

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred and Fifth

Legislature

OF THE

STATE OF MAINE

1971

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Friday, March 12, 1971

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

Prayer by the Rev. Mr. David Holroyd of Gardiner.

The journal of yesterday was read and approved.

Papers from the Senate

Bills, Resolve and Resolution from the Senate requiring reference were disposed of in concurrence.

Reports of Committees**Leave to Withdraw**

Report of the Committee on Judiciary on Bill "An Act relating to Breaking and Entering with Intent to Commit a Felony or Larceny" (S. P. 103) (L. D. 265) reporting Leave to Withdraw.

Report of same Committee reporting same on Bill "An Act relating to Holding Title to Land for Forty Years or More" (S. P. 132) (L. D. 344)

Report of same Committee reporting same on Bill "An Act relating to Acknowledgment by a Notary of Instrument by a Corporation in Which He is Interested" (S. P. 223) (L. D. 669)

Came from the Senate read and accepted.

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

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

Report of the Committee on Business Legislation on Bill "An Act relating to Trust Assets of Banks and Trust Companies" (S. P. 217) (L. D. 663) reporting same in a new draft (S. P. 427) (L. D. 1125) under same title and that it "Ought to pass"

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

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

**Ought to Pass
Printed Bill**

Report of the Committee on State Government reporting

"Ought to pass" on Bill "An Act relating to Computation of Housing Expenses for Members of the Legislature" (S. P. 241) (L. D. 702)

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 Appropriations and Financial Affairs on Resolve Reimbursing Certain Municipalities on Account of Property Tax Exemptions of Veterans" (S. P. 88) (L. D. 217) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

In the House, the Report was read and accepted in concurrence and the Resolve read once. Committee Amendment "A" (S-29) was read by the Clerk and adopted in concurrence, and the Resolve assigned for second reading the next legislative day.

Divided Report

Majority Report of the Committee on Labor reporting "Ought to pass" on Bill "An Act to Extend Unemployment Compensation Benefits during High Periods of Unemployment" (S. P. 156) (L. D. 425)

Report was signed by the following members:

Messrs. TANOUS of Penobscot
MARCOTTE of York
LEVINE of Kennebec
— of the Senate.
Messrs. McTEAGUE of Brunswick
BUSTIN of Augusta
ROLLINS of Dixfield
SIMPSON of Millinocket
BEDARD of Saco
GENEST of Waterville
GOOD of Westfield

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

Report was signed by the following members:

Mr. KELLEY of Machias
Mrs. LINCOLN of Bethel
Mr. LEE of Albion

— 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 SPEAKER: The Chair recognizes the gentleman from Westfield, Mr. Good.

Mr. GOOD: Mr. Speaker, I move that we accept the Majority "Ought to pass" Report.

The SPEAKER: The gentleman from Westfield, Mr. Good moves that the House accept the Majority "Ought to pass" Report in concurrence. Is this the pleasure of the House?

The Chair recognizes the gentleman from Bethel, Mrs. Lincoln.

Mrs. LINCOLN: Mr. Speaker and Ladies and Gentlemen of the House: As a minority signer I would just like to explain my position on this bill. I would gladly vote for the bill if it did not have the emergency preamble. I feel that it is not needed at the moment but that it would be needed more in September, which it would come under if it did not have the emergency.

I don't know if you are aware that in August of 1970 a new Federal Employment Security law was passed which changes many many things and this bill has not come before the Labor Committee as yet. I feel that in due fairness we should wait until this bill does come before the Labor Committee.

We don't know how much of a drain these added 13 weeks will have on the Employment Security trust fund, nor do we know how much of a drain it could take. It is now possible for people to draw up to 52 weeks on one separation, and this is the so-called double dip; and incidentally we do know that the double dip will be eliminated in the new bill which we are expecting before us some time.

These are just a few of the reasons why I signed the "Ought not to pass" Report.

The SPEAKER: The Chair recognizes the gentleman from Brunswick, Mr. McTeague.

Mr. McTEAGUE: Mr. Speaker and Members of the House: The bill in front of us would extend the unemployment compensation system from a 26-week maximum which exists at this time by 13 more weeks, to 39 weeks. This has come about and been proposed by the Federal Government, endorsed by the Executive Department, the President of the Federal Government, endorsed by our Governor here, and it seems to have quite bipartisan support.

We have done it before in the late fifties when we had a recession. Too many people were not able to find employment during their 26 weeks of unemployment. They added 13 weeks on that. Other New England states already adopted this, and it is an emergency matter for this reason.

We are going to have this year, according to the best estimates, over 11,000 people in this State of Maine who will run beyond the 26-week period. The Federal Government is providing us with a special fifty per cent subsidy to finance this program.

As far as waiting to October rather than now, if you were one of the 11,000 people who would run beyond your 26-week period, or you were a town that was concerned about welfare cost and general assistance, or a merchant who was concerned that your customers could pay at least part of their bill, you would think this was an emergency.

I hope that you will join with Representative Good's motion to accept the Majority "Ought to pass" Report.

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

Mr. MILLS: Mr. Speaker and Members of the House: Much as I regret opposing our fair lady over to the left here, I would have to appeal to the House to pass this this morning as emergency legislation. I received a phone call last night from the Town of Robbinston and they asked me if I could do anything to expedite this bill. I told them I thought it would be on the agenda today and I would support it.

In Robbinston alone there are sixty per cent of the people

unemployed. In Eastport we have had fifty-one percent unemployed. This would be a great asset to those towns in my district, to give their people something to provide a living with.

The SPEAKER: The Chair recognizes the gentleman from Albion, Mr. Lee.

Mr. LEE: Mr. Speaker and Members of the House: I signed against this. This law will come in in the new regulations and I am very sure it is a good thing. Now right today I know there are some people who always draw unemployment who will benefit by this, and I suspect that some people who don't usually draw unemployment will benefit.

One thing I know for sure is that the employer, or the employers state-wide are the people who are going to pay. They can make all the remarks they want to do; in the end it is the employer who is going to pay. Now whether there is any emergency in this I fail to see it. If this does pass I am going to suggest an amendment to take away the double dip part of it which I think will come anyway in the other bill. If we are going to pass it as an emergency measure I think we should take the double dip out of this.

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

Mr. ROSS: Mr. Speaker and Members of the House: Although I am not serving on the Labor Committee this year, I have served many times in the past in both this branch and the other branch. I think that this is a very important piece of legislation, so important that I am going to request that the vote be taken by the yeas and nays.

The SPEAKER: The pending question is on the motion of the gentleman from Westfield, Mr. Good, that the House accept the Majority "Ought to pass" Report in concurrence.

The yeas and nays have been requested. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All members desiring a roll call vote

will vote yes; those opposed will vote no.

A vote of the House was taken, and more than one fifth of the members present having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question is on the motion of the gentleman from Westfield, Mr. Good, that the House accept the Majority "Ought to pass" Report in concurrence. If you are in favor of accepting that Report you will vote yes; if you are opposed you will vote no.

ROLL CALL

YES — Albert, Bailey, Barnes, Bartlett, Bedard, Bernier, Berry, P. P.; Berube, Binnette, Birt, Bither, Boudreau, Bourgoin, Brawn, Brown, Bunker, Bustin, Carey, Carter, Churchill, Clemente, Collins, Conley, Cooney, Cote, Cottrell, Curran, Curtis, A. P.; Curtis, T. S., Jr.; Cyr, Dow, Doyle, Drigotas, Dyar, Emery, E. M.; Farrington, Faucher, Fecteau, Finemore, Fraser, Gagnon, Gauthier, Genest, Gill, Good, Goodwin, Hancock, Hardy, Haskell, Hawkens, Hayes, Herrick, Hodgdon, Jalbert, Jutras, Kelleher, Kelley, P. S.; Kelley, R. P.; Keyte, Kilroy, Lawry, Lebel, Lessard, Lewin, Lewis, Lizotte, Lucas, Lund, Lynch, MacLeod, Maddox, Mahany, Manchester, Marsh, Marsteller, Martin, McCloskey, McKinnon, McTeague, Millett, Mills, Morrell, Murray, Norris, O'Brien, Pontbriand, Porter, Rocheleau, Rollins, Ross, Santoro, Scott, Shute, Silverman, Simpson, T. R.; Slane, Smith, D. M.; Smith, E. H.; Starbird, Stillings, Susi, Tanguay, Theriault, Tyndale, Vincent, Webber, Wheeler, White, Whitson, Wight, Williams, Wood, M. E.

NO—Ault, Baker, Berry, G. W.; Crosby, Cummings, Emery, D. F.; Evans, Hall, Henley, Immonen, Kelley, K. F.; Lee, Lincoln, Littlefield, McCormick, McNally, Mosher, Page, Parks, Payson, Pratt, Shaw, Simpson, L. E.; Trask, Wood, M. W.; Woodbury.

ABSENT—Bragdon, Call, Carrier, Clark, Dam, Donaghy, Dudley, Hanson, Hewes, Orestis, Rand, Sheltra.

Yes, 112; No, 26; Absent, 12.

The SPEAKER: One hundred twelve having voted in the affirmative, twenty-six in the negative, with twelve being absent, the motion does prevail.

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

Divided Report

Majority Report of the Committee on Legal Affairs reporting "Ought to pass" on Bill "An Act Authorizing a Mortgagee to Bid and Purchase Real Estate Sold under Power of Sale" (S. P. 117) (L. D. 296)

Report was signed by the following members:
Messrs. CLIFFORD

of Androscoggin
QUINN of Penobscot
KELLAM of Cumberland
— of the Senate.

Messrs. COTE of Lewiston
CURTIS of Bowdoinham
SILVERMAN of Calais
SMITH

of Dover-Foxcroft
CROSBY of Kennebunk
BRAUN of Oakland
FECTEAU of Biddeford
NORRIS of Brewer

— of the House.

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

Report was signed by the following members:

Messrs. EMERY of Rockland
GAUTHIER of Sanford

— 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. Norris of Brewer, the Majority "Ought to pass" Report was accepted in concurrence.

The Bill was given its two several readings and assigned the next legislative day.

Divided Report

Majority Report of the Committee on State Government reporting "Ought not to pass" on Resolution Proposing an Amendment to the Constitution Providing for Annual Legislative Sessions (S. P. 57) (L. D. 96)

Report was signed by the following members:

Messrs. CLIFFORD

of Androscoggin
JOHNSON of Somerset
WYMAN of Washington
— of the Senate.

Messrs. HODGDON of Kittery
STILLINGS of Berwick
MARSTALLER

of Freeport
DONAGHY of Lubec

— of the House.

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

Report was signed by the following members:

Messrs. COONEY of Webster
FARRINGTON

of Old Orchard Beach

Mrs. GOODWIN of Bath

Messrs. STARBIRD

of Kingman Township

CURTIS of Orono

— of the House.

Came from the Senate with the Majority Report accepted.

In the House: Reports were read.

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

Mr. DONAGHY: Mr. Speaker, I would move that the Majority "Ought not to pass" Report be accepted.

The SPEAKER: The gentleman from Lubec, Mr. Donaghy, moves that the House accept the Majority "Ought not to pass" Report in concurrence.

The Chair recognizes the gentleman from Webster, Mr. Cooney.

Mr. COONEY: Mr. Speaker and Members of the House: I, as you see, signed the Minority Report "Ought to pass."

This bill comes up, I understand, perennially, and the questions that I asked in committee related to the cost of such a proposal and the possible benefits of such a proposal.

I have here a breakdown of some of the costs that William Garside of the Legislative Finance office has prepared, based on an estimated cost of salaries, mileage, meals and lodging for 32 members of the Senate and 151 members of the House for a six months regular session and two weeks of

the special session. We would have a cost of \$996,050.

Now if we were to have annual sessions, paying legislators at an annual rate of \$2,500 present salary, and were to meet for two annual sessions of say four months, we would have a cost of just over \$1½ million. If we pass this particular piece of legislation in conjunction with an effort to reduce the size of the House somewhere in the near future to say 96 members of the House and 32 members of the Senate, for two annual sessions, we have a cost of \$1.1 million, or just over that.

So the question I ask myself is, what would the resulting benefits be of such a course, and it would seem that they would be the more efficient management of our government at a time when ever increasing budgets and ever more complex problems are facing us. And so I cannot say with any surety that this is definitely going to bring us benefits, but I think that with the course that I have tried to tell you about here that the risk is well worth it and I think that we would get benefits for the people of Maine and for the efficient management of our government. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Eagle Lake, Mr. Martin.

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: I know that this issue is debated every two years, we seem to be involved discussing annual sessions year after year. Perhaps one way that we can perhaps get it passed through the legislature would be for the Democrats not to put it in their platform, and then at that point perhaps it might be a little easier to get it through.

We ought to keep in mind a number of things when we talk about annual sessions, that we think we could save in the long run money that the State presently is using in certain areas that if we were in session perhaps we could get to the evils. I have many department heads, and even some department employees, who are very worried when we are in session. They are extremely pleased when we leave and they hope we

never return. Perhaps we ought to be here all the time and this might be one way of solving some of the problems that we have when we are not here. I don't know, but it is one way of looking at it.

None of us, I know, are too happy about seeing some of the same gems every two years; some of these bills that we keep looking at have been here ever since I can remember, and certainly we don't want them here every year. And this is not the approach that the Democratic Party has taken over the years.

There is no question that some limits would have to be imposed if we were to have annual sessions. I would be awfully concerned about debating the six-inch trout limit every year rather than every two years, and so I would hope that this problem could be avoided.

But when we talk about the problem of annual sessions itself it is one which we have to take a hard look at and if we don't do it this time it is just a question of time, if one keeps telling us this, that most states are now going toward annual sessions because they have found that it is more economical in the long run to have the annual sessions and the states would be better served.

And so unfortunately at this time it has, and it is I guess, a party issue, and to illustrate that, Mr. Speaker, I would ask that a roll call be taken.

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

Mr. BIRT: Mr. Speaker, Ladies and Gentlemen of the House: I wouldn't completely agree that this is a party issue because I believe that there have been members of the opposite party who have taken positions on this and my own party who at times have taken positions in support of annual sessions.

Now where do we stand at the present time? I was just trying to look over the report and I find there is at least one Republican member who signed the "Ought to pass" report, so I can't exactly agree that this is a completely party issue.

I think that we have a situation rather interestingly now, that we

can control the flow of legislation that comes into the special session; and last session we passed and sent to the people and they approved legislation or a constitutional amendment to allow the Legislature to call it in session. So there are two methods of calling ourselves into session at the present time, either by the Governor or by the Legislature itself.

If we are called into special session the leadership has a very tight control over the legislation that is introduced. I think this system has worked out very satisfactorily and as a general rule bills that are introduced in the regular session and defeated are very rarely allowed to come into the special session.

Over the last eight or ten years we have had a special session — at least since I have been down here, there has been a special session at every term that I have been here. I think that it has worked out satisfactorily. I think the situation that is presently being used works very well because of the reduced flow of legislation, because of the control that the leadership exercises why we are able to complete our deliberations in very rapid order. I think that the system we have now works very satisfactorily and I would hope the the "ought not to pass" report is adopted.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: In my opinion there are many valid reasons against annual sessions. It is difficult enough to convince qualified persons to take six months out of every other year to come here. Many able persons are now willing to do this and it is evidenced by the persons here in the House. But they would just not be able to take the time out from their business every year to come here.

The second question was mentioned, expense was mentioned by the gentleman from Webster, Mr. Cooney, and certainly this is a factor. But the large cost item has not been mentioned and that would be the cost of running the

departments, because if they came in before us for their increases every year — they now come every other year, if they came every year it would be just like opening up a labor contract annually.

Special sessions do the job very adequately now, they are very productive, and I think that the method that we operate under now, with one long session every other year and special sessions when needed, works first rate.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I have many reasons to be opposed to this legislation. First of all, during my many years here, about fifty percent of these bills I have heard and so I know them by heart. They are before us every time we meet, and so in order to ever pass annual sessions we would have to do something so that if a bill had been heard one year that the same thing couldn't be before us the next year.

Now this is my biggest concern about the bill, is the fact that if we had sessions every year we would have to listen to the same thing every year.

Now about the department heads and the personnel working for the State. As you know I am quite well acquainted with some of these people and they seem to be quite willing that we should meet every year. Because they know they are going to get at least a five percent raise, and possibly more. Now if I were them I would possibly feel the same way because everybody likes to have a raise at least five or ten or fifteen percent every year — they would like to have it every year. And so now they seem to have to settle with it every other year.

I don't ever remember meeting in late years when we didn't give them a raise, and I suspect we will this time.

I could go on and on but I think it has been very well covered and I don't see how the taxpayers could save anything; as a matter of fact these dear people that I represent they have the shudders every time we meet. They know that we are

really not going to do much of anything good and possibly some of us individuals may do something bad, and above all it is going to cost them a lot of money which they can ill afford, and for these reasons they are very concerned when we come down here, and get more concerned every year, and if we were to have to come here every year I hate to make these very nice people have all this concern and they are so disturbed and so worried about our being down here and what we are doing.

So I hope that in all fairness to the nice people that we represent that we do not pass this bill, that we keep on having our sessions every two years. I think the special session by virtue that the leadership screens out a lot of this legislation that we talk about year in and year out — this works very nicely because the special sessions can be kept rather short and we can deal with just the serious matters at hand; and to say that we were to meet every year we would be considering a lot of things that are not that important. Thank you.

The SPEAKER: The pending question is on the motion of the gentleman from Lubec, Mr. Donaghy, that the House accept the Majority "Ought not to pass" Report in concurrence.

The yeas and nays have been requested. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All members desiring a roll call vote will vote yes; those opposed will vote no.

A vote of the House was taken, and more than on fifth of the members present having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question is on the motion of the gentleman from Lubec, Mr. Donaghy, that the House accept the Majority "Ought not to pass" Report on Resolution Proposing an Amendment to the Constitution Providing for Annual Legislative Sessions, Senate Paper 57, L. D. 96. If you are in favor of that motion you will vote yes; if you are opposed you will vote no.

ROLL CALL

YEA — Albert, Ault, Bailey, Baker, Bartlett, Bedard, Berry, G. W.; Berry, P. P.; Birt, Bither, Brawn, Brown, Bunker, Churchill, Collins, Crosby, Cummings, Curtis, A. P.; Cyr, Dam, Donaghy, Dudley, Emery, E. M.; Evans, Faucher, Finemore, Gagnon, Good, Hall, Hardy, Haskell, Hawkens, Hayes, Henley, Herrick, Hodgson, Immonen, Kelley, K. F.; Kelley, R. P.; Keyte, Kilroy, Lawry, Lee, Lewis, Lincoln, Littlefield, Lizotte, Lund, Lynch, MacLeod, Manchester, Marstaller, McNally, Millett, Mosher, Page, Parks, Payson, Porter, Pratt, Rand, Rocheleau, Rollins, Ross, Scott, Shaw, Shute, Silverman, Simpson, T. R.; Stillings, Susi, Trask, Tyndale, Webber, White, Wight, Williams, Wood, M. W.; Woodbury, The Speaker.

NAY — Barnes, Bernier, Berube, Binnette, Boudreau, Bourgoin, Bustin, Carey, Carter, Clemente, Conley, Cooney, Cote, Curran, Curtis, T. S., Jr.; Dow, Doyle, Drigotas, Dyar, Emery, D. F.; Farrington, Fecteau, Fraser, Genest, Gill, Goodwin, Hancock, Jalbert, Jutras, Kelleher, Kelley, P. S.; Lebel, Lesard, Lewin, Lucas, Maddox, Mahany, Marsh, Martin, McCloskey, McCormick, McKinnon, McTeague, Morrell, Murray, Norris, O'Brien, Orestis, Pontbriand, Santoro, Sheltra, Simpson, L. E.; Slane, Smith, D. M.; Smith, E. H.; Starbird, Theriault, Vincent, Wheeler, Whitson, Wood, M. E.

ABSENT — Bragdon, Call, Carrier, Clark, Cottrell, Gauthier, Hanson, Hewes, Mills, Tanguay. Yes, 80; No, 61; Absent, 10.

The SPEAKER: Eighty having voted in the affirmative, sixty-one in the negative, with ten being absent, the motion does prevail.

From the Senate: The following Order:

ORDERED, the House concurring, that when the House and Senate adjourn, they adjourn to Tuesday, March 16, at 10 o'clock in the morning. (S. P. 442)

Came from the Senate read and passed.

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

Messages and Documents

The following Communication:

THE SENATE OF MAINE
AUGUSTA, MAINE

March 11, 1971

Hon. Bertha W. Johnson
Clerk of the House of Representatives

105th Legislature

Dear Madam Clerk:

The Senate today voted to Adhere to its action whereby it indefinitely postponed H.P. 1006 — Joint Order re Director of Public Improvements investigate heating plant in State House Building.

Respectfully,

(Signed)

HARRY N. STARBRANCH

Harry N. Starbranch

Secretary of the Senate

The Communication was read and ordered placed on file.

**Petitions, Bills and Resolves
Requiring Reference**

The following Bills, Resolve and Resolution were received and, upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

**Appropriations and Financial
Affairs**

Bill "An Act Appropriating Funds for Planning a State-wide Integrated Corrections System" (H. P. 1085) (Presented by Mrs. Wheeler of Portland)

Resolve Appropriating Funds for Payment of Judgment Against the State in Favor of Maurice and Elizabeth M. Woodside" (H. P. 1086) (Presented by Mr. Lewin of Augusta)

Sent up for concurrence.
(Ordered Printed)

County Government

Bill "An Act to Authorize a Food Stamp Program in Somerset County" (H. P. 1087) (Presented by Mr. Dam of Skowhegan)

Bill "An Act relating to Address of Grantees on Deeds and Affixation of Real Estate Transfer Tax Stamps" (H. P. 1088) (Presented by Mr. Lewis of Bristol)

(Ordered Printed)

Sent up for concurrence.

Education

Bill "An Act relating to the Department of Education" (H. P. 1089) (Presented by Mr. Donaghy of Lubec)

(Ordered Printed)

Sent up for concurrence.

Health and Institutional Services

Bill "An Act relating to Mass Gatherings" (H. P. 1090) (Presented by Mrs. Brown of York)

(Ordered Printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act to Incorporate the Town of Ogunquit" (H. P. 1091) (Presented by Mr. Littlefield of North Berwick)

Bill "An Act to Amend the Ogunquit Village Corporation Charter to Equitably Allocate School and Other Common Costs with the Town of Wells" (H. P. 1092) (Presented by same gentleman)

(Ordered Printed)

Sent up for concurrence.

Liquor Control

Bill "An Act relating to Credits to Liquor Licensees by Wholesalers" (H. P. 1093) (Presented by Mr. Faucher of Solon)

(Ordered Printed)

Sent up for concurrence.

Natural Resources

Bill "An Act to Clarify the Classification of Certain Minor Tributaries of the Penobscot River" (H. P. 1094) (Presented by Mr. Curran of Bangor)

Bill "An Act Revising the Law Relating to Grants and Loans for Preliminary Planning of Pollution Abatement Facilities" (H. P. 1095) (Presented by Mr. Farrington of Old Orchard Beach)

(Ordered Printed)

Sent up for concurrence.

Public Utilities

Bill "An Act Increasing Indebtedness of Berwick Sewer District" (H. P. 1096) (Presented by Mr. Stillings of Berwick by request)

(Ordered Printed)

Sent up for concurrence.

Public Utilities

The following Bills approved by a majority of the Committee on Reference of Bills for introduction:

Bill "An Act Authorizing the Mars Hill Utility District to Enforce Liens to Secure Payment of Rates" (H. P. 1097) (Presented by Mr. Good of Westfield)

Bill "An Act to Incorporate the Andover Water District" (H. P. 1098) (Presented by Mrs. Lincoln of Bethel)

(Ordered Printed)

Sent up for concurrence.

State Government

Bill "An Act to Increase the Compensation of Members of the Legislative Research Committee" (H. P. 1099) (Presented by Mr. Bragdon of Perham)

Bill "An Act relating to Salaries of Commissioner of Education and Commissioner of Parks and Recreation" (H. P. 1100) (Presented by Mr. Donaghy of Lubec)

Bill "An Act relating to Terms of Department Heads" (H. P. 1101) (Presented by same gentleman)

Bill "An Act relating to the Parks and Recreation Department" (H. P. 1102) (Presented by same gentleman)

Bill "An Act relating to Executive Reorganization" (H. P. 1103) (Presented by same gentleman)

Bill "An Act Establishing the Law and Legislative Reference Library under the Legislative Research Committee" (H. P. 1104) (Presented by Mr. Kennedy of Milbridge)

(Ordered Printed)

Sent up for concurrence.

Taxation

Resolution Proposing an Amendment to the Constitution Relating to the Disposition of Increased Gasoline Taxes" (H. P. 1105) (Presented by Mr. Morrell of Brunswick)

(Ordered Printed)

Sent up for concurrence.

Transportation

Bill "An Act Defining Home-made Farm Tractors under the Motor Vehicle Law" (H. P. 1106) (Presented by Mr. Stillings of Berwick)

(Ordered Printed)

Sent up for concurrence.

Orders

The SPEAKER: The Chair recognizes the gentleman from Windham, Mr. Hall.

Mr. HALL: Mr. Speaker, I would like to inquire if you have House Paper 1080 in your possession.

The SPEAKER: The answer is in the affirmative, Bill "An Act relating to Tax Exemption of Property of Agricultural Fair Associations," House Paper 1080, is in the possession of the House.

Whereupon, on motion of Mr. Hall of Windham, the House reconsidered its action of yesterday whereby the Bill was referred to the Committee on Taxation.

The SPEAKER: The Chair recognizes the same gentleman.

Mr. HALL: Mr. Speaker, I now move that we refer it to the Committee on Agriculture.

The SPEAKER: The same gentleman moves that this Bill be referred to the Committee on Agriculture, ordered printed and sent up for concurrence.

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

Mr. ROSS: Mr. Speaker and Members of the House: As House chairman of the Taxation Committee I have no objection whatsoever to this suggested change.

Thereupon, the Bill was referred to the Committee on Agriculture, ordered printed and sent up for concurrence.

On motion of Mr. Hardy of Hope, it was

ORDERED, that the Clerk of the House of Representatives be authorized to continue the customary practice of providing those services which do not interfere with her usual duties as Clerk of the House of Representatives to Commerce Clearing House and to receive such compensation as mutually agreed upon between the parties.

House Reports of Committees Ought Not to Pass

Mr. Scott from the Committee on Business Legislation reported "Ought not to pass" on Bill "An Act relating to Effective Period for Filing of a Financing Statement under Uniform Commercial Code" (H. P. 550) (L. D. 726)

In accordance with Joint Rule 17-A, was placed in the legislative files and sent to the Senate.

Leave to Withdraw

Mr. Bunker from the Committee on Fisheries and Wildlife on Bill "An Act to Increase the License Fee for Lobster Fishing" (H. P. 190) (L. D. 247) reported Leave to Withdraw.

Report was read and accepted and sent up for concurrence.

Ought to Pass in New Draft New Draft Printed

Mr. Bunker from the Committee on Fisheries and Wildlife on Bill "An Act relating to Cultivation of Fish in Private Ponds" (H. P. 265) (L. D. 354) reported same in a new draft (H. P. 1107) (L. D. 1168) under same title and that it "Ought to pass"

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

Ought to Pass Printed Bills

Mr. Bunker from the Committee on Fisheries and Wildlife reported "Ought to pass" on Bill "An Act relating to Weekly Closed Season on Taking Alewives in Town of Orland" (H. P. 129) (L. D. 184)

Same gentleman from same Committee reported same on Bill "An Act to Limit the Taking of Smelts in the Eastern River in the Town of Dresden to Hook and Line" (H. P. 413) (L. D. 540)

Mr. Faucher from the Committee on Liquor Control reported same on Bill "An Act to Relieve Pollution Resulting from Malt Liquor Sales" (H. P. 397) (L. D. 509)

Mrs. Brown from the Committee on Natural Resources reported same on Bill "An Act to Amend the Oil and Gas Conservation and Development Control Act" (H. P. 499) (L. D. 645)

Mr. Curran from same Committee reported same on Bill "An Act Upgrading the Classification of Certain Waters of the State" (H. P. 500) (L. D. 646)

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

Tabled and Assigned

Mr. Farrington from the Committee on State Government reported "Ought to pass" on Resolve Dividing the State of Maine into Councillor Districts (H. P. 205) (L. D. 271)

Report was read.

(On motion of Mr. Starbird of Kingman Township, tabled pending acceptance of Report and specially assigned for Tuesday, March 16.)

Mr. Crosby from the Committee on Transportation reported "Ought to pass" on Bill "An Act relating to Certificate for Transportation of House Trailers" (H. P. 407) (L. D. 520)

Mr. Keyte from same Committee reported same on Bill "An Act relating to Turn and Stop Signals on Motor Vehicles" (H. P. 312) (L. D. 412)

Mr. Label from same Committee reported same on Bill "An Act relating to Definition of Registration under Motor Vehicle Law" (H. P. 314) (L. D. 414)

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

Divided Report

Majority Report of the Committee on County Government reporting "Ought not to pass" on Bill "An Act relating to Setting Salaries of all County Officials Except County Attorneys and Their Assistants" (H. P. 585) (L. D. 780)

Report was signed by the following members:

Mr. PEABODY of Aroostook
MARTIN of Piscataquis
DANTON of York
— of the Senate.

Messrs. WIGHT of Presque Isle
DYAR of Strong
HAWKENS of Farmington
IMMONEN of West Paris
CHURCHILL of Orland
BERNIER of Westbrook
KELLEHER of Bangor
PONTBRIAND of Auburn
KELLEY of Southport
— of the House.

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

Report was signed by the following member:

Mr. MILLS of Eastport
— of the House.

Reports were read.

On motion of Mr. Wight of Presque Isle, the Majority "Ought not to pass" Report was accepted and sent up for concurrence.

Divided Report

Majority Report of the Committee on State Government reporting "Ought to pass" on Resolution Proposing an Amendment to the Constitution to Provide for Election of Members of the Executive Council (H. P. 207) (L. D. 273)

Report was signed by the following members:

Messrs. JOHNSON of Somerset
WYMAN of Washington
CLIFFORD of
Androscoggin
— of the Senate.

Mrs. GOODWIN of Bath
Messrs. STARBIRD

of Kingman Township
CURTIS of Orono
HODGDON of Kittery
STILLINGS of Berwick
FARRINGTON
of Old Orchard Beach
MARSTALLER

of Freeport
— of the House.

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

Report was signed by the following members:

Messrs. COONEY of Webster
DONAGHY of Lubec
— of the House.

Reports were read.

On motion of Mr. Marsteller of Freeport, the Majority "Ought to pass" Report was accepted.

The Resolution was read once and assigned the next legislative day.

Divided Report

Majority Report of the Committee on State Government reporting "Ought not to pass" on Resolution Proposing an Amendment to the Constitution Authorizing the Legislature to Enact Self-amortizing Bonds upon Petition or Referral by the Legislature (H. P. 209) (L. D. 275)

Report was signed by the following members:

Messrs. JOHNSON of Somerset
WYMAN of Washington

CLIFFORD

of Androscoggin
— of the Senate.

Messrs. HODGDON of Kittery
DONAGHY of Lubec
MARSTALLER

of Freeport
STILLINGS of Berwick
CURTIS of Orono

— of the House.

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

Report was signed by the following members:

Mr. COONEY of Webster
Mrs. GOODWIN of Bath
Messrs. STARBIRD

of Kingman Township
FARRINGTON

of Old Orchard Beach
— of the House.

Reports were read.

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

Mr. DONAGHY: Mr. Speaker, I move that the Majority "Ought not to pass" Report be accepted.

The SPEAKER: The gentleman from Lubec, Mr. Donaghy moves that the House accept the Majority "Ought not to pass" Report.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I am not going to make a big issue of this measure this morning. I am, however, while I am on my feet, quite chagrined at the decision that was made that some of these measures would be disposed of today. I think that we are going through some extremely important legislation and some are fearful of getting up because of the decision that obviously has been made, unofficial as it may be.

I think that insofar as I am concerned, if I don't feel that I have got the time to spend at these sessions I shouldn't be running. If I have got other outside activities that are more important I should be home and I shouldn't be running. I think that before decisions are made as were made before, off the record as they may be, in my very humble opinion, knowing I am going to lose anyway—and there is nothing I hate any more than to lose on Friday,

because I have to mull it until Tuesday. I don't mind losing on Tuesday because I can get even on Wednesday or Thursday. But when it comes to losing on Friday, probably that is the real reason why I am a little upset this morning.

In any event, this measure happens to be mine. And it is a measure that would allow us to present to the people of Maine, where it comes to self-amortizing bonds, whether or not we would have the prerogative here to decide yes or no. I would be the first one to oppose any bond issues, any program that would allow us to take over the entire bonding program, because of what naturally has happened in the past. I don't think it is our prerogative to decide on programs that the people themselves are eventually going to pay for in any event.

Now in this instance here, even if the people of Maine would say wherein it concerns a bond issue of a self-amortizing nature—even if the people of Maine would allow us to decide ourselves, the door then would not be shut to the people of Maine, because they could then petition with a ten per cent of the previous gubernatorial election. They could then petition through the proper procedure for a referendum, if they were displeased at our action. I think that measures like these should not be disposed of as quickly as we are doing it today.

This is a very important piece of legislation. It is not put in with any thought in mind of a partisan nature. It is put in after a very serious amount of consideration.

I happen to be one of those who led the programming of self-amortizing bonds years ago. It was accepted. It now goes before the people and I have been asked by countless numbers of people why in heaven's name do we have to vote on a programming that involves itself with self-amortization, that eventually at least does not cost a direct tax program, and mean a direct tax program? This measure is sound. It should very definitely be kept alive. It should not be disposed of in a helter skelter of a Friday morning, wait-

ing for something else to be debated, and because of the fact that July comes quickly. I am fully aware that July comes quickly. The fact that this measure would be kept alive, or would not be kept alive, would not have any great material thinking insofar as our adjournment period is concerned.

What it could do, however, it could save us countless thousands of dollars in stopping us from presenting measures before the people that they necessarily might not want if they so wished. This only asks that we put before the people the programming of do they want to have control of the self-amortization of bonds or not.

Harking back to the remarks of the gentleman from Enfield, Mr. Dudley, that these are perennials, this will become a perennial, and if we would dispose of it just once and go to the people, let them decide yes or no, it would stop us from presenting the measure, printing the measure, having it heard which costs countless of hours, which costs countless of thousands of dollars.

Mr. Speaker and Members of the House, I certainly hope that the motion of my very good friend, Mr. Donaghy, does not prevail so that I would make a motion to accept the Minority "Ought to pass" Report with merely the thought of keeping this bill alive, to keep it alive so that we can discuss it, think it over among ourselves, and decide later on. And when the vote is taken, I move it be taken by the yeas and nays.

The SPEAKER: The Chair recognizes the gentleman from Webster, Mr. Cooney.

Mr. COONEY: Mr. Speaker and Ladies and Gentlemen of the House: I would concur with the gentleman from Lewiston, Mr. Jalbert. One of the chief complaints I have in my district, and I have heard it from others of you, is that "Why can't you settle some of these bond issues or some of these items in Augusta? Why must you always send out these long ballots to us for us to decide on?" And this bill would allow us to cut off a few of those items.

And I might say that there is some safety in this. It was reported to the committee that in the last 15 years of amortized bond issues not one has been defaulted. And so I would agree this is a good measure, and we ought to accept the "ought to pass" report.

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

Mr. FARRINGTON: Mr. Speaker and Ladies and Gentlemen of the House: I don't often concur with the gentleman from Lewiston, Mr. Jalbert, but I think he is making an awful lot of sense today. And I would like to ask a point of parliamentary inquiry. Whether we could table this? Whether a motion for tabling would be in order?

The SPEAKER: A tabling motion is always in order.

Mr. FARRINGTON: I move that this be tabled for two legislative days.

The SPEAKER: The gentleman is out of order. He debated his tabling motion.

Mr. Jalbert of Lewiston moved the previous question.

The SPEAKER: For the Chair to entertain the motion for the previous question it must have the consent of one third of the members present. All members desiring that the Chair entertain the motion for the previous question will vote yes; those opposed will vote no.

A vote of the House was taken.

The SPEAKER: A sufficient number having voted in the affirmative, the previous question is entertained and the question now before the House is, shall the main question be put now? This question is debatable for five minutes by any member.

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

Mr. JALBERT: Mr. Speaker, the reason that I moved the question is because, in that I disapprove of the unofficial action of our leaders, it doesn't mean that I would not go with their judgment.

Thereupon, the main question was ordered.

The SPEAKER: The main question is the motion of the gentleman from Lubec, Mr. Donaghy, that the House accept the Majority "Ought not to pass" Report on Resolution Proposing an Amendment to the Constitution Authorizing the Legislature to Enact Self-amortizing Bonds upon Petition or Referral by the Legislature, House Paper 209, L.D. 275.

A roll call has been requested, and for the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All members desiring a roll call will vote yes; those opposed will vote no.

A vote of the House was taken, and more than one fifth of the members present having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question is on the motion of the gentleman from Lubec, Mr. Donaghy, that the House accept the Majority "Ought not to pass" Report. If you are in favor of the Majority Report you will vote yes; if you are opposed you will vote no.

ROLL CALL

YEAS — Ault, Bailey, Bartlett, Berry, G. W.; Birt, Bither, Brawn, Bunker, Churchill, Crosby, Curtis, T. S., Jr.; Dam, Donaghy, Dyar, Emery, D. F.; Emery, E. M.; Evans, Hardy, Haskell, Hawkens, Hayes, Henley, Herrick, Hodgdon, Immonen, Kelley, K. F.; Kelley, R. P.; Lee, Lewin, Lewis, Lincoln, MacLeod, Maddox, Marsteller, McCormick, McNally, Millett, Mosher, Norris, Page, Parks, Porter, Pratt, Rand, Rollins, Scott, Shaw, Shute, Silverman, Simpson, L. E.; Stillings, Susi, Trask, White, Wight, Williams, Wood, M. W.; Woodbury.

NAYS — Albert, Baker, Barnes, Bedard, Bernier, Berry, P. P.; Berube, Binnette, Boudreau, Bourgoin, Brown, Bustin, Carter, Clemente, Collins, Conley, Cooney, Cote, Cottrell, Cummings, Curran, Curtis, A. P.; Cyr, Dow, Doyle, Drigotas, Dudley, Farrington, Faucher, Fecteau, Finemore, Fraser, Gagnon, Gauthier, Genest, Gill, Good, Goodwin, Hall, Hancock, Jalbert, Jutras, Kelleher, Kelley, P. S.; Keyte, Kilroy,

Lawry, Lebel, Lessard, Littlefield, Lizotte, Lucas, Lund, Lynch, Mahany, Manchester, Marsh, Martin, McCloskey, McKinnon, McTeague, Mills, Morrell, Murray, O'Brien, Orestis, Payson, Pontbriand, Rocheleau, Ross, Santoro, Sheltra, Simpson, T. R.; Slane, Smith, D. M.; Smith, E. H.; Starbird, Tangay, Theriault, Tyndale, Vincent, Webber, Wheeler, Whitson, Wood, M. E.

ABSENT—Bragdon, Call, Carey, Carrier, Clark, Hanson, Hewes.

Yes, 58; No, 85; Absent, 7.

The SPEAKER: Fifty-eight having voted in the affirmative, eighty-five in the negative, with seven being absent, the motion does not prevail.

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

Mr. JALBERT: Mr. Speaker, on this beautiful Friday I move that we accept the Minority "Ought to pass" Report.

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

Mr. DONAGHY: Mr. Speaker, I simply want to remind the gentleman from Lewiston that he moved the question that cut off debate this morning.

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

Mr. JALBERT: Mr. Speaker, I might remind the gentleman from Lubec, Mr. Donaghy, that the floor is his to debate from now until Friday afternoon at 6:30 if he wants to. Am I correct, Mr. Speaker, the motion is open for debate now?

The SPEAKER: The motion to accept the Minority "Ought to pass" Report is debatable.

Thereupon, the Minority "Ought to pass" Report was accepted, the Resolution read once and assigned the next legislative day.

Divided Report Tabled and Assigned

Report "A" of the Committee on Election Laws reporting "Ought to pass" on Bill "An Act Providing for Presidential Preferences in Primary Election" (H. P. 62) (L. D. 103)

Report was signed by the following members:

Messrs. SHUTE of Franklin
MOORE of Cumberland
— of the Senate.

Messrs. HANCOCK of Casco
VINCENT of Portland
MARSTALLER

of Freeport
ROSS of Bath

— of the House.

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

Report was signed by the following members:

Mr. MARTIN of Piscataquis
— of the Senate.

Mrs. BROWN of York

Mrs. WOOD of Castine

Mrs. BOUDREAU of Portland

Messrs. BUNKER of Gouldsboro

BINETTE of Old Town

— of the House.

Reports were read.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: Although our majority leader Mr. Susi requested that no items be tabled, this is a bit different. Two of the lovely ladies in our House, who intend to speak on this, requested before the session started that this item be tabled, and this was granted before Mr. Susi made his suggestion. It has since then been cleared with leadership and I would now request that some kind soul, out of deference to the fairer sex, table this for two days.

(On motion of Mr. Scott of Wilton, tabled pending acceptance of either Report and specially assigned for Wednesday, March 17.)

Passed to Be Engrossed

Bill "An Act to Amend the Charter of Portland Widows' Wood Society" (S. P. 180) (L. D. 532)

Bill "An Act Repealing the Interim State Valuation of Municipalities" (S. P. 265) (L. D. 771)

Bill "An Act Exempting Certain Incorporated Nonprofit Nursing Homes from the Sales Tax" (S. P. 288) (L. D. 842)

Bill "An Act to Cause the Central Register of Attorneys to be Maintained by the Administrative Assistant to the Chief Justice of the

Supreme Judicial Court" (H. P. 195) (L. D. 251)

Bill "An Act Providing for a Feasibility Study of Alternative Methods for Crossing Fore River" (H. P. 404) (L. D. 517)

Bill "An Act to Create an Interstate Boundary Commission to Establish a Marine Boundary Compact between Maine and New Hampshire" (H. P. 685) (L. D. 920)

Bill "An Act Providing Handrails for Stairs in Public Buildings" (H. P. 1082) (L. D. 1148)

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

Third Reader Tabled and Assigned

Bill "An Act relating to Penalty for Injuring Watercraft and Entering of Watercraft Without Permission" (H. P. 1083) (L. D. 1149)

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

(On motion of Mr. Lund of Augusta, tabled pending passage to be engrossed and specially assigned for Wednesday, March 17.)

Bill "An Act relating to Trespass on Certain State Institutions" (H. P. 1084) (L. D. 1150)

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

Amended Bills

Bill "An Act Providing for Adult Identification Cards under Liquor Law" (S. P. 119) (L. D. 298)

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

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

Mr. VINCENT: Mr. Speaker and Ladies and Gentlemen of the House: I would direct your attention to L. D. 4 which was signed into law January 28. I feel that this would be sufficient legislation to cover the item presently under discussion; and feeling that L. D. 298 is covered by other legislation I would once again move for indefinite postponement.

The SPEAKER: The gentleman from Portland, Mr. Vincent, now moves that L. D. 298 be indefinitely postponed.

The Chair recognizes the gentleman from Standish, Mr. Simpson.

Mr. SIMPSON: Mr. Speaker and Ladies and Gentlemen of the House: I would just remind you that L. D. 4 only calls that your driver's license would be of a different color. I don't think I probably have to remind too many people here that people are in the habit of falsifying identification cards and records and so forth, and our motor vehicle licenses are one of the easiest to falsify and one of the licenses, or uses of identification cards which your people in stores and so forth very much dislike.

I would like to point out to you that when we had the adult identification card which was issued by the Maine Liquor Commission, over 15,000 cards were issued the very first year. There were many people in the State of Maine who wanted these cards even though they were over the age of 21, not for the purpose of purchasing liquor but for the purpose of identification, period.

I would also remind you that the Maine Liquor Commission if they had to issue these cards are solely responsible for the contents in the cards and therefore a person who submits the information to them for the identification card must adhere to the information so submitted.

On your driver's license let me just point out one little incident that happened just recently. On an identification on a license a young person at the age of 18 without a license got one, immediately sent back and said his license had been lost. At that time he was issued a new license and he said that his age was 21. The Secretary of State does not require any type of proof what your age is when you are issued a motor vehicle license. I would urge you to support this particular bill, vote against indefinite postponement, and protect the people who are in the business of selling liquor to minors or not to minors in the State of Maine.

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

Mr. VINCENT: Mr. Speaker and Members of the House: A great deal of the argument seems to be centered around the alternate of drivers' licenses. You may be able to change the date on a driver's license, but you can't change the color, and this is what L. D. 4 does. It provides a different color driver's license for minors. This should be sufficient information.

I would remind you also of the debate that was carried yesterday, that there are thousands and thousands of summer tourists in the state during the summer that would not be provided the Maine Liquor I.D.'s and if it is the sole prerogative of storeowners to accept nothing but Maine Liquor I.D.'s it would disenfranchise the thousands of tourists; and I don't feel that they should be. A colored driver's license is sufficient and most other states carry the colored driver's license.

For this reason I would maintain and reiterate the proposal for the indefinite postponement. Thank you.

The SPEAKER: The pending question is on the motion of the gentleman from Portland, Mr. Vincent, that L. D. 298, Bill "An Act Providing for Adult Identification Cards under Liquor Law," be indefinitely postponed. The Chair will order a vote. All in favor of the motion to indefinitely postpone will vote yes; those opposed will vote no.

A vote of the House was taken.

58 having voted in the affirmative and 77 having voted in the negative, the motion did not prevail.

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

Bill "An Act relating to the Commitment of Persons to Correctional Centers" (H. P. 461) (L. D. 616)

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

Passed to Be Enacted Emergency Measure

An Act Amending and Restating the Act to Incorporate Dyer Library Association (H. P. 350) (L. D. 459)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 136 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act to Repeal Tax Exemption for Planting and Cultivating Forest Trees (S. P. 67) (L. D. 132)

An Act to Clarify Certain Forestry Laws (S. P. 112) (L. D. 291)

An Act relating to Payment by the State for Damage by Dogs and Wild Animals (H. P. 252) (L. D. 334)

An Act relating to Notice of Hearings before the Administrative Hearing Commissioner (H. P. 418) (L. D. 545)

An Act Revising Probate Rules and Blanks (H. P. 456) (L. D. 611)

An Act relating to Temporary Lodging in County Jails of Returnees from Entrustment and Juveniles Absent without Leave from Juvenile Institutions (H. P. 460) (L. D. 615)

An Act relating to Arson (H. P. 491) (L. D. 632)

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.

Orders of the Day

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

Joint Resolution Memorializing the Honorable Richard M. Nixon, President of the United States, to Withdraw All American Military Forces from Indochina and Negotiate a Cease-fire.

Tabled—March 9, by Mr. Jalbert of Lewiston.

Pending—Motion of Mr. Kelley of Caribou to refer to the Committee on State Government.

The SPEAKER: The Chair recognizes the gentleman from Eagle Lake, Mr. Martin.

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: For the past two weeks we have heard a great deal about whether or not this item should be indeed referred to committee. Some people have argued that it ought not to be and was not within the prerogative of the Legislature of the State of Maine to be involved in such a controversy.

I would like to give you my personal reasons as to why it ought to be referred to committee and to let the issue rest where it may.

Many people are concerned with the problems that we have, not only in Maine, but also around the world. Many people are concerned with the problems that we have among our young men, not only in Maine, but also around the world. Many people are concerned that the people of this state have no real voice, no real influence, no real opportunity to express their wishes on an issue such as one like Vietnam.

It is not a question of where I stand on what ought to be done, but really it is a question of whether or not as elected representatives of this state we determine that the people of this state have a right to be heard.

The people of Maine seldom have a choice or an opportunity to participate in debating national issues. Maine citizens should have the chance to express their views as to their belief in the Southeast Asian War as an effective instrument of national self interest. The solicitation of their assessments of the relative aims and benefits of a continuation of the policies of the past ten years would, I maintain, provide an opportunity for the accurate reflection to Congress of a segment of grass-root thinking. It is really that simple.

Our decision this morning on the question of reference is whether or not we as elected representatives wish to give the people of Maine an opportunity to be heard, and I repeat, to be heard either way. I think they ought to have that opportunity to discuss it publicly and

to make their decisions on their own as they wish. But I think that we can, and we should give them an opportunity to debate the issue.

Mr. Speaker, when the vote is taken on the question of reference, I move that it be taken by the yeas and nays.

The SPEAKER: The Chair recognizes the gentleman from Calais, Mr. Silverman.

Mr. SILVERMAN: Mr. Speaker and Members of the House: Many of the citizens of our State of Maine feel we are here in the 105th Legislature to pass laws and determine current and future government for the State of Maine and its people.

They feel that foreign policy of the United States of America belongs to the Federal Government in Washington where our position in a World of Nations is determined and knowledgeably understood, and not in the Legislature of the State of Maine. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Caribou, Mr. Kelley.

Mr. KELLEY: Mr. Speaker, Ladies and Gentlemen of the House: I wish to speak to my motion. The issue before you today is a very simple one: Whether or not this Resolution should be referred to the Committee on State Government for public hearing.

We are not here today to decide on the merits of this Resolution. This Legislature has not decided on the merits of any bill at the time the bill was being referred to a committee for consideration.

It is not our purpose today to debate the fact that most Maine citizens are frustrated over the conduct and objectives of this undeclared war. Nor is it our purpose to debate the fact that Maine has lost several hundred of its young men, with hundreds more wounded and missing. Nor is it our purpose today to debate the fact that we spend over 20 billion dollars a year on this war which amounts to approximately \$100 on a per year basis for every man, woman, and child in this state. Nor is it our purpose to debate the fact that many federal pro-

grams designed to cope with our domestic problems remain unfunded due to this war. Nor need we discuss the fact that there are numerous problems here in Maine that require the expenditure of funds that are currently financing the war. Nor need we discuss today that the war contributes to the highest rate of inflation, the highest unemployment rate in a decade, and serious social divisions within our country.

The reason for the introduction of this Resolution is simply to afford Maine citizens the opportunity to address themselves to this national and state issue.

As you are aware, a recent poll indicates that over 72% of the American people prefer a withdrawal of our military forces by the end of this year.

Memorials to Congress by the 105th Legislature on national issues occur often. This legislature has already sent a memorial to Congress on revenue sharing.

I urge my colleagues today to do what is right and what is just. To stifle debate by not allowing this Resolution to go to committee would be contrary to the wishes of many Maine citizens. I ask you not to decide today whether or not you agree with the merit of my resolution. The sole issue before you is whether Maine people have a right to be heard on a matter which deeply affects us all.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: I arise this morning, as I have occasionally in the past before, on issues that concern the people of our state. I am one member down here, like I feel all the rest of you people are, who believes in the people and who think the people ought to have an opportunity to express themselves.

This Resolution this morning that is being referred to the State Government Committee to me is no different than when we start to send our bond issues back to the people whether they want them

or whether they don't want them. They should have an opportunity to express themselves

And I support this morning, for these reasons, the referral of this particular document to the State Government Committee so the people of the state, whether they are for it or whether they are not for it, but so they can have the opportunity to say what their particular reasons are.

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

Mr. GAGNON: Mr. Speaker and Members of the House: In order to get this matter off the Floor, I make a motion to move the question.

The SPEAKER: The gentleman from Scarborough, Mr. Gagnon, moves the previous question. For the Chair to entertain a motion for the previous question, it must have the consent of one third of the members present. All members desiring the Chair to entertain the motion for the previous question will vote yes; those opposed will vote no.

A vote of the House was taken.

A sufficient number not having voted, the motion was not entertained.

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

Mr. JUTRAS: Mr. Speaker, Ladies and Gentlemen of the House: Whoever votes against the referral of this Resolution before a public hearing, be that legislator a Republican or a Democrat, he or she would be voting against the wishes of the people of Maine.

After World War II, the United States of America found itself in a position of leadership and has not assumed that role ever since. The Marshall Plan and the Peace Corps are two exceptions to the above leadership military action in order for the military to be effective. We have committed men, money and material into Indochina for many years and we now hear of a change in policy to a policy which has become obfuscated throughout the years of our military action in that part of the world.

"Let us admit our national mistake." This mistake has been made and compounded by the administration of both political parties since 1946, since 1953, 1966 and to date. It takes courage and humility to do this, and these virtues are sadly lacking in all echelons of government today.

The SPEAKER: The Chair would advise the gentleman to confine his debate to the issue. Shall this matter be referred to the State Government Committee?

Mr. JUTRAS: Yes, Mr. Speaker. For that reason, I will omit these remarks about the PX scandal and the My Lai incident, and so on and so forth, and shall terminate this short debate with this final reminder, that if we as a nation call ourselves a Christian nation, then we must live by the tenets of Christianity expressed in the Bible. And one of these, among the Ten Commandments there is one that says, "Thou shalt not kill." And in the New Testament there is another principle clearly expressed—

The SPEAKER: Will the gentleman continue this debate relative to the reference of the bill.

Mr. JUTRAS: This tragedy must be ended in Vietnam, Cambodia and Laos, and it foretells the end of our civilization.

Mr. Speaker and members of the House, again, it is requested that this matter be heard before the Committee on State Government, and anyone who votes against this referral is voting against the people of Maine.

The SPEAKER: The Chair recognizes the gentleman from Orono, Mr. Curtis.

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen of the House: Most I think, if not all of us, have already decided how we are going to vote on the issue before us now, but because this issue is of such deep concern to me personally. I would appreciate it if you would listen for just a few minutes while I explain my position.

After spending four years in the navy, most of that time in the South Pacific, including one year advising the Vietnamese Navy, as I said, I have very strong feelings about this.

The question is, should foreign policy be of any concern to this body?

The SPEAKER: The Chair has ruled that the debate is on the reference to committee. Will the members please confine their debate to the relative merits of whether this shall be referred to the State Government Committee.

Mr. CURTIS: There is some precedent for having done this, I believe, as a legislative body. In 1965 there was a joint resolution by endorsing the President's actions in Vietnam. That resolution sponsored by a Republican was endorsed by both parties in the House. It had at that time unanimous support and it is unfortunate that perhaps there is not more support for the issue before us now.

Once again we have a major change to consider in U.S. policy in Southeast Asia—

The SPEAKER: The Chair would advise the gentleman that he will be out of order unless he confines his remarks to the relative merits of whether this should be referred.

Mr. CURTIS: Yes, Mr. Speaker. For that reason, I believe that it is important that the people of the State of Maine have an opportunity to express to their legislature and their committee their opinions in this matter. Thank you.

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

Mr. JALBERT: Mr. Speaker and Members of the House: Very briefly, and restricting myself to the reference of the committee, I think if we did refer this to the committee, we would probably hear from several people, pro and con, and maybe we might even be able to lend something or some suggestions to the present administration or to the others in higher positions than we are.

Secondly, I feel very strongly that I would rather see this referred to a committee through this procedure and have a public hearing than the inevitable if this is defeated. Because if this is defeated I assure you of one thing,

there will be a public hearing on this issue somewhere in Augusta and possibly somewhere in these buildings.

I feel very strongly and I hope that for those who have locked themselves in, my attitude is not one of saying I want to hear just one side. I want to hear both sides. I want to listen to the ideas, and I frankly think we ought to. And I think, for heaven's sake, this should never be a partisan issue.

The SPEAKER: The Chair recognizes the gentleman from Norway, Mr. Henley.

Mr. HENLEY: Mr. Speaker and Ladies and Gentlemen of the House: I will confine myself entirely to a public hearing. I feel that it would be a great mistake to put this before a public hearing at this time. We all realize that it is a very volatile subject. We realize that throughout the country various public hearings on this have been made farces, have been made positions whereby our agitators had an opportunity to try to break up, and have broken up meetings that did not even give the people who were supposed to be speaking an opportunity to speak. Do we want such a spectacle in the State of Maine?

In regards to the previous speaker's veiled threat that there would be a public hearing if the people bring it on. That is something that we would have to take care of when the time comes.

I, myself, have had no people urge me from back home anything about this legislature wasting its time trying to decide issues relative to Vietnam. They have not asked for any public hearing. In main they have urged us to get on with our business of running the State of Maine and to try to keep taxes down. That is what I think we should do.

Now in regards to a suggestion of a previous speaker, let the people of Maine decide either way, right or wrong. I still say that in this present day of trying to use demonstrations, riots and violence and fear to create fear, that a good many times a lot of these issues are not fairly decided in these hearings. Several

hearings on various issues have had to be closed and terminated because of demonstrations and riots. I still say that this is such a volatile issue that it should not be brought before the people.

I question the percentage of people that really want this to be brought before a hearing. Anybody can get all kinds of percentages of opinions and I don't believe that there are sufficient people that want this made a spectacle in the State of Maine to try to stir up things any worse.

I can't say any more on the subject without getting into something that is really emotional, and I will not say any more. I just urge you not to send this to the people in a public hearing when it could become not only a spectacle but could bring about violence in the state, which we have managed to avoid so far.

The SPEAKER: The Chair recognizes the gentleman from Brunswick, Mr. McTeague.

Mr. McTEAGUE: Mr. Speaker and Members of the House: Being mindful of the Chair's admonition that we debate only reference and not the merits of the Resolve, to respond to one of the prior speakers who has suggested that this could be a great mistake to hold a public hearing, that it would lead to agitators, demonstrations, riots and violence. I think the gentleman has really stated the issue before us well. And the issue is really one of freedom of speech; the right of the people of our state to express themselves on a grave matter of grave concern to them.

I disagree fundamentally with the concept of our people expressed by one of the prior speakers. I disagree with the idea that public hearings in a democratic society are agitation. I particularly disagree with the idea that it is agitation to testify before a duly constituted committee of the Maine Legislature. Indeed, one of the reasons that I hope that this bill will be referred for hearing according to our normal course of legislative procedure is that so there is a vehicle, an outlet for the feelings on both sides,

of people on this very crucial issue in the normal course of our government rather than by demonstrations.

To contend that allowing this bill to be referred to committee for public hearing would lead to riots and violence and fear does not strike me as very sensible or accurate. What is the fear that so drives people that leads them to such a lack of confidence in the people of our state that they are afraid to have open public discussion, debate, and learning on an issue?

I do not think that such a fear of our people is customary in a democratic society, and I hope we will follow our normal procedures, send it out as Representative Jalbert has said, hear both sides, and not let any red herrings of violence or fear affect our vote on the reference of this matter.

The SPEAKER: The Chair recognizes the gentleman from Strong, Mr. Dyar.

Mr. DYAR: Mr. Speaker and Ladies and Gentlemen of the House: I do not feel it is necessary for this matter to go to a committee to be heard. The people of Maine will have the opportunity to be heard. I have an article here from the Christian Science Monitor giving dates where hearings will be held.

The anti-war groups plan a nation-wide campaign of nonviolent direct action in April and May which they hope will culminate in a large-scale civil disobedience in Washington, D.C. on May 3 to 5.

Local plans vary from a continuation of the campus teach-ins which started February 22 at Harvard and Yale Universities to be co-ordinated throughout the spring.

On April 2 through 4 a tribute to the late Dr. Martin Luther King Jr. is planned, including a poor people's mule-train parade on Wall Street, and a prayer rally in Washington, D.C. sponsored by the Southern Christian Leadership Conference.

On April 19 through 23, Vietnam Veterans for Peace plans four days of workshops for anti-war veterans and their families in Washington, D.C.

For these and other planned events, I do not feel that the State of Maine needs to tie up this Legislature in discussing a national matter such as this. Thank you.

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

Mr. WHITSON: Mr. Speaker and Members of the House: I rise in support of the assignment of this resolution to committee. I do this because several of my constituents who paid dearly for their participation in the Southeast Asian conflict have asked me to demand that this resolution be assigned to committee so that they may explain their feelings concerning the Southeast Asian situation in conjunction with, in the case of two, loss of limbs, and in other cases injuries of varying severity. These men, some support this resolution, some oppose it. But they all demanded the right to speak in a public committee hearing in order to explain their feelings. Thank you.

The SPEAKER: The Chair recognizes the gentleman from North Berwick, Mr. Littlefield.

Mr. LITTLEFIELD: Mr. Speaker and Members of the House: I fail to see where we would accomplish anything sending this to a committee. Now when I ran for this office I ran with the thought in mind that I was going to conduct the business of this state, and not get mixed up in federal affairs. So it is my belief that we should get on with the business of this state, and leave this to the federal authority. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Eagle Lake, Mr. Martin.

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: Let me remind us, and remind myself and Members of the House that we have gotten ourselves involved in making reference, in sending items to Congress, and to the Federal government. We have already passed a resolution memorializing Congress dealing with the futures trading of potatoes. We have sent to

the State Government Committee two weeks ago a resolution to petition Congress to lower the retirement age of Social Security from 65 to 62, introduced by a Republican member of this House.

I think that we have attempted to suggest to the Federal government what ought to be done on many issues in the past. And while we are on the subject of one other issue that I know that we sent, is the one of revenue sharing. We are not starting anything new. We have done it in the past and we will continue to memorialize Congress. The people of Maine have indeed sent us here to do a job, to represent them. We are here to deal with their problems and their problems include this one.

The Republican state chairman would assert that the Legislature ought not to be involved in such things. He does not say that we ought not to pass resolutions at all. He does not say that we ought not to pass joint orders congratulating a high school team for having won a state championship.

If we are not more concerned about losing lives in Vietnam than perhaps we seem to be, then perhaps we ought not to be passing orders congratulating championship teams. The foreign policy issue belongs to every person of this country, to you and to the citizens of Maine. They have a right to be heard and they have a right to do it in a public hearing sponsored by this Legislature.

If we say that they can't have it, are we saying that we don't know anything, or they don't know anything about the Vietnam issue, that it ought all to be done in Washington? In that tremendous place where everything is done right? If we say that they can't have a public hearing, are we saying that we are scared of you citizens of Maine? We are scared that you are going to come and tell us something we don't want to hear? I hope not. Because let us not forget Franklin Delano Roosevelt when he said that "There is nothing to fear but fear itself."

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

Mrs. BROWN: Mr. Speaker and Members of the House: To my

knowledge, yes, we have often memorialized Congress. But I do not believe that these memorials have ever gone before a committee before they were sent to Washington. A public hearing in Maine won't achieve the objectives of this memorial. It won't end the war immediately.

None of us condone or want the war. But none of us are military strategists. We are guided more by powerful emotions than by any great knowledge or reason.

I believe a public hearing could easily serve to divide and polarize the citizens of Maine to an extent they have not been before. I willingly accept the fact that there are divergences of opinions in both parties, and that our American consensus has been strained by 25 years of global responsibility.

We do elect to Congress, to the United States Senate, representatives from the State of Maine. Maine citizens are not deprived of having their feelings known by their congressional members who do vote on foreign policy in Congress. I do not see the reason for a hearing. Thank you.

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

Mr. JALBERT: Mr. Speaker and Members of the House: Very very briefly, my comment that there would be a hearing was not a veiled threat. It could be termed in the wordage of being a promise. The only reason I would like to see us go through this procedure is that we would be in command of the situation if we would refer this to the State Government Committee.

We have a chairman of the State Government Committee. If he is absent we have the House Chairman. If they are both absent the next man in command is in complete control of the situation. When I tell you there will be a hearing, I assure you there will be a hearing. It is not a veiled threat, it is a promise. Let us remind ourselves — and I know that the good gentleman, and he is a good gentleman, he is a friend of mine — I speak of the gentleman from Norway, Mr. Henley, he has his opinions, as we all have. And I want to assure him of one thing, that

we do not own the state house lawns, nor do we own room 105, or any other building in the State of Maine. We do not own them. The citizens of Maine own them.

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

Mr. FARRINGTON: Mr. Speaker and Ladies and Gentlemen of the House: I believe that the essence of legislative democracy is practiced at the public hearings. And although I agree with the gentleman from Berwick, Mr. Littlefield, that this is a national issue, my constituents are interested in being heard on this matter. And at a public hearing they feel that this is the only time when they can come before the legislature and actually be heard, either as proponents or opponents. And for this reason, because my constituents favor this, I would urge you to see that the capable Committee on State Government gets this bill to be heard. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Wayne, Mr. Ault.

Mr. AULT: Mr. Speaker and Ladies and Gentlemen of the House: The gentleman from Eagle Lake, Mr. Martin, has stated that this should go to public hearing because the citizens of this state should have the opportunity to express their views. Because otherwise they might not have the opportunity to express them on an issue such as this.

I disagree with him, and I do agree with the gentlewoman from York, Mrs. Brown. We all have the right to communicate with our representatives in Washington. And they can be influenced, apparently.

When I was especially concerned with this war in 1968 I wrote to my representatives and received replies. I have one here from the Junior Senator which says, "I remain convinced that the President", President Johnson, "is doing everything he can to secure a just, honorable and lasting peace." Apparently he can be influenced, because he has obviously changed his position. Thank you.

The SPEAKER: The pending question is reference of committee. The gentleman from Eagle Lake,

Mr. Martin, requests the yeas and nays. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All members desiring a roll call vote will vote yes; those opposed will vote no.

A vote of the House was taken, and more than one fifth of the members present having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question is whether this Joint Resolution Memorializing the Honorable Richard M. Nixon, President of the United States, to Withdraw All American Military Forces from Indochina and Negotiate a Cease-fire, shall be referred to the Committee on State Government. If you are in favor of this being referred to the Committee on State Government you will vote yes; if you are opposed you will vote no.

ROLL CALL

YEAS — Albert, Bedard, Bernier, Berry, P. P.; Berube, Binnette, Boudreau, Bourgoin, Bustin, Carey, Carter, Clemente, Conley, Cooney, Cote, Cottrell, Curran, Curtis, T. S., Jr.; Cyr, Dam, Dow, Doyle, Drigotas, Emery, E. M.; Farrington, Faucher, Fecteau, Fraser, Gauthier, Genest, Goodwin, Hancock, Jalbert, Jutras, Kelleher, Kelley, P. S.; Keyte, Kilroy, Lawry, Lebel, Lessard, Lizotte, Lucas, Lynch, Mahany, Manchester, Marsh, Martin, McCloskey, McKinnon, McTeague, Mills, Murray, O'Brien, Orestis, Pontbriand, Rocheleau, Santoro, Sheltra, Slane, Smith, D. M.; Smith, E. H.; Starbird, Tanguay, Theriault, Vincent, Webber, Wheeler, Whitson.

NAYS — Ault, Bailey, Baker, Barnes, Bartlett, Berry, G. W.; Birt, Bither, Brawn, Brown, Bunker, Churchill, Collins, Crosby, Cummings, Curtis, A. P.; Donaghy, Dudley, Dyar, Emery, D. F.; Evans, Finemore, Gagnon, Gill, Good, Hall, Hardy, Haskell, Hawkins, Hayes, Henley, Herrick, Hodgdon, Immonen, Kelley, K. F.; Kelley, P. S.; Lee, Lewin, Lewis, Lincoln, Littlefield, Lund, MacLeod, Maddox, Marsteller, McCormick, McNally, Millett, Morrell, Mosher, Norris, Page, Parks,

Payson, Porter, Pratt, Rand, Rollins, Ross, Scott, Shaw, Shute, Silverman, Simpson, L. E.; Simpson, T. R.; Stillings, Susi, Trask, Tyndale, White, Wight, Williams, Wood, M. W.; Wood, M. E.; Woodbury, The Speaker.

ABSENT — Bragdon, Call, Carrier, Clark, Hanson, Hewes.

Yes, 69; No, 76; Absent, 6.

The SPEAKER: 69 having voted in the affirmative and 76 having voted in the negative, the motion does not prevail.

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

Mr. SUSI: I move the indefinite postponement of the Resolution.

The SPEAKER: The gentleman from Pittsfield, Mr. Susi, moves the indefinite postponement of the Resolution.

The Chair recognizes the gentleman from Bangor, Mr. McCloskey.

Mr. McCLOSKEY: Mr. Speaker and Ladies and Gentlemen of the House: I rise in opposition to indefinitely postponing this resolution. We all know now that the Vietnam policy we are following is not one of steadily withdrawing all troops from Vietnam. We all know now that the Vietnamization policy is an illusion. It is not a policy likely to succeed in winding down the war, and extricating the United States from an unsound and untenable position on the mainland of Asia, as the American people have been led to believe.

No, it is a policy of escalation by American air power and Vietnamese manpower with the aim of winning a military victory. Yes, all that has been done is to fool the American people by changing the color of the casualties from American soldiers to American airmen. The policy we are now following is calculated to bring North Vietnam to its knees without such appalling American casualties as to cause outrage in the United States.

Tom Wicker, editorial writer of the New York Times, has said that our policy in Southeast Asia is a policy of indiscriminate aerial warfare and blind firepower on the ground. That means death and destruction wholesale, not just body counts of enemy dead, but a slaughter of innocents—women, children and old people, villages

destroyed, earth ravaged and thousands of refugees homeless and hungry. Air warfare is indiscriminate. For the people of the United States and Indochina, it is a lie that we are winding down the war.

But surely we know now that neither threats nor bombs against the north are going to alter the untenable military and political situation in which the United States finds itself in Southeast Asia. And we must realize that this war will be transferred into an unlimited and unmanageable wider war in Asia if we continue our present course. It is altogether unrealistic to assume that China can remain indifferent to an expanding conflict on its borders. The possibility of a Chinese-United States confrontation cannot be dismissed.

But knowing these facts, why should the Maine Legislature concern itself with a petition on Vietnam? It is argued that even if this Resolution were to pass, it would not have any effect on this horrible war.

Well, ladies and gentlemen of the House, I believe that if the House passes this Resolution it will have an effect on the war. Let me explain this. Back in 1967, President Johnson was following the same type of policy that is now being followed by President Nixon. President Johnson was convinced that the war could be won by military measures. Unlike now, back in 1967 each time President Johnson escalated the war, there was a stiffening of opposition. Each move called for a fresh response. In 1967 as the President escalated the war one could expect that the public's revulsion against the war would deepen and perhaps in the end would serve to get us out of Vietnam.

It seemed then that there were certain obstacles to new escalations, certain principles in the Constitution, certain limits to the abuse that Congress and the American people were willing to take. But now it seems that all these obstacles have been crushed. In the Congress and in the press and all over the country there is a numbness and even a paraly-

sis among the people from whom one could expect opposition.

Two new borders have been crossed. The bombing of North Vietnam has been resumed and the President has abrogated the Paris peace negotiations, and a nation now has grown silent.

Having looked at what we have done to Vietnam, what we are doing again in Laos and Cambodia, now that we have accepted all this, having continued and escalated the war, what is left that can stir us into finally leaving Indochina? Is there any limit to what we will accept? Certainly it has been one of the triumphs of this administration that along with continuing to expand the war in Indochina it has destroyed the debate over Indochina in the United States.

Hopefully this Resolution will help restore the debate on our policies in Indochina. Truly, one of the strongest influences on our policy in Vietnam has been public opinion. This cannot be denied. It caused President Johnson to stop the bombing of North Vietnam in 1968; it caused the Paris peace negotiations to begin; it brought Kennedy and McCarthy to challenge their own President, and thus caused him to resign from seeking reelection. This Resolution will help revitalize the influence of public opinion on the war. It will help bring back the issue of Vietnam into the form of public debate, and I believe by passing this Resolution, we will do our part in using public opinion to end this war.

Therefore, I would hope that you would vote against indefinite postponement of this measure.

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

Mrs. BROWN: Mr. Speaker and Members of the House: I arise again, happy to be able to use the remarks that I feel are extremely important in debating this question.

I speak to you today, as I said before, with full knowledge that our American consensus has been strained by 25 years of global responsibility since World War II and most recently by the con-

frontation in Vietnam. I remind you that America has always had a purpose larger than itself, that most of us here have a purpose larger than ourselves. Often we find ourselves in agreement on final objectives but disagreeing on how to get there.

I think we must compare the realities of the present situation. All of us know that President Nixon inherited an interminable war which had been escalated to almost 550,000 men when he made his first troop withdrawal in May of 1969.

With all the ranting about Vietnam, Laos and Cambodia from those with political axes to grind, the one incontestable fact that tends to become obscured in the process is that President Nixon's Vietnamization policies are working. An editorial March 6th in the Portland Press Herald said — "many Americans won't be reassured because they don't want to be reassured."

Four years ago South Vietnam was a victimized country lacking means to defend itself. Today it is a viable state with a competent military force of its own. There is a change for the better. There is a change in direction. Over 223,000 men have come home. The latest figures tell us that during the week of February 25 approximately 4,400 American service men were withdrawn.

Many of those who now demand immediate withdrawal, who oppose the present military strategy, were in the forefront supporting the strategy of escalation, and Maine's Senator Muskie can be counted as one of these. One wonders whether these are true convictions or political expediences.

If the North Vietnam regular forces were no longer in South Vietnam, the fighting would have come to a standstill. If they had not invaded Laos years ago there would be no need for South Vietnam troops to be there to prohibit the use of the Ho Chi Minh trail.

The President has said that with the current operation in Laos, and I quote, "Withdrawal of American troops will not be slowed down." He further said, "What has already been accomplished in

Laos at this time has insured even more the plan of withdrawal of American troops and the hope that this can be speeded up." This is the direction we all want. I support the President's policy. He is the architect of this program which has given initiative to the South Vietnamese and brought American soldiers home. I do not support this memorial and I urge you to vote against the indefinite postponement motion. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mr. Emery.

Mr. EMERY: Mr. Speaker and Ladies and Gentlemen of the House: I rise today to oppose the indefinite postponement motion. I am not only speaking as a Representative but as an honorably discharged Navy veteran of the World War II campaign in North Africa, Europe, the Atlantic, Pacific, and also as an honorably discharged navy veteran of the Korean War.

I have spent time on the Asiatic continent, namely the Chinese mainland and also in Korea and Japan. I feel that I have a little understanding of the oriental mind. "Face" is all important to the oriental mind. Possibly this Resolution will cause the United States to lose face and therefore suffer irreparable harm in our commitments to Vietnam and other various Asiatic peoples.

I feel, and as I come from a family that has given 120 years of honorable service to the Armed Forces of the United States since 1861, and also a proud stepfather of a retired United States marine who had 20 years of Marine Corps service including two tours in Vietnam, I have a direct interest in this matter. In addition I have a few other things to say.

I feel that a few people worry more about their own hides than the future of this country. I suggest then if they wish to influence the policy of our national government that their efforts should be channeled toward reducing the slaughter taking place on the highways of this country.

Hitler's terrible force understood the use of massive power applied toward a domination of the world. I remember the appeasement in

Munich in 1938—the world paid for Munich, twenty million lives and untold treasure.

I have a word of advice to the faint hearted. Heed the immortal words of that great American martyr, John F. Kennedy: "Ask not what your country can do for you; ask what you can do for your country." Let us recognize the true facts; the Communists wish to dominate the world. Therefore I oppose the indefinite postponement motion and I hope that the people of Maine have a chance to speak on this and give us their views.

The SPEAKER: The Chair recognizes the gentleman from Webster, Mr. Cooney.

Mr. COONEY: Mr. Speaker, I would just like to say that when we get around to taking a vote that it be by the yeas and the nays.

The SPEAKER: The Chair recognizes the gentleman from Berwick, Mr. Stillings.

Mr. STILLINGS: Mr. Speaker and Ladies and Gentlemen of the House: I am as concerned as any other member of this House that the United States military involvement in Southeast Asia be terminated. I am as certain as any member of this House that the Indochina war is causing us serious problems at home. I, too, want to see the fighting stopped, our troops withdrawn, and American prisoners of war exchanged and returned home.

But I cannot support this memorial to the President. It is, I believe, a misguided attempt on the part of a partisan group to embarrass and criticize our President. If it is not misguided, it is certainly misdirected. We are memorializing the wrong party here. It seems strange to me that we are not asking the Congress to stop the war and get the troops home. The Congress could have disengaged the United States from the war in Southeast Asia at any time. But if it continues to provide the funds the President can only assume that the Congress has accepted the course of action that he chooses.

In another place and at another time, slightly over ten years ago, some members who have spoken

this morning would have perhaps been eleven or twelve or thirteen years old, and it might not have had any special significance for them at the time, a young man stood before the American people as their newly inaugurated President and in a declaration of principles which have guided our foreign policy said: "Let every nation know, whether it wishes us well or ill, that we shall pay any price, bear any burden, meet any hardship, support any friend, oppose any foe, to assure the survival and success of liberty."

He went on to pledge our loyalty to our old allies, to assure the emerging nations that we would protect them from tyranny, and he said of the people of Southeast Asia, and these are his words, "struggling to break the bonds of mass misery, we pledge our best efforts to help them help themselves, for whatever period is required — not because the Communists may be doing it, not because we seek their votes, but because it is right." I have not heard these words quoted often in the past couple of years.

Our President has been trying to live with this philosophy and with a war which he inherited. President Nixon is in fact doing the very things that the memorial suggests that he do. But it seems strange to me that the war should be described as "senseless" under a Republican President when it apparently was not under two Democratic Presidents during the eight years prior to this Administration.

If, as the memorial suggests, the American people believe this war to be senseless, why did they return the members of Congress to office who had voted the funds to pay for the conduct of the war?

I am not a constitutional scholar, however. I do know that every treaty the President enters into must have the approval of two-thirds of the Senate. Every executive agreement the President makes can be abrogated by the Congress.

The President is the Commander-in-Chief of our military forces under the Constitution, but under

Article I, Section 8, the Congress has the power to raise and maintain an Army. If the Congress doesn't do this, then there is no real military force for the President to be Commander-in-Chief of. The same article in the Constitution says that the President may not expend money except in consequence of an appropriation by the Congress.

Not one G.I. has served, or is serving, in Southeast Asia, without the approval of Congress. Not one cent of money has been spent for the war without the approval of Congress. The Congress, simply by refusing to appropriate funds, could have stopped the war and returned our troops home at any time. It could have done this under the two previous administrations when the majority of the Congress were of the same political party as the President, and it could do it today when the majority of the Congress is of the opposing political party of the President.

Our President, I believe, has met and surpassed the timetable for withdrawal from Southeast Asia, and he has scaled down our involvement there. I can only urge every member of this House to vote for indefinite postponement, let our President know that we do support the policies he has adopted and, rather than make political hay for a potential Presidential candidate, get on with the very urgent and pressing matters facing the people of Maine and this Legislature.

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

Mr. LUCAS: Mr. Speaker and Members of the House: Our nation is engaging in a conflict that has been inherited from one nation to another and from one administration to the next. The long history of the Indochina conflict itself should be logic enough to convince us that we are in the wrong place at the wrong time and for the wrong reason.

Perhaps the biggest barrier to peace is that most people do not believe that it is possible to obtain. Yet, men have reached the

moon only because countless people before them, from every land, believed that this dream could be achieved. While their contemporaries laughed at them, these men persevered in their cause until it was accomplished. Today, we are on the threshold of an age in which nations can live and should live in peace. Peace will rule the day, when reason rules the mind. So, in our quest for peace we shall never tire nor shall we ever cease our efforts.

There is no such thing as an inevitable war. War comes from the failure to use human wisdom, a truly divine gift. As Adlai Stevenson said in 1952: "If the pursuit of peace is both old and new, it is both complicated and simple. It is complicated because it has to do with people and nothing in this universe has baffled man as much as man himself." Since wars begin in the minds of men — so must they end in the minds of men.

We know that war never leaves a nation where it found it. The ever-widening war in Indochina is a grim witness to this fact, causing a frightening division within the land we love. But we must strive to overcome our misconceptions, particularly as they relate to our reasons for being there and our continuing justification for remaining or expanding our involvement.

Oversimplification of the crisis facing our nation could mistakenly be interpreted as a peace at any price program; however, the question is not what, but rather when and how. We Americans have always been accustomed to discussing ways and means of achieving goals. We, likewise have always repudiated that the ends justify the means. That is a foreign notion to our basic beliefs. Have we Americans become so hung up on winning that we have forgotten the original purpose for assisting the Vietnamese?

What do we seek to accomplish with this Resolution?

We seek a national day of reckoning to end the disillusionment by the continuation of a war, a war few understand and a war with

the prospects of peace blurred by renewed expansion.

We seek to make an impact on the power structures, which hold the key to the basic decisions about waging war and establishing peace.

We seek not to embarrass anyone, only to emphasize our true desire for an immediate cessation of conflict.

We seek the day that is dawning when we truly will practice the peace we profess.

I urge that we vote against indefinite postponement.

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

Mr. WHITSON: Mr. Speaker and Members of the House: I rise in support of the Resolution on the floor today, but I will not debate the conflict. The conflict has been in debate for a decade. If after ten years of debate any of my fellow legislative members have not reached a strong opinion in support of or against the Vietnam conflict, I believe that they never will. I therefore feel that any further debate, pro or con, has no purpose. I would advise my fellow legislators against the useless expiration of their time and breath.

What I would like to say in rising in support of this Resolution is that this is not and should not be a partisan issue. If it hasn't already been done, I would confess the part in which my party has played in the involvement in what I feel is an unjust, impractical and self-destructive war. Yes, members of both parties share the burden of responsibility for the the Southeast Asian involvement. I ask members of both my party and the opposition party to vote for your personal conviction, regardless of apparent party stand.

I would like to at this time state that myself and many otherwise loyal members of the Democratic Party stood against the foreign policy set by a democratic administration. I would ask that the members of the opposition party singularly vote their convictions today. Thank you.

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

Mr. MARSTALLER: Mr. Speaker, Ladies and Gentlemen of the House: I have always been against this war. My church, which incidently is the same church as the President's, has been against this war. I truly believe that we must find better ways to solve international disputes if we want an improved life on this planet.

I am sure that everybody in this House would like to see the Indochina war stopped today. It is encouraging to me to see members of the political party that did the most to get us into this war proposing that we get out. The young people who are doing the fighting are justly upset by the draft and their involuntary role in this war. And I want to point out that President Nixon has proposed a volunteer army and ending the draft.

I suggest the way to end the war system would be an international agreement that only those over fifty be drafted.

I have expressed my views on this war to several administrations and members of Congress, and I suggest that others do the same, as that is where the decisions are going to be made.

I see a public hearing on this proposed Resolution raising a room full of flying cock, dove and cross-breed feathers and dividing us in an effort in futility. Under the circumstances, I can't see this Resolution shortening the war by even a minute. So I go along with the motion for indefinite postponement.

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

Mr. DAM: Mr. Speaker and Members of the House: I rise to oppose the motion to indefinitely postpone, because I feel that the people of the State of Maine have a right to be heard at a public hearing. Now if this were a memorial to be sent directly to the President of the United States from this body, I would maintain the same position I took at the Democratic State Convention, that I would not be a part of any move to tie the hands of the President of the United States. This is not so. The only question here is, shall we allow the people of the State of Maine to be heard?

I am not afraid of what the people of the State of Maine will do. I don't think the Democratic Party is afraid, and if the opposition party is afraid, then I would suggest that they change their policies.

I do, however, feel that the memorial maybe should have gone a little farther. I do not feel that the President of the United States has been telling the people of this nation or the people of the world the truth. When the President says we will not resort to nuclear weapons in the Southeast Asian campaign, and then I read articles in the paper, in the national magazines, hear on the TV and radio that secret pacts have been made, this puts me in a great distrust of the President of the United States. I think this should have been added into the memorial, that we want the truth, that the people of the State of Maine and the people of the United States want the truth from the President.

I don't see any harm in sending this to the people and letting the people of the State of Maine guide the legislators in their wish. But if this, as I have said before, would go directly to the President and tie his hands, I would not be a part of it.

The SPEAKER: The Chair recognizes the gentleman from Caribou, Mr. Kelley.

Mr. KELLEY: Mr. Speaker and Members of the House: The discussion of a national issue is perhaps an unusual event in our State Legislature. However, the issue of the Vietnam war has held our attention now for sixteen long years. It is our nation's longest war. It has claimed the lives of several hundred of our Maine citizens. Many hundreds more have been injured, maimed or captured.

I would point out to the gentleman from Berwick, Mr. Stillings, that the reason why the Resolution was directed to the President is, despite the fact that Congress funds it, the conduct of the war, the policy is set by the President, and as he may recall, the war has not yet been declared a war as such.

The effects of the war have been reflected in every facet of Maine

life. Because of war induced inflation, the working man in Maine has been denied any real gains in income for more than five years. The rate of unemployment in January, 1971, as pointed out yesterday by the Governor, now is around 7.6%, or over 30,000 of our Maine people are unemployed.

This issue is before us because I, like many others, regard our current Indochina policy as leading us into further danger and into an unnecessary escalation of the war.

This policy has fully armed a million South Vietnamese and during the past year has resulted in two acts of further involvement: the invasion of Cambodia and the invasion of Laos. The escalation of ground action, coupled with the increased air attacks, could not occur without continued support and participation by our military forces. This apparent expansion of the war can only create increased dangers to our own troops and our American prisoners of war we so desperately want returned.

I do not wish to dwell upon the destruction we have brought to these three Asian nations; nor to speak of the more than 300,000 Laotian refugees created recently; nor the one million Cambodian refugees created within the past year; or the millions of South Vietnamese refugees created in the last 10 years in an area with a population under 25 million people; nor to discuss the more than one million innocent civilians killed by the fighting in Southeast Asia. These are facts that might be ignored in view of the increased dangers apparent in continued American participation in an area that has been fighting against foreign influence and foreign domination for more than a century.

What is very important now is the danger inherent in an expansion of the war into Cambodia and Laos. It is very doubtful that expansion of the fighting into two additional nations is the way to get out of a third. There is also the threat posed by China, a nation which is now building a new road in Laos and threatening to

bring Thailand deeper into the Indochina quagmire. The increased American bombing and support of South Vietnamese adventures into neighboring countries is not helping to free American prisoners. Who can doubt the fact that if the United States set a timetable for withdrawal that our casualties would end, and the war in Vietnam come to a halt?

More than 130 billion dollars have been expended and more than 50,000 American lives have been lost in this conflict. Based on last week's battle deaths, another 6,500 Americans could die by the end of next year.

It is up to the citizens of this state, through their elected representatives, to express their feelings on this war.

I believe that by our action today we can demonstrate to this nation that a continuation of this conflict is an unacceptable course to follow, not only in terms of what it means to Southeast Asia, but also in terms of the pressing unattended problems in this nation and this state.

I submit that we cannot begin the task of restoring responsive government, and begin the renewal of faith in our public institutions and political process, and regain the moral leadership of the world, and heal the divisions with our own country until this war is brought to an early and reasonable conclusion.

The SPEAKER: The Chair recognizes the gentlewoman from Bath, Mrs. Goodwin.

Mrs. GOODWIN: Mr. Speaker and Ladies and Gentlemen of the House: To dissent from what one believes to be a fatal and immoral action by his government is not unpatriotic—to remain silent is. We often hear the expression "My country—right or wrong," but the people who use it seldom finish it. It concludes: "when right, to be kept right, when wrong, to be put right."

It was indeed a black day in the history of Maine's Legislature when a member of one of its houses stood wrapped in the protective cloak of constitutional legislative immunity

and through implication so strong as to leave no doubt, accused one of Maine's public servants of being a traitor. I bitterly resent aspersions cast upon the character and patriotism of anyone simply because he advocates an immediate end to the atrocity in Indochina. I am sick of those who support this war and their description of true Americans or red-blooded Americans. We who oppose the war do not accuse you of being un-American—only misguided.

For fifteen years we have heard that victory is just around the corner. In 1956 then Vice President Nixon declared in South Vietnam that the militant march of communism has been halted. We have been told repeatedly that there is light at the end of the tunnel. Fifty thousand American boys and untold thousands of Vietnamese men, women and children will never see that light.

Perhaps in the long history of warfare no nation has coined so many euphemistic phrases to soften or cover up the truth of its actions. Obliteration of villages is pacification or resettlement. An invasion is not an invasion but rather an incursion. Massive B-52 bombing raids become protective reaction strikes. And now the latest, protective encirclement is to become our justification for ground troops in Laos. But the most absurd of them all is to call the corrupt military dictatorship of President Thieu a democratic government. To make an analogy to the United States would be almost comic if it weren't so tragic. Imagine, if you will, President Nixon's ordering the New York Times and the Washington Post to cease publication and throwing the presidential runner-up, Hubert Humphrey, into jail.

It seems that all that can be said about this war has been said. I would like to conclude with words written in France almost forty years ago. Perhaps it is not too late for us to heed their warning ". . . whether it calls itself fascism, democracy, or the dictator-

ship of the proletariat, the supreme enemy remains the administrative apparatus, be it civil or military. The true enemy is not the one in front of us . . . : the true enemy is the one who calls himself our defender and makes us his slaves. In no matter what circumstances, the worst betrayal is to consent to subordinate oneself to this administrative apparatus, and, in its service, to destroy, in oneself and in other, all true human values.

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

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: I rise today to discredit no individual, no party, no country, but rather to speak of certain basic truths.

We in this nation subscribe to the simple premise that free men, working in an open democratic society, can promote certain desirable ends, and among these ends are the promulgation of justice and truth.

The real conscience of this land has been motivated by these basic notions for nearly 200 years. Performance has often left us short of these ideals, we know. But yet the ideals themselves have not yet been tarnished but remain as shining objects that honest and courageous men may yet seek.

We have always maintained that in this nation men could use peaceful means in seeking understanding and truth. Now the time for truth has come in Maine.

And the truth is, my fellow Legislators, that the Vietnam war has been a tremendous burden to this small state. The truth is that from 1965 to 1970, Maine spent something under \$635 million for primary and secondary education, and that was not enough. And at the same time, during the same period of time, we spent approximately the same amount, \$600 million to help fund the war in Vietnam. Ladies and gentlemen of the House, we all know where this money should have gone. We all know what \$100 million would do to our deliberations in this body this year for education, for health care and for property tax relief for the elderly.

The truth is, nearly every reputable economist in this coun-

try has stated that overstraining caused by the war is at the root of the tremendous inflationary spiral under which we suffer today, an inflation that has reduced buying power by thirteen per cent in the last biennium and by more than twenty - five percent in the last half dozen years. This rate of inflation has so effectively reduced business activity and incentive that 30,000 Maine men are today out of work. My home town alone suffers under the crush of the nearly ten per cent unemployment. As of December 1969 to December of 1970, unemployment in that small, poor town increased by more than one hundred per cent. Unemployment rates in many of your own home towns are the same. The cause in each case is the same. It is the war and a poorly managed economy.

This issue has been debated for many long years. I could go on for hours delineating the horrible costs of this war, the costs of material sacrifice, the costs of moral degeneration, the costs of foregone opportunities for constructive action, the costs in human life, and the loss of respect around the world, but I will not.

When a nation commits itself to make the kind of sacrifice that we have made in Southeast Asia, that commitment must be based upon the necessity of defending a vital national interest, the loss of which would directly threaten the continued existence and survival of that nation. Now I ask each of you, what vital national interest has even been at stake in Southeast Asia and what one exists there now that warrants the continued sacrifice that this nation is making? The answer is simply that there is none, and we ought to have the courage to stand up and say so.

But even knowing how wrong we have been, I cannot be harsh or bitter toward this nation's motives. For this great misadventure was undertaken as a humanitarian gesture. The commitment to South Vietnam was made so that, and I quote: "South Vietnam might have the opportunity to determine its own future." Even given this is a wise premise upon which to base

a national action. I would submit that this commitment has been met in full and that there is nothing more that we can do to insure the future of South Vietnam short of direct annexation as the fifty-first American state.

The President has told us that our forces are being withdrawn, but yet many of us are appalled by the means used to accomplish this. The course has become more dangerous. The bombing and destruction is greater than ever before, and death and misery has spread to two additional countries.

The forays into Cambodia and Laos bear no direct relationship to the interests of this nation, and in the final analysis will do little to insure the safety of any nation or to insure the total withdrawal of American forces. Continued struggle can only undermine the very objects that we seek in Southeast Asia and around the world.

I fear that the American people are being deceived when they are told that since troops are being withdrawn that the war is winding down, when in fact every particle of evidence and testimony indicates that the level of violence is escalating significantly each day. How long will it take for the generals and our national leaders to learn that this war is not subject to a military solution such as other wars that we have known?

I would never question the sincerity of the President, or any President, nor any of our national leaders, nor anyone in this body or this legislature. He, the President, is trying to bring this war to a conclusion. I only question the methods by which he chooses to do so. I do not criticize him with vindictiveness and vengefulness. My criticism represents an honest disagreement with this President as to his judgment on this issue. It is a disagreement like the one I had with the previous President.

So Mr. Speaker, I will conclude by simply saying to those who would be so vile as to call into question the patriotism of one of the greatest men this state has ever produced. I would submit that the highest form of patriotism does not consist in serving one's country right or wrong, but con-

sists in serving one's country in truth.

And on this I urge the defeat of the motion to indefinitely postpone.

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

Mr. MILLS: Mr. Speaker and Ladies and Gentlemen of the House: Having listened to all this discourse here this morning, some of it in my opinion correct, others incorrect, I now move the previous question.

The SPEAKER: The gentleman is not in order. He has debated his motion for the previous question.

Mr. Norris of Brewer moved the previous question.

The SPEAKER: For the Chair to entertain a motion for the previous question, it must have the expressed desire of one third of the members present and voting. All those in favor of the Chair entertaining the motion for the previous question will vote yes; those opposed will vote no.

A vote of the House was taken.

The SPEAKER: Obviously more than one third of the members present having voted in the affirmative, the motion for the previous question is entertained. The question now before the House is, shall the main question be put now? This question is debatable for five minutes by any member. Is it the pleasure of the House that the main question be put now?

A viva voce vote being taken, the main question was ordered.

The SPEAKER: The main question is on the motion of the gentleman from Pittsfield, Mr. Susi, that Joint Resolution Memorializing the Honorable Richard M. Nixon, President of the United States, to Withdraw All American Military Forces from Indochina and Negotiate a Cease-fire, be indefinitely postponed. The yeas and nays have been requested. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All those desiring a roll call vote will vote yes; those opposed will vote no.

A vote of the House was taken, and more than one fifth of the

members present having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question is on the motion of the gentleman from Pittsfield, Mr. Susi, that the Joint Resolution be indefinitely postponed. If you are in favor of indefinite postponement you will vote yes; if you are opposed you will vote no.

ROLL CALL

YEA — Ault, Bailey, Baker, Barnes, Bartlett, Berry, G. W.; Birt, Bither, Brawn, Brown, Bunker, Churchill, Collins, Crosby, Cummings, Curran, Curtis, A. P.; Curtis, T. S., Jr.; Donaghy, Dyar, Emery, D. F.; Evans, Finemore, Fraser, Gagnon, Gill, Good, Hall, Hardy, Haskell, Hawkens, Hayes, Henley, Herrick, Hodgdon, Immonen, Kelley, K. F.; Kelley, R. P.; Lee, Lewin, Lewis, Lincoln, Littlefield, Lund, MacLeod, Maddox, Marsteller, McCormick, McNally, Millett, Morrell, Mosher, Norris, Page, Parks, P a y s o n, Porter, Pratt, Rand, Rollins, Ross, Scott, Shaw, Shute, Silverman, Simpson, L. E.; Simpson, T. R.; Stillings, Susi, Theriault, Trask, Tyndale, Webber, White, Wight, Williams, Wood, M. W.; Wood, M. E.; Woodbury, The Speaker.

NAY — Albert, Bedard, Bernier, Berry, P. P.; Berube, Binnette, Boudreau, Bourgoin, Bustin, Carey, Carter, Clemente, Conley, Cooney, Cote, Cottrell, Cyr, Dam, Dow, Doyle, Drigotas, Dudley, Emery, E. M.; Farrington, Faucher, Fecteau, Gauthier, Genest, Goodwin, Hancock, Jalbert, Jutras, Kelleher, Kelley, P. S.; Keyte, Kilroy, Lawry, Lebel, Lessard, Lucas, Lynch, Mahany, Manchester, Marsh, Martin, McCloskey, McKinnon, McTeague, Mills, Murray, O'Brien, Orestis, Pontbriand, Rocheleau, Slane, Smith, D. M.; Smith, E. H.; Starbird, T a n g u a y, Vincent, Wheeler, Whitson.

ABSENT — Bragdon, Call, Carrier, Clark, Hanson, Hewes, Lizotte, Santoro, Sheltra.

Yes, 80; No, 62; Absent, 9.

The SPEAKER: 80 having voted in the affirmative and 62 having voted in the negative, the motion to indefinitely postpone does prevail.

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

Resolution Proposing an Amendment to the Constitution Providing for Early Convening of the Legislature (H. P. 206) (L. D. 272)

Tabled—March 9, by Mr. Marstaller of Freeport.

Pending—Passage to be engrossed.

On motion of Mr. Birt of East Millinocket, retabled pending passage to be engrossed and specially assigned for Tuesday, March 16.

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

Bill "An Act Classifying Mousam River, Main Stem, West Branch" (H. P. 202) (L. D. 269)—In House, passed to be engrossed as amended by Committee Amendment "A" (H-33). In Senate, passed to be engrossed as amended by Committee Amendment "A" as amended by Senate Amendment "A" (S-25) thereto in non-concurrence.

Tabled—March 10, by Mr. Jutras of Sanford.

Pending—Further consideration. Thereupon, the House voted to recede and concur.

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

Bill "An Act to Reimburse Certain Municipalities for Property Taxes Lost on Exempt Property Owned by the State" (H. P. 1060) (Committee on Reference of Bills suggested Committee on Taxation)

Tabled — March 10, by Mr. Marstaller of Freeport.

Pending—Reference.

Thereupon, referred to the Committee on Taxation, ordered printed and sent up for concurrence.

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

SENATE DIVIDED REPORT — Majority (8) "Ought not to pass" — Minority (4) "Ought to pass" — Committee on State Government on Bill "An Act relating to Legislative Counsel or Agents" (S. P. 13) (L. D. 41)—In Senate, Minority

Report accepted and Bill passed to be engrossed.

Tabled — March 11, by Mr. Donaghy of Lubec.

Pending — Acceptance of either Report.

The SPEAKER: The Chair recognizes the gentleman from Webster, Mr. Cooney.

Mr. COONEY: Mr. Speaker, I move that we accept the Minority "Ought to pass" Report.

The SPEAKER: The gentleman from Webster, Mr. Cooney, moves that the House accept the Minority "Ought to pass" Report.

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

Mr. DONAGHY: Mr. Speaker, I request a division on this, and would debate my motion.

The SPEAKER: Does the gentleman wish to debate the question of the motion to accept the "Ought to pass" Report?

Mr. Donaghy: Yes, please.

The SPEAKER: The gentleman may proceed.

Mr. DONAGHY: Mr. Speaker and Ladies and Gentlemen of the House: I realize the hour is late, we have been belabored here with a great many things that have not been very happily received by many of us, and I am going to be very brief on this.

This is a very poor bill. It would make dishonest men out of honest men. We are talking about some attorneys that are hired by companies, and the theory behind this is fine. But when you start to try to untangle who owns what company and who hired whom, and this sort of thing which I am sure would happen if we put such a law on the books, it would just become an impossible situation. I think the bill is, as I say, a bad bill.

Mr. Farrington of Old Orchard Beach moved that the Bill be tabled for two legislative days.

The SPEAKER: The gentleman from Old Orchard Beach, Mr. Farrington, moves that item five be tabled until Wednesday, March 17, pending the motion of the gentleman from Webster, Mr. Cooney, to accept the "Ought to pass" Report.

Mr. Donaghy of Lubec requested a division on the motion.

The SPEAKER: All those in favor of this matter being tabled until Wednesday, March 17, pending the motion of the gentleman from Webster, Mr. Cooney, to accept the Minority "Ought to pass" Report will vote yes; those opposed will vote no.

A vote of the House was taken.

46 having voted in the affirmative and 77 having voted in the negative, the motion did not prevail.

The SPEAKER: The pending question is the motion of the gentleman from Webster, Mr. Cooney, to accept the "Ought to pass" Report.

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

Mr. ROSS: I move this item be indefinitely postponed.

The SPEAKER: The gentleman from Bath, Mr. Ross, now moves that both Reports and Bill be indefinitely postponed.

The Chair recognizes the gentleman from Webster, Mr. Cooney.

Mr. COONEY: Mr. Speaker and Ladies and Gentlemen of the House: I signed the "Ought to pass" Report on this. I think the people of this state should have a right to know what kind of money is being spent by private interests to influence the legislation of the people of the State of Maine. So I would ask you to vote against indefinite postponement, and then vote to accept the Committee Report.

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

Mr. FARRINGTON: Mr. Speaker and Ladies and Gentlemen of the House: I have the highest regard for the lobbyists whom I have observed since I have been up here for the last two months. I hold them in very high regard.

However, back home I think we have a different situation. There are people, my constituents and others whom I have talked to, feel lobbyists, the Third House, really controls the situation here in Augusta, which I don't think is true.

But to dispel some of this misguided thinking probably on the part of the constituents, I don't think it would be unwise for the

companies to, at the end of the session — I believe it is 30 days after this session adjourns — to indicate the amount of money spent to foster a particular piece of legislation. I think this would kind of bridge the gap of credibility between the legislature and the constituents.

I have said this before, I know. But there is an awful lot of distrust and bad thinking concerning members of the legislature. And there is a tremendous gap between what they think we should be doing and what we are actually doing. So I think this would be a move in a progressive way to indicate to the people that we do want some control over the lobbyists here in Augusta. I urge you to not vote for indefinite postponement. Thank you.

The SPEAKER: The pending question is the motion of the gentleman from Bath, Mr. Ross, that both Reports and Bill "An Act relating to Legislative Counsel or Agents" be indefinitely postponed in non-concurrence. If you are in favor of this motion you will vote yes; if you are opposed you will vote no.

A vote of the House was taken.

77 voted in the affirmative and 54 voted in the negative.

Mr. Dam of Skowhegan requested a roll call.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All members desiring a roll call will vote yes; those opposed will vote no.

A vote of the House was taken, and more than one fifth of the members present having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The Chair recognizes the gentleman from Eagle Lake, Mr. Martin.

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: I have not really had an opportunity to look at L.D. 41, except very briefly. But it seems to me that if we are really interested in giving the people the impression that there is no real problem, then I see no reason why

we ought not to be in favor of this bill.

It seems to me that so many people along the streets of this state are saying that the lobbyists control the legislature. And of course, I don't believe that. But you still have people who think that. I think this would be one way that we could take care of that problem. If they knew full well that a disclosure would have to be made after the legislature had adjourned so that the people of the state would have an opportunity perhaps to take a look at which lobbyist was getting paid from what source.

If this bill does anything other than that, then I would hope that someone would tell me. And if not, I would see no reason why we ought not to pass it. So I would hope that you would vote against the motion to indefinitely postpone.

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

Mr. DONAGHY: Mr. Speaker and Members of the House: It surprises me that the Minority Leader has chosen to ask us to do something on something he hasn't studied. The State Government has heard this. Two of our younger members who I am sorry to have disillusioned as far as practicality is concerned — this is nothing to do with the honesty of this House or the honesty of the lobbyists. This is a very poor bill, and I hope that you will indefinitely postpone it.

The SPEAKER: The Chair recognizes the gentleman from Eagle Lake, Mr. Martin.

Mr. MARTIN: Mr. Speaker and Members of the House: Some indication has been made that I have not studied this. That is indeed true. Some indication has been made that it is a poor bill. I would like to know why.

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

Mr. BUSTIN: Mr. Speaker and Ladies and Gentlemen of the House: The only argument that I have heard, if I can phrase it correctly, is that this bill would make dishonest men out of honest men. I find that this argument, as the only one, a little incredible.

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

Mr. FARRINGTON: Mr. speaker, would I pose a question Speaker, could I pose a question through the Chair?

The SPEAKER: The gentleman may pose the question, and the gentleman may answer if he chooses. The gentleman may pose his question.

Mr. FARRINGTON: Yes. Would you indicate how this bill would make dishonest men out of honest men?

The SPEAKER: The gentleman from Old Orchard Beach, Mr. Farrington, poses a question through the Chair to the gentleman from Lubec, Mr. Donaghy, who may answer if he chooses. The Chair recognizes that gentleman.

Mr. DONAGHY: Mr. Speaker and Members of the House: Perhaps I didn't make it clear, but I thought in my opening remarks, I thought that I had said that it wouldn't be very hard under this bill for a corporation to give a fee to an attorney, and it would be pretty hard to find out whether it was for lobbying purposes here or somewhere else. I just don't see how this is going to control the situation. And as a matter of fact, I don't think that there is a situation. And until we find that we have one, or some indication that we might have one, I think we had better appear with clean hands, and we haven't.

The SPEAKER: The pending question is on the motion of the gentleman from Bath, Mr. Ross, that both Reports and Bill "An Act relating to Legislative Counsel or Agents" be indefinitely postponed. A roll call has been ordered. If you are in favor of indefinite postponement of both Reports and Bill you will vote yes; if you are opposed you will vote no.

ROLL CALL

YEA—Ault, Bailey, Baker, Bartlett, Bither, Brawn, Bunker, Churchill, Collins, Cote, Crosby, Curran, Curtis, A. P.; Curtis, T. S., Jr.; Donaghy, Dudley, Emery, E. M.; Evans, Finemore, Fraser, Gagnon, Hall, Hardy, Haskell, Hawkens, Hayes, Henley, Hodgdon, Immonen, Jutras, Kelley, K. F.;

Kelley, R. P.; Lee, Lewin, Lewis, Lincoln, Littlefield, MacLeod, Maddox, Marstaller, McNally, Mosher, Norris, O'Brien, Page, Payson, Porter, Pratt, Rand, Rollins, Ross, Scott, Shaw, Silverman, Simpson, L. E.; Simpson, T. R.; Stillings, Susi, Theriault, Trask, White, Wight, Wood, M. W.; Wood, M. E.; Woodbury, The Speaker.

NAY — Barnes, Bernier, Berry, G. W.; Berry, P. P.; Berube, Binnette, Boudreau, Bourgoin, Bustin, Carey, Carter, Clemente, Conley, Cooney, Cottrell, Cummings, Cyr, Dam, Dow, Doyle, Drigotas, Dyar, Emery, D. F.; Farrington, Faucher, Genest, Gill, Goodwin, Hancock, Herrick, Kelleher, Kelley, P. S.; Keyte, Kilroy, Lawry, Lebel, Lessard, Lucas, Lund, Lynch, Mahany, Manchester, Marsh, Martin, McCloskey, McCormick, McTeague, Millett, Mills, Morrell, Murray, Orestis, Parks, Pontbriand, Rocheleau, Shute, Slane, Smith, D. M.; Smith E. H.; Starbird, Tanguay, Tyndale, Vincent, Wheeler, Whitson.

ABSENT — Albert, Bedard, Birt, Bragdon, Brown, Call, Carrier, Clark, Fecteau, Gauthier, Good, Hanson, Hewes, Jalbert, Lizotte, McKinnon, Santoro, Sheltra, Webber, Williams.

Yes, 66; No, 65; Absent 20.

The **SPEAKER**: 66 having voted in the affirmative and 65 having voted in the negative, the motion does prevail in non-concurrence.

Sent up for concurrence.

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

HOUSE DIVIDED REPORT — Majority (10) "Ought not to pass" — Minority (3) "Ought to pass" — Committee on Health and Institutional Services on Bill "An Act relating to Health Warnings on Labels on Liquor Bottles" (H. P. 355) (L. D. 475)

Tabled — March 11, by Mr. Ross of Bath.

Pending — Acceptance of either Report.

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

Mr. **LEWIS**: Mr. Speaker, I move acceptance of the Majority "Ought not to pass" Report and

would speak to my motion.

The **SPEAKER**: The gentleman from Bristol, Mr. Lewis, moves the acceptance of the Majority "Ought not to pass" Report, and he may proceed.

Mr. **LEWIS**: Mr. Speaker and Members of the House: As a member of the Health and Institutional Services Committee, you will note that the majority was ten to three. This bill was given due deliberation, and it was felt by the majority of the committee that labeling liquor bottles would be as ineffective possibly as the warnings that now occur on cigarette packages. It was also felt that much of the liquor consumed, the imbibers never see the bottle, but drink from the glass. And as a result of our deliberations I would hope that you would accept the Majority "Ought not to pass" Report.

Mr. Barnes of Alton moved that the Bill be tabled until Wednesday, March 17.

The **SPEAKER**: The gentleman from Alton, Mr. Barnes, moves that item six, L.D. 475, be tabled and specially assigned for Wednesday, March 17, pending the motion of the gentleman from Bristol, Mr. Lewis, to accept the "Ought not to pass" Report.

Mr. Lewis of Bristol requested a division.

The **SPEAKER**: A vote has been requested on the tabling motion. All in favor of this matter being tabled pending the motion will vote yes; those opposed will vote no.

A vote of the House was taken.

19 having voted in the affirmative and 104 having voted in the negative, the motion did not prevail.

The **SPEAKER**: The pending question is acceptance of the "Ought not to pass" Report.

Mr. Lewis of Bristol moved the previous question.

The **SPEAKER**: For the Chair to entertain a motion for the previous question, it must have the expressed desire of one third of the members present and voting. All those in favor of the Chair entertaining the motion for the previous question will vote yes; those opposed will vote no.

A vote of the House was taken.

The SPEAKER: Obviously more than one third of the members having voted in the affirmative, the motion for the previous question is entertained. The question now before the House is, shall the main question be put now? This is debatable with a time limit of five minutes by any one member. Shall the main question be put now?

A viva voce vote being taken, the main question was ordered.

The SPEAKER: The pending question is on the motion of the gentleman from Bristol, Mr. Lewis, that the House accept the Majority "Ought not to pass" Report. The Chair will order a vote. All in favor of accepting the "Ought not to pass" Report will vote yes; those opposed will vote no.

A vote of the House was taken.

111 having voted in the affirmative and 13 in the negative, the Majority "Ought not to pass" Report was accepted and sent up for concurrence.

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

HOUSE DIVIDED REPORT — Majority (9) "Ought not to pass" — Minority (4) "Ought to pass" — Committee on Judiciary on Bill "An Act Providing for Immunity to Licensed Ambulance Service Personnel in Emergency Cases" (H. P. 130) (L. D. 185)

Tabled — March 11, by Mr. Finemore of Bridgewater.

Pending — Acceptance of either Report.

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

Mr. HASKELL: Mr. Speaker and Ladies and Gentlemen of the House: Very briefly on this bill, at the time it was heard I had a similar bill before the committee that sought the same result, but was more comprehensive. I don't feel that those of us that are interested in the passage of legislation of this type can act intelligently when only a single bill is put out without any indication of the committee action on the similar bill. So for this reason, I would very much appreciate it if somebody would table this bill for two

legislative days until we get an indication from the committee on the action on the companion bill.

Thereupon, on motion of Mr. Churchill of Orland, retabled pending acceptance of either Report and specially assigned for Wednesday, March 17.

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

HOUSE DIVIDED REPORT — Majority (7) "Ought not to pass" — Minority (6) "Ought to pass" — Committee on Judiciary on Bill "An Act relating to Counsel's Argument of Monetary Value of Pain and Suffering in Personal Injury Actions (H. P. 196) (L. D. 252)

Tabled — March 11, by Mrs. Wheeler of Portland.

Pending — Acceptance of either Report.

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

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

Bill "An Act relating to the Control of Dogs" (H. P. 270) (L. D. 359)

Tabled — March 11, by Mr. Norris of Brewer.

Pending — Adoption of House Amendment "A" (H-49).

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

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

HOUSE DIVIDED REPORT — Majority (10) "Ought not to pass" — Minority (3) "Ought to pass" — Committee on Labor on Bill "An Act relating to Availability of Statistical Reports of Employment Security Commission" (H. P. 11) (L. D. 11)

Tabled — March 10, by Mr. Mills of Eastport.

Pending — Motion of Mr. Good of Westfield to accept Majority Report.

On motion of Mr. Emery of Auburn, retabled pending the

motion of Mr. Good of Westfield to accept the Majority "Ought not to pass" Report and specially assigned for Tuesday, March 16.

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

Bill "An Act relating to Carrying Life Saving Devices in Canoes" (H. P. 115) (L. D. 159)

Tabled — March 11, by Mr. Porter of Lincoln.

Pending — Passage to be engrossed.

Mr. Hardy of Hope offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-48) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Oakland, Mr. Brawn.

Mr. BRAUN: Mr. Speaker, I wish to make a motion and speak to my motion. I move for indefinite postponement on this bill and accompanying papers.

The SPEAKER: The Chair would advise the gentleman that the pending question is the adoption of House Amendment "A". This is the only matter that is debatable at this time, is House Amendment "A". It can be adopted or defeated.

Thereupon, House Amendment "A" was adopted.

The SPEAKER: The pending question is on the passage to be engrossed as amended.

The Chair recognizes the gentleman from Oakland, Mr. Brawn.

Mr. BRAUN: Mr. Speaker, I now move for indefinite postponement and I wish to speak to my motion.

The SPEAKER: The gentleman from Oakland, Mr. Brawn, moves that this bill be indefinitely postponed. The gentleman may proceed.

Mr. BRAUN: Mr. Speaker and Members of the House: If you will notice in the bill it says here, "for one life preserver." Now if there are two or three people in the canoe one life preserver isn't going to do two or three people any good, because this is all it has to have.

Then on the amendment it says, "500 feet from shore." I know many lakes when you are out 500

feet you are in 65 to 100 feet of water. This isn't good either.

Now many of us have been trappers. We have canoes, we trap during the icy weather. When we have this we have to slip into the water, we are going to grab for the canoe; we certainly cannot grab for a life preserver. And if we have to carry this canoe any distance at all we certainly don't want to have to carry a life preserver along with us. So I am going to ask for indefinite postponement.

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

Mr. KELLEY: Mr. Speaker and Members of the House: I wish to speak against this motion. I would like to make a slight clarification. The existing law says that, "All other watercraft except canoes while in operation in the waters of this state shall carry at least one U.S. Coastguard approved life-saving device, labelled as such, for each person aboard. Such devices shall be maintained in good serviceable condition and be readily accessible at all times." At the request of the camp interests in the last session, canoes were excepted from the law that covers all watercraft on all Maine waters, many people realizing that probably the canoe, unless handled by an expert, is one of the trickiest boats or watercraft that we have. We felt that it was desirable to do away with this exception. The amendment provided is for training purposes for organized camps under very highly controlled situations where they wish to teach these kids to work to the canoe.

I believe that this would make a much better law if we were to take out the exception from the canoes, as this bill is amended to do. We will save some lives; we will make it much easier for our law enforcement people. It is a little ridiculous for a warden who sees a large outboard boat without life saving equipment to arrest that man and have him look alongside and see an overloaded canoe with no life saving equipment, and try to explain how come.

I urge that this motion be defeated.

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

Mr. LEWIN: Mr. Speaker and Ladies and Gentlemen of the House: I too arise this morning opposed to the motion for indefinite postponement. Now this amendment would permit instructors to carry out their work under highly controlled conditions without life preservers when the instructors deem it in the best interests of the instructional program not to do it.

Now this amendment does not say that preservers cannot be used during the instruction period, but only says they are not required. Now during these periods, the campers and their instructors will be constantly swamping their canoes with the various equipment in the canoes being tossed overboard. Instructors wish to teach the students to remain with the canoe, which is 14 to 16 feet long, rather than swim for a small life preserver.

The camps do not effect any monetary saving by this exemption since they will be required to have life preservers on all of their trips. One other point I would like to bring out. When this instruction is given, the canoes are not filled with people. Normally two people, the instructor and one; sometimes two students. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Lincoln, Mr. Porter.

Mr. PORTER: Mr. Speaker and Ladies and Gentlemen of the House: I am utterly opposed to the indefinite postponement of this bill. I would like to relay a story that was told to me last summer to show the need for life savers in canoes.

It happened up in the county. It was a large body of water, a 16 - foot canoe with two youngsters, were paddling across the lake when a gale overset them. A warden happened to see the incident, jumped into his boat and sped to the rescue. At the same time down the shore a ways, there was a gentleman cleaning his boat. He had taken out the cushions, the chairs and so forth, and he was sweeping down the boat and he

saw the incident. So he immediately jumped to the rescue and went out with his 25 - foot boat.

Both boats arrived at the canoe about the same time. The boys were rescued. The warden looked at both boats, both boat and canoe. The large 25 - foot boat had no life preserver. Therefore he was in violation. The 16 - foot canoe that had upset with two boys had no life preservers, and yet they were not in violation.

I urge you not to indefinitely postpone this bill. Let's pass it, and put those life preservers in those canoes.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I highly concur with the motion to indefinitely postpone this bill. Having owned a canoe all my life, and having been upset in a canoe at least once — probably more, but one that I remember of. And I can't swim a stroke.

But let me tell you, when a canoe upsets you don't have any time to look for life preservers. And more than likely it is thrown away from it a ways. The best way, when it upsets, make sure if you can't swim, like I can't, make sure you have a hold of the canoe, because it won't sink. Because these modern canoes don't sink. And I have a lot of trappers in my territory, and most of them have got a little age on them, to say the least. And they have had canoes all their life, and they are drastically opposed to dragging something along besides their trap and their gear. The canoe is a small item, and when you put your traps in it, and the rest of your gear, if you had a life preserver it would be on the bottom, stuffed up in the way where no one could get it anyway. And then the officer can come along and arrest these people for not having a device that they are not going to use, and for 65 or 70 years they haven't had any use for. And if you upset a canoe, and I can tell you from experience, you don't have time to look for a life preserver, and you wouldn't have time to put it on,

and it no doubt would be tucked up under the thing.

I think we would be better off if we said that 16 - year olds, or 18 - year olds or certain age groups should wear a life preserver. But not that it be kept in the boat. But keeping it in the boat wouldn't do you a mite of good, I am telling you the truth, and from experience.

I hope this bill is indefinitely postponed, and all the people that I represent in my area, and they trap, and they use a canoe to earn their living, and they don't want to be pestered by a nuisance like this. Thank you.

The SPEAKER: The pending question is indefinite postponement

of Bill "An Act relating to Carrying Life Saving Devices in Canoes," House Paper 115, L.D. 159. The Chair will order a vote. All in favor of indefinite postponement will vote yes; those opposed will vote no.

A vote of the House was taken.

42 having voted in the affirmative and 81 having voted in the negative, the motion did not prevail.

Thereupon, the Bill was passed to be engrossed as amended and sent up for concurrence.

On motion of Mr. Susi of Pittsfield,

Adjourned until Tuesday, March 16, at ten o'clock in the morning.