

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, March 7, 1973

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

Prayer by the Rev. Mr. Raymond McKeone of Augusta.

The journal of yesterday was read and approved.

Orders Out of Order

Mrs. Berry of Madison presented the following Order and moved its passage:

ORDERED, that Michael Quimby, Dwayne Hartford and Timothy Mosher of Smithfield be appointed Honorary Pages for today.

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

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

ORDERED, that Regina and Christopher Paradis of Lewiston be appointed Honorary Pages for today.

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

Mrs. Clark of Freeport presented the following Order and moved its passage:

ORDERED: that Ann Martin, Pamela Sanford, Arthur Blake, Patrick Martin of Freeport and Joseph Arsenaault of North Yarmouth be appointed Honorary Pages for today.

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

Mr. Dyar of Strong presented the following Order and moved its passage:

ORDERED, that Linda Fast, Terri Fast, Scott Fast and Paul Howard of Strong be appointed Honorary Pages for today.

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

Mrs. Goodwin presented the following Order and moved its passage:

ORDERED, that Catherine Bus-tin and Mark Parent of Augusta be

appointed Honorary Pages for today.

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

Mr. Brawn of Oakland presented the following Order and moved its passage:

ORDERED, that Herbert Choate and Floyd Trask of Mt. Vernon be appointed Honorary Pages for today.

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

Mr. McMahon presented the following Order and moved its passage:

ORDERED, that Gayle Smith, Sandra Smith, Paul Grant and Clinton Parks of Kennebunk 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 Joint Order: (S. P. 392)

ORDERED, the House concurring, that the communication together with Bill, "AN ACT Creating the Power Authority of Maine," Initiated Bill (I. B. 1) and accompanying petitions, be referred to the Joint Standing Committee on Judiciary for an investigation and report as to the sufficiency of the petitions; with the power on the part of the Committee to subpoena witnesses.

Came from the Senate read and passed.

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

From the Senate:

Bill "An Act to Allow the Brunswick Sewer District to Treat Sewerage from the Topsham Sewer District and Septic Tanks" (Emergency) (S. P. 395) (L. D. 1175)

Came from the Senate referred to the Committee on Public Utilities.

In the House, the Bill was referred to the Committee on Public Utilities in concurrence.

Non-Concurrent Matter Tabled Later in the Day

Joint Resolution relative to Ratification of Equal Rights Amendment (H. P. 139) (L. D. 161) In the House—Majority Report accepted and Resolution adopted on February 27.

Came from the Senate with the Minority Report "Ought not to be Adopted" accepted in non-concurrence.

In the House: On motion of Mr. Simpson of Standish, tabled pending further consideration and later today assigned.

Non-Concurrent Matter

Bill "An Act Establishing the West Bath Game Sanctuary" (H. P. 248) (L. D. 328) which was passed to be engrossed as amended by Committee Amendment "A" (H-40).

Came from the Senate indefinitely postponed in non-concurrence.

In the House: On motion of Mr. Merrill of Bowdoinham, the House voted to recede and concur.

The SPEAKER: Will the Sergeant-at-Arms kindly escort the gentleman from Old Town, Mr. Binnette, to the rostrum.

Thereupon, Mr. Binnette assumed the Chair as Speaker pro tem and Speaker Hewes retired from the Hall.

Petitions, Bills and Resolves Requiring Reference

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

Appropriations and Financial Affairs

Bill "An Act Providing Funds for Renal Dialysis Center at Eastern Maine Medical Center" (H. P. 1056) (Presented by Mrs. Baker of Orrington)

Mill "An Act Providing Funds to Adjust Pay Ranges for Foresters" (H. P. 1063) (Presented by Mr. Palmer of Noblesboro)

(Ordered Printed)

Sent up for concurrence.

Business Legislation

Bill "An Act Relating to Deceptive Prices Comparison Advertising under Uniform Deceptive Trade Practices Act" (H. P. 1057) (Presented by Mrs. Baker of Orrington)

Bill "An Act to Permit Savings Banks to Invest in Obligations of the Asian Development Bank" (H. P. 1070) (Presented by Mr. Curtis of Orono)

(Ordered Printed)

Sent up for concurrence.

Education

Bill "An Act Requiring that the National School Lunch Program be Implemented in All Public Schools" (H. P. 1067) (Presented by Mr. LaPointe of Portland)

(Ordered Printed)

Sent up for concurrence.

Election Laws

Bill "An Act Relating to Failure to File a Campaign Report" (H. P. 1058) (Presented by Mrs. Baker of Orrington)

Bill "An Act Relating to Political Campaign Reports and Finances" (H. P. 1066) (Presented by Mr. Smith of Dover-Foxcroft)

(Ordered Printed)

Sent up for concurrence.

Judiciary

Bill "An Act Relating to Security under the Financial Responsibility Law" (H. P. 1059) (Presented by Mr. Brawn of Oakland)

Bill "An Act to Require the Grantee's Address on any Deed Presented for Recording" (H. P. 1060) (Presented by Mr. Greenlaw of Stonington)

(Ordered Printed)

Sent up for concurrence.

Legal Affairs

Resolve to Reimburse Vivian Morrison of Dixfield for Property Damage by Highway Construction (H. P. 1064) (Presented by Mr. Rollins of Dixfield)

Bill "An Act Allowing Municipalities to Insure Against Personal Liability of Their Officers, Officials and Employees" (H. P. 1069) (Presented by Mr. Huber of Falmouth)

(Ordered Printed)

Sent up for concurrence.

State Government

Resolve Creating the Maine Committee on the Metric System (H. P. 1065) (Presented by Mr. Smith of Dover-Foxcroft) (Emergency)

(Ordered Printed)

Sent up for concurrence.

Taxation

Bill "An Act Exempting Tuberculosis Health Associations from the Sales Tax" (H. P. 1061) (Presented by Mrs. Baker of Orrington)

Bill "An Act Increasing Inheritance Exemption for a Surviving Spouse and Children" (H. P. 1062) (Presented by Mr. Brawn of Oakland)

Bill "An Act Exempting Fuels Used to Heat Commercial Broiler Houses from the Sales Tax" (H. P. 1068) (Presented by Mr. Evans of Freedom)

(Ordered Printed)

Sent up for concurrence.

Transportation

Bill "An Act Relating to Mirrors on Certain Vehicles" (H. P. 1071) (Presented by Mr. Carrier of Westbrook)

Bill "An Act Relating to Allocations from the General Highway Fund for the Repair of Certain Bridges in Baxter State Park" (Emergency) (H. P. 1072) (Presented by Mr. Birt of East Millinocket)

(Ordered Printed)

Sent up for concurrence.

At this point, Speaker Hewes returned to the rostrum.

The SPEAKER: The Chair thanks the gentleman and commends him for an excellent job.

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

Orders

Mr. Bunker of Gouldsboro presented the following Joint Order and moved its passage:

WHEREAS, the Tigers of Sumner Memorial High School have captured the State Class "C" basketball title for 1973; and

WHEREAS, this outstanding team has broken six Class "C" State Championship records and

tied another; and

WHEREAS, this is the second state title win and their fifth Eastern Maine Basketball Championship; and

WHEREAS, each performance has provided a joyous welling up of pride and excitement throughout the land; now, therefore, be it

ORDERED, the Senate concurring, that the Members of the 106th Maine Legislature, now assembled, take this opportunity to commend Coach Jerry Kane and the Sumner Tigers basketball team for their accomplishment in the field of sports and wish them continued success in their efforts to honor their school, community and State; and be it further

ORDERED, that a suitable copy of this Order be transmitted to the principal, Harold Moore, and the aforementioned coach in honor of the occasion. (H. P. 1085)

The Order was read and passed and sent up for concurrence.

Mrs. Kelley of Machias presented the following Joint Order and moved its passage:

WHEREAS, the Royals of Jonesport-Beals High School have captured the State Class "D" Basketball Title for 1973; and

WHEREAS, seldom has a high school basketball team stirred the hearts of so many citizens as Jonesport-Beals; and

WHEREAS, they will be recorded in Maine history as the only team to ever win four consecutive State basketball championships in any class; and

WHEREAS, this extraordinary team, informally known as "Alley Anny," has distinguished itself, its school and the community in a manner long to be remembered; now, therefore, be it

ORDERED, the Senate concurring, that the Members of the 106th Maine Legislature, now assembled, take this opportunity to commend Coach Ondie Alley and the Royals basketball team for their accomplishment in the field of sports and wish them continued success in their efforts to honor their school, community and State; and be it further

ORDERED, that a suitable copy of this Order be transmitted to the

principal and coach in honor of the occasion. (H. P. 1086)

The Order was read and passed and sent up for concurrence.

House Report of Committee Ought Not to Pass

Mrs. McCormick from the Committee on Health and Institutional Services reporting "Ought not to pass" on Bill "An Act Relating to Selling Certain Drugs" (H. P. 150) (L. D. 183)

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

Divided Report Tabled and Assigned

Majority Report of the Committee on Health and Institutional Services reporting "Ought not to pass" on Bill "An Act Relating to Permits to Practice Hairdressing and Beauty Culture" (H. P. 312) (L. D. 414)

Report was signed by the following members:

Messrs. HICHENS of York
GREELEY of Waldo
MINKOWSKY
of Androscoggin
—of the Senate.

Messrs. DYAR of Strong
LEWIS of Bristol
SANTORO of Portland
Mrs. BERRY of Madison
McCORMICK of Union
MORIN

of Old Orchard Beach
—of the House.

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

Report was signed by the following members:

Messrs. SOULAS of Bangor
WHITZELL of Gardiner
GOODWIN
of South Berwick
LaPOINTE of Portland
—of the House.

Reports were read.

(On motion of Mr. Dyar of Strong, tabled pending acceptance of either Report and specially assigned for Monday, March 12.)

Divided Report Tabled and Assigned

Majority Report of the Committee on Health and Institutional Services reporting "Ought not to

pass" on Bill "An Act Relating to Selecting Chairman of and Length of Tenure of the Members of the State Board of Hairdressers" (H. P. 315) (L. D. 433)

Report was signed by the following members:

Messrs. HICHENS of York
GREELEY of Waldo
MINKOWSKY
of Androscoggin
—of the Senate.

Messrs. DYAR of Strong
LEWIS of Bristol
SANTORO of Portland
Mrs. BERRY of Madison
McCORMICK of Union
—of the House.

Minority Report of same Committee reporting "Ought to pass" as amended by Committee Amendment "A" (H-79)

Report was signed by the following members:

Messrs. SOULAS of Bangor
WHITZELL of Gardiner
GOODWIN
of South Berwick
LaPOINTE of Portland

Mrs. MORIN
of Old Orchard Beach
—of the House.

Reports were read.

(On motion of Mrs. Boudreau of Portland, tabled pending acceptance of either Report and specially assigned for Monday, March 12.)

Consent Calendar First Day

(S. P. 55) (L. D. 139) Bill "An Act Relating to Publishing Rules and Regulations of the Parks and Recreation Department" — Committee on State Government reporting "Ought to pass" as amended by Committee Amendment "A" (S-20).

(S. P. 64) (L. D. 167) Bill "An Act Providing for Deputy Clerks of the District Court" — Committee Amendment "A" (S-19).

(S. P. 95) (L. D. 241) Bill "An Act Providing that the Running of Statutory Time Periods Be Governed by the Maine Rules of Civil Procedure" — Committee on Judiciary reporting "Ought to pass" as amended by Committee Amendment "A" (S-21).

No objection having been noted, the Bills were assigned to the

Consent Calendar's Second Day list.

(S. P. 111) (L. D. 256) Resolve to Reimburse Albert S. Herrick of Ellsworth for Boarding Stray Dogs — Committee on Legal Affairs reporting "Ought to pass".

On the request of Mr. Donaghy of Lubec, was removed from the Consent Calendar's First Day list.

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

(H. P. 284) (L. D. 358) Bill "An Act Changing the Name of the State Board of Hairdressers to the State Board of Cosmetology" — Committee on Health and Institutional Services reporting "Ought to Pass."

(H. P. 291) (L. D. 365) Resolve, to Repeal Certain Special Resolve Pensions — Committee on Health and Institutional Services reporting "Ought to Pass."

(H. P. 460) (L. D. 609) Bill "An Act Increasing the Compensation of the Governor" — Committee on State Government reporting "Ought to Pass."

(H. P. 482) (L. D. 626) Bill "An Act Appropriating Funds to Provide Vocational Rehabilitation Services to Handicapped Persons" — Committee on Health and Institutional Services reporting "Ought to pass."

(H. P. 499) (L. D. 652) Resolve Authorizing the Commissioner of Parks and Recreation to Convey by Sale the State's Interest in Certain Real Property at Lubec — Committee on State Government reporting "Ought to Pass."

(S. P. 263) (L. D. 760) Bill "An Act Relating to Name of Maine Oil Heating & Equipment Dealers Association" (Emergency) — Committee on Legal Affairs reporting "Ought to Pass."

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

Consent Calendar Second Day

(H. P. 286) (L. D. 360) Bill "An Act Relating to the Cultivation of Coho Salmon"

(H. P. 322) (L. D. 440) Bill "An Act Relating to Motor Vehicle Licenses for Persons on Active Duty in the Armed Forces" (C. "A" - H-75)

(H. P. 456) (L. D. 605) Bill "An Act to Provide Free Hunting and Fishing Licenses to Maine Indians Excluded from Present Law" (C. "A" - H-78)

(H. P. 570) (L. D. 749) Bill "An Act to Increase Payments to Forestry Department for Forest Fire Protection in Baxter State Park"

(H. P. 609) (L. D. 807) Bill "An Act Relating to Field Trials for Dogs" (C. "A" - H-77)

(H. P. 612) (L. D. 810) Bill "An Act Relating to Trapping Muskrats and Beaver on Lands of the Passamaquoddy Indian Tribe" (C. "A" - H-76)

No objection having been noted, the Bills were passed to be engrossed and sent to the Senate.

Passed to Be Engrossed

Bill "An Act Establishing Daylight Saving Time for All Year." (H. P. 542) (L. D. 724)

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 Emergency Measure

An Act to Repeal the Poll Tax (H. P. 17) (L. D. 17)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken, 126 voted in favor of same and 5 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Order out of Order

Mrs. McCormick of Union presented the following Order and moved its passage:

Ordered, that Cecil McNally of Ellsworth be excused from the 7th to the 14th of March to attend a General Contractors Convention in San Francisco.

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

The SPEAKER: The Chair is informed that the Maine Potato Queen is in the rear of the House. Would the gentleman from Limestone, Mr. Albert, assisted by the gentleman from Caribou, Mr. Gahagan, kindly escort her to the rostrum.

Thereupon, Mr. Albert and Mr. Gahagan escorted Miss Brenda Snowman to the rostrum, amid the applause of the House, the members rising.

Miss SNOWMAN: Mr. Speaker and Representatives: I would like to thank you very kindly for the honor bestowed upon me today. I would like to mention that the bag of potatoes that you found on your desks this morning upon entering is the compliments of the Maine Potato Commission.

This is Maine Potato Week, March 7 through March 17. Thank you again. (Applause)

Orders of the Day

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

Bill "An Act Providing for Field Examiner for Election Division of the Department of the Secretary of State" (S. P. 151) (L. D. 385)

Tabled — March 5, by Mr. Simpson of Standish.

Pending — Motion of Mrs. Baker of Orrington to reconsider indefinite postponement.

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

Mr. ROSS: Mr. Speaker and Members of the House: I am having an amendment prepared which will be ready by tomorrow morning, and I would request that somebody table this for one day.

Thereupon, on motion of Mr. Finemore of Bridgewater, tabled pending the motion of Mrs. Baker of Orrington to reconsider indefinite postponement and tomorrow assigned.

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

Bill "An Act to Establish within the Department of Indian Affairs a Bureau of Indian Police" (H. P. 377) (L. D. 506) (H-65)

Tabled — March 5, by Mr. Ault of Wayne.

Pending — Acceptance of Committee Report.

On motion of Mr. Simpson of Standish, retabled pending the acceptance of the Committee Report and specially assigned for Monday, March 12.

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

Resolution, Proposing an Amendment to the Constitution Reducing Residence Requirement for Voting to Thirty Days (H. P. 9) (L. D. 9)

Tabled — March 5, by Mr. Simpson of Standish.

Pending — Passage to be enacted.

On motion of Mr. Birt of East Millinocket, tabled pending passage to be enacted and specially assigned for Monday, March 12.

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

Bill "An Act Relating to Possession of Firearm During Open Season on Deer after Deer Registered" (H. P. 159) (L. D. 201)

Tabled — March 5, by Mr. Simpson of Standish.

Pending — Motion of Mr. Trumbull of Fryeburg for House to recede and concur.

Thereupon, the motion prevailed.

The Speaker: The Chair recognizes the gentleman from Westbrook, Mr. Deshaies.

Mr. DESHAIES: Mr. Speaker, I move we reconsider our action whereby the House voted to recede and concur.

The SPEAKER: The gentleman from Westbrook, Mr. Deshaies, moves that the House reconsider its action whereby it voted to recede and concur with the Senate.

The Chair recognizes the same gentleman.

Mr. DESHAIES: Mr. Speaker and Ladies and Gentlemen of the House: The pending motion and the amendment is making an issue about the scarcity of bears within the area proposed in this

amendment. I question the statistics proposed in the amendment. They were not required to be registered until very recently, therefore, could be hunted and bagged and not reported in this area and no one knows how many were or could be in the future.

This bill was soundly defeated in the House a few days ago by a vote of 45 to 89. Please do not be misled. This amendment is an attempt to eventually have this bill apply statewide. It is a foot in the door. Next year, or the next, the entire state may be affected.

The amendment proposes a zone in the lower part of the state where this law will apply. If this bill cannot presently stand the test of statewide adoption, and it has not, then it should not be imposed piecemeal in the southern zone. We had a zoned area involving fluorescent clothing and look at the problems this caused. We do not need any more zones.

The statement of fact on the amendment, reads that the purpose is to try and protect deer from illegal hunting in an area known as the southern zone. I agree with the purpose, but this bill is hardly the vehicle. I happen to live in this area and while I realize that the gentleman never intended, this amendment, nevertheless, implies that hunters in this area are poachers and law-breakers. Well I take exception. I am neither a poacher nor a law-breaker and neither are my friends and acquaintances, nor the overwhelming majority of people in this area. If the Fish and Game Department knows where the poaching problem lies and the persons responsible, let them concentrate on these people, and leave the rest of us alone. Let them concentrate on the night hunter, the jacker, that is where the real problem exists.

This is a fair piece of legislation, however well intended, that takes a little more of our rights as private citizens. Therefore, ladies and gentlemen of the House, I would hope we remain consistent in our convictions and that we once again vote in the majority

against the pending motion to re-cede and concur.

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

Mr. KELLEY: Mr. Speaker and Ladies and Gentlemen of the House: This is my bill. I am sorry to hear that people think it is a bad bill. The last time we discussed it, the problem of the legitimate bear hunter seemed to be the main objection to the bill. If you people study the maps that were distributed to you last week, you will find that in the 8 to 9 percent of the state involved by the Senate amendment, you had over one third of the deer killed in the State of Maine and you have only fifteen bear. Now these are the most recent figures from the Fish and Game Department. The gentleman who spoke previously questioned their accuracy. If you look at the maps that you had this last week, it shows the kill town by town of both bear and deer.

The problem of illegal hunting is a serious one and wardens tell us, as I told you the other day, that well over half of the hunters they meet in the woods the last week of the season have already had their ticket punched; they have already registered a deer.

Now I would like to point out some additional figures to you. In the last three years, of the hunting accidents where deer hunters have shot other people in the woods, there are ten of the thirteen cases where deer hunters admitted that they mistook the man for a deer, and ten out of thirteen of them were in this area. This shows you the concentration of hunting that we do have, and as I said to you before, these people had already registered a deer.

It is a very serious problem. I hope you will think well on this.

Most of the people that I have talked with are convinced that it is not working a great hardship on the people that want to go hunting, because if you look at the map, they have only a short distance to travel to get into bear country, but the chances of killing bear in this area are extremely small. I hope that you will let

the motion to recede and concur prevail.

The SPEAKER: The Chair recognizes the gentleman from Fryeburg, Mr. Trumbull.

Mr. TRUMBULL: Mr. Speaker and Ladies and Gentlemen of the House: Last year over 175,000 people purchased a hunting license and killed 28,698 deer. About one out of six hunters was successful. Yet, within the proposed zone in this bill, 35 percent of the deer were killed on 8 percent of the land area, and with more urban area involved than anywhere else in the state. At the same time, the bear hunter killed only 1½ percent of the total bear kill within the state.

This bill is, in its present form, a conservation measure and a conservation measure only. If something is not done by the legislature, and soon, it will be too late to do anything. The deer will be gone from the southern part of the state and there will be no hunting whatsoever within that area.

What I therefore urge you to do is to try and keep this lucrative business, yes lucrative, not only for the state but for the many merchants who sell goods to these hunters. I know that many of you believe that this bill imposes upon personal rights and to you I say that no hunting at all would be a far greater hardship.

I also know that many of you have predicted the doom of the deer herd and to you I say let us not wait until it is too late, let's fight to save the deer herd. I therefore urge passage of this bill.

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

Mr. DYAR: Mr. Speaker and Ladies and Gentlemen of the House: I would like to concur with the statements made by the gentleman from Westbrook here this morning. We have an artificial line being drawn across the state separating the southern part from the northern. As we know from previous acts, this line is always termed "The Great North".

The gentleman just spoke on the conservation measure but it does not seem to me that the depart-

ment is too conservatively minded when they are recommending a five-week deer season statewide this coming fall.

And by placing this line across the southern section of the state, in my mind certainly does not conserve any deer. It may conserve the bear, but there is no bear down there. But as far as the deer are concerned, I can see no conservation whatsoever.

The SPEAKER: The Chair recognizes the gentleman from Gardiner, Mr. Whitzell.

Mr. WHITZELL: Mr. Speaker and Ladies and Gentlemen of the House: I would like to rise in support of Mr. Deshaies' motion. I just looked at my map for the second and third time again. It behooves me to find out where these lines go. There is only a heavy pencil line on the map. It does not say what routes, what townships are included and those which are excluded. There are enough problems even now, determining when you are or when you are not in an open area. And I think that this would just prove to be a further complication in the game laws to the demise of all the hunters who have been before the district courts. It would be very unfair to all the hunters in Maine. I would like to see us reconsider our action and indefinitely postpone this bill.

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

Mr. BRAWN: Mr. Speaker and Ladies and Gentlemen of the House: If the Fish and Game Department knows of people who have shot someone after they have shot a deer, why did not they arrest them? Why didn't they convict them? This was not the case.

Let's take the man who owns a hotel, a motel or a hunting camp. Fellows come up here from out of state; they are here for two weeks. They shoot their deer the first day. They have only one gun with them, that is all they have. You mean to tell me that those people are going home? I have had a number of people contact me and I think you will find many of these sporting camps have, and they were telling you,

if this is going to be the case in Maine, we are not going to leave a cent here, we are not coming to your state to hunt.

Now when the Fish and Game Department says that we have got to have a special bow and arrow season, then they want four weeks for a muzzle-loading gun, it does not look to me like they are too worried about the deer herd.

Now myself, I have never been arrested for any misdemeanor in my entire life. I have tried to obey the law. Many of you have said that I have not, but this is too good a conversation piece. Now gentlemen, I hope you will go along with indefinite postponement of this bill.

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

Mr. KELLEY: Mr. Speaker and Ladies and Gentlemen of the House: The amendment, the Senate Amendment gives a description of this boundary line and it comes by numbered highways from the New Hampshire border into Portland, Gorham to the Maine turnpike. It follows the Maine turnpike. It goes up between Waterville and Boonsville, on up through the Route 95 to Bangor and then by Route 1-A to Ellsworth and down the Union River and back to the New Hampshire border. So there is little reason for any hunter not to know on which side he is of the Maine Turnpike, Route 95, Route 1-A or the other numbered highways that run from Portland to the New Hampshire border.

I think that you will find that this is a reasonable dividing line. I point out again that for human safety, for fairness to the deer hunter who has not killed his deer, that this should be given consideration and I hope that you will vote for the bill.

Thereupon, Mr. LeBlanc of Van Buren requested a vote.

The SPEAKER: The pending question is on the motion of the gentleman from Westbrook, Mr. Deshaies, that the House reconsider its action whereby it voted to recede and concur. All in favor will vote yes; those opposed will vote no.

A vote of the House was taken. 90 having voted in the affirmative and 42 having voted in the negative, the motion did prevail.

The SPEAKER: The pending question now before the House is to recede and concur. All in favor will say yes; those opposed will say no.

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

Mr. Farrington of South China moved that the House insist.

Mr. Carrier of Westbrook requested a vote on the motion.

The SPEAKER: A vote has been requested. The pending question is on the motion of the gentleman from South China, Mr. Farrington, that the House insist. All in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

60 having voted in the affirmative and 69 having voted in the negative, the motion did not prevail.

Thereupon, on motion of Mr. Norris of Brewer, the House voted to adhere.

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

Bill "An Act to Protect Families with Children and Recipients of Certain Benefits Against Discrimination in Rental Housing" (H. P. 975)

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

Pending — Motion of Mr. Carrier of Westbrook to refer to Committee on Legal Affairs.

Mr. Carrier of Westbrook withdrew his motion to refer to the Committee on Legal Affairs.

On motion of the same gentleman, referred to the Committee on Judiciary, ordered printed and sent up for concurrence.

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

Bill "An Act Relating to Withdrawal from Participation in the Cumberland County Recreation Center" (H. P. 981)

Tabled — March 6, by Mr. Henley of Norway.

Pending — Reference.

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

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

Bill "An Act to Create a Commission to Prepare a Revision of the Probate Laws and the Administration Thereof" (H. P. 1045)

Tabled — March 6, by Mr. Bragdon of Perham.

Pending — Reference.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: Some of you will recall that very early in the session I presented L. D. 35, An Act Creating the Uniform Probate Code. This was referred to the Judiciary Committee, which I consider is the correct reference. Since that time there have been other bills pertaining to the Probate Laws of the State of Maine, and as far as I know, they have all been referred to the Judiciary Committee.

Since presenting this bill, I have had an opportunity to talk at some length with members of the bar and probate judges and others knowledgeable in the administration of our probate laws, and I seem to find very good acceptance of the fact that our probate laws are overdue for a complete revision.

When I presented this bill, it being somewhat lengthy, I assumed that a study would be possibly the logical course that it would take. Now item 7 on our calendar today is An Act to Create a Commission to Prepare a Revision of the Probate Laws and the Administration Thereof. Inasmuch as this applies to a general look at our probate laws and all of the other bills pertaining thereto have been referred to the Judiciary Committee, I would state that I feel that in spite of the suggestion of the Reference of Bills Committee, I would like to see this go to Judiciary along with these other bills. And to bring it to a head, I will so move, Mr. Speaker.

Thereupon, on motion of Mr. Bragdon of Perham, referred to

the Committee on Judiciary, ordered printed and sent up for concurrence.

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

Bill "An Act Relating to Identity of Defendant in Suspension Cases under Motor Vehicle Laws" (H. P. 311) (L. D. 413)

Tabled — March 6, by Mr. Mulkern of Portland.

Pending — Acceptance of Committee Report.

On motion of Mr. Mulkern of Portland, the Report was accepted. The Bill was read once and assigned for second reading tomorrow.

The Chair laid before the House a matter tabled earlier and assigned for later in today's session:

Joint Resolution relative to Ratification of Equal Rights Amendment (H. P. 139) (L. D. 161)

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

Mr. SIMPSON: Mr. Speaker, I move we recede and concur.

The SPEAKER: The gentleman from Standish, Mr. Simpson, moves that the House recede and concur.

The Chair recognizes the gentleman from Portland, Mr. O'Brien.

Mr. O'BRIEN: Mr. Speaker and Ladies and Gentlemen of the House: I don't speak very often, but I feel my Irish ancestry will not let me pass this opportunity by without making one last ditch fight against discrimination because of sex.

I know that many of us are tired, and well we should be tired, but this is our job. Our job here is to protect all our citizens under the law, and that is very important — under the law.

Through no fault of my own I was born to my race, I was born to my faith, I was born to my Irish ancestry, and I was born male. Now, I am protected under the law through race, color and creed, but the citizens of this State are not protected under the law — and that is very important — they are not protected under the law for something they have absolutely no

control over. None of us picked our sex, none of decided we were to be born male or born female, and I feel very, very strong about this.

I hope we defeat the motion to recede and concur and give our citizens the opportunity for this Equal Rights Amendment to get the longest chance of passage. I don't expect to change anybody's vote, but I do believe we owe it to our country. We are not talking about Maine law; we are talking about the law of our nation. We owe it to our country that no citizen will suffer discrimination of any sort. I ask you, I beg you, to defeat the motion of receding and concurring so that we may insist upon our former action.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: I agree with the motion to recede which, in effect, is a vote against the bill. I believe that the supporters of ERA are trying to have us enact a law under the guise of progress and fair treatment for all persons, but I fail to comprehend their reasoning.

I believe that many well-meaning people are trying to convince the majority to swallow an idea which they don't understand well enough or fully comprehend to really support.

Equal rights is a very enticing phrase but a bit obscure and ambiguous. The word "woman" is not mentioned in this Amendment, but evidently taken for granted.

To all intents and purposes, people in Maine have equal rights now. However, no matter what we enact, we will not make people equal in all respects. Whether a man or a woman, no law will ever change this. Some people have certain aptitudes, abilities, ambitions and desires, while others have entirely different attributes.

In reality, men might stand more to gain by this Amendment than women. Their responsibilities, now accepted as a true part of American way of life, might in reality be diminished. Their ambition to work to the limit of their ability for the benefit of their wives and children might decrease. Tradi-

tional family relationships might deteriorate.

Women now have the best of the bargain. Under our State laws they have employment benefits relative to equal pay and better working conditions. They have preferential treatment in many things from family consideration and rights to divorce courts and alimony.

It was stated that she was discriminated against relative to the management of property and finances. As to the latter, as many of you know, they control most of the wealth in this country. However, we are not talking about the wealthy. In our modern society the average woman usually handles the family money. As to property, I wonder how many men would buy a house and its furnishings without first consulting their wives.

In Maine we have made great strides towards equal rights for women. Perhaps other states lack our progressive attitude. Why should we gamble our hard-earned successes upon the whims of unknown Congressmen? Our Constitution deals with basic law. Why should we clutter it up with matters better handled by the statutes of individual states which thoroughly know their individual problems?

I always try to vote for what is truly best for our own people, but I cannot believe that the average woman would be willing to lose, if she realized it, and gamble with such an amendment which might take away what she now has.

Now, those are the reasons I am against the resolution and favor concurrent action today with the other body.

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

Mr. LACHARITE: Mr. Speaker and Members of the House: I rise again today, as I did last week, in support of this resolution. I believe this issue to be much too important for the House to recede and concur with the Senate when in the Senate this resolution only failed by one vote.

I believe there is a lot of confusion about just what this resolution will do. Let's review just a few major points. The basic principle of the Equal Rights

Amendment rests on two fundamental judgments which we all have long subscribed to. First, the moral judgment that women as a group should not be forced into an inferior position. And second, the practical judgment that classification by sex automatically excludes the consideration of the real differences that exist among women as among men.

Three areas of importance which should be reiterated are:

1. The discriminatory treatment that has come to the public's attention recently is the difficulty women experience in obtaining credit.

2. Despite the coeducational character of most public educational facilities, the inaccessibility of certain sex segregated higher education institutions to either men or women has been another point of contention. Total exclusion of one sex from public educational institutions is not the only form of differential treatment which has been experienced. Quotas and higher admission standards have also been used to restrict the number of women applicants.

3. Disparities between men and women in employment opportunities and wages arouse perhaps the strongest resentment among women today, even among those who quickly disassociate themselves from any formal women's liberation group. The Equal Employment Opportunity Commission, whose responsibility is to investigate complaints of discrimination and establish policy guidelines, has also varied in its interpretation of the meaning of this statement. The E.E.O.C. has argued, however, that if a certain job classification has been found to have a bona fide occupational qualification, an employer can legally close that job to all members of one sex.

I truly believe that the good this resolution will do greatly outweighs the bad that the opponents have suggested, and I strongly urge your support on this resolution.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I am one of those Representatives in this House who is not confused about this issue and I don't believe the public is confused. A lot of you have had your ear to the public in your area, and I think it is time you people get in step with what the public is saying back home that you represent. This is a unanimous almost decision in some areas and nearly unanimous in others.

Only this morning when I came here to this House by my automobile I had the Augusta station on and they were conducting a poll in this very town with people calling in. It was terribly lopsided against this measure. In other words, the people don't want this; just a few, a very small minority.

I have been in this House for many years, and I think the reason I am here is because I have tried to be with the majority of the people in my area and tried to carry out their wishes; not necessarily what I think is best for myself, me personally, or how I can meet people in the corridor here, but I want to be in tune with the people that I represent, and I think you should be. Unless some of you people are dissatisfied with your stay in this House, I think you should consider their wishes and consider how unanimous their thinking is on this particular subject.

The other body had time to think this over and made a very wise decision, in my opinion, the other day. I hope our decision will be as wise this morning and that we will vote quite unanimously in this House to insist — no, let's see, we went along with it the other day, and to insist would be all right too — but I don't think we should pass this measure. The motion before the House is to recede and concur, and I hope that we do recede and concur with the Senate. However, if we did insist, that would be the same thing too because we would be in non-concurrence, but this morning I hope that we do not pass this measure because I am sure we would be certainly out of tune with the people that we represent in this area.

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

Mr. CONNOLLY: Mr. Speaker and Ladies and Gentlemen of the House: I don't want to take a lot of your time and go over the arguments that we have been debating for the past week or so here, but I do want to leave one thought with you.

My understanding of the intention of the United State Constitution is that all of our laws should apply to everyone equally, and that is what the Equal Rights Amendment will do if it is ratified.

When we debated last week the order calling for Indian representation on committees it was argued by a number of people—among them my good friend from Bangor, Mr. Kelleher — that we shouldn't give different kinds of consideration for certain groups of people. If the Equal Rights Amendment is not passed, that is in effect what we will be doing. We will be saying that different groups of people should receive different kinds of consideration under the law.

One last point: There has apparently been a lot of talk in this body about the fact that the first day of each week when we rise when the Star Spangled Banner, the National Anthem—

The SPEAKER: Would the gentleman keep his remarks to the Equal Rights Amendment, which is the issue before us.

Mr. CONNOLLY: Sir, I believe these remarks are pertinent—that members of this body rise and place their hands over their hearts in respect for what this nation stands for. That is a tradition, is not required by law. The tradition that I have always followed in that instance has been to stand, not to put my hand over my heart. But because of the controversy that has arisen and people have spoken to me about it, I feel that I should acquiesce to the wishes of this body and place my hand over my heart out of respect for what the National Anthem stands for. But I don't believe that I can do that, that I can stand even in this body when the National An-

them is played on Monday of each week unless you go on record as saying men and women should be treated equally under the law. It is about time, in my opinion, that women be included in the Constitution.

The SPEAKER: The Chair recognizes the gentleman from Yarmouth, Mr. Jackson.

Mr. JACKSON: Mr. Speaker and Ladies and Gentlemen of the House: There are two things concerning this bill I would like to speak on. First of all, the mail I have received on it. It has been almost without exception for it. I have received mail against it and the mail that I have received against it, a great deal of it has been from out of state and a great deal of it has been signed by a stamped signature. It has come from as far away as Japan, and personally I do not pay very much attention to the mail I receive out of the State trying to convince me to vote for something.

Number two, we have talked about this bill and we have talked about the legal effect and there has been much talk about how the legal effect will come regardless. By not enacting this, I feel we are putting it off perhaps five years. We are also loading the courts down with many cases they will have to face and the event will be eventually accomplished but it will cost a great deal of money and it will take time in the courts and out. I think it is time to settle this now and not put it off any further.

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

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen of the House. This is a matter that has been debated by the legislature for some time now. I was a little disappointed earlier to hear a member refer to the fact that the proponents were not aware of the implications of this proposal for equal rights for all and had not thought it through thoroughly. I would like to assure you that as sponsor of the bill, I have been working on this since last summer, that the State Government Committee, as you have heard

before in our previous debate, considered the matter at great length in public hearings and in private discussions and a majority of that committee recommended passage of the ratification.

This is a time, ladies and gentlemen I think for us to defeat the pending motion and later to pass a new motion to insist because if nothing else we will at least move the United States Constitution one step further to eliminating discrimination for illogical reasons.

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

Mrs. GOODWIN: Mr. Speaker and Ladies and Gentlemen of the House: Last week this House voted by a two to one margin to memorialize Congress to guarantee due process and equal protection under the law under the 5th and 14th Amendments to the United States Constitution to all persons regardless of their stage of biological development. It is rather ironic today that only one woman seeking protection of her rights under these two amendments has ever won a case before the Supreme Court. The court, except in this one case, has consistently reaffirmed the doctrine of woman's separate place. A woman must now prove that discriminatory treatment is unreasonable; with passage of the Equal Rights Amendment, the state would have to show why such discrimination is necessary.

None of the soaring rhetoric, Biblical quotations, dire predictions of national catastrophe and destruction of the family or the ridiculous charges and counter charges have changed the basic facts. We are still faced with the same fundamental principle which we upheld last week, and that is, equality of rights should not be denied or abridged under the law on account of sex. The question is simple, should my sex be a factor in determining my rights before the law? Am I or am I not a person under the 5th and 14th Amendments? Am I any less of a citizen of this country because of my sex? Am I any less of a human being before the laws of God and the laws of man because I am a wo-

man? Should I be given special privileges on the one hand and denied certain inalienable rights on the other on account of my sex?

The basic question is simply this: Are we now, nearly 200 years after the birth of this Republic, ready to recognize women as people under the law? Women will not cease to be women and men will not cease to be men. I only wish that when you look at me, you would see that I am also an individual, a fellow human being, and a person.

The SPEAKER: The Chair recognizes the gentlewoman from Lewiston, Mrs. Berube.

Mrs. BERUBE: Mr. Speaker and Members of the House: Today I merely wish to reiterate the position which I took last week in opposing this amendment and would add that I am sincerely convinced that this stand is the right one. If anything, I only wish that I possessed the art of eloquence which some of you have and use so very well in order that I might express in a more convincing way my reasons for doing so.

May I urge today that we support the impending motion and that this be a vote not of emotionalism but one of conscience, of reason, and for those of our respective communities who cannot come here to speak for themselves, our constituents.

The SPEAKER: The Chair recognizes the gentleman from Kennebunk, Mr. McMahon.

Mr. McMAHON: Mr. Speaker and Members of the House: The gentleman from Bath, Mr. Ross, listed various reasons why he felt that women now enjoyed certain preferential treatment under our law and implied I think that they should continue to enjoy that treatment. The gentleman from Brunswick listed the areas where he felt women were now at a disadvantage under our laws. The reason the proposed amendment does not mention a specific sex is that both men and women now enjoy certain advantages over each other. This Amendment would put both men and women on an equal basis, eliminating the disadvantages that now apply to both.

I supported the Equal Rights Amendment last week and I still do. I believe that we should insist on our action.

The SPEAKER: The Chair recognizes the gentleman from Gardiner, Mr. Whitzell.

Mr. WHITZELL: Mr. Speaker and Members of the House: This morning in the debate I listened to several people, my good friend, Mr. Ross, Mr. Dudley, who spoke about people who don't understand what the dimensions of the Equal Rights Amendment really are, about the public who is vastly unaware that we don't have to walk too far back in history to find out that two hundred years ago there were people who were dying for principles that they didn't understand and they were led by so called radical, rabble rousing members of our society like John Hancock and John Quincy Adams.

These people were revolutionaries. They were dying for a dream called democracy. Now maybe it is true that the vast majority of people, the public, are not aware that discrimination exists. They are not aware of the legal and technical aspects, or of the emotional issues of the ERA. But I would hope that this body, of hopefully wise people like Hancock who is responsible in some way in bringing democracy to us, that we will at least be able to act in the same way and show such understanding of principles.

The principle that we have to understand is discrimination. I would support the motion to insist and I will oppose the motion to recede and concur. This House did not make a mistake in its last vote on ERA. The mistake was made in the other body. Let them live with it.

THE SPEAKER: The Chair would caution the speaker that we are not allowed to try to persuade votes by reference to what some other body has done.

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

Mr. COONEY: Mr. Speaker and Ladies and Gentlemen of the House: I am rather nervous on this. I had hoped that all the eloquence of all the speakers before me might have carried this issue

forward but I have been a member of the State Government Committee. I have listened for many hours to the debate and I am rather dismayed that the motion before us at the present time is to recede and concur. It is, of course, the motion of precedence but it does not reflect the action that this House took last week where we ratified this measure.

Now we are hearing from some that the heavy lobbying against this measure should have convinced us that we should now defeat it. We are hearing that we should relieve ourselves of all the debate and pressure that the presence of this measure keeps upon us. Or we are hearing that the indecisiveness reflected in the other body and their negative action is adequate reason to recede and concur and be done with the issue. I say an emphatic no to all three of these points.

Let us not knuckle under to the pressure. Let us instead keep our own best counsel. Let us act with the firm will of the popular body who once upon the difficult road to greater liberty are not moved from that course. Let us remain willing to debate the issue of greater liberty for all citizens. I would suggest that when expediency stands in the way of one liberty we should all rightly fear for the future of our other liberties.

And as to the non-concurrent status of this measure, let us be grateful for the rule against using the action of the other body to influence our own. We are the more representative of the two Houses. It is our place to stand firmly for ever greater liberties for the people. Let us show our tenacious conservatism in defense of existing liberty and a courageous momentum for extending those liberties.

And put in its simplest form, as the gentleman from Caribou, Mr. Briggs, so beautifully did a few days ago, this is an issue of discrimination. We have taken a firm step toward ending that discrimination. Let us now conserve that action, not retreat from a long tradition of constitutional growth and progress.

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

Mr. SIMPSON: Mr. Speaker and Ladies and Gentlemen of the House: In a very unofficial capacity I rise to urge you to support the motion to recede and concur. First of all, I would like to explain that I put the motion on the floor because it is a motion of precedence and eventually we would have been in that position of moving on the question of receding and concurring first. Secondly, I also put it there because I firmly am convinced of it.

A few days ago the gentleman from Lewiston, Mr. Jalbert inadvertently referred to me as the gentleman from Standish, Mr. Sampson, and at that time I reminded the gentleman that I knew a man by reference by the name of Samson and I know what happened to him when a woman got a hold of him by the name of Delilah.

I would submit to you that women today are the most powerful people that we have on this earth. I would also remind the gentle lady from Bath that I look upon her as a person, but more in all I look upon her as a woman, a woman who I believe as the years we have tried to put on a pedestal as we have all women and I am not about by one swoop of an amendment to the Constitution take these women off the pedestal. I prefer to keep them there.

Mr. O'Brien of Portland requested a roll call vote.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I might be at a slight disadvantage over my very dear friend from Standish, Mr. Simpson, having majored in early European History. The hair grew.

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

Mr. TALBOT: Mr. Speaker and Ladies and Gentlemen: I won't take too much of your time. I didn't think I would have to get back up and speak on this issue again because this body had taken

a stand and I thought that that would be it. But this measure went down to the Senate and the one good thing I can say about the action of the Senate —

The SPEAKER: The gentleman should confine his remarks. He cannot make reference to what the other body did.

Mr. TALBOT: Is it all right if I say the other body?

Mr. SPEAKER: You are not supposed to try to influence votes in this body by what some other body, the Senate or someone did.

Mr. TALBOT: Let me rephrase myself. After we passed the resolution and it went somewhere, the only glad thing I can say about where it went is the fact that I am glad that place was not under Lincoln's administration or I would still have been a slave.

What I am trying to say is, I think we have heard a lot of fiery speeches. I think we have heard a lot of yeas and nays about a very very important issue now facing us and now facing the country. And like I said before, last week, I am very much in support of this resolution because it has been a part of my life. Like the gentleman from Portland, Mr. O'Brien, who said he was of Irish Catholic background and fought for what he believed in, because of my background I am ready to fight for what I believe in. And this is one issue that I do believe in.

I believe that we have taken a stand as a body and I think we should hold that stand. If the other place wants to stay in the dark, that is up to them. I would definitely vote against the motion that is on the floor and I would definitely vote to insist.

I have four girls at home, I have no boys, and every one of them from the age of 14 down knows what equality means — equality because of race, equality because of color and because of sex.

And like the gentle lady from Lewiston, I wish I had the eloquence to explain to you exactly what equality means. I have heard speeches going around equality, over equality, and above equality, about what it would do to motherhood, what it would do to day care

centers and what it would do to the woman in the factory. But I have not heard anybody address themselves directly to the question of equality — nobody. And this is the only question on the floor today, equality. To bring everybody under the law equally so that we will all start off in an equal position.

Those of you who are sportsminded know that when you start a track meet, whether it be the one hundred yard dash or the broad jump, you all start in equal positions. No one starts from an unequal position or in a position of inferiority — and I can tell you something about inferiority too. I don't have all that eloquence and I can't tell you that.

When I was elected to this body and I am thankful that I was elected to this body, I said that I would bring a new attitude, a different attitude to this body than has ever been brought before and I am trying to do that. Now whether I am doing it wrong, or whether I am doing it right, I don't know but I am going to try to bring that attitude to this body.

I don't expect to change any votes and I don't expect you to change your mind. If you believe you are right, then you vote that. I believe that I am right and I think we should all, every one of us, vote our convictions.

Again, if they had taken a poll back in Lincoln's time on a very important issue, I would still have been a slave. So I would hope, I would sincerely hope and I would strongly urge you to vote against this motion to recede and concur and support the Equal Rights Amendment.

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

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

The SPEAKER pro tem: The Chair recognizes the gentleman

from Cape Elizabeth, Mr. Hewes.

Mr. HEWES: Mr. Speaker and Members of the House and particularly to my fellow Republicans; I am speaking of course today as the representative from Cape Elizabeth. I believe the Republican philosophy forever has been for equality. When the party was founded in 1854, it was for equality of all people. Free soil, free money, free men and free land was the motto of our first President. And just as the gentleman from Portland wants to fight for what he believes in, the gentleman from Portland, Mr. Talbot, the gentleman from Portland, Mr. O'Brien, I happen to be from a different ancestry and I want to fight for what I believe in, and I think that is equality of all people. I think that the Republican party from the time of Abraham Lincoln through Teddy Roosevelt, Dwight Eisenhower and Dick Nixon have all believed in equality for everybody.

Now the President of the United States favors this particular Amendment. He doesn't want us to be and the Republican party shouldn't be bigots and discriminatory in employment particularly. And that is what I feel this Amendment will affect primarily, employment.

Now I appreciate that some of the lovely ladies in the House here that I admire tremendously, the gentle lady from Orrington, Mrs. Baker, the gentle lady from Guilford, Mrs. White, the gentle lady from Madison, Mrs. Berry, the gentle lady from Union Mrs. McCormick, voted against it and I say to you that even if this resolve is passed you can still live the same lives that you have lived, but possibly your children or grandchildren will want to live different lives.

Now as I recall, the gentle lady from Union, Mrs. McCormick has three sons and four daughters. Now in all likelihood, the way business is today, if any one of her seven children was to become President of American Tel. and Tel. or General Motors or General Electric, Westinghouse or you name it, it is going to be one of

the boys and perhaps one of her girls — and I have met her girls, and they are effervescent, bouncy, intelligent young ladies — one of those gals perhaps has more drive, determination, ability, intelligence and industry, than her boys, but because of the attitude of the country at this time, the boys seem to be the ones that get ahead.

I ask you, who are the chairmen of the boards and presidents of the big corporations such as General Motors and U.S. Steel and Standard Oil of New Jersey or Exxon and what have you? It is the men. The women have been discriminated against and I suggest that for the good of the upcoming generations, let's give equality to women in employment.

Many women, even after this becomes a Constitutional Amendment, are going to continue to want to be wives and mothers and homemakers and things of that nature. I submit to you that passage of this is not going to prevent that one bit. The four ladies that I have mentioned have all been fortunate in marriage. The gentle lady from Guilford's father was a Supreme Judicial Court judge in this state, but what chance does her granddaughter have to be a Supreme Judicial Court Judge, not much, I submit to you.

The gentle lady from Orrington's son is executive vice president or president of a corporation now, but what chance would her granddaughter have? I submit that the passage of this will give economic opportunity and equality to the women. I submit further that it is coming.

Now in government, let's look at it from that point of view. You start at the President and Vice President, I ask you how many women are there in the upper, very upper strata of government? Supreme Court Judges, Cabinet members, the United States Senate, very, very few women are at the top, possibly a tokenism but not women to any extent. I submit that in some countries, such as Indian or Israel, women are Prime Ministers, but women in this country are a long way from that at the present time.

I feel that the passage of this will help bring the day closer when a woman will have an equal chance with a man at the top layer of business and of government. And we in Maine particularly should be proud to vote for our women and give them equality, because women have always helped in Maine do chores with the men and they are hard workers by trade.

Some women are happy with their lot, but some would like to break these chains that are keeping them down from being at the top level of business and management and government.

I implore you, I beg you, I plead with you to defeat the pending motion so that we can pass this resolution.

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

Mr. DAM: Mr. Speaker and Ladies and Gentlemen of the House: I can truly say that I did not intend to speak on this bill. Now I will be very, very brief.

The good gentleman from Cape Elizabeth, Mr. Hewes, just made an excellent speech, but I would only ask him one question? If he feels so strongly in woman's rights, why didn't he, when he was elected speaker of this House say no, I don't want it and I am going to work to get a woman up there?

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

Mr. DYAR: Mr. Speaker and Members of the House: I feel obligated this morning to speak on this legislation, due to the fact that the Republican Party in the State of Maine and possibly nationally was formed in 1854 in the town of Strong here in Maine. I think that the Assembly that met in Strong in 1854 met under one principle, they wanted the right to think and they wanted the right to vote their own feelings.

I think here this morning we who are Republicans and we who are Democrats, it is incumbent upon each of us to vote our own conscience and the conscience of the people we represent in our districts. I don't think we should be influenced by the fact that this is in the Republican platform or

the Democratic platform, whether it has been passed by other bodies at national level, whether it is being influenced by the Executive of the United States or who is influencing it. I think we are here this morning to vote as individuals on what we feel and based on how our constituents feel.

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

Mr. NORRIS: Mr. Speaker and Persons of the House: I am going to speak just briefly this morning to give my reasons why I am going to vote to recede and concur. I don't speak to try to influence my colleagues because I feel that they should vote their own consciences.

I would like to commend the women who have lobbied me, for being very fair and very courteous. I guess that I am against this because it means more centralized power in the United States. The state's rights question I think is very much in danger here. There were 200-odd laws that would be negated and would have to be implemented by the Congress of the United States, which in my opinion erodes away at the very foundation of persons rights to cover themselves at the state level.

I don't believe that in Maine we have a great deal of discrimination against women by law, but if we do, and passage of this amendment fails, I would hope that my colleagues who are proponents of this Amendment would draft legislation to correct these inequities and present them forthwith to this session of the legislature, which I would be very happy to support. I just hate to give the right to do something constructive away, give it away in order to be forced to do it.

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

Mr. DUDLEY: Mr. Speaker, Members of the House: I am going to please you a little bit by telling you I do not have a canned speech and that I did rise not to influence your vote exactly but I did as a point of information in rebuttal to the gentleman from Cape Elizabeth.

He referred to the corporations, bigger corporations, General Motors and so forth, their directors being men and so forth. I just wanted to remind you, that I am sure of, if you look at any major companies, General Motors, General Electric, any major company in the United States that I know of, and I know of a lot of them, that the stockholders in that company are a large percentage of women. They outnumber the men in every instance — the stockholders.

Now I just wanted to remind you that the stockholders of these companies elect the president, the vice president and all the directors. They are women and they elect men to do these jobs and I am sure if this bill passes or does not pass, these women will still elect men to do certain duties. There are certain duties that they expect us to do I might remind you.

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

Mr. DONAGHY: Mr. Speaker and Ladies and Gentleman of the House: Again, I had no intention of speaking until the gentleman from Cape Elizabeth called his colleagues in the House bigots because they voted against this bill. I think that this is going a little bit too far.

I don't know how he handles his women folk but mine do not need any chains being broken. I had a mother that I loved very dearly and respected and lived with for the best part of her life. I have a wife, I have two lovely daughters, I have a granddaughter. I love them all and I would ask you to vote with me in receding and concurring because I want better for them, not equality.

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

Mr. CARRIER: Mr. Speaker and Members of the House: Today seems like old times between the Speaker and myself because for those of you who have not been here, we have stood on many issues together and we also stood on issues separately. I have to

admit that he has got the best of me in most cases.

However, this morning I am speaking myself for myself and on behalf of the people from Westbrook, my friends, the citizens from Westbrook, the women from Westbrook and I hope for some of the women throughout the state which have contacted me on this legislation.

I feel very sure that this morning, as we were before, we are divided into two groups; one group which actually believes on the moral principles of justice and moral justice and the other group who believes in a permissive society. I am glad to say, and it is well known, that I do not believe in a permissive society.

Today we are again faced with probably what is the most dangerous, aside from being the most ridiculous bill that we will get in this session. This so-called Equal Rights Bill is camouflaged, promotes deceit and fraud. It should be termed the "Equal Wrong Amendment." That is what it should be. I resent the fact that some of us, some of my friends here in the legislature, who try — no matter what our belief and our disagreements are — who try to do a decent job. I resent the fact that some people of my party have contacted and solicited and almost threatened some of the members of this legislature.

I do not believe that this is the proper procedure for those who are out of this — they are not in state government — for them to stick their noses in our business. The reason that they did it is very clear. It is because they themselves voted for it and now they ask us to save their faces. Well, I am not about to do that.

And now for the issues, it is a biological fact and an apparent fact that women are different than men. Many of us believe that such a difference is necessary. The difference in women can be seen mostly by their attitudes towards life and moral principles and the sanctity that they apply to being a mother and wife.

The proponents today are playing a dual role and I say this on the

principle of those that know me, that I study constantly and have in the past studied votes, votes taken in this House, not to determine the position of my opponents but rather just as a matter of curiosity and of education. The votes of the proponents of this House and their permissiveness are consistent, consistent in a certain line of thinking which is reflected at some frustrations when they voted on issues and for issues such as the abortion bill, free contraceptives, treatment without parental consent, giving their kids and promoting the pill and many other things which us that do not believe in such things cannot support.

I say and I claim that this movement of NOW, which I said the last time I think their basic principles are not some of which I share. They are anti-children, anti-family and anti-abortion but to promote many other undesirable things which I will not mention today.

Now, there has been some suggestion made that this will not change the laws very much. I just wonder where all the lawyers are today or have been in saying the truth about what this will do to the laws. It will change, no doubt, the laws on rape, abortion, adultery, all other heinous crimes, inheritance taxes, alimony and many, many other things.

Now, I beg — I don't beg because I am not here begging, but I just suggest to you that this has been — that the lawyers not only in this House but in other places too, have not actually faced the facts. Maybe this is good business for them. I do not know. I submit to you, ladies and gentlemen, that strictly, if nothing else, on moral principles, on moral convictions, that you vote against this ridiculous bill and vote for the motion to recede and concur.

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I would like to address myself to two basic questions: One, the question posed by the gentleman from Brewer, Mr. Norris, in reference

to the Constitution, and secondly, the question of morals posed by the gentleman from Westbrook.

First of all, we have to keep in mind that the State of Maine has done fairly well in terms of equal rights for women. We, as one of those northern states during the Civil War, had done fairly well for slaves also. When President Nixon—President Lincoln—maybe President Nixon will free the women as President Lincoln freed the slaves—when President Lincoln announced the Emancipation Proclamation, he said it would apply to slaves in northern states. It obviously did not apply to those that were located in the South.

I point out to you the fact that the 13th, and the 14th and the 15th Amendments to the Constitution would not be part of the Constitution if we had taken the attitude that let every state do it for itself; to this day it would not be part of the Constitution because the areas of the South would have prevented that from occurring. As it was and because of that, we now have the 13th, the 14th and the 15th.

I can assure you—and I stand secure in saying what I am going to say—that if the North and if the West and if the central states of this country do not pass equal rights for women, I can assure you that Mississippi and some of the other states will not vote for it, because as the gentleman from Brewer points out, they have 200 or 300 laws that will be affected; we have 16. It is not a big problem for us. We do not have that problem, they do. Now that is easy to shut off and say, well, let's forget it in those cases because I believe in state's rights.

Well, for the gentleman from Augusta, Mr. Bishop, who has been running around this state for some time now talking about state's rights, I am wondering if he would write to the press sometime today after I am through and talk about Abraham Lincoln as to whether or not Abraham Lincoln was opposed to the 13th, the 14th and the 15th because of equal rights and because he believed in state's rights. If that is true, then I think that

Abe Lincoln was on the wrong path.

Secondly, the question of morals. Whenever we talk of morals, we talk about someone's rights to do whatever he wants to do. Maybe I am wrong, but I tend to consider myself as moral as anyone else in this body or outside this body or the constituency that I represent. I act the way I do because I believe the way I do. I vote the way I do because I believe I want to vote that way. The way that we vote today is the way we ought to have people feel that is the way we want to be voting and the way we want to be acting.

I stand here to support equal rights for women, even though I have voted against most of the items listed by the gentleman from Westbrook. I have voted consistently in the five terms that I have been here against liberalization of abortion; and unless things change, I will continue to do that if we can. I voted against many of these things to which some people say that would be moralistic. I feel as moralistic in voting for this thing today as I do voting against the issue of abortion.

So I ask you to vote against the motion to recede and concur, that we can insist and we can send it back to the other body. Kidding-ly, I suppose, it might be fun to see them squirm a little bit longer.

The SPEAKER pro tem: The Chair recognizes the gentleman from Augusta, Mr. Sproul.

Mr. SPROUL: Mr. Speaker and Gentlemen of the House: I believe I use that term advisedly today because I think that if the Equal Rights Amendment were passed, it might well be unconstitutional to say otherwise. I am very glad to hear my friend from Eagle Lake say that he is in favor of state rights because I concur wholeheartedly.

I think one of the major issues here is whether or not this should be an amendment to the United States Constitution. Someone this morning said—I think my seat-mate, Mr. O'Brien—that we were not talking state law. I submit to you that we should be talking about state law. I, too, favor equal rights but I favor it under state law and

not as an amendment to the United States Constitution.

A second point, I think, we have had people saying this body should be truly representative of the people. In that case, I think they should pay attention to the polls and the wishes of the people. In the Augusta area in the last few days there have been some over 700 signatures gathered in opposition to this particular Amendment.

The third reason that I think is extremely important is that this Amendment gives the Congress the right to enforce. I submit to you that over the last 40 years we have given Congress too many rights to enforce versus state rights. And I will not say that I am speaking not trying to influence anyone because I would like to influence a few people to support the motion to recede and concur.

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

Mr. HENLEY: Mr. Speaker and Ladies and Gentlemen of the House: I, too, would agree with the gentleman from Augusta, Mr. Sproul. And I, too, would like to influence about ten votes. I would like to appeal in a little bit different direction. We often hear said on the floor of this House, "What has happened to the family?" I would say for God's sake what will happen to the family if all the women want to be directors and boards of directors and executives? The men certainly cannot have babies. And they are certainly not qualified, and in spite of what you see on television, to change diapers and to wash the babies. What is the race in the country going to amount to if all of our women decide they want to have an executive job and have the men stay home.

You all know, you women know, that men are lousy housekeepers. I know I am. When I had two arms I could cook, but that is all I could do at home. I think we have prattled too much about Abraham Lincoln and slavery and such. I also agree that we are passing along too much power to Congress. I think our President now has reiterated time after time

in the last year or two, that too much power is congregated in Washington. This is the United States, it is not Washington. We are supposed to have fifty sovereign states in this country. Lets not give away all of our legislative power to Washington.

In the Constitution — we had to have that Constitution to begin with we had to amend it now and then on very high issues that had a very evident impact. Sure, slavery had an impact. It had to be taken care of. It had to be legislated at a national level. But show me the woman who is a slave today. More likely, it is the husband. I know I never bought a car in my life without my wife concurring. How many of you gentlemen will agree with me? Good God, the women are running the country now. There is so much said about credit. I know a good many husbands who say they wish their women did not have quite as much credit, when they go to paying the bills. They can get credit enough. They can get it anywhere they want to in this country without this resolution, which is dangerous, in all seriousness.

As our friend, Mr. Sproul, stated that paragraph two allowing the Congress to enforce, to enforce, as I have stated before, and that is very dangerous, to allow the Congress to enforce any whim for the minority in the future, laws that they think up that have any regard whatever to the division of the sexes. Let's not do any more than is already done with this permissive society in a day when they have got so many electric facilities for the housewife that they do not know what to do, in some cases, with their time.

I still feel that the majority of the driving force on this Amendment are women who really do not want to be women and do not want to have a home and fit into it the way we like to see them fit into it, and the way that most of the women want to fit into it. Families are getting to the point where husband and wives, father and mother are working. In nine tenths of the cases they say they have to to make a living. Still, across the

board and across this nation in general, and you have to agree with me, no society in history ever had it so good.

In the State of Maine, we have over 60,000 snowmobiles registered. Somewhere between \$500 and \$1,500 apiece. Still, they claim they can't make a living without husband and wife both working all the time. I say we are losing sight of the very premise of society and that is the home and the sanctity of the home where the woman in general is the mother, the housewife, and guides the children. God knows, a lot of them need guiding. A lot of them have not had it.

Again, I feel that, as several other speakers have said, that we here this morning, if we honestly follow the dictates of the majority of the people in our districts, we are going to vote to recede and concur overwhelmingly.

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

Mrs. BERRY: Mr. Speaker and Ladies and Gentlemen of the House: I would like to say that I respect our President. I respect Bill Cohen and any others that have sent word from Washington urging us to do as they would like to have us. But those people did not put me here. The constituents back home are the ones who put me here and I am listening to them. I think that I am listening to the majority of the women in Maine.

As far as what the proponents think, I have listened. I have had one person who told me that her husband — I was fortunate — her husband told her that he would divorce her if she entered into politics. And she also said that there are many mean men who won't give their wives enough money to spend. Well, is this law going to do it? This fellow would divorce his wife whether this law goes through or not. Is this going to make this mean man any better? Is he going to give his wife any more money? I don't think so. I think these two particular instances are poor excuses for the bill. I would like to emphasize my stand I took the other day. The

family and the home life in our country, I believe, would be threatened. It is my belief that the family unit and the values that go along with a wholesome family unit are the guidelines to the thermometer of our nation. And I think that we have a pretty good temperature right now.

So I would urge you to vote against equal rights in concurring with the other body. I urge you because I believe that I am speaking for the majority of the women in Maine.

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

Mr. SHELTRA: Mr. Speaker and Ladies and Gentlemen of the House: I would be the first to concur with the fact that "charity begins at home." and my home is the State of Maine, Biddeford, Maine, not Mississippi or any other southern state, who, to my way of thinking, they are still fighting the Civil War. They could not care less about us. And I have been there as a tourist and I know.

I would also like to make an observation that you could be walking the streets of Downtown Augusta, Biddeford, Bangor, Bath, wherever and you could oversee what you see and there are many instances when you would say to yourself, I wonder what sex is which.

But I know that this is the minority and I know that the majority of our decent young people dress and act in a manner in which they should. It is a shame to me that the silent majority of our citizens or our citizenry is always overlooked and that the small, vocal minority groups have so much to say about so many issues. I strongly feel, and I have concurred with many of my constituents, and I know that the housewives were not approached by the proponents of this bill. I also know that the women factory workers were not approached. The silent majority were not approached. Those that were approached were the career seeking females and individuals who, for their own want of advancement, have seen fit to try

to better their lot. And they are, to my way of thinking, not thinking of the majority of our people.

I strongly urge that you recede and concur with the Senate.

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

Mr. MORTON: Mr. Speaker, and Ladies and Gentlemen of the House: I rise in support of ERA and I am strictly against the motion to recede and concur. I would also like to rise this morning in defense of some of the women who support ERA. I resent very much the implication that women who are supporters of ERA are something less than they should be. My wife supports me in ERA and no one has any business implying that she is anything but the best. My children support this particular amendment. No one has any business in implying that they are anything but the best.

The motives of people who are for or against these things should not be questioned. I think for the first time in the debate this morning, the proponents of this measure, have made a pretty good case for the fact that inequality under the law in the state and in the nation does exist. And if that is not what this is all about, then I am sadly mistaken.

The gentleman from Bath pointed out the inequalities that do exist. I agree with him. They should be wiped out forthwith and the Equal Rights Amendment will do it.

Now is the time. This measure is coming. It is going to have its day. I urge you to make this the day. I urge you to vote against the motion to recede and concur and support the motion to insist.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Standish, Mr. Simpson, to recede and concur. Is the House ready for the question?

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

Mr. SOULAS: Mr. Speaker and Ladies and Gentlemen of the House: A month ago I was almost denied the opportunity to speak to

this legislative body; and now that I have the opportunity, I thought that I had better speak today. I want to relate a personal experience I came from a family — a European family — of four brothers and two sisters where my father was strictly the boss of the family. Now I have nothing against my father, but at that time, my mother had no rights whatsoever in the house. My sisters were even denied the opportunity to go to school because it was their place to be just a girl and a girl was not to go to school, just to get married.

My brothers and myself were given every single opportunity. Now, the reason I bring this up is that when my father walked in the church or wherever he walked, he walked by himself in front of my mother. They were never together.

A month ago I had a very, very close call, as you all know, and my experience was so close that I actually feel that I was there, and I could see the vision of approaching this hill where we all hope to go. My mother and father were walking, they were walking together, and I felt why should my mother and father be together in death? Why don't we be together while we are alive.

The SPEAKER pro tem: The Chair recognizes the Gentleman from Camden, Mr. Hoffses.

Mr. HOFFSES: Mr. Speaker and Ladies and Gentlemen of the House: When this matter was before this body last week, I had a rather severe case of laryngitis. Now, I know that a lot of you are going to wish that it was continuing this week and perhaps it should; but nevertheless, I have one or two remarks I would like to make.

For one thing, the people that I represent, by an overwhelming majority both male and female, and mostly the female sex, are opposed to this piece of legislation. I have no doubt but what there is inequality in several of the states. If that exists, I would hope that each and every one of those states would forthwith correct those inequalities. I do not believe

that such inequality exists here in the State of Maine, and I am going to tell you why. I have been married almost 35 years to the same woman; and when any matters of business are discussed, my wife and I discuss them mutually, and it is a mutual agreement which is made and which is processed.

Now, some of you say that there is not equal employment opportunity. I can say truthfully that I do not believe that such exists. My wife was in business before we were married. She still is in business, and she is the boss of that business. I, likewise, am in business, and most of the time I am the boss of that business.

I believe it was our distinguished Speaker of the House who made reference to the positions of great power by the great companies in this country being held by men. I submit to you, ladies and gentlemen, where did these men of power and influence in these big companies get their start? They got it at their mother's knee. Granted, formal education helped a great deal, but it started at their mother's knee.

I am going to vote today to recede and concur in this matter because I want to see womanhood remain on the high pedestal that it is and not reduce womanhood to the status of men.

Some of us can remember the days of chivalry when we did all manner of things for the ladies. I guess perhaps I can sum that and the whole matter up by telling you about the man who was seen holding a car door open for a woman to enter the car, and the observers concluded that this was a case of the man having a new car or a new wife. Now, if this Equal Rights Amendment goes through and we see such an instance occurring again, I am sure that there will be no question about it in the observer's mind that it is a new car.

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

Mr. FARRINGTON: Mr. Speaker and Ladies and Gentlemen of the House: I will speak very briefly.

I am not only in tune with Mr. Dudley in some respects but the people in my area, I hope, are in tune with me as I am with them. But actually, when you analyze not your mail that you get from all over the State, but when you talk with the citizens of your area who are the leaders who are responsible for many of the things in society and who you confide in and you get the tune, as I did from them, regarding the Equal Rights Amendment, I have no other course whatsoever except to go along with my constituents.

There have been many flowery speeches; some directed to the facts of the matter and some were not related to the facts of the matter. I think we, as a sovereign state, as many others have spoke, not only have the right and the privilege but we have the duty to be in tune with our citizenry. If you want regulation of the sexes to go to the Congressmen from California, Nevada, New York and these other states, which in many cases their views and ideas are not compatible to the people of the State of Maine, then you should vote for the Equal Rights Amendment. If you feel that we, as representatives of the State of Maine, ought to express the views of the majority here, then we should vote on the prevailing motion and we should vote with it.

The SPEAKER pro tem: The Chair recognizes the gentleman from Augusta, Mr. Brown.

Mr. BROWN: Mr. Speaker and Ladies and Gentlemen of the House: I rise to oppose the motion presented by the gentleman from Standish.

I would like to call to your attention to an item in our Maine Constitution. If you have your registers at your desks, you will find it on Page 4, Section 6-A, and I would like to read it to you. This is our Maine Constitution as it is now. "No person shall be deprived of life, liberty or property without due process of law, nor be denied the equal protection of the laws, nor be denied the enjoyment of his civil rights, or be discriminated against in the exercise thereof.

It seems to me that in this provision, which I think has been passed in relatively recent years, we have for all practical purposes here in Maine, for the most part, adopted the same principles that we are talking about here in this bill or this resolution before us. I think, however, that this should be even more reason for us to support this proposition of ERA and be opposed to the motion to recede and concur. This has nothing to do with breaking up a family, with motherhood, permissiveness or anything else, and I think it involves nothing but discrimination. And whether there be discrimination in Augusta or in the State of Maine or in Washington or Nevada has been suggested or Mississippi, I think we stand to fight against it, absolutely against it. And as Jim Briggs mentioned last week was discrimination, I cannot more agree with him that the only problem before us is not what we are going to do about motherhood or a permissive society; it is discrimination of one person against another, and for that reason I shall absolutely oppose the motion now before us.

The SPEAKER pro tem: Is the House ready for the question? The question before the House is on the motion of the gentleman from Standish, Mr. Simpson, to recede and concur. The gentleman from Portland, Mr. O'Brien, has requested a roll call. For the Chair to order a roll call vote, it must have the expressed desire of one fifth of the members present. 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 pro tem: The pending question is on the motion of the gentleman from Standish, Mr. Simpson, that the House recede and concur. All in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA — Ault, Baker, Berry, G. W.; Berry, P. P.; Berube, Bin-

nette, Birt, Bither, Bragdon, Brawn, Bunker, Cameron, Carrier, Carter, Chick, Churchill, Cote, Cressey, Dam, Davis, Deshaies, Donaghy, Dudley, Dunn, Dyar, Evans, Farley, Farrington, Fecteau, Ferris, Finemore, Flynn, Fraser, Gauthier, Good, Haskell, Henley, Hoffses, Hunter, Immonen, Kelleher, Kelley, Lawry, Lewis, E.; Littlefield, Lynch, Maddox, McCormick, Merrill, Mills, Morin, L.; Murchison, Norris, Parks, Pratt, Rollins, Ross, Shaw, Sheltra, Shute, Silverman, Simpson, L. E.; Snowe, Sproul, Stillings, Theriault, Trask, Trumbull, Tyndale, Walker, White, Willard, Wood, M. E.

NAY — Albert, Boudreau, Briggs, Brown, Bustin, Chonko, Clark, Conley, Connolly, Cooney, Cottrell, Crommett, Curran, Curtis, T. S., Jr., Dow, Drigotas, Dunleavy, Emery, D. F.; Farnham, Faucher, Gahagan, Garsoe, Genest, Goodwin, H.; Goodwin, K.; Greenlaw, Hamblen, Hancock, Herrick, Hewes, Hobbins, Huber, Jackson, Jacques, Jalbert, Kelley, R. P.; Keyte, Kilroy, Knight, LaCharite, LaPointe, LeBlanc, Lewis, J.; MacLeod, Mahany, Martin, Maxwell, McHenry, McKernan, McMahon, McTeague, Morin, V.; Morton, Mulhern, Murray, Najarian, O'Brien, Palmer, Perkins, Peterson, Pontbriand, Ricker, Rolde, Smith, D. M.; Smith, S.; Soulas, Susi, Talbot, Tanguay, Tierney, Webber, Wheeler, Whitzell.

ABSENT — Carey, Hodgdon, McNally, Santoro.

The SPEAKER pro tem: Seventy-three having voted in the affirmative and seventy-three having voted in the negative, with four being absent, the motion does not prevail.

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

Mr. CURTIS: Mr. Speaker, I move we insist.

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

Mr. KELLEHER: Mr. Speaker, I move that we further insist and ask for a Committee of Conference.

The SPEAKER pro tem: The Chair recognizes the Gentleman from Caribou, Mr. Briggs.

Mr. BRIGGS: Mr. Speaker and Ladies and Gentlemen of the House: I am not going to say that it has been difficult for me to leave my chair this morning or this afternoon; it has, of course, been difficult for all of us.

I think the question which is being put before us is a question of the greatest importance. I feel, as I am sure most of you do, that there is only one thing we need to do regarding this question, and that is to vote in the manner which we truly believe to be correct. This is the only obligation made upon us.

The motion which prevails to insist and ask for a Committee of Conference is obviously and clearly the kind of motion that will defeat the objective which this body has affirmed on two separate votes following extremely lengthy debate. Therefore, I certainly hope that once more you will affirm your decision and defeat the motion to insist and request a Committee of Conference.

The SPEAKER pro tem: The Chair recognizes the Gentleman from Biddeford, Mr. Farley.

Mr. FARLEY: Mr. Speaker, Ladies and Gentlemen of the House: On both introductory levels here of this bill I voted against equal rights, and I did so at the wishes of two beautiful women who I think the world of. I go along with the motion to insist and plan on changing my vote.

The SPEAKER pro tem: The motion before the House is the motion of the gentleman from Bangor, Mr. Kelleher, that we insist and ask for a Committee of Conference. The Gentleman from Brewer, Mr. Norris, has requested a roll call. For the Chair to order a roll call, it must have the expressed desire of one fifth of the members present. 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 pro tem: The pending question is on the motion of the gentleman from Bangor, Mr. Kelleher, that the House insist and ask for a Committee of Conference.

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

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: In order that there be no confusion, those for equal rights would vote no, and those obviously in the opposite direction would vote the other way, and we hope they join us.

The SPEAKER pro tem: The motion before the House is on the motion of the gentleman from Bangor, Mr. Kelleher, that the House insist and ask for a Committee of Conference. All those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA — Ault, Baker, Berry, G. W.; Berry, P. P.; Berube, Binnette, Birt, Bragdon, Brawn, Bunker, Cameron, Carrier, Carter, Chick, Churchill, Cote, Cressey, Dam, Davis, Donaghy, Dudley, Dunn, Dyar, Evans, Farrington, Fecteau, Ferris, Finemore, Flynn, Fraser, Gauthier, Good, Haskell, Henley, Hoffses, Hunter, Immonen, Kelleher, Kelley, Lawry, Lewis, E.; Littlefield, Lynch, Maddox, McCormick, Merrill, Mills, Morin, L.; Murchison, Parks, Pratt, Rollins, Ross, Shaw, Sheltra, Shute, Silverman, Simpson, L.E.; Snowe, Sproul, Stillings, Theriault, Trask, Trumbull, Tyndale, Walker, Weber, White, Willard, Wood, M.E.

NAY — Albert, Bither, Boudreau, Briggs, Brown, Bustin, Chonko, Clark, Conley, Connolly, Cooney, Cottrell, Crommett, Curran, Curtis, T.S., Jr.; Deshaies, Dow, Drigotas, Dunleavy, Emery, D.F.; Farley, Farnham, Faucher, Gahagan, Garsoe, Genest, Goodwin, H.; Goodwin, K.; Greenlaw, Hamblen, Hancock, Herrick, Hewes, Hobbins, Huber, Jackson, Jacques, Jalbert, Kelley, R.P.; Keyte, Kilroy, Knight, LaCharite, LaPointe, LeBlanc, Lewis, J.; MacLeod, Mahany, Martin, Maxwell, McHenry, McKernan, McMahon, McTeague, Morin, V.; Morton, Mulhern, Murray, Najarian, Norris, O'Brien, Palmer, Perkins, Peterson, Pontbriand, Ricker, Rolde, Smith, D.M.; Smith, S.; Soulas, Susi, Talbot, Tanguay, Tierney, Wheeler, Whitzell.

ABSENT — Carey, Hodgdon, McNally, Santoro.

The SPEAKER pro tem: Seventy having voted in the affirmative and seventy-six having voted in the negative, with four being absent, the motion does not prevail.

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

Mr. MARTIN: Mr. Speaker, I move we insist.

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

Mrs. GOODWIN: Mr. Speaker, I request the yeas and nays.

The SPEAKER pro tem: The Chair recognizes the Gentleman from Cape Elizabeth, Mr. Hewes.

Mr. HEWES: Mr. Speaker and Members of the House: I hope you do vote to insist. I would like to call to your attention, the fellow Republicans anyway, that in the Republican Platform on which we ran last November is listed "equal pay for equal work, without regard to sex, religion, color or national origin." So I think we ought to back up our committee.

In response to the gentleman from Skowhegan, Mr. Dam, I did vote for a lady for Clerk of this House, I did vote for the lady United States Senator, and I did appoint a Chairman of Judiciary.

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

Mr. EVANS: Mr. Speaker, I hate to rise on a point of order, but I believe he is debating this. Have you a right to debate under the rules?

The SPEAKER pro tem: He has the right to debate the motion to insist.

Mr. HEWES: I would give freedom to people to debate, irrespective of sex, as a matter of fact. I think that is what we are elected here to do. And yesterday, continuing on, we appointed three members of the public to a certain committee, one of whom was a lady. I sincerely feel that we should give equality to all people, irrespective of sex, and I certainly hope you will vote for the motion to insist.

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

Mr. DUDLEY: Mr. Speaker, Members of the House: We did, indeed, a couple of years ago pass

this very thing that was just mentioned; equal pay. That has already been passed and it is in the statutes, I am sure, two years ago or four years ago. So that is really not a question.

I think the question today is whether you are representing the people in your district, their wishes, or you are going to try to convey your wishes on them and I want it well known, not only to this House but to the people that I represent, that I represent them, not the wishes of anybody else. I hope that you people do the same, because when you vote for this motion that is before you and you vote to insist, you mean just that, that you insist that on your action the other day where you passed this bill, in other words, voted for this. I still think it is wrong and I still think that rights will prevail, if it has to prevail in some other body. However, I think we are only — if you vote to insist, you are only prolonging the agony and keeping a lot of people in suspense in the corridors and the press and the people back home and I hope you will not keep them in suspense any further, that you will settle this once and for all. To do that, you have to vote against the motion to insist and settle it now and not try to pass the buck to someone else to settle your quibbles. I think we should settle them here and now and not pass them to someone else, pass the buck.

I say, let's make the buck end here and today and now let's represent the people we represent on this very vote that is before us right now. We should not vote to insist.

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

Mr. HENLEY: Mr. Speaker, Members of the House: I could not resist the temptation to speak in regards to my friend, Mr. Hewes, from Cape Elizabeth. I want everybody to know that I represent people here in this House and not a party. It so happens I am a Republican and proud of it. Some of my best friends are Democrats

and they do not have horns and tails.

I am a bit sorry that the platform was brought into this. I did not write the platform. It might have several things that I disagree with. The platform, the party platform, whether it be a Republican or Democratic or Communistic, the chances are it is the idea of a few people. It is a guide. Some of the things we buy and some of the things we do not and if that is in our platform, probably it is, I certainly did not buy it and I do not now.

So, inasmuch as this is entirely across party lines, I urge you to stick to your guns, at least those of you who have gone along with me in opposing this and let's keep our women the dear things that they are now and not have all of them wearing overalls and pants.

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

Mr. ROSS: Mr. Speaker, Members of the House: Also, talking to the point that Mr. Hewes made, in our laws, Chapter 26-625 — and I can quote from that — “No employer shall discriminate between employees in the same establishment on the basis of sex by paying wages for comparable work less than he pays an employee of the opposite sex.” So that is not a point and once again, I will repeat, that those who voted to recede and concur or, in other words, who voted against the bill, should now vote against the motion to insist.

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

Mr. NORRIS: Mr. Speaker, just to clarify a “no” vote here as Mr. Ross says; but if we have a tie vote, this fails and the bill will end there as I understand it. Is that right, Mr. Speaker?

The SPEAKER pro tem: The would answer in the negative.

Mr. NORRIS: We can go to adhere but it is the same thing.

The SPEAKER pro tem: The pending question is on the motion of the gentleman from Eagle Lake, Mr. Martin, that the House insist. 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 pro tem: The pending question is on the motion of the gentleman from Eagle Lake, Mr. Martin, that the House insist. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Boudreau, Briggs, Brown, Bustin, Chonko, Clark, Conley, Connolly, Cooney, Cottrell, Crommett, Curran, Curtis, T. S., Jr.; Dow, Drigotas, Dunleavy, Emery, D.F.; Farley, Farnham, Faucher, Gahagan, Garsoe, Genest, Goodwin, H.; Goodwin, K.; Greenlaw, Hamblen, Hancock, Herrick, Hewes, Hobbins, Huber, Jackson, Jacques, Jalbert, Kelley, R. P.; Keyte, Kilroy, Knight, LaCharite, LaPointe, LeBlanc, Lewis, J.; MacLeod, Mahany, Martin, Maxwell, McHenry, McKernan, McMahon, McTeague, Morin, V., Morton, Mulkern, Murray, Najarian, O'Brien, Palmer, Perkins, Peterson, Pontbriand, Ricker, Rolde, Smith, D. M.; Smith, S.; Soulas, Susi, Talbot, Tanguay, Tierney, Webber, Wheeler, Whitzell.

NAY — Ault, Baker, Berry, G. W.; Berry, P. P.; Berube, Binnette, Birt, Bither, Bragdon, Brawn, Bunker, Cameron, Carrier, Carter, Chick, Churchill, Cote, Cressey, Dam, Davis, Deshaies, Donaghy, Dudley, Dunn, Dyar, Evans, Farrington, Fecteau, Ferris, Finmore, Flynn, Fraser, Gauthier, Good, Haskell, Henley, Hoffses, Hunter, Immonen, Kelleher, Kelley, Lawry, Lewis, E.; Littlefield, Lynch, Maddox, McCormick, Merrill, Mills, Morin, L.; Murchison, Norris, Parks, Pratt, Rollins, Ross, Shaw, Sheltra, Shute, Silverman, Simpson, L. E.; Snowe, Sproul, Stillings, Theriault, Trask, Trumbull, Tyndale, Walker, White, Willard, Wood, M.E.

ABSENT — Carey, Hodgdon, McNally, Santoro,

Yes, 74; No, 72; Absent 5.

The SPEAKER pro tem: Seventy-four having voted in the affirmative and seventy-two in the negative, with six being absent, the motion to insist does prevail.

The Chair recognizes the gentleman from Cape Elizabeth, Mr. Hewes.

Mr. HEWES: Mr. Speaker, having voted on the prevailing side, I move that the House reconsider its action whereby it voted to insist and I hope you vote against me.

Mr. Shaw of Chelsea requested a vote on the motion.

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

Mr. LEWIS: Mr. Speaker, I request my vote be changed from yes to no on the previous vote.

The SPEAKER pro tem: It is too late. The Chair has announced the vote.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I urge you to vote to reconsider and we can settle this today. Not to reconsider, you are going to have to hear this all over again. I hope you will vote to reconsider and you will use good judgment and we will settle this today and we will vote not to insist. I would ask for a roll call.

The SPEAKER pro tem: 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 pro tem: The Chair recognizes the gentleman from Caribou, Mr. Briggs.

Mr. BRIGGS: Mr. Speaker and Members of the House: This great deliberative body has voted four times now on this issue and won it every time. Now all we have to do to win it is to vote against

the prevailing motion. I hope the members will vote against that motion.

The SPEAKER pro tem: The pending question is on the motion of the gentleman from Cape Elizabeth, Mr. Hewes, that the House reconsider its action whereby it voted to insist. A roll call has been ordered. All those in favor of reconsideration will vote yes; those opposed will vote no.

ROLL CALL

YEA — Ault, Baker, Berry, G.W.; Berry, P.P.; Berube, Binnette, Birt, Bither, Bragdon, Brawn, Bunker, Cameron, Carrier, Carter, Chick, Churchill, Cote, Cressey, Dam, Davis, Deshaies, Donaghy, Dudley, Dunn, Dyar, Evans, Farrington, Fecteau, Ferris, Finemore, Flynn, Fraser, Gauthier, Good, Haskell, Henley, Hoffses, Hunter, Immonen, Kelleher, Kelley, Lawry, Lewis, E.; Littlefield, Lynch, Maddox, McCormick, Merrill, Mills, Morin, L.; Murchison, Norris, Parks, Pratt, Rollins, Ross, Shaw, Sheltra, Shute, Silverman, Simpson, L. E.; Snowe, Sproul, Stillings, Theriault, Trask, Trumbull, Tyndale, Walker, White, Willard, Wood, M.E.

NAY — Albert, Boudreau, Briggs, Brown, Bustin, Chonko, Clark, Conley, Connolly, Cooney, Cottrell, Crommett, Curran, Curtis, T. S., Jr.; Dow, Drigotas, Dunleavy, Emery, D. F.; Farley, Farnham, Faucher, Gahagan, Garsoe, Genest, Goodwin, H.; Goodwin, K.; Greenlaw, Hamblen, Hancock, Herrick, Hewes, Hobbins, Huber, Jackson, Jacques, Jalbert, Kelley, R. P.; Keyte, Kilroy, Knight, LaCharite, LaPointe, LeBlanc, Lewis, J.; MacLeod, Mahaney, Martin, Maxwell, McHenry, McKernan, McMahan, McTeague, Morin, V.; Morton, Mulkern, Murray, Najarian, O'Brien, Palmer, Perkins, Peterson, Pontbriand, Ricker, Rolde, Smith, D.M.; Smith, S.; Soulas, Susi, Talbot, Tanguay, Tierney, Webber, Wheeler, Whitzell.

ABSENT — Carey, Hodgdon, McNally, Santoro.

Yes, 69; No, 77; Absent, 5.

The SPEAKER pro tem: Sixty-nine having voted in the affirmative and seventy-five in the nega-

tive, with five being absent, the motion does not prevail.

Sent to the Senate.

At this point Speaker Hewes returned to the rostrum.

SPEAKER HEWES: The Chair thanks the gentleman and commends him on a very fine job on a difficult day.

Mr. Jalbert of Lewiston was granted unanimous consent to address the House.

Mr. JALBERT: Mr. Speaker and Members of the House: I have chided on one or two occasions the gentleman in the right-hand corner, the gentleman from Standish, Mr. Simpson, but in all honesty and sincerity, he mentioned during the debate in welcoming youngsters here that this was a trying debate. It certainly was trying for him and frankly, I must commend him — I know we all do — for a job very well done. (Applause)

Mr. Palmer of Nobleboro was granted unanimous consent to address the House.

Mr. PALMER: Mr. Speaker and Members of the House: Yesterday afternoon, at a very important and well-attended committee hearing before the Committee on Education, a problem arose which I would like to address myself to for just a moment. My remarks in no way reflect or diminish my respect for the gentleman from Wayne, Mr. Ault, who introduced this bill or the Committee on Education or any of the interested parents who came here to discuss the pros and cons of this proposal; but I would like to say that space in this House is very limited and, at best, difficult to obtain. Many of us who are members of this body use our desks in the afternoon when we are not in committee to write and to read.

Yesterday, upon returning, we were denied this right and even though I know the problem involved in public hearings, I would like to just go on record as saying that I do not believe that the Chamber of this House should be used for a public hearing, regardless of the reason, while this

legislature is in session. It would be my hope that the leaders of both the parties in this House, as well as the Clerk, would convey this message to those responsible in the other body.

The **SPEAKER:** The Chair would thank the gentleman. The Chair, himself, was responsible for using this House for the hearing yesterday. I felt that the greatest good for the greatest number would be provided in that way. The largest hearing room in the State House office complex, room 105, was filled to overflowing with the Committee on Liquor Control which was hearing a controversial Sunday liquor sales bill. I looked in and saw that that room was filled up. I learned of the large number attending the very interesting bill before the Committee on Education yesterday and I decided that the House could be used for that purpose.

I would like to state that when I looked in shortly after they were here, I would estimate there were 200 people in attendance. Most of the chairs were filled and I think that those that sat in your seats did behave themselves. I hope nothing was destroyed, damaged or hurt. I had assumed that you or any of you could have come to your desk and gotten a paper or something from your desk even while somebody else was sitting there, as the pages walk in and out of the aisles now.

I regret that there are not larger hearing rooms but I take the blame for it or the credit or whatever because I made the decision and I think I would do it again.

On motion of Mr. Martin of Eagle Lake, the House reconsidered its action of yesterday whereby Bill (An Act to Appropriate Funds for the Purpose of Creating an Office of Off-reservation Indian Development within the Department of Indian Affairs (H. P. 976) was referred to the Committee on Human Resources.

On further motion of the same gentleman, was referred to the Committee on Appropriations and Financial Affairs, ordered printed and sent up for concurrence.

On motion by Mr. Birt of East Adjourned until 1:30 o'clock
Millinocket, tomorrow afternoon.