

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred and Sixth

Legislature

OF THE

STATE OF MAINE

1973

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Wednesday, February 7, 1973

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

Prayer by Brigadier William Miles of Augusta.

The journal of yesterday was read and approved.

Orders Out of Order

Mr. Simpson of Standish presented the following Order and moved its passage:

ORDERED, that Susan Allen Allen, Lynn Buckley, Kathy Buckley, Denise Sawyer, Debbie Simpson and Diane Roy of Standish be appointed Honorary Pages for today.

The Order was received out of order by unanimous consent, read and passed.

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

ORDERED, that Morten Svagard and David Caret be appointed Honorary Pages for today.

The Order was received out of order by unanimous consent, read and passed.

Mrs. Lewis of Auburn presented the following Order and moved its passage:

ORDERED, that Timothy Mills, Herman Bansmer and Peter Robinson be appointed Honorary Pages for today.

The Order was received out of order by unanimous consent, read and passed.

Mr. Hancock of Casco presented the following Order and moved its passage:

ORDERED, that Miss Nancy Edson of Casco be appointed Honorary Page for today.

The Order was received out of order by unanimous consent, read and passed.

Mr. Hobbins of Saco presented the following Order and moved its passage:

ORDERED, that Ulrika Johansson and Barbara Husser of Saco be appointed Honorary Pages for today.

The Order was received out of order by unanimous consent, read and passed.

Papers from the Senate

From the Senate: The following Communication: (S. P. 222)

To the Honorable Senate and House of Representatives of the State of Maine, constituting the 106th Legislature of Maine meeting in regular session in 1973:

In compliance with the provisions of Section 6 of Article X of the Constitution of Maine, as amended, I, the undersigned Chief Justice of the Supreme Judicial Court of Maine, have the honor to submit the following draft and arrangement of the Constitution of the State of Maine, as amended, under appropriate titles and in proper articles, parts and sections, having omitted therefrom all sections, clauses and words not in force and having made no other changes in the provisions or language thereof.

Dated at Augusta, Maine, this 29th day of January, 1973.

Respectfully submitted:

(Signed)

ARMAND A. DUFRESNE JR.

Chief Justice

Supreme Judicial Court of Maine
Came from the Senate read and with accompanying papers referred to the Committee on Judiciary.

In the House, the Communication was read.

On motion of Mrs. Baker of Orrington, was referred to the Committee on Judiciary in concurrence.

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

**Report of Committee
Ought Not to Pass**

Report of the Committee on Appropriations and Financial Affairs on Resolve, Discharging Town of Brooksville from Part of Indebtedness to State for Preparation of Agreement for Dissolution of School Administrative District No. 73 (S. P. 112) (L. D. 257) reported "Ought not to pass"

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

Divided Report

Majority Report of the Committee on Taxation reporting "Ought not to pass" on Bill "An Act to Correct Error in Definition of Farmland Under Farm and Open Space Land Law" (S. P. 4) (L. D. 31) (Emergency)

Report was signed by the following members:

Messrs. COX of Penobscot
 FORTIER of Oxford
 — of the Senate.
 Messrs. SUSI of Pittsfield
 FINEMORE
 of Bridgewater
 IMMONEN of West Paris
 MORTON of Farmington
 MERRILL
 of Bowdoinham
 COTTRELL of Portland
 DRIGOTAS of Auburn
 DOW of South Gardiner
 MAXWELL of Jay

— of the House.

Minority Report of same Committee reporting "Ought to pass" with Committee Amendment "A" (S-5) on same Bill.

Report was signed by the following members:

Mr. WYMAN of Washington
 — of the Senate.
 Mr. DAM of Skowhegan
 — of the House.

Came from the Senate with the Majority Report read and accepted.

In the House: On motion of Mr. Susi of Pittsfield, the Majority "Ought not too pass" Report was accepted in concurrence.

**Non-Concurrent Matter
 Tabled and Assigned**

Bill "An Act Relating to Hunting Pheasants" (H. P. 101) (L. D. 121) which Bill and Reports were indefinitely postponed in the House on January 31.

Came from the Senate passed to be engrossed in non-concurrence.

In the House: On motion of Mr. Finemore of Bridgewater, the House voted to adhere.

Subsequently, on motion of Mr. Bither of Houlton, the House reconsidered its action whereby it voted to adhere.

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

Mr. BITHER: Mr. Speaker, I move that we recede.

The SPEAKER: The gentleman from Houlton, Mr. Bither, moves that the House recede. The gentleman may proceed.

Mr. BITHER: Mr. Speaker and Members of the House: I would like to just tell you one or two things more about these pheasants. I did some reading on it over the weekend, or the other day, and you read the "Horseblanket" here and I find that the main objection — the main objection — to this whole bill was the fact that it cost the poor people a little too much money — a \$3 stamp was too much.

So, Mr. Speaker, I am preparing an amendment that I would like to introduce to this bill reducing the fee of \$3 down to \$1. That will just about pay the cost of feeding these birds. It also has an effective date. If I may get this tabled today, I would like to introduce this amendment because it has an effective date of the years 1973 and 1974 only. Now this gives us a chance to see whether this pheasant bill is any good or not.

I still think that a lot of you people really perhaps didn't have any too much interest in the bill last Thursday when we voted on it, or you didn't know what we were voting on. I even heard in the halls — I don't think this is true at all — but I even heard in the hall that some people thought we were voting about shooting peasants. Mr. Speaker, it is not a bill on shooting peasants, it is shooting pheasants. I am not saying the Minority Leader thought that, but I know he has now changed his mind, he told me this morning, so maybe that is what he was thinking of at the time.

I wish somebody would table this until I do get a chance to put an amendment on it.

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

Mr. BIRT: Mr. Speaker, I move that this bill be tabled for one legislative day.

(Cries of "Yes" and "No")

The SPEAKER: The Chair will order a vote. All in favor of this Bill being tabled for one legislative

day pending the motion of Mr. Bither of Houlton to recede will vote yes; those opposed will vote no.

A vote of the House was taken.

98 having voted in the affirmative and 30 having voted in the negative, the motion did prevail.

Non-Concurrent Matter

Bill "An Act Relating to Delivery of Suspensions under the Motor Vehicle Laws" (H. P. 314) (L. D. 432) which was referred to the Committee on Transportation in the House on January 30.

Came from the Senate referred to the Committee on Judiciary in non-concurrence.

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

Non-Concurrent Matter

Bill "An Act Relating to Requirement for Filing Proof Under Financial Responsibility Law" (H. P. 326) (L. D. 444) which was referred to the Committee on Transportation in the House on January 30.

Came from the Senate referred to the Committee on Judiciary in non-concurrence.

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

Messages and Documents

The following Communication:

STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA

February 6, 1973

Communication

Honorable Members of the House of Representatives of the 106th Legislature

Last June the Cabinet established a Committee to study Federal funds received by Maine. I am transmitting today the report of the Committee — "Federal Funds in Maine."

I found the analysis thorough and timely. I hope this information and specific recommendations will be useful to members of the Legislature and other public officials during this period of Congressional review of Federal grant-in-aid programs.

Respectfully

(Signed)

KENNETH M. CURTIS
Governor

The Communication was read and with accompanying papers ordered placed on file.

The SPEAKER: The Chair requests the Sergeant-at-Arms to escort the gentleman from Hampden, Mr. Farnham, to the rostrum for the purpose of presiding as Speaker pro tem.

Thereupon, Mr. Farnham assumed the Chair as Speaker pro tem and Speaker Hewes returned to his seat on the floor of the House.

Petitions, Bills and Resolves Requiring Reference

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

Agriculture

Bill "An Act Creating a Standard-bred Breeders and Owners Development Fund of Maine" (H. P. 518) (Presented by Mr. Kelleher of Bangor)

(Ordered Printed)

Sent up for concurrence.

Education

Bill "An Act Appropriating Funds for a Community College in York County under the State University System" (H. P. 511) (Presented by Mr. Tyndale of Kennebunkport)

Bill "An Act Increasing Borrowing Capacity of Town of Old Orchard Beach School District" (H. P. 520) (Presented by Mrs. Morin of Old Orchard Beach)

(Ordered Printed)

Sent up for concurrence.

Election Laws

Bill "An Act Relating to Voting Lists" (H. P. 521) (Presented by Mr. Snowe of Auburn)

(Ordered Printed)

Sent up for concurrence.

Health and Institutional Services

Bill "An Act Relating to Community Based Services for the Mentally Retarded" (H. P. 509) (Presented by Mrs. White of Guilford)

Bill "An Act Relating to Coverage of Treatment by Psychologists under Health and

Accident Insurance Contracts" (H. P. 513) (Presented by Mr. Smith of Dover-Foxcroft)

Bill "An Act Authorizing Department of Health and Welfare to Pay Medical Expenses for Needy Persons" (H. P. 516) (Presented by Mrs. Morin of Old Orchard Beach) (Ordered Printed)
Sent up for concurrence.

Labor

Bill "An Act to Conform Certain Provisions of the Minimum Wage Law to the Federal Fair Labor Standards Act" (H. P. 510) (Presented by Mr. Ault of Wayne)

Bill "An Act Eliminating Restriction on Unemployment Benefits for Pension Payments" (H. P. 512) (Presented by Mr. Tyndale of Kennebunkport)

Bill "An Act to Repeal the Seasonality Provisions of the Employment Security Law" (H. P. 519) (Presented by Mr. Good of Westfield)

(Ordered Printed)

Sent up for concurrence.

Legal Affairs

Bill "An Act to Create Hospital Administrative District No. 1 in Piscataquis, Somerset and Penobscot Counties" (H. P. 515) (Presented by Mrs. White of Guilford)

(Ordered Printed)

Sent up for concurrence.

Marine Resources

Bill "An Act Closing Cape Porpoise Harbor to Lobster Fishing" (H. P. 514) (Emergency) (Presented by Mr. Tyndale of Kennebunkport)

(Ordered Printed)

Sent up for concurrence.

State Government

Bill "An Act to Establish a Uniform Program for Educational Leave for State Employees" (H. P. 507) (Presented by Mr. Gauthier of Sanford)

Bill "An Act Combining Group Life and Health Insurance for State Employees into a Single Program" (H. P. 508) (Presented by the same gentleman) (Emergency)

(Ordered Printed)

Sent up for concurrence.

Taxation

Bill "An Act to Provide Retailer Reimbursement for Sales Tax Collection" (H. P. 517) (Presented by Mr. Bither of Houlton)

(Ordered Printed)

Sent up for concurrence.

Transportation

Bill "An Act Providing a Full-time Office in the Town of Sanford for Registration and Licenses for Operation of Motor Vehicles" (H. P. 506) (Presented by Mr. Gauthier of Sanford)

(Ordered Printed)

Sent up for concurrence.

At this point, Speaker Hewes returned to the rostrum.

The SPEAKER: The Chair thanks the gentleman from Hampden, Mr. Farnham, and commends him on his fine performance.

Thereupon, the Sergeant-at-Arms escorted Mr. Farnham to his seat on the floor, amid the applause of the House, and Speaker Hewes resumed the Chair.

Orders

On motion of Mrs. McCormick of Union, it was

ORDERED, that Linwood E. Palmer, Jr. be excused for the duration of his illness.

House Reports of Committee Divided Report

Majority Report of the Committee on Education reporting "Ought not to pass" on Bill "An Act Relating to General Purpose Education Aid" (H. P. 236) (L. D. 317)

Report was signed by the following members:

Messrs. KATZ of Kennebec
OLFENE of Androscoggin
MINKOWSKY

— of Androscoggin
— of the Senate.

Messrs. FERRIS of Waterville
LEWIS of Auburn
GAHAGAN of Caribou
LAWRY of Fairfield
LYNCH

— of Livermore Falls
MURRAY of Bangor
LACHARITE of Brunswick
LeBLANC of Van Buren
— of the House.

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

Report was signed by the following members:

Mr. BITHER of Houlton
TYNDALE
of Kennebunkport
— of the House.

Reports were read.

On motion of Mrs. Lewis of Auburn, the Majority "Ought not to pass" Report was accepted and sent up for concurrence.

Consent Calendar

First Day

(H. P. 75) (L. D. 88) Bill "An Act Relating to Possession of Salmon, Trout, Togue or Black Bass" (Committee on Fisheries and Wildlife reporting "Ought to Pass" with Committee Amendment "A") (H-16)

(H. P. 242) (L. D. 323) Bill "An Act Relating to Number of Directors of Swan's Island School Administrative District" (Emergency) (Committee on Education reporting "Ought to Pass")

No objection having been noted, were assigned to the Consent Calendar's Second Day list.

Second Day

(S. P. 51) (L. D. 105) Bill (An Act Appropriating Funds for the Maine Commission on Drug Abuse") (Emergency)

(S. P. 58) (L. D. 141) Resolve Reimbursing Certain Municipalities on Account of Property Tax Exemptions of Veterans.

(H. P. 131) (L. D. 155) Bill "An Act Relating to Lights on Motor Vehicles of Baxter State Park Rangers"

(H. P. 149) (L. D. 182) Resolve to Reimburse R. B. Swan & Son of Brewer for Loss of Beehives by Bear.

(S. P. 74) (L. D. 191) Bill "An Act Relating to Collection of the Blueberry Tax"

(H. P. 175) (L. D. 217) Bill "An Act Appropriating Funds for an International Arrivals Building at Bangor International Airport" (Emergency)

No objection having been noted, the Bills and Resolves were passed

to be engrossed and sent to the Senate.

(H. P. 220) (L. D. 293) Bill "An Act Relating to Administration of the State Income Tax"

Mr. Carrier of Westbrook offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-17) was read by the Clerk.

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

Mr. SUSI: Mr. Speaker, Ladies and Gentlemen of the House: If you have read the amendment, you know it is for this bill which we have before us, which relates to the administration of State income tax. Now the bill was put in by the Taxation Division to clean up some of the problems they have in the administration of our new State income tax.

One problem which they have run into is this, that any Maine resident will pay his State income tax, they will receive the check and then find on auditing the return that this taxpayer has a refund coming to him. They will put the refund check in the mail and the person has moved. Then they start a procedure to attempt to locate this person who has moved since the time that he submitted his return. This includes checking with the federal income tax people and town officials and all of the normal procedure that would be followed in the attempt to locate this person in order to get this refund into his hands.

In some instances all these efforts fail, so until this date, inasmuch as our State income tax is a new tax, they don't have a very substantial fund, but it is obvious that as time passes there will get to be more and more money tied up in this refund account for which there is no provision in our law as to the disposition of. In this administrative bill which we had and was reported out by our Taxation Committee unanimous "ought to pass," there is this provision that after having made every attempt, and after the last attempt having been made three years passes, there still is no word on this

person, this money would revert to the General Fund.

I believe that the sponsor of the amendment is concerned that this could be construed as a raid on this taxpayer and I can see a basis for this concern. But actually, at some time or another, ultimately we have to determine a procedure of the disposition of these funds in which instances we cannot locate the people to whom the monies should go to.

I believe that this is a reasonable provision in the bill and if we were to defeat the amendment, the provisions that I have outlined would be adopted.

The SPEAKER: The Chair recognizes the gentleman from Bridgewater, Mr. Finemore.

Mr. FINEMORE: Mr. Speaker and Members of the House: I agree a hundred per cent with what the gentleman from Pittsfield, Mr. Susi, has said, with the exceptions of it may be possible if Mr. Carrier and some others feel that three years is too short a time, an amendment would be in order for four years or five years. But to leave this forever in the account of refunds, I think would be a very poor way to do business. I think we should have some time limit. As Mr. Susi has said, if this amendment passes, it is going to leave it so that money will stay there forever, so it isn't much good to the State. I hope we don't go along with this amendment.

The SPEAKER: The Chair recognizes the gentleman from Westbrook, Mr. Carrier.

Mr. CARRIER: Mr. Speaker and Members of the House: I have put this amendment in today because I feel very sincerely that this is a very important proposal which would be, in effect, very detrimental to the people of the State of Maine.

I do not share the view of the people that that we should be concerned as to where this money will go if it stays in a fund. There are only very few things that actually revert to the state, and I don't think in truthfulness and in fairness to all the people concerned that if I pay my tax and I have a refund coming, and

you can use any kind of example, assuming that I move out of state or that I die and my family moves out of state, that under no circumstances should the state or any other state be entitled to the money that I have paid that is due back to me.

I truly feel, as has been pointed out here, that a three-year period is a very short period and this is one of the reasons why I have objected to this bill. I feel very strongly that there should be no period; that when this State has undertaken to tax the people to the tune of \$100 million or more in three years time, they should be and should have to put up with some inconvenience if this is so.

But I am referring specifically to page 3 of the bill, L. D. 293, where at the bottom it says right in there that "very few refund checks are undelivered each year." And, of course, they go on to say that there might be more. But if they collect this big amount of money every year, I do not see what it costs. It doesn't cost anything, or hardly anything, just to keep an account open and actually show good faith in the people who have paid this. By right, it is morally wrong to use my money that was due to me or to my heirs or to my estate.

I feel very strongly, I have felt all along that this was an unnecessary tax; that this is a regressive tax, that it creates no incentive in people to work and to pay. But this is the part, I think, that the people are entitled to this money. They paid it in and they should get it back under all circumstances, regardless whether you can reach them or not. Put it in a fund, sooner or later it will come back to them and should come back to them.

Now this is just one part of the bill which I objected to. I dislike the bill to no end, and the reason is this: You have many under many circumstances that have said at this session we will not tax the people. Well you read this bill and the people are taxed whether they are going to be taxed on top of the income tax they are already paying, whether they call it a penalty or whether they call it an

assessment or anything else you want to call it in order to get their money. And right there specifically, which is another thing that is hard to digest, is under section 7 which states, "The penalty from now on will be \$5 or 5 per cent, whichever is the lowest."

Now you take a few of the State income taxes of people, \$10, and they charge you \$5, that is a 50 per cent penalty whichever way you look at it. I think this is extremely unfair and I am not out to take care of this; but what is mine I want, what is yours is yours. What we owe the state, they will be after us.

I think that this claim will probably make a dead fund or something like that. I believe they have this in inheritance taxes and all kinds of other funds they have. I still think it is the people's money; that is what they paid to take care of, and if they put it in an escrow fund or any other fund, I think that is where it belongs. That is why my amendment would not give them the right. They haven't got the right now to take this money and revert it to the General Fund. If it was owed to them, I would agree with it, but it is not owed to them and I think that it should be returned to the people. If it cannot, let it get into a fund until the heirs come for a claim against us. I don't believe that they should, under no circumstances, be refrained from the right to the claim of particular thing. That is why I introduced the amendment and I hope that for your sake and the sake of your constituents and in their interest that you will accept the amendment.

The SPEAKER: The pending question is on the motion of the gentleman from Westbrook Mr. Carrier, that House Amendment "A" be adopted. The Chair will order a vote. All in favor of adopting House Amendment "A" will vote yes; those opposed will vote no.

A vote of the House was taken.

30 having voted in the affirmative and 49 having voted in the negative, the motion did prevail.

The Bill was read the second time, passed to be engrossed as amended and sent to the Senate.

Order Out of Order

Mr. Ault of Wayne presented the following Order and moved its passage:

ORDERED, that Christopher Rushton of South Africa be appointed Honorary Page for today.

The Order was received out of order by unanimous consent, read and passed.

Passed to Be Engrossed

Bill "An Act Permitting Municipalities to Regulate Bicycle Traffic by Ordinance" (H. P. 107) (L. D. 127)

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

Passed to Be Enacted

An Act Repealing the Law Providing for the Fingerprinting of School Children (H. P. 296) (L. D. 324)

Resolve to Reimburse Willard M. Judkins of Rangeley for Automobile Damage Due to Highway Construction (H. P. 81) (L. D. 94)

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

Orders of the Day

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

House Divided Report — Majority (7) "Ought not to pass" — Minority (6) "Ought to Pass" — Committee on Taxation on Bill "An Act Exempting Clothing from the Sales Tax" (H. P. 21) (L. D. 21)

Tabled — February 1, by Mr. Martin of Eagle Lake.

Pending — Motion of Mr. Susi of Pittsfield to accept Majority Report.

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

Mr. JALBERT: Mr. Speaker, Ladies and Gentlemen of the House: I would hope that the acceptance of the majority report would not pass so that I could present an amendment which would reduce this measure to \$50 — I repeat, \$50.

This history behind this bill since it has landed here is interesting. The gentleman from Pittsfield, Mr. Susi, because I was out of my seat when he made the motion to accept the Majority "Ought not to pass" Report, and that is his prerogative and I do not argue with that at all, if I am not in my seat it is nobody's fault but my own. I appreciated the fact that the gentleman from Bridgewater, Mr. Finemore, tabled it. However, the next day the gentleman from Pittsfield, Mr. Susi, was not in his seat and in that he can do what he wants to, I like to do what I like to do, so out of courtesy I thought I would have somebody table the bill, which was done.

The gentleman from Eagle Lake, Mr. Martin, tabled the bill for me until today because I was unable to be here. The reason I was out of my seat originally is because I had a young lady that had me paged and I sent her over to the Education Department for a teaching position and she came back to thank me and before I knew it, the bill was up and it was gone. I further found out that at the Republican caucus last week, because these caucuses are open so anybody can come in, it wouldn't make any difference if they were open or not any more than ours anyway, after two people meet it is no longer a secret. I figured it was par for the course for the gentleman from Standish, Mr. Simpson, to make the remark that the reason that I wasn't in my seat is because the TV cameras were not here.

I noted last night, just before I was checked out of my other domicile, I watched the six o'clock news and I noted that the gentleman from Standish, Mr. Simpson, did pretty well for himself. He looked good on TV, did a pretty good job, a little wishy-washy. I was so surprised that he was on

TV so long that I couldn't resist calling Fred Nutter and I said, "What's the background behind my good friend from Standish." He said, "Well, he gave me his speech yesterday and told me that he was going to be on TV, so I got his speech, Mrs. Murray sent it down to me, and I have got his speech and I have used it." I thought after last week's foray concerning me that possibly he was gun-shy on TV and I see now that he isn't. So I think if it is all right with him, I will arrange for he and I to debate the issues as I did with cousin Monks. I will arrange with cousin Simpson to join me on channel 10 for one hour, and on that time it will give him a splendid opportunity to announce his candidacy for 1976 against the big one and he will also indicate his demise when I get through with him. You believe that. So for anybody here who has got any idea that because I spent a few days away from here, the sickness is from here down.

As usual, seriously, on any measure that I present I do no lobbying. I lobbied for other people, for other bills; I do not do any lobbying for any bills for myself. I find this; that there are some people who are talking a great deal about this measure, other people who are talking about the property tax program as will be before us eventually.

As far as the property tax program is concerned, before I can honestly face that, I want to hear what the gentleman from Rockland, who has lost his title and has really grown up, I want to hear what his measure calls for and is all about. I know about it and I want you to hear it wherein it concerns itself with assessment and assessors on a professional basis. Because in my opinion, unless we have an evaluation in every area in the State of Maine, we never — and I repeat, never — will have a good, proper property tax relief bill.

Now in the last few days it has been my opportunity to state to several people, and they have told me that this measure here at least would give them something in their pocket now as compared to

the possibility of what it would do to their own taxes on their own property should they add the other bill.

Sometimes, you know, you have these programs and I think some of them were being discussed yesterday. I am glad the evaluation study was allowed by the passage of the bill, but sometimes some measures, when you have them, have a way of winding up with five cents on a dollar going to the person it was intended for after administration costs are gone over with.

I think, frankly, that this measure here — I am amending it to \$50. There is something in that the bill could be amended so that it would be difficult, because it would be difficult they say. Someone could buy three section outfit, a suit or a dress and get tax free on all of them. This reduces it to \$50. It would really take care in my opinion, of the little fellow when we are taking care of it.

The idea that I had for this bill came when I saw a woman buying five pair of sneakers in one of our stores at home, and the goods were sent to New Hampshire as well as the bill and the tax was free. Now somewhere along the line, if we are going to talk about the little fellow, I think we ought to do something about it.

Now the gentleman from Ellsworth, Mr. McNally, he did something about the little fellow last week on the blueberries. Because after all, somebody ought to take care of little "Uncle Hollis." And I think the gentleman from —

The SPEAKER: Will the gentleman please confine his remarks to the issue which is the acceptance of the "Ought not to pass" Report.

Mr. JALBERT: I am talking taxes, Mr. Speaker, and if you care to rule me out of order, you may, but I am talking taxes. And I mean I will have to repeat to you that I would like to see this bill kept alive for a possible future amendment. And my basic reason is, and it is a sound one, regardless of the sum of money on it if other packages can be kept alive to wind up on the Appropriations Table, be-

cause any bill that involves money up or down is going to wind up on the Appropriations Table anyway, I feel very sincerely and honestly that this one here is deserving of being kept alive if other measures can be, based on principle alone. This is a bill that will affect in a good area those people who have large families and those people here who are really getting hurt by the imposition of the tax on clothing.

I offered back in 1951 when the income tax was passed, I offered to go along with it if they would remove the tax on clothing. The tax was put on and it is perfectly all right with me to help the good farmers and, I mean, they are the backbone of our state, on seed, feed and fertilizer. The tax helped the manufacturers put on and that is perfectly all right with me. So consequently I think this thing here would take some revenue out but we have the money. I think we can afford it and this measure certainly is deserving of at least getting along itself and being kept alive just like other measures will be for the purpose of the negotiations when they come at the tail end of this session. Mr. Speaker, when the vote is taken, I request the yeas and nays.

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

Mr. SUSI: Mr. Speaker, Ladies and Gentlemen of the House: I do believe that this boils down, aside from the issue of whether or not the tax should be removed, sales tax should be removed on clothing, it comes to the question of whether this legislature wants to replace, even under a proposed amendment, some \$18 million of revenue in this session. This is a question you have to answer.

To bring it into perspective, that is something in line with one third of what our State income tax produces. This really takes a whack into our existing revenue. I suggest you think long and hard on the question before you approve this bill. I hope you support the "ought not to pass" report. Thank you.

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

Mr. LaCHARITE: Mr. Speaker, Ladies and Gentlemen of the House: I believe and I find in my community my constituents feel that if we would have to increase State income tax for any reason due to reducing property tax or taking taxes off for a necessity; (Clothing is a necessity. It is not a luxury and \$50 is not a lot of clothes.) I believe that if we did have to increase State income tax for any purposes of reducing property tax or sales tax and you are having the people that can afford to pay the tax, this is the way it should be. I am in favor of the gentleman from Lewiston, Mr. Jalbert's, proposal.

The SPEAKER: The Chair recognizes the gentleman from Bridgewater, Mr. Finemore.

Mr. FINEMORE: Mr. Speaker, Members of the House: I am not going to speak against the amendment or for it but I would like to explain a few things. Clothing at the present time brings in \$10,-400,000 a year. This would take off \$8,925,000 a year. In other words, it would leave \$1,475,000 a year. If we are going to do this, we should take the exemption off of clothing altogether or if we are going to do this, there should be an amendment where there would be a tax credit. So when someone buys \$50 worth of clothes or less, they will have a credit on their income tax of \$5, or if they don't have an income tax, they will receive a rebate of the amount of money on a hundred dollars. I am figuring on \$100, excuse me, a rebate of \$5 a year on the clothing tax which would cover the usual tax.

Under this \$50 there would not be any tax because people would go in and buy items under \$50 and come out, go back in and buy something else. It has even been noted in some places where this has been tried, that they would buy a suit in two pieces. Today where we are buying sports jackets and pants it would work the same way.

So this bill would almost — and even with this amendment—would

almost cut out 100 percent the amount of money we're receiving in tax, and as has been stated here this morning, this is more than one third of our total income tax and I don't know whether we are in a position or not. I do not like to debate very much against Mr. Jalbert because I know he is very sincere in this bill and I know that a lot of people would think that they are receiving a lot but on this bill they would only be receiving \$2.50 a year per person on an average, even if it was even under the rebate system, giving them a rebate on their credit or a rebate on their taxes.

So I don't think this at this time is a proper time for it because we are, on the Tax Reform Committee which I am on, a member of — we just brought out our report yesterday, we hope it will be on the floor in a few days — we find that we are going to need all the money we can get and by the exemptions — we are known as the Exemption Committee especially this year, because four out of five of our bills are for exemptions rather than taxation. No one wants to tax themselves, but everybody would like to have an exemption at this time.

So I hope we will go along with the report and again, I must state, I hate to do this to Mr. Jalbert because I know he is very sincere and I know he sometimes — not only this session but other sessions — he has had this in mind. But if we are going to use this amendment, I would much rather see this clothing tax repealed altogether because it is going to leave only \$1,475,000 which is the very minimum and rather than carry on, it would be better to take it off altogether.

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

Mr. GOODWIN: Mr. Speaker, Members of the House: I would like to speak in opposition to this bill for three main reasons: First, I think the bill is rather vague. I don't quite understand exactly how this would be put into effect. It lacks any administrative procedure, I mean, as the gentleman

from Bridgewater here was stating, how will this work? Will a person walk into a store, buy \$50 worth of clothing and then come in again and get the same tax rebate or what?

My main purpose is that I don't feel that this bill will reach a majority or a large percentage of the people in this state simply because in my area along the New Hampshire border everybody shops in New Hampshire. Now, granted, without this sales tax perhaps more people would shop in Maine but there are no stores to do this and this is the same situation I feel along the Canadian border in Aroostook County.

So for this purpose, I feel that if we are going to give help to people, let's do it so it reaches everybody in Maine and not just people in, say, the central sections of the state.

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

Mr. JALBERT: Mr. Speaker, Members of the House: I think that the gentleman from South Berwick, Mr. Goodwin, has given you one good reason to pass the bill when he talks about going into New Hampshire instead of Maine. My very good friend from Bridgewater, Mr. Finemore, has given you excellent reason to keep the bill alive if it were not to be amended properly in the committee.

I feel extremely strong about this bill in all honest sincerity. What I am trying to do here is protect the fellow that wears the overalls and protect that poor young lady who has to go in and buy five, six, seven pairs of sneakers a day. I can't help, however, saying to the gentleman from Bridgewater, Mr. Finemore, that I would like to meet him after we recess today because I want him to tell me where we can buy those two pants suits for fifty bananas.

This measure here is a solid measure, even if we have property tax relief — and I certainly am going to vote for it and hope that we do — I feel very strongly that somewhere along the line, in my own area for instance, there at least and my colleague on my left,

his area of Auburn, at least 40 percent of the people do not own property. In my area at least 50 to 60 percent of the people do not own any property. That goes for Brunswick, Portland, Bangor, several areas that I can name you throughout the state, Augusta, Waterville. I mean, everybody isn't a property taxpayer. I have been married thirty-nine years. I became a property taxpayer last year. I mean, are these people here who work for the public works, who work at laboring jobs, driving trucks, this, that and the other, are they not allowed something?

Now somewhere along the line, if this bill were kept alive, these people who are the experts—and I am not an expert in taxation — that can't find a solution, to give those people some relief; henceforth, my amendment; henceforth, my motion, hoping my suggestion that you keep this thing alive and do not vote for the motion of my good friend from Pittsfield, Mr. Susi.

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

Mr. GOODWIN: Mr. Speaker, Members of the House: Probably because I am a little nervous, this is the first time I spoke and I left a little bit out. Granted, if there were some clothing stores for people to shop in in my area, this probably would help them. However, in all the border towns, New Hampshire border towns in York County, there is only one small clothing store. And also, if this was only a \$50 limit on this, since most people would probably — if you could police this, most people would continue buying in New Hampshire simply because they buy more than \$50 worth of clothing and also because of all the other things the sales tax is on, which New Hampshire doesn't have, they would continue to shop over there.

I would also like to point that a lot of people that this may help actually are now buying clothes in like thrift shops and are getting them at rummage sales and things and a lot of the poor people that get clothes this way, this bill

wouldn't help them in this area either.

The SPEAKER: The Chair recognizes the gentleman from Farmington, Mr. Morton.

Mr. MORTON: Mr. Speaker, Ladies and Gentlemen of the House: I rise to speak on this request of the gentleman from Lewiston, that we hold this for tabling and not accept the committee report, the "ought not to pass" report. In my opinion this is an attack, basic attack, on the sales tax itself because it represents such a large portion of the sales tax.

We presently have approximately 30 exemptions on the books for the sales tax and there are several more proposed for this session of the legislature. Now the sales tax is one of the major forms of taxation that we use here in the State of Maine and I think most of you feel as though it should be retained. Over the years, since the sales tax was put on the books, the exemptions have been brought in and they have begun to assume a pattern.

This particular exemption would raise a completely new pattern because it is exempting what the ultimate consumer buys. We have exemptions which take care of health care. We have exemptions which take care of items that are taxed otherwise. We have exemptions which are taxes used in the production, but this one is a tax on the ultimate consumer, the last resort. I feel strongly that the committee report "ought not to pass" should be accepted at this time. I feel that this is a fundamental attack on the sales tax itself and should not be allowed.

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

Mr. FARRINGTON: Mr. Speaker, Ladies and Gentlemen of the House: The fact of the matter is that this House may impose taxes, reduce taxes. I want to speak to you a moment about the business aspect of the administration of such a bill as Mr. Jalbert has introduced. I certainly am in sympathy, as I think most of them side in with these people in certain classes who we consider to be supported through other roles of

Health and Welfare, other programs that we have. They are taken care of. This split in the sales tax from the business standpoint is going to cause all sorts of confusion with the businessmen. I am sure that the businessmen will make up this additional cost of administration in some other respect. Therefore I think the consumer will just be paying more for the product, so in my estimation the question of either paying the tax as it is or just paying more for the product anyway. Because certainly the businessman has to make a profit and the ultimate end will be that these people that we want to protect and help are going to be paying just as much.

As I stated before I am in sympathy with intent of Mr. Jalbert's bill but I think as far as the administration of it goes we are not going to benefit these people to a great extent. On this basis, I will go along with the indefinite postponement of this measure.

The SPEAKER: The Chair recognizes the gentleman from York, Mr. Rolde.

Mr. ROLDE: Mr. Speaker and Ladies and Gentlemen of the House: I have a question to address to Mr. Jalbert or anyone else who can answer it. In the original printing of the bill which called for a \$175 exemption, the fiscal note is that the loss of revenue is estimated at \$10 million. In the amendment which calls for a \$50 exemption, if I understand this correctly the fiscal note says the loss will be close to \$9 million. I wonder if that is correct?

The SPEAKER: The gentleman from York, Mr. Rolde poses a question to anyone in the House who cares to answer? The Chair recognizes the gentleman from Lewiston, Mr. Jalbert, to answer that question.

Mr. JALBERT: Mr. Speaker and members of the House: These figures are accurate of 18 and 925. They were gotten from the Taxation Division. Mr. Speaker while I am on my feet may I continue?

Mr. Jalbert of Lewiston was granted unanimous consent to speak a third time.

Mr. JALBERT: Thank you very much Mr. Speaker. I might say

to my very good friend from China, Mr. Farrington, and he is a good friend of mine, that I do not see how this would create the raising of the price on clothing. Now, at the hearing there were no proponents, no opponents. I kept the proponents out of the hearing. I have had a great many people that wanted to come. Now, the reason that the proponents that wanted to come were not here is because they were in the ditch working. That is the fellow I want to help, or they were typing, that is the lady that I want to help.

Now somewhere along the line, I mean, we have got to decide possibly we are not here just to help the businessman, we are here to help the individual who pays this tax, and I for no reason at all can see how this would cause a rise in prices. I think frankly that there has been more than one reason today given to keep this good measure alive Mr. Speaker.

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

Mr. COTTRELL: Mr. Speaker and members of the House: When Mr. Jalbert presented this bill at the taxation committee, I was not there to hear it because I had to attend another committee hearing. I heard later that he was going to put in an amendment which would change the complexion of the bill and so I voted in Committee to have this bill passed, looking for an explanation of the amendment.

Now the intent of this bill, no one can disagree with. The whole thing in my mind is this, I think we are generally agreed that we do not want any major tax at this session. The sum of \$9 million is equal to half a percent of the sales tax for a year. That is quite a major tax. Now if there is some other way that we can make this up I would certainly would not vote for its indefinite postponement, but it seems to me, if we hope to be fiscally responsible and not tax and take care of the many other demands on our budget that presently exist, I do not think that we, even though this intent is fine and even though the administration of this tax is not exactly clear, I think we would be very wise at

this point to indefinitely postpone this bill.

The SPEAKER: The Chair recognizes the gentleman from Biddeford, Mr. Sheltra.

Mr. SHELTRA: Mr. Speaker and Ladies and Gentlemen of the House: My occupation is such that I have the opportunity to call on many industrial manufacturing people throughout the State of Maine. Such was the case Monday, for instance, when I happened to be visiting one of these industrialized areas. I had to go and talk to the owner of this firm. On my way into the firm I happened to hit evidently the break as these workers were coming out and I happened to know some of them and they recognized me and we talked a little bit, but the fact remains that these people who live with a lunch pail, go to work, put in their eight hours, go home at night, they don't have too much to think about. If you could have seen the dejected looks on their faces, there is no real pride of accomplishment that perhaps you might endeavor in your line of occupation, for instance. To them this is a matter of existence. And of course they look upon us politicians as people in many facets that they feel, well what the heck, if they push a certain bill maybe they are trying to feather their own nests, but in this particular case here, I feel that these people are certainly entitled to some relief.

I have to admire the person whether it be a woman or a man, that at least wants to work, wants to gain employment, wants to support him or herself, as opposed to many people who are on welfare and many other people that we give so many funds to that don't even want to work unless they start at the utopia of some industry. I think that the people are entitled to this.

Yes, now we are faced with revenue sharing, approximately \$30 million going back to the municipalities of Maine, but how is this money going to be spent? If I were to venture to guess, I don't believe it will give too much tax relief. I think that there will be capital improvements, one direction or another, but I don't believe that

money will find its way to the property taxpayer, period. This here is one substantial, one direct form, one direct line of communication that we could have with these people, that we can help these people and show them that we are interested in those who want and who are willing to work for a living.

I certainly sustain Mr. Jalbert's motion. I hope that you vote against the "ought not to pass" motion that is on the floor now. As he stated himself, many of these money bills, tax bills, will find themselves to the Appropriations Table and then they will certainly be acted upon. These people are not looking for sympathy, they just want to work. Let's give them a chance and let's at least keep this bill alive for the moment anyway.

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

Mr. CONNOLLY: Mr. Speaker and Ladies and Gentlemen of the House: I would like to make two points briefly. First of all, in response to an earlier speaker, low income and working-class people in the State of Maine don't want sympathy, they want to be treated and taxed fairly. The second point is that I would like for you to notice the difference between this bill and the blueberry fuels tax bill that we acted on last week.

Proponents of both of these bills say that they want to help the little man, the working-class people, low income people. Yet Mr. Jalbert's bill places a limit on the amount of clothing that can be bought, \$50, yet with the blueberry bill there was no limit placed on the acreage. Owners of small blueberry fields as well as owners of large blueberry fields would be exempt. It seems to me that Mr. Jalbert's bill is truly the bill that is an attempt to help low income people. I just say that the 126 people who voted to accept the fuel, or the sales tax on fuel in the blueberry bill situation would be highly inconsistent if they did not support Mr. Jalbert in the vote today.

The SPEAKER: The Chair recognizes the gentleman from Casco, Mr. Hancock.

Mr. HANCOCK: Mr. Speaker and Ladies and Gentlemen of the House: This has been a very interesting debate. The sales tax is something that I think we are all quite concerned with. The debate has been interesting to me from this standpoint, that almost everyone who has spoken likes the intent and thrust of this bill but the objection to it has generally been that it is difficult to administer.

Now it is my contention that this Legislature has the power and I am certain that this Legislature has the ability to adjust the bill so that it would not be difficult to administer. However, it cannot be adjusted if we accept the "ought not to pass" report. Now I feel that this bill is going to be very helpful. Will be much fairer for many many people and I hope that the House will go along with Representative from Lewiston, Mr. Jalbert, and not accept the "ought not to pass" report.

Mr. Jalbert of Lewiston was granted unanimous consent to speak a fourth time.

Mr. JALBERT: Mr. Speaker and members of the House: The gentleman from Portland, Mr. Cottrell gets me on my feet. Now back a few years ago I was the number one opponent to the percentage of the income tax. I was not against the principle, I was against the income tax percentage because I predicted and said it would make too much of a surplus. I figured that the percentage should be lower. My point was proven right. We wind up four years ago with about a \$30 million surplus. Now we have got this year about \$70 million that we have got to work with. Now this money here, besides some revenue sharing money, besides other programs, puts us into a pretty healthy position.

Now I have a great deal of respect, incidentally, for the gentleman from China, Mr. Farrington who is in the clothing business, in part, amongst other endeavors, and he has the courage to stand and say I am not for this. I want this clearly understood, as far as I am concerned, and this might just as well be the full import, Mr. Speaker, that just because we are asked to spend an additional \$5 million

for Mental Health and Corrections, count me out of that one, and believe me, I am sitting on the committee that is going to report it out. If you think for a minute that I am going to give \$9 million more to make deals, you can count me out on that one.

Now just because we have got the money is no reason to spend it. And I could knock you out of your chairs who answered the questions, "well we have the money we might as well spend it." I would knock you out of your chairs if I told you the names of the individuals to whom I answered that question.

Now this is the result of having over taxing, too much money. Now I not only want this measure here to pass, to give some relief to the poor people, give some relief to the people. I can understand those here that might want to get up and speak against this measure because there might be a measure that would come along that might affect them if this were passed. I can understand that but I am not representing myself here or any private interest. And if I ever do come to a point where I would be in private interest or I would be in conflict, I would immediately withdraw myself.

Now this measure here is a measure that will give back some money to people. I not only want this to pass, but as far as I am concerned my red pencil is sharp and I am sharp enough that I won't even see that we get out of here to put some money in the bank. This measure here should be kept alive. The debate has proven it.

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

Mr. FARRINGTON: Mr. Speaker and members of the House: I tried to get the point across, ladies and gentlemen, that the product that will be purchased will be increased, necessarily so, to handle the additional expense of processing these individuals. This is a fact, rather than to help those we want to help, some who now have exemptions may be hurt, because this is a built in additional cost to the business man and some-

one has to make up the slack. It is a question in my mind and a question in the minds of those that I have talked with whether in fact this will be a benefit to the individual. If I could see a clear cut savings to these individuals concerned I certainly would go along. But at this time I do not.

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 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 Majority "Ought not to pass" Report be accepted on Bill "An Act Exempting Clothing from the Sales Tax" (H. P. 21) (L. D. 21). All in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA — Baker, Barnes, Birt, Bither, Bragdon, Brawn, Briggs, Bunker, Cameron, Chick, Churchill, Cottrell, Cressey, Curtis, T. S., Jr.; Davis, Donaghy, Dudley, Dyar, Farnham, Farrington, Ferris, Finemore, Flynn, Garsoe, Goodwin, H.; Hamblen, Haskell, Henley, Hodgdon, Hoffses, Huber, Hunter, Immonen, Jackson, Kelley, Kelley, R. P.; Knight, Lawry, Lewis, E.; Lewis, J.; Littlefield, MacLeod, Maddox, McCormick, McKernan, Merrill, Morton, Murchison, Parks, Pratt, Rollins, Shaw, Silverman, Simpson, L. E.; Smith S.; Snowe, Sproul, Susi, Trask, Trumbull, Walker, White, Willard, Wood, M. E.

NAY—Albert, Ault, Berry, G. W.; Berry, P. P.; Berube, Binnette, Boudreau, Brown, Bustin, Carrier, Carter, Chonko, Clark, Conley, Connolly, Cooney, Cote, Crommett, Curran, Dam, Deshaies, Dow, Drigotas, Dunleavy, Emery D. F.; Farley, Faucher, Fecteau, Fraser; Gauthier, Genest, Goodwin, K.; Greenlaw, Hancock, Herrick, Hobbins, Jacques, Jalbert, Kelleher, Keyte, Kilroy, LaCharite,

Lapointe, LeBlanc, Lynch, Mahany, Martin, Maxwell, McHenry, McMahon, McNally, McTeague, Mills, Morin, L.; Morin, V.; Mulhern, Murray, Najarian, Norris, O'Brien, Perkins, Peterson, Pontbriand, Ricker, Rolde, Santoro, Sheltra, Shute, Smith, D. M.; Stillings, Talbot, Tanguay, Theriault, Tierney, Tyndale, Webber, Wheeler, Whitzell.

ABSENT—Carey, Dunn, Evans, Gahagan, Good, Palmer, Ross, Soulas.

Yes, 64; No, 78; Absent, 8.

The SPEAKER: Sixty-four having voted in the affirmative and seventy-eight having voted in the negative, with eight being absent, the motion does not prevail.

Thereupon, on motion of Mr. Jalburt of Lewiston, the Minority "Ought to pass" Report was accepted.

The Bill was read once and tomorrow assigned.

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

Bill "An Act to Authorize the Creation of the Maine Inland Fisheries and Game Acquisition Fund and the Issuance of Not Exceeding \$2,000,000 for the Financing Thereof" (H. P. 288) (L. D. 362)

Tabled — February 6, by Mr. Simpson of Standish.

Pending—Further consideration.

On motion of Mr. Simpson of Standish, the House voted to recede and concur.

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

Bill "An Act Expending Aroostook County Funds for Preque Isle Airport" (H. P. 496)

Tabled—February 6, by Mr. Haskell of Houlton

Pending—Reference

On motion of Mr. Martin of Eagle Lake, referred to the Committee on County Government, ordered printed and sent up for concurrence.

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

Bill "An Act to Permit Commissioner of Sea and Shore Fisheries

to Suspend Licenses for Violation of Private and Special Laws and Assault on Coastal Wardens" (H. P. 504)

Tabled—February 6, by Mr. Henley of Norway

Pending—Reference

On motion of Mr. Henley of Norway, referred to the Committee on Judiciary, ordered printed and sent up for concurrence.

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

Joint Resolution Memorializing Richard M. Nixon, President of the United States of America, to Lift the 18-month Moratorium on Federal Housing Program (H. P. 339)

Tabled—February 6, by Mr. Martin of Eagle Lake.

Pending—Adoption

On motion of Mr. Smith of Dover-Foxcroft, the Joint Resolution was indefinitely postponed.

Mr. Smith of Dover-Foxcroft presented the following Joint Resolution and moved its adoption:

WHEREAS, the housing supply statistics of the United States Bureau of the Census indicate that there exists in the State of Maine a housing supply shortage of critical proportions in the general area of reasonably-priced, safe and sanitary housing; and

WHEREAS, this shortage of housing has been felt most by the low income, moderate income and elderly citizens of the State of Maine; and

WHEREAS, the above housing shortage is most critical in the more rural communities of the State of Maine; and

WHEREAS, the conventional housing market is unable to provide a sufficiently large supply of reasonably priced, safe and sanitary housing to fill the just needs of the above-noted citizens of the State of Maine; and

WHEREAS, governmental incentives and subsidies have been provided by the United States Department of Housing and Urban Development and the Farmers' Home Administration of the United States Department of Agriculture; and

WHEREAS, the above-noted Federal Governmental Departments have recently declared a moratorium of 18-months' duration on the provision of the above-cited incentives, subsidies and resulting housing production; and

WHEREAS, such an 18-month moratorium will constitute a significant economic and social hardship in Maine by eliminating housing starts, and a resultant loss to the Maine economy, and a deprivation to Maine workers of much employment opportunity; now, therefore, be it

RESOLVED: That the Senate and House of Representatives of the State of Maine do hereby memorialize the Congress of the United States and the Executive Branch of the United States Government to consider the severe hardships this 18-month Freeze of Federal Subsidies on Housing will cause to the citizens of this State and to propose alternate methods of continuing these programs immediately or to reinstate the suspended services until such time as such alternate methods have been devised.

The Joint Resolution was read.

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

MR. SMITH: Mr. Speaker and Ladies and Gentlemen of the House: I am sure you are wondering what this little circus is all about. I introduced the first resolution and there was some objection to the wording and it was tabled for a variety of reasons over the last couple of weeks and now I have prepared this second resolution which is acceptable in its wording to those who objected before.

I would like to take just a moment, if I may, to discuss with you why I submitted this Joint Resolution to you. As the resolution indicates, there has been proclaimed by the Executive, an 18-month moratorium on all federally subsidized housing programs. What this resolution does is simply ask the Executive and the Congress to propose alternate methods of continuing these subsidized programs or to reinstate the suspended services until such alternate methods may be devised.

And I might say, perhaps in defense of that action, that perhaps there was a need on a national level to take some sort of corrective action in these housing programs. It seems to be fairly widely accepted that some of the H.U.D. programs which were instigated in the larger metropolitan areas did have some abuse attached to them. But yet, in rural areas like the State of Maine, we have had a very excellent and successful experience with these housing programs, particularly the Farmer's Home Administration housing programs. As a matter of fact the housing census of 1970 indicates that by far the greatest portion of substandard housing in the country exists in rural areas such as the State of Maine. About 60 percent of that substandard housing exists in such rural areas. And I might add that the definition of substandard housing as used in the Bureau of the Census was so restrictive that probably the figure is much higher than that. All that they used as a measure was plumbing; they left out a lot of other functional measures, such as over crowding and other types of dilapidation. So probably the figure is much higher.

Those of us who live here in the State of Maine, I think particularly in the rural areas, are very much aware of the extremely poor housing conditions. It has been estimated that under these programs that are subject to this moratorium, about 4 percent of the population of Maine qualifies for housing subsidy assistance, particularly under section 235 of federally funded programs.

There are also figures that indicate, and I am not quoting these figures to you because I remember what happened yesterday when we got balled up with a whole bunch of figures, I am going to save them for you. Some of them have been coming across your desk from time to time, but there are figures that indicate that in the State of Maine we are losing the battle to provide housing even with these federally funded programs. There are figures that suggest that you take production and you subtract from it the casualty to houses, such as

various types of dilapidation, destruction, and other types of casualties and we are still losing about perhaps three thousand housing units a year. So I think that there is a basic need to re-instate these programs, particularly since they have been successful in their experience here in the State of Maine.

I would also like to point out just briefly, if I may, the tremendous economic impact that the moratorium is going to produce here in the State of Maine. The Farmer's Home Administration, and we checked these figures out very very carefully and I didn't believe them any more than you are going to believe them probably when I repeat them, until really last night about, the Farmer's Home Administration is responsible, or participates in over half of the housing starts that occurred in the State of Maine last year. And if this moratorium continues these housing starts of course for the next 18-month period would be completely curtailed. So in the next 18 months, half of the housing starts in the State of Maine would not commence. This in terms of jobs, as I repeated two weeks ago when I stood before you and introduced the first resolution, probably means somewhere in the neighborhood of 18,000 man years of employment. That is figured by one man year direct employment in the construction itself and two man years supporting employment.

And thirdly, I would just like to point out that the economic activity that will be curtailed by this moratorium is approximately \$100 million. There are some that would say that that is a little bit high and there are some that would say that it is a little bit low, but it is approximately \$100 million in economic activity. So I think that the case is very clear that there is a hardship that will be imposed upon the State of Maine.

Congressman Cohen last week had a news release which he stated exactly the same thing and I put that on your desk last week. All of this stuff should be there today but because of the mix-up in the presentation of this resolution you

probably have thrown it away. So I think that it is generally recognized by the people in the State of Maine who are close to this, that this is going to be a very definite hardship. I hope that you will allow this Resolution to go to the Senate and a short spiel to be given to it over there.

And lastly, I would simply ask that you become acquainted really with this housing issue. It may end up being a real issue in this Legislature. There is a program that is being put together, at first perhaps I think maybe some of us thought that it might be a far-fetched idea, but the figures are going together. It indicates that it is going to be a tremendous investment for the State of Maine for the Legislature and there is going to be no real depletion to the General Fund revenues.

All I ask at this point is that we pass this resolution, send it to the Senate and that we all keep an open mind on this housing problem in the next few weeks and allow the facts to come out.

Thereupon, the Joint Resolution was adopted and sent up for concurrence.

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

Bill "An Act Changing Name of Pine Tree Warriors, Inc. (H. P. 20) (L. D. 20)

Tabled — February 6, by Mr. Simpson of Standish.

Pending — Acceptance of Committee Report.

Thereupon, the "Ought to pass" Report was accepted, the Bill read once and tomorrow assigned.

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

Bill "An Act Relating to Authority of the Legislative Finance Officer" (H. P. 97) (L. D. 118)

Tabled — February 6, by Mr. Simpson of Standish.

Pending — Acceptance of Committee Report.

Thereupon, the "Ought to pass" Report was accepted, the Bill read once and tomorrow assigned.

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

Resolve, to Reimburse Edgar W. Tupper of Madison for Loss of Beehives by Bear. (H. P. 151) (L. D. 184)

Tabled — February 6, by Mr. Simpson of Standish.

Pending — Acceptance of Committee Report.

Thereupon, the "Ought to pass" Report was accepted, the Resolve read once and tomorrow assigned.

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

Bill "An Act Relating to the Wearing of Fluorescent Orange Clothing While Hunting During Hunting Season" (H. P. 50) (L. D. 57)

Tabled — February 6, by Mr. Good of Westfield.

Pending — Motion of Mr. Dudley of Enfield to Indefinitely Postpone Report and Bill.

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

Mr. FARNHAM: Mr. Speaker and Members of the House: As sponsor of this bill I would like to make a few remarks before any further action is taken. I hope the motion to indefinitely postpone will not prevail. We can then turn to the Amendment that has been suggested and which I agree with as it tends to clarify the bill.

Now I spent half the night trying to write a speech and I couldn't find any way to use those two words that all legislative speakers and government people must use; namely, thrust and meaningful, so not finding a way to work those words into my speech I gave up on writing and I will talk extemporaneously.

Six years ago the legislature had this bill before it for the first time. There was opposition but it was agreed at that and passed that in the southern zone in the state the wearing of orange, fluorescent orange, was made compulsory and the idea at that time was to use this southern area as a test area to see whether or not this would reduce hunting accidents. Well, the truth of the matter is, and the

statistics are available at the Department of Inland Fisheries and Game and I have a copy of them here, the truth of the matter is, this action did reduce hunting accidents in the southern zone.

Now, I do my hunting in the northern zone, not in Jerusalem, and in the southern zone you have a greater concentration of hunters in small areas. In the northern zone we have vast expanses with more hunters but not concentrated.

I happen to have a constituent who last fall shot and killed a woman who was hunting. She had nothing on her to indicate of a blaze orange color. In fact, around her neck she had some white, which to this gentleman became the tail of a deer and he didn't miss. In fact, she had a companion walking with her and she was a near miss. Now, if either of these people had on something that was distinguishable, one of them would be alive today, the other one would be alive today.

I also happen to be one of those persons that is afflicted with a partial red-green color blindness and I can assure any of you gentlemen if you are in the woods wearing a dark color, dark red or dark green, and if you should be behind a spruce or fir and leaned over to pick a mushroom, I would see four legs on a deer and I don't miss very often. But if you had blaze orange on, I can spot you a mile away and I won't shoot at you.

Now, the question is invading our constitutional right to wear what we want to wear. Well, we violate that every day because some of us would probably like to come in here with far less on than we do have on but we don't stand on the Constitution. We come dressed for the occasion and I furthermore believe that any hunter going into the woods should be dressed for the occasion for his own safety.

Some of the earlier objections were that this would be cumbersome and noisy. Well, there has been developed a new type of cloth that is not at all noisy so the objection is gone. Some thought it would scare deer away. Well, deer are something like me. They are color blind and I haven't had any trouble

shooting my deer and I have got all kinds of blaze orange on when I am hunting. In fact, I guess I better put some on right now so everybody will know what it is. (Puts hat on head) The question came up yesterday, did we have to be clothed from head to foot in blaze orange?

The bill is very simple. It doesn't say you have to be clothed from head to foot in blaze orange and if you will defeat the proposal of Mr. Dudley or his motion and the bill is amended, this is exactly how it would read and this isn't very complicated. "Any person while hunting with firearms during the open firearms season on deer, except when hunting waterfowl from a boat or blind or in conjunction with waterfowl decoys, shall wear an article of fluorescent orange clothing which is in good and serviceable condition and which shall be visible from all sides." And I am sure if any of you want to look over this way, you will come to the conclusion that my hat is visible from all sides, the rear, left, right and center.

Gentlemen, this is a safety measure, one that can save lives and cost very little. Now I know the remark was made that up in one of the poverty areas of the state — and it isn't a poverty area, I know the area quite well — that men couldn't afford to buy this blaze orange. Well, every man has to have a hat of some kind and he just might as well at hunting season buy a blaze orange hat and have it over with and there is no law to prevent him from wearing it all winter or all summer if he so desires.

So I hope, gentlemen, that we will bring a sense of equity in the State. This has proven itself in the southern part of the State and as a northerner, we need and want the same protection that the people have in the southern part of the State. I, therefore, hope you will vote against the motion of the gentleman from Enfield, Mr. Dudley.

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

Mr. KELLEY: Mr. Speaker and Ladies and Gentlemen of the House: I would like to speak against the motion before us and in support of the bill. I would like to point out to you that the questions raised as to the amount of clothing worn, that the wording used here is identical with the law that we had for the last ten years in the southern part of the State and although it says visible from all sides, the intention is to mean from the outside in all directions. This has stood the test of time in the courts.

There are three exceptions written into this and two of them have been there for several years: that is, hunting waterfowl from a boat or a blind. These are ones that were in the existing law for the southern section and birds are not color blind like deer. If they were mother nature is wasting a lot of effort dressing up the drakes in the spring.

The normal procedure when you are hunting waterfowl is you set your decoys from your boat, go over and put your boat out of sight in the cove, put on a red hat and walk into the blind, take off your red hat and put on camouflage clothing, and the new addition on here is to also make it possible for a person who is hunting in conjunction with waterfowl decoys to hunt without fluorescent orange.

Many of our waterfowl people hunt on off-shore ledges and I think some of you, knowing our fishermen on the coast, can imagine what they might think if they came out of the fog and saw some rather large red objects that looked something like pink elephants they might have seen the night before sitting on a ledge. Some of them might reach for a gun, but there is one thing for sure, the birds won't come anywhere near you if you are dressed in this fluorescent orange.

If you are hunting with waterfowl decoys, as many of us do, for geese and some for ducks in the field, there again if you try to creep to the birds or if you are lying amongst your decoys without a blind, fluorescent orange would just plain put you out of business. A man that is walking up and down

the shores of a brook or a stream or around the shore would have to, during the open firearms season on deer, to wear this fluorescent orange.

Many of us in the past have opposed the idea of somebody telling us what to wear but now it has gotten to the point where probably upwards of ninety percent of the people in the woods during the open firearms season on deer are wearing fluorescent orange. The people, many of them in the northern section, are now asking for this protection and I recommend that you vote against the motion to indefinitely postpone and support this bill.

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

Mr. DUDLEY: Mr. Speaker, Members of the House: I hope you will bear with me and I would like to go into a little detail about sometimes duplications. First of all, this particular gear is not practical for a working man.

The second point I would like to make is that in my area less than five percent of the people in the woods at that time of year are hunting. The other ninety-five percent are not hunting. They are trying to earn a living, and we have already made a law that says they have to wear a steel helmet. Probably that would withstand more bullets than this blaze orange I saw over here a minute ago. But we have already said that that is already a law, that they have to wear a steel hat so they couldn't wear blaze orange.

Now, I think it is a sad day in this House when we start telling people what they got to wear. With all the business at hand and all the millions that we have got to deal with that we start telling my constituents and yours what they have got to wear. I think that in itself is a sad day. Just a few minutes ago we refused to exempt tax on clothing, so we want to make them buy some more clothing and throw the tax to them a little more, give them the knife a little harder.

I represent a lot of people and when they go hunting they wear a head gear. Penobscot County we

have a pretty big tribe there and you are going to hear a lot more about them before the session is over and they wear a head gear and that wouldn't look very good with head gear.

So I hope that you have your senses enough today to vote to indefinitely postpone this bill and not try to dictate to people what they are going to wear and especially in consideration that the percentage of people hunting in the woods is such a small percentage of those people that are in the woods and believe me, people are in the woods for various reasons but most of them are in there to make a living. Like I have told you before, it is already a law on the books that they have to wear a steel helmet. Otherwise they can't work for most companies because they wouldn't be within the safety standards.

Now, while I am on my feet I want to tell you about some killings in my area that I was close to. One of them was a Caron boy from the town of Howland and which I represent. He had blaze orange on and was sawing wood with a chain saw in a field, in an open field, and was shot and killed dead. He had blaze orange on and he was in open field. And most of the other killings was from when the bushes wiggled. They didn't see blaze orange or blaze green or any other color, they just saw the bushes wiggling and they give it to them and a good percentage of the killings, if the bushes wiggle, they are going to get it because they are sound hunting. They hear a little sound and they will tell you they got so many sound shots today. So if the bushes wiggle or sometimes the bushes don't wiggle, they hear a sound and they pump the woods full of bullets.

And in most of the cases, most of the killings I am familiar with, blaze orange or blaze anything wouldn't help. The only thing that was to help was to not have the hunters in the woods without any experience or without any training and some of them with a little bit of a glow on could see double anyway and sometimes when the

bushes didn't even wiggle, they thought they wiggled.

So if you use good judgment, I think you will indefinitely postpone this bill this morning.

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

Mr. BRAWN: Mr. Speaker, Ladies and Gentlemen of the House: I am the gentleman who the fellow in the rear took a crack at in Jerusalem, I am proud of Jerusalem in the Good Book and where I hunt also.

Now when the gentleman got up here and said that this law can be interpreted to be only to be visible outside, this does not say that. If a warden sees a young lady in the woods and she has a fluorescent dress, it says it shall be visible from all sides. He can ask her to remove that dress and he can remove it to find out if it is that color underneath. Many of you people are lawyers and I will guarantee a good lawyer would debate this in the court, but this is what it says.

This morning before I came here I went over to the Commissioner of Inland Fish and Game and I saw Mr. Maynard Marsh. Mr. Maynard Marsh does not support this bill of fluorescent clothing. He says it shouldn't be mandatory. He said when the gentleman wanted to enter this bill, he came to him and he told him he did not want this to go before the people as a departmental bill. I said then I shall use this on the floor that this is not your idea. He said that is perfectly all right. He said I hope that each man will wear something to protect his rights.

Now, when I hear this morning about a gentleman can't tell red or green if somebody is bent over, he thought it was a deer with four legs, that man does not belong in the woods.

Now maybe as you may know my own father was shot and killed while hunting. I am the last man in the world who wants to see someone die. But this is taking away from us all our rights. This is just putting the foot in the door. Gentlemen, we have more highway accidents every year in the United

States with all the safety measures we have got, why don't we pass a law to paint every car a fluorescent color so they can see them? It will not reduce it.

I have just been looking over last night some insurance statistics and they say they can tell on a given day in a certain year a holiday what the deaths are going to be to a certain percent. They can do it. And I will guarantee that for the whole State with the fluorescent clothing that they can tell you within a percent what the deaths would be. We have been lucky the last few years. But let me tell you why we have been lucky. They say we have not had the fatalities. This I grant you but back when my father was shot and killed we had just horses. It was twenty miles to the nearest hospital. Today you have ambulances that can get you there within 20 minutes or less. We can save lives today we could not save then. Now a person is shot. It is just the grace of God he does not die. So I look over the people that are shot, not the fatalities. Many of these people, I went over and I checked the records and I found many of them had on fluorescent clothing that was shot. And I hope today that you will go along with indefinite postponement.

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

Mr. PARKS: Mr. Speaker and Ladies and Gentlemen of the House: I signed the Majority "Ought to pass" Report on this bill and it is a good bill, it is a safety measure. It is something that we need. It has worked in the southern part of the State and there is no reason why it won't work up in the northern part.

You have heard some of these people tell you that we are depriving them of their rights to wear whatever they want when hunting. Now every bill that we pass here in this House we deprive somebody of the right to do whatever they want to do.

Now you have seen the demonstration of this hat, my friend over across the aisle here. These hats probably cost around \$2.69 apiece and I don't think it

is going to break anybody. Anyone that is going into the woods hunting will have on a jacket, have on some kind of a hat and it has been stated to you that they can wear the hat before hunting or after hunting and I am going to oppose the move to indefinitely postpone and I hope you will all go along with me. This is a good bill.

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

Mr. HENLEY: Mr. Speaker and Ladies and Gentlemen of the House: I don't usually inflict myself on these fish and game bills. I have neither hunted for deer, bear, duck or anything else. Neither am I a fisherman but I would very well go along with Mr. Dudley's proposal that this bill be indefinitely postponed. I, too, feel that we are getting too involved in protectionist bills; That we are inflicting ourselves too much on personal activities, whether it be in this line or in any others. There are going to be other bills that I am going to oppose for the same reason, have nothing to do with hunting. In addition to the fact that I think we are carrying it farther than we need to in a protectionist measure, I think that if we let it go as it is, that if you want to wear fluorescent clothing, I certainly would if I was going to go in the woods. In fact, where I live through the hunting season with a little patch of woods on one side of me, we hardly dare to go out in our back yard out in the garden during hunting season and I might have some fluorescent clothing around, I don't think I would dare to then. There are several bullets embedded in the house that landed there in past years.

But whether it would save a life here and there or not, I think that all of us, as we go through life, we take a certain number of chances. We take a chance when we walk out to lunch this noon or when we walk back or drive back tonight. We as a Legislative body cannot save everybody's life and think of every possible contingency.

Now let's take the other proposition that Mr. Dudley mentioned.

I would presume that we are more involved with the people that work outdoors making a living than we are with sportsmen. I know and he knows that there are a lot of woodsmen working in the woods the year round and they can't very well take off during the hunting season. And it is going to be blasted awkward for them if they have got to wear fluorescent clothing. Furthermore, a lot of these same woodsmen want to take their rifles into the woods with them; and I suppose it could be called, if they are seen by a warden, that they are hunting if they have their rifle against a stump while they are working cutting wood and they would be right. Nevertheless, if they are going to work with fluorescent clothing on, it is going to be rather cumbersome, it is going to be entirely unnecessary. I have worked in the woods, I have seen woodsmen working in the woods that time of year a good many times they are stripped down to undershirts because they work hard. The same with anyone, that is rangers, that are working through the woods, someone that is working over a timber lot, real estate people. This would be quite an imposition on anyone that wanted to go near a patch of woods during the hunting season and I still do not feel that we as a body should inflict a specific type of clothing out in the public domain at any time of the year no matter where it is. And I will certainly go along with indefinite postponement on this bill.

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

Mr. BRAWN: Mr. Speaker and Members of the House: When the vote is taken I move it be taken by the yeas and nays because I want my club of almost 800 to see I stood by their wishes.

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

Mr. FARNHAM: Mr. Speaker and Members of the House: Just one more moment, I do want to apologize to the gentleman from Oakland, Mr. Brawn. I meant a pun about the Jerusalem. He has

apparently taken it seriously. I did not intend it that way but you can't hunt in Jerusalem any more because we renamed the town Carra-basset.

Now, Mr. Dudley brought up the point about the woodsman. Under the OHSA Regulations, no man, no woodsman can go in the woods to work without a hard hat on. And the major companies in this State require that their men wear a hat with blaze orange. Now men can come into a logging camp with a hat which they procured at some other company or maybe secured in Canada. It may be red, green, brown or anything else and in those camps they keep a can of spray paint, the blaze orange paint; and before that man is allowed to go out in the woods, his cap is sprayed blaze orange. Furthermore, in the major operations where there are logging camps, every effort is made by the companies not to let any hunter go into the area where men are cutting. Now this is impossible in the areas near towns and what not where men are working on their own.

In the end this boils down to one simple thing. Do you want to try to save lives or not? Now our constitutional rights are affected down here at the corner and when we are going with a car. There are a set of traffic lights there. They are there to protect us from being run into. We don't go through a red light. That is violating our constitutional right but ladies and gentlemen, it is saving our lives; and this is all I am asking, is an effort to save the lives of people in the north.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I will be very brief. I just want to make one point. This red fluorescent only covers hunters and I tried to point out to you this is a small percentage of the people in the woods. This makes the others free game. Now this is the point I want to make. I am not against trying to save lives and I am not against trying to make legislation that would save lives but in my opinion,

my honest humble opinion this will not save lives. It will tend to make more people get killed because these out of state hunters come here, they think that everything that moves in the woods that is not a deer is going to be blazed yellow, they are mistaken; because all of these other people are not going to have blaze yellow on. This is what I was coming at, I am merely saying that you are going to kill more people, basically, in my area than you did before because all of these other people are going to be in there. The law doesn't cover them. It says that just hunters have got to have the blaze yellow. All of these other people that make up 95 percent of the people who are in the woods are not going to have blaze yellow on. This is where the problem comes. The problem comes that such a small percentage will have yellow on. Yet these foreigners that come here think, oh, well, in here anything that hasn't got yellow on is free game.

And I told you before in the House and quite often you have run in the woods coming down the turnpike or something, sometimes in kind of a hurry. You wouldn't have blaze yellow. You sometimes don't have time to put it on if you had it. I hope you will be using this judgment, it might save your own life.

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

Mr. DYAR: Mr. Speaker and Members of the House: You have heard with some liberty here today. I think the gentleman from Enfield, Mr. Dudley has made several vivid points that I would like to elaborate on.

Within my district within the last three years we have had goats, cows, horses and everything else shot including men. Now when it gets to the point that a hunter will shoot a white horse twitching out a white birch tree, it is going some. I think the emphasis should be put on the man who is half shot and keep him out of the woods.

Now in one case a guernsey cow in the town of Phillips on the Main street was chained in front of a

man's house on his lawn was shot by a man from Cumberland County. Now I am quite sure that if you want to substantiate this the case is on record in the courts in Franklin County.

He has also pointed out, and the gentleman from Hampden has elaborated on, the federal regulations as to steel hats — they have not mentioned the steel toed boots, the fact that you can't start your chain saw twenty feet away and gas it up and so forth — should be brought in. We are protecting the hunter. We are not protecting the person in the woods.

Now I will challenge any person in this House to go into the woods with a chain saw, stand on a yard all day long sawing wood with a steel pot on your head, steel toed boots and some sort of a fluorescent orange jacket on. Now during the early part of the hunting season you will find most men sawing out in the yard for example who are fair game under this legislation who will be wearing a T-shirt. It may be white or it may be a dirty colored T-shirt. But this proposed change in the statute in no way protects the man in the woods. It merely protects the hunter.

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

Mr. BINNETTE: Mr. Speaker and Members of the House: I would like to pose a question to Mr. Farnham. Would the game wardens have to wear blaze orange? They are hunters.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: As I read the bill, it applies to hunters and I don't think they classify game wardens as hunters, so they would also be free game.

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 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 Enfield, Mr. Dudley, that both Report and Bill "An Act Relating to the Wearing of Fluorescent Orange Clothing While Hunting During Hunting Season" (H. P. 50) (L. D. 57) be indefinitely postponed. All those in favor of the motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Ault, Barnes, Berry, G. W.; Binnette, Birt, Brawn, Bunker, Carrier, Carter, Chick, Churchill, Connolly, Crommett, Davis, Deshaies, Donaghy, Dudley, Dyar, Faucher, Ferris, Finemore, Genest, Henley, Herlick, Hoffses, Hunter, Kelleher, Keyte, Knight, MacLeod, McCormick, McHenry, Morton, Norris, Ricker, Shaw, Shute, Silverman, Snowe, Sproul, Theriault, Webber, Wood, M. E.

NAY — Berry, P. P.; Berube, Bither, Boudreau, Bragdon, Briggs, Brown, Bustin, Chonko, Clark, Conley, Cooney, Cote, Cottrell, Cressey, Curran, Dam, Dow, Driogotas, Dunleavy, Dunn, Emery, D. F.; Farley, Farnham, Farrington, Flynn, Fraser, Garsoe, Gauthier, Goodwin, H.; Greenlaw, Hamblen, Hancock, Haskell, Hobbins, Huber, Immonen, Jackson, Jacques, Jalbert, Kelley, R. P.; LaCharite, LaPointe, Lawry, LeBlanc, Lewis, E.; Lewis, J.; Littlefield, Lynch, Mahany, Martin, Maxwell, McKernan, McMahon, McTeague, Merrill, Mills, Morin, L.; Morin, V.; Mulken, Murchison, Murray, Najarian, O'Brien, Parks, Perkins, Peterson, Pontbriand, Pratt, Rolde, Rollins, Santoro, Simpson, L. E.; Smith, D. M.; Smith, S.; Stillings, Talbot, Tanguay, Tierney, Trask, Trumbull, Walker, Wheeler, White, Whitzell, Willard.

ABSENT — Baker, Cameron, Carey, Curtis, T. G., Jr.; Evans, Fecteau, Gahagan, Good, Goodwin, K.; Hodgdon, Kelley, Kilroy, Maddox, McNally, Palmer, Ross, Sheltra, Soulas, Susi, Tyndale.

Yes, 44; No, 86; Absent, 20.

The SPEAKER: Forty-four having voted in the affirmative and

eighty-six in the negative, with twenty being absent, the motion does not prevail.

Thereupon, the Report was accepted, the Bill read once and tomorrow assigned.

On motion of Mr. Simpson of Standish, the House reconsidered its action on Bill "An Act Relating to Safety of Dams" (S. P. 177) (L. D. 485) whereby it was referred

to the Committee on Public Utilities in concurrence.

On further motion of the same gentleman, referred to the Committee on Natural Resources in non-concurrence and sent up for concurrence.

On motion by Mr. Birt of East Millinocket,

Adjourned until one o'clock tomorrow afternoon.