

# 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**

Friday, May 14, 1965

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

Prayer by the Rev. Mr. Edward F. Allen of Augusta.

The journal of yesterday was read and approved.

**Papers from the Senate**

From the Senate: The following Orders:

**ORDERED**, the House concurring, that the members of the Joint Standing Committees on Judiciary and Legal Affairs be given copies of the annotated Revised Statutes of 1964 (S. P. 544)

**ORDERED**, the House concurring, that, notwithstanding the provisions of Senate Paper 524, the President of the Senate and the Speaker of the House are empowered to grant extensions of time to committees not having completed their final work by May 14, provided that Committee Chairmen submit written reports of bills to be reported late and the circumstances prevailing (S. P. 546)

Came from the Senate read and passed.

In the House, the Orders were read and passed in concurrence.

**Senate Reports of Committees  
Leave to Withdraw**

Report of the Committee on Judiciary on Bill "An Act to Create the Office of Public Defender" (S. P. 303) (L. D. 1005) reporting Leave to Withdraw.

Came from the Senate read and accepted.

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

**Ought to Pass in New Draft**

Report of the Committee on Judiciary on Resolve to Reimburse Fred P. Haskell of New Gloucester for Fire Damage (S. P. 185) (L. D. 550) reporting same in a new draft (S. P. 541) (L. D. 1539) under title of "Resolve Authorizing Fred P. Haskell to Bring Civil Action Against the State of Maine" and that it "Ought to pass"

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

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

**Tabled and Assigned**

Report of the Committee on Transportation on Bill "An Act Revising the Motor Vehicle Dealer Registration Law" (S. P. 368) (L. D. 1135) reporting same in a new draft (S. P. 535) (L. D. 1526) under same title and that it "Ought to pass"

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

In the House, the Report was read.

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

Mr. STORM: Mr. Speaker, I move that this item lie on the table until one week from today.

The SPEAKER: The gentleman from Sherman, Mr. Storm, now moves that this matter lie upon the table assigned for May 21 pending the acceptance of the Committee Report.

Mr. Levesque of Madawaska then requested a division.

The SPEAKER: The gentleman from Madawaska, Mr. Levesque, requests a division. All those in favor of this matter lying upon the table until May 21 pending acceptance of the Committee Report, will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Fifty-five having voted in the affirmative and forty-six having voted in the negative, the motion to table prevailed.

**Ought to Pass**

Report of the Committee on Judiciary reporting "Ought to pass" on Bill "An Act relating to Information Against Attorneys" (S. P. 285) (L. D. 847)

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

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

the Bill read twice and assigned the next legislative day.

#### **Ought to Pass with Committee Amendment**

Report of the Committee on Business Legislation on Bill "An Act Amending the Banking Laws" (S. P. 379) (L. D. 1216) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

**COMMITTEE AMENDMENT**  
"A" to S. P. 379, L. D. 1216, Bill, "An Act Amending the Banking Laws."

Amend said Bill, in section 8, by striking out all of the underlined paragraph C of subsection 5 and inserting in place thereof the following:

"C. Stocks and other securities and obligations qualifying as legal investments for savings banks under section 602 to 608 and section 610;"

Further amend said Bill by striking out all of the 4th, 5th, 6th and 7th lines of section 17 and inserting in place thereof the following:

"The board of directors shall elect a president from its number, a clerk who shall be sworn to the faithful performance of his duties secretary, a treasurer and such other officers as they may deem necessary, who shall be sworn to the faithful performance of their duties."

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

Report of the Committee on Judiciary on Bill "An Act Affecting Certain Statutes Pertaining to Court Process and Procedure in Criminal Cases and to Kindred Matters" (S. P. 356) (L. D. 1140) reporting "Ought to pass" as

amended by Committee Amendment "A" submitted therewith.

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

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

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

**COMMITTEE AMENDMENT**  
"A" to S. P. 356, L. D. 1140, Bill, "An Act Affecting Certain Statutes Pertaining to Court Process and Procedure in Criminal Cases and to Kindred Matters."

Amend said Bill by striking out all of the last underlined sentence of that part designated "Sec. 931." of section 40 and inserting in place thereof the following:

"The obligation of the principal and any sureties may then be enforced by motion in the court in which the bail was posted or in the Superior Court in the same county, in such manner as the Supreme Judicial Court shall by rule provide."

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

#### **Divided Report**

Majority Report of the Committee on Appropriations and Financial Affairs reporting "Ought to pass" on Bill "An Act Qualifying the State for Full Participation in Vocational Education Act of 1963" (S. P. 78) (L. D. 223)

Report was signed by the following members:

Messrs. DUQUETTE of York  
HARDING of Aroostook  
BROWN of Hancock  
— of the Senate.  
Messrs. BISHOP of Presque Isle  
ANDERSON of Orono  
HEALY of Portland  
JALBERT of Lewiston  
— of the House.

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

Report was signed by the following members:

BIRT  
     of East Millinocket  
 DUNN of Denmark  
 BRAGDON of Perham  
     — of the House.

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

In the House Reports were read.  
 On motion of Mr. Jalbert of Lewiston, the Majority "Ought to pass" Report was accepted in concurrence, the Bill read twice and assigned the next legislative day.

### Divided Report

Majority Report of the Committee on Public Utilities reporting "Ought to pass" on Bill "An Act Providing for the Formation of Sanitary Districts" (S. P. 275) (L. D. 855)

Report was signed by the following members:

Messrs. BOISVERT  
             of Androscoggin  
     LETOURNEAU of York  
     VIOLETTE of Aroostook  
     — of the Senate.

Messrs. D'ALFONSO of Portland  
     PIKE of Lubec  
     DOYLE of Caribou  
     SAWYER of Brunswick  
     SEARLES of Bangor  
     — of the House.

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

Report was signed by the following member:

Mr. PENDERGAST  
             of Kennebunkport  
     — of the House.

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

In the House: Reports were read.

The Majority "Ought to pass" Report was accepted in concurrence, the Bill read twice and assigned the next legislative day.

### Divided Report

Majority Report of the Committee on Public Utilities on Bill "An Act Revising the Rural Electrification Cooperative Law" (S. P. 320) (L. D. 1044) reporting same

in a new draft (S. P. 538) (L. D. 1528) under same title and that it "Ought to pass"

Report was signed by the following members:

Messrs. BOISVERT  
             of Androscoggin  
     LETOURNEAU of York  
     VIOLETTE of Aroostook  
     — of the Senate.

Messrs. D'ALFONSO of Portland  
     PIKE of Lubec  
     DOYLE of Caribou  
     SAWYER of Brunswick  
     SEARLES of Bangor  
     — of the House.

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

Report was signed by the following member:

Mr. PENDERGAST  
             of Kennebunkport  
     — of the House.

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

In the House: Reports were read.

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

Mr. KENNEDY: Mr. Speaker, I move that this be tabled until May 18 pending the acceptance of either report.

The SPEAKER: The gentleman from Milbridge, Mr. Kennedy, moves that this matter lie upon the table assigned for May 18 pending the acceptance of either report.

Mr. Levesque of Madawaska requested a division.

The SPEAKER: The gentleman from Madawaska, Mr. Levesque, requests a division. All those in favor of this matter lying upon the table assigned for May 18 will kindly rise and remain standing until the monitors have made and returned the count.

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

Thereupon, on motion of Mr. Levesque of Madawaska, the Majority "Ought to pass" Report was accepted in concurrence, the New

Draft read twice and assigned the next legislative day.

### Divided Report

Majority Report of the Committee on State Government on Resolve Proposing an Amendment to the Constitution Changing the Tenure of Office of Senators and Representatives to Four-Year Terms (S. P. 475) (L. D. 1423) reporting same in a new draft (S. P. 537) (L. D. 1527) under title of "Resolve Proposing an Amendment to the Constitution Changing the Tenure of Office of Senators to Four-Year Terms" and that it "Ought to pass"

Report was signed by the following members:

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

Messrs. KATZ of Augusta  
EDWARDS of Portland  
PITTS of Harrison  
BERRY of Cape Elizabeth  
STARBIRD  
of Kingman Township  
— of the House.

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

Report was signed by the following members:

Messrs. DOSTIE of Lewiston  
LIBHART of Brewer  
— of the House.

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

In the House: Reports were read.

The Majority "Ought to pass" Report was accepted in concurrence, the New Draft read once and assigned the next legislative day.

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

### Divided Report

Majority Report of the Committee on State Government reporting "Ought not to pass" on Resolve Proposing an Amendment to the

Constitution Affecting Apportionment of Penobscot County for the Election of Senators (S. P. 503) (L. D. 1469)

Report was signed by the following members:

Mr. MAXWELL of Franklin  
— of the Senate.

Messrs. PITTS of Harrison  
KATZ of Augusta  
DOSTIE of Lewiston  
LIBHART of Brewer  
EDWARDS of Portland  
— of the House.

Minority Report of same Committee reporting "Ought to pass" on same Resolve.

Report was signed by the following members:

Messrs. STERN of Penobscot  
WILLEY of Hancock  
— of the Senate.

Messrs. STARBIRD  
of Kingman Township  
BERRY of Cape Elizabeth  
— of the House.

Came from the Senate with the Majority Report accepted.

In the House: Reports were read.

The Majority "Ought not to pass" Report was accepted in concurrence.

### Non-Concurrent Matter

Bill "An Act Regulating Fly Fishing in Certain Portion of Kennebec River" (S. P. 425) (L. D. 1360) on which the House accepted the Majority "Ought not to pass" Report of the Committee on Inland Fisheries and Game in non-concurrence on May 4.

Came from the Senate with the Minority "Ought to pass" Report accepted and the Bill passed to be engrossed as amended by Senate Amendments "A" and "C" in non-concurrence.

In the House: The House receded and concurred with the Senate in the acceptance of the Minority "Ought to pass" Report, and the Bill was read twice.

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

SENATE AMENDMENT "A" to S. P. 425, L. D. 1360, Bill, "An Act Regulating Fly Fishing in Certain Portion of Kennebec River."

Amend said Bill in the last line by striking out the underlined word and figure "**October 1st**" and inserting in place thereof the underlined word and figure "**September 15th**"

Thereupon, Senate Amendment "A" was adopted.

Senate Amendment "C" was then read by the Clerk as follows:

SENATE AMENDMENT "C" to S. P. 425, L. D. 1360, Bill, "An Act Regulating Fly Fishing in Certain Portion of Kennebec River."

Amend said Bill by inserting at the end, before the period, the following underlined words "**with a one-fish daily limit**"

On motion of Mr. Ross of Brownville, tabled pending adoption of Senate Amendment "C" and specially assigned for the next legislative day.

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

Bill "An Act relating to Compensation of and Per Diem Fees of Deputy Sheriffs" (H. P. 261) (L. D. 331) which was passed to be engrossed as amended by Committee Amendment "A" in the House on April 28.

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

In the House:

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

Mr. DUDLEY: Mr. Speaker, Members of the House: I now move that Senate Amendment "A", Filing S-204, be indefinitely postponed.

The SPEAKER: The question before the House now is on the motion of the gentleman from Enfield, Mr. Dudley, that Senate Amendment "A" be indefinitely postponed.

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

Mr. FARRINGTON: Mr. Speaker, Ladies and Gentlemen of the House: For those of you who might not understand this particular amendment, the word "civil" in regard to serving papers by regular full time deputies in the sheriff's department, the original measure would disallow the regu-

lar deputies in any county to serve civil papers. Now, I suspect the committee might have made a mistake if they intended, and I am on the committee, that this money should be collected and then turned back to the county. I understand from the various high sheriffs throughout the state that they would simply name one of their chief deputies as a turnkey or some other title and then they would be able to serve papers, or the sheriffs would simply give these papers to some deputy that might not be in the area and they would therefore collect the funds. So upon scrutinizing and studying this particular move that the committee first decided on, I can see where this would serve no purpose and we have pretty much decided to go along with this Senate Amendment. I hope that the House will go along with it.

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

Mr. HUNTER: Mr. Speaker, Ladies and Gentlemen of the House: We need these deputies in the small towns because it is the only constabulary that we have and they get very little money from the county. The deputy in my town told me the other day, he only collected three hundred and thirty-five dollars directly from the county for pay in criminal work, so he needs the civil work to go along with it. And you know, lawyers are noted for being bad pay, for paying for the services of these writs, and they need all the business they can get to make up for the bad bills that they have.

Mr. Faucher of Solon requested a division.

The SPEAKER: A division has been requested.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: Perhaps a word of explanation on my part should be made. I agree with the representative from Durham, Mr. Hunter. In the outlying areas where we do have deputy sheriffs, they are underpaid on a daily pay basis. The only pay they receive is from what papers they serve. Now what has happened in quite a

lot of counties, the papers, the civil papers fall in the hands of the fellows that are full-time paid sheriffs. Therefore the deputies have no pay. They have no way of getting any pay because the only pay they get is when they do serve papers, and this is trying to fix it so that the deputy sheriffs will get something to do other than just having the name deputy sheriff. Thank you.

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from Enfield, Mr. Dudley, that Senate Amendment "A" be indefinitely postponed. A division has been requested. All those in favor of Senate Amendment "A" 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-seven having voted in the affirmative and seventy-four having voted in the negative, the motion did not prevail.

Thereupon the House receded and concurred with the Senate.

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

Bill "An Act Permitting the Establishment of Commercial Shooting Preserves" (H. P. 491) (L. D. 644) which was passed to be engrossed as amended by House Amendment "A" in the House on April 28.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

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

Mr. LIBHART: Mr. Speaker, I move that we recede and concur with the Senate.

The SPEAKER: The gentleman from Brewer, Mr. Libhart, now moves that we recede from our former action and concur with the Senate in the indefinite postponement of this matter.

The Chair recognizes the gentleman from Falmouth, Mr. Payson.

Mr. PAYSON: Mr. Speaker, Ladies and Gentlemen of the House: I think this bill is a great bill. First of all it allows anybody to use these shooting preserves. Sec-

ond of all, it extends the season which will allow more tourists to come and allow more business. Third, it will increase the population of the native game birds. Fourth, it will improve the looks of the countryside. These farmers, having a chance to get a little more money, they can improve their fields, their forests and their ponds and it will help the state again to be a more lovely place for tourists to come to.

Local people are welcome. The operators of the shooting preserves will take good care of their land. It will reduce hunting accidents and it is something that the farmer can do by himself without having to call on outside credit and outside banking help.

The SPEAKER: The Chair recognizes the gentleman from Camden, Mr. Haynes.

Mr. HAYNES: Mr. Speaker, Members of the House: I would like to rise in support of Mr. Payson. We have a group in my area that is ready to invest money in such an undertaking.

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

Mr. MILLAY: Mr. Speaker, Members of the House: It is not my intention to take a long time on this. I took a long time on it the other day, but I would like to point out to the House that all the sportsmen in the State of Maine have been the guests of the tax-paying farmer for many, many years, the taxpaying farmer whose average taxes on five hundred acres will be nearly five hundred dollars. The sportsman pays a hunting license of two dollars and seventy-five cents. Now, all this bill does is set aside a few thousand acres, actually nineteen thousand acres for the farmers to use in a commercial enterprise and I don't think that is asking too much. I ask the House to vote against the motion to recede and concur so that we can make a motion to insist. I know there has been a good deal of misinformation passed around on this subject and we would like to have everyone clear on this subject. I request a division.



The SPEAKER: A division has been requested. Is the House ready for the question? The question before the House is on the motion of the gentleman from Brewer, Mr. Libhart, that we recede from our former action and concur with the Senate in the indefinite postponement of this bill.

All those in favor of receding from our former action and concurring with the Senate will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Forty-two having voted in the affirmative and seventy having voted in the negative, the motion did not prevail.

Thereupon, on motion of Mr. Payson of Falmouth, the House voted to insist on its former action and request a Committee of Conference.

Resolve Proposing an Amendment to the Constitution Providing for Annual Legislative Sessions (S. P. 44) (L. D. 215) which failed of final passage in the House on May 7.

Came from the Senate finally passed.

In the House:

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

Mr. ROSS: Mr. Speaker, I would like to pose a question to the Clerk through the Chair. Has the Senate adopted House Amendment "A" which is the limitation of time?

The SPEAKER: The Chair will answer in the negative.

Is it the pleasure of the House that this Resolve now be placed on file?

The motion prevailed. Sent up for concurrence.

Resolve Proposing an Amendment to the Constitution Creating the Office of Lieutenant-Governor and Providing for Succession of Office of the Governor (S. P. 168) (L. D. 497) which failed of final passage in the House on April 27.

Came from the Senate finally passed.

In the House:

Ordered placed on file. Sent up for concurrence.

Resolve Proposing an Amendment to the Constitution Providing for the Appointment of the Attorney General by the Governor (S. P. 220) (L. D. 679) which failed of final passage in the House on April 15.

Came from the Senate finally passed.

In the House:

Ordered placed on file. Sent up for concurrence.

Resolve Proposing an Amendment to the Constitution Providing for the Appointment of the Secretary of State by the Governor (S. P. 223) (L. D. 682) which failed of final passage in the House on April 16.

Came from the Senate finally passed.

In the House:

Ordered placed on file. Sent up for concurrence.

Resolve Proposing an Amendment to the Constitution to Abolish the Council and Make Changes in the Matter of Gubernatorial Appointments and Their Confirmation (H. P. 6) (L. D. 6) which failed of final passage in the House on April 2.

Came from the Senate finally passed.

In the House:

Ordered placed on file. Sent up for concurrence.

Resolve Proposing an Amendment to the Constitution to Eliminate the Office of Treasurer of State (H. P. 256) (L. D. 326) which failed of final passage in the House on April 9.

Came from the Senate finally passed.

In the House:

Ordered placed on file. Sent up for concurrence.

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn they adjourn to meet on Monday, May 17th, at 3 o'clock in the afternoon. (S. P. 547)

Came from the Senate read and passed.

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

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

Mr. JALBERT: Mr. Speaker, I would like to return to item 11 on page 3, Bill "An Act Revising the Rural Electrification Cooperative Law," Senate Paper 538, L. D. 1528. I would like to move that we reconsider our action whereby this item was assigned for its third reading on the next legislative day and speak briefly on the motion.

The SPEAKER: The Chair will have to move that the motion is out of order.

Mr. JALBERT: Mr. Speaker, may I speak on the motion?

The SPEAKER: Not the motion to reconsider, the Chair will rule that the motion is out of order. Would the gentleman like an explanation?

Mr. JALBERT: Mr. Speaker, yes.

The SPEAKER: The Chair will rule that when a matter has been assigned it is the same as a tabling motion and that when a member is here and he is interested in the bill and it has been assigned to another day and he would then leave feeling this matter would not come up. If you are allowed to reconsider the timing you could assign it until later in today's session, bring the matter up with the member not being here and this would be to his detriment. So, the Chair will rule that the motion is out of order.

### Orders

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

Mr. GAUDREAU: Mr. Speaker, does the Chair have in its possession House Paper 742, L. D. 979?

The SPEAKER: The gentleman inquires whether the House has in its possession L. D. 979, which is "An Act Establishing the Fire Fighters Arbitration Law." The answer is in the affirmative.

Mr. GAUDREAU: Mr. Speaker and Ladies and Gentlemen of the House: I move that we reconsider

our previous action whereby this bill was indefinitely postponed and will give my reasons why.

The SPEAKER: The gentleman from Lewiston, Mr. Gaudreau, now moves that we reconsider our action whereby this was indefinitely postponed on May 13th and the gentleman may proceed.

Mr. GAUDREAU: Mr. Speaker, Members of the House: This bill is an arbitration bill for firemen. Arbitration is an ancient method of settling disputes between two parties. It is an important method for peaceful solution of a problem on which the parties themselves cannot agree. Arbitration consists in the turning over of a problem for determination to an impartial, disinterested third party. The findings of this third party are not binding on either side in this bill. This prevents firemen from going on strike. The value of arbitration itself is that there is a certain amount of moral pressure which is imposed on both parties to accept the recommendation of the impartial board of arbitrators. I believe the House acted hastily yesterday and hope that you will vote for reconsideration. Thank you.

The SPEAKER: Before proceeding, the Chair would like to recognize in the balcony of the House twenty pupils of the seventh and eighth grades of Locke Mills Elementary School, accompanied by their teacher, Mr. Dennis Royal, and Chaperones, Mrs. Dennis Royal, Mrs. Cathy Bickford, Mrs. Nancy Cross and Mrs. Shirley Morse. They are the guests of the gentleman from Bethel, Mrs. Lincoln who is with them at this time. On behalf of the House the Chair welcomes this group and we hope that your visit will be both educational and enjoyable. (Applause)

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

Mr. BREWER: Mr. Speaker, Ladies and Gentlemen of the House: I am not going to prolong any debate on this bill. I feel that I covered it thoroughly yesterday.

My particular objection to the bill is that we are setting up an

arbitration law within a given group in a community, and if there is an arbitration law pertaining to municipal employees, they should pertain to all employees within the city or the municipality and not just the firemen. We have the highway departments, the welfare departments, your police department. We are getting down to the wire on some of these bills pertaining to labor and I would hate to have this House adjourn and some of the legislators go home and find out that they are in real serious trouble.

We can talk about being for the little man, but there is a limit to the extent that we can help the little man. We have municipal problems and if you're going to impose added burdens cost-wise in the municipality, we find that the equal effort bill which will help our tax rate in the towns is not going to do one bit of good. So, I would hope that the House would not reconsider its action. And I would ask for a division.

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

Mr. LEVESQUE: Mr. Speaker, Ladies and Gentlemen of the House: This bill was reported out of the committee with a majority report and I don't think that it is the intention of the committee to put any added burden on the municipality or on the fire fighters under this arbitration as it would be set up. It is our feeling that this arbitration, and as was put in the amendment, shall not be binding by either party for the purpose of if the municipality feels that this would not be good for them, the decision of the arbitrator, that it would not be binding on the municipality, because of some created hardship. And by the same token, if the decision of the arbitrator was for the firemen, detrimental to them as far as they are concerned, they don't feel that the decision of the arbitrators should be binding for the benefit of both parties, both the municipality and the people involved by the arbitrator.

In a lot of cases this is quite complicated when it comes down to arbitration. Most municipalities

would much rather settle their differences between the people involved in the municipality rather than having to go to arbitration. But, as a final step in trying to solve these problems sometimes it has to go to arbitration. Now, we have had here in the State of Maine, very few cases that really come down to boiled hard arbitration decisions that had to be made controversial to both parties. So, this is the feeling of the committee that this would not create a hardship, but would put the municipality on a level that they could say well, the arbitrator decision is wrong, we cannot go along with it. So, they in turn could say to the three members of the arbitration committee that we are not going to go along with the decision of the board. So, that's the reason why I feel this morning we should reconsider this action taken by the House yesterday and that this bill should receive passage. Thank you.

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

Mr. DUMONT: Mr. Speaker, Members of the House: When this bill, the testimony was given before the Labor Committee, the testimony was given by a representative for the Maine Municipal Associations or he implied that perhaps this L. D. was unconstitutional and after this gentleman got through testifying, I went immediately across the hall with a copy of the L. D. to the Attorney General's office for a ruling. And, of course, it is a three page answer to the questions that I posed, but in essence it says:

"The right of public employees, including firemen, to organize among themselves for their mutual benefit can no longer be seriously questioned. Many states have enacted statutes which allow fire fighters to organize and the courts in these states have upheld the legality of such statutes."

"In summary," he says "although the Supreme Judicial Court of Maine has not passed upon any cases involving labor union activities as they relate to public employees, it is the belief of this office that the Maine Court would

uphold the provisions of L. D. 979 which allow union organizations."

And it was on that basis and I think basically on this testimony that the Labor Committee came with a seven-three "ought to pass" report. So, I hope that the House will be considerate and vote favorably on this motion.

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

Mr. BREWER: Mr. Speaker and Ladies and Gentlemen of the House: I have never heard of an arbitration case in industry that the arbiter's findings were not final. Now, as I pointed out yesterday, you set up an arbitration hearing under this bill and you spend approximately three hundred dollars a day of the community's money and the bargaining agent's money and when you get down to the end and the written decisions are made, they are not binding. I just don't understand the logic in that part of the amendment. It is the only reason that I wanted to repeat my statements of yesterday. Thank you.

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

Mr. LEVESQUE: Mr. Speaker, and Ladies and Gentlemen of the House: We find in this day and age and for a good many years that the wording of this document is quite prevalent in the field of fire arbitration because of the nature of their contracts where they are not allowed to leave the job, or go on strike, or anything that would be detrimental to the community. So this is nothing new. This is very much prevalent in the industry that the decision of the board of arbitration is not binding because of the nature of their contracts and this is nothing new at all.

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

Mr. HAWES: Mr. Speaker, Members of the House: I rise in support of this bill. I think it is a very good bill. Being a member of the fire department, I would think so anyway. But, I would like to bring to your attention, I believe

three or four years ago the City of Belfast got in quite a wrangle. The fire department walked off the job and one thing and another. It wasn't over salary raises at all. It was just a dispute between the fire department, members of the fire department wanting a certain individual to be chief and the municipal officers not approving of it. So I think if they had a board of arbitration at the time they could have settled these disputes without the fire department walking off the job. That is one case I can recall. I think there was another one in the northern part of the state where the fire department walked out. I believe they had to get a fire department from Canada to come in and cover them for a certain spell. So I think there should be something on the books to cover these situations. I hope that you will support the motion to reconsider the bill.

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

Mr. MILLS: Mr. Speaker, Members of the House: I would like to go back a few years in time and remind the House members that if there had been a board of arbitration in the City of Boston we would never have heard of the famous Boston police strike. There was no arbitration there. The only recourse left to those members of the department to get a decent living wage was to go on strike. Now, I was only a spectator in that strike area, but the loss of life during that period and the property damage done by the mobs that swarmed through Boston, the amount of property that was stolen ran into millions of dollars in a short period of time. I am heartily in favor of this bill.

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

Mr. COTE: Mr. Speaker, Members of the House: The Supreme Court of Pennsylvania has shed a great deal of light on the problem of constitutionality of arbitration procedures in regard to public employees. This distinguished Court has held in effect that such arbi-

tration machinery is in reality a conciliation or mediation proceeding in which the municipality or other governmental unit must meet with the public employees to listen to their grievances. However, the Pennsylvania Court has clearly pointed out that if such grievances are not solved and the dispute is settled by arbitration, the finding of the arbiter or board of arbiters is not binding on the governmental unit.

The finality which attaches to the decision of an arbitration board in determination of a private industrial dispute is not applicable to the public employees in this bargaining situation.

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from Lewiston, Mr. Gaudreau, that we reconsider our action of yesterday, whereby L. D. 979 was indefinitely postponed.

Mr. Conley of Portland requested a division.

The SPEAKER: A division has been requested. All those in favor of reconsidering our action whereby this Bill, "An Act Establishing the Fire Fighters Arbitration Law," House Paper 742, L. D. 979 was indefinitely postponed, will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Fifty-nine having voted in the affirmative and fifty-eight having voted in the negative, the motion prevailed.

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

On the disagreeing action of the two branches of the Legislature on "An Act Relating to Weight of 3-Axle Trucks," S. P. 155, L. D. 395, the Speaker appointed the following Conferees on the part of the House:

Messrs. KEYTE of Dexter  
BUSSIÈRE of Lewiston  
GIFFORD of Manchester

The SPEAKER: The Chair requests the Page to escort the

gentleman from Milbridge, Mr. Kennedy, to the rostrum for the purpose of presiding as Speaker pro tem.

Thereupon, Mr. Kennedy assumed the Chair as Speaker pro tem amid applause of the House and Speaker Childs retired from the Hall.

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

Mr. Libhart from the Committee on Legal Affairs on Bill "An Act Concerning the Practice of Public Accountancy" (H. P. 977) (L. D. 1327) reported Leave to Withdraw.

Report was read and accepted and sent up for concurrence.

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

Mr. Richardson from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act Providing for Professional Immunity to Policemen and Firefighters in Emergency Cases" (H. P. 823) (L. D. 1053)

Mr. Libhart from the Committee on Legal Affairs reported same on Bill "An Act relating to Method of Amending Charter of City of Lewiston" (H. P. 346) (L. D. 448)

Reports were read and accepted and sent up for concurrence.

#### **Ought to Pass in New Draft New Drafts Printed**

Mr. McKinnon from the Committee on Business Legislation on Bill "An Act relating to Community Insurance Company" (H. P. 1067) (L. D. 1446) reported same in a new draft (H. P. 1129) (L. D. 1544) under title of "An Act to Create the Community Life Insurance Company" and that it "Ought to pass"

Report was read and accepted, the New Draft read twice and assigned the next legislative day.

#### **Tabled and Assigned**

Mrs. Baker from the Committee on Legal Affairs on Bill "An Act for Licensing Private Detectives and Watch, Guard and Patrol Agencies" (H. P. 963) (L. D. 1298) reported same in a new draft (H. P. 1130) (L. D. 1545) under same title and that it "Ought to pass"

Report was read.

(On motion of Mr. Roy of Winslow, tabled pending acceptance of the Committee Report and specially assigned for Monday, May 17.)

Mr. Libhart from the Committee on State Government on Resolve Proposing an Amendment to the Constitution Relating to the Election of the Clerk of the House of Representatives (H. P. 1068) (L. D. 1447) reported a Bill (H. P. 1131) (L. D. 1546) under title of "An Act relating to positions of Deputy Secretary of the Senate and Deputy Clerk of the House" and that it "Ought to pass"

Report was read and accepted and the Bill read twice.

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

Mr. BENSON: Mr. Speaker, I request this item be tabled until Tuesday next.

The SPEAKER pro tem: The gentleman from Southwest Harbor, Mr. Benson, now moves this item be tabled pending assignment for third reading to Tuesday next.

Mr. Roy of Winslow requested a division.

The SPEAKER pro tem: A division has been requested. All those in favor of this matter being tabled and assigned for third reading for Tuesday next will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Forty-one having voted in the affirmative and sixty-five in the negative, the motion did not prevail.

Thereupon, the matter was assigned for third reading the next legislative day.

#### Ought to Pass Printed Bill

Mr. Hunter from the Committee on Legal Affairs on Bill "An Act relating to Number of Members of Superintending School Committee of Town of Old Orchard Beach" (H. P. 744) (L. D. 981) reported that the new draft (H. P. 1109) (L. D. 1515) under title of "An Act Amending Certain Provisions of the Charter of the Town of Old Orchard Beach," which had

been recommitted, "Ought to pass"

Report was read and accepted, the Bill read twice and assigned the next legislative day.

#### Referred to 103rd Legislature

Mrs. Baker from the Committee on Legal Affairs on Bill "An Act Providing for the Registration of Home Improvement Companies and Salesmen" (H. P. 926) (L. D. 1264) reported that it be referred to the 103rd Legislature.

Report was read and accepted, the Bill referred to the 103rd Legislature and sent up for concurrence.

#### Ought to Pass with Committee Amendment

Mr. Fecteau from the Committee on Business Legislation on Bill "An Act Authorizing Conversion of Augusta Mutual Insurance Company to a Stock Company" (H. P. 394) (L. D. 506) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT  
"A" to H. P. 394, L. D. 506, Bill, "An Act Authorizing Conversion of Augusta Mutual Insurance Company to a Stock Company."

Amend said Bill by striking out all of the last 2 lines and inserting in place thereof the following: 'company on the unanimous approval of the policyholders, and providing that the company shall comply in all other respects with the general law.'

Further amend said Bill by adding 6 new sections, to read as follows:

'Sec. 3. Corporation authorized to change name. The name of the Augusta Mutual Insurance Company may be changed at any time as long as said change is in accordance with a vote of the majority of the stockholders or policyholders and in compliance with the Revised Statutes of Maine. In the event that the Augusta Mutual Insurance Company is converted to a stock com-

pany, the term "mutual" shall not be a part of its name.

**Sec. 4. Corporation authorized to purchase franchises, business, property or assets.** The Augusta Mutual Insurance Company may purchase or otherwise acquire the whole or any part of the franchises, business, property or assets and assume the liabilities of any corporation or association organized under the laws of the State of Maine or of any other state, carrying on any type of insurance business similar or related to any business which this corporation is authorized to carry on, and to pay for the same either in cash or by the issuance or exchange of its stock or otherwise, and when such business or property is acquired, to operate the same as a part of the business of this corporation or separately, and this corporation may sell, lease, consolidate, merge or in any manner part with its franchises, or its entire property, or any of its property, corporate rights or privileges essential to the conduct of its corporate business and purposes, to or with one or more corporations or associations organized under the laws of this State or of any other state, any such sale, lease, consolidation, merger or other such transfer shall be effected in accordance with the Revised Statutes of 1964, Title 13, chapter 7, as amended or as may hereafter be amended, subject to the conditions contained in the aforesaid chapter and also subject to the written approval of the Insurance Commissioner for the State of Maine in such form as said Insurance Commissioner may prescribe. The corporation shall have all the powers, rights and privileges, subject to all the duties, liabilities and restrictions, set forth in the general laws of this State relating to such insurance companies, excepting such provisions as may be inconsistent with the provisions and grants of this Act.

**Sec. 5. — Life insurance corporation or association.** The Augusta Mutual Insurance Company may purchase or otherwise acquire the whole or any part of the franchises, business, property

or assets, as well as the liabilities, of any corporation or association organized under the laws of this State or any other state, carrying on a life insurance business and to pay for the same either in cash or by the issuance or exchange of its stock or otherwise, but this corporation shall conduct the life insurance business through a separate entity, although it may have overlapping directorships; and said life insurance business may be sold, leased, consolidated or merged with any other life insurance company organized under the laws of this State or any other state, any such sale, lease, consolidation, merger or other such transfer shall be effected in accordance with the Revised Statutes of 1964, Title 13, chapter 7 as amended, or as may hereafter be amended, subject to the conditions contained in the aforesaid chapter and also subject to a written approval of the Insurance Commissioner for the State of Maine in such form as said Insurance Commissioner may prescribe. The corporation shall have all the powers, rights and privileges, subject to all the duties, liabilities and restrictions, set forth in the general laws of this State relating to such insurance companies, excepting such provisions as may be inconsistent with the provisions and grants of this Act.

**Sec. 6. Policies.** Policies may be participating or non-participating and the company may accept or cede reinsurance of any such risks.

**Sec. 7. Stock as assets.** The stock of any company purchased or acquired by the Augusta Mutual Insurance Company shall be part of the legally admitted assets of the Augusta Mutual Insurance Company.

**Sec. 8. Qualification of directors.** Directors need not be stockholders and may be residents of this State or any other state and directors' meetings may be held within or without the State of Maine, but stockholders' meetings must be held within the State.'

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

Mr. Danton from the Committee on Judiciary on Bill "An Act Providing for an Additional Trial Term for York County" (H. P. 560) (L. D. 730) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT  
"A" to H. P. 560, L. D. 730, Bill, "An Act Providing for an additional Trial Term for York County."

Amend said Bill by striking out everything after the enacting clause and inserting in place thereof the following:

"R. S., T. 4 Sec. 110, sub-Sec. 16, repealed and replaced. Subsection 16 of section 110 of Title 4 of the Revised Statutes is repealed and the following enacted in place thereof:

'16. York: At Alfred on the first Tuesdays of January, March, May, September and November, but the criminal business of said county shall be transacted at the terms held on the first Tuesdays of January, May and September, together with civil business, and criminal appeal cases from the District Court in York County may be transacted at the March term. The grand jury shall attend only at the January, May and September terms unless specially summoned by order of a justice of said court.' "

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

Mr. Richardson from the Committee on Judiciary on Bill "An Act Providing for Questionnaires to be Propounded to Prospective Jurors" (H. P. 142) (L. D. 165) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT  
"A" to H. P. 142, L. D. 165,

Bill, "An Act Providing for Questionnaires to be Propounded to Prospective Jurors."

Amend said Bill by striking out in the 5th and 6th lines the underlined punctuation and words "with the advice and consent of a committee designated by the Maine Bar Association,"

Further amend said Bill by striking out all of the 2nd underlined sentence of that part designated "Sec. 1254-A." and inserting in place thereof the following:  
**'The Attorney General as often as deemed necessary shall revise and improve the said jury questionnaire.'**

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

At this point, Speaker Childs returned to the rostrum.

SPEAKER CHILDS: The Chair would like to thank the gentleman from Milbridge, Mr. Kennedy, for serving as Speaker pro tem and for the fine job.

Thereupon, Mr. Kennedy of Milbridge was escorted to his seat on the Floor amid applause and Speaker Childs resumed the Chair.

The SPEAKER: At this time the Chair would like to recognize in the balcony of the House ten pupils from the 8th grade of Stetson Grammar School, accompanied by Mrs. Marion Merry, their teacher, and Mrs. Lewis Merrill and Mrs. Henry Hartwell, chaperones.

They are the guests of the gentleman from Newport, Mr. Bradstreet. On behalf of the House the Chair welcomes you and we hope that your visit will be both educational and enjoyable. (Applause)

Also, the Chair would like to recognize in the balcony of the House five girls of Cadet Troop 300 of Calais, accompanied by their Leader, Mrs. Ralph Bayliss and their Assistant Leader, Mr. George Bourassa. They are the guests of the gentleman from Calais, Mr. Davis.

On behalf of the House the Chair welcomes you and we hope that your visit will be both enjoyable and educational. (Applause)



**Passed to Be Engrossed**

Bill "An Act Increasing State Tax in Unorganized Territory" (H. P. 605) (L. D. 797)

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

**Third Reader****Tabled and Assigned**

Bill "An Act relating to Construction and Operation of Intrastate Natural Gas Pipelines" (H. P. 845) (L. D. 1146)

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

Mr. Cote of Lewiston offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 845, L. D. 1146, Bill, "An Act Relating to Construction and Operation of Intrastate Natural Gas Pipelines."

Amend said Bill by striking out all of section 2 and inserting in place thereof the following:

"Sec. 2. R. S., T. 35, Sec. 2535, amended. The last sentence of section 2535 of Title 35 of the Revised Statutes is repealed and the following enacted in place thereof:

'Such pipeline or pipelines may be constructed and located within, over, along or under the location of any railroad or other public utility or ways constructed by the Maine Turnpike Authority, and rights-of-way under the jurisdiction of said turnpike authority. Such construction and location may be by agreement with such railroad, or other public utility or turnpike authority, or in the event of failure so to agree then with the approval of the Public Utilities Commission and in such place and manner and under such conditions and upon payment of such reasonable compensation as may be determined by said commission, and all work on the property of such railroad, public utility or right-of-way or ways therein, shall be done under the supervision and to the satisfaction of such railroad, public utility or turnpike authori-

ty, but at the expense of such corporation. Any railroad or other public utility or the Maine Turnpike Authority aggrieved by the decision or judgment of the Public Utilities Commission may appeal to the Superior Court in the County where the property is situated, within 30 days from the time when the report of the commission is made. If the decision or judgment of the commission is upheld, the appellee shall recover the costs from the time of appeal, otherwise the owner shall recover costs. The appellant shall, when such appeal is taken, include in the complaint a statement setting forth substantially the facts of the case and shall give written notice of such appeal with a copy of the complaint to the opposite party. An appeal may be taken to the law court as in other actions.'"

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

Mr. COTE: Mr. Speaker, Ladies and Gentlemen of the House: This amendment is necessary in order that people of the Lewiston-Auburn area might receive the advantages of cheaper natural gas.

As you all may know, natural gas from the Texas and southern area of our country may soon be brought into this state. But the costs of building a pipeline are great, and whether the pipeline comes and how far it comes into the state will depend upon the costs. Anything that can reasonably be done to lower the costs of bringing this gas line into the Lewiston and Auburn community we must try to do. People in my area are hard hit by the constantly increasing cost of living. If we had natural gas they could cook and heat their homes more cheaply. Their problems are important to me.

This amendment provides that under the safeguards of the Public Utilities Commission the gas line may be built along any public utility line, railroad right-of-way or the Maine Turnpike right-of-way. The only objection comes from the Maine Turnpike. The amendment has been reworked to

try to meet their objections. Under the present law they could issue a permit to lay the pipe if they wanted to.

Did you know that a natural gas pipeline now goes along the New Hampshire Turnpike?

The Bates Manufacturing Company in Lewiston is vitally interested in this pipe line, as they are users of gas. Won't you help me help my people by voting for this amendment?

Thereupon, on motion of Mr. Danton of Old Orchard Beach, tabled pending the adoption of House Amendment "A" and specially assigned for Monday, May 17.

### Third Reader Tabled and Assigned

Bill "An Act relating to Discrimination in Rental Housing" (H. P. 1112) (L. D. 1518)

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

Mr. Payson of Falmouth offered House Amendment "C" and moved its adoption.

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

HOUSE AMENDMENT "C" to H. P. 1112, L. D. 1518, Bill, "An Act Relating to Discrimination in Rental Housing.

Amend said Bill in the 5th line by inserting after the underlined word "employee" the underlined words 'by authority'; and by inserting after the underlined "against any" in the 8th line the underlined words 'law abiding'; and by striking out the period at the end of the 11th line and inserting in place thereof the following:

**'providing such person is a citizen of the United States and is not affiliated with any subversive group.'**

Further amend said Bill in the 2nd line of the 2nd underlined paragraph by inserting after the underlined word "employee" the underlined words 'by authority'; and by inserting after the underlined words "against any" in the 4th line the underlined words 'law abiding'; and by striking out

the period at the end of the 7th line and inserting in place thereof the following: **'providing such person is a citizen of the United States and is not affiliated with any subversive group.'**

Further amend said Bill in the 2nd line of the 3rd underlined paragraph by inserting after the underlined word "employee" the underlined words 'by authority'; and by inserting after the underlined words "against any" in the 7th line the underlined words 'law abiding'; and by striking out the period at the end of the 12th line and inserting in place thereof the following: **'providing such person is a citizen of the United States and is not affiliated with any subversive group.'**

The SPEAKER: The question before the House is on the adoption of House Amendment "C".

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen: I did not see this amendment until this morning. As far as I can see, I can see no real objection to it. I am not sure it is necessary, but since this is a Judiciary Committee redraft, I would like to ask their opinion, and I would request some member of the Judiciary Committee to comment on this amendment if they would.

Thereupon, on motion of Mr. Bishop of Presque Isle, tabled pending the adoption of House Amendment "C" and specially assigned for Monday, May 17.

### Amended Bill

Resolve Authorizing the Establishment of a Residential and Day School for the Mentally Retarded in Northern Maine (H. P. 452) (L. D. 606)

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

### Constitutional Amendment Tabled and Assigned

Resolve Proposing an Amendment to the Constitution to Re-

quire a Roll Call Vote Upon all Bills on Final Passage (H. P. 377) (L. D. 479)

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

(On motion of Mr. Kennedy of Milbridge, tabled pending final passage and specially assigned for Friday, May 21.)

#### **Passed to Be Enacted**

An Act relating to Governor, Lieutenant Governor and Tribal Committee of the Passamaquoddy Tribe (S. P. 402) (L. D. 1222)

An Act relating to Costs and Attorney's Fees under Workmen's Compensation Law (S. P. 417) (L. D. 1312)

An Act relating to Qualifications for Practice of Hairdressing and Beauty Culture (S. P. 491) (L. D. 1456)

An Act relating to Sterilization of Bedding and Upholstered Furniture (H. P. 343) (L. D. 446)

An Act to Revise the Laws Relating to the Support of Persons in State Institutions (H. P. 691) (L. D. 928)

An Act relating to Legal Fees in Court Proceeding for Benefits under Employment Security Law (H. P. 825) (L. D. 1258)

An Act Providing for a Fair Employment Practice Act (H. P. 896) (L. D. 1206)

An Act relating to Records of Tests of Water Samples (H. P. 1113) (L. D. 1520)

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.

An Act relating to Sunday Sale of Liquor (H. P. 1118) (L. D. 1525)

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

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

Mr. LENT: Mr. Speaker, Ladies and Gentlemen: Only two days ago this item was debated at great length. I don't feel at this time, that additional debate is necessary. In the interest of expediting the calendar I now move that

this measure move on to enactment.

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

Mr. KITTREDGE: Mr. Speaker, Members of the House: I realize that much of my thinking is not in keeping with the thinking of this House.

I'm rather disturbed that this bill is going to change our traditional Sunday in this State. And perhaps the fact that some 19 years of the last 25 years I've spent either overseas or on the sea, visiting foreign countries, all of whom I might say had one day of the week which they set aside, perhaps influenced my thinking.

For three years of my life I was forced to travel through Mohammedan countries, Afghanistan, Pakistan, Saudi Arabia, Jordan. The holy day of the Mohammedans was Friday and on Friday the noon day prayer was said in the mosque and all business stopped. While I was in those countries I respected the desires of the people. For two years of my life I lived in Benei Beraq which is the most orthodox part of Israel. The holy day of the Jews is Shebat, which occurs on Saturday, and on Shebat in Benei Beraq everything stops, the orthodox will not even permit an automobile to go down the streets. And while I was there I respected the desires of the people.

Now I think that the leaders of the three great monotheistic religions of the world could do the world no greater service than to establish a common day of worship but I know this is not germane to our problem, nor is it within the province of this legislature.

Nevertheless, traditionally in the State of Maine, this has been a day which has been available to all the people. And because I think that I could be wrong in this, because perhaps I have not judged the temper of our people, because perhaps this not of the great emotional significance which I think it is, I would like to see a little less haste on this particular bill. And I would like to have these people be able to make their wishes known. I therefore would

request somebody in this House to table this bill until next Tuesday.

The SPEAKER: The Chair recognizes the gentleman from Paris, Mr. Hammond.

Mr. HAMMOND: Mr. Speaker, I move that this item be tabled until Tuesday, May 18.

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

Mr. FAUCHER: I move for a division.

The SPEAKER: The Chair recognizes the gentleman from Dover-Foxcroft, Mr. Meisner.

Mr. MEISNER: Mr. Speaker, I request a roll call.

The SPEAKER: A roll call has been requested by the gentleman from Dover-Foxcroft, Mr. Meisner, on the tabling motion. For the Chair to order a roll call it must have the express 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.

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

#### House at Ease

Called to order by the Speaker.

The question before the House is whether this bill shall lie upon the table assigned for May 18 pending its passage to be enacted. If you are in favor of this bill lying upon the table assigned for May 18, you will answer yea or yes when your name is called; if you are opposed to this matter being tabled, you will answer nay or no when your name is called. The Clerk will call the roll.

#### ROLL CALL

YEA — Avery, Baker, Orrington; Berman, Birt, Brewer, Carter, Crommett, Davis, Dickinson, Dudley, Dunn, Eustis, Evans, Graham, Hammond, Hanson, Lebanon; Harriman, Haynes, Hunter, Clinton; Jewell, Kennedy, Kittredge, Lewis, Lincoln, Littlefield, Lycette, Meisner, Millay, Mitchell, Mosher, Payson, Pike, Prince, Rackliff, Roberts,

Ross, Brownville; Sawyer, Starbird, Storm, Susi, Waltz, Ward, Watts, Wight, Presque Isle; Wood, Young.

NAY — Anderson, Orono, Beane, Bedard, Benson, Mechanic Falls; Benson, Southwest Harbor; Bernard, Berry, Binnette, Bishop, Boissoneau, Bourgoin, Bradstreet, Brennan, Buck, Burwell, Bussiere, Carroll, Champagne, Conley, Cote, Cressey, Curran, Cushing, Danton, Dostie, Drigotas, Drouin, Dumont, Edwards, Farrington, Faucher, Fecteau, Fortier, Fraser, Mexico; Fraser, Rumford; Gaudreau, Gaudin, Gifford, Gilbert, Gillan, Glazier, Hanson, Gardiner; Harvey, Bangor; Harvey, Woolwich; Haugen, Healy, Huber, Hunter Durham; Jalbert, Jordan, Katz, Keyte, Kilroy, Knight, Laberge, Lang, Lebel, Lent, Levesque, Libhart, Lowery, Lund, Martin, McKinnon, Mills, Nadeau, Palmer, Peaslee, Pitts, Poulin, Richardson, Cumberland; Ross, Bath; Roy, Ruby, Scott, Searles, Stoutamyer, Sullivan, Truman, Wheeler, Wuori.

ABSENT — Anderson, Ellsworth; Baker, Winthrop; Baldic, Blouin, Bragdon, Carswell, Cookson, Cottrell, Crosby, D'Alfonso, Doyle, Erwin, Harvey, Windham; Hawes, Hawkes, Hoy, Lane, Norton, Pendergast, Richardson, Stonington; Sahagian, White, Guilford; Whittier.

Yes, 46; No, 81; Absent, 23.

The SPEAKER: The Chair will announce the vote. Forty-six having voted in the affirmative, eighty-one having voted in the negative with twenty-three being absent, the motion does not prevail.

The Chair recognizes the gentleman from Dover-Foxcroft, Mr. Meisner.

Mr. MEISNER: Mr. Speaker and Members of the House: I move the indefinite postponement of this bill and its accompanying papers.

I don't plan to make any speech. I made my speech the other day, but there are things about this bill that very many in this House are not satisfied with. I had hoped that you might give us the courtesy of tabling this until the first of the week until perhaps some of these objections to the bill, objections which are voiced by people on

both sides of this question. But since you saw fit not to grant that courtesy, I have made this motion.

Today, there are many people away, people who will vote on both sides. There seems to be a great rush on getting this bill through this House, and a great many people in this State are not satisfied with the voting. We have had many telephone calls and letters that have come in already. A person in this House visited some beer dealers on the way here this morning. They feel that they are being sold down the road by the lobbyists in this House; that if this goes before the referendum, the people of this state, and they vote against beer, they will lose their license to sell it six days in the week that they now have, and they will be deprived from selling it the whole seven days of the week.

The big objection of all of us to this bill is the selling of beer on the Sabbath day to take out, and the serious objection is the effect it will have on our young people and our teenagers.

As was brought out here the other day, the Attorney General has indicated that at least fifty percent of the time, the officer's time is taken up with minors, and we feel that this is going to cause more trouble by this bill if it passes on Sunday. I would hope that you would go along with indefinite postponement of this bill. Thank you.

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

Mr. LENT: Mr. Speaker, I ask for a division on the motion.

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

Mr. PIKE: Mr. Speaker, I take a somewhat different view from the others. I have to confess on this one I'm voting dry and drinking wet. But our communities, the ones I represent and I suspect some others are in the same fix. The beer has been handled very well by and large and the votes to keep beer to take out have been fairly narrow in my principal community. I represent 10 of which 3 are dis-

organized townships, 1 is an unorganized plantation, 1 is an organized plantation, and there are several towns. The disorganized ones, the State law prevails and the folks there have no votes on liquor or beer. But my community of Lubec, will probably vote beer right out if it's on sale on Sunday. I have a great deal of sympathy with the hotels and class A restaurants. I find it very difficult to see why this beer to take out thing with over 2,000 outlets should have been brought in here along with the vacation business, the people going to New Hampshire and not staying over the week-end because they couldn't get a drink on Sunday, so I am continuing to object to this beer to take out being coupled in here. It is in here so I will go ahead and vote dry.

The SPEAKER: The Chair recognizes the gentleman from Dover-Foxcroft, Mr. Meisner.

Mr. MEISNER: Mr. Speaker, I ask for a roll call.

The SPEAKER: The Chair recognizes the gentleman from Dixfield, Mr. Eustis.

Mr. EUSTIS: Mr. Speaker, I feel this issue has been confused ever since it was brought into this House by two things, fog and dust of trivia that really have no important bearing on this overall question. I feel that it is, and I don't believe any of you here can deny it, a moral question. We have looked to the churches for inspiration always, even though we don't do it too regularly, I think we still owe to them the respect they deserve. We have in substance here, placed on the line, the question in this form, which shall it be, money and expediency or principle. I say that principle should be the governing matter of decision here. I would remind every member of this House, and I think you will have to agree, that you have taken at some time in your life, the oath of allegiance. And I believe that you will recall the phrase under that oath, One Nation under God. I believe further than that that anybody who has ever seen military service at home, ashore, afloat, or abroad will remember also that there is just one flag that ever

flies over our national colors and that flag is the church flag. I ask you to consider these things seriously. I ask you to take them into your own mind and let your conscience work on it a little. I know it will whisper and I hope it will be loud enough so you'll hear it. Thank you very much.

The SPEAKER: The Chair recognizes the gentleman from Gouldsboro, Mr. Young.

Mr. YOUNG: Mr. Speaker, I want to stand this morning and concur with the good gentleman from Dover-Foxcroft, Mr. Meisner that this bill be indefinitely postponed. This morning in the Portland paper you will note that the opinion of 6 different people was asked on this Sunday sale of liquor bill. Two were against any Sunday sales whatever, so we'll take the other four. Three of the other four were against the selling of beer. I represent 16 small towns and I am sure that if the Sunday provision is left in this thing that they will, I would say, fourteen of the sixteen would vote dry. And I hope the motion of Mr. Meisner prevails.

The SPEAKER: The Chair recognizes the gentleman from Southport, Mr. Buck.

Mr. BUCK: Mr. Speaker, Ladies and Gentlemen: As I said the other day I am for a certain portion of this bill, that portion having to do with the serving of liquor to hotels and restaurants, and when I spoke the other day I asked that it be tabled in order that somebody could bring in an amendment to that effect. I still am of the same opinion and if no change is made in it I shall vote again with the gentleman on my right for indefinite postponement.

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

Mr. HUNTER: Mr. Speaker, out of courtesy I'd like to ask to have this matter tabled to the next legislative day.

The SPEAKER: The gentleman from Clinton, Mr. Hunter, moves this matter be tabled until the next legislative day. The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker, I ask for a division.

The SPEAKER: A division has been requested. All those in favor that this bill will lie upon the table assigned for the next legislative day will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Forty-five having voted in the affirmative and seventy-six having voted in the negative, the motion did not prevail.

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

Mr. BERNARD: Mr. Speaker, Members of the House: I think we've debated this bill long enough. I don't think anybody in this House is going to change his mind this morning so I move the previous question.

The SPEAKER: The gentleman from Sanford, Mr. Bernard, now moves the previous question. For the Chair to order the previous question, it must have the consent of one-third of the members present. All those in favor of entertaining the previous question now will kindly rise and remain standing until the monitors have made and returned the count.

A sufficient number did not arise.

The SPEAKER: A sufficient number not having arisen, the previous question is not in order.

The Chair recognizes the gentleman from Dixfield, Mr. Eustis.

Mr. EUSTIS: Mr. Speaker, Members of the House: I don't mean to be impertinent or egotistical about this thing, but I would like to say this much and I would like to ask you all to consider it. I think this is a sad reflection on this House and the individuals present here today, when you consider the number of people absent and the roll call as it goes out to the public, it is by no means an accurate reflection of the real opinion of the entire House. I think when this thing was cold and that one hour leeway into Sunday was voted upon, I think it became very evident at that time what the temper of the people was in regards to the question in general as to liquor on Sunday. Thank you.

Mr. Levesque of Madawaska was granted permission to approach the rostrum.

### House at Ease

The SPEAKER: The question before the House is on the motion of the gentleman from Dover-Foxcroft, Mr. Meisner, that this bill and its accompanying papers be indefinitely postponed. And the gentleman from Dover-Foxcroft, Mr. Meisner, has requested that when the vote is taken that it be taken by the yeas and nays. For the Chair to order the yeas and nays, it must have the expressed desire of one-fifth of the members present. All those in favor of the 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.

Mr. Dumont of Augusta, who would have voted "no" had he voted, was excused from voting as he paired his vote with Mrs. White of Guilford, who was absent but would have voted "yes" were she present.

Mr. Ross of Bath, who would have voted "no" had he voted, was excused from voting as he paired his vote with Mr. Cookson of Glenburn, who was absent but would have voted "yes" were he present.

Mr. Cottrell of 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 recognizes the gentleman from Hampden, Mr. Littlefield.

Mr. LITTLEFIELD: Mr. Speaker, I would like to question, how are we to know how Mrs. Carswell will vote? She has voted dry on some of the bills and wet on others.

The SPEAKER: The gentlewoman has communicated, I assume, with the gentleman from Portland, Mr. Cottrell, and has made that

desire. We are in assumption that this is an honorable body and no person would get up and pair his vote unless he has been so instructed.

Mr. Lebel of Van Buren, who would have voted "no" had he voted, was excused from voting as he paired his vote with Mr. Anderson of Ellsworth, who was absent but would have voted "yes" were he present.

Mr. Gifford of Manchester, who would have voted "yes" had he voted, was excused from voting as he paired his vote with Mr. Blouin of Sanford, who was absent but would have voted "no" were he present.

Mrs. Ruby of Bangor, who would have voted "no" had she voted, was excused from voting as she paired her vote with Mr. Whittier of Farmington, who was absent but would have voted "yes" were he present.

The SPEAKER: The question before the House is on the motion of the gentleman from Dover-Foxcroft, Mr. Meisner, that this Bill, "An Act relating to Sunday Sale of Liquor," House Paper 1118, L. D. 1525 and its accompanying papers be indefinitely postponed. If you are in favor of indefinitely postponing this bill and its accompanying papers, when your name is called you will answer either yea or yes; if you are opposed, when your name is called you will answer either no or nay. The Clerk will call the roll.

### ROLL CALL

YEA — Baker, Orrington; Berman, Birt, Bishop, Brewer, Buck, Carter, Crommett, Davis, Dickinson, Dudley, Dunn, Eustis, Gilbert, Graham, Hammond, Hanson, Gardiner; Hanson, Lebanon; Hariman, Haugen, Haynes, Huber, Hunter, Clinton; Hunter, Durham; Jewell, Kennedy, Kittredge, Lewis, Lincoln, Littlefield, Lycette, Meisner, Millay, Mitchell, Mosher, Pike, Prince, Rackliff, Roberts, Ross, Brownville; Sawyer, Scott, Starbird, Storm, Susi, Waltz, Ward, Watts, Wight, Presque Isle; Wood, Young.

NAY—Anderson, Orono; Avery, Beane, Bedard, Benson, Mech-

anic Falls; Benson, Southwest Hbr.; Bernard, Berry, Binnette, Boissonneau, Bradstreet, Bragdon, Brennan, Burwell, Bussiere, Carroll, Champagne, Conley, Cote, Cressey, Curran, Cushing, Danton, Dostie, Drigotas, Drouin, Edwards, Farrington, Faucher, Fecteau, Fortier, Fraser, Mexico; Fraser, Rumford; Gaudreau, Gauvin, Gillan, Glazier, Harvey, Bangor; Harvey, Woolwich; Healy, Jalbert, Jordan, Katz, Keyte, Kilroy, Knight, Laberge, Lang, Lent, Levesque, Libhart, Lowery, Lund, Martin, McKinnon, Mills, Nadeau, Palmer, Payson, Peaslee, Pitts, Poulin, Richardson, Cumberland; Roy, Searles, Stoutamyer, Sullivan, Truman, Wheeler, Wuori.

**ABSENT** — Baker, Winthrop; Baldie, Bragdon, Crosby, D'Alfonso, Doyle, Erwin, Evans, Harvey, Windham; Hawes, Hawkes, Hoy, Lane, Norton, Pendergast, Richardson, Stonington; Sahagian.

Yes, 51; No, 70; Paired, 12; Absent, 17.

The **SPEAKER**: Fifty-one having voted in the affirmative seventy in the negative, twelve paired and seventeen being absent, the motion does not prevail.

Thereupon, the Bill was passed to be enacted and signed by the speaker.

The motion of Mr. Jalbert of Lewiston for reconsideration on enactment failed on a viva voce vote.

Sent to the Senate.

#### **Finally Passed**

Resolve Designating Certain Bridges of the Interstate System as "Veterans Memorial Bridges" (H. P. 680) (L. D. 907)

Resolve Authorizing Construction of Bridge to Quigg Island in Stevens Pond, Waldo County (H. P. 1095) (L. D. 1495)

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

#### **Recess**

Called to order by the Speaker.

#### **Order out of Order**

Mr. Cote of Lewiston presented the following Order and moved its passage:

WHEREAS, the members of the House have learned that today is the 67th birthday of the gentleman from Portland, Mr. Cottrell;

**BE IT ORDERED**, that the members of the House extend to Mr. Cottrell their congratulations and their best wishes not only for today but for the entire year.

The Order received passage. (Applause)

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

Mr. Cottrell of Portland requested unanimous consent to briefly address the House.

Mr. **COTTRELL**: Mr. Speaker and Friends and Members of the House: It made me feel a great deal happier than I was a few minutes ago, but I have really gotten to the point when I don't like to be reminded about my birthday. I am trying to go the other way fast. But I certainly thank you very, very much.

#### **Orders of the Day**

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

**HOUSE REPORT**—"Ought not to pass"—Committee on Appropriations and Financial Affairs on Resolve, to Provide Funds for Additional Personnel for the Southern Maine Vocational-Technical Institute at South Portland. (H. P. 390) (L. D. 502)

Tabled—May 5, by Mr. Haugen of South Portland.

Pending—Acceptance. (Specially assigned for Wednesday, May 12th)

On motion of Mr. Haugen of South Portland, retabled pending acceptance of the Committee Report and specially assigned for Tuesday, May 18.

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

**HOUSE REPORT**—"Ought not to pass"—Committee on Appropriations and Financial Affairs on



Bill, "An Act Reestablishing Western Maine Sanatorium in Hebron as a Nursing Home for the Elderly." (H. P. 443) (L. D. 1010)

Tabled—May 5, by Mr. Benson of Mechanic Falls.

Pending—Acceptance. (Specially assigned for Wednesday, May 12th)

On motion of Mr. Benson of Mechanic Falls, the "Ought not to pass" Committee Report was accepted and sent up for concurrence.

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

An Act Authorizing Town of Island Falls to Construct Certain Road. (S. P. 492) (L. D. 1457) (C. "A" S-154) (S. "A" S-157) Emergency)

Tabled—May 5, by Mr. Dickinson of Mars Hill.

Pending—Passage to be Enacted. (Specially assigned for Wednesday, May 12th)

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

Mr. STORM: Mr. Speaker and Members of the House: I have had the chance to clear this bill with the Highway Department and with some of the interested people in Island Falls, and my objections are now removed and I move for its enactment.

This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a division was had. 104 voted in favor of same and 0 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

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

SENATE JOINT ORDER Relative to Interim Joint Committee to Study Lobster Industry. (S. P. 494)

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

Pending—Passage in concurrence. (Specially assigned for Wednesday, May 12th)

On motion of Mr. Levesque of Madawaska, the Order received passage in concurrence.

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

An Act relating to the Reporting of Traffic Accidents. (H. P. 1025) (L. D. 1388)

Tabled—May 6, by Mr. Richardson of Cumberland.

Pending—Passage to be Enacted. (Specially assigned for Wednesday, May 12th)

On motion of Mr. Danton of Old Orchard Beach, the House voted to suspend the rules and to reconsider its action whereby on April 16 the Bill was passed to be engrossed.

The same gentleman then offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 1025, L. D. 1388, Bill, "An Act Relating to the Reporting of Traffic Accidents."

Amend said Bill by striking out in the 10th line the underlined words "residing within the county wherein the accident occurred"

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

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

Bill, "An Act relating to Working Capital of Liquor Commission." (S. P. 377) (L. D. 1194) (C. "A" S-171)

Tabled—May 7 by Mr. Bernard of Sanford.

Pending — Passage to be Engrossed. (Specially assigned for Wednesday, May 12th)

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

Mr. LUND: Mr. Speaker and Ladies and Gentlemen of the House: This bill was tabled at my request a little over a week ago in order to give the opportunity to look into some of the figures concerning recent listings of the

Liquor Commission. I was aware at that time that last summer the Liquor Commission added one hundred and three new listing items to the sale list. Now, perhaps if somebody isn't at all familiar with the usual procedure in the Liquor Commission, this may not seem remarkable except I might simply state that usually at listing time the Commission will drop a few items and add a handful of items. So this addition of a hundred and three items was somewhat unusual. The purpose for my asking that this matter be tabled was to try to find out how much of the present working capital of the Liquor Commission was tied up in these one hundred and three items that were added last summer. I requested and received from the Commission a list of the inventory as of March 31 of this year for those one hundred and three items that were added. And the total inventory tied up in those hundred and three items is four hundred and sixty-four thousand dollars.

Now it certainly isn't for us here in the House to try to pass judgment upon the wisdom of the listings which the Commission chooses to make or does not choose to make, but it would appear to me as though perhaps in this particular case the Commission had by adding a great number of items, perhaps unnecessarily occupied a substantial portion of their working capital. I am not aware of the exact details of sales concerning these new items that were listed, but I, just in looking over the list, I can pick out twelve different items which are half gallon sizes of a brand of liquor where the Commission already lists the quart size and about eighty thousand dollars is tied up in these half gallon sizes. It would appear to me that if the Commission is going to add this number of items it ought perhaps to have a little closer regard to its working capital and in view of the fact that such a large amount of money is tied up in these hundred and three new items that were added, I move indefinite postponement of this measure.

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

Mr. LUND: Mr. Speaker and Members of the House: I might explain that this bill in its original form would have added one million dollars to the working capital. By the amendment it would have added only five hundred thousand dollars and I think the five hundred thousand dollars very closely approximates the four hundred and sixty-four thousand that was tied up in these hundred and three new items.

Thereupon, on motion of Mr. Bishop of Presque Isle, the Bill was tabled pending the motion of the gentleman from Augusta, Mr. Lund, to indefinitely postpone and specially assigned the next legislative day.

The SPEAKER: The Chair will request the Page to escort the gentleman from Milbridge, Mr. Kennedy, back to the rostrum.

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

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

HOUSE REPORT — Committee on Health and Institutional Services on Bill, "An Act Authorizing Use of Prisoner Assistance by Certain Charitable Organizations." (H. P. 805) (L. D. 1097) reporting same in New Draft (H. P. 1115) (L. D. 1522) under Title of "An Act Authorizing Use of Prisoner Assistance by Charitable Organizations," and that it "Ought to pass"

Tabled—May 7 by Mr. Levesque of Madawaska.

Pending—Acceptance (Specially assigned for Wednesday, May 12th)

On motion of Mr. Birt of East Millinocket, retabled pending acceptance of the Committee Report and specially assigned for Wednesday, May 19.

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

**DIVIDED REPORT** — Majority (8) — "Ought to pass"—Minority (2) — "Ought not to pass"—Committee on Legal Affairs on Bill, "An Act relating to the Sale of Fireworks." (H. P. 708) (L. D. 946)

Tabled — May 11, by Mr. Boissonneau of Westbrook.

Pending — Motion of Mr. Katz of Augusta to accept Majority "Ought to pass" Report. (Specially assigned for Wednesday, May 12th)

Thereupon, the Majority "Ought to pass" Report was accepted, the Bill read twice and assigned the next legislative day.

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

**AN ACT** relating to Retirement Benefits for Fire Fighters Under State Retirement System. (H. P. 534) (L. D. 708) (C. "A" H-271)

Tabled — May 11, by Mr. Danton of Old Orchard Beach.

Pending—Passage to be Enacted. (Specially assigned for Wednesday, May 12th)

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

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

Bill, "An Act to Clarify the Motor Vehicle Laws." (H. P. 1093) (L. D. 1489) (S. "A" S-165) (H "A" H-306)

Tabled — May 11, by Mr. Birt of East Millinocket.

Pending — Adoption of House Amendment "A." (Specially assigned for Wednesday, May 12th)

On motion of Mr. Birt of East Millinocket, retabled pending adoption of House Amendment "A" and specially assigned for Wednesday, May 19.

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

**HOUSE REPORT** — "Ought not to pass" — Committee on Transportation on Bill, "An Act relating to Temporary Number Plates for

Dealers of Camp and House Trailers." (H. P. 573) (L. D. 743)

Tabled — May 11, by Mr. Beane of Moscow.

Pending — Motion of Mr. Beane of Moscow to accept "Ought not to pass" Report. (Specially assigned for Wednesday, May 12th)

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

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

**HOUSE REPORT** — "Ought not to pass"—Committee on Judiciary on Bill, "An Act Shortening the Period of Real Estate Mortgage Foreclosure." (H. P. 137) (L. D. 333)

Tabled — May 12, by Mr. Ross of Bath.

Pending — Motion of Mr. Libhart of Brewer to reconsider indefinite postponement. (Assigned for later in yesterday's session.)

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

Mr. ROSS: Mr. Speaker, Ladies and Gentlemen of the House: I tabled this on Wednesday until later in that day's session primarily as a courtesy. However, I am definitely in favor of this bill which would shorten the period of mortgage foreclosures from one year to six months as a stimulant to the overall economy in the State of Maine and I certainly do support the motion to reconsider.

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

Mr. DANTON: Mr. Speaker and Ladies and Gentlemen of the House: I don't particularly have anything against shortening the period of redemption as it applies to banks and insurances. But the thinking of the committee, the unanimous committee, was that many of these poor people would be foreclosed within six months instead of the one year by people other than insurances and other than banks and we must remem-

ber that this is a seasonal state. This is a state where we have farmers with their crops, we have fishermen, we have recreational operators, business operators, and I think it would be a disservice to them if we at this time shortened this period of redemption, and I urge all of you to defeat this motion to reconsider.

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

Mr. LIBHART: Mr. Speaker, I would table this until Tuesday, May 18.

The SPEAKER pro tem: the gentleman from Brewer, Mr. Libhart moves that this matter be tabled until May 18 pending reconsideration. Is this the pleasure of the House?

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

Mr. DANTON: Mr. Speaker, I move for a division.

The SPEAKER pro tem: A division has been requested. Is the House ready for the question? All those in favor of tabling this matter until May 18 will rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Thirty-one having voted in the affirmative and seventy-four having voted in the negative, the motion did not prevail.

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

Mr. LIBHART: Mr. Speaker, I was hopeful that the fellow members of the House would again give me the courtesy of tabling while my friend from Biddeford, Mr. Truman, is not here. Seeing that courtesy was not extended, there are several things that were said on the floor of this House the other day about this bill that need correcting.

One of the things was that this bill has been here several times. Now this isn't true. This bill, as it is now before you, has been here only once before, and that was in the last session of this legislature. The happening there

was that the bill was amended to provide several things and because of these amendments there was created in the minds of attorneys who primarily practice in real estate, grave doubts as to what that bill did. And because there wasn't time to straighten those things out in the special session, the simplest approach was taken, to revert back to the one year foreclosure clause.

Now, that in essence is the story of this particular bill. It's been here once before, it was passed as amended, the amendments were found to have been done in the rush of the last moments of the legislature, and because the special session didn't have enough time to change them we reverted back to the one year foreclosure. Now this bill is designed to put a floor of six months rather than a year under the redemption period. There is nothing that prevents the seasonal industries or farmers or what have you from writing into their mortgage a one year, two year, or what have you redemption period. Absolutely nothing that prevents this.

Now I know that there's an argument of leverage here. Let me suggest to you that the information that was given to you the other day by Representative Truman of Biddeford was absolutely correct. Especially when he was talking about the time that banks take in foreclosing. The average in the State of Maine is that several months of delinquency go by before our banks start foreclosure procedures. And then they take their year. And I would think that the average foreclosure period from the first delinquency, or the average time that is spent in the State of Maine, would be a year and a half. Well now certainly, if a person can't refinance or find themselves a way out, sell their property and pay off the mortgage or what have you, in a year and a half, in my opinion they couldn't do it in a year. So taking away six months isn't going to affect them one way or the other.

Now I think the most crucial charge against this bill is that it

is a bankers bill. This is not a bankers bill. Some eighty to ninety percent of the real estate financing which occurs in the State of Maine is done by the savings banks of Maine. Now you know that savings banks and savings and loan institutions, you know that both of these types of banks are mutual banks.

They are owned by the people of the State of Maine. When I say that I mean the little people. The folks with a lot of money don't keep it in banks. They have it invested in the stock market in real estate, what have you. The little people have their money in the savings banks and it is for their protection, the protection of their accounts, that this bill is designed. Because of our extended period of foreclosure, one year, and because of the experience that banks have had over the years in high risk loans, our banks simply refuse to grant high risk loans.

How many young friends of yours do you have living in house trailers? Now I have nothing against house trailers for people that want them so they can have mobility in moving if they've got jobs that they travel with and so forth. That makes a great deal of sense. But the young people in Maine generally living in these homes are youngsters who have permanent jobs here. They want their own homes. Why do they live in house trailers? The answer is pure and simple. They can't borrow from the savings banks the money to buy a regularly constructed home, but they can very easily finance the house trailers or the mobile homes. And this is why they buy them. Now what can we do to ease the credit? What can we do to get more money in the State of Maine, for this type of loan?

Now these banks I'm talking to you about, you look at their portfolios. They're highly invested in governmentals getting less than three percent interest and they're trying to pay four percent to their depositors. They'd lots rather be in real estate where they can get six percent and help this four percent that they are paying to

their depositors. They'd lots rather be in them than in the governmentals that are paying them less than three. They're getting less interest on their investment in government bonds than they are paying to their depositors. Now they'd lots rather be in mortgages, but when a high risk situation comes up and they know perfectly well that in the case of emergency where they'd want to foreclose rapidly, where they think that maybe there's a divorce or difficulty in the family or something like that and they feel that one party or the other is going to deteriorate the property very rapidly, that they'd like to get in and own so they can sell and get out, they would like to have this protection.

Now this says nothing about the flow of money between the State of Maine and other states. Now Mr. Truman gave you the statistics on how many other states have a much shorter foreclosure period than we do. It only stands to reason that bankers in those states won't invest money in Maine, they won't buy our mortgages when our banks need to sell them, and they won't invest initially because they can go to states right next to us and invest and have a six months foreclosure period. Ask your friends in the southern part of the state what the situation is down there with New Hampshire and Massachusetts money around. It doesn't come across the border to us. It stays over there.

Now these are the arguments for this bill. The arguments on the other side of course are the ones that have been presented to you, the farmer being in a seasonal industry or any other seasonal industry has the fear, let us say, of a six months foreclosure period because he wants to be able to get his crop in and stop the foreclosure, or the seasonal industry has the same thing.

Now ladies and gentlemen of the House, I ask you, first of all this is a question of balancing the equities. Are you going to continue to keep this law on the books knowing that it is disadvantageous to all of your people in the

State of Maine who have savings in savings banks and knowing the percentage of foreclosures on farm mortgages in the State of Maine is very small and that in this State we have had, over the years, a tradition in our banking institutions, of being extremely fair on foreclosures.

Now this bugaboo that's being thrown around here about the seasonal industries and the farmers being afraid of this bill is just exactly as I label it, a bugaboo, it just isn't true, we don't have this problem. We just don't have it. Now on the other hand, how many depositors in savings banks, in savings and loan institutions does each and every one of you represent?

If you vote against this bill you're voting against the possibility of their increasing their interest on their deposits, you're voting against their having increased protection on their deposits, knowing that the money that's in there is being used in governmentals with their low yield rather than in higher yield mortgages; and it seems to me that if each and every one of us consider and try to balance the equities here and remember, each one of us, how many of our constituents have deposits in savings and loan institutions and in savings banks who universally want this bill passed, then it seems to me that we must make the decision in favor of its passage.

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

Mr. GILLAN: Mr. Speaker, this was well debated the other day and as I pointed out then and as the gentleman from Old Orchard Beach, Mr. Danton, pointed out this morning when you refer to mortgages you are referring to what may be described as a first mortgage, a second mortgage sometimes even a third mortgage. Now I have a lot of respect for the savings banks and I know that they generally don't foreclose too rapidly, but a second or third mortgage foreclosure shuts out the owner's equity just as much as the first as I said the other day. And

there is a particularly atrocious situation in Cumberland County at the present time. Probably in other sections of the state. This out of state finance company has a hook-up with various home repairing companies. When they complete the work, to pay for it the home owners sign a promissory note. Included in the fine print of the note is a power of attorney authorizing this out of state finance company to execute a mortgage on the people's home, generally a second mortgage. By virtue of this power of attorney this finance company records a second mortgage without the home owners being aware of it at all. And it can be foreclosed in the same manner. There are several methods to foreclose a mortgage, one is by publication, and generally most foreclosures are done in a small county paper because it's cheaper, a paper that has very limited circulation but satisfies the law.

We in the Judiciary Committee reviewed the banks' problems; as the gentleman from Brewer, Mr. Libhart, said, we balanced the equities too. Whether it's better to make the banks extend themselves a little more or to run the risk of many thousands of people who now have homes of losing their homes. And we decided in favor of the homeowner. I trust that you will do likewise. Thank you.

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

Mr. POULIN: Mr. Speaker, Ladies and Gentlemen of the House: I am not a banker and neither am I an insurance man. But you could compare this to an insurance policy. You may buy a policy and on your policy you will find a rider; so you can do the same thing with a mortgage. If you don't like the mortgage you can go to another bank and get the type you want. I can't see any difficulties here as far as the little people getting hurt on it. Certainly, the same with an insurance policy, if you can't stand the rider you aren't going to buy the policy, you're going to

try to find something that will cover you adequately. Thank you.

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

Mr. BUSSIERE: Mr. Speaker and Members of the House: It is not the first time that I speak against this bill. We had the same problem 4 years ago, 2 years ago, and this year is the same thing. It's getting to be now that buying a house is just as easy as buying a bicycle. Until such a time as the developer of the real estate sets up a down payment high enough that this way they would get more responsible people, they wouldn't have no trouble. We had a contractor that came to Lewiston 4 years ago from Nashua, New Hampshire, put up 64 new homes and they were up for sale from \$15,500 to \$17,000. Advertised on the paper, no down payment, 30 years to pay, and they were selling just as fast as they were able to put them up. No down payment. Well I think the finance company is really inviting trouble. The gentleman from Brewer mentioned the fact that the one thing we don't have in Maine is the lack of banks. I have to agree with you because at home we have banks on every corner of the street. Besides we have high pressure salesmen trying to sell new homes to people who cannot afford it. And it's just as true as I stand up here. This bill is a bad piece of legislation for the poor people who afford to buy a new home who could not afford it. This bill is strictly written in favor of the banks. I think the members of this House should take that in mind, should think of those things and that we should protect the majority of the people and not the minority, and I mean by this the finance company. When they sell a new home if they were required to put up something like 3 or 4 thousand dollars there wouldn't be so many of the foreclosures and until such a time the trouble is there and this bill is a very bad bill. I know some people who are working more or less something like 6 months a

year. They have trouble to meet the payments, so why take advantage of those people? They cannot afford to buy a home and they're buying it because they put the pressure on them. Imagine, you only have to pay 80 dollars a month. Eighty dollars a month, the end of the month comes too fast sometimes and I hope that the motion to reconsider does not prevail.

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

Mr. BERNARD: Mr. Speaker and Members of the House: I debated this bill thoroughly last week and I told the proponents and opponents that I was not going to get up this morning and debate this bill and I don't intend to debate the bill. But just to get the record straight, I'm tired of Representative Libhart telling you members of the House that we don't have our records straight. Now I quoted last week that this bill was in here 3 different occasions beside now. And he is telling you again that this bill only came here once.

Now in the 100th legislature Myron Rust, a Representative of York County, introduced this bill and we killed it. In the 101st legislature Myron Rust again introduced this bill and he passed it. In a special session of the 101st legislature we killed this bill again. And here it is for the fourth time. He's telling us again that it never came up before.

The SPEAKER pro tem: The Chair recognizes the gentleman from Winslow, Mr. Roy.

Mr. ROY: Mr. Speaker, Ladies and Gentlemen of the House: By profession, I'm a real estate broker. I agree with Mr. Bernard from Sanford, he in turn was right when he said this bill was defeated in the 101st, it was passed in the 101st and it was defeated in a special session. He forgot to give you the reason why it was defeated in the special session. The reason why we defeated this measure in the 101st is because there was a problem in regard to title clearance. And this is why the attorneys

got together throughout the state and they found out that the bill they had passed in the 101st in turn involved clearing title. Actually this bill that you have before you today, which is sponsored by Mr. Libhart, is a very good piece of legislation. Actually in the last session, I made a survey in central Maine. Out of the bankers and out of the mortgage people that we have in the area I don't think that there were about ten people in the past ten year period that redeemed their property after it had been foreclosed upon. After this bill here would benefit the economy of the state and would shorten the foreclosure period to six months. To give you an example, once a mortgage is foreclosed upon it usually takes about five or six months before the process takes effect.

You will find any of your banks in the State of Maine, they'll never foreclose upon you the first or second month that you are in arrears on your payment. To give you an example on FHA mortgages, by the time the banks start foreclosing procedures the individual is about three or four months behind in his payments and can never redeem the property due to the equity that he has in the property. He in turn, after he is foreclosed upon, is allowed an extra 7 months on top of the foreclosure period which is now 12 months. So you add your seven to your twelve and you get nineteen months. If you pass the six month foreclosure law he still would get twelve months. I wish that the motion to reconsider prevails.

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

Mr. LITTLEFIELD: Mr. Speaker, Ladies and Gentlemen of the House: I read this bill and I thought I had some idea of what it meant. But as the debate goes on I get more confused. At the present time I'm in a position that I was in when I was a young man. I went across the road to help old Nate Robinson fix a mowing machine. While we were there two

politicians arrived at the cross-roads with a market wagon with a hurdy-gurdy in the back. The hurdy-gurdy started to play and as the melodies from the instrument went over the countryside the farmers gathered around. So Nate says let's go down and see what they say. We went down and after the second politician had talked twenty minutes I asked Nate what they were talking about. Nate took a strand of herds grass hay from his teeth and he said. Well, they don't say, and that's the way I feel about this bill. The bill came out "ought not to pass" and a bill that I can't understand I shall continue to vote against.

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

Mr. DANTON: Mr. Speaker, much has been said about banks, and at the outset of my previous speech here I mentioned that we weren't concerned about banks, we weren't concerned about insurance companies that might be mortgagees. We were concerned about the second mortgagees, these third mortgagees, these so-called loan sharks. Some home improvement companies, and I notice that you have a bill in your journal today that has been referred to the 103rd legislature to investigate these so-called home improvement companies. These are the people we're concerned about and I'm gravely surprised at my respected friend from Brewer, Mr. Libhart, when he rises in defense of this bill, when he, a few days ago, had two measures that appeared before this House that allowed a person to place himself in a mortgagee's position without having final judgment. Now this is a bad bill for the small man and I hope everybody votes against the reconsideration motion.

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

Mr. TRUMAN: Mr. Speaker, Ladies and Gentlemen of the House: The only argument the lawyers can give is second and third mortgages. You can't get



a first mortgage, let alone a second and third mortgage, and they bring in the argument about siding companies taking second mortgages or third mortgages. A siding company takes a second mortgage for one reason, only to protect their investment on that house in the event that house is sold. They are not about to foreclose because they're not going into the finance business. They're not going to be picking up first mortgages. If they have a twelve hundred dollar investment in a second mortgage, they're certainly not going to foreclose and pay off a ten to twelve thousand dollar first mortgage. Now let's be practical. It just doesn't make sense.

Third mortgage money, now I don't know of anyone ever taking a third mortgage on a house. I can imagine after a very small down deposit, where would your third mortgage protection come in? It's just out of proportion. People have needs and if state and local governments are unwilling and unable to meet these needs we have only ourselves to blame. Do you know that one-quarter of all the homes in which Americans live today have been built from 1950 to 1960? Twenty-five percent of all the homes that have been built in this country were built from 1950 to 1960. This is a testimonial to the past decade's vigorous energy, that no other nation can match. This has been the largest single capital investment in American homes, but did any of this take place in Maine, possibly a little. There are more trailers in Maine per capita than any state in the Union. Imagine, they have to end up with trailers because we have this antiquated twelve months foreclosure law. This law is over a hundred years old, it's unreasonable.

Now progressive states like New York, New Jersey, our sister state, New Hampshire, they don't have a foreclosure time. There is no foreclosure, not even six months. I'm not saying to abolish the time limit, just reduce it to six months and try it out. You are stifling the economy of this state as long as you allow the existing twelve

months law to stay on the books. You just can't do business without money. No one is going to put this money out if you choke them, but they're willing to take a chance. I don't say abolish the time limit completely, reduce it to six months is very, very reasonable. It's been proven time and again that banks don't want to go into the real estate business. They are interested in only one thing, if you want to call them the banks, they are interested in selling money, no other purpose. I am going to read you a little item put out about what a serious problem in housing we are going to have in the next five or ten years in the State of Maine.

Senator John Sparkman, Chairman of the Senate Sub-Committee on Housing: "Several years ago, our Subcommittee on Housing undertook a study to determine the nature and size of the housing market and the needs for mortgage credit for the decade of the 1960's. The study concluded that annual housing starts would average 1.6 million for the decade but would reach 2 million by 1970. The average would be 1.4 million for the first half of the decade and 1.8 million for the second half when the 'war-time baby boom'"; and when I say the "war-time baby boom," '43, '44, '45. All these children coming into twenty, twenty-one years of age. Where are they going to live in Maine? I have apartment houses too, and I am not ashamed to say it as others have indicated they would not. I told my mother, do you know that if we had a housing boom you'd drop your revenue? She said you do what you think is right. I am not going to be selfish and say that they should stay in these apartment houses because they can't buy a home. I have to lose with this thing, but if it will make a better citizen, I want to see that. If it will make him a property owner, a taxpayer, a civic minded individual, that I want. Better people make better government.

I don't have the problem. I live in a pretty comfortable home and I collect rents from a lot of poor people and I don't like it. I prefer

to see them living in their own homes even though it be a small home. At least it would be theirs. They have their own backyard and let their children grow up like the rest of them are. Let them know what the other side of life looks like.

Let me continue reading this. This is interesting. "This amount is about 50 percent greater than new home mortgage funds which flowed into the system during the decade of the 1950's.

"In arriving at these projections, the committee assumed that savings would continue at a high level and that appropriate action would be taken to see that the proper share would be available for mortgages.

"There was no worry about the availability of credit for the first half of the decade, but there was general agreement in the prediction that there would be a squeeze on credit for the latter half unless existing mortgage credit facilities were improved.

"Looking back over the last four years, the committee's estimates have turned out to be very close to the actual experience . . ."

This actual experience that they are talking about is taking place in the states that do have twelve month foreclosure laws. I am not giving you any stories. I am giving you actual facts. Alabama two years foreclosure law, two year foreclosure law in Alabama. Where did we have one of the largest arguments the country has seen in the last six months? Alabama. Where has Mrs. Johnson been going down and inspecting some of her real estate? Shacks in Alabama. They too have those problems, only they make it that much worse. Not twelve months foreclosure law, twenty-four months. They'll never buy a home down there if they live to be a hundred and five. Arizona, six months. Quite a few people going to Arizona to retire today. Why? Mortgage money is freer. Low down deposit. California has no time limit. They advertise, they take a foreclosure. They advertise it six weeks. They pick up the property. Connecticut, none. Delaware, none. District of Columbia,

none. Florida, none. Florida, one of the largest housing booms in the country took place in Florida, and it still continues today. Hawaii, none. Idaho, one year. They raise potatoes like we do in Maine. Illinois, six months. Indiana, six months. Twenty-seven states in this country do not have any foreclosure time. They are all doing business. Can they be so wrong and we be so right? Are we going to allow a few stubborn attorneys to determine how much progress Maine needs or should have?

Two arguments they brought out. They are just being stubborn over this for no other reason. They live in a pretty comfortable home. They are stubborn because they want to use the banker, make him the bad guy. You go to the movies and they paint the banker as the bad guy that grabs. It is still implanted in their mind. We can always use the banker as the wrong guy and I am not in the banking business. They are people just like everyone else. They want to do business like everyone else, except a select few.

I asked the question, do you know anyone that has lost his home by foreclosure? No answer. Show me where they have taken away property. Who loses his property? This is a very poor argument, very, very bad. They get up and they worry about the poor man. Were they worried about the poor man when they got up here and wanted to raise the death limits? Because one-third of ten thousand dollars—one third of thirty thousand dollars was only ten thousand dollars for their fee, but now they can sue for one hundred fifty thousand and they still get one-third. When were they concerned about anyone else but themselves? And they pick on financing, which affects all the poor people in the State of Maine, to argue.

The SPEAKER pro tem: The Chair recognizes the gentleman from Old Orchard Beach, Mr. Danton, and inquires for what purpose does he rise?

Mr. DANTON: Mr. Speaker, on a point of personal privilege. I

resent those remarks and I don't think they are germane to this issue.

The SPEAKER pro tem: The gentleman from Old Orchard Beach, Mr. Danton, rises on a point of personal privilege and the Chair would request the gentleman from Biddeford, Mr. Truman, to restrain his remarks.

The gentleman may continue.

Mr. TRUMAN: I don't want to get into personalities. I am sorry I offended the distinguished member of the bar, but then he is doing his job like anyone else should.

I say to you if you change this law, try it. You have the power to put, you have the power to take away. I am not here working for any group. I take good care of myself. This cannot do anything for me. Try this out. I am here talking for all of the people of Maine. Not for the select bankers, the select insurance men. I am talking for the benefit of all the people of Maine. I don't represent any organization, any association. This to me is common sense. You must stimulate money in this state, if you are going to progress. You just can't do business without money. You must make the outside banking interests come into Maine and give these people competition. They are sitting pretty and they are dictating their own interest rates in this state because of this antiquated law. You go into a bank and you tell them I want to borrow a half a million dollars, put it on a commercial basis, and they tell you, we only can take a hundred and twenty-five thousand, but we will get three more banks possibly to participate. And if the third bank does not like the way I spell my name, the way I part my hair or the nature of the business I am in because a friend of his is in the same business, they refuse my loan. Then I have one recourse to the MIBA, and if the MIBA should also feel the same way as a friend of his feels in another town that doesn't want me to borrow money, I just don't get it.

Assume a large industry wants to come into Maine. And our limit of credit with the MIBA is thirty-

eight million — it's forty million and they have already used up thirty-eight million, and this new industry wants to borrow six million dollars. The MIBA tells them, you wait until the next Legislature convenes and if they approve increasing our guarantee from forty million up over and including what you need, we will be able to give you a loan. Time waits for no one. No industry is going to wait for the next Legislature to convene. You are stifling the economy of the state with this existing law. I am not trying to sell you a bill of goods. I want you to buy this only because you feel you want to help Maine progress. You care about the future of your children.

This can't do anything for me. I have done what I am going to do. It's your children's future that is at stake. If they continue to live under the conditions, you will go through another hundred years wondering why our youth is migrating out of the State of Maine. Definitely, without a question of doubt this has been going on and it will continue, and we say why? What is there here for them to stay? I love Maine. I wouldn't swap Maine for the world, but I don't have to worry. But what is this generation going to do coming up? How can they make a living in Maine? How can they provide themselves with better homes? You just can't do it. You have to loosen up on money in the State of Maine if you are going to get more industry in the State of Maine, more housing in the State of Maine. If you are interested in your future, in the future of your children, you must or you should support this measure.

Now, I don't know what motion is on the Floor, Mr. Speaker.

The SPEAKER pro tem: The pending motion is the motion to reconsider.

The Chair recognizes the gentleman from Brewer, Mr. Libhart, who has spoken twice and requests permission to speak a third time. Is there objection? The Chair hears none, the gentleman may proceed.

Mr. LIBHART: Mr. Speaker, Ladies and Gentlemen: I don't

think it's fair for us this morning to decide this issue or any other issue with the number of people missing from their seats that are missing. And I therefore move we adjourn.

The SPEAKER pro tem: The gentleman from Brewer, Mr. Libhart, moves that the House adjourn. The Chair recognizes the gentleman from Madawaska, Mr. Levesque.

Mr. Levesque of Madawaska requested a division.

The SPEAKER pro tem: A division has been requested. All those in favor of adjournment will please rise and remain standing in your places until the monitors have made and returned the count.

A division of the House was had.

Eight having voted in the affirmative and eighty-five having voted in the negative, the motion did not prevail.

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

Mr. PIKE: Mr. Speaker, Members of the House: I have two or three impressions. One is that I wandered into a meeting of the Judiciary Committee where these arguments might properly be made and it may explain the considerable absenteeism on the Floor. Second, that words about third mortgage may be out of place. They are trying to sell one in Aroostook County. Third, that I have heard all these things before. I hope it's a dream. It seems more like a nightmare. Fourth, that we have had enough talk and I move the previous question.

The SPEAKER pro tem: The gentleman from Lubec, Mr. Pike, moves the previous question. For the Chair to entertain the motion for the previous question it must have the expressed desire of one-third of those present. All those in favor of entertaining the previous question 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-third having risen the Chair entertains the motion for the previous question and the question now before the House is shall the

main question be put now, which is debatable for no more than five minutes by any one member of the House.

The Chair recognizes the gentleman for Biddeford, Mr. Truman.

Mr. TRUMAN: Mr. Speaker, a point of inquiry. Can this thing be tabled until next Wednesday?

The SPEAKER pro tem: Does the gentleman wish to make a tabling motion? However, the gentleman is out of order because the previous question has been ordered. After the House disposes of this question the gentleman may make a motion.

Shall the main question be put now? All those in favor will answer yes; those opposed say no.

A viva voce vote being taken the motion prevailed.

The SPEAKER pro tem: The prevailing question is the pending motion. The motion before the House is shall we reconsider our action whereby we indefinitely postponed this bill and the Chair will order a division. All those in favor of reconsidering our action whereby we indefinitely postponed Bill, "An Act Shortening the Period of Real Estate Mortgage Foreclosure, House Paper 137, L. D. 333, will please rise and remain standing in your places until the monitors have made and returned the count.

A division of the House was had.

Thirty-four having voted in the affirmative and sixty-two having voted in the negative, the motion did not prevail.

At this point, Speaker Childs returned to the rostrum.

SPEAKER CHILDS: The Chair thanks the gentleman from Milbridge, Mr. Kennedy, for acting as Speaker pro tem and for the excellent job that he did.

Thereupon, the Sergeant-at-Arms escorted the gentleman from Milbridge, Mr. Kennedy, to his seat on the Floor, amid the applause of the House, and Speaker Childs resumed the Chair.

On motion of Mr. Levesque of Madawaska

Adjourned until Monday, May 17, at three o'clock in the afternoon.