence of the Mattawamkeag River; thence easterly along the north shoreline of the Mattawamkeag River to Route 2 at Mattawamkeag; thence southeasterly along Route 2 to Lincoln; thence easterly along Route 6 to the Canadian border.

Central Zone: The area within the following described territory: Beginning on Route 201 at the Canadian border; thence southeasterly along said Route 201 to Caratunk; thence easterly and northeasterly along the Appalachian Trail to a point where the Appalachian Trail intersects the West Branch of the Penobscot River; thence southeasterly along the southwest shoreline of the West Branch of the Penobscot River and the Penobscot River to the confluence of the Mattawamkeag River; thence easterly along the north shoreline of the Mattawamkeag River to Route 2 at Mattawamkeag; thence southwesterly along Route 2 to Bangor; thence westerly along Route 2 to Farmington; thence northwesterly along Route 4 to Rangeley; thence westerly along Route 16 to the New Hampshire border.'"

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

Mr. LIBHART: Mr. Speaker, Ladies and Gentlemen: Last session of this legislature we felt or they felt apparently that a great deal of time was being spent on these fish and game laws. In an effort to help out that situation they delegated certain authorities to the

commission. Now here we go again, overruling what they've been doing. Not only are we, if we pass this amendment, overruling what they've been doing, but we're overruling what the Fish and Game Committee of this legislature is doing. I move for the indefinite postponement of House Amendment "B".

The SPEAKER pro tem: The question before the House now is the motion of the gentleman from Brewer, Mr. Libhart, that House Amendment "B" be indefinitely postponed. The Chair recognizes the gentleman from Millinocket, Mr. Crommett.

Mr. CROMMETT: Mr. Speaker, I take exception to the remarks of the gentleman from Brewer, Mr. Libhart; in fact he doesn't know what he's talking about. This is an uncontroversial amendment. The people involved are in agreement. The Fish and Game Committee were a little hasty in passing this out ought not to pass. When I appeared before the Committee I was given to understand that the zoning, or the deer zoning bills were — three zones were under consideration and at that time they were under the impression that that was going to pass.

Now the deer zoning bill is back where it was before and this amendment is the exact words in the fish and game regulations with the exception that it uses the natural waterway boundary, the Penobscot and the West branch of the Penobscot as the boundary between the Northern and the Central zone taken the way as it does now read 157.

Now this amendment was the original bill and it was supported by the Warden Service of the Inland Fish and Game Department and they suggested to the Fin and Feather Club of Millinocket that I present the bill. Now the Inland Fish and Game Department are in accordance with this amendment, and there is no reason whatever why this should not pass.

The SPEAKER pro tem: The Chair recognizes the gentleman from Glenburn, Mr. Cookson.

Mr. COOKSON: Mr. Speaker, I must rise at this time to support my good friend from Millinocket,

Mr. Crommett, and I appreciate the remarks of my friend from Brewer, Mr. Libhart. But this is not a controversial amendment. The Committee is in favor of it; if they wish it and the Department of the Inland Fisheries and Game told me that they don't object so I don't see why that perhaps it isn't all right.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Brewer, Mr. Libhart, that House Amendment "B" be indefinitely postponed. The Chair recognizes that gentleman.

Mr. LIBHART: Mr. Speaker, I am going to withdraw the motion. It appeared to me that if this was coming in as a House Amendment and the committee report as I think I reported to you was the way I said, that the remarks that I made were true, but apparently minds have been changed. So, I withdraw the motion.

The SPEAKER pro tem: The question now before the House is on the motion of the gentleman from Millinocket, Mr. Crommett that House Amendment "B" be adopted. Is this the pleasure of the House?

Thereupon, House Amendment "B" was adopted.

Mr. Cookson of Glenburn offered House Amendment "C" and moved its adoption.

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

HOUSE AMENDMENT "C" to S. P. 428, L. D. 1375, Bill, "An Act Clarifying the Inland Fisheries and Game Laws.

Amend said Bill by inserting after section 1-A a new section to read as follows:

"Sec. 1-B R. S., T. 12, § 2001, amended. The last sentence of the first paragraph of section 2001 of Title 12 of the Revised Statutes is amended to read as follows: "The compensation of the wardens shall be determined under the Personnel Law and shall not be more than one pay grade below that of the Maine State Police." "

The SPEAKER pro tem: Is it now the pleasure of the House to adopt House Amendment "C"?

Thereupon, House Amendment "C" was adopted.

Mr. Kittredge of South Thomaston offered House Amendment "D" and moved its adoption.

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

HOUSE AMENDMENT "D" to S. P. 428, L. D. 1375, Bill, "An Act Clarifying the Inland Fisheries and Game Laws."

Amend said Bill by inserting after section 12, a new section, as follows:

"Sec. 12-A. R. S., T. 12, § 2301, sub-§2-A, additional. Section 2301 of Title 12 of the Revised Statutes is amended by adding a new subsection 2-A, to read as follows:

'2-A. Complimentary licenses for Maine residents in Armed Forces. The commissioner is authorized to issue complimentary fishing and hunting licenses to Maine residents in the Armed Forces of the United States who are in Maine on leave or furlough for a period of 2 weeks or less.' "

The SPEAKER pro tem: Is it now the pleasure of the House to adopt House Amendment "D"?

The Chair recognizes the gentleman from Glenburn, Mr. Cookson.

Mr. COOKSON: Mr. Speaker, Members of the House: I must rise in opposition to this amendment. Already we are starting to get amendments in. The door is open with our free licenses. I am not going to go into this very deep, but I am sure that you all know what is happening. The department can't afford this sort of thing and I would move for its indefinite postponement.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from Glenburn, Mr. Cookson, that House Amendment "D" be indefinitely postponed.

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

Mr. KITTREDGE: Mr. Speaker, Members of the House: I am not sure how many people here have read the latest Time Magazine, but if you have you will realize that we now have over a hundred thousand men of our armed forces actively engaged in combat throughout the world today. Now, what this amendment would do, would

be simply to allow those people, those members of our armed forces, who I might add, many of whom will have a shorter life span than the seventy years old, who we gave a complimentary license to day before yesterday, and this amendment would permit those of our armed forces who are residents of Maine and who are on leave in Maine for two weeks or less. Notice, I say two weeks or less. This means they would be operational people and I therefore urge that you vote against the motion for indefinite postponement.

The SPEAKER pro tem: The Chair recognizes the gentleman from Skowhegan, Mr. Poulin.

Mr. POULIN: Mr. Speaker and Ladies and Gentlemen of the House: If you will take a look at this bill and see how many amendments have been put on it, you'll wonder why we spent our time on the committee working on it. It should have been the whole House I guess, should have been there as far as committee goes.

Now, everybody has a little favorite corner spot, or what you want, so they put an amendment on. They want something done, they put an amendment on it. This is getting to look ridiculous. Now, there are two amendments on there that I move for indefinite postponement, that's amendments "A" and "D".

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

Mr. ANDERSON: Mr. Speaker, Members of the House: In debating House Amendment "A" under Filing No. H-214 on Tuesday the 11th, I stated in the debate that it would open the door for requests from other organizations. One member of the House said this was all poppy-cock. It would do no such thing. Now, the very next day, in comes Amendment "D" under Filing No. H-317. I don't know why many members of this House are so insistent on pushing the Fish and Game Department off the dedicated revenue basis. I concur with the gentleman from Lewiston, Mr. Poulin, in indefinite postponement of both "A" and "D" Amendments.

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

Mr. CROMMETT: Mr. Speaker, I ask for a point of parliamentary inquiry.

The SPEAKER pro tem: The gentleman may state his query.

Mr. CROMMETT: Mr. Speaker, I understand that there is a motion before the House for the indefinite postponement of House Amendment "D" made by Representative Cookson. Is that correct? Doesn't that take precedent — —

The SPEAKER pro tem: The prevailing motion is the motion of the gentleman from Glenburn, Mr. Cookson, that House Amendment "D" be indefinitely postponed.

It is the pleasure of the House that House Amendment "D" be indefinitely postponed?

Thereupon House Amendment "D" was indefinitely postponed.

The SPEAKER pro tem: The Chair recognizes the gentleman from Skowhegan, Mr. Poulin.

Mr. POULIN: Mr. Speaker, I would like to make a motion to indefinitely postpone Amendment "A".

The SPEAKER pro tem: The gentleman from Skowhegan, Mr. Poulin, moves suspension of the rules for reconsideration. Is this the pleasure of the House?

(Cries of "No" and "Yes")

The Chair is in doubt and will order a division.

All those in favor of suspension of the rules will rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Seventy-four having voted in the affirmative and thirteen in the negative, the motion prevailed.

The SPEAKER pro tem: Seventy-four being more than two-thirds the rules are suspended. The gentleman from Millinocket, Mr. Crommett, now moves reconsideration of our action of May 11, whereby House Amendment "A" was adopted.

The Chair recognizes that gentleman.

Mr. CROMMETT: Mr. Speaker, No, I most certainly do not want to reconsider that action of May 11. We had a vote and voted in good

faith. You have just now voted to reconsider and I am in the minority, but I would hope that we would adhere to our former action of May 11th, where the complimentary licenses were granted to people seventy years of age.

Now, all stories to the contrary, the arguments in opposition to this, I do not believe. I told you the other day that I could talk and talk but I refrained from talking and I will tell you that the department is in receipt of letters asking when these complimentary licenses are to be issued. There is interest throughout the state for this legislation. I am indeed sorry that the gentlewoman from Portland, Mrs. Carswell, is not here. I am sure that she would support me in this and that recalls to my mind the older people that are not so fortunate as some people here and as I explained to a lady of this House that voted against that, against this measure, that this complimentary license is not forced upon anyone. They have to apply for it. They also have to submit an affidavit of their birth.

Now for instance, talking about the retirees, an old couple and a nagging wife, why shouldn't the man like to get out and go fishing for a day? With a crotchety old man, the wife would be tickled to death to get rid of him. And for the couple that believe in this togetherness to have a day fishing free as a compliment. The argument is all in favor of this, ladies and gentlemen. I just hope that you people will realize what you are trying to do to these old people. Now, don't turn the golden years into brown. Let's go home with a good feeling in our hearts. One decent thing that this Legislature can do for the old people of the State of Maine.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Skowhegan, Mr. Poulin, to reconsider our action whereby House Amendment "A" was adopted.

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

Mr. CARROLL: Mr. Speaker, Members of the House: I am

not surprised at the strategy used here this morning. This is an old trick by legislators. It is a familiar tune. We have heard it played over the years by the Republican Party, many, many years. We know the Democratic Party is the party who has compassion for the people and we are definitely the party that has compassion for the aged. We proved it with social security. We have proved it with our old age programs, the Democrat Party. Now, I would like to point out to you, that this amendment here was put in to discredit the gentleman from Limerick, if you call him that, Carroll, because I made the remark that there would not be any amendments, because I assumed when we voted on this Amendment "A" that we voted in good faith, that we acted in good faith. Our intentions were good. Our intentions were honorable and I intend to stick by my intentions. I will not switch my vote. I think that we should give these elderly citizens, over seventy, this fishing license. You are not actually giving them anything ladies and gentlemen. For years and years they have carried the load of this state. Where do you think you and I would be today if these elder citizens had not carried our load, had provided the taxes and the money to run this state?

The SPEAKER pro tem: Will the gentleman from Portland, Mr. Sullivan, please take his seat?

The gentleman from Limerick, may proceed.

Mr. CARROLL: I often wonder, what would happen if everybody in this state said let them pay, let them pay. They are seventy years old, that's all right. I pay my grocery bill, let him pay his. Let's forget about him. Let him go out and shovel snow. Let's take his social security check away. Let's take his old age pension away. If you want to be known as the hard-hearted 102nd Legislature that is your business, ladies and gentlemen of this House.

Well, I want you to know that I don't want to be known as a hard-hearted legislator, I think that a person over seventy years old

deserves a hunting and a fishing license, but we are just giving him a fishing license. Now, why were these amendments introduced? They wanted to kill House Amendment "A" and they couldn't kill it on the floor. So, they worked a little bit of strategy and they brought in two or three more amendments knowing that they would get you mad, that you would become irked, that you would arise and do just what you have done. You reconsidered. And, now you are back there and you want to kill House Amendment "A".

I am amazed. Why, a grandfather wants to take his child out fishing. You know something? If he hasn't got the money, who is going to buy his fishing license? He has probably got a little bit of a retirement check and it is already spoken for, already spoken for. Perhaps he bought those grandchildren some shoes for all you and I know. Why can't you give him a free fishing license so he can go out and go fishing with his children and his grandchildren and perhaps his great grandchildren? I think you're being awful tight-fisted here today. Why recently, the Commissioner of Inland Fisheries and Game who wanted an increase in pay, you didn't put his job up for grabs. You didn't turn to him and say you are getting ten or eleven thousand dollars a year and you want thirteen five so we'll give you twelve five. We are going to be generous with you. But, you turned right around and you told those people over seventy you can't go fishing for nothing. You have got to pay.

Now let's be consistent here today. Let's leave House amendment alone. Now this is a good amendment. I urge you ladies and gentlemen in this House to vote with me in retaining House Amendment "A", and all these other amendments they're introducing, let's kill them right here and now.

The SPEAKER pro tem: The Chair recognizes the gentlemen from Moscow, Mr. Beane.

Mr. BEANE: Mr. Speaker and Ladies and Gentlemen of the House: For those who have short memories I would like to remind

you that in the 100th Legislature this was in the Democrat platform. It's sponsored by Arnold Briggs of Portland and I think right now that this is a good bill for us to continue to support.

The SPEAKER pro tem: The Chair recognizes the gentleman from South Thomaston, Mr. Kittredge.

Mr. KITTREDGE: Mr. Speaker, Ladies and Gentlemen of the House: I am very glad to hear that this was in somebody's platform because we now know the real reason for it, why it is tacked onto this bill today. Now first, I want to compliment you on your very good judgment in killing my amendment, because I don't think that my amendment should be on this particular bill. I think my amendment was discriminatory legislation. I also think the seventy year olds is discriminatory legislation, but there there is one difference. The young men that are in Viet Nam today and in the Dominican Republic are not going to be able to vote in the next election. That's the big difference. And this is probably the reason why my amendment, in the last analysis, goes down the drain and the other one gets passed.

Now, I want to point out one thing. I have nothing against the seventy year olds getting their license if the responsibility is put where it should be. If the state wants to appropriate the money to the Health and Welfare Department as a program, then I'll go along with it. But, when they put it on this fish and game for the pure purpose, this fish and game bill for the purpose of buying votes, then I don't go along with it.

The SPEAKER pro tem: The Chair recognizes the gentleman from Portland, Mr. Sullivan.

Mr. SULLIVAN: Mr. Speaker, Members of the House: Being one of the youngest members of this House in spirit, I just want to say that I go along one hundred per cent with Representative Crommett and Representative Carroll. Thank you.

The SPEAKER pro tem: The Chair recognizes the gentleman from Skowhegan, Mr. Poulin.

Mr. POULIN: Mr. Speaker and Ladies and Gentlemen of the House: I have nothing against the seventy year olds. I have nothing against the veterans, although I may be accused of that. I admire Mr. Crommett from Millinocket, for his perseverance, and I mean he really worked to get this in, but for example this morning after we did pass Amendment "A" we got another amendment to put in the veterans. Now, when is it going to stop? The Fish and Game Department is self-supporting and it depends on license fees. Now, as far as a license goes for an elderly gentleman of seventy years old, his fishing line will cost him more than his fishing license, so if he can't afford the license he certainly can't afford the line.

So, I don't believe we'll be doing them any real favors by giving away, actually giving away a source of income to say preserve our natural resources.

The SPEAKER pro tem: The Chair recognizes the gentleman from Clinton, Mr. Hunter.

Mr. HUNTER: Mr. Speaker, Ladies and Gentlemen of the House: I still rise in support of the gentleman from Millinocket, Mr. Crommett, regardless of all the finagling and whoopie-do. I would like to say that probably a fish line, he probably could buy them for ten cents. Thank you.

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

Mr. CROMMETT: Mr. Speaker, Ladies and Gentlemen of the House: Years ago it was the theory and a theory put into practice that when old men and old horses had served the purpose to society and the corporations, the old horses were taken out and shot. The old men were forgotten and neglected and in many instances ill treated. I leave this with you just to think of the progress we have made and what we are trying to do for the aged.

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

Mr. LITTLEFIELD: Mr. Speaker, Ladies and Gentlemen of the House: Mr. Crommett has just

given the reason why I voted against this bill. I am one who has nearly reached the age of seventy and if you let me sit around all winter while the snow is on the ground and then give me a complimentary fishing license in the spring I'll go the way the old horses went.

The SPEAKER pro tem: The Chair recognizes the gentleman from Glenburn, Mr. Cookson, who has spoken twice and requests permission to speak a third time. Is there objection? The Chair hears none, the gentleman may proceed.

Mr. COOKSON: Mr. Speaker and Ladies and Gentlemen: I didn't realize I had. Apparently, I have. But I must rise only in support of the Fish and Game Department, of which I am a member of the committee. We have nothing against the seventy year olds. We are just looking at this from a business like way as what we can afford and what we can't afford and for this reason and this reason alone I would support the indefinite postponement.

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

Mr. FARRINGTON: Mr. Speaker, Ladies and Gentlemen of the House: I feel quite sure in opposing this amendment that the people of the State of Maine who are over seventy years of age wish not to be placed in any other category than any of the other citizens of the State of Maine. As far as I am concerned personally, I would rather see a young person afflicted with polio given the free hunting and fishing license or many more unfortunate people of the State of Maine. I think this in fact is class legislation and therefore I would be opposed to the amendment.

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

Mr. JALBERT: Mr. Speaker and Members of the House: Adding up the time that this very, very important measure has been debated tallies to one full session. According to this rate of speed, we will positively be here until August. I move the previous question.

The SPEAKER pro tem: For the Chair to entertain the motion for the previous question, it must have the consent of one-third of the members present. All those in favor of the Chair entertaining the motion for the previous question will rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

The SPEAKER: Obviously more than one-third having arisen the motion for the previous question is entertained.

The question now before the House is, shall the main question be put.

This question is debatable for not more than five minutes by any one member. Those in favor of the main question now being put will say aye; —

Mr. Anderson of Ellsworth requested a division.

The SPEAKER pro tem: The gentleman from Ellsworth, Mr. Anderson, has requested a division. All those that are in favor of the main question now being put will rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Ninety-eight having voted in the affirmative, and none having voted in the negative, the motion prevailed.

Mr. Conley of Portland requested a division on the main question.

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

Mr. CROMMETT: Ladies and Gentlemen, I urge you to vote against the reconsideration motion.

The SPEAKER pro tem: The gentleman is not in order. The motion is not debatable.

The main question is the motion of the gentleman from Skowhegan, Mr. Poulin, that we reconsider our action whereby we adopted House Amendment "A" and a division has been requested. All those in favor of reconsideration of the adoption of House Amendment "A" will rise and remain standing until the monitors have made and returned the count.

A division of the House was had. Fifty-nine having voted in the affirmative and sixty-two having voted in the negative, the motion did not prevail.

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

Mr. BENSON: I rise to a point of parliamentary inquiry, Mr. Speaker.

The SPEAKER pro tem: The gentleman may state his question.

Mr. BENSON: I am a bit confused, Mr. Speaker. We were debating the amendment. Did we not have to reconsider before we debated?

The SPEAKER pro tem: The motion for reconsideration which would have permitted action on the amendment was defeated. House Amendment "A" remains on the bill.

Thereupon, the Bill was passed to be engrossed as amended by Committee Amendment "A" as amended by House Amendment "A" thereto, House Amendment "A", House Amendment "B" and House Amendment "C" in concurrence and set up for concurrence.

The Chair laid before the House the third item of Unfinished Business:

SENATE DIVIDED REPORT—Majority (9)—"Ought to pass" in New Draft (S. P. 489) (L. D. 1452)—Minority (1)—"Ought not to pass"—Committee on Transportation on Bill, "An Act relating to Length of Certain Motor Vehicles." (S. P. 300) (L. D. 914)

Tabled—May 6, by Mr. Bussiere of Lewiston.

Pending—Motion of Mr. Storm of Sherman to Indefinitely Postpone in concurrence. (Specially assigned for Friday, May 7th)

The SPEAKER pro tem: The Chair recognizes the gentleman from Sherman, Mr. Storm.

Mr. STORM: Mr. Speaker, I am going to withdraw my motion for indefinite postponement at this time.

The SPEAKER pro tem: The gentleman from Sherman, Mr.

Storm, withdraws his motion to indefinitely postpone.

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

Mr. CROMMETT: Mr. Speaker, I move we accept the Majority "Ought to pass" of the Transportation Committee.

The SPEAKER pro tem: The gentleman from Millinocket, Mr. Crommett, moves we accept the Majority "Ought to pass" Report. Is this the pleasure of the House?

Thereupon, on motion of Mr. Gifford of Manchester, tabled pending the motion of Mr. Crommett of Millinocket and specially assigned for Friday, May 14.

The Chair laid before the House the fourth item of Unfinished Business:

Bill, "An Act relating to Unlawful Practices Under Unfair Sales Act." (H. P. 989) (L. D. 1334) (H. "C" H-237)

Tabled—May 6 by Mr. Anderson of Ellsworth.

Pending—Motion of Mr. Starbird of Kingman Township to Indefinitely Postpone House Amendment "C." (Specially assigned for Friday, May 7th)

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

Mr. STARBIRD: Mr. Speaker, I would like to inquire through the Chair of the gentleman from Belgrade, Mr. Sahagian, whether House Amendment "C" intended to strike out all of the underlined sentence of House Amendment "B" or of the last sentence of the original bill.

The SPEAKER pro tem: The gentleman from Kingman Township, Mr. Starbird, has posed an inquiry through the Chair to the gentleman from Belgrade, Mr. Sahagian, who may answer if he so desires.

Mr. SAHAGIAN: Mr. Speaker, it does not have anything to do with the amendment, but it does to the original bill.

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

Mr. STARBIRD: Mr. Speaker, I thank the gentleman from Belgrade. I therefore move that House Amendment "C" be indefinitely postponed.

The SPEAKER pro tem: The question now before the House is the motion of the gentleman from Kingman Township, Mr. Starbird, that House Amendment "C" be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER pro tem: The Chair recognizes the gentleman from Belgrade, Mr. Sahagian.

Mr. SAHAGIAN: Mr. Speaker, point of order, how does this thing stand? Is the Committee Amendment also indefinitely postponed?

The SPEAKER pro tem: Committee Amendment "A" was indefinitely postponed May 6.

Mr. SAHAGIAN: Thank you.

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

Mr. STARBIRD: Mr. Speaker, it is my understanding that all amendments to this bill have been indefinitely postponed, is that correct?

The SPEAKER pro tem: That is correct.

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

Mr. FARRINGTON: Mr. Speaker, I now move indefinite postponement of L. D. 1334.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from China, Mr. Farrington, that this item be indefinitely postponed.

Mr. Starbird of Kingman Township requested a division.

The SPEAKER pro tem: The Chair recognizes the gentleman from Sanford, Mr. Bernard.

Mr. BERNARD: Mr. Speaker, Members of the House: As you heard Mr. Carroll this morning, Representative Carroll tell you about this fish bill we have been discussing for an hour and how they tried to kill the bill by amendments. This is the same thing again this morning. They tried to kill this bill by amending it to death. We have taken the amendments out of this bill. I think it is a good bill. I have talked with

the Attorney General's Department. They say they haven't had a case on record yet, but if this bill were passed this would be a good start to looking into the unlawful practices. I move that we pass this bill.

The SPEAKER pro tem: The motion before the House is the motion of the gentleman from China, Mr. Farrington, that this bill be indefinitely postponed. The Chair recognizes that gentleman.

Mr. FARRINGTON: Mr. Speaker, Ladies and Gentlemen of the House: This is a matter that I feel very strongly about, and you members of this House, representing your respective areas, realizing that the free enterprise system is what has built this country and if we wish free enterprise to be strong, we still must allow the individual who is in business to use his discretion, to have some leeway to use his imagination and good judgment. I say to you that if a person does not run his business properly, if he intends viciously to fool the public that he will not do business. This is the part and parcel of our free enterprise system and if we would like to regulate every price the same throughout the country and do away with competition, this certainly would enhance that particular area. I urge you to indefinitely postpone this matter.

The SPEAKER pro tem: The Chair recognizes the gentleman from Biddeford, Mr. Fecteau.

Mr. FECTEAU: Mr. Speaker, Ladies and Gentlemen of the House: As the sponsor of this bill and a newcomer in this House I find it very difficult to try and pass my first bill which I believe, very sincerely, that it is a good bill.

Now, first let me tell you that the State of California in their last session passed exactly the very same bill. Senator Muskie in Washington is trying to pass a similar bill in order to stop some of these retailers from defrauding the consumers. I spoke myself too with the Attorney General, Mr. Dubord, and just like some of these bills that were tried to be passed here in front of the House, all lawyers cannot agree on this. So, I

believe that we should try and pass this bill and let the court decide whether this bill can be enforced. If at least it only stops some of the retailers to do the right things, the right advertisements, not to fool the consumers, at least we'll have accomplished something.

So, I sincerely hope that the House will vote — will not vote indefinite postponement of this bill.

The SPEAKER pro tem: The Chair recognizes the gentleman from Belgrade, Mr. Sahagian.

Mr. SAHAGIAN: Mr. Speaker, Members of the House: I still believe this is a bad bill. I believe this bill is an invasion of our constitutional rights and I hope every member in this House realizes what this bill will do. This bill will stifle advancement in our business, in the way of carrying out business. It would tell us just what to do and how to do it and when to do it. We have too much dictation in our system of government right now. This is a bad bill and I hope that the House will go with this motion to prevail. And I hope that people will go along with the motion of the gentleman from China, Mr. Farrington, for indefinite postponement.

The SPEAKER pro tem: The Chair recognizes the gentleman from Sanford, Mr. Bernard.

Mr. BERNARD: Mr. Speaker, Members of the House: I guess I don't have to point out proof to you what I just told you when I last got up. Mr. Sahagian from Belgrade is one of the men that put the amendment in to kill this bill. Now, that we have killed the amendments, now he wants to kill the bill. How far do you have to go to kill a bill? Now, Mr. Farrington points out to you that we have a free enterprise. I don't think Mr. Farrington reads the Inquirer magazine, because if he did this week, he wouldn't dare to get up on the Floor of this House and tell you that the department stores chain stores are running free enterprise for the good of the people of the State of Maine. There are two complete pages in there telling how they're fooling the people in the State of Maine with

lousy, cheap merchandise, passing it off for good merchandise.

I got up on the Floor of the House two weeks ago and told you what the prices of lobsters were selling. Last weekend they were selling for fifty-nine cents again. And nobody could obtain lobsters. They are not trying to fool anybody with these department stores. They are fooling the public and on top of that, Mr. Farrington is a gentleman that thinks that Sunday should be a regular day. He voted to open Sundays. What are they trying to do? Fool this House?

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

Mrs. BAKER: Mr. Speaker, I want to go on record as agreeing with Mr. Sahagian, the gentleman from Belgrade, and the gentleman from China, Mr. Farrington. I think this is a bad bill and it will destroy all such things as sales, perhaps, things of this nature and we women folks love this sort of thing. I don't know what fun we'll get out of shopping any more if we can't have these wonderful sales to chase after and we like to think we are good buyers and that we know quality and will not be adding to any detrimental features.

The SPEAKER pro tem: The Chair recognizes the gentleman from Belgrade, Mr. Sahagian.

Mr. SAHAGIAN: Mr. Speaker, Members of the House: I have talked to the proper authorities that suggested this bill to be proposed here and he told me, he informed me that it would be all right if they would put this to take care of the grocery bill. This is a grocery bill. This is not a general merchandising bill. I have no objection if they want to put it in to include all the groceries or the perishable merchandise.

In answer to Mr. Bernard, the gentleman from Sanford, when he says that he can't buy any lobsters, I know one of the stores that he is referring to. I will not mention the name of the store, but I do know that that store has anywhere from two to five hundred pounds of lobster and if you are

not up there by eleven o'clock the lobsters are gone and under his bill, of course, then he will have to go out and get five hundred more pounds of lobsters.

Now, ladies and gentlemen of the House, we cannot afford to have a bill as such. It stifles free enterprise and our constitutional rights I believe, and I hope the motion for indefinite postponement again will prevail.

The SPEAKER pro tem: The Chair recognizes the gentleman from China, Mr. Farrington, who has spoken twice and requests permission to speak a third time. Is there objection? The Chair hears none. The gentleman may proceed.

Mr. FARRINGTON: Mr. Speaker, Ladies and Gentlemen of the House: I take no issue with the gentleman who spoke against the indefinite postponement or anyone who has spoken against this motion. However, I would like to clarify the fact that the matter of other measures which have come before this House, I believe has no bearing on this particular issue. I came to the Legislature as an individual representing a number of constituents. I intend to act as my conscience dictates and in the interest of my constituents. This measure here merits your consideration. I, as a merchant, you as an individual and your constituents must be aware of the fact that the free enterprise system can no longer be tampered with or we will lose the system.

If I as a merchant invest in a certain product, I firmly believe that it is my privilege to sell that product at whatever price I see fit. I certainly will tell you that during the past years, if I and my brothers and family and those in the business with me had had to eat all the merchandise that we have sold for less than cost I probably wouldn't be here today. We are bound to make mistakes and if you can't advertise this product that you have falsely bought, you have made a mistake on, certainly you are not going to get rid of it. This particular measure would prohibit you ad-

vertising merchandise in order to get rid of it and in order to reinvest in some other merchandise that might turn over.

As far as Sunday issue goes, let me tell you ladies and gentlemen of the House, there is a principle involved and I'll state I firmly believe that the laws of the State of Maine should provide equal rights for everyone and I also feel that this bill provides the same thing. Allow people in the enterprising business not to be hampered and tampered with laws of this nature which will regulate them eventually out of business. It is human nature for man to want to control his fellow man. Such laws as this law is specifically aimed at a certain group. And when I say aimed, it would be no less so than one would aim with a weapon, and I don't think this is proper legislation. Thank you very much.

The SPEAKER pro tem: The Chair recognizes the gentleman from Hollis, Mr. Harriman.

Mr. HARRIMAN: Mr. Speaker, Ladies and Gentlemen: I don't want to make a statement as to whether or not this law is enforceable, but if it is not enforceable neither is the law on the books at the present time, because the price of cigarettes is controlled by this law. Now, I do want to speak to the statements that have been made about private enterprise, fooling the public, you can't have clearance sales, you can't sell below cost and so forth. All this bill does actually is protect Mr. and Mrs. Consumer. You can sell all the merchandise you want below cost. The only thing is you can't advertise for instance an iron at 2.95 if it costs five dollars and if I want to buy an extra one for my sister-in-law or brother-in-law you can't tell me no if you have got them.

Now, this is also a little bit of truth in advertising law. In other words, if you advertise this iron for 9.95 and you have got three and you can reasonably expect to sell a hundred, you're in trouble under this law. Now this does not affect free enterprise as such. I am all for it, but I am also for the little truth in advertising and

a little truth in packaging and the federal government is for it. There are bills in the national House at the present time to take care of some of this misuse of advertising and misuse of pricing. I think it is a good bill and I sincerely hope it passes.

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

Mr. JALBERT: Mr. Speaker, Members of the House: I don't care how long the debate on this measure lasts. I had my breakfast at 6:15 and I wish any further speakers would refrain from talking about lobsters at twelve o'clock noon.

The SPEAKER pro tem: The Chair recognizes the gentleman from Biddeford, Mr. Fecteau.

Mr. FECTEAU: Mr. Speaker, Ladies and Gentlemen of the House: I hate to get up again, but in answer to the good Mrs. Baker, I would like to just explain one reason for this bill. She says that they enjoy those sales. I know that they enjoy those sales, but does she really think that they are giving her something for nothing? If she goes in to buy something else in their store, how much more is she paying for these other items? That is what I'm getting at. I am not against them advertising a special sale as long as it won't be half the price of the cost. If it is a reasonable sale, ten or fifteen cents cheaper than the regular item, fifty cents cheaper as long as it doesn't go below cost prices and that they don't have to charge her more for something else that she buys in their store. That is the only reason why this bill is there for.

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

Mr. HEALY: Mr. Speaker, Ladies and Gentlemen of the House: I am hungry and I move the previous question.

The SPEAKER pro tem: The gentleman from Portland, Mr. Healy, has moved the previous question. For the Chair to entertain a motion for the previous question it must have the expressed consent of one-third of the members present. All those in favor

of the Chair entertaining a motion for the previous question will rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

The SPEAKER: Obviously a sufficient number having arisen, the motion for the previous question is entertained. The question now before the House is, shall the main question be put? This question is debatable for not more than five minutes by any one member. As many as are in favor of the main question being put now will say aye; those opposed no.

A viva voce vote being taken the motion prevailed.

The SPEAKER pro tem: The main question is the motion of the gentleman from China, Mr. Farrington, that this bill be indefinitely postponed. A division has been requested. All those in favor of indefinite postponement of Bill "An Act relating to Unlawful Practices Under Unfair Sales Act," House Paper 989, L. D. 1334, will rise and remain standing until the monitors have made and returned the count.

A division of the House was had. Fifty-four having voted in the affirmative and sixty-five having voted in the negative, the motion did not prevail.

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

The Chair laid before the House the fifth item of Unfinished Business:

Bill, "An Act relating to Conveyance of Secondary School Pupils." (H. P. 465) (L. D. 619)

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

Pending—Motion of Mr. Farrington of China to Indefinitely Postpone (Specially assigned for Friday, May 7th)

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

Mr. LEVESQUE: Mr. Speaker, and Ladies and Gentlemen of the House: I hope this morning that we certainly will not take all the time in the world of redebating this conveyance of high school

students. I certainly hope that each member of this House has had an opportunity to talk this over with their municipalities, the school superintendents and school principals.

It is my firm belief that the conveyance of the high school students in the State of Maine should be for one and all on an equal basis. We should not be transporting the seventy-three thousand students and leave ten or twelve thousand out. It is my firm belief that this bill should receive passage and by these communities conveying these students they will receive additional monies for their municipalities if they do transport these students, so it will not create such a hardship on these municipalities. It will have to be at some added expense naturally, but the major burden will be carried by the Department of Education through additional allocations when they do transport these students. So, when the motion of the gentleman from China, Mr. Farrington, for indefinite postponement is voted on I will ask for a division.

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

Mr. LEWIS: Mr. Speaker, Members of the House: Due to the lateness of the hour I will make my remarks brief, but I would like to rise in opposition to this bill. I feel that I have several logical and legitimate reasons for opposing the bill and I will attempt to enumerate them.

Since the convening of this House early in January, we have heard many remarks in regard to intrusion on home rule. If this bill becomes law, is passed to become law, it means further infringement upon home rule. I feel that this is a matter for local school committees to adjust. I feel that our school committees are elected by the people to represent the people and they are lenient and would adjust to circumstances that may come up regarding transportation of secondary school pupils.

Are we to hamstring our local governments to the extent that

they can't make decisions of their own, but must abide by the dictates of higher government? I recall earlier in the session, when this bill was on the floor, that the remark was made that possibly it would mean the hiring of a ranch wagon to transport a few pupils. It seems to me the options provided for in this bill would hamstring local governments. It would create an untenable situation for them. I also heard the remark made that due to lack of transportation possibly some of our children were not receiving an education. As a teacher of thirty years, a member of the local school committee, and a selectman, I can't recall where any pupil was ever denied an education due to lack of transportation.

And when the vote is taken I request a division. Thank you.

The SPEAKER pro tem: The Chair recognizes the gentleman from Bowdoinham, Mr. Millay.

Mr. MILLAY: Mr. Speaker, Ladies and Gentlemen of the House: I am certainly in sympathy with the aims of this bill, but I must quarrel with it. For one reason, this mandates that every town regardless of size, ability, or circumstances must transport secondary students. Now in my opinion we would be making a decision, we would be making a decision that is not in our jurisdiction. It didn't take a great deal of research to find out that two hundred and thirty-three of our Maine towns and municipalities at the present time do not transport secondary students. And a little more research shows that those not giving this service are of a low valuation for the most part.

Now to pass this law, would without their having any part in the representation except through their representatives here, and I submit that they won't be too kind with their representatives here if we pass this, place an amount of approximately six hundred thousand dollars on the tax rolls of those poor towns. Now they are going to have to bear this expense for two years

before this Maine State subsidy would come into effect. At that time, the average subsidy paid to these towns would be around thirty-six percent. The state would assume that much of it.

Now personally I know of towns in this bracket and I feel they are already making an almost super-human effort in this as regards education. Now, to dictate to them, I feel would be very unfair. Now, in six years of schoolboard service, I never saw any board members that were not interested in providing the best education, educational benefit that they felt their town could provide. I believe that in this case, this is the case in practically every Maine town, where I have faith in our school board system. Now most selectmen already feel the school board is spending far more than they should with their sixty to seventy per cent of the appropriation. Now, I should say that the local school boards are in a better position to judge what their town can afford than this Legislature. If this Legislature really wants to help these secondary students, let us not dally in passing the uniform tax effort bill and thus provide these local towns with funds to provide this much needed service. Thank you.

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

Mr. EVANS: Mr. Speaker, Ladies and Gentlemen of the House: I introduced this bill because I figured we needed it. And I have talked to a lot of retired teachers. Especially one that I know is in the seventy bracket and she says that for thirty years she has been advocating conveyance of secondary school pupils. Now I heard the remark made that the towns were losing their authority by this. Well when the towns do not govern their own — do their duty, it's up to the legislature to see that they do. And as far as the subsidy is concerned I think the estimate has been very low. And I think that in these small towns especially where they claim they are so hard hit the subsidy runs nearer sixty per cent than it does thirty-six or thirty-eight. And I think

that the towns are hollering before they are hurt. In other words, they correspond to a small boy going by a cemetery whistling very loudly. I think they are whistling very loudly about the cost of this project before they even know how much it will cost. I thank you.

The SPEAKER pro tem: The question before the House is on the motion of the gentleman from China, Mr. Farrington, that this bill be indefinitely postponed. The Chair recognizes the gentleman from Turner, Mr. Gilbert.

Mr. GILBERT: Mr. Speaker, Ladies and Gentlemen of the House: I've done a little research and a little kind of sincere thinking since the last time I made the statement that I would support the bill if it took an amendment off. I'm going to support the gentleman from South China, Mr. Farrington, in his motion for indefinite postponement for several reasons.

One is, it isn't an awful hardship in the rural areas if the youngsters all go to one school. Now any amendment that says they should transport them to the school where the most pupils go would create more hardship than they are under now. But this isn't wholly a rural problem. I didn't want to stick my nose in anybody's business outside of my own county, so I did go to the Department of Education and I got the transportation cost from the City of Lewiston and the City of Auburn. And I found out that it will increase Lewiston's transportation costs by twenty-two thousand dollars. I found out it will increase Auburn's by some thirty thousand dollars and the basis for that is to take the present cost which is for elementary purposes which is eight grades, which is approximately twice the enrollment of your secondary schools, so it would cost you half as much to haul your secondary pupils as it would your elementary pupils. But actually that isn't quite true, because the law states in your seating capacity square footage.

Now any bus which will hold sixty elementary pupils by law can only haul forty secondary pupils. So you've either got to get into larger busses or you've got to in-

crease the number of them some way or other. And if you try to haul the secondary pupils and the elementary pupils on one bus you have problems then. All in all I think that until such time that rural areas get into districts that we'd better leave things alone. Once they get into districts they are required to haul secondary pupils and at that time they'll all be going to one school and at that time it won't affect these larger municipalities.

And also when you start in transporting secondary pupils you can have a law that says you must transport them, but there is no law and you cannot enact one that'll say they must ride. Now in my own town we have Leavitt Institute which is classified as a public school so we can do things that probably other towns can't do. The institute hires a school bus and we send it into the outside towns to pick up our tuition students as an accommodation to them. Now we contract with the bus for so many dollars and the parents of the children pay us fare. Now we always lose money on the deal because you never know how it comes out. But the reason we lose money is this.

We know how many youngsters we have and everything works out all right, but the trouble is there comes the baseball season. Well the boys want to play baseball so they come in the car and the basketball season is the same and the football season is the same and then there will be other kids that will want to stay for some other reason and so they'll ride with them and so then they'll have extra room in the car and the kids will like to get the two bucks so they ride with them. So after you've created your transportation, the youngsters will eventually half of them end up riding with someone else anyway. Now as far as the statement that was made the other day about seeing youngsters hitchhiking on the road, I've seen youngsters hitchhiking on the road when school wasn't in session.

Now I have never yet on my way to Lewiston and Auburn when school was in session seen a school child hitchhiking.

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

Mrs. HANSON: Mr. Speaker, I'm not changing my mind on this bill. It would still bankrupt my town financially. I think that the legislature cannot tell a town whether they financially can do something that they know nothing about. We are not crying in the dark in my town. I contacted our school superintendent and he reiterates that even though he is in agreement with the principle of this bill that in specific cases its effects are catastrophic. I have been told in no uncertain terms by some proponents and members of this House that my reasoning smacks of the dark ages. I cannot agree. In my book it will never be good policy to continue to spend more and more of the town budget on one item in the budget while all other town needs are sacrificed, even with state and federal assistance. It is one thing to take out of one pocket and put it in the other, but it's quite another to take out of both pockets without knowing or having a bottomless source to refill. Therefore, I still would move indefinite postponement of this bill.

The SPEAKER pro tem: Motion before the House is the motion of the gentleman from South China, Mr. Farrington, that this bill be indefinitely postponed and a division has been requested.

The Chair recognizes the gentleman from Clinton, Mr. Hunter.

Mr. HUNTER: Mr. Speaker, Ladies and Gentlemen of the House: I rise in opposition to this bill. I'm a very firm believer in home rule. We have the people selected by the people of the towns and I think they know what's best for their particular town. I think this legislature already has infringed upon the prerogatives of the cities and towns too much. Thank you.

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

Mr. CARROLL: Mr. Speaker, Ladies and Gentlemen of the House: I'm going to make this short and sweet. I'm hungry too.

This bill received a divided report, but we did have a majority. Now we've heard quite a few speak against this bill and I've put a lot of research in it trying to relieve all of these people of their worries and I have checked on the money that will be coming from the Federal Government and there will be funds coming to these towns and these towns will be able to spend these funds, they'll kind of have a free rein but, they must spend these funds to do something which they are not doing now and I say to you that if they are not transporting the scholars it is time we moved ahead in the field of education especially on a secondary level and I can only say in closing, I think of that man who had three children in high school and paid fifteen dollars a week for transportation out of probably a fifty dollar pay check.

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

Mr. FARRINGTON: Mr. Speaker, Ladies and Gentlemen of the House: Having talked considerably this morning, I will be brief. I will agree with many of those who are in favor of this measure. I think if it came to a vote in my town I would be in favor, especially if funds were available from the Federal Government, to vote for transportation of secondary school pupils. However, my particular towns that I represent are in the position of furnishing proper primary education in the process of paying for high schools and getting proper teachers, it's a question in our area of having proper schools, teachers and facilities and needs or to furnish transportation to a school that does not have teachers or even buildings suitable. I would hope that 151 members of this House would not decide the fate of all the citizens in the state where they have an opportunity to vote in each individual area to decide on this issue and to decide on it when and if such funds are available to subsidize secondary school education. Thank you.

The SPEAKER pro tem: The Chair recognizes the gentleman from Turner, Mr. Gilbert.

Mr. GILBERT: Mr. Speaker, I would merely like to say that there is another law regarding the secondary schools which makes it permissive to transport secondary pupils and receive a state subsidy if the town so votes. So if a town wants to transport secondary pupils they now have the privilege. The only thing this is this makes it compulsory and I think that if they've got a privilege to and if a majority of the people in the town want to all they've got to do is put an article in the warrant and vote to do it and they can do it. And if they don't want to do it, if they are going in different directions and they don't want to transport them, I don't think that we should come over here and tell them what they've got to do.

It's also permissive for the town to pay a youngster's board if they want to board a youngster out. So it's permissive legislation now.

The SPEAKER pro tem: The Chair recognizes the gentleman from Phillips, Mr. Palmer.

Mr. PALMER: Mr. Speaker, I haven't any children in school but I do have a responsibility and I think we members of this Legislature also have a responsibility. If we make a law forcing a child to go to school, secondary school, then I think its our responsibility to furnish transportation for him. I hope this bill passes.

The SPEAKER pro tem: The Chair recognizes the gentleman from Glenburn, Mr. Cookson.

Mr. COOKSON: Mr. Speaker, I wonder if you people realize the situation that this is going to put some of these towns into, towns like my own that send children to five and six different high schools. We know that this SAD districts is going to come into effect in a short time and there is when they will automatically be transferred, transported rather. But until that time I think you're making a grave mistake in saying that these little towns who have districts all around us who are taking these children and like into the cities of Bangor, Brewer, Hermon,

Corinth, Charleston, we send them to all of them. We give them their choice and this way they are not going to have their choice. They are going to have to go where you say you will haul them to and at this time I hope that this bill does not pass because it will cost these little towns just more money than they can ever come up with. Thank you.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from China, Mr. Farrington, that this Bill "An Act relating to Conveyance of Secondary School Pupils," House Paper 465, L. D. 619, be indefinitely postponed and a division has been requested. All those in favor of indefinite postponement will rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Eighty-four having voted in the affirmative and thirty-five having voted in the negative, the motion for indefinite postponement prevailed.

The Chair recognizes the gentleman from Clinton, Mr. Hunter.

Mr. HUNTER: Mr. Speaker, I move that we reconsider and I hope everyone votes against it.

The SPEAKER pro tem: The gentleman from Clinton, Mr. Hunter, moves reconsideration. All those in favor of reconsideration say aye, those opposed, no.

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

Sent up for concurrence.

On motion of Mr. Levesque of Madawaska,

Recessed until one-thirty o'clock this afternoon.

After Recess

1:30 P. M.

The House was called to order by Speaker Childs,

The SPEAKER: The Chair at this time would like to express his thanks to the gentleman from Cape Elizabeth. Mr. Berry, for acting as Speaker pro tem, and for the fine performance. (Applause)

On motion of Mr. Levesque of Madawaska, by unanimous consent, the House voted to take from the table the thirtieth item of Unfinished Business:

HOUSE JOINT ORDER Relative to Joint Standing Committee on Appropriations and Financial Affairs and Taxation acting jointly reporting a Bill Providing Supplemental Appropriations.

Tabled — May 12, by Mr. Levesque of Madawaska.

Pending — Passage. (Assigned for later in yesterday's session) (H. P. 1128)

On further motion of the same gentleman, the Order received passage and was sent forthwith to the Senate.

The SPEAKER: We will now return to the sixth Unfinished Business.

The Chair laid before the House the sixth item of Unfinished Business:

Bill, "An Act relating to Powers of Board of Trustees of Maine Maritime Academy." (H. P. 877) (L. D. 1173) (H. "B" H-239)

Tabled—April 28, by Mr. Levesque of Madawaska.

Pending—Motion of Mr. Jalbert of Lewiston to Indefinitely Postpone House Amendment "B." (Specially assigned Tuesday, May 11th)

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

Mr. JALBERT: Mr. Speaker and Members of the House: I had made a motion to indefinitely postpone House Amendment "B" and then was going to go along with the cutting of this bill. I have inquired as to what the situation was concerning this program. I know that the people of Maine voted to have a dormitory of \$475,000 in the last referendum. I also found out that in 1959 the people of Maine also voted to allow the Maine Maritime Academy to borrow up to a million dollars for improvements and I certainly would go along with the thinking of the people of Maine who when I looked up the voting, overwhelmingly voted that this be so. I got in touch since then with the individuals involved in this program,

the members of the House, and I told them that I would move to withdraw my motion and go along with their program and I intend to keep my word. I now withdraw my motion.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, withdraws his motion to indefinitely postpone House Amendment "B".

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

The Chair laid before the House the seventh item of Unfinished Business:

HOUSE REPORT — "Ought not to pass" — Committee on Appropriations and Financial Affairs on Bill, "An Act to Authorize General Fund Bond Issue in Amount of Four Hundred and Fifteen Thousand Dollars for Vocational Educational Building at the Boys Training Center." (H. P. 15) (L. D. 15)

Tabled—May 6, by Mr. Jalbert of Lewiston.

Pending—Acceptance.

Thereupon, the "Ought not to pass" Report was accepted and sent up for concurrence. (Specially assigned for Tuesday, May 11th)

The Chair laid before the House the eighth item of Unfinished Business:

HOUSE REPORT — "Ought not to pass" — Committee on Appropriations and Financial Affairs on Resolve, Appropriating Moneys for Conversion of Heating System at Boys Training Center. (H. P. 305) (L. D. 408)

Tabled—May 6, by Mr. Binnette of Old Town.

Pending—Acceptance.

Thereupon, the "Ought not to pass" Report was accepted and sent up for concurrence. (Specially assigned for Tuesday, May 11th)

The Chair laid before the House the ninth item of Unfinished Business:

HOUSE REPORT — "Ought not to pass" — Committee on Appropriations and Financial Affairs on Bill, "An Act Providing Subsidy

to Driver Education." (H. P. 792) (L. D. 1128)

Tabled—May 6, by Mr. Gifford of Manchester.

Pending—Acceptance. (Specially assigned for Tuesday, May 11th)

The SPEAKER: The Chair recognizes the gentleman from Manchester, Mr. Gifford.

Mr. GIFFORD: Mr. Speaker and Members of the House: Reluctantly, I move the acceptance of the "Ought not to pass" Report of the Committee.

The SPEAKER: The gentleman from Manchester, Mr. Gifford, now moves the acceptance of the "Ought not to pass" Report.

Mr. Bishop of Presque Isle requested a division.

The SPEAKER: A division has been requested. All those in favor of the acceptance of the "Ought not to pass" Committee Report will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

One hundred and three having voted in the affirmative and none having voted in the negative, the motion prevailed.

Sent up for concurrence.

The Chair laid before the House the tenth item of Unfinished Business:

DIVIDED REPORT — Majority (9)—Committee on Judiciary on Bill, "An Act relating to Discrimination in Rental Housing." (H. P. 635) (L. D. 860) reporting same in New Draft (H. P. 1112) (L. D. 1518) under same title, and that it "Ought to pass" — Minority (1) — "Ought not to pass."

Tabled—May 6 by Mr. Scott of Wilton.

Pending—Motion of Mr. Ross of Brownville to Indefinitely Postpone. (Specially assigned for Tuesday, May 11th)

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

Mr. ROSS: Mr. Speaker, Ladies and Gentlemen of the House: I don't call this an antidiscrimination rental housing bill. I call it a forced housing bill. And as far as discrimination goes, the other

day it was tabled so we could look at the new draft. Well, I've looked at the new draft and if I've ever seen anything discriminatory, that is it. A two family house is exempted. How about the poor taxpayer that's foolish enough to own three or more units? He's not exempted and if that isn't discriminatory I don't know what is, and I'm sticking to my motion for indefinite postponement. I don't feel that this legislation is necessary at all in the State of Maine.

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

Mr. ROSS: Mr. Speaker, we've been wondering from day to day exactly when this was going to come up. Each day the co-sponsor the gentleman from Freeport, Mr. Graham, and I would ponder the question of whether or not it would come up that day and only yesterday he observed that perhaps he and I were being discriminated against.

Although this bill is entitled "Discrimination in Rental Housing", it is commonly referred to as fair housing legislation. If any situation threatens the well being of a community or its citizens, it is not only the right, but the obligation of government through the legislature to enact remedial laws. These, of course, should be reasonable in their ability and approach to attain just solutions. This proposal as amended by the Judiciary Committee, certainly falls into that category. It poses hardships on no one while seeking protection for certain minority groups. No one even contemplates that this will be a sudden miraculous cure for all housing ills. However, it is an indication of our good faith and recognition of the basic rights of all persons regardless of race, color or creed.

Since becoming one of the sponsors of this bill, I am now acutely aware of the opposition and their reasons therefor. Most notable in their arguments is the fact that they are not based as much on logic as they are on platitudes and their implications. Of course, I refer to such things as: A

man's home is his castle. It is basically wrong to impose restrictions on one's personal property. We can't legislate morality or change the hearts of men. People have always had and will always continue to have prejudices — no matter what laws we enact. There is really no need for such a law in Maine because there are so few Negroes. I have even heard it called the most vicious legislation of this session.

Let's look at some of these cliches and briefly discuss their validity. It's all right to consider your home your castle with complete ownership control until you decide to rent portions thereof. This, then, becomes public concern. How about property restrictions? Sometimes people forget that there are laws now that stipulate the type of home you can build in certain places. They tell us how it must be piped and wired. They limit the condition of disrepair and nuisance factors permitted. They even restrict renting at all in certain locations. For those who maintain that there is no need in Maine, let us bear in mind that approximately 3,000 citizens are restricted to inferior housing. This carries with it the lack of education, inferior job opportunities, futility and poverty. All of these are caused because of prejudice and we maintain this is not morally right.

This brings us to the point of the inability to legislate morality and to do away with prejudices. As far as morality goes, we may not be able to legislate this, but we can refuse to permit apathy to dictate that property rights take precedence over human rights. We will admit that there will always be prejudice. We only contend — let those keep their prejudices and discriminate if they like, but only do so lawfully and not to the detriment of any minority group.

To accomplish the foregoing, we need a fair housing law for the protection of our citizens. If enacted, there are still, of course, many reasons to refuse to rent property. Inability to pay, disorderly conduct, drunkenness, too many children or pets, un-

cleanliness or noisy behavior. However, each group or segment must be treated accordingly and prejudice only because of race, color or creed will not be tolerated.

At the public hearing one of the most interesting presentations was given by a gentleman by the name of Mr. Roger Ray of Cape Elizabeth. A summation of his ideas might well be of interest to this House. He stated that Portland had done a thorough job of discrimination long practiced in many areas. He recalled his childhood days when the dangers to his neighborhood stemmed from the Irish. People whispered how the area would decline and fall into disrepair because these people had too many children and worst of all — they were Catholics. Then, came the Italians — commonly pronounced "Eyetalians" — This was a fearful prospect because not only did they have too many children and were Catholics, but were also extremely noisy. Later another horror arose, a Jewish family had the effrontery to consider moving in and even bringing their synagogue with them. Throughout this trial and these ordeals the neighbors rallied and did their best to whisper and spread rumors and even outright lies.

Of course, it goes without saying that they never spoke to these brash outsiders. Still, they came, they settled, no blight was spread and now everyone brags about their nice refined area and splendid neighbors. But now a brand new menace has reared its ugly head. A Negro has applied to rent an apartment in their beloved neighborhood. It makes no difference that the couple are respectable, refined and college educated. The area must now revert to its former ways because of its excellent and complete training in discrimination.

Another speaker mentioned some points which many of us here in this House have experienced. At one period in my life I was forced to move from place to place quite often and had many neighbors. Some were noisy — others quiet; some were friendly — some were

unfriendly; many were clean, but a few were dirty. In other words some were desirable and some undesirable, but their being white Anglo-Saxon Protestants or not had nothing to do with the case. Good neighbors are noticed for their desirable qualities, not the color of their skin.

And since I have been reminiscing a bit, I will continue one more brief interlude. Many years ago I committed to memory quite a bit of poetry, the type that is more appealing to men than to ladies, by such authors as Robert Service and Rudyard Kipling. And since yesterday we discussed at some length in this House, drinking, and today we are launching antidiscrimination, I believe excerpts from one of these poems might be appropriate.

You may talk o' gin and beer
When you're quartered safe out
'ere,
An' you're sent to penny-fights an'
Aldershot it;
But when it comes to slaughter
You will do your work on water,
An' you'll lick the bloomin' boots
of 'im that's got it.
I sha'n't forgit the night
When I dropped be'ind the fight
With a bullet where my belt-plate
shoulc. 'a' been.
I was chokin' mad with thirst,
An' the man that spied me first,
Was our good old grinnin', gruntin'
Gunga Din.
'E lifted up my 'ead,
An' he plugged me where I bled,
An' 'e guv me 'arf-a-pint o' water
green.
It was crawlin' and it stunk,
But of all the drinks I've drunk,
I'm gratefulest to one from Gunga
Din.
Yes, Din! Din! Din!
You Lazarushian-leather Gunga
Din!
Though I've belted you and flayed
you,
By the livin' Gawd that made you,
You're a better man than I am,
Gunga Din!

Now many of us feel very strongly that this or any law is morally right if it reduces an injustice imposed upon a minority group. In the final analysis, this only requires landlords judge tenants not

the qualities which make for good neighbors, citizens, and customers. It prohibits excluding anyone because of a personal prejudice against race, color or creed. This and this alone is our reason for supporting this legislation. If this is vicious, I guess we are guilty, but I for one fail to see how common sense could ever justify such a claim.

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

Mr. GILLAN: Mr. Speaker, Ladies and Gentlemen of the House: As the lone signer of the minority report from the Judiciary Committee, I feel you are entitled to an explanation of my action.

I realize that there are some very laudable motives behind this proposed legislation, but to me there are so many other objectionable features that I could not go along with it.

First, it's a complete new role in the concept of the state and control over the private property of its citizens. When we speak of private property owners, who are we referring to? I think we are referring to the very backbone of our civilization. These are the people who have saved their money, they have not wasted it. They have saved their money to buy property. They've had to struggle to keep it. If they don't pay their city taxes, it will be taken from them. Likewise the state and the Federal Government. That to me in being such a novel concept, I did not want to approve it.

Secondly, the criminal penalty provisions of this bill to me are terrible. As pointed out, you may have defenses, that is, the landlord may have defenses on his declining to rent to certain people, but if he declines and any potential tenant is disgruntled by the refusal all he has to do is go to the nearest court, make a complaint, a warrant is issued and the property owner is arrested like a common criminal. Many states having this type of legislation or similar so-called fair housing legislation, have the complaint initially referred to a commission, a

civil proceeding only, in which both parties were allowed to state their explanations, the landlord particularly. If the landlord's explanation is suitable then it goes no further, there is no criminal proceeding.

Now some of the statements made by the proponents of this bill, well the law is on the books nobody will use them. How do we know they won't use them? Consider that some elderly person, probably never been in traffic court in their life, could be hauled in and treated like a common criminal. But despite that, despite my personal objections to it, I was willing to pass a report out of committee with a public referendum rider attached. I realize that the mores of society change over the period of time and I could have been wrong. But the thing, the very thing that the proponents don't want, apparently, is a public referendum. And I ask you why, is it because they are afraid of an unfavorable result? I have no idea how a public referendum would come out on this in a vote. I realize there are many good citizens in the State of Maine who might favor this, but something that does attack what we have always considered our rights, personal property rights to me, is a matter that should be voted upon by all the citizens of the State. However, since the proponents of it do not want it, apparently do not want to submit this to the public, then I join in the motion of the gentleman from Brownville, Mr. Ross that this bill and its accompanying papers be indefinitely postponed. Thank you.

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

Mr. LYCETTE: Mr. Speaker, Ladies and Gentlemen of the House: In view of the florid oratory always displayed by the gentleman from Bath, Mr. Ross, I believe I typify that shibboleth which says: "Fools rush in where angels fear to tread." I am very conscious of the fact that I am not an orator or a master of repartee and I also realize that I am just a faceless individual in seat 61 to most of you; thus I do not

rise to influence anyone on this bill. When I first read it, I was aghast that anyone would present such a document, but later I became frightened to contemplate its sinister implications. You know there is a well known cliché which says that coming events cast their shadows before. We look afar with some complacency to events in the South, but don't forget, it can happen here.

As a school boy I thrilled to read the story of those brave men at Bunker Hill, Lexington and Valley Forge. And I marveled at the sagacity of those far sighted men who wrote the Constitution and Bill of Rights. I don't want to wear my family's heart on my arm, but I remember of having an uncle who ran away at the tender age of sixteen years and enlisted against his parent's will and was killed in the first battle of the Civil War and his grandmother never outlived the sorrow of it. I enlisted in World War I to defend those rights and my son spent three rough years in the Far East for those rights. I do not want to see those rights abrogated by racial legislation such as is incorporated in this bill.

I am from Missouri, but I want to believe that a desire to correct some injustices was the only motivation behind this bill. And lest there be any misconception regarding this matter, I want to tell you here and now that ethics have nothing to do with my attitude in this issue. Two of my son's best pals were members of another race and they were always welcome guests in our home during their formative years.

Two weeks ago I was in a certain Maine Church and I was delighted to hear that a colored gentleman was a Deacon in that congregation. Some of our most lovable, patient, loyal Americans are composed of all races and creeds, but I do not think that entitles them to take over my property, any more than I should be able to demand egress and occupancy of theirs. And remember, ladies and gentlemen, this bill runs the gamut as to who may persecute you, and I use the word persecute advisedly. If you think it is fun

just to be the victim of even a civil suit, just try one on for size. Ordinarily under our present rules of jurisprudence you are presumed to be innocent until proved guilty, but if accused under this proposed bill, the zealots would hang you like they did the so-called witches of Salem. And don't forget it costs money to defend yourself in court.

I have had an indirect part in the implementation of many a forcible entry and detainer writ where the tenant was destroying the property and his children were making life miserable for the neighbors. If such people do not happen to believe as I do, must I rent him my house?

Undoubtedly, there are some good people who cannot find living quarters, but I cannot go along with the adoption of a law whose potential is so dangerous to the peace and well being of many of our good law abiding citizens.

For heaven's sake let's not make criminals out of everyone. I find that a good many fine people feel that we are going too far in this matter of Civil Rights, but are reticent to express themselves for fear they will be classified as segregationists.

The first of our Irish immigrants were the objects of discrimination, but they did not rise up and defy our law and everything worked out fine.

Laws and mandates aren't the answer to inherent racial problems and I cite the Saar, the Tyrol and Cyprus as prime examples. I think you.

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

Mr. KATZ: Mr. Speaker and Ladies and Gentlemen: For the first and for the last time this session, I rise not to argue, not to try to sway your vote, but purely to express my opinion on the subject, and to tell you why I shall vote for legislation to prohibit discrimination in rental housing.

The constitutional questions have long since been solved. The questions of due process under the fourteenth Constitution of the Unit-

ed States have long since been decided. Many cases have reached state courts, many cases have reached Federal Courts, and eight cases on the subject have been heard by the United States Supreme Court. I believe that of the fifteen hundred and thirty-eight bills and resolves considered by this legislature, L. D. 1518 is truly unique.

I believe that it is unique in that it is the only L. D. before us on which each and every one of us are expert. It is the one bill of all of them on which nothing new can truly be said. It is the one bill out of all of them where our individual consciences will be the one factor which dictates passage or rejection of this legislation. I shall vote for this legislation because I am against the injustices which have been perpetrated and are being perpetrated against good citizens of the United States for no other reasons other than reasons of accident of birth. I am for this bill because I want on the law books of my state a declaration of conscience that advances the brotherhood of man. And finally, and with humility, I shall vote for this bill because of the sum total of the experiences of the forty-six years of my life. I've been privileged to travel on every continent. I have lived with the black man in Africa, I have lived with the yellow man in China, and I have lived with the brown man in India, and I know that I have been treated with more dignity when living among them in their countries than they have been treated living in my country. And my friends, finally, I shall vote for this bill because, in truth, I have no other alternative.

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

Mr. GRAHAM: Mr. Speaker, Ladies and Gentlemen of the House: I am a co-sponsor of this bill. I sponsor it in all humility. Suspicion, fear, hatred of those who are different from ourselves racially or by religion is, alas, one of the deepest of human traits. As children we shrink from those

who are different from ourselves just because they are different. But as adults, mature adults, we come to understand that all men are human. Religion and science teach us that all men are brothers and should be valued or deplored for what they are as individuals. Every race and every religion has individuals who are good and others who are bad, some who are almost saints and other who are despicable.

All our reason and all our religious teaching warn us against bigotry and prejudice, the prejudging of people, not on their merits, but on the grounds of their color, their creed, their ancestry.

Such stupidity, such cruelty, not only causes great suffering to the minorities who are the victims of the bigotry, it keeps society in a turmoil — witness the South. This is bad for business, bad for our image overseas, and bad for our souls. Where race and religious prejudice thrive, there you have a sick and troubled society.

It was to help keep Maine from becoming a sick society that this law was introduced. As the population expands America is getting more and more crowded. We are going to have to learn to live together or perish. If present suspicions and hatred endure, we will end by devouring one another like rats turned loose on a desert island.

Negroes, of course, are the chief victims of racial prejudice, but other minorities have also been the victims of bigotry and prejudice, in America and in Maine. It is wrong to say there is no problem in Maine and hence no need of a law. There is a problem in Maine. We can give you dozens of cases of sober, respectable, friendly, financially sound individuals being turned away again and again, humiliated. This is too bad of course, the opponents of this bill say, but after all only a very small percentage of the population are Negroes. Time will heal the situation. On the contrary, ladies and gentlemen, the situation is getting worse. But if only one man were the victim of injustice we should see that

he gets justice. As long as, in defiance of our Declaration of Independence and our Constitution, we discriminate on racial or religious grounds, so long are we guilty and so long is our society corrupt. By excluding Negroes and other minority groups from certain sections of our cities, we are driving them into little Harlems. We can't gloss over our prejudice, we must face it and fight it, not only for the Negroes but for ourselves because when we degrade others, we degrade ourselves.

Some people fear that what this law would do, it would only establish a climate for better human relations. I anticipate few if any prosecutions under this law. A law against discrimination in public accommodations has been on the statute books since 1959. This forbids racial discrimination in hotels and motor courts and so forth. There has been no harassment under this law, no prosecutions as far as I know, but there has been discrimination in rental housing and this law would discourage that discrimination. It would be sad if Maine which led in the fight to end slavery should now lag behind in the effort to eradicate that residue of slavery, racial discrimination. Let's now join the great idealistic crusade of our time, the crusade for equal opportunity for all, and pass this law. I urge you to defeat the motion of the gentleman from Brownville, Mr. Ross, that this bill be indefinitely postponed.

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

Mr. RICHARDSON: Mr. Speaker, Members of the House: In this welter of prepared speeches I must apologize to you for not having one. Therefore, perhaps thankfully I will be brief.

We in Maine are proud, justly proud of the image that we enjoy among our sister states and in fact all through the nation of being honest, down to earth, no nonsense people. I agree with the opponents of this bill when they say we do not have a big prob-

lem. We do not have racial ghettos but I say to you and as a signer of the "ought to pass" report, I feel that you are entitled to an explanation, that I as a State of Mainer see absolutely nothing wrong in the people of this state now going on record declaring themselves against discrimination in the rental of housing which is offered to the general public, simply because the applicant happens to be the member of a particular race, or creed, or the color of his skin is different from that of the landlord. I see no violation of the constitutional rights of any person. The landlord can continue to refuse rental accommodations on the grounds that the applicant is a drunkard, or financially irresponsible, or noisy, or dirty, or that he has too many children, but I say to you that it will be a sad day for this state when we equate the State of Mainer's sense of fair play, justice, no nonsense, with a continual inability to pass this legislation.

Now is the time, let's declare ourselves. I am not worried about the fact there won't be a great many prosecutions. One of the functions of the law is not only to prohibit conduct, it is to encourage it. We want to by our action encourage the people of this state in what we know, all of us know, is a correct form of behavior. I urge you to defeat this motion to indefinitely postpone.

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

Mrs. WHEELER: Mr. Speaker and Ladies and Gentlemen of the House:

Before L. D. 860 was even given a public hearing the forces of the real estate boards were injecting their own special brand of venom into the bill. This was a misguided effort on the part of one segment of the community purposefully discriminating against another, and asking the Legislature to endorse it by voting against the Fair Housing Bill.

The real estate boards association sent a letter to all members

of the real estate associations, all landlords, tenants and realtors, that warned the bill — and I quote — “prevents you from choosing for any reason between prospective tenants or even choosing a person of your own choice.” Nothing could be farther from the truth! !

Here is another erroneous conclusion from the board's letter: “You as an agent should maintain the right to act for your client subject to his instructions.”

This smacks of slick innuendo. It suggests that if the law were to say that no rentor could discriminate because of race, creed or color he could not discriminate at all. Nothing could be farther from the truth! !

As you have all heard by now, the Fair Housing Bill is designed to put civil rights ahead of private rights; it will destroy the age-old keystone of democracy that says “A man's home is his castle.” In short, the bill is against everything that is good about this grand old State of Maine.

And again I say — nothing could be farther from the truth! !

The arguments against this bill are, to say the least against them, the product of a narrow minded, backward philosophy not unlike that championed by the erstwhile Senator from Arizona last fall.

Maine is fortunate, however, because it has citizens of high-minded influence who don't subscribe to these arguments. Instead they have taken time to appear before the Legislature's Judiciary Committee and express their viewpoints for this bill.

Bishop Daniel J. Feeney, the spiritual head of the Roman Catholic Church in Maine; went on record in favor of the bill at that committee's hearing. He was joined at the hearing by leaders of the Protestant communities of Maine who vigorously supported the bill and leading educators also appeared to support it. It lasted more than six hours and covered many, many aspects of human rights and property rights and the hearing brought out the one major point I hope all of you realize: As

long as any one man, woman or child is discriminated against, then every man, woman and child is discriminated against.

What about this argument that the Fair Housing Bill places civil rights ahead of private or property rights? The bill does not do that. It doesn't tell a landlord to rent his property to the first applicant or he will be arrested. If that prospective tenant has too many children, has a record of inability to pay his rent, a drunk or disorderly person, unclean or has pets, then the landlord or his agent has a right to refuse him accommodations.

But the proposed law does state that no one would have the right to refuse this applicant because of his race, creed or color and for no other reason.

There are 17 states, the Virgin Islands and 36 cities that have fair housing laws. An additional 28 cities have resolutions affecting discrimination in housing. Eighteen states are planning to establish such laws.

No one believes these laws have achieved miraculous changes. It is equally clear they have not brought about any of the disasters that were predicted.

A man's home is his castle. That truism is not going to be altered with this proposed law because it does not affect the so-called “castle concept” or real estate interests. The castle concept came from the Middle Ages when king's men used to invade a man's home, search it, seize what they felt they wanted, and then rode off. Today police cannot enter a man's home without a warrant issued by a legal authority. This Fair Housing Bill is not going to open that door for the police, but it will open doors into apartments, units or rooms for those prospective tenants of a different race, creed or color than that of the landlord or his agent.

The landlord is engaged in commerce. He has a product to sell and it is living space under a roof. The Fair Housing Bill would make the landlord follow a law that he should not have to be told to fol-

low — that all men are equal in these United States.

There are those that tell you such things as: You can't legislate morality, or it takes time, or you must first change the hearts and minds of men.

Each of these generalities has enough truth to be troublesome but none carries the day. Time is a wasted commodity if it passes but is not used. Our current dilemma in this country is witness to that empty passage of time. Certainly there must be changes in the hearts and minds of men and one meaningful way to accomplish this is through law. Law regulates behavior and behavior ultimately changes attitudes and that is why we must act now. Now is our time to do something!

The SPEAKER: The Chair recognizes the gentleman from Moscow, Mr. Beane.

Mr. BEANE: Mr. Speaker and Ladies and Gentlemen of the House: A few moments ago I was called to the rear of the House and handed a note from my seat-mate, Mrs. Carswell, who is ill. She asked me to read a note to you.

"There is a definite problem in Portland and we have had this problem for a long time and that is why I am in favor of this legislation. If there wasn't any need for this bill I would not be in favor of putting unnecessary laws on the books. I feel there is a definite need for this legislation." Signed Mrs. Carswell.

I might add that these are also my views. Thank you.

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

Mr. BUSSIÈRE: Mr. Speaker, and Members of the House: I attended this hearing which was held quite a while ago and the biggest surprise to me was to see the committee report. Now, the opponents outnumbered the proponents by ten to one. There is no need for such a bill here. And I can't see why the state should try to do something to hurt the property owner. I think that they would do much better by education than by legislation. About the only thing

this will do, knowing the Judiciary Committee made up of ten very young, brilliant lawyers from the State of Maine, it will do nothing but supplement their income.

I heard it, Mr. Speaker, on that same day. I am very much surprised to see the report, because the attendance at the committee was a proof that there was no need for such legislation and I am to support the motion that was made by Mr. Ross, not Mr. Ross from Bath, but Mr. Ross from Brownville.

The SPEAKER: The Chair recognizes the gentleman from Scarborough, Mr. Lent.

Mr. LENT: Mr. Speaker, Ladies and Gentlemen: I was not a member of this House two years ago, but I followed the action along this in regard to a similar bill through the newspapers, and I was amazed, thinking that every state would quickly ratify what the Supreme Court had done in the adoption of the law of the land in regard to this type of an issue. In reading the papers, I came to the conclusion that the House of Representatives two years ago, if they were not in favor of supporting an anti-discrimination bill, that left only discrimination. Now in the minds of the person on the street, this could very well work against a decent image for this Legislature. Thank you.

Mr. Ross of Brownville requested a division.

The SPEAKER: The gentleman from Brownville, Mr. Ross, has requested a division.

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

Mr. BENSON: Mr. Speaker, Ladies and Gentlemen: Probably the popular thing on a bill such as this, is to be like the little boy, seen and not heard. But, I feel that there are several things that I would like to say in this regard. I think that the co-sponsor, Mr. Ross from Bath, has enumerated some of the best reasons that I could possibly think of for defeating the bill. He has given us a number of very good reasons why the bill should not be passed. He has said that we have had the Irish. We have had the Italians,

we have had the Jewish people come to our country and they have been treated after a fashion equally and equitably. We have had an Irish Catholic preside over this country as its President. We have had an Italian as a Governor of Massachusetts. He is in that position now. We have an Attorney General in Massachusetts as its Attorney General at the present time.

I think that we are amply covered under Article I which is the Declaration of Rights of our State Constitution. It is very brief. I will read it. "All men are born equally, free and independent and have certain natural, inherent, and unalienable rights, among which are those of enjoying and defending life and liberty, acquiring, possessing and protecting property and of pursuing and obtaining safety and happiness." Section 6A says further and the sub-section caption is "Discrimination Against Persons Prohibited" and it reads "no person shall be deprived of life, liberty and property without due process of law, nor be deprived the equal protection of the laws, nor be denied the enjoyment of his civil rights or be discriminated against in the exercise thereof."

I think I would have to subscribe rather heartily to the remarks of the gentleman from Brownville, Mr. Ross, when he said that this in effect is not an anti-discrimination bill, but is indeed a discrimination bill. We are seeking here to take the rights of one group, the real estate and property owner, and hand them over to another group, a group for whom I have no animosity whatsoever. I feel that this is possibly taking off on a tangent in the wrong direction and I would support the motion to indefinitely postpone.

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from Brownville, Mr. Ross, that this bill and its accompanying papers be indefinitely postponed. The gentleman from Brownville, Mr. Ross, has requested a division.

Mr. Lowery of Brunswick requested a roll call.

The SPEAKER: The gentleman from Brunswick, Mr. Lowery, requests that when the vote be taken that it be taken by the yeas and nays.

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

Mr. BUSSIERE: Mr. Speaker, I would like to speak a second time if there is no objection.

The SPEAKER: The gentleman may proceed.

Mr. BUSSIERE: Mr. Speaker, Members of the House: This piece of legislation is exactly the same thing as was defeated two years ago. I say again, there is no need for such legislation. At least the only thing we could do for the best interest of the state would be to defeat this bill. I can't see no reason why the state should pass any law to force you to rent your apartment. There is a lot of things you have to consider before you rent an apartment.

Let me tell you what happened to me, two years ago. I rent one of my apartments for twenty weeks at eighteen dollars a week. Three hundred and sixty dollars. And when the gentleman notified me that he was moving to a rent that was cheaper than mine but better than mine, I said you are welcome to, get out. When I went upstairs to look at my rent it was the only time since he had occupied my rent for twenty weeks, it cost me four hundred dollars to repair it. Take that under consideration too. I hope that you defeat this bill.

The SPEAKER: The Chair recognizes the gentleman from Glenburn, Mr. Cookson.

Mr. COOKSON: Mr. Speaker, Members of the House: I do not wish to belabor this much longer, but I recall two years ago in this session we were quite torn as to how to vote and I had a very good friend in the City of Bangor who was a colored gentleman, a lawyer and a minister, so I went to him and asked him how he felt about this very same bill. And he was very gracious and sat down with me and talked it all over, and assured me that anyone in this country who wants to get ahead

today can do so by their own endeavor and he said I am definitely opposed to this bill and I know the people at home are definitely opposed to this bill on the whole. And if it wants to be put up to referendum I will vote for it, but under no other conditions. Thank you.

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from Brownville, Mr. Ross, that this Bill and its accompanying papers be indefinitely postponed and the gentleman from Brunswick, Mr. Lowery, has requested that when the vote be 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 vote being taken by the yeas and nays 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 arisen, the yeas and nays are in order.

The SPEAKER: The Chair recognizes the gentleman from Turner, Mr. Gilbert.

Mr. GILBERT: Mr. Speaker, Members of the House: First I would like to say that I am not opposed to color, race or creed. We have a Negro family in my town, belongs to my grange, belongs to my church and I am just as proud of them as I am of myself, but I would like to pair my vote with Mr. Burwell, if he was present he would vote for the bill and I would vote against it.

Thereupon, Mr. Gilbert of Turner, who would have voted "yes" had he voted, was excused from voting as he paired his vote with Mr. Burwell of Unity, who was absent but would have voted "no" were he present.

Mr. Gillan of South Portland, who would have voted "yes" had he voted, was excused from voting as he paired his vote with Mrs. Carswell of Portland, who

was absent but would have voted "no" were she present.

The SPEAKER: The Chair will state the question. The question before the House is on the motion of the gentleman from Brownville, Mr. Ross, that this Bill "An Act relating to Discrimination in Rental Housing," House Paper 1112, L. D. 1518 and its accompanying papers be indefinitely postponed. If you are in favor of this bill and its accompanying papers being indefinitely postponed, when your name is called, you will either answer yea or yes; if you are opposed to this bill and its accompanying papers being indefinitely postponed, when your name is called, you will either answer nay or no.

The Clerk will call the roll.

Roll Call

YEA — Anderson, Ellsworth; Baker, Orrington; Benson, Southwest Hbr.; Berry, Buck, Bussiere, Cookson, Cressey, Crosby, Curran, Cushing, Dickinson, Drouin, Dudley, Dunn, Edwards, Farrington, Hammond, Hanson, Gardiner; Hanson, Lebanon; Hawes, Hawkes, Haynes, Huber, Hunter, Clinton; Jewell, Kittredge, Lang, Lincoln, Littlefield, Lycette, McKinnon, Mosher, Payson, Peaslee, Rackliff, Richardson, Stonington; Roberts, Ross, Brownville; Sahagian, Susi, Waltz, Ward, Whittier, Wight, Fresque Isle; Wood, Young.

NAY -- Anderson, Orono; Avery, Baker, Winthrop; Baldic, Beane, Bedard, Benson, Mechanic Falls; Berman, Bernard, Binnette, Birt, Bishop, Blouin, Boissonneau, Bourgoin, Bradstreet, Brennan, Brewer, Carroll, Childs, Conley, Cote, Côttréll, Crommett, D'Alfonso, Danton, Davis, Doyle, Dumont, Eustis, Evans, Faucher, Fecteau, Fraser, Mexico; Fraser, Rumford; Gaudreau, Gauvin, Gifford, Graham, Harriman, Harvey, Bangor; Harvey, Windham; Harvey, Woolwich; Haugen, Healy, Hunter, Durham; Jalbert, Jordan, Katz, Keyte, Kilroy, Knight, Laberge, Lebel, Lent, Levesque, Lewis, Libhart, Lowrey, Lund, Martin, Meisner, Millay, Mills,

Mitchell, Nadeau, Palmer, Pendergast, Pike, Pitts, Poulin, Prince, Richardson, Cumberland; Ross, Bath; Ruby, Sawyer, Scott, Searles, Starbird, Storm, Stouta myer, Sullivan, Truman, Watts, Wheeler, White, Guilford; Wuori.

ABSENT — Bragdon, Carter, Champagne, Dostie, Drigotas, Erwin, Fortier, Glazier, Hoy, Kennedy, Lane, Norton, Roy.

Yes, 47; No, 87; Paired, 4; Absent, 13.

The **SPEAKER**: The **Chair** will announce the vote. Forty-seven having voted in the affirmative and eighty-seven in the negative, four having paired and thirteen being absent, the motion does not prevail.

Thereupon, the Majority "Ought to pass" Report in New Draft was accepted, the New Draft read twice and assigned for third reading tomorrow.

Order out of Order

On motion of Mr. Katz of Augusta, it was

ORDERED, that Gerald Lachance, Susan Lachance, Gene Carey, and Paul Gagne, all of Augusta, be appointed to serve as Honorary Pages for today.

The **SPEAKER**: Gerald, Susan, Gene and Paul are members of the musical group at Cony High School called the Sabres. On behalf of the House the **Chair** welcomes this group, and we hope that you will enjoy your duties as honorary pages for the day. (Applause)

The **Chair** laid before the House the eleventh item of Unfinished Business:

DIVIDED REPORT — Majority (8)—"Ought not to pass"—Minority (2)—"Ought to pass"—Committee on Business Legislation on Bill, "An Act Regulating Public Accountants Other than Certified Public Accountants." (H. P. 618) (L. D. 856)

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

Pending—Acceptance of Either Report. (Specially assigned for Tuesday, May 11th)

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

Mr. **BISHOP**: Mr. Speaker, Ladies and Gentlemen of the House: The bill which was before the Legal Affairs Committee on this same subject has not yet been reported out, and I would like to ask that somebody would have this tabled until Wednesday next.

Thereupon, on motion of Mr. Bernard of Sanford, tabled pending acceptance of either report and specially assigned for Wednesday, May 19.

The **Chair** laid before the House the twelfth item of Unfinished Business:

DIVIDED REPORT — Majority (7)—"Ought not to pass"—Minority (3)—"Ought to pass"—Committee on Taxation on Bill, "An Act to Establish a Voluntary Contributions Commission." (H. P. 161) (L. D. 183)

Tabled—May 7, by Mr. Levesque of Madawaska.

Pending—Acceptance of Either Report. (Specially assigned for Tuesday, May 11th)

On motion of Mr. Levesque of Madawaska, retabled pending acceptance of either report and specially assigned for Wednesday, May 19.

The **Chair** laid before the House the thirteenth item of Unfinished Business:

DIVIDED REPORT — Majority (8)—"Ought not to pass"—Minority (2)—"Ought to pass"—Committee on Taxation on Bill, "An Act Increasing State Tax in Unorganized Territory." (H. P. 605) (L. D. 797)

Tabled—May 7, by Mr. Levesque of Madawaska.

Pending—Acceptance of Either Report. (Specially assigned for Tuesday, May 11th)

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

Mr. **LEVESQUE**: Mr. Speaker, I now move that this item also lie upon the table until — —

The **SPEAKER**: The gentleman from Madawaska, Mr. Levesque, now moves that we accept the

Minority "Ought to pass" Report. Is this the pleasure of the House? All those in favor of accepting the Minority "Ought to pass" Report will say aye; those opposed no.

A viva voce vote being doubted, a division of the House was had. Seventy-eight having voted in the affirmative and thirty-one having voted in the negative, the motion prevailed, the Bill read twice and tomorrow assigned.

The Chair laid before the House the fourteenth item of Unfinished Business:

DIVIDED REPORT — Majority (8)—"Ought not to pass" — Minority (2)—"Ought to pass" — Committee on Taxation on Bill, "An Act relating to Definition of Farm Tractor Under Sales and Use Tax Law." (H. P. 718) (L. D. 956)

Tabled—May 7, by Mr. Dunn of Denmark.

Pending—Acceptance of Either Report. (Specially assigned for Tuesday, May 11th)

The **SPEAKER**: The Chair recognizes the gentleman from Denmark, Mr. Dunn.

Mr. **DUNN**: Mr. Speaker and Members of the House: This bill is an attempt to correct an inequity in the sales tax law in regard to farm tractors. Anyone buying a tractor to be used on a farm gets a benefit of the trade-in allowance so far as the sales tax is concerned, but if you buy that same tractor to use for any other purpose, you pay a sales tax on the full price.

Now a lot of these same tractors are used in woods operations and small operations of that sort. They need this tax break as badly as the farmers, they are a marginal business, and that is the whole purpose of the bill. So I move we accept the Minority "Ought to pass" Report.

The **SPEAKER**: The question before the House is the motion of the gentleman from Denmark, Mr. Dunn, that we accept the Minority "Ought to pass" Report.

(On motion of Mr. Payson of Falmouth, tabled pending the motion of Mr. Dunn of Denmark and

specially assigned for Friday, May 14.)

The Chair laid before the House the fifteenth item of Unfinished Business:

DIVIDED REPORT — Majority (8) — "Ought not to pass" — Minority (2) — "Ought to pass"—Committee on Taxation on Bill, "An Act relating to Sales Tax on Farm Machinery and Equipment." (H. P. 856) (L. D. 1153)

Tabled—May 7, by Mr. Levesque of Madawaska.

Pending—Acceptance of Either Report. (Specially assigned for Tuesday, May 11th)

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

Mr. **FARRINGTON**: Mr. Speaker and Ladies and Gentlemen of the House: My seatmate is not here present today and he requested me to have someone table this until tomorrow.

Thereupon, on motion of Mr. Ross of Bath, tabled pending acceptance of either report and specially assigned for tomorrow.

The Chair laid before the House the sixteenth item of Unfinished Business:

Bill, "An Act Establishing the Fire Fighters Arbitration Law." (H. P. 742) (L. D. 979) (C. "A" H-293)

Tabled—May 7, by Mr. Levesque of Madawaska.

Pending — Passage to be Engrossed. (Specially assigned for Tuesday, May 11th)

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

Mr. **BREWER**: Mr. Speaker, Ladies and Gentlemen of the House: I don't know just how familiar the members of this body are with this particular bill. I have taken the time to study it. Now it really is quite a package. We have just passed the minimum wage bill for firemen and this really can go beyond that. It looks to me as though this bill is a model bill from the National Fire-fighters Association, and it sets up an arbitration law within municipalities favoring one individual

group of your city and town workers.

Now I want it understood that I have no quarrel with the group of people organizing, because the members that have been here in the past two sessions know my stand on the right-to-work bill and the organization of workers into a particular union. Now this sets up a law in a community, a state law for a community, and ties them up tight in case the firemen want to organize into an independent union or a national affiliated union.

Now this can be costly to the community. In the first place, I'm not going to pick this bill all apart, but it sets up an arbitration board to hear wages and hour developments, any grievances that the fireman may have, conditions of employment, hazards of employment. Now that could be climbing ladders, I don't know.

Let's get acquainted with the arbitration board. It sets up a three member arbitration board, one chosen by the bargaining agent, the other by the municipality. If they have trouble choosing a third, the American Association of Arbitrators assigns a member who will act as chairman. Now the cost of these arbitration cases is terrific, and I'm well acquainted with that because we have from time to time arbitration cases being heard. Now the minimum would be \$50 a day for each arbitration member, one from the union bargaining agent and one from the municipality. If you get an arbitrator from the American Association of Arbitrators you're paying \$150 a day plus expenses.

I can visualize these arbitration cases, even the particular grievance firemen may be laid off for disciplinary reasons and he files a grievance and you go to arbitration. Now it doesn't mean that you pay that sum of money for one day for the hearing; you pay that sum of money while that particular group is meeting, they are writing their opinions, and it's submitted. Now when it comes to wages and hours this is what it says. It says that the arbitrators shall make comparison of wage rates or hourly conditions of em-

ployment of the fire department in question with prevailing wage rates or hourly conditions of employment of skilled employees in the building trades, building trades and industry.

Now you want to think about that briefly because I know what the prevailing wages for skilled mechanics are in my area, and I would hope that you would realize what it would be in your area. Now we are not talking a dollar minimum or a dollar and a quarter minimum, in this we are talking real money.

Now there was an amendment put on to this bill which was necessary if this bill were to be passed, and it sets up a way where the firefighters or the bargaining unit — or the firefighters can petition for an election, whether it be an independent union or a national affiliated union, and has set it up whereby the Commissioner of Labor and Industry will conduct that election, and also certify the winner, whichever the bargaining agent might be. I have no quarrel with that.

In the bottom it says, further amend said bill in the next to the last line of that part designated 988 by inserting after the underlined word shall the underlined word not. So let me read the original bill and I'll put the word not after shall. Now after the arbitration board has conducted their hearing and written their opinion, this is what it says after this amendment was passed.

A majority decision of the arbitrators shall not be final and binding upon either the bargaining agent or the corporate authorities. Shall not be binding. Now why do you have a board of arbitrators to arbitrate cases like this when it shall not be binding? Just who makes the decision? I don't think that we're ready to pass legislation of this sort. I will move indefinite postponement of the bill and all its accompanying papers.

The SPEAKER: The question before the House now is on the motion of the gentleman from Bath, Mr. Brewer, that this bill

and its accompanying papers be indefinitely postponed.

The Chair recognizes the gentleman from Lewiston Mr. Cote.

Mr. COTE: Mr. Speaker, Members of the House: I introduced this bill for the State Federation of Firefighters. There was some question about this bill and we went to the Attorney General, and it was at his suggestion that the amendment was put on this bill. That's why this bill is before you today as it is written. I'd like to read here from the Lewiston Daily Sun Editorial of March 30.

"The proposal to establish a fire fighters arbitration law in Maine is in the public interest and deserves the support of the Legislature.

The measure was introduced by Rep. Albert E. Cote of Lewiston and is in the hands of the Committee on Labor. The preamble of the act sets out clearly this policy: 'The protection of the public health, safety and welfare demands that the permanent uniformed members of any paid fire department in any municipality not be accorded the right to strike or engage in any work stoppage or slowdown. This necessary prohibition does not, however, require the denial to such municipal employees of other well recognized rights of labor such as the right to organize, to be represented by a labor organization of their choice, and the right to bargain collectively concerning wages, rates of pay and other terms and conditions of employment.'

The preamble further states that to provide for the exercise of those rights, 'a method of arbitration of disputes is established' but that its creation shall not 'be deemed to be a recognition by the state of compulsory arbitration as a superior method of settling labor disputes x x x'.

Essentially, what the Cote bill recognizes is that the public interest is above that of any group, in this case the firemen.

While we favor the proposal, we would like to see it expanded to include other public protection

groups, such as the police, and also school teachers of the state. Provision for arbitration would protect their rights, while not jeopardizing the public through work stoppages or strikes."

And I hope that the motion of the gentleman does not prevail.

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

Mr. LIBHART: Mr. Speaker, Ladies and Gentlemen of the House: Assuming a basic eighty-four hour week in the City of Brewer and also assuming a basic wage for the people in the builders trade that this bill refers to of \$2.50 an hour which I think is probably low, and also assuming that time and a half would not be involved which probably is not a valid assumption, we would be paying our firemen, after arbitration of a wage issue in the City of Brewer, a starting wage of \$210 a week.

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

Mr. BREWER: Mr. Speaker, Ladies and Gentlemen of the House: As I said before, I have no quarrel with groups organizing. I think our problem here is within a given municipality, is that we're setting up something for one individual group. Now I can visualize possibly, if the city employees organized, three separate unions within a given community. Now just look at what pressure the city council is in bargaining with three different unions. I think you have problems and I don't think you're ready to set up one particular group against another. I would ask for a division.

The SPEAKER: The question before the House is on the motion of the gentleman from Bath, Mr. Brewer, that this Bill and its accompanying papers be indefinitely postponed and he has asked for a division.

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

Mr. HANSON: Mr. Speaker, I request a roll call on this please.

The SPEAKER: The gentleman from Gardiner, Mr. Hanson, requests a roll call. In order for the Chair to entertain the vote being taken by the yeas and nays it must have the expressed desire of one-fifth of the members present. All those in favor of the vote being taken by the yeas and nays will kindly rise and remain standing until the monitors have made and returned the count.

A sufficient number did not arise.

The SPEAKER: Obviously less than one-fifth having arisen, the yeas and nays are not in order. 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.

Sixty-eight having voted in the affirmative and thirty-nine having voted in the negative, the Bill was indefinitely postponed and sent up for concurrence.

The Chair laid before the House the seventeenth item of Unfinished Business:

Bill, "An Act relating to Use of Moneys Received from the Potato Tax," (S. P. 490) (L. D. 1453) (S. "A" S-47) (H. "A" to S. "A" H-287)

Tabled—May 7, by Mr. Rackliff of Easton.

Pending—Passage to Engrossed in Non-concurrence. (Specially assigned for Tuesday, May 11th)

On motion of Mr. Rackliff of Easton, the Bill was passed to be engrossed as amended by Senate Amendment "A" as amended by House Amendment "A" thereto in non-concurrence and sent up for concurrence.

The Chair laid before the House the eighteenth item of Unfinished Business:

Resolve, Proposing Amendment to the Constitution Relating to Bond Issues to be Voted Upon by the People. (H. P. 612) (L. D. 804) (H. "A" H-225)

Tabled—May 11 by Mr. Berry of Cape Elizabeth.

Pending—Motion of Mr. Berry of Cape Elizabeth to reconsider action whereby Resolve failed of Final Passage. (Specially assigned for later in yesterday's session)

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

Mr. BERRY: Mr. Speaker and Members of the House: I think you will recall that this is the item that lacked a fractional part of achieving the two-thirds necessary vote and I would solicit your support to vote for reconsideration with the hope that my explanation might prevail upon those who did not vote with me the last time to change their vote. I think a very brief explanation of this bill would assist you in your thinking.

The bill is an attempt to simplify the balloting procedure by removing from the ballot bond issues which are beginning each year to increase in number. We may easily see this year twelve to fifteen bond referenda individually listed on the ballot, and I think our experience last November third with items so numerous that the average voter gets discouraged indicates that we should give some attention to simplifying the ballot procedure.

Now this bill first must be accepted by the electorate to become effective. The electorate of the State of Maine must accept the provisions of this bill. The bill provides that any bond issue will become effective ninety days after we adjourn unless: first, the legislature has not required that it be placed on the ballot. If the legislature says, we want to put this issue on the ballot, we think it is a controversial issue, let the people decide the legislature can put any bond on the ballot.

The second provision is that if one percent of the registered voters who voted in the previous gubernatorial election file a petition with the Secretary of State, then that particular bond issue will go on the ballot. Now this means 2,927 names can put a bond issue before the people and the people then can vote on it. I would in this instance recall to your mind a bond issue which

failed of passage by the people and I think we all remember that the Chebeague Island Bridge was very controversial, regardless of the merits of the matter, and that there was an effort to defeat it and the effort succeeded.

There was a great deal more work put into that than there would be required to put on the ballot any bond issue which only requires, as I said, slightly under 3,000 signatures. This means for instance, that if every member of the House obtained twenty signatures the required number would be obtained, and this is not a big job. There is no attempt to take away from the people what is justly theirs. They have this right of petition.

Also we as members of the legislature will perhaps pay a little bit more attention to bond issues that we are voting upon. We will not say to ourselves, well we'll pass this bond issue and then the people can pass upon it and they'll probably vote for it, because we will realize that in many instances, perhaps most of them, we will be the final judge and we will have to act in a responsible manner. I would hope that with this explanation, ladies and gentlemen, that you would vote for a motion for reconsideration and the ultimate passage of this resolve.

The SPEAKER: The Chair recognizes the gentleman from Denmark, Mr. Dunn.

Mr. DUNN: Mr. Speaker, I'm afraid I can't agree with the gentleman from Cape Elizabeth, Mr. Berry, that this isn't taking away something that the people have. It delays it and they've got to work to get it back again if we do this. I would certainly hope that we would not go along and take away a basic fundamental that belongs with the people. I request a division on this reconsideration.

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

Mr. KATZ: Mr. Speaker, Ladies and Gentlemen: I am thoroughly in accord with the gentleman from Cape Elizabeth, Mr. Berry, and

I am convinced by him that there are adequate safeguards for the people. Firstly, I don't believe any legislature is going to jam a bond issue down the peoples' throat if in any sense it is controversial. But to get all those bond issues where there is no controversy, where the people just rubber stamp us anyway, I think it's good legislation to clean up the ballot. It's progressive legislation and I hope you do vote for reconsideration.

The SPEAKER: The question before the House is on the motion of the gentleman from Cape Elizabeth, Mr. Berry, that we reconsider our action whereby this resolve failed passage. All those in favor of reconsidering our action will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Ninety-six having voted in the affirmative and twenty-three having voted in the negative, the motion to reconsider prevailed.

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

Mr. BERMAN: Mr. Speaker, and Members of the House: In my opinion this bill and the amendment to it may be one of the two most dangerous bills to come before this entire session. And only by the Biblical skin of our teeth as set forth in the Book of Job was this dangerous, and I maintain dangerous, constitutional proposal prevented from enactment on Tuesday just prior to the luncheon recess. I was appalled that all of us including myself were silent when this measure came before us and I would ask that when this vote is taken that it be taken by the yeas and nays, and I'll tell you why.

Ladies and gentlemen, we are considering the basic organic law of the State of Maine. We are considering the Constitution. And what does the Constitution of the State of Maine tell us on this very vital issue of bonding? Because this is such a basic funda-

mental issue, I would read you from Section fourteen of Article IV of the Constitution of Maine.

“The credit of the State shall not be directly or indirectly loaned in any case except as provided in section fourteen A. The legislature shall not create any debt or debts, liability or liabilities, on behalf of the state, which shall singly, or in the aggregate, with previous debts and liabilities hereafter incurred at any one time, exceed two million dollars, except to suppress insurrection, to repel invasion, or for purposes of war; and excepting also that whenever two-thirds of both houses shall deem it necessary, by proper enactment ratified by a majority of the electors voting thereon at a general or special election, the legislature may authorize the issuance of bonds on behalf of the state at such times and in such amounts and for such purposes as approved by such action; but this shall not be construed to refer to any money that has been, or may be deposited with this state by the government of the United States, or to any fund which the state shall hold in trust for any Indian tribe. Whenever ratification by the electors is essential to the validity of bonds to be issued on behalf of the state, the question submitted to the electors shall be accompanied by a statement setting forth the total amount of bonds of the state outstanding and unpaid, the total amount of bonds of the state authorized and unissued and the total amount of bonds of the state contemplated to be issued if the enactment submitted to the electors be ratified.”

Ladies and gentlemen, bonding is a form of bondage. It is financial bondage and I believe that the people of Maine should always maintain the unrestricted, and I emphasize, always maintain the unrestricted right to vote on their own financial bondage. I am opposed to this bill which would seriously restrict the people of Maine from voting on their own financial bondage. For if this pernicious bill were enacted, the people of the State of Maine could not vote on bond issues unless either one, the legislature in its

on again off again on again procedure, and this legislature is just as guilty of this on again off again procedure as previous legislatures, said to the contrary; or two, unless the people of Maine were put to the trouble and effort and expense of presenting a petition of not less than 1 percent of the total vote for governor passed in the last gubernatorial election preceding the filing of such petition and within ninety days after recess of legislature.

Ladies and gentlemen, I for one would always allow the people of Maine to pass upon their own financial bondage. I urge you not to give a two-thirds vote to enact this bill. This bill, which I say quite humbly, would make mockery out of government of the people, by the people, and for the people. And for these reasons I again request the yeas and nays.

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

Mr. LIBHART: Mr. Speaker, Ladies and Gentlemen of the House: The words that were just intoned to you were written to my knowledge in 1819, forty years or so after another great document was written. The first document that I am referring to is the Constitution of the United States and you will note the notable absence of this type of requirement in that document. There's nothing sacred, nothing sacred about the Constitution of the State of Maine. It's a horse and buggy constitution as we all know. And one of these days we're going to rewrite it, when we've all got the courage to do so.

In the meantime, we're going to have to have the courage to try to get this document up-to-date. This issue we're voting on will go to the people and the people will tell us whether they want it or not. One of the greatest commentators on the social welfare on good government has made the statement that the most ridiculous form of government is the government by referendum. We're here representing the people, it's our duty. They delegate it to us because government by referendum just won't work. The classic ex-

ample, I think, that I know about of how government by referendum may work on the local level, and I think it's true on the larger level, is a little incident that happened down our way awhile ago. Ten or fifteen years ago in a town I know about there was a warrant at the town meeting and the warrant essentially said, shall we build the bridge? Later on there was another warrant and it was a little bit differently worded.

The first warrant, shall we build the bridge, everybody agreed unanimously. The second warrant was, shall we appropriate the money to build the bridge, and of course that was soundly defeated. This is how government by referendum goes. It is an unnecessary thing. This Legislature is grown up enough to know what the State of Maine can afford and it should not shirk its duties by every time it passes a bond issue to go back to the people and ask them if it's okay. The people are very well protected by this bill as it is presently written and amended. There is no cause for us to be concerned and the thing that we should remember, I think, is that the people are going to vote on it. If they don't want it, they certainly will tell us so. So, I hope that if the vote is taken by the yeas and nays you will have the courage to pass this bill.

The SPEAKER: The Chair recognizes the gentleman from Denmark, Mr. Dunn.

Mr. DUNN: Mr. Speaker, Members of the House: I don't think just because something was written a hundred, or a hundred and fifty years ago or a thousand years ago, that touches basic fundamental truths that it changes over the years. I would like to call the attention of the members of the House to one or two things here.

Two years ago, when I came down here I think there was a fifty percent turnover or thereabouts in membership. We know that this last time there was much greater percentage. If things run normally, there will probably be in the neighborhood of fifty percent turnover the next election and I for one want a chance to vote on

these matters after I am away from the Legislature and I really don't think that we should have to take petitions out and make sure that we have signatures enough to be able to do that. I hope that you will support the motion for a roll call. I believe the people will be interested to know how we vote on this measure.

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

Mr. JALBERT: Mr. Speaker, Members of the House: I herald the idea of a roll call as asked for by the gentleman from Houlton, Mr. Berman, because I know that the people by voting to pass this thing, I know the people who vote will heave a sigh of relief and say at least you are doing something constructive in Augusta.

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

Mr. BERNARD: Mr. Speaker, Members of the House: I think I would be remiss if I didn't get up this afternoon and tell you their feelings. The people that I represent, Sanford and Springvale are against sending bond issues to them every time. I don't have to tell you proof of this. When you go out on absentee ballots, whether it be one hundred, two hundred or three absentee ballots, less than one percent and I don't believe out of four hundred and some odd ballots less than one percent of them even wanted to look at the ballot. They didn't even want to see the ballot that the bond issues were on. So, I am glad to go along with Mr. Libhart.

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

Mr. BENSON: Mr. Speaker and Ladies and Gentlemen: I would like to have a nice crisp dollar bill for every time a voter has come out of the booth and asked me why we didn't take care of these things in Augusta. If I had that crisp dollar bill I think I'd buy the gentleman from Pittsfield, Mr. Susi; and the gentleman

from Wilton, Mr. Scott, a nice lunch. Thank you.

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

Mr. KITTREDGE: Mr. Speaker, Ladies and Gentlemen of the House: I voted for this before and I am going to change my vote. As I think it over and I think that only this House can raise money, that's one thing, but when we put the state in debt, or the people of the state in debt, when we're no longer going to be here to see whether this debt is going to increase or going to be paid off, this is another. And I think the people whether they are interested or not they should assume part of that responsibility. I think they want to assume part of that responsibility. And we certainly owe it to them to give them this choice.

The SPEAKER: A roll call has been requested. In order for the Chair to order a roll call it must have the expressed desire of one-fifth of the members present. All those in favor of a roll call will kindly rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

Obviously more than one-fifth having arisen, a roll call is in order.

The Chair recognizes the gentleman from Augusta, Mr. Dumont.

Mr. DUMONT: Mr. Speaker and Members of the House: And particularly members of the Majority Party, I know this is going to sound partisan, but I hope that the members of the Majority Party, of which I am a member, will give this better consideration even if it is a Republican-sponsored bill than some of our measures have gotten. Thank you.

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

Mr. RICHARDSON: Mr. Speaker, Members of the House: I strongly urge everyone to vote in favor of this passage since I would suggest that it is somewhat better than the other proposed constitutional amendments that we have been hearing.

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

Mr. BERMAN: Mr. Speaker, Members of the House: This time during my third term in the Legislature, I perhaps had a little better opportunity to look over some of these matters than I had previously. The last session I was on the Committee on Constitutional Amendments and the Committee on Judiciary and the Committee on State Government and much to my surprise I found out I had a lot of growing up to do, because a lot of things and a lot of trades and bargains that are made back and forth and what bothered me more than anything else last session was the way this Constitution of Maine was traded and bargained away in this House of Representatives and I don't like to see that done and for that reason I think on this matter of financial bonding that the people of the State of Maine should have the final say. And they shouldn't have to go to the bother of doing it by referendum or by the say of whoever may be the legislators in the next session or in subsequent sessions. So, I hope that you will vote no.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I don't think at this time that I would want to start another round of debate on this particular issue. A certain gentleman has stated that this was a much better constitutional amendment than had been previously before this House on numerous occasions. Some of the constitutional reforms that we of the Majority Party have tried to pass through this House have received the cold shoulder completely from the Minority Party, on a party line basis. And whether this is because it has a different sponsor of this bill that this makes this one better, I don't think should be a question in anybody's mind. The individual sponsor is never to be questioned on his integrity or his purpose for introducing a measure.

I hope that as a member of the Majority Party, that I will see fit to support this constitutional change because I feel that some of them are actually archaic. They were made at the time that some of the people in the State of Maine never knew, never heard or never found out what was going on at the state capitol, until probably two years after. Those times have changed and I embrace these changing times and I hope that you people in the Majority Party as well as the Minority Party will accept these changes. Like television, you get it spontaneously. You didn't get it fifty years ago or a hundred years ago. You didn't even have it by radio and very few newspapers, so that's why, Mr. Speaker and ladies and gentlemen of the House, that I hope that every member of this House here will not go back a hundred years, but let's face today for what color it may be and hope that tomorrow will be even better. I thank you.

The SPEAKER: The Chair recognizes the gentleman from Enfield, Mr. Dudley.

Mr. DUDLEY: Mr. Speaker, Members of the House: I don't hesitate to tell this House that I am opposed to this type of legislation, because this Legislature, both branches of it is too easily lobbied and it's getting easier lobbied every week as far as lobbying goes every year that I have been here and I saw the Chebeague Island Bridge lobbied through this House to be defeated by the people. In other words you can lobby these people in both branches here, but you can't lobby the people, and for this reason alone I am opposed to this type of legislation. And about T.V. and like, all I have seen on T.V. is foolishness and I don't think you learn much from that either, so I hope that the House will be sensible enough to leave the Constitution the way it is in relation to the subject.

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

Mr. BUSSIERE: Mr. Speaker, Members of the House: About the only bond issue that was turned down that I can remember of, was

the bond issue that was on the referendum two years ago for that Chebeague Island bridge there, but I noticed that the good road association spent quite a bit of money. It was well advertised and they were telling them to vote against them because it was going to cost nine million dollars, not three. So, everything else outside of that, people voted for it. That Chebeague Island Bridge they are still waiting for.

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

Mr. BERNARD: Mr. Speaker, Members of the House: I object to the remarks made by Representative Dudley of Enfield. I object because he brought up again the Chebeague Island bridge question. Ladies and gentlemen of the House, the people of Sanford, the people of Houlton, the people of Eagle Lake, these people all throughout the State of Maine didn't vote on the bill, they voted just because the money was there. They don't even know where the Chebeague Island bridge is.

The SPEAKER: The question before the House is on the final passage of this Resolve, which is a Constitutional Amendment. If you are in favor of this Resolve, Proposing Amendment to the Constitution Relating to Bond Issues to be Voted Upon by the People, House Paper 612, L. D. 804, being finally passed, when your name is called you will answer yea or yes. If you are opposed, when your name is called you will answer either nay or no. The Clerk will call the roll.

Roll Call

YEA -- Anderson, Orono; Baker, Orrington; Baker, Winthrop; Beane, Benson, Mechanic Falls; Benson, Southwest Harbor; Bernard, Berry, Binnette, Birt, Bishop, Blouin, Boissonneau, Bourgoin, Bradstreet, Brennan, Brewer, Buck, Bussiere, Carroll, Conley, Cookson, Cottrell, Cressey, Crommett, Curran, Cushing, D'Alfonso, Danton, Dickinson, Dumont, Edwards, Eustis, Farrington, Faucher, Fecteau, Fraser, Mexico; Fraser, Rumford; Gaudreau, Gau-

vin, Gifford, Gillan, Graham, Hanson, Gardiner; Harriman, Harvey, Bangor; Harvey, Windham; Harvey, Woolwich; Haugen, Hawes, Healy, Hunter, Clinton; Hunter, Durham; Jalbert, Jordan, Katz, Keyte, Kilroy, Knight, Laberge, Lebel, Lent, Levesque, Lewis, Libhart, Lowery, Lund, Lycette, Martin, McKinnon, Millay, Mills, Mitchell, Palmer, Peaslee, Pendergast, Pike, Pitts, Poulin, Prince, Richardson, Cumberland; Ross, Bath; Roy, Ruby, Sawyer, Scott, Searles, Starbird, Stoutamyer, Sullivan, Susi, Truman, Watts, Wheeler, White, Guilford; Wuori.

NAY — Anderson, Ellsworth; Avery, Baldic, Bedard, Berman, Cote, Crosby, Davis, Drouin, Dudley, Dunn, Gilbert, Hammond, Hanson, Lebanon; Hawkes, Haynes, Huber, Jewell, Kittredge, Lang, Lincoln, Meisner, Mosher, Nadeau, Payson, Rackliff, Roberts, Ross, Brownville; Storm, Waltz, Ward, Whittier, Wight, Presque Isle; Wood, Young.

ABSENT — Bragdon, Burwell, Carswell, Carter, Champagne, Dostie, Doyle, Drigotas, Erwin, Evans, Fortier, Glazier, Hoy, Kennedy, Lane, Littlefield, Norton, Richardson, Stonington; Sahagian.

Yes, 96; No, 35; Absent, 19.

The **SPEAKER**: The Chair will announce the vote. Ninety-Six having voted in the affirmative, thirty-five having voted in the negative, with nineteen absent, ninety-six being more than two-thirds of those present, the Resolve is finally passed.

Thereupon, the motion of Mr. Jalbert of Lewiston for reconsideration failing on a viva voce vote, the Resolve was signed by the Speaker and sent to the Senate.

On motion of Mr. Levesque of Madawaska

Adjourned until nine - thirty o'clock tomorrow morning.