

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

Tuesday, March 23, 1971

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

Prayer by the Rev. Mr. Victor P. Musk of Augusta.

The members stood at attention during the playing of the National Anthem by the Dexter Regional High School Band.

The journal of the previous session was read and approved.

Papers from the Senate

From the Senate: The following Order:

WHEREAS, recent research has shown that physical activities, sports and competitive athletics are a major means of reaching the retarded; and

WHEREAS, here is an area where they can succeed and start building a positive image, gaining confidence and self-mastery as well as physical development; and

WHEREAS, the special olympics program for the mentally retarded will be held in the City of Portland, Maine on May 21st and 22nd, 1971; and

WHEREAS, the ultimate goal of this program is to create opportunities for sports training and athletic competition for all retarded children; and

WHEREAS, a child improves his performance in the gymnasium and on the playing field; he also improves his performance in the classroom, at home and eventually on the job; and

WHEREAS, Governor Kenneth M. Curtis, Honorary Chairman of Special Olympics, has appointed an honorary committee drawing special attention to this forthcoming event, in support of a better way of life for the retarded; now, therefore, be it

ORDERED, that the Senate register its support and commendation of this worthwhile and humane effort and forward this Joint Order forthwith to the House of Representatives for concurrence. (S. P. 509)

Came from the Senate read and passed.

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

Bills from the Senate requiring reference were disposed of in concurrence.

Reports of Committees Ought Not to Pass

Report of the Committee on Education reporting "Ought not to pass" on Bill "An Act relating to Representation of Boards of School Directors" (S. P. 249) (L. D. 756)

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

Leave to Withdraw

Report of the Committee on Education on Bill "An Act relating to Powers and Duties of School Principals" (S. P. 304) (L. D. 898) reporting Leave to Withdraw.

Report of the Committee on Liquor Control reporting same on Bill "An Act relating to Sale of Liquor at Golf Courses" (S. P. 345) (L. D. 981)

Came from the Senate read and accepted.

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

Non-Concurrent Matter

Majority Report of the Committee on Health and Institutional Services reporting "Ought not to pass" on Bill "An Act relating to Health Warnings on Labels on Liquor Bottles" (H. P. 355) (L. D. 475) and Minority Report reporting "Ought to pass" on which the House accepted the Majority Report on March 12.

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

In the House:

On motion of Mr. Barnes of Alton, the House voted to recede and concur.

The Bill was then given its two several readings.

Senate Amendment "A" (S-33) was read by the Clerk and adopted in concurrence and the Bill assigned for third reading tomorrow.

The SPEAKER: The Chair recognizes the gentleman from Kittery, Mr. Hodgdon.

Mr. HODGDON: Mr. Speaker, I request that the amendment and

the bill be tabled for two legislative days.

The SPEAKER: The Chair would advise the gentleman that it has been assigned for tomorrow morning and he may take action upon it at that time.

Non-Concurrent Matter

Bill "An Act relating to Voluntary Surgery at Public Expense for Qualifying Parents" (H. P. 928) (L. D. 1282) which was referred to the Committee on Appropriations and Financial Affairs in the House on March 3.

Came from the Senate referred to the Committee on Health and Institutional Services in non-concurrence.

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

Orders

On motion of Mr. Jalbert of Lewiston, it was

ORDERED, that Rev. Fr. Antonio Amato of Lewiston be invited to officiate as Chaplain of the House on Wednesday, March 24, 1971.

On motion of Mr. Bedard of Saco, it was

ORDERED, that Donald Tarr and David Yarborough of Saco be appointed to serve as Honorary Pages for today.

Mr. Trask of Milo, presented the following Order and moved its passage:

WHEREAS, the members of the House have learned of the distressing accident of the Representative from Bar Harbor, Mr. MacLeod,

BE IT ORDERED, that the members extend to him their deep sympathy and good wishes for a speedy recovery; and be it further

ORDERED, that he be excused from attendance during his convalescence.

The Order received passage.

House Reports of Committees Ought Not to Pass

Mr. Lewin from the Committee on Fisheries and Wildlife reported "Ought not to pass" on Bill "An Act relating to the Advisory Council to the Commissioner of Inland

Fisheries and Game" (H. P. 557) (L. D. 733)

Mr. Crosby from the Committee on Legal Affairs reported same on Bill "An Act Creating the Television and Radio Technicians' Licensing Act" (H. P. 534) (L. D. 724)

Same gentleman from same Committee reported same on Bill "An Act Designating Public Accountants as Licensed Public Accountants" (H. P. 680) (L. D. 917)

Mr. Stillings from the Committee on State Government reported same on Bill "An Act relating to Holidays for State Employees" (H. P. 542) (L. D. 714)

In accordance with Joint Rule 17-A, were 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 relating to Open Season on Muskrat in the Northern Zone" (H. P. 589) (L. D. 784) reported Leave to Withdraw.

Mrs. Goodwin from the Committee on State Government reported same on Resolution Proposing an Amendment to the Constitution Providing that Revenue Measures Passed as Emergencies May Not Be Amended or Repealed by Direct Initiative of Legislation (H. P. 686) (L. D. 921)

Reports were read and accepted and sent up for concurrence.

Ought to Pass Printed Bills

Mr. Simpson from the Committee on Education reported "Ought to pass" on Bill "An Act Requiring Childhood Education Programs for Five-Year-Olds" (H. P. 643) (L. D. 873)

Mr. Lewin from the Committee on Fisheries and Wildlife reported same on Bill "An Act Prohibiting Beaver Trapping by Nonresidents" (H. P. 590) (L. D. 785)

Mr. Lewis from same Committee reported same on Bill "An Act relating to Use of Lights While Locating or Taking Raccoon Found by a Dog" (H. P. 527) (L. D. 689)

Mr. Brawn from the Committee on Legal Affairs reported same on Resolve to Reimburse Perley E.

Joy of Milo for Loss of Bee Hives by Bear (H. P. 783) (L. D. 1059)

Mr. Emery from same Committee reported same on Bill "An Act Changing Name of Downeast Association of Independent Schools" (H. P. 602) (L. D. 804)

Mr. Norris from same Committee reported same on Bill "An Act Authorizing Use of the Name Maine Association of Real Estate Boards" (H. P. 494) (L. D. 635)

Mr. Gagnon from the Committee on Liquor Control reported same on Bill "An Act relating to Issuance of Malt Liquor License" (H. P. 429) (L. D. 563) which was recommitted.

Mr. Farrington from the Committee on State Government reported same on Resolve Authorizing the Forest Commissioner to Convey Certain Land in Franklin County (H. P. 724) (L. D. 969)

Reports were read and accepted, the Bills read twice, Resolves read once, and tomorrow assigned.

**Divided Report
Tabled and Assigned**

Majority Report of the Committee on Public Utilities reporting "Ought not to pass" on Bill "An Act relating to Powers of Portland Water District" (H. P. 574) (L. D. 750)

Report was signed by the following members:

- Messrs. MOORE of Cumberland
- VIOLETTE of Aroostook
- MARCOTTE of York
- of the Senate.
- Messrs. BARTLETT
of South Berwick
- SHUTE of Stockton Springs
- MOSHER of Gorham
- RAND of Yarmouth
- WILLIAMS of Hodgdon
- EMERY of Auburn
- Mrs. BERUBE of Lewiston
- Messrs. MARSH of Hampden
- TYNDALE
of Kennebunkport
- of the House.

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

Report was signed by the following member:

- Mr. CONLEY
of South Portland

— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Hodgdon, Mr. Williams.

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

Whereupon, on motion of Mr. Conley of South Portland, tabled pending the motion of Mr. Williams of Hodgdon to accept the Majority Report and specially assigned for Thursday, March 25.

Mr. Lucas of Portland was granted unanimous consent to address the House.

Mr. LUCAS: Mr. Speaker and Ladies and Gentlemen of the House: On your desks this morning you will find an article reprinted from the Sunday Telegram and some accompanying papers with reference to this particular bill. The testimony was heard in committee and the report was 12 to 1 "ought not to pass."

I am not attempting to have this committee report overturned. However, I would urge you to look at this material because it is not perhaps what to do as much as how we are going to do it.

Now I would call your attention to these facts. Preparing for the future of the District the Portland Water District had a bill presented to the Legislature in 1969 giving the District the right to engage in the collection and treatment of sewage in the six municipalities bordering on Sebago Lake.

This bill was passed with a restriction that no treated effluent can discharge in the Presumpscot River above the North Gorham Pond. In 1969 the District felt that there would be no need to start this system for twenty to thirty years. By that time it was visioned that the District's proposed regional system would have developed and the lake system discharged into the regional system.

However, in a short time from 1969 development in the lower section of the lake has expanded at a pace undreamed of at that time. I refer to a 1440 lot development now underway on Frye Island.

I would urge you to look this material over and, knowing that much material does come before

you, it becomes a real chore to decide which material to read; but I would urge you to look this over. Thank you.

Divided Report

Majority Report of the Committee on State Government reporting "Ought not to pass" on Bill "An Act Appropriating Funds for Overtime in State Employment and Establishing Hours for a Work Day and a Work Week for Certain Employees" (H. P. 278) (L. D. 367)

Report was signed by the following members:

Messrs. WYMAN of Washington
CLIFFORD of Andros-
coggin
— of the Senate.

Messrs. CURTIS of Orono
HODGDON of Kittery
STILLINGS of Berwick

Mrs. GOODWIN of Bath

Messrs. DONAGHY of Lubec
MARSTALLER of Free-
port
— of the House.

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

Report was signed by the following members:

Mr. JOHNSON of Somerset
— of the Senate.

Messrs. STARBIRD
of Kingman Township
COONEY of Webster
FARRINGTON
of Old Orchard Beach
— of the House.

Reports were read.

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

Divided Report Tabled and Assigned

Majority Report of the Committee on State Government reporting "Ought not to pass" on Bill "An Act Providing Longevity Provisions for State Employees" (H. P. 660) (L. D. 890)

Report was signed by the following members:

Messrs. WYMAN of Washington
CLIFFORD of Andros-
coggin
— of the Senate.

Messrs. HODGDON of Kittery
COONEY of Webster
CURTIS of Orono

STILLINGS of Berwick
DONAGHY of Lubec
MARSTALLER of Free-
port

FARRINGTON
of Old Orchard Beach
— of the House.

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

Report was signed by the following members:

Mr. JOHNSON of Somerset
— of the Senate.

Mr. STARBIRD
of Kingman Township

Mrs. GOODWIN of Bath
— of the House.

Reports were read.

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

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

Whereupon, on motion of Mr. Martin of Eagle Lake, tabled pending the motion of Mr. Donaghy of Lubec to accept the Majority Report and tomorrow assigned.

Order Out of Order Tabled and Assigned

Mr. Bustin of Augusta presented the following Joint Order and moved its passage:

ORDERED, the Senate concurring, that the State Planning Office, under the supervision of the Legislative Research Committee, be authorized and directed to study the desirability of creating a state bureau under the Department of Finance and Administration to consolidate the administration of any acquisition, sale or rental of real property in the name of the State; and be it further

ORDERED, that the State Planning Office is directed, subject to the approval of the Legislative Research Committee, to submit a report of its findings, together with any necessary recommendations and implementing legislation at the next regular or special session of the Legislature.

The Joint Order was received out of order by unanimous consent, read, and on motion of Mr. Donaghy of Lubec, tabled pending passage and tomorrow assigned.

Passed to Be Engrossed

Bill, "An Act relating to Drinking in Unlicensed Places" (H. P. 356) (L. D. 464)

Bill "An Act to Remove Remarriage Restriction on Survivor Benefit Payments under State Retirement System" (H. P. 624) (L. D. 834)

Bill "An Act relating to Interest Limitations in Community School Districts" (H. P. 701) (L. D. 944)

Bill "An Act relating to Transfer of Liquor License When There Is a Change in Minority Ownership" (H. P. 747) (L. D. 1008)

Bill "An Act relating to Trustees and Executive Committee of Lincoln Academy" (H.P. 803) (L.D. 1076)

Bill "An Act Increasing Indebtedness of Boothbay Harbor Sewer District" (H. P. 1214) (L. D. 1332)

Were 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 relating to Retirement Benefits for Forest Rangers under State Retirement System" (H. P. 318) (L. D. 418)

Bill "An Act relating to Switch Targets under Railroad Law" (H. P. 347) (L. D. 456)

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

**Passed to Be Enacted
Emergency Measure**

An Act to Extend Unemployment Compensation Benefits during High Periods of Unemployment (S. P. 156) (L. D. 425)

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

Mr. McTeague of Brunswick requested a roll call vote.

The SPEAKER: 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 Chair recognizes the gentlewoman from Madison, Mrs. Berry.

Mrs. BERRY: Mr. Speaker and Members of the House: I would like to say that I am glad to see that this is an emergency measure as I have been thinking in my head that maybe by harvest time this fall that the 13 weeks will be up and perhaps those of us who are in need of harvest labor will not have such a time in getting domestics to work, and that they will not be sitting home and drawing easy money.

Last year in Somerset County we had a high unemployment rate. Yet we could not get — we advertised for three weeks, we had one answer to our ad. I think this is just an incentive to have people sit home and draw.

The SPEAKER: The yeas and nays have been ordered. The pending question is passage to be enacted as an emergency measure. All those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Ault, Bailey, Baker, Barnes, Bartlett, Bedard, Bernier, Berry, P. P.; Berube, Binnette, Birt, Bither, Boudreau, Bourgoin, Bragdon, Brown, Bunker, Bustin, Call, Carey, Carrier, Carter, Churchill, Clark, Clemente, Collins, Conley, Cooney, Cote, Cottrell, Cummings, Curran, Curtis, A.P.; Curtis, T.S. Jr.; Cyr, Dam, Donaghy, Dow, Doyle, Drigotas, Dyar, Emery, E.M.; Evans, Farrington, Faucher, Fecteau, Finemore, Fraser, Gagnon, Gauthier, Genest, Gill, Good, Goodwin, Hancock, Hardy, Haskell, Hawkens, Hayes, Herrick, Hodgdon, Jalbert Jutras, Kelleher, Kelley, K.F.; Kelley, P.S.; Kelley, R.P.; Keyte, Kilroy, Lawry, Lebel, Lee, Lesard, Lewin, Lewis, Lucas, Lund, Lynch, Maddox, Mahany, Manchester, Marsh, Marsteller, Martin, McCloskey, McKinnon, McNally, McTeague, Millett, Mills, Morrell, Murray, Norris, O'Brien, Orestis, Page, Pontbriand, Porter, Roche-

leau, Rollins, Ross, Santoro, Scott, Sheltra, Shute, Silverman, Simpson, L.E.; Simpson, T.R.; Slane, Smith, D.M.; Smith, E.H.; Starbird, Stillings, Susi, Tanguay, Theriault, Trask, Tyndale, Vincent, Webber, Wheeler, Whitson, Wight, Williams, Wood M. W.; Wood M. E.

NAY — Berry, G.W.; Brawn, Crosby, Dudley, Emery, D.F.; Hall, Immonen, Lincoln, Littlefield, McCormick, Mosher, Parks, Payson, Pratt, Rand, Shaw, White, Woodbury.

ABSENT — Hanson, Henley, Hewes, Lizotte, MacLeod.

Yes, 127; No, 18; Absent, 5.

The **SPEAKER**: One hundred twenty-seven having voted in the affirmative and eighteen in the negative, with five being absent, the Bill is passed to be enacted as an emergency measure, it will be signed by the Speaker and sent to the Senate.

Emergency Measure

An Act relating to Weekly Closed Season on Taking Alewives in Town of Orland (H. P. 129) (L. D. 184)

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.

Enactor Tabled and Assigned

An Act relating to Fire Protection for Township 16, Range 4, Aroostook County (S. P. 108) (L. D. 287)

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

The **SPEAKER**: The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker and Members of the House: I have not had an opportunity to completely understand the effect of

this bill relating to fire protection for Township 16, Range 4, Aroostook County. I don't intend to make any attempt to kill the bill at this time. There is some question in my mind as to what it does, whether it turned the costs to the county and whether or not we might be embarking upon a new policy which we would not like.

For these reasons I would like it if you would grant me a little time to look into it and I would appreciate it if someone would table it for a couple of days.

Thereupon, on motion of Mr. Page of Fryeburg, tabled pending passage to be enacted and specially assigned for Thursday, March 25.

An Act Revising the Law Relating to Traveling Libraries (S. P. 136) (L. D. 348)

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

Enactor Tabled and Assigned

An Act relating to Business Hours for Taverns (S. P. 299) (L. D. 856)

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

(On motion of Mr. Birt of East Millinocket, tabled pending passage to be enacted and specially assigned for Thursday, March 25.)

An Act relating to Turn and Stop Signals on Motor Vehicles (H. P. 312) (L. D. 412)

An Act relating to Definition of Registration under Motor Vehicle Law" (H. P. 314) (L. D. 414)

An Act to Relieve Pollution Resulting from Malt Liquor Sales (H. P. 397) (L. D. 509)

An Act relating to Certificate for Transportation of House Trailers (H. P. 407) (L. D. 520)

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

**Enactor
Tabled and Assigned**

An Act relating to Cultivation of Fish in Private Ponds (H. P. 1107) (L. D. 1168)

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

(On motion of Mr. Barnes of Alton, tabled pending passage to be enacted and tomorrow assigned.)

Orders of the Day

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" with Committee Amendment "A" (H-54) — Committee on Education on Bill "An Act relating to School Construction Aid (H. P. 333) (L. D. 442)

Tabled — March 18, by Mr. Lucas of Portland.

Pending — Motion of Mr. Millett of Dixmont to accept Majority Report.

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

Mr. ORESTIS: Mr. Speaker and Ladies and Gentlemen of the House: First I would like to thank Mr. Millett and Mr. Lucas for tabling this while I was out of the House last week, to enable me to speak on my bill.

This bill is a bill designed to be a forerunner of legislation creating revenue sharing. At the moment this bill would specifically aid the cities of Lewiston and Portland. However, in the future the legislation could be expanded to help all of the cities of the state when revenue sharing goes into effect in one form or another.

This bill would provide for Model Cities money being counted in the local share contribution on state construction aid. In other words, all monies received from the Model Cities Program and given to any city under a Model Cities Program for construction of educational facilities would be counted as a local tax effort in computation of the state subsidy.

At first blush this might seem to be a bill which would discriminate against the other cities in the state and would benefit only a very small segment of the state to the loss of all the other towns, and this of course is probably what the Education Committee felt in delivering an "ought not to pass" report. While I would not ordinarily question the wisdom of the Education Committee, in this particular instance I feel that they were somewhat shortsighted in not seeing the far-reaching effects of this legislation. This legislation is designed to take care of a fast and upcoming trend, that of the demonstration program and revenue sharing.

Model Cities, which is the often used phrase to describe demonstration programs which are now in effect in the United States, is the forerunner of revenue sharing. It is a program under which cities receive block grants according to a plan they submit, to provide for the implementation of programs not being able to be provided by the local tax effort.

Courts and other legislatures throughout the country have ruled and have legislated Model Cities money to be local share. It has been computed this way in other states and it is not a unique way to compute the money. However, it is a unique program. It is not a program like any other federal program. It is a program designed to meet the urban problems of today, and as such deserves the special consideration that this legislation affords it.

I would suspect that in the first biennium we could not put a price tag on this legislation. There are plans in both the Lewiston and Portland Model Cities programs to effect some educational construction with Model Cities money. However, we have not been able to pinpoint the exact amount of contribution Model Cities would make towards these construction projects; therefore I cannot put a price tag on this bill. However, I would suspect it is going to be relatively small. In the future, however, I would suspect that not only Lewiston and Portland but other

cities would be greatly aided by such legislation when block grants and revenue sharing grow in scope and in amount.

I appreciate the courtesy of Representative Lucas tabling this to today. I know that Representative Lucas has experienced good experiences in the Model Cities Program in Portland, and he and the other Representatives in Lewiston and Portland are probably aware of the effect this program can have on a city's growth. I think it is an important piece of legislation with not a very large price tag, and I would appreciate your consideration when the vote is taken. Thank you.

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

Mr. LUCAS: Mr. Speaker and Ladies and Gentlemen of the House: I rise to support Mr. Orestis and this current bill before you. Portland is considering construction of a model neighborhood school. It probably will not take place in this biennium, although the plans are in progress. I think this is part of what we are trying to do within the country, is to show that the commitment to the city is there, and likewise the state would have a commitment in the building process also.

In looking at it in a broader sense, I believe that you will see that it will expand to other municipalities having federal programs in the future. And I would like to be on record as supporting this school construction aid bill.

The SPEAKER: The Chair recognizes the gentleman from Dixmont, Mr. Millett.

Mr. MILLETT: Mr. Speaker and Ladies and Gentlemen of the House: I commented very briefly on this bill when the committee report was before us last Thursday. I would like to answer a couple of points that have been brought out here this morning.

First of all, the comment by the gentleman from Lewiston, Mr. Orestis, that this bill might be a forerunner for revenue sharing. I would comment that the bill in its entirety is contained within House Amendment H-54, and the language is very restrictive. It has nothing whatsoever to do, in my opinion,

at present, at least, with revenue sharing. What it would do would be to allow those cities that can qualify under Model Cities grants, to use Model Cities money to represent their local share in construction of projects which may or may not have total educational intent.

As I understand the situation in Lewiston, a building is being proposed which would be partially educational in nature, partially a community center. It is their desire to use federal funds from the Model Cities Program to assist in this, and to use state funds to assist in the construction of the school part of the building. There is nothing in present law to prevent using of state funds to assist in the construction for a city the size of Lewiston for that part of the building which is to be used for school purposes. However, the change to be proposed in present law would actually set a precedent for Model Cities funds exclusively.

I am sure that many of you are aware that there is a designation made that Model Cities Programs have neighborhoods which are depressed. It was the feeling of the committee, the majority of the committee, that there are many areas in the State of Maine not currently eligible for school construction aid which are much more depressed than the cities of Lewiston and Portland.

I would point out that there are presently limited ways in which federal money is used in the construction and equipping of schools. There used to be provisions for money in the areas around the air bases; Bangor, around the Kittery area, where impacted residential conditions existed, for federal monies to be used in the construction of facilities. This no longer is available. Therefore, we are now down to a very limited amount of federal money being used under the vocational amendments and under the National Defense Education Act for equipment.

Now this situation state-wide right now is that any school getting money from these two federal sources for equipment must first deduct that federal contribution from the total cost of the program, and the remaining program expen-

ditures will be treated according to their own eligible school construction aid.

I am not against the gentleman's intent. I think his intent is very worthwhile. He wants to help produce a facility in the City of Lewiston at a lesser cost to the local community. I am sure every one of you would like to do the same in your own communities. The question is whether or not the State of Maine is affluent enough to actually contribute on a higher level than would be the case in every other community in the State of Maine. I would submit that we are not in a position to make such a contribution over and above what current law would allow.

I would ask you to consider the financial condition of the State of Maine, particularly the effect of the \$50 million bond issue for school construction, and I would hope that you would support the Majority Report, "Ought not to pass."

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

A vote of the House was taken. 100 having voted in the affirmative and 36 having voted in the negative, the motion did prevail.

Sent up for concurrence.

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

HOUSE DIVIDED REPORT — Majority (7) "Ought not to pass" Minority (6) "Ought to pass" — Committee on Transportation on Resolve Designating Part of Route 219 as a State Highway (H. P. 283) (L. D. 372)

Tabled—March 18 by, Mr. Rollins of Dixfield.

Pending — Acceptance of either Report.

Whereupon, on motion of Mr. Rollins of Dixfield, the Minority "Ought to pass" Report was accepted, the Resolve read once and assigned for second reading tomorrow.

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

Resolve Reimbursing Certain Municipalities on Account of Property Tax Exemptions of Veterans (S. P. 88) (L. D. 217)

Tabled—March 18, by Mr. Shaw of Chelsea.

Pending—Final Passage.

On motion of Mr. Shaw of Chelsea, under suspension of the rules, the House reconsidered its action of March 16 whereby the Bill was passed to be engrossed as amended by Committee Amendment "A".

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

House Amendment "A" (H-62) was read by the Clerk.

Thereupon, on motion of Mr. Martin of Eagle Lake, retabled pending adoption of House Amendment "A" and tomorrow assigned.

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

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)

Tabled—March 19, by Mr. Martin of Eagle Lake.

Pending—Passage to be engrossed.

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

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

Bill "An Act Providing for Presidential Preferences in Primary Election" (H. P. 62) (L. D. 103)

Tabled — March 19, by Mr. Finemore of Bridgewater.

Pending — Motion of Mr. Bragdon of Perham to indefinitely postpone House Amendment "A" (H-55)

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

Mr. STARBIRD: Mr. Speaker and Members of the House: Just to refresh your memory, I would like to say that the bill, if the amendment is adopted, would leave us with the section that says that in the primary election voters

shall be given an opportunity to vote for their choice of a candidate for the President of the United States. And it goes on to explain how his name shall be on the ballot, and so forth. This would leave it so that the citizens of Maine, members of the Republican and Democratic Parties could express their feelings on the selection of those who are recognized candidates to the office of President of the United States. It would not bind the delegates if our amendment is adopted.

I hope, therefore, that you do adopt my amendment because I feel that this was the major objection; indeed the only objection, really, that I could hear voiced in the debate of last week. And although we know that probably something more should perhaps go on to a primary than a mere advisory vote, I feel that there are so many ways and ideas of accomplishing this that, — and I feel that a large group here are in favor of the presidential primary principle, that we should try to vote for the principle and let it go at that, at least for now.

I believe in this sincerely. I believe that the people of Maine should have a right to select a choice, to make a choice, to give an advisory vote, and this is all this is for. I urge you to reject the gentleman from Perham's motion to indefinitely postpone the amendment and I ask for a division.

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

Mr. FARRINGTON: Mr. Speaker, Ladies and Gentlemen of the House: Some form of the presidential primary is now provided for in 16 states and the District of Columbia. In essence, this device is one which permits each party's voters to elect some or all of the party's delegates to the party's national convention.

Ten of the states, including New Hampshire and Massachusetts in New England, provide a separate vote — a presidential preference primary — to enable voters to express a preference among the contenders for their party's presidential nomination. To illustrate: In

1968 Oregon's Republican voters indicated a preference for Richard Nixon, and all of the 18 delegates they also selected were bound to support him at the Republican National Convention. At the same time, the state's Democratic voters expressed their preference for Eugene McCarthy, and 33 delegates to the Democratic National Convention were pledged to him.

Many urge the choosing of all delegates to the national conventions in presidential primaries. Some would abolish the national conventions altogether, or keep them only to draft party platforms. These people favor nominating each party's presidential and vice-presidential candidates at a nationwide presidential primary. As matters now stand, not quite half of all delegates to each party's national convention are chosen in presidential primaries.

Those who oppose the presidential primary device do so for two major reasons. First, they argue that campaigning for a state's delegates and preference vote balloons the already high costs of a presidential campaign. Secondly, they claim that primary fights often inflict party wounds that are difficult to heal in time for the general election campaign against the other party. If they were honest, and I stress this — if they were honest they would give the following argument against the presidential primary: It tends to take the choice of the party's nominee out of the hands of the party's machine and places it in the hands of the people. I want to stress this again for emphasis. If they are honest in going against the presidential primary, they would do it for this reason: It tends to take the choice of the party's nominee out of the hands of the party's machine and places it in the hands of the people.

I urge you to be as progressive as Alabama, California, Florida, Illinois, Indiana, Massachusetts, Nebraska, New Hampshire, New Jersey, New York, Ohio, Oregon, Pennsylvania, South Dakota, West Virginia and Wisconsin, to be as progressive as these states by voting for L. D. 103.

I request the yeas and nays.

The SPEAKER: The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker and Members of the House: I feel I should comment briefly on this amendment. I opposed it the other day, and some time elapsed since it came up. I feel that the amendment makes the idea of a presidential primary practically nonexistent. In other words, it takes the teeth out of the whole thing. I would say if we believe in a presidential primary, which I do not, that we should have a presidential primary that would be effective.

This one certainly is not that way. It just gives the voters a chance to express their thinking without attempting in any way to pledge the delegates which will later be elected to the presidential conventions. I question very seriously whether any candidate for president would be interested in coming into the State of Maine if we had such a presidential primary as this one, with this amendment attached to it.

I don't know what the present motion is, but I believe it is indefinite postponement. I hope you will go along with indefinite postponement of this amendment.

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

Mr. FARRINGTON: Mr. Speaker, I move that this lie on the table for one legislative day.

The SPEAKER: The gentleman from Old Orchard Beach, Mr. Farrington, moves that this matter be tabled until the next legislative day.

Mr. Dam of Skowhegan requested a division.

The SPEAKER: A division has been requested on the tabling motion. All in favor of tabling will vote yes; those opposed will vote no.

A vote of the House was taken. 18 having voted in the affirmative and 118 having voted in the negative, the tabling motion did not prevail.

The SPEAKER: The pending question is on the motion of the gentleman from Perham, Mr.

Bragdon, that House Amendment "A" be indefinitely postponed. The yeas and nays have been requested. For the Chair to order the yeas and nays 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 Chair recognizes the gentlewoman from York, Mrs. Brown.

Mrs. BROWN: Mr. Speaker and Members of the House: I don't want to debate this amendment for too long. I want to point out some further facts that Mr. Farrington, the Representative from Old Orchard Beach, did not tell you.

Our figures seem to be in somewhat disagreement, but there were, to my knowledge, 15 presidential primaries in 1968 out of 50 states. Of these 15, only five bound their delegates. These were Wisconsin, Ohio, Massachusetts, Indiana, and Oregon. In Massachusetts the delegates can be released by the candidate, and some of them were.

Now in New Hampshire, the state we are supposedly most familiar with, a delegate may declare himself favorable but he doesn't have to and he is not bound by any law. I would further point out that out of the five states that bound their delegates, the number of delegates were only 166 to the Republican Convention, out of 1,333 delegates. Even if they were all pledged to the same candidate, which they were not, their vote was small compared to the overall vote and carried little weight. Any flexibility as to what was happening at the convention at that time had been removed by binding them on this first ballot.

Now obviously I sound as though I am for this amendment. However, I am still against the bill, and I vote for indefinite postponement of this amendment.

The SPEAKER: All in favor of the indefinite postponement of

House Amendment "A" to Bill "An Act Providing for Presidential Preferences in Primary Election," House Paper 62, L. D. 103, will vote yes; those opposed will vote no.

ROLL CALL

YEA — Ault, Baker, Bernier, Berry, G. W.; Binnette, Birt, Bither, Boudreau, Bragdon, Brawn, Brown, Bunker, Bustin, Call, Carter, Churchill, Clark, Collins, Cote, Cottrell, Crosby, Cummings, Curtis, T. S., Jr.; Cyr, Dam, Donaghy, Dow, Dyar, Evans, Faucher, Finemore, Gagnon, Genest, Hall, Hancock, Hardy, Hawkens, Hayes, Herrick, Immonen, Jalbert, Kelleher, Kelley, R. P.; Lawry, Lebel, Lee, Lessard, Lewin, Lewis, Lund, Lynch, Maddox, Mahany, Manchester, McCormick, McNally, Morrell, Murray, O'Brien, Orestis, Page, Parks, Payson, Pontbriand, Porter, Pratt, Rand, Rollins, Santoro, Scott, Shaw, Shute, Silverman, Simpson, L. E.; Simpson, T. R.; Susi, Tanguay, Trask, Tyndale, Wheeler, White, Wight, Williams, Wood, M. W.; Woodbury.

NAY — Albert, Bailey, Barnes, Bartlett, Bedard, Berry, P. P.; Berube, Bourgoin, Carey, Carrier, Clemente, Conley, Cooney, Curran, Curtis, A. P.; Doyle, Drigotas, Dudley, Emery, D. F.; Emery, E. M.; Farrington, Fecteau, Fraser, Gill, Goodwin, Haskell, Henley, Hodgdon, Kelley, P. S.; Keyte, Kilroy, Lincoln, Littlefield, Lucas, Marsh, Marsteller, Martin, McCloskey, McKinnon, Millett, Mills, Mosher, Norris, Rocheleau, Ross, Slane, Smith, D. M.; Smith, E. H.; Starbird, Stillings, Theriault, Vincent, Webber, Whitson, Wood, M. E.

ABSENT — Gauthier, Good, Hanson, Hewes, Jutras, Kelley, K. F.; Lizotte, MacLeod, McTeague, Sheltra.

Yes, 85; No, 55; Absent, 10.

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

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

Mr. JALBERT: Mr. Speaker, I now move for indefinite postponement of this measure and all of

its accompanying papers, and I would speak on the motion.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, now moves the indefinite postponement of item five, L. D. 103, and the gentleman may proceed.

Mr. JALBERT: Mr. Speaker and Members of the House: I have the record of the last session of the Legislature before me, and I could bring the record of the previous session of the Legislature also, at such time that I spoke somewhat passionately in favor of a presidential preferential primary. And I will try, Mr. Speaker, to be comparatively honest in my thinking. It would appear that I would well classify myself as one who could go on either side of the line where it concerns the young and where it concerns the elderly. And to be completely honest, I might lean a little bit more now, at least myself, in mileage, to the elderly.

It has been my pleasure to attend several national conventions. It was for this reason, in the main, why I backed away from my original position of a few years ago and went along with the presidential primary for the last two sessions.

However, circumstances change, as programs change, and consequently, as circumstances change, and as programs change, thinking must also change. I don't think that if the present situation would continue, I don't think that the delegates at the delegation amount to as much as they did in the past. Now, should there be a national presidential preferential primary, with limitations of spending attached to it, I would very strongly support such a program. And I just stated that the delegates at the convention were not as important as they had been in the past. And I state this for the very obvious reason, when anyone can suffer a very disastrous defeat in a small state for either lack of attention or lack of proper organization, and then move into the largest state in the Union with millions of dollars spent, and change a bad defeat in a small state into a resounding defeat in a large state, somewhere along the line the dol-

lar speaks too loudly for my money.

And I can assure you that that has not only existed within the confines of my party, but it has existed also within the confines of the friendly opposition. As we would read in Sunday's newspapers, the fantastic sums of monies that have been expended in elections, it is time that we give somewhere along the line a hard look, a real hard look nationally, at curbing spending.

When one would spend ten millions of dollars to be elected governor of his state, and one would spend upwards of 15 to 17 millions of dollars to win a primary fight in another state, I think somewhere along the line that hard look deserves some consideration.

I am one of those who has taken part in what has been labeled as the professional politician's role. Well, I don't know what a professional politician is, but here is the type of person that I am in politics. I was born that way, and I shall cash in that way. I go along with the philosophy of getting there early and bringing my people. And if I don't bring enough people, I bow in defeat; and if I bring enough people, then I would bow in victory. That is my philosophy, and that is my description of myself in my role as a person in political life.

Insofar as this programming is concerned, in view of the tremendous amount of spending which has taken away the deserving individual in politics in either party, every privilege that this individual might have, it would force me to oppose this measure at the same time; and certainly I do it with reverence of the gentleman from Kingman Township, Mr. Starbird, and his friend and major supporter on this program, the gentleman from Bath, Mr. Ross, whom I respect wholeheartedly. But it is because of the fact that if this practice would be brought about in this state, you are starting all over in a much more vicious manner, the machine politician, which personally I want no part of when it comes time to choosing the chief magistrate of this country.

An individual, unless we curb expenditures with the national presidential preferential primary, an individual may be as good a man as the rest of the field possibly put together, but without those almighty millions he relegates himself mandatorily as a nonentity on that ballot.

And I might say, Mr. Speaker, and Members of the House, that my thinking is an honest thinking; as the thinking of every legislator in this body who would oppose a bill of mine, I would not necessarily get up and consider that they might be dishonest.

Mr. Speaker, I hope that my motion to indefinitely postpone this measure and all of its accompanying papers prevails. And when the vote is taken, I move it be taken by the yeas and nays.

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

Mrs. GOODWIN: Mr. Speaker and Ladies and Gentlemen of the House: There were two arguments used against this bill last week which I find completely unacceptable. The first was that the average citizen can attend a caucus in any town in this state and become a delegate to the state convention, and if he plays his cards right he may even become a delegate to the national convention. We all know, and if we don't know by now we are pretty naive, that many decisions are made by a chosen few prior to the caucus.

The second was that the choice of a candidate for the highest office in this nation ought to be the reward of a few party workers, and that the general public has the nerve to want to have the whole say in the matter. Well, we have been leaving the choice of presidential nominees to the all-knowing party workers, and considering the state of this nation socially, economically, and morally, I think they could use a little guidance, because they haven't exactly been picking winners.

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

Mr. BUSTIN: Mr. Speaker and Members of the House: I, the last

time we talked about this bill, voted to keep it alive because I wanted to see what the amendments might be. Today I speak in support of the gentleman from Lewiston, Mr. Jalbert, for the motion to indefinitely postpone.

I was privileged to serve two years ago on the Maine Democratic Commission on Party Structure and Delegate Selection, the so-called Mitchell Commission. And the purpose of this commission was to see that the Democratic Party was an open party, open to participation by all people; and a relevant party, relevant to the needs of the people of Maine. Extensive hearings were held; in fact nine public hearings. Great debate was had at the 1970 Democratic Convention, and a great deal of this debate centered on the matter of delegate selection. We sought to dispel the notion that delegate selection in the Democratic Party is done by machine politics, and we think we have succeeded.

Let me explain briefly what this procedure is. Delegates to the Democratic National Convention are apportioned among eight delegate districts by a formula giving equal weight to population and the Democratic vote in the previous presidential election. At the 1970 convention we abolished the very controversial nominating committee process, and substituted this:

"Any enrolled Democrat, or any person 18 to 20 years old who signs a written declaration of intent to enroll as a Democrat, is free to be a candidate for a delegate to the national convention. Nomination is by petition signed by one percent of the total number of delegates to the state convention. The signatures on the petition must be of delegates to the state convention who live within the candidates delegate district, and the candidates for delegate are free to declare their presidential preference. And then each of the delegates is elected by a secret written ballot at the county caucuses in the state convention."

I sincerely believe that we in the Democratic Party can handle the selection of delegates through the state convention process, in an

open and completely democratic manner. I support the motion to indefinitely postpone.

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

Mr. MORRELL: Mr. Speaker and Members of the House: I assume that Mrs. Goodwin's remarks did not refer to the present President of the United States, and with that understanding I certainly agree with the comments she made, and I hope that this bill will get favorable passage.

The SPEAKER: The Chair recognizes the gentleman from Perham, Mr. Bragdon.

Mr. BRAGDON: Mr. Speaker and Members of the House: I think that the gentleman from Lewiston, Mr. Jalbert, touched upon a very very important issue, namely money, in this debate. I am not going to enlarge upon that. I think he brought it out very well. I think that I can sum up my objection to a presidential primary in a very few words.

If we hold the primary, we will say, and then whether we get a 40 percent, we will say, in the findings of that primary for one candidate, the delegates who are later elected to our national convention certainly are going to feel somewhat tied, and may be tied under this bill to go along with their group.

My feeling is, observing presidential and national conventions over the years — I never did have the privilege of attending one, but I have watched very closely what happens—and I feel that a delegation from as small a state as Maine would be in a much better position — I am not talking about Democrats or Republicans, I am talking about conventions — that in national conventions, the movement is so fast that a delegation which is pledged either to some extent or completely often find themselves in a very unfortunate position.

I feel that Maine is small enough so that we would not attract a great deal of interest from national presidential candidates to begin with. But I feel that we would be in much better position in the final solution of the problem if as a

delegation to this national convention, whether it be the Democratic or the Republican delegation, to be able to move in the convention when the time comes, and no strings attached, which might have been imposed somewhat previously in a presidential primary. For that reason I hope that you will vote down this bill for presidential primaries.

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

Mrs. BROWN: Mr. Speaker and Members of the House: I too concur with Representative Jalbert's and Representative Bustin's remarks, and Mr. Bragdon. I would also like to further point out that I wonder if we understand just what the mechanics are proposed in this bill to carry out its intent. It isn't as simple as one is led to believe. A name just doesn't go on the ballot. One should understand what the practical implementation of this proposal could mean if it is passed.

Petitions would have to be circulated in February and March to get the required number of signatures which would be over some 3,200. This could be for several Republican and Democratic candidates, and these must be filed by April first with the Secretary of State after receiving written consent from each candidate. April first is a long time before either convention, usually held in August. This early filing precludes many events that can happen which could substantially influence voter sentiment, plus the fact that energy, time and money are being spent by workers in each party which I contend can better be used toward electing our own legislative and major candidates.

If you take 1968, Romney would have been on the ballot but he had withdrawn by August and was not a factor by convention time. Reagan might or might not have been on the ballot; and he was a distinct factor in the nominating procedure at the Republican Convention. Likewise, Rockefeller would not have been on the ballot because his decision to run was late in the game. President Johnson's removal was also late enough

that several Democratic candidates that ended up running would not have filed by April first. I am aware that there is a write-in provision.

Again I say that presidential primaries do cause divisions within each party and I doubt that the time, energy and money spent could be justified by the claim that somehow this would restore some kind of glamor to our Maine image that we threw away when we had the distinction of voting in September before the regular November election. This was another one of those innovative measures that my good friend Representative Ross supported and now confesses that he regrets.

How many of you know the 15 or 16 states that hold primaries? Very few. The impact of a few such as New Hampshire because of being first in the nation, or Wisconsin because it is early and the only open primary while all others are closed, makes an impact on us. But did you know that South Dakota also holds a presidential primary? I would propose that most of you have not been aware of this. I chose this state as it has 14 Republican delegates which was the same as Maine had in 1968. I suggest that their primary has little impact on us here in Maine, for the most part because presidential candidates are going to campaign in the states either where there are a large number of delegates or there is something special that draws particular attention to them. Thus I doubt if Maine would gain much limelight.

I make no apology for believing in a strong two - party system or for the fact that I have worked for my own party for 20 years. Let's don't weaken our state conventions by this measure. Let's strengthen and improve them as the Republican and Democratic convention committees are doing.

I call your attention to the remarks of my good political friend, Rodney Ross. I will read from the proof: "There is always a group of persons dedicated to any sort of change, be it annual sessions, abolition of the Council, the consolidation of departments, or various nefarious revisions."

And now the old presidential primary pops up this year. He ends up saying he more or less has found out that he has regretted it. I predict that this change, many will regret it if we pass it. I urge you to vote on indefinite postponement.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: Politics is often called a deleterious profession. There is a very apt saying: "A politician you suggest, should drive the nail that goes the best."

For the life of me I cannot see the trouble with this particular nail. It has a keen point; it is made of logical material; it has a sturdy head. But each time it seems to get bent, even by some members of the so-called weaker sex. Perhaps the philosophy of it is too simple. Very often the reasoning of the fairer sex tends to be a bit complicated. Without casting any aspersions some women's logic often is like a dog walking on his hind legs. He doesn't do it too adroitly, but we marvel how he does it at all. (laughter)

The question of the presidential preferential primary is one of the basic rudiments of true democracy. Should we give the voters of Maine a chance to express their choice as to who will be the top standard bearer, or shall we still leave it in the hands of the old-time party pros who, by dedicated service to one party or another, often regardless of capabilities, have become a select group?

I, for one, favor broader participation, and not placing it in the power, in the hands of a privileged few. The amendment was defeated, of course. And that would have just only served as a guide. Now delegates must on the first ballot give weight, for the first time in the history of this state, to the wishes of the general electorate; and thus, in my opinion, increase their credibility to our political system which we all so dearly love.

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

Mr. JALBERT: Mr. Speaker and Members of the House: The gentleman from Bath, Mr. Ross, has just put his finger on the very reason why I would oppose this measure, when he said, "Do we want to have this programming of choosing the delegates left into the hands of a certain few?" Believe you me, that if you buy this bill here, with no financial restrictions, that is exactly what you are doing, to a darn few millionaires on a multi-millionaire basis.

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

Mr. STARBIRD: Mr. Speaker and Members of the House: I would just like to make a few remarks before we take our vote on this, ladies and gentlemen. In regard to delegates being pledged, quite often they are instructed anyway, before they go to the convention, to vote for a certain candidate on the first ballot.

The remark of Mrs. Brown's that it would expand or blow up Maine's image, I don't think this is necessarily so. I don't think we are trying to do this to accomplish that purpose. What we are trying here is to make an attempt to allow the people of the State of Maine to state their preference for a candidate for President of the United States. It is just that simple.

The mechanics that are used are the mechanics by which each and every one of us got on the primary ballot of his or her party last June — no difference. They go out and they get their signatures on their petition, their name is put on if they get enough or their workers do. It is just that simple. There is nothing complicated about it.

And I might also remark, since some apparently don't remember the last debate, when Mr. Bustin says that it is safe to leave it in the hands of the people who attend the convention, attend the caucuses, county caucuses, county conventions, he repeats practically word for word a gentleman who was talking against our present primary now in operation when this

was up for debate in 1911. He said, "They, or the people who nominate them, represent the party in each town, each party is represented. I think it is safe to leave it in their hands."

In other words, it was safe, to his thinking, to leave the nomination of State Representatives, or State Senators, or Congressmen, and so forth, in the hands of caucuses or conventions. But the people didn't think that way, because the people had initiated a primary bill.

Now it seems to us, to me at least, and to us who favor this presidential primary, that this legislature would want to allow the people of this state to state their preference for President of the United States in a vote, not necessarily to have to go out and initiate a bill and bring it into the next legislature to do this, because this can be done, ladies and gentlemen. It is a long, hard road, as we all know, to get enough signatures to do this, but it has been done. We have two initiated bills in this legislature today.

Some day, if we don't go along with the thinking of what I believe is the majority thinking of the people of this state, to allow them the right to state their preference in a free election — and this is what we are denying them if we vote against this, to state their preference as to who they want their delegates to vote for. I don't think this is asking much.

And so there I leave you. Are you in favor of the people voting in a primary, or are you not? It is just as simple as that. And I hope you will go along with me. Ladies and gentlemen, I thank you.

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

Mr. AULT: Mr. Speaker and Ladies and Gentlemen of the House: One of the frustrations of running for political office in this state is the apathy that exists in primary elections. I believe that if any presidential candidate knows he would have something to gain in the State of Maine, he is going to campaign here for it and create greater interest in these primaries.

I urge you to vote against Mr. Jalbert's motion for indefinite post-

ponement and let's get ourselves a presidential primary.

The SPEAKER: 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 the desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question is on the motion of the gentleman from Lewiston, Mr. Jalbert, that this Bill "An Act Providing for Presidential Preferences in Primary Elections", House Paper 62, L.D. 103, be indefinitely postponed. All in favor of indefinite postponement will vote yes; those opposed will vote no.

ROLL CALL

YEA — Baker, Bedard, Binnette, Bither, Boudreau, Bragdon, Brawn, Brown, Bunker, Bustin, Call, Carey, Carter, Churchill, Clemente, Conley, Cote, Cottrell, Crosby, Cummings, Dam, Donaghy, Dow, Dudley, Dyar, Evans, Faucher, Finemore, Gagnon, Genest, Good, Hall, Hardy, Hawken, Hayes, Her- rick, Immonen, Jalbert, Jutras, Kelleher, Kilroy, Lebel, Lee, Les- sard, Lucas, Lund, Lynch, Maddox, Mahany, Manchester, Marsh, Mar- tin, McCloskey, McCormick, Mc- Kinnon, McNally, Mosher, Murray, O'Brien, Orestis, Page, Parks, Payson, Pontbriand, Porter, Pratt, Rand, Santoro, Scott, Shaw, Shel- tra, Shute, Simpson, L.E.; Simp- son, T.R.; Slane, Smith, D.M.; Susi, Tanguay, Trask, Webber, Wheeler, White, Williams, Wood, M.W.; Woodbury.

NAY — Albert, Ault, Bailey, Barnes, Bartlett, Bernier, Berry, G.W.; Berry, P.P.; Berube, Birt, Bourgoin, Carrier, Clark, Collins, Cooney, Curran, Curtis, A.P.; Cur- tis, T.S. Jr.; Cyr, Doyle, Drigotas, Emery, D.F.; Emery, E.M.; Far- rington, Fecteau, Fraser, Gill, Goodwin, Hancock, Haskell, Hen- ley, Hodgdon, Kelley, P.S.; Kelley, R.P.; Lawry, Lewin, Lewis, Lin- coln, Littlefield, Marstaller, Mc- Teague, Millett, Mills, Morrell,

Norris, Rocheleau, Rollins, Ross, Silverman, Smith, E. H.; Starbird, Stillings, Theriault, Tyndale, Vincent, Whitson, Wood, M. E.

ABSENT — Gauthier, Hanson, Hewes, Kelley, K.F.; Keyte, Lizotte, MacLeod, Wight.

Yes, 85; No, 57; Absent, 8.

The SPEAKER: Eighty-five having voted in the affirmative and

fifty-seven in the negative, with eight being absent, the motion to indefinitely postpone does prevail.

Sent up for concurrence.

On motion of Mr. Brawn of Oakland,

Adjourned until nine - thirty o'clock tomorrow morning.