

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Sixth  
Legislature*

OF THE

STATE OF MAINE

**Volume II**

**April 23, 1973 to June 5, 1973**

KENNEBEC JOURNAL  
AUGUSTA, MAINE

**HOUSE**

Monday, May 21, 1973

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

Prayer by the Rev. Mr. Douglas Morrill of Augusta.

The members stood at attention during the playing of the National Anthem by the Sedistobrook High School band.

The journal of the previous session was read and approved.

**Papers from the Senate  
Reports of Committees  
Ought to Pass with  
Committee Amendment**

Report of the Committee on Judiciary on Bill "An Act Relating to State Parole Board Composition and Compensation" (S. P. 155) (L. D. 389) reporting "Ought to pass" as amended by Committee Amendment "A" (S-136)

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

In the House, the Report was read.

The SPEAKER: The Chair recognizes the gentlewoman from Union, Mrs. McCormick.

Mrs. McCORMICK: Mr. Speaker and Members of the House: This bill, if we accept it, does just the opposite of what we did here the other day in the House. This is the other Parole Board bill that I explained to you. This leaves the Parole Board at the present three members and only ups the pay to \$35 a day. This is not what the House accepted the other day.

I move that we indefinitely postpone this in non-concurrence.

Thereupon, the Bill and all accompanying papers were indefinitely postponed.

**Orders Out of Order**

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

ORDERED, that Mark Bonney, Douglas Cilley, Claudette Morin and Katherine Bubier of Turner be appointed Honorary Pages for today.

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

Mr. Greenlaw of Stonington presented the following Order and moved its passage:

ORDERED, that Virginia Stearns of Deer Isle, Kevin Dunham of Stonington, Dianne Trundy of Stonington and Dianne Bent of Brooklyn be appointed Honorary Pages for today.

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

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

ORDERED, that Joan Griffin and Diane Shostak of Augusta be appointed Honorary Pages for today.

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

**Divided Report**

Majority Report of the Committee on Natural Resources on Bill "An Act Providing for State Supervision of the Construction and Safety of Dams and Reservoirs" (S. P. 205) (L. D. 550) reporting "Ought to pass" as amended by Committee Amendment "A" (S-137)

Report was signed by the following members:

Mrs. CUMMINGS of Penobscot  
Mr. MARCOTTE of York  
—of the Senate.  
Messrs. SMITH of Exeter  
ROLDE of York  
BRIGGS of Caribou  
PALMER of Nobleboro  
PETERSON of Windham  
—of the House.

Minority report of the same Committee on same Bill reporting "Ought not to pass"

Report was signed by the following members:

Mr. SHULTEN of Sagadahoc  
—of the Senate.  
Messrs. MacLEOD of Bar Harbor  
CURRAN of Bangor  
HERRICK of Harmony  
HUBER of Falmouth  
Mrs. BERUBE of Lewiston  
—of the House.

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

In the House: Reports were read.

On motion of Mr. Briggs of Caribou, the Majority "Ought to pass" Report was accepted in concurrence and the Bill read once. Committee Amendment "A" (S-137) was read by the Clerk and adopted in concurrence and the Bill assigned for second reading tomorrow.

#### Non-Concurrent Matter

Bill "An Act to Authorize the Creation of the Maine Inland Fisheries and Game Acquisition Fund and the Issuance of Not Exceeding \$2,000,000 for the Financing Thereof" (H. P. 238) (L. D. 362) which the House passed to be engrossed as amended by Committee Amendment "A" (H-364) on May 14.

Came from the Senate with the Bill passed to be engrossed as amended by Committee Amendment "A" (H-364) and Senate Amendment "A" (S-142) in non-concurrence.

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

#### Non-Concurrent Matter

Bill "An Act Authorizing the Commissioner of Agriculture to Investigate Certain Farming Practices" (H. P. 1497) (L. D. 1924) which the House passed to be engrossed in New Draft on May 14.

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

In the House: On motion of Mr. Evans of Freedom, the House voted to insist and ask for a Committee of Conference.

#### Non-Concurrent Matter

Bill "An Act Relating to Temporary Restraining Order and Cost of Litigation by the Attorney General under Unfair Trade Practices Act" (H. P. 770) (L. D. 1004) on which the House voted to insist on its action of May 16 whereby the Bill was passed to be engrossed.

Came from the Senate with that body voting to insist on its former action whereby the Bill was passed to be engrossed as amended by Senate Amendment "A" (S-125) in non-concurrence.

In the House: On motion of Mr. Perkins of South Portland, the House voted to recede and concur.

#### Non-Concurrent Matter

Bill "An Act Relating to Hours of Work and Minimum Wages for Taxicab Drivers" (H. P. 1035) (L. D. 1356) (C. "A" H-387) which the House passed to be engrossed on May 17.

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

In the House:

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

Mr. BROWN: Mr. Speaker, I move we recede.

Mr. Hobbins of Saco requested a vote on the motion.

The SPEAKER: The pending question is on the motion of the gentleman from Augusta, Mr. Brown, that the House recede. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken. 62 having voted in the affirmative and 43 having voted in the negative, the motion did prevail. (Later Reconsidered)

#### Non-Concurrent Matter

Bill "An Act Providing for a State Lottery" (H. P. 1507) (L. D. 1938) which the House passed to be engrossed in New Draft on May 17.

Came from the Senate with the Minority "Ought not to pass" report accepted in non-concurrence.

In the House:

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

Mr. EMERY: Mr. Speaker, I move that the House recede and concur.

The SPEAKER: The gentleman from Rockland, Mr. Emery, moves that the House recede and concur with the Senate.

Mr. Kelleher of Bangor requested a roll call vote.

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

Mr. SIMPSON: Mr. Speaker and Members of the House: I believe that probably somebody would look at this bill and kind of read

it wrong. I believe we have a misprint. It calls for a state library when I think we are talking about a state lottery.

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

Mr. ROSS: Mr. Speaker and Members of the House: I also discovered that was state lottery rather than state library. I looked up under the L. D. number.

I was in favor, although never before had I voted for a state lottery, last week I voted for this because I think with a change in the whole idea that New Hampshire has been following Connecticut law, we would have a chance to pick up \$8 million.

Now I mentioned last week that people are sending down by one person many many dollars for lottery tickets each Friday night to New Hampshire, and I think we should have this money rather than New Hampshire. We have legalized all sorts of gambling. I see nothing morally wrong with this, and I hope you vote against the motion so that we can eventually move to insist.

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

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

The SPEAKER: The pending question is on the motion of the gentleman from Rockland, Mr. Emery, that the House recede and concur with the Senate. All in favor of that motion will vote yes; those opposed will vote no.

#### ROLL CALL

YEA — Baker, Berry, G. W.; Birt, Bither, Bragdon, Brawn, Briggs, Cameron, Carrier, Churchill, Clark, Curtis, T. S., Jr.; Davis, Donaghy, Emery, D. F.; Farnham, Finemore, Gahagan, Good, Hamblen, Haskell, Henley, Herrick, Hoffses, Hunter, Immonen, Jackson, Kelley, Lawry, MacLeod, McCormick, Merrill, Morton,

Palmer, Parks, Pratt, Rollins, Shaw, Shute, Silverman, Simpson, L. E.; Sproul, Stillings, Susi, Trask, Tyndale, White, Willard, Wood, M. E.; The Speaker.

NAY—Albert, Ault, Berry, P. P.; Berube, Boudreau, Brown, Bustin, Carey, Chonko, Conley, Cooney, Cote, Cressey, Crommett, Curran, Deshaies, Dow, Drigotas, Dyar, Evans, Farley, Farrington, Faucher, Fecteau, Ferris, Fraser, Garsoe, Gauthier, Genest, Goodwin, H.; Goodwin, K.; Greenlaw, Hancock, Hobbins, Huber, Jacques, Jalbert, Kauffman, Kelleher, Kelley, R. P.; Keyte, Kilroy, Knight, LaCharite, LeBlanc, Lynch, Mahany, Martin, Maxwell, McHenry, McKernan, McMahan, McTeague, Mills, Morin, L.; Morin, V.; Mulhern, Murchison, Murray, Najarian, O'Brien, Perkins, Peterson, Ricker, Rolde, Ross, Smith, D. M.; Strout, Talbot, Tanguay, Theriault, Tierney, Walker, Wheeler, Whitzell.

ABSENT — Binnette, Bunker, Carter, Connolly, Cottrell, Dam, Dudley, Dunleavy, Dunn, Flynn, LaPointe, Lewis, J.; Maddox, McNally, Pontbriand, Santoro, Shetra, Smith, S.; Soulas, Trumbull, Webber.

Yes, 52; No, 76; Absent 22.

The SPEAKER: Fifty-two having voted in the affirmative and seventy-six in the negative, with twenty-two being absent, the motion does not prevail.

Thereupon, on motion of Mr. Ross of Bath, the House voted to insist and ask for a Committee of Conference.

#### Messages and Documents

The following Communication:

STATE OF MAINE  
STATE TREASURER  
Augusta

June 30, 1972

To the Honorable Senate and House of Representatives:

As required by the Constitution of the State of Maine, I have the honor to submit herewith the biennial report of the financial transactions of the Treasury Department of the State of Maine for the two years ended June 30, 1972.

Most Respectfully submitted,

(Signed)

NORMAN K. FERGUSON  
Treasurer of State

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

#### Orders

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

Mr. JALBERT: Mr. Speaker and Members of the House: I would like to address this honorable body this morning based on the Nader Report, which some of us have read briefly and others thoroughly. I will restrict my remarks concerning themselves to the attack that has been made by the young man in question by the name of Osborne who has been within our midst for one year and apparently was paid \$1,500, which would indicate to me that Mr. Nader got just exactly what he paid for.

The attack concerns itself with the Honorable Justice Donald C. Webber, a member of our Supreme Court. It asks for the resignation of Curt Cris Hutchins. It criticizes, chides Senator Muskie, Austin Wilkins, Maynard Marsh, and Ronald Speers.

The last gentleman I named, Mr. Hutchins, Senator Muskie, Austin Wilkins, Maynard Marsh, Ronald Speers, and also certainly, last but not least, Dr. Coons of the E. I. C., these gentlemen can certainly speak for themselves.

It is not the habit of, however, members of the Bar to speak for themselves. I will restrict my remarks wherein they concern the Honorable Donald C. Webber, member of the Supreme Court, Maine Judicial Court of this state.

The situation as it is—and it was related to me by the Chief Justice, by other members of the Bar, and I discussed it without telling him that I was going to speak about this with the Honorable Donald C. Webber—it is that he was asked to sit in on two cases, one concerning Franklin County, one concerning Oxford County.

As things progressed and the case concerned itself with an opinion, and it was merely concerning itself with temporary injunction—knowing the kindness of

Justice Webber, I know that he speaks the absolute truth.

When the first case was heard in Franklin County, he called in the parties involved. Some had taken the Fifth Amendment, and even the attorney for the plaintiffs was in a rather uncomfortable position, a very honorable gentleman who was formerly part of this body and the other body. So he talked to these people and explained the position that he would have to take, and it went from there.

The very next day, in view of the position he had taken, in his complete honesty, Justice Webber decided that he would like to disqualify himself from the second position wherein it concerned the Oxford County matter. So, he called the then Chief Justice, the Honorable Robert Williamson, and informed him that he would like to disqualify himself from the second position. The chief agreed with him, and as a matter of fact, said, "I will take the Oxford case," which he did. And the thing never actually came to a hearing. It never went beyond the chambers of the court. It was never appealed to the Supreme Court.

The young man from the Nader gorop, young Osborne, and we are quite familiar, incidentally, with our people in our state being criticized, because I remember two years ago standing on my feet protecting a gentleman from the other body, who is not only, in my opinion, a very honorable gentleman but also a very very close personal friend when he was being attacked. So, this is nothing new as far as Nader's Raiders are concerned. If they might take issue with me, there might be some validity to it; but when you take issue with such men in the position of Justice Webber, in my opinion it is another thing.

These people should realize that in our good state the court system does not enact laws, we enact the laws. The court implements the laws, that is their duty, and I think I know they do a very fine job of it.

I feel very strongly that this is an attack, not only on one fine gentleman, but is also an attack

on the entire court system of this state, Mr. Speaker and members of the House. Justice Donald C. Webber is now serving, as of July 1 of this year, his 25th year on the Superior and Supreme Court bench, and he has done so in an extremely admirable fashion. I can recall on several occasions, myself as well as others, have gone to him asking his advice where it concerns positions that the City of Lewiston was in in itself. He would give that opinion; then he would state, of course, "Now that I have given my opinion, I would withdraw myself" and would not discuss the situation any further. He had such high respect, and he has such high respect, for the people that the parties involved got together after hearing his opinion and then the situation went no further.

Not only that, but as a layman, the Honorable Donald C. Webber, Justice of our Maine Judicial Court, has also served as moderator for the United Church of Christ, which involves 2 million people, which is the highest honor in the Congregational Church that can ever be given a layman in this country.

In a very mild manner, because I am speaking of a justice of our Supreme Court, I am successfully toning my language down, Mr. Speaker. If I would meet the young man in question, the language might be of a different nature. I think this is an insult to our Honorable Justice Donald C. Webber. It is an insult to our court, and I think at least — at least, the young man in question should have extended the courtesy of calling at least once on Justice Webber, which he never did before he came down with asinine comments such as he made about Justice Webber and other fine citizens of our state.

The SPEAKER: The Chair thanks the gentleman and thinks that the gentleman speaks for the members of the House relative to this man who was only here for about a year.

Mr. Bragdon of Perham was granted unanimous consent to address the House.

Mr. BRAGDON: Mr. Speaker and Members of the House: I guess perhaps I felt inclined to

do this because I wanted to let you know that I read the same article that the gentleman from Lewiston refers to. I read it very carefully, my heart bled for the poor Canadians who come down here Monday morning with their Cadillacs and spend five days in the woods cutting pulp for these people that he refers to that tread them under their heel. I assume that he had spent some time in the woods and knew what he was talking about. As far as I am concerned, they take home what I would consider pretty good wages, probably \$300 a week for a five-day week.

I hope they don't read the article and make up their mind that they are completely unhappy with the job they are doing. After reading it, the thing that disturbed me more than anything else, I think, was I wondered what area of our economy the honorable gentleman representing Ralph Nader would attack next. I assume it may be the potato processing area, but I don't know what it might be, it could be anywhere.

I somehow am one of those that perhaps feel that this type of a study does perhaps in some instances more harm than good to the economy of the State of Maine. I know there are those of you who disagree with me, but I thank you for giving me the opportunity to say what I thought very briefly about the whole study. I take a very dim view of things of this type. I think if it does continue, it will do tremendous harm to all of the industries that we have in the State of Maine.

I think if anything, I got a vision from the gentleman Mr. Osborne, a vision of the day when the lion and the lamb will lie down together, which I had always assumed I perhaps would never live to see, but I think maybe I was mistaken. He certainly gives us a vision of that Promised Land when we can throw away our chain saws and lie down under the towering pine trees and live on money from Heaven. I think maybe I may yet survive to see that beautiful day.

Mr. Dyar of Strong was granted unanimous consent to address the House.

Mr. DYAR: Mr. Speaker and Members of the House: I would like to concur with the gentleman from Lewiston on his remarks as regards to Justice Webber. I do think it should be explained that the question before the courts in Franklin County which is whether or not pulp wood processors could arbitrate. This is a question before the courts.

I believe you will find the ruling that the justice ruled on law here in the state. He ruled they could not arbitrate on the price of pulpwood. What he said in interpreting the law was that myself and another individual could not go to a paper company in this state and arbitrate for a price contract on pulpwood. I could go as an individual, but I could not go with anybody else. This is the law in this state.

There was concern at the time that possibly pulpwood was an agricultural product, was a fibrous product, and could arbitrate. This ruling threw that out with justification.

I do feel that the blame should be placed on the right people and not Justice Webber. Numerous constituents that I represent were placed under this injunction and were censored for trying to increase the price of pulpwood in this state.

I am quite familiar with the workings between the pulpwood producer and the paper companies. I think Mr. Osborne did have some valid points in his article. I concur with Mr. Bragdon that he possibly should have gone into the woods and seen the operation.

I wanted to clarify the point that Justice Webber, in my mind, ruled correctly. He ruled on the law that we have on the books which I think is incorrect.

Mr. Finemore of Bridgewater was granted unanimous consent to address the House:

Mr. FINEMORE: Mr. Speaker and Ladies and Gentlemen of the House: Very briefly, I worked 39 years for the Great Northern Paper Company, and I don't think they starved us to death. As far as the article saying that there was \$4,400 which was what the

pulpwood workers made is ridiculous, because most of them today make more than the people who work for the State of Maine. Most of them make \$10,000, \$12,000 a year. They only work four and a half days a week rather than five, they only work four days and a half a week.

As far as arbitration with the paper manufacturers today, it is just like potatoes or anything else, it is supply and demand. Now, right now the supply is light. They have raised pulpwood as high as five dollars a cord more than it was last summer. And as long as we have supply and demand so that the demand is greater than the supply, we will have a price of pulpwood, regardless of Nader or whoever does it.

Mr. Martin of Eagle Lake was granted unanimous consent to address the House.

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: A number of people have indicated either their pleasure or displeasure in part or in total with the report that has been written with the support of the Ralph Nader team.

I have not had an opportunity to read the entire length of it. I have it here in my hand. As you can tell, it is a rather long document. It is called the Paper Plantation written by William C. Osborne. I intend to read it, and when I am through, I will be making comments, I am sure, in reference to it.

I do want to respond to a couple comments, one in reference to the gentleman from Perham, Mr. Bragdon. I have yet to see a Canadian bonded laborer come across the border with a Cadillac. Most of them ride around in a 1945 Ford, and a few of them have Chevrolets that they can sport around with. I can assure the gentleman from Bridgewater that they are not making any \$10,000.

I have had some experience in the business, not very long. I lasted one summer. That was the end of me. I decided to go into college instead, because I decided that was the easier way of making my



life, and I think that an awful lot of people in Arostook County have done the same.

Basically, you will find them, either in Bristol, Connecticut, or New Britain, or in Hartford. Take your pick, they are in one of those communities. I do think, though, that you have to be very careful about how you respond to this document. I am sure that when we get through analyzing it, we are going to agree with parts of it and we are going to disagree with parts of it. But I think in the final analysis, the public will be better served, because there will be a debate of whether or not something ought to be done or not done. If it does nothing else than bring people into thinking about what is going on into correcting the errors that exist, if they do exist, and perhaps indicating that they have gone too far in certain areas, then that will be something that we can do and we ought to do.

I suspect that it is going to take some time before all of us read this document, and I suspect that when we are through we may have some ideas of our own. I would hope that we give some thought to reading this thing in its entirety.

Mrs. White of Guilford presented the following Joint Order and moved its passage:

WHEREAS, David H. Stevens, Commissioner of the Maine Department of Transportation, is one of the 10 leading men of the nation in the field of public works; and

WHEREAS, he will be so honored nationally the week of May 20th for his work which "reflects the highest standards of professional conduct;" and

WHEREAS, the roads and bridges spanning our State stand in silent tribute to the characteristic courage and industrious determination of their attentive guardian since 1954; and

WHEREAS, the State is justifiably proud of this man and his many worthy accomplishments which are indelibly marked in over 30 years of distinguished service in its behalf; now, therefore, be it

ORDERED, the Senate concurring, that We, the Members of

the One Hundred and Sixth Legislature of the State of Maine, now assembled, pause for a moment in our deliberations to congratulate David H. Stevens on this national honor and acclaim and express our gratitude for his excellent service given so generously to his State for more than thirty years; and be it further

ORDERED, that our presiding officers shall cause a copy of this Order to be appropriately presented to Commissioner Stevens on our behalf in full honor of the occasion. (H. P. 1519)

The Order was read.

The SPEAKER: The Chair recognizes the gentlewoman from Guilford, Mrs. White.

Mrs. WHITE: Mr. Speaker and Members of the House: It is my pleasure this morning to present this order. Dave Stevens was born and brought up in Guilford, which is my town, and I have known him for many years.

Besides being a great administrator, I can say to you from personal experience that he also was a very good dancer. I also would like to say to you that the chairman of the Transportation Committee from the other body has helped prepare this order and joins in presenting it.

Thereupon, the Joint Order received passage and was sent up for concurrence.

On motion of Mrs. McCormick of Union, it was

ORDERED, that Robert Soulas of Bangor be excused for the week of May 21st for a routine checkup at Deaconess Hospital in Boston.

#### House Reports of Committees Ought Not to Pass

Mrs. Wheeler from the Committee on Judiciary on Bill "An Act Relating to Certain Agreements in Construction Contracts" (H. P. 92) (L. D. 113) reporting "Ought not to pass"

Mr. Henley from same Committee reporting same on Bill "An Act Limiting Prejudgment Attachments and Prejudgment Trustee Process" (H. P. 232) (L. D. 312)

Mr. Perkins from same Committee reporting same on Bill "An Act Clarifying the Laws Relating to

Corporations Without Capital Stock" (H. P. 394) (L. D. 523)

Mr. Gauthier from same Committee reporting same on Resolve Authorizing Walter G. Thorstad and Richard J. Thorstad to Bring Civil Action Against the State of Maine (H. P. 553) (L. D. 766)

Mr. Farnham from the Committee on State Government reporting same on Bill "An Act to Reorganize the Maine Land Use Regulation Commission under the Department of Environmental Protection" (H. P. 1105) (L. D. 1441)

Mr. Dunleavy from the Committee on Judiciary reporting same on Bill "An Act to Improve the Efficiency and Fairness of the Local Welfare System" (H. P. 477) (L. D. 624)

Mr. Gauthier from same Committee reporting same on Bill "An Act to Improve the Pauper Relief System" (H. P. 982) (L. D. 1296)

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

#### Leave to Withdraw

Mr. Greenlaw from the Committee on Marine Resources on Bill "An Act to Allow for Escapement of Sublegal Lobsters from Lobster Traps" (H. P. 998) (L. D. 1317) reporting Leave to Withdraw.

Same gentleman from same Committee reporting same on Bill "An Act to Prohibit Lobster Fishing after 4 p.m." (H. P. 1110) (L. D. 1446)

Reports were read and accepted and sent up for concurrence.

#### Tabled and Assigned

Mr. Dam from the Committee on County Government reporting same on Bill "An Act Relating to Fees and Traveling Expenses for State Humane Agents" (H. P. 129) (L. D. 153)

Report was read.

(On motion of Mr. Simpson of Standish, tabled pending acceptance of the Committee Report and tomorrow assigned.)

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

Mrs. Wheeler from the Committee on Judiciary on Bill "An Act to Insure that Citizens are Granted Due Process of Law by Governmental Agencies" (H. P. 360) (L.

D. 475) reporting "Ought to pass" in New Draft (H. P. 1518) (L. D. 1947) under same title.

Report was read and accepted, the New Draft read once and assigned for second reading tomorrow.

#### Divided Report

Majority Report of the Committee on Marine Resources on Bill "An Act Relating to Research Development and Cultivation of Marine Species" (H. P. 856) (L. D. 1134) reporting "Ought to pass"

Report was signed by the following members:

Messrs. HUBER of Knox  
DANTON of York  
RICHARDSON

of Cumberland  
—of the Senate.

Messrs. BROWN of Augusta  
BUNKER of Gouldsboro  
LEWIS of Bristol  
SHUTE

of Stockton Springs  
GREENLAW

of Stonington  
WEBBER of Belfast  
LaCHARITE of Brunswick  
MULKERN of Portland

Mrs. KNIGHT of Scarborough  
—of the House.

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

Report was signed by the following member:

Mr. DAVIS of Addison  
—of the House.

Reports were read.

On motion of Mr. Martin of Eagle Lake, the Majority "Ought to pass" Report was accepted, the Bill read once and assigned for second reading tomorrow.

#### Divided Report

Majority Report of the Committee on Judiciary on Bill "An Act to Prohibit Discrimination in Suspending Motor Vehicle Operator's Licenses" (H. P. 1222) (L. D. 1592) reporting "Ought not to pass"

Report was signed by the following members:

Messrs. TANOUS of Penobscot  
SPEERS of Kennebec  
BRENNAN of Cumberland  
—of the Senate.

Mrs. WHITE of Guilford  
BAKER of Orrington

WHEELER of Portland  
 KILROY of Portland  
 Messrs. PERKINS  
                     of South Portland  
 CARRIER of Westbrook  
 GAUTHIER of Sanford  
 HENLEY of Norway  
 McKERNAN of Bangor  
                     —of the House.

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

Report was signed by the follow-  
 ing member:  
 Mr. DUNLEAVY

                    of Presque Isle  
                     —of the House.

Reports were read.

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

**Divided Report**

Majority Report of the Commit-  
 tee on Legal Affairs on Bill "An  
 Act to Amend the Snowmobile  
 Laws" (H. P. 787) (L. D. 1039) re-  
 porting "Ought to pass" as  
 amended by Committee Amend-  
 ment "A" (H-410)

Report was signed by the follow-  
 ing members:

Messrs. JOLY of Kennebec  
 ALDRICH of Oxford  
 ROBERTS of York  
                     —of the Senate.

Messrs. FECTEAU of Biddeford  
 SHUTE  
                     of Stockton Springs  
 SHAW of Chelsea  
 COTE of Lewiston  
 CAREY of Waterville  
 CONNOLLY of Portland  
 EMERY of Rockland  
                     —of the House.

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

Report was signed by the follow-  
 ing members:

Messrs. FAUCHER of Solon  
 BRAUN of Oakland  
 DUDLEY of Enfield  
                     —of the House.

Reports were read.

On motion of Mr. Emery of  
 Rockland, the Majority "Ought to  
 pass" Report was accepted and  
 the Bill read once. Committee  
 Amendment "A" (H-410) was read  
 by the Clerk and adopted and the

Bill assigned for second reading  
 tomorrow.

**Divided Report  
 Tabled and Assigned**

Majority Report of the Commit-  
 tee on County Government on Bill  
 "An Act to Reform County Gov-  
 ernment" (H. P. 1385) (L. D.  
 1802) reporting "Ought not to pass"

Report was signed by the fol-  
 lowing members:

Messrs. ROBERTS of York  
 PEABODY of Aroostook  
 CLIFFORD  
                     of Androscoggin  
                     — of the Senate.

Messrs. PONTBRIAND of Auburn  
 DAM of Skowhegan  
 FARRINGTON of China  
 SHELTRA of Biddeford  
 CHURCHILL of Orland  
 TANGUAY of Lewiston  
 DYAR of Strong  
                     — of the House.

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

Report was signed by the fol-  
 lowing members:

Messrs. WHITZELL of Gardiner  
 McMAHON of Kennebunk  
                     — of the House.

Reports were read.

The SPEAKER: The Chair rec-  
 ognizes the gentleman from Or-  
 land, Mr. Churchill.

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

Thereupon, on motion of Mr.  
 Simpson of Standish, tabled pend-  
 ing the motion of Mr. Churchill  
 to accept the Majority Report and  
 tomorrow assigned.

**Divided Report**

Majority Report of the Commit-  
 tee on Judiciary on Bill "An Act  
 Relating to Psychotherapist and  
 Patient Privilege" (H. P. 1226) (L.  
 D. 1601) reporting "Ought not to  
 pass"

Report was signed by the fol-  
 lowing members:

Mrs. BAKER of Orrington  
 WHITE of Guilford  
 WHEELER of Portland  
 Messrs. PERKINS  
                     of South Portland  
 HENLEY of Norway

GAUTHIER of Sanford  
CARRIER of Westbrook  
— of the House.

Minority Report of the Same  
Committee on same Bill reporting  
"Ought to pass" as amended by  
Committee Amendment "A" (H-  
413)

Report was signed by the fol-  
lowing members:

Messrs. BRENNAN of Cumberland  
SPEERS of Kennebec  
TANOUS of Penobscot  
— of the Senate.  
Mrs. KILROY of Portland  
Messrs. DUNLEAVY  
— of Presque Isle  
McKERNAN of Bangor  
— of the House.

Reports were read.

The SPEAKER: The Chair recog-  
nizes the gentlewoman from  
Orrington, Mrs. Baker.

Mrs. BAKER: Mr. Speaker, I  
move the House accept the Ma-  
jority "Ought not to pass" Report.

The SPEAKER: The gentle-  
woman from Orrington, Mrs.  
Baker, moves the House accept  
the Majority "Ought not to pass"  
Report.

The Chair recognizes the gentle-  
man from Brunswick, Mr. Mc-  
Teague.

Mr. McTEAGUE: Mr. Speaker  
and Members of the House: This  
bill seeks to cure the very unusual  
feature of Maine law regarding  
the privilege of a patient in psy-  
chiatric consultation with a psy-  
chiatrist or licensed clinical psy-  
chologist or a registered psy-  
chiatric social worker.

Under our law as it stands now,  
if you consult with a licensed  
clinical psychologist who is a  
PhD that engages in psychological  
counseling, what you tell him and  
what he finds out about is privi-  
leged and may not be disclosed  
against your will before any court  
or other body. However, if you  
choose to attend a psychiatrist  
rather than a psychologist, a psy-  
chiatrist being a medical doctor  
who has been certified as a psy-  
chiatrist by the American Psychi-  
atric Association, what you tell  
your psychiatrist is not privileged.  
And if you happen to be a person  
of moderate or low income and

you attend a mental health clinic,  
as we have many throughout the  
state, and under the supervision  
of a psychiatrist you consult with  
a psychiatric social worker, that  
information is equally not privi-  
leged in our law.

Although licensed clinical psy-  
chologists perform an excellent  
function, I think usually on the  
hierarchy of things, it is thought  
that a psychiatrist is a bit higher.  
He has the medical education as  
well as the special psychiatric  
education.

What this bill would seek to do  
would be to protect the confiden-  
tially of your communications with  
all three of these professions in  
the field of psychiatric counseling  
— again, a psychiatrist, an M.D.,  
a clinical psychologist, a PhD and  
a registered social worker func-  
tioning at a mental health clinic.

I think if we recall, in the last  
few weeks there has been some  
information in the news about an  
attempt to obtain, unlawfully in  
that case, some private informa-  
tion given to a psychiatrist by a  
certain man who is a defendant  
out on the west coast in a criminal  
case. That was the Ellsberg case.  
Most of us aren't as famous, and  
perhaps you might think infamous  
as Mr. Ellsberg, but all of us or  
members of our families might at  
some time have the need to con-  
sult with one of these psychiatric  
professionals, and when we do, I  
think all of us would hope that  
those records would be kept con-  
fidential.

If the patient doesn't feel that  
he can truly and freely disclose  
to his psychiatrist or another psy-  
chiatric worker this confidential  
information, and that this informa-  
tion might be subject to subpoena,  
he may not disclose everything he  
should and, therefore, his prob-  
lems in the psychiatric area may  
not be cured.

This bill is based on a proposed  
revision of the Federal Rules of  
Evidence, and I think we can fairly  
state that there is a privilege rec-  
ognized in regard to psychiatrists  
in a vast majority of the states in  
the Union. I therefore would hope  
that you would vote to accept the  
"ought to pass" report and would  
vote against the pending motion.

The SPEAKER: The Chair recognizes the gentlewoman from Orrington, Mrs. Baker.

Mrs. BAKER: Mr. Speaker and Members of the House: I think perhaps the House should know some of the reasons why the majority of the committee voted "ought not to pass" on this bill. As the gentleman from Brunswick told you, the psychiatrists already have this privilege and in this bill, if you will turn to the L. D., you will see that it is a very broad statement. It includes not only psychotherapists but social workers and many other people. In fact, it is so broad it would cover almost everyone.

It does seem to me that this privilege of immunity should be carefully guarded. We are having requests more and more for immunity, and it seems to me that this bill is really not necessary.

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

Mr. McTEAGUE: Mr. Speaker and Members of the House: The gentle lady raises two questions: One, how broad the privilege granted should be. I would suggest to the House that if it is the sense of the House that the bill should be restricted to psychiatrists, an amendment of that kind could be put on it at second reading. I would, with all due respect, differ with the lady in regard to the contention that a psychiatrist currently has the privilege under our law. According to my understanding, a psychologist, the PhD has the privilege, an absolute privilege, but a psychiatrist, the M.D., does not have the privilege. I find that anomalous and I think it should be corrected.

If we go on and accept the "ought to pass" report, the bill will be in the posture, of course, for amendments at second reading, and if the gentle lady or any of the other members feel that social workers should be excluded, that may be done.

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

Mr. CARRIER: Mr. Speaker and Members of the House: You want to notice that this bill is an im-

munity bill, and this is probably some of the reasons why the majority of the Judiciary Committee voted against such a proposal — one of the reasons.

Some of the other reasons, if you look at the bill carefully, especially under Section 3, which describes what a psychotherapist is, in the second line it also says that anybody "reasonably believed by the patient so to be." Well, this is extremely broad and an extremely dangerous phrase in this particular L. D. because it doesn't actually say that one has to be, it says "or" and "or" and another "or" as we go along, "or a person licensed or certified as a psychologist." That part of it is not the dangerous part of it. The most dangerous part of it is in the last line, that particular phrase which says, "or a person licensed as a social worker in this state."

I don't believe that you should put social workers on the same level as a psychiatrist or other people who have gone through a very long period of study. I don't think personally — I have nothing against them, but I don't think they are qualified. They are qualified to do certain things, but they truly are not qualified to do what this particular L. D. proposes. So that is one reason why I am against the bill. But one of the other reasons, and I think it is a very fair reason, under number 5, there is a presumption in the absence of evidence to the contrary, and the psychotherapist may claim privilege but only on behalf of the patient. This presumption actually is almost like a prima facie. It is one that is extremely hard to overcome. I think that in general, among other things, these are the two real bad points about the bill and I totally support the motion of "ought not to pass."

The SPEAKER: The pending question is on the motion of the gentlewoman from Orrington, Mrs. Baker, that the House accept the Majority "Ought not to pass" Report. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

66 having voted in the affirmative and 36 having voted in the negative, the motion did prevail. Sent up for concurrence.

#### Divided Report

Majority Report of the Committee on Judiciary on Bill "An Act Regulating Handguns" (H. P. 938) (L. D. 1238) reporting "Ought not to pass"

Report was signed by the following members:

Messrs. TANOUS of Penobscot  
SPEERS of Kennebec  
— of the Senate.  
Mrs. WHITE of Guilford  
BAKER of Orrington  
KILROY of Portland  
Messrs. DUNLEAVY  
— of Presque Isle  
CARRIER of Westbrook  
GAUTHIER of Sanford  
HENLEY of Norway  
— of the House.

Minority Report of the same Committee on same Bill reporting "Ought to pass" as amended by Committee Amendment "A" (H-414)

Report was signed by the following members:

Mr. BRENNAN of Cumberland  
— of the Senate.  
Mrs. WHEELER of Portland  
Messrs. PERKINS  
— of South Portland  
McKERNAN of Bangor  
— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentlewoman from Orrington, Mrs. Baker.

Mrs. BAKER: Mr. Speaker, I move the House accept the Majority "Ought not to pass" Report.

The SPEAKER: The gentlewoman from Orrington, Mrs. Baker, moves the House accept the Majority "Ought not to pass" Report.

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

Mr. TALBOT: Mr. Speaker and Ladies and Gentlemen of the House: I hope you do not go along with the majority "ought not to pass" report on this bill, so that I can move that we accept the minority "ought to pass" report. I know this is asking quite a bit of the House, seeing that this bill came out with a 9 to 4 report. It does have an amendment on it

which excludes antique guns from the bill. It adds a date and time. It also provides that we can send this bill to referendum and let the people decide about what to do.

This bill seems to come back just about every year and somehow we should do something with it so that we won't have it coming back next year. I realize that is asking quite a bit too, because most of the people, the majority of people in this House are more afraid of the ballot than they are of the bullet. So if we are afraid to do something with this bill, I think we should let the people of the State of Maine do something with the bill.

I do not think the bill had a good hearing at all, especially from those who opposed the bill. From our side of the bill, I think we had a good hearing because we more or less talked on the merits of the bill. Those that opposed the bill did not talk on the merits of the bill.

One gentleman stated that the only one that he wanted to know that he had a gun was God and himself. Another gentleman referred his remarks to the foot in the door, not to the merits of the bill. Another gentleman stated that — and I might have this wrong; if I do I will be corrected. Another gentleman stated that if he wanted to kill somebody, he wouldn't need a gun. He would do it with his bare hands, with pleasure. Now somewhere along the line, there is a little violence in the air, but that is not for me to say.

Also at the hearing we learned about art. We learned a little bit about Andrew Wyatt. We met the patriot and his war record, which didn't have anything to do with the handgun bill at all. He got a big hand. So more or less, only one person opposed this bill at the hearing. That was the gentleman from Kittery who opposed this bill on the merit of that bill. I will give him credit for that. He went down item by item, every item that was in that bill. And he was the only gentleman who opposed that bill on the merits of the bill.

Let me read you a letter to the editor that appeared in the Bangor paper that summarizes the opponents to this gun bill more than what I can. I am just going to take this from context. "The right to keep and bear arms is more precious than life itself and without that right, life would not be worth living." That is about the most ridiculous statement that I have ever heard concerning any kind of a bill. I do not want anybody to get the wrong impression because some of my best friends are gun owners.

This bill is supported by at least six communities in the state, which are Portland, South Portland, Cape Elizabeth, Falmouth, Lewiston and Westbrook. They do now have that ordinance on the books as supported by Sheriff Sharpe from Cumberland County, Chief David DiMaggio from Cape Elizabeth, Clyde LeClair, President of Maine's Chief of Police Associations, Gordon McGrath, South Portland Police Department and so on. And I have also attempted to be in contact with either the city managers or mayors of some of these towns. They wholeheartedly support it. Their statement is that this bill or their ordinance cannot be justifiably accurate and effective unless there is a state-wide organization, which more or less this bill attempts to do. It makes it a state-wide law.

I would furthermore challenge anybody on this floor, in this body, to prove to me or the people of this state that this is a bad bill on the merits of that bill. The one thing that this bill will do for this body, at least, and I can't speak for the other body, it will separate the politicians from the representatives of the people. Therefore, I say, let's give this bill to the people. Let them decide. Let them have the final word.

It has also been stated on this floor by some gentlemen that we shouldn't cater to any one group within this state. If we cater to the gun lovers of this state, we will be doing just that. We will be catering to that one group. Just a final word, that in a party plat-

form, at least our party platform, it states that we shall support the federal government, control legislation being proposed by Senator Birch Bayh. This, of course, isn't that legislation. It is a very mild piece of legislation that none of us should be afraid of, none of us should be afraid to deal with it anyway, and I would sincerely hope that you not accept the "ought not to pass" report so that I can make a motion that we accept the minority "ought to pass" report.

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

Mr. NORRIS: Mr. Speaker and Ladies and Gentlemen of the House: I think that the people should decide this, but I think that under our home rule setup now, each local community, as the gentleman from Portland has stated, now does have a gun ordinance and the citizens of Brewer, the citizens of Bangor, the citizens of Old Town, Lincoln, wherever it may be, can do the same thing.

So I think this erodes away the grassroot rights of people, and if they want this type of legislation all they have to do is ask their different town councils or city councils to put it in. For this reason and this reason alone, I move indefinite postponement of both reports and bill.

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

Mr. BRAWN: Mr. Speaker and Ladies and Gentlemen of the House: If you will turn to the Waterville Sentinel of May 5, 1973, in the column written by Gene Letourneau, you will read an exact account of homicides in the State of Maine, and this is what it says. This is taken from the records.

"In 1971," he writes, "out of 23 homicides five were attributed to rifles, five to physical beatings, four to handguns, four to stabbings, four to strangulation and one from a gauge gun."

"In 1972, in the State of Maine, out of 34 homicides, nine were from stabbings, eight from handguns, four from rifles, four from beatings, three from gauge guns, one

strangulation — exposure.” Then it goes on to say that this year, this was as of May 5, 1973, “There were two homicides in the state and these were the result of stabbings.” If you go back to 1971, there was 23 and only 4 handguns; 19 others were not by this means. 1972, you had 34 homicides, only 8 were by handguns, 26 were by other means.

Probably someone will get up here and say, the other day we had a handgun murder, I mean a suicide in the town of Belgrade. I think if you read your paper yesterday, you will find there is an investigation. Let’s wait for the investigation before we lay it onto a handgun.

As the bill said, there should be an amendment to antique guns. Let me ask, what is an antique gun? As I have told you before, I have many guns. I have antique guns. My guns are all operative. Gentlemen, a gun does not go by the age to be classed as antique. It goes by the rarity. That is what makes it an antique gun. As you remember back, to John True Gordon, he used an axe to kill the whole family. He didn’t use a handgun. So let’s put down the handgun. Let’s go along with indefinite postponement.

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

Mr. MULKERN: Mr. Speaker and Ladies and Gentlemen of the House: I think we should take a real serious look at this bill we have before us, L. D. 1238. I really think it is a little misleading to consider this bill real stiff regulation of handguns. As Mr. Talbot said, I agree with him, it is a relatively mild piece of legislation. All it does is to require a 72-hour waiting period to purchase a handgun. It requires various pieces of information to be given to the police departments so that they may check out a person if they have either been convicted of a felony or are presently under indictment for a felony.

I had suggested, in speaking to Mr. Talbot about this bill, in order to make it still more palatable, this was my own suggestion, that an amendment be added to the bill which would require that the police department, after a 72-hour wait-

ing period, if the particular individual involved had not been convicted of a felony or was not under indictment for a felony, that all of these records be promptly destroyed I think this would protect some of the objections to this type of legislation.

I do not really think this is inhibiting anybody’s rights to bear arms. So I would appreciate it if the House would go along with this bill and allow it to go to a referendum of the people. I really do not feel as though this kind of regulation can really be effective under home rule. The City of Portland might have ordinances on the books, it’s true, against regulating handguns that are very similar to this. But the city of Portland’s regulations cannot be very effective if ten miles away or five miles away some other town decides that it doesn’t want to have these kind of ordinances. We could have somebody coming in from outside the city with a handgun and committing a crime in Portland.

Also, I think in cases of people who lose their head or they are considering suicide or contemplating an act of violence, they go into a store, if it is easy for them to pick up a handgun, they are going to go out and they are going to commit their crime. If you give them 72 hours to think it over, who knows, it might avert a potential tragedy. So I would urge you to give this bill a great deal of consideration.

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

Mr. McMAHON: Mr. Speaker and Ladies and Gentlemen of the House: I would like to pose a question to the gentleman from Portland, Mr. Talbot, or anyone else who would care to answer it. Is it now against the law for a person convicted of a felony to own a handgun?

The SPEAKER: The gentleman from Kennebunk, Mr. McMahon, poses a question through the Chair to anyone who may answer if he or she wishes.

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

Mr. BRAWN: Mr. Speaker and Ladies and Gentlemen of the



House: Yes, sir, it is against the law.

The SPEAKER: The Chair recognizes the gentlelady from Portland, Mrs. Wheeler.

Mrs. WHEELER: Mr. Speaker and Ladies and Gentlemen of the House: The bill before you today has been given all sorts of misnomers and scare titles. It has been called a "foot in the door" by gun enthusiasts. At the hearing they brought out that Lizzie Borden didn't use a gun but gave her father 40 whacks with an axe and her mother 41. We were reminded of the "patriot" who later also testified as an opponent, who resides in Knox County, who fought in World War I to preserve our right to bear arms.

In short, the issue of whether Maine should have a 3-day delay in the sale of handguns was described as everything except what it really is, a chance to give a person a second thought about why he may want to buy a pistol and give the proper authorities time to check out whether or not the person should own one. This is what the bill clearly and simply says or implies.

This bill was not conceived by Communists who are after world domination, as some have suggested, or by a group that wants to disarm Americans. Instead, it was drawn by the Citizens of Maine who felt we needed a law to help stop the fearful spread of violence in our state.

No one suggests this bill would cure all the ills of our society. And it's true, it won't stop the Lizzie Borden's of this world from using other means to accomplish their acts of violence. But this bill will work, it will help some passion-torn soul from shooting someone in a fit of rage or stop some sick criminal from pouring his revenge on society through the barrel of a pistol he bought a few hours earlier at a gun shop. And passage of this bill might do one more thing, it might make us here today feel a little taller to know that we did something to save a life. I urge you to vote against the pending motion.

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

Mr. HOFFSES: Mr. Speaker and Ladies and Gentlemen of the House: I do not propose to carry on a lengthy debate on this bill. It has been heard over and over again, not only in this legislature but in other legislatures in the past.

I think the distinguished gentleman from Portland, Mr. Talbot, has raised a very interesting point and that is to decide if the politicians are the true representatives of the people. I think that is an excellent suggestion and on that suggestion, Mr. Speaker, I would request that we have a roll call and that will determine the politicians from the representatives of the people.

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

Mr. TALBOT: Mr. Speaker and Ladies and Gentlemen of the House: I agree with the gentleman's remarks, but I don't agree with the gentleman from Brewer, Mr. Norris. I think that is a pretty cheap cop-out. We are supposed to be representatives of the people. That is why we are here; that is why we are sitting in our seats. And for us to stand here and say we will send this back as a municipality home rule amendment or anything else, I think that is a pretty good cop-out.

I guess in my life, or at least I have tried to stand up on my own two feet, whether it be wrong or whether it be right. Until I am proven wrong I will stand up on my feet, regardless of the polls, regardless of what I have got to do. I am not saying that the majority of the people in this room are afraid of the ballot box, I am saying all of them are afraid of the ballot box, more afraid of the ballot box than they are of the bullet.

I am talking about saving a life out there for the people of the State of Maine. I do not care who it is, whether it be one life or whether it be ten lives. We are talking about a handgun bill. This is a federal regulation that you have to fill out that is put out

by the Federal Government. You have to sign just the same, almost the same as the bill that I am proposing except for one thing. This piece of transaction is just after you receive the gun, not before you receive the gun. You can take and buy a gun, which I have done, you can take and buy a gun, then go out and do whatever you want to do with that gun. Then a month or two months later, the F.B.I. comes around to check you out, whether it be in the graveyard or whether it be in jail. My bill, this bill, says it is done before you pick up that handgun. It gives you a 72-hour waiting period and I will prove to you that the 72-hour waiting period has a valid reason.

A couple of weeks ago, I think you did a pretty shabby thing to a bill that I had on the floor here, and it upset me to no end, not because we lost the bill, but because of the shabby politics that was behind the bill. That is what made me mad. Then I used that 72-hour waiting period, as John can tell you, I used that 72-hour waiting period on my temper and it did some good. Maybe I should use it again. Maybe I will. But again, I challenge any member on this floor, in this body, to prove to me or anybody in this state that this is a bad bill on the merits of that bill.

I again hope you would not go along with the motion of the gentleman from Orrington, Mrs. Baker, that we accept the majority "ought not to pass" report.

Insofar as editorials, there have been editorials in the Bangor paper, in the Lewiston paper and in the Portland paper supporting this kind of legislation. It has been supported by the newspapers, the police department, the county sheriffs. Everybody in the outside world, except the people in this body that may be too sanctimonious to stand up on their own two feet and vote on a bill that will be back next year, probably not by me, but it will come back every year until we can learn to stand up on our own two feet and vote for it.

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

Mr. NORRIS: Mr. Speaker, Ladies and Gentlemen of the House: I am sorry to be a cop-out here this morning, but I am still going to vote for the majority, I hope, of my constituents, and I will go one step further. This is a great bill for the criminals. All this will do is to impede the honest man. The criminals will get the guns whether you have got this law or any law, because they will steal them or buy them from illegitimate dealers, so don't, please, stand up and attack my intelligence this morning by telling me that this bill is going to do anything. It is going to die, probably, right here this morning.

One step further, if the fine gentleman from Portland down here in the other corner can't stand the heat, he might as well get out of the kitchen.

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

Mr. KELLEY: Mr. Speaker, Ladies and Gentlemen of the House: I think this is a bad bill. I testified at the hearing and I was partially quoted in the papers and on the floor here this morning. My statement was that if a person gets mad enough so they want to kill somebody, I don't know how long most people will stay that mad. By the time I got to a gun store to buy a gun, I would be all cooled down. If I was really mad, then I might try to strangle him with my bare hands and enjoy doing it. So far I have never been that mad.

I think that this bill will accomplish nothing useful other than curtail the honest business of some of our gun stores here in Maine. Many of the guns that they sell they sell to transients, to the hunters coming in in the fall. They stop in the gun store to pick up their license, they see a handgun and they would like to take it in the woods as supplemental armament or to play with. They have got to wait 72 hours and they won't have it for that trip. Many of the guns sold here in Maine are sold to these people. You have federal regulations that I think are

more than adequate. You even have to sign now if you are buying a box of .22 rifle shells.

Let's give this bill its proper place, and that is right back in the round file, and vote for indefinite postponement. If we turn it out to the people, they will do it. The majority of the sportsmen and the thinking people in the state are very definitely against this.

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

Mr. FARLEY: Mr. Speaker, Ladies and Gentlemen of the House: The gentleman from Brewer, Mr. Norris, made some very good arguments here. However, I think we are overlooking one thing, that is the first-time criminal, and we all have to start the first time, and something like this may just discourage them from going into that first act.

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

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

The SPEAKER: The pending question is on the motion of the gentleman from Brewer, Mr. Norris, that both Reports and Bill "An Act Regulating Handguns" (H. P. 938) (L. D. 1238) be indefinitely postponed. All in favor of that motion will vote yes; those opposed will vote no.

#### ROLL CALL

YEA—Albert, Ault, Baker, Berry, G. W.; Berry, P. P.; Binnette, Birt, Bither, Bragdon, Brawn, Brown, Bunker, Cameron, Carey, Carrier, Carter, Chick, Chonko, Churchill, Conley, Cote, Cressey, Crommett, Curran, Davis, Deshaies, Donaghy, Drigotas, Dudley, Dyar, Emery, D. F.; Evans, Farnham, Farrington, Faucher, Ferris, Finemore, Fraiser, Garsoe, Gauthier, Good, Hamblen, Hancock, Haskell, Henley, Herrick, Hoffses, Hunter, Immonen, Jackson, Kauffman, Kelleher, Kelley,

Kelley, R. P.; Keyte, Kilroy, Knight, Lawry, Lewis, E.; Lynch, MacLeod, Mahany, Maxwell, McNally, Merrill, Mills, Morin, V.; Morton, Murchison, Norris, Palmer, Parks, Peterson, Pratt, Rollins, Ross, Shaw, Shute, Silverman, Simpson, L. E.; Smith, D. M.; Smith, S.; Sproul, Stillings, Strout, Susi, Trask, Tyndale, Walker, White, Willard, Wood, M. E.

NAY—Berube, Boudreau, Bustin, Clark, Connolly, Curtis, T. S., Jr.; Dow, Farley, Fecteau, Genest, Goodwin, H.; Goodwin, K.; Greenlaw, Hobbins, Huber, Jacques, LaCharite, LaPointe, LeBlanc, Lewis, J.; Martin, McCormick, McHenry, McKernan, McMahon, McTeague, Morin, L.; Mulkern, Murray, Najarian, O'Brien, Perkins, Ricker, Santoro, Talbot, Tanguay, Theriault, Tierney, Wheeler, Whitzell.

ABSENT — Briggs, Cooney, Cottrell, Dam, Dunleavy, Dunn, Flynn, Gahagan, Jalbert, Littlefield, Maddox, Pontbriand, Rolde, Sheltra, Soulas, Trumbull, Webber.

Yes, 92; No, 40; Absent, 17.

The SPEAKER: Ninety-two having voted in the affirmative and forty in the negative, with seventeen being absent, the motion does prevail.

Sent up for concurrence.

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

Mr. NORRIS: Mr. Speaker, I now move reconsideration and hope you all vote against me, having voted on the prevailing side.

The SPEAKER: The gentleman from Brewer, Mr. Norris, moves that the House reconsider its action whereby it indefinitely postponed this Report and Bill, All in favor will say yes; those opposed will vote no.

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

#### Consent Calendar First Day

(S. P. 2) (L. D. 29) Bill "An Act Relating to Release of Patients at Pineland Hospital and Training Center" — Committee on Health and Institutional Services reporting "Ought to pass" as amended by Committee Amendment "A" (S-135)

(S. P. 221) (L. D. 637) Bill "An Act Relating to Improved Property Tax Administration" — Committee on Taxation reporting "Ought to pass" as amended by Committee Amendment "A" (S-134)

(H. P. 141) (L. D. 174) Bill "An Act Relating to Forcible Detainer of Personal Property" — Committee on Judiciary reporting "Ought to pass"

(H. P. 313) (L. D. 431) Bill "An Act Repealing Certain Laws Relating to Actions by Shareholders" — Committee on Judiciary reporting "Ought to pass"

(H. P. 359) (L. D. 474) Bill "An Act Relating to Criminal Contempt for Failure to Pay Alimony and Support of Children" — Committee on Judiciary reporting "Ought to pass" as amended by Committee Amendment "A" (H-415)

(H. P. 469) (L. D. 617) Bill "An Act to Improve the Efficiency and Fairness of the Local Welfare System" — Committee on Judiciary reporting "Ought to pass" as amended by Committee Amendment "A" (H-416)

(H. P. 591) (L. D. 782) Bill "An Act Relating to Jurisdiction in Subpoena of Judgment Debtor under Enforcement of Money Judgments Law" — Committee on Judiciary reporting "Ought to pass"

(H. P. 593) (L. D. 784) Bill "An Act Relating to Removal of Private Nuisance by Owner or Occupant of Private Property" — Committee on Judiciary reporting "Ought to pass"

(H. P. 620) (L. D. 818) Bill "An Act to Amend the Municipal Official Conflict of Interest Law" — Committee on Judiciary reporting "Ought to pass"

(H. P. 880) (L. D. 1167) Bill "An Act Relating to Dragging of Scallops in Blue Hill Bay" — Committee on Marine Resources reporting "Ought to pass"

(H. P. 924) (L. D. 1222) Bill "An Act Relating to a Minimum Warranty Standard for Mobile Homes" — Committee on Business Legislation reporting "Ought to pass" as amended by Committee Amendment "A" (H-412)

(H. P. 1344) (L. D. 1778) Bill "An Act Relating to Certain Dis-

closures in the Solicitation of Charitable Contributions" — Committee on Business Legislation reporting "Ought to pass" as amended by Committee Amendment "A" (H-411)

(H. P. 1347) (L. D. 1780) Bill "An Act Authorizing Cumberland County to Participate in Social Services Program" — Committee on County Government reporting "Ought to pass"

(H. P. 1488) (L. D. 1917) Bill "An Act to Amend the Charter of Stonington Water Company" — Committee on Public Utilities reporting "Ought to pass"

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

#### Second Reader

##### Tabled and Assigned

Bill "An Act Relating to School Buses" (S. P. 622) (L. D. 1936)

Was reported by the Committee on Bills in the Second Reading and read the second time.

(On motion of Mr. Martin of Eagle Lake, tabled pending passage to be engrossed and tomorrow assigned.)

##### Passed to Be Engrossed

Bill "An Act Relating to the Public Employees Labor Relations Board" (S. P. 520) (L. D. 1651)

Bill "An Act Providing that Examination Reports of the Insurance Commissioner be Public Records" (H. P. 672) (L. D. 877) (C. "A" H-403)

Were 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 Relating to Membership on State Board of Licensure of Administrators of Medical Care Facilities other than Hospitals" (S. P. 140) (L. D. 352)

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. 125 voted in favor of same and none against,

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

#### Emergency Measure

An Act Relating to Willful Killing or Injury to Certain Animals (H. P. 1461) (L. D. 1886)

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. 127 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

#### Passed to Be Enacted

An Act Relating to Defining Residence Requirements to Procure a Lobster Fishing License (H. P. 709) (L. D. 914)

An Act Amending the Bay Point Village Corporation (H. P. 743) (L. D. 956)

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

An Act to Annex Town of Brunswick to Sagadahoc County (H. P. 1326) (L. D. 956)

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

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

Mr. O'BRIEN: Mr. Speaker and Members of the House: I have waited almost a week for this bill to come back to us and I feel it is a real sham on the State of Maine. It has cost the citizens of this state enough to play with this bill so far, so now it is with a great deal of pleasure I move the indefinite postponement of this bill and all accompanying papers.

The SPEAKER: The gentleman from Portland, Mr. O'Brien, moves the indefinite postponement of this Bill and all accompanying papers.

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

Mr. McTEAGUE: Mr. Speaker and Members of the House: The

bill, which is sponsored by my colleague, the gentleman from Brunswick, Mr. LaCharite, is in the opinion of one gentleman a sham. I think it is a rather harsh characterization on a bill that has received a unanimous committee report from the Committee on Legal Affairs and which has withstood significant attacks in this House and in the other body. I hardly think that characterizing something as a sham meets the point at issue. I know the gentleman was elected by a fine margin. I have served with him with pleasure before, but I know he was not elected by the citizens of the Town of Brunswick.

We had, just before we came on this bill, a matter involving the Bay Point or the Birch Point Village Corporation, a place down in Georgetown, in Sagadahoc County, that went under the hammer. We have a custom, I think, here in this House and I suspect in most legislatures, that if there is unanimous agreement or significant agreement by the legislative representatives of the body involved, that we at least let something go to referendum and that is what we are dealing with here, because there is a referendum clause, as you will remember, on the bill.

I won't make any accusations against any member of this House or the other body regarding the bill, except to say that if you remember back a week or two ago, you will remember that there were some rather unusual parliamentary techniques employed in the attempt to kill this bill. We even had a thing passed out this morning by some of the Cumberland County commissioners, I guess, in an attempt to persuade the gentleman from Brunswick, Mr. LaCharite and I that this was not a good bill, it is not a good concept. They said it is going to cost Brunswick ten or twelve thousand more. We would be interested in the source of their figures. We are interested in the figures from our town and in figures from Sagadahoc County and in figures from the Bath-Brunswick Regional Planning Commission.

It seems to me there are really two issues involved here. Number one is the change a logical one? Does it make sense for Brunswick to be in Sagadahoc rather than in Cumberland County? We haven't had a referendum yet, so we can't tell you with certainty what the feeling of the people in Brunswick is, but if my sidewalk surveys mean anything, it is about three or four to one. Some of those people in that minority of 20 percent in Brunswick who want to remain in Cumberland County, and there are people with that feeling. I now stress that even though they want to remain, they do not want to be forced to remain. You know, marriages don't work very well even if they start out with a shotgun if they are continued that way.

I think the majority sentiment in Brunswick is very heavily in favor of the change, and the reason is, the change is logical. We are some 25 miles from Portland, we are 7 miles from Bath. The county facilities in Portland are overcrowded, they are so overcrowded that there is consideration to build an addition to the court house. In Bath there is a fine court house and it is only used for the Superior Court about two months out of the year. So, it is a rational move, it is a move that should be left up to the people involved. I hope the House will sustain its former votes and vote against the motion for indefinite postponement.

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

**MR. JACKSON:** Mr. Speaker, Ladies and Gentlemen of the House: I think I would like to speak for those affected and I would maintain that we are all affected, the whole State of Maine will be affected by this.

I am not going to bore you by going through again about the Town of Harpswell and cutting it off and this sort of thing. I have already spoken about that twice. You know it affects in the Town of Harpswell approximately 2,000 people, and that is quite a small number compared to the total State of Maine.

What I want to speak to you about are two things, the precedent set — and I am not worried about the precedent set of other towns wandering off from counties as they feel fit because of some reason, I am more worried about the precedent set on the bond issue. The bonds that have been floated by Cumberland County are secured by the collateral of the total county, this means all of Cumberland County at the time that these bonds were floated. This is a contract, a legal debt of the county. We are eroding that base when any part of the county leaves. This bill would allow Brunswick to leave Cumberland County and be in no way responsible for the debts contracted when she was part of the county.

In connection with this I have talked with a couple of people. We had contact with Lopes and Gray, who are municipal bond attorneys in Boston and handle much of the work for the County of Cumberland. They felt that if this bill had a provision on it, that Brunswick would be responsible for its debts contracted under Cumberland and would take care of the debts up until the time of its leaving and had an amendment to take care of this on it, then it might be possible. But without this, and with the very vague wording of the bill, they will be in court practically at once to try and defend the basis of the bonds that they have attested to.

A bond underwriting attorney has to pass on the legality of bonds and their worth before these bonds can go out for sale, and these people will be in court at once. So from this point of view, we are going to have some nice law fights and a lot of people are going to make a lot of money in court. But this again is opening the door.

I talked with the Attorney General and I have talked with Charles LaRouche. He also mentioned that there would be problems in this fuzzy wording and in the problems of default.

What I would point out to you, and the reason it affects you all personally is, once we set this precedent any bond issue issued in the State of Maine by any county,

the rates will be a little higher. They will be a little higher because the collateral will never be quite to be counted on. You will never know when some part of some county will go wandering off into some part of some other county. Therefore, when a bond is issued, you will always have to charge slightly higher because you never know whether the collateral will be there in a year or two years or ten years. And so when we do this and when we set this precedent, we are, in essence, all costing — we are going to cost everybody in the state more money because everybody pays for the bond issues for the counties when they are issued.

I hope you will support the indefinite postponement of this, and I call for the yeas and nays on it.

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

Mr. SIMPSON: Mr. Speaker, Ladies and Gentlemen of the House: Just so I can refresh the gentleman's mind from Brunswick, the other day I did try to put an amendment on this particular bill to allow the people from Cumberland County to have a referendum just like everybody else would on it. At that time I said I was dead serious, I am just as dead serious right now as I support the indefinite postponement of the bill in its present form. We could have done it then just as well as we could have done it right now.

There seems to be several things in question here, and there are two of them I want to bring out to you. One would be that recently there was a Cumberland County referendum on a recreation center to go into Cumberland County. There were some 13 towns that did not vote for that particular center, but the total vote did go through. The Town of Brunswick started the fight and led the fight to put a bill in this legislature or to try to find some means so that those towns could pull out of their commitment for that recreation center. Four of the five towns I represent also voted against the particular bill. However, there were two bills put into this legislature which came out unanimous

“ought not to pass.” Those towns which were interested in that bill did not stand up and say we would like now to leave Cumberland County because of it.

I do believe that there is a precedent being established here. I can assure you that the Town of Bridgton, which is further away from Portland than 25 miles, will probably be in in the special session or the following year and would like to go with Oxford County because they are closer to either Fryeburg or Norway. I am sure that Fairfield would probably like to leave Somerset and go with Kennebec, they are only next door to Waterville. I am sure there are a good many other portions of this state that would like to leave one county or the other.

I firmly believe that some feel that this bill has been a bill that we have been playing with and playing with, and some people have thought that it has been a big game. But take a look at it, ladies and gentlemen, and start to ask yourself in your own county what portions of it would like to take and leave and go with another county or portion of another county come in here. This bill is in the enactment stage today. It needs your indefinite postponement and I urge you to support it.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: I have spoken on this bill several times, and as many of you know and realize, I am not overly enthused about it. The only saving grace as far as I am concerned are the referendum clauses.

There is no sense in repeating any of the arguments that you have heard before, but you might be interested in just a little bit of history. Most of Sagadahoc County lies on or near the lower part of the Kennebec River. That is where the name came from, because in Indian, Sagadahoc means “mouth of the river.”

Early explorers called the whole river that. Prior to 1622 this river was the eastern boundary of the Province of Maine. Prior to April

the 4th, 1854 we were part of Lincoln County. A bill was proposed then setting that county aside to be named King County and to include the towns Arrow- sic, Bowdoin, Bowdoinham, Lisbon, Georgetown, Woolwich, Perkins, Phippsburgh, Richmond, Topham, West Bath, and Bath. The other body changed the name of King to Sagadahoc. They also deleted the Town of Lisbon. The Town of Perkins is no longer a town, it voted to repeal its corporation in 1917, and it is now a game management area called Swan Island.

You know, it is strange how we sometimes want to reverse history under the misapprehension that it is a new idea. Here are two examples. In Sagadahoc County when we were first made a county, the governor and council appointed the sheriff, the judge of probate, the registrar of probate, the county attorney, clerks of court, registrar of deeds and all others. You might be interested that the judge of probate received \$200 that year.

Now, next year — here is the other change people keep talking about — the very next year, since we had annual sessions then, the constitution was changed to provide election of these officials. The founders of the county never once considered Brunswick as a town for Sagadahoc. I don't know why but they didn't.

I now realize, even though I amended this bill to say that Bath would remain the county seat — this is no guarantee that such would be the case. Also, I am not sure that financially the present towns would be any better off than they are now.

If the referendum clauses were not in the bill, I would vote against it. I believe there are more people against the bill than for it, but I am willing to let the residents decide; and I am not just passing the buck, because I think the legislature should make up their minds. But this is a very unusual situation.

I have just one more thing to add. If they succeed in this and it goes through, most of the people

of Brunswick are going to have a very hard job learning to spell Sagadahoc.

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

Mr. O'BRIEN: Mr. Speaker and Members of the House: I want to thank Mr. McTeague from Brunswick for taking note of the word sham, because the word sham means nothing more than make believe. And that is exactly what this is, make believe.

He speaks about let the people decide in referendum. He would let the whole state vote on it except people from Cumberland County. He doesn't want them to vote on losing all the acreage they have down there, just takes away from them, it is not important to them.

The gentleman from Bath's only concern is that if it should go through and Brunswick does become part of the Sagadahoc County area, then as long as they don't try to become the county seat. So everybody has their own selfish little interests in this little piece of legislation. But seriously, I think that, as Mr. Jackson stated, that you are creating a great precedent here that should not come; I do believe that if this would go into a court of law, that it would be declared unconstitutional.

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

Mr. KELLEY: Mr. Speaker, Ladies and Gentlemen of the House: If you study the history of the State of Maine you will find plenty of precedents for areas splitting off, setting up new alliances. At one time down in Lincoln County we had the Township of Townsend. For various reasons, the Town of Southport broke away by vote of the people in Southport and set up their own town. Later on the name of the remaining area was changed to Boothbay. Then after that, Boothbay Harbor broke away from Boothbay. So you now have three towns where there was one.

I own property in Sagadahoc County in the town of Bowdoinham. They have two towns on the west side of the Kennebec, Bowdoinham



and Richmond in Sagadahoc County, and to get from those towns to the county seat, you have to go into what you might call a foreign county. You either have to go through Lincoln County or you have to go through Cumberland County.

When you think of some of the county services, sheriffs and one thing or another in Bowdoinham and Richmond, you kind of feel as if you are on the very southbound end of a northbound cow and pretty close to the end of the tail.

I would like to see the people in these areas have the opportunity to make up their own minds. I personally have heard the possibility and the desirability of Brunswick becoming a part of Sagadahoc County for nearly 40 years. I think we should let the local people vote on it.

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

Mr. JACKSON: Mr. Speaker, Ladies and Gentlemen of the House: I would point out that all cows have a north and a south end. I would also point out, as has been brought up, why shouldn't Cumberland County have a say in this. It is something that also does affect us.

There are many parts of many counties that might change one way or the other. I don't deny this. Possibly Brunswick should be in Sagadahoc, but for goodness sake, let's get our bonding question straightened out, let's get these things so we don't spend two or three years in court making a lot of lawyers rich. Let's get the cart in front of the horse or in back or the horse where it ought to be instead of going at this in the wrong way. I think this should be indefinitely postponed now. Maybe later we can do this in the proper way. But the legal work should be done first and the ramifications figured out before we do it.

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

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

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

The SPEAKER: The pending question is on the motion of the gentleman from Portland, Mr. O'Brien, to indefinitely postpone L. D. 1738 and all accompanying papers. All in favor of that motion will vote yes; those opposed will vote no.

#### ROLL CALL

YEA — Ault, Baker, Berry, G. W.; Birt, Bither, Boudreau, Bragdon, Briggs, Brown, Bunker, Cameron, Carey, Carrier, Clark, Conley, Cressey, Dam, Davis, Deshaies, Donaghy, Dudley, Dunn, Evans, Ferris, Garsoe, Greenlaw, Hamblen, Hancock, Haskell, Henley, Herrick, Hoffses, Huber, Hunter, Jackson, Kauffman, Kelley, Kilroy, Knight, LaPointe, Lawry, McCormick, McKernan, Merrill, Morton, Mulhern, Murchison, Najarian, O'Brien, Parks, Perkins, Peterson, Pratt, Rollins, Santoro, Shaw, Shute, Silverman, Simpson, L. E.; Sproul, Stillings, Strout, Trask, Wheeler, White, Willard, Wood, M. E.; The Speaker.

NAY — Albert, Berry, P. P.; Berube, Brawn, Bustin, Carter, Chick, Chonko, Churchill, Connolly, Cooney, Cote, Crommett, Curran, Curtis, T. S., Jr.; Dow, Drigotas, Dyar, Emery, D. F.; Farley, Farnham, Farrington, Faucher, Fecteau, Finemore, Fraser, Gauthier, Genest, Good, Goodwin, H.; Goodwin, K.; Hobbins, Immonen, Jacques, Jalbert, Kelleher, Kelley, R. P.; Keyte, LaCharite, LeBlanc, Lewis, E.; Lewis, J.; Lynch, MacLeod, Mahany, Martin, Maxwell, McHenry, McMahon, McNally, McTeague, Mills, Morin, L.; Morin, V.; Murray, Norris, Palmer, Rolde, Ross, Smith, D. M.; Smith, S.; Susi, Talbot, Tanguay, Theriault, Tierney, Tyndale, Walker, Whitzell.

ABSENT — Binnette, Cottrell, Dunleavy, Flynn, Gahagan, Littlefield, Maddox, Pontbriand, Ricker, Sheltra, Soulas, Trumbull, Webber.

Yes, 68, No, 69; Absent, 13.

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

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

Mr. O'BRIEN: Mr. Speaker, is a motion for reconsideration in order?

The SPEAKER: It is in order by a person voting on the prevailing side.

Mr. O'BRIEN: Oh.

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

#### Order Out of Order

On motion of Mr. Curtis of Orono, it was

ORDERED, that Debbie Edinger, of Veazie, Vera Lucia M. Posnik of Brazil, Hazel Lee Chute of Orono and Tamara Nesbit of Orono be appointed Honorary Pages for today.

An Act Relating to Ownership of any Real Property Formerly Held by the State Colleges (H. P. 1499) (L. D. 1926)

An Act Relating to Maine Sardine Inspection Service (S. P. 615) (L. D. 1927)

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

#### Orders of the Day

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

Bill "An Act to Repeal the Seasonality Provisions of the Employment Security Law" (H. P. 519) (L. D. 684) (C. "A" H-319)

Tabled — May 17, by Mr. Simpson of Standish.

Pending — Motion by Mr. Brown of Augusta that the House recede.

On motion of Mr. Simpson of Standish, tabled pending motion to recede and tomorrow assigned.

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

Bill "An Act Relating to the Prohibition of the Advertising of Drug Prices" (H. P. 930) (L. D. 1227)

Tabled — May 17, by Mr. Simpson of Standish.

Pending — Consideration.

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

Mr. SILVERMAN: Mr. Speaker, I move that we insist.

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

Mr. DYAR: Mr. Speaker, I move that the House recede and concur.

Mr. LaPointe of Portland requested a roll call.

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

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

The SPEAKER: The pending question is on the motion of the gentleman from Strong, Mr. Dyar, that the House recede and concur with the Senate on L. D. 1227. All in favor of that motion will vote yes; those opposed will vote no.

#### ROLL CALL

YEA — Birt, Bither, Bunker, Cameron, Carrier, Cote, Cressey, Curran, Davis, Deshaies, Dudley, Dunn, Dyar, Evans, Farnham, Farrington, Ferris, Fraser, Garsoe, Good, Hamblen, Haskell, Henley, Hunter, Jalbert, Kauffman, Kelleher, Kelley, Kelley, R. P.; Keyte, Lewis, E.; Lynch, MacLeod, Mahany, McCormick, McHenry, Morin, L.; Morton, Murchison, Norris, Parks, Pratt, Ross, Shaw, Sproul, Willard, Wood, M. E.

NAY — Albert, Ault, Baker, Berry, G. W.; Berry, P. P.; Berube, Boudreau, Bragdon, Brawn, Briggs, Brown, Bustin, Carey, Carter, Chick, Chonko, Churchill, Clark, Conley, Connolly, Cooney, Crommett, Curtis, T. S. Jr.; Dam, Donaghy, Dow, Drigotas, Emery, D. F.; Farley, Faucher, Fecteau, Gauthier, Genest, Goodwin, H.; Goodwin, K.; Greenlaw, Hancock, Hobbins, Hoffses, Huber, Immonen, Jackson, Jacques, Knight, LaPointe, Lawry, LeBlanc, Lewis, J.; Martin, Maxwell, McKernan, McMahan, McNally, McTeague, Merrill, Mills,

Morin, V.; Mulkern, Murray, Najarian, O'Brien, Palmer, Perkins, Peterson, Ricker, Rolde, Rollins, Shute, Silverman, Simpson, L. E.; Smith, D. M.; Smith, S.; Stillings, Strout, Susi, Talbot, Tanguay, Theriault, Tierney, Tyndale, Walker, White, Whitzell, The Speaker.

ABSENT — Binnette, Cottrell, Dunleavy, Flynn, Gahagan, Herrick, Kilroy, LaCharite, Littlefield, Maddox, Pontbriand, Santoro, Sheltra, Soulas, Trask, Trumbull, Weber, Wheeler.

Yes, 48; No, 84; Absent, 18.

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

On motion of Mr. Silverman of Calais, the House voted to Insist.

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

Bill "An Act to Create a Maine Agricultural Bargaining Board" (H. P. 782) (L. D. 1014)

Tabled — May 17, by Mr. Simpson of Standish.

Pending — Motion by Mr. Evans of Freedom to accept the Majority Report "Ought to pass" in New Draft (H. P. 1511) (L. D. 1941)

The SPEAKER: The Chair recognizes the gentleman from Freedom, Mr. Evans.

Mr. EVANS: Mr. Speaker, Ladies and Gentlemen of the House: I am not going to make a long speech on this bill today because I figure you all know what it is and have made up your minds which way you are going to vote. I hope you do vote for it because farmers do need it. It may not be a perfect bill, but very few bills are a perfect bill.

If we can get this on the books, we could change it to make it more workable later on. It sure is needed, and I would also like to request a roll call when the vote is taken.

The SPEAKER: The Chair recognizes the gentleman from Limestone, Mr. Albert.

Mr. ALBERT: Mr. Speaker, Ladies and Gentlemen of the House: I would ask you today to give support to a bill which I believe is

badly needed to maintain the farming way in Maine.

I speak to you today not just as a fellow legislator, but I speak to you as a man who knows the problems of potato farming at first-hand.

I have farmed potatoes in Aroostook County for the last 40 years. I started farming in 1930 during the Great Depression time. We thought it was tough all around, and especially tough for farmers. But let me tell you this today, it wasn't as tough as it is today.

You may be surprised to hear me say this, but this is true. Maine used to be a farm state with a lot of small farmers and very few large farms. Today that is no longer the case. In Aroostook County we have lost more than 200 farmers a year for the last six years. Yet the total average in production has remained constant because as each farmer goes under, the processor buys up the land at a low or even auction price.

After they buy up the land, most likely they destroy the buildings so they don't have to pay a large property tax which hurts our town, and then themselves, they farm the land. The towns are losing a lot of taxes from these processors.

Do you know who these processors are? Let me give you one example. The newest and perhaps the biggest is J&S Industries. J&S Industries operates all over North America, so what do they care about the people of Limestone or the rest of Aroostook County or the the people of the State of Maine? Not much, I will tell you that. Look at the facts. For the past six years we have been growing potatoes for \$1.25 to \$1.50 a barrel below the cost of production.

Each year we plant in the hopes that the price will rise or that we will raise 200 barrels per acre rather than 150 barrels per acre. Each year this doesn't work. We go on further into debt, and more of us fold up and call it quits. When we go in debt, we go to the banks for help. But they tell us we have to sign contracts with processors to safeguard the bank loans. The FHA does the same thing, that they require signed contracts as collateral on their investments.

You can't blame them, so we sign.

Last year we contracted for \$2.40 a barrel on the conditions set by processors. For example, you have certain things to go by. You have to have a specific gravity on your potatoes which is 1.070 specific gravity on your potatoes or they can turn your potatoes down. And also, if your potatoes don't look just right or don't smell right or don't fry right, they can turn your potatoes down. So, I am telling you that we are at the mercy of the world with these contracts. We have nothing to say about it.

As a result, the potato processors have produced a company town right here in Maine, only the town is the size of Connecticut and we call it Aroostook County.

As further proof of what has happened in Aroostook County, I could cite to you the drop in population from 1960 to 1970. In these ten years our population dropped from 106,064 to 99,078. Thirty-nine of our seventy towns lost more than 10 percent of their population, and nineteen of the seventy lost more than 20 percent. For those of us who stayed and whose children stayed, times jump from bad to good, but the future is not too bright.

The cost of farming has tripled. For instance, in 1945 I bought two tractors. One tractor cost \$1,300, the other tractor cost \$1,900 which was a Super M. In comparison today, the same tractor, one is \$7,000 and the other is \$10,000. So, you see, we have these things to contend with. Fertilizer this year has jumped approximately \$9 a ton. Last year, I think it was \$3 a ton. So, we have a lot of things to contend with.

This year it is a good year in Aroostook County. The market is \$10 a barrel. So down here you people will all say you people will be driving Cadillac cars next year up in Aroostook County. But here is the catch: because of our financial problems, 50 percent of these potatoes go to processors, 50 percent which is divided in half as seed or table stock, just 50 percent. These are the fresh market. This is the \$10 market. But they are not getting \$10, they are getting \$2.40 a barrel to \$3.15 a

barrel for their potatoes up in Aroostook County with processors today. That is on a six month base. They start at 2.40 and end up at 3.15.

Next year, thanks to the efforts of the A.B.C., the Aroostook Bargaining Committee, we will get 40 cents more, which is 2.80 per barrel and this is an increase of 40 cents. But the processors still control our future. If we can pass this bill, Maine farmers will be allowed to bargain as a group with the processors. As a result, we will get a better deal and the processor will get a better deal.

Opponents of this bill say it will harm the industry if only Maine adopts such a law. They will say, let's do it, but do it on the federal level. I say we cannot wait. The bill may never pass in Washington. We need help right now.

I strongly urge you to support and strengthen the potato industry in the State of Maine.

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

Mr. BRIGGS: Mr. Speaker, Ladies and Gentlemen of the House: I am not a farmer but I am the son of a farmer who was the son of a farmer, and I know something about farm problems in northern Maine.

Over the years it has been exceedingly difficult for farmers to get together on almost any issue you might think of. The reason is that they have been brought up to be rugged individualists. I guess our thinking people who live and operate along the coast will understand that philosophy.

This is an issue, I think, which they will not be unanimous on also, but I do think that it is supported by a broad cross section of the industry. I can assure you that while the processors are an important factor in our potato industry economy of this state, they are, nonetheless, no particular friend or benefit to the producer. They are an outlet for their product.

Now, this year, when potato prices have been exceedingly good, there have been a great many farmers who have not benefited especially from these good, high

prices, because they had already contracted with the processor for their low prices that they offered. Therefore, they were not able to take advantage of the high prices of their product which prevailed later in the selling season.

Now, I would like to repeat again that this is not something that will receive unanimous support any more than any other issue could receive unanimous support among the members of the potato industry, but I do believe that this has the support of an extremely broad cross section in the industry, and it does not put the state into bargaining which you may have been told. The only thing it does, it creates a board which shall say who shall bargain, and I think this would be a very important benefit to the potato grower in northern Maine.

The SPEAKER: The Chair recognizes the gentleman from Easton, Mr. Mahany.

Mr. MAHANY: Mr. Speaker and Members of the House: I signed the minority report, and I will give you my reasons for doing so. Keep in mind that I am not opposed to bargaining but opposed to this bill.

First of all, I think this bill is too broad. It would try to cover every agricultural commodity grown in Maine that is processed or might be processed in the future with control by a five-man board. Since there is a great deal of difference in how processors and growers of different commodities relate in making contracts. I do not think this is good.

Most of our processed product is shipped out of state. Only a small percentage is consumed within Maine. I think the acceptance of this bill would put our processors and growers at a disadvantage with processors and growers from other areas who are not bound by such legislation but operate under the free enterprise system. What is the great hurry in passing this bill where there is no emergency? We have passed bills hurriedly in other years and have to resubmit them to the next legislative session. No other state in the country has a bargaining law which would be as far reaching as this law.

The potato growers in Aroostook County have a contract they have developed and it seems to be working very satisfactorily. It should be because the Bargaining Committee has worked two years on it getting it to meet the approval and the acceptance of the growers and processors. Why hurry to throw away something which is working satisfactorily at least on an experimental basis? Furthermore, L. D. 1014 is a mandatory bill, and it doesn't give the growers a chance for a referendum.

Under paragraph 1957-D, it says, "The association represents 51 percent of the producers who produced at least one half of the volume of a particular agricultural product during the previous twelve months to make an effective agent for producers in bargaining with the specific handler or handlers involved with those producers of that agricultural product."

However, it is the board that has the authority to determine this question. Under paragraph 1957 it also says, in effect, that after the board qualifies an association, it shall give notice of such qualification to all known handlers that purchase the agricultural commodities that such an association represents. Does this mean that out-of-state processors such as Frito Lay in Massachusetts, Campbell Soup in New Jersey, Wise Potato in Pennsylvania, and many other out-of-state processors who buy potatoes from Maine and sell the resulting product in direct competition with Maine processors will be required to bargain with Maine producer associations who qualify?

The bill also prohibits any handler from making an agreement with a particular producer of a product with terms which are more favorable than the terms reached with the designated association for that product. This prevents a grower or producer from remaining outside of a particular association and dealing individually with a handler should he prefer this relationship. This raises some serious anti-trust problems, in my opinion, and a grower could run the risk of being frozen out of

business if he does not join a bargaining association.

Section 1964 of the bill and the redraft provides that the activities of qualified associations shall not be deemed to violate any anti-trust laws of the State of Maine but goes on to state that nothing in the bill shall be construed to permit handlers to contract, combine or conspire with one another in bargaining with qualified associations. This section certainly gives certain rights and privileges to one side and takes the same rights away from the other side.

In my contact with potato growers in Central Aroostook, I was amazed at how many knew nothing about this Bill, L. D. 1014. Very few farmers had seen a copy of the Bill, to say nothing about studying it. Some farmers even thought it the A.B.C. Program that is now in progress in Aroostook County.

The Executive Secretary of the Potato Council said to me, "The growers do not need to study the Bill but should go with the decisions he and the Council make." I strongly disagree with his thinking. If we are going to have a State Legislative Bill, I believe each commodity should have its own program and legislation similar to the dairy farmers. However, I also believe the only Bargaining Bill worthwhile is a Federal one.

Now, the Minority Report asks for this Bill to have further study, and I believe this is necessary if we want anything worthwhile from this document.

We have to keep in mind that not only must our local processors' raw product costs be competitive, but they must also be competitive with processor costs across the country. There is no provision set forth in this document to see that this pricing schedule is protected.

In creating a Bargaining Act, its effect on the producer, the processor, the laborer, and the consumer must all be taken into consideration. I fail to see this requirement taken care of in this Bill.

We should not be in too big a hurry with this Bill, because two

Bargaining Bills have been introduced in Congress. One Bill, H. R. 2834 — and I have a copy here — was introduced by Congressman Ford on January 24, 1973, and it has been referred to the Committee on Agriculture. The other Bill, H. R. 3723, was introduced by Congressman Sisk together with 23 other co-signers, and it has also been referred to the Committee on Agriculture.

If one of these bills is passed by Congress and accepted by the other areas competing with our industry, then that would be fine. However, if it is not good enough to pass in Congress and be accepted by our competing areas, it certainly is not good enough for the State of Maine potato industry and other Maine agricultural industries.

Every potato grower I have talked with whether a proponent or opponent — and the majority are opponents of this Bill, L. D. 1014 — has stated, and I quote, "To be effective and protective to the Maine Potato Industry, a Bargaining Board should be on a Federal level so that competitive areas could be equalized." There is a need for an educational program among growers and processors. Also, there is a great need to standardize contracts and conditions between growers and processors of potatoes across the country.

I do not believe this bill is workable as written. Therefore, Ladies and Gentlemen of this House, I hope you do not accept the majority report. I urge you to support the minority report to refer this Bill to the 107th Legislature after it has been to an interim committee for study.

Mr. Speaker and members of this House, I have taken this stand on L. D. 1014, redraft 1941, because in my opinion it is best for the potato industry of Maine and other Maine agriculture industries.

I could go on and answer some more questions and have some more statements to comment on as made by my good friend from Limestone, but I think they are away from the topic quite a bit that we want to discuss here. I think they wandered off a little bit from the topic of L. D. 1014.

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

Mr. CHURCHILL: Mr. Speaker and Members of the House: You heard a lot said on behalf of the potato growers, but I rise in support of the broiler farmers.

There are approximately six to eight hundred broiler growers at the present time ranging all the way from Penobscot County to York County. Without this bill, the processor is not required to meet with the farmer, and this bill does not require that an agreement be reached, but it does provide that they can sit down together and negotiate.

At the present time the broiler farmer really has no choice when it comes time to sign a contract. Either he raises under their agreement and pay or he doesn't raise birds. We are being paid the same amount they paid 20 years ago. With the cost of living the way it is and with our mortgage payments so high, it is very hard to make a living.

I strongly urge you to support this L. D. in behalf of the many broiler growers throughout the state.

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

Mr. COONEY: Mr. Speaker and Ladies and Gentlemen of the House: I was one of the eight people on the Agriculture Committee who signed the majority "ought to pass" report. I would agree with that majority this is a very important piece of legislation, extremely timely for the farm community.

Now, the issue has been raised that there is a bill of a similar nature pending before Congress and that we ought not to act here on the state level because that bill in Congress should be the one that is passed. I would ask you all to just take a guess at what argument they are using down in Congress to defeat that bill. Obviously, they are saying, "Well, this isn't the sort of thing that ought to be done at the national level. We ought to allow each state to do it." My thought is there is

no place to start like the one here at home.

Now, I would like to reiterate Mr. Churchill's point that there is nothing in here that is binding. On page four of the bill, section 1958, I would like to read you the phrase that covers that point. "Such obligation does not require either party to agree to a proposal or to make a concession." So all this bill does is it says that the producer and the processor must sit down and talk. This is something that they are not now able to do. I cannot say why.

I have had many calls from poultry processors in my area who have given me some reasons why they haven't been allowed to sit down and talk, and I sincerely hope that some of the reasons are not true; but if they are, it makes me even stronger in my support of this measure.

So I would urge you this morning to accept the majority report of the Agriculture Committee, and send this bill on its way.

The SPEAKER: The Chair recognizes the gentleman from Jay, Mr. Maxwell.

Mr. MAXWELL: Mr. Speaker, Ladies and Gentlemen of the House: Last week I had distributed on your desks a letter from my brother who happens to be in the poultry business. He also is in the beef business. He signed it "Louis B. Maxwell, Poultry and Beef Farmer, Director of Maine Poultry Association, President of the Franklin County Extension."

Just to refresh your mind on that, I perhaps ought to read it. It is a short letter. "I have been a farmer for many years having owned and operated dairy, poultry and beef farms. I have also had a keen interest in government and its effect on the well being of farmers. In my opinion, this legislature has legislative documents that can mean much to Maine farmers and thus to the economy of this great state; namely, the tax relief bills on personal property and the sales tax plus, of course, a tax reform preferably state funding to a greater extent of the educational cost, thus giving the real estate tax measure relief.

"This legislature also has legislative document 1014, 'An Act to Create a Maine Agricultural Board', and that, in my opinion, can do a tremendous amount of harm to the Maine farmer and much to the economy of our state.

"The proponents say they simply want to talk to the processors. Let me say firstly as a farmer, and also as one who has spent a great deal of time organizing, I have never had any problems speaking with the processors. In fact, they have met with me and other farmers on a number of occasions. They also have accepted some of my recommendations.

"If this legislative document, number 1014, is passed, we will see the farmers with the least ability and the most radical thinking trying to force upon our processors terms that make it impossible to compete with the larger low cost areas of this nation. Were this a national bill, such as the bill that is being considered in Congress, then I would support it because then it would not place our processors at a competitive disadvantage.

"In a nutshell, our Maine farmer and Maine processor are riding in the same rowboat, and if either one pulls the plug, they will both go down the drain and this state's economy will suffer."

I rise to oppose this bill firstly because it is not needed and secondly, because of the possible effect to Maine's farm economy. I think it well to note that of the two leading farm organizations in the state, one supports and one opposes this legislative document.

When I say it is not needed, it is because as a practical matter, any organization that has over half of the productive capacity of the farmers concerned decides to press advising action, which, of course, is now legal let me point out, they will be affected. Of course, a small percentage will have trouble being heard.

Now, in regards to Maine farm economy. We have in my lifetime, and I might add I was born and brought up on a farm and lived on a farm until I was 19 years old. I have seen thousands of

farmers leave their farms, the reason being all to frequently because our legislative and agriculture department fail to recognize that farming is a very competitive business, the result being that we have either enacted laws or allowed laws to stand that have tended to make it more difficult for the Maine farmers to compete. This act would make Maine poultry companies, for example, less competitive with 97 percent of the industry in other states that do not have such laws on the books.

I might also add that yesterday afternoon five different poultry farmers who hunted with me up at my camp, before they left, some of them agreed with me that perhaps this wasn't the best thing in the world.

So, I would urge you to vote against the motion to accept the "ought to pass" report.

The SPEAKER: The Chair recognizes the gentleman from Exeter, Mr. Smith.

Mr. SMITH: Mr. Speaker and Ladies and Gentlemen of the House: I would like to just comment on a few of the statements made by the gentleman from Jay, Mr. Maxwell. He states and all processors state when you start talking about bargaining, that if farmers get together and start bargaining it is going to drive them out of business. I am getting a little tired of listening to this. Idaho has been bargaining for six years. When you start to compete with them in the potato market, you will find that they certainly haven't been driven out of business. In fact, in 1970, they were growing 70 million hundred-weight of potatoes; today they are growing 80 million hundred-weight of potatoes. Nobody is putting them out of business. Not one processor has been driven out of business in Idaho since the farmers have grouped together and started bargaining with their processors.

In fact, to quote an employee of the R. T. French Company, who was their buyer for 15 years, a man by the name of Robert Mercer, he said, when we first knew that we had to start bargaining with farmers, we thought that it



would drive us out of business. He goes on to say that it is the best thing that ever happened to us. We know their problems, they know ours and we get together and we do a better job for both of us.

That is a processor talking, who has been through this bargaining experience. We are talking about market power. We are talking about, in the potato industry, 1200 farmers selling to five processors and you know in a situation like that who has got market power. Mr. Mahany, the gentleman from Easton, said that this bill was too broad. This bill merely sets up an arbitration board. This board is not going to do the bargaining. The individual farmers together are going to do the bargaining. The board that we are establishing is only going to do the arbitration in case the growers and the processors cannot get together.

Mr. Mahany also said this was a mandatory bill. But in order for a bargaining area to be effective, it must have over 50 percent from the growers in the production of that processor. So it must have grower support in order to be effective. This bill doesn't mandate anything. Mr. Mahany was worried about the out-of-state processor and afraid that he might get the benefit over the in-state processor.

We'll let me tell you about some of these out-of-state processors. Let me tell you about one that we do business with. In the vernacular of the gentleman from Enfield, Mr. Dudley, I can talk a little bit about this because I am in the business.

About six years ago, there was a group from Central Maine who were getting tired of being pushed around by the processor. An out-of-state processor whom we are selling to was sending a buyer into our area every spring while we were out planting potatoes out in the field, not being able to group together and he would go around from one farm to another and keep talking the price down a nickel or a dime. We call that getting nickel and dined to death and we were getting it. We got tired of this and we said, it is enough. Let's put these potatoes together and sell them as a unit.

So we formed a marketing company and we did just exactly what this bill is trying to do. We put the production from these different farms into one unit and told the fellow to go out and sell those to this processor who immediately got an increase in price. We have taken in many growers since then. It has worked out for the benefit of us and it has worked out for the benefit of the processor. That processor is paying us more now, the rate of increase has been much greater than the rate of increase the in-state processor has been paying. So if the in-state processors are forced to pay a little more money, it is only going to bring them up to par, it is not going to put them in a non-competitive advantage.

The statement was also made that this would put the Maine processor in a non-competitive advantage compared to the major processors in Idaho. Let me just say that the potato producers in Idaho, since they have been bargaining for six years, have managed to increase the price out there 47 percent. Over that period of time, we have only increased the price here by 20 percent.

The name of the game is market power. That is all the farmers are asking in this bill, is for you to establish an arbitration board and set up some legal framework so that they can sit down with the processors and talk eye to eye, man to man, and get this power a little bit equal.

This is probably the most important agricultural bill that this legislature will have before it. It is probably the most important agricultural bill, in fact, that any Maine legislature will have. It is not a perfect bill. I wish it were stronger. I think it will have to be changed some as it goes along. But I urge you now to pass it. It is very important to the agricultural economy of the State of Maine.

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

Mr. BRAGDON: Mr. Speaker and Ladies and Gentlemen of the House: I feel a great deal of sympathy for you people that are

listening to the arguments on this bill this morning, I realize it is a hard bill to get across to a group of people, most of whom are not very familiar with what is involved. Being one of those involved, I feel called upon to attempt to explain the thing as briefly and as clearly as I am able to.

I think I am surprised at one thing. As we started the debate on this bill, I was certainly of the impression that it was mainly a bill that originated within the broiler industry and I am surprised that a very small amount of the debate has involved the broiler industry. Mostly we have been talking about the effects on the potato industry in which I am interested.

I intended to say when I got up that I have no particular interest or no knowledge of the problems of the broiler industry and anything that I attempt to explain will apply only to the potato and the potato processing end of the deal.

I will try to remember some of the things that have been said and attempt to refute them or agree with them. To begin with, I think it is very unfortunate and unnecessary that this bill is before a legislative body and does not, in my opinion, does not belong here. There is nothing, in my opinion, that this bill sets up in the Department of Agriculture at an estimated cost, I think, of some \$6,000 a year. The members of this board will get \$20 a day and expenses, I think, for the time that they spend in their work. Two speakers previous to me have touched a little upon what this board is supposed to do. This is a board, if you are interested or have read the bill, this is a board of five members, two members representing the processing industry in the state, two members representing the producers who are producing for the processors and one independent member.

When I went home this weekend, I told some of you that I was going to try and get the picture from the area to the best of my ability. I guess perhaps I should enlarge a little more before I go on about

my feeling on this board because Mr. Cooney has mentioned it here and Representative Smith touched on it. This is something which was brought up in my discussion with both the pros and the cons in the County whom I talked with. I don't attempt to tell you, as usual, that it is not a divided issue, it is a divided issue.

This board, constituted as it is, has only one function, to approve previously formed bargaining units, which we have one full-grown and in operation in Aroostook County at the present time. It has been active and operating and doing a good job this Spring.

A great many people that were for this bill and were against it, they took a dim view of a committee like this attempting to improve their board, their bargaining board. Their position was, if we are going to have a bargaining board, it is going to be our bargaining board and we are going to be able to control the thing to the point that they don't go far overboard in this matter of bargaining and lo and behold, end up the producers having a crop of potatoes which they have spent some hard labor on and considerable money and find that the board has gone beyond the point that the other part of the bargaining deal with the processors will listen to and none of them felt that they wanted to see a board that definitely wasn't at all times under the control of the industry people.

This, as I see it now, is exactly what we have. This present Spring, I think from the beginning — I am in the center of the processing industry, the potato processing industry in the State of Maine. Probably 90 percent of this business on the part of the producers is within 10 miles or more of where I operate. The gentlemen in this part of the state I know do not participate in the processing field. This Spring, this Aroostook Bargaining Agency, I guess they call it, claimed that they had signed up, and I think their claims were true, over 50 percent of the potato growers in the State of Maine and they were given the power to go out and bargain with the processors, which they proceeded to do.

I find a great many farmers who feel, as I started to say before, that you are not improving what we have got one bit. They say, let's proceed another year or two years with the bargaining board we have, without tying it up in the few words written into the statutes, as these two gentlemen have said do not mean a thing, only that this is a bargaining board. The gentleman, Mr. Cooney, said that all that is required of the processor to do is sit down and bargain with them. That is a pretty small function when you have a bargaining agency that is working good and successfully without being tied up in the statute books of the State of Maine.

I fail to see where this bill, as it is written up, adds one iota to the potato industry and as I said before, if the broiler people want such a bill as this, I am perfectly happy that they have it, and if they could separate it from the potato field, I would be one that would be glad to go along with them. But as far as I am concerned, I can't help agreeing with those farmers who want to keep control, don't want this board to get away from them. It has got to be their board or they are going to down it pretty quick, whether it is protected by statute or anything else if it doesn't do what they want them to do. None of them want to see one of these processing plants move out of the County.

In the past five of the last six years, the processing market has been the best market that we have had. This year, of course, is an exception. Again, this bargaining, as I look on it, is just honorable men sitting down together and trying each to understand the others problems and coming up with a solution. I think this is what this bargaining board did this Spring. I go along with this mainly because two members of the Agriculture Committee from my area reported out against this bill. I definitely agree with them. These two men who reported against the bill are farmers. They are potato growers and they were afraid of it just the same as I am afraid of it.

I suppose I could say it isn't going to amount to that, which I probably believe, but what is the sense of sticking it into the statutes unless you believe it is going to amount to something and I definitely don't believe it is.

I want to say one more thing. In the County, we have two bargaining groups. We have the NFO, The National Farm Organization has been active in the County for two or three years. They apparently didn't get to where they were going to do the business for the farmers, but they could be the potential group that this agency, this little bill sets up, these five men, two processors, two producers and one independent. Many of the farmers said to me, why have a five-man board, the independent is going to make all the decisions. Why don't you have just a one-man board? The only argument, those who were for it amongst the farmers, made to me was, we had a good time bargaining with the processors this Spring but it may be different next year. We don't think this does anything. They agree with Mr. Cooney and they agree with others. They didn't convince me that this statute did a single thing and so why clutter up the statutes with it. Let's go along with what we have.

To get back to the NFO and agricultural bargaining, I am sure from the viewpoint of the consumer, the NFO has been perhaps extremely successful with the beef and the pork people in the West. I am sure, in viewing that from a consumer's standpoint, I cannot help saying that they have been extremely successful. When I go out and buy some steak and I find that they have the tenderloin steak advertised for \$2.40 a pound, I generally go off and leave it to people better able to eat it. I do like good tenderloin steak and I agree that some of the agricultural bargaining done by the NFO in the middle West has been successful in bringing up the cost of the milk, the beef or pork or what have you.

Of course, we have another group of very successful bargainiers in the far West and I notice that the two great bargainiers in the coun-

try are now locked in controversy with Caesar Chavez and his tomato and grape growers. I think we will say from the viewpoint of somebody, that has been successful. But I wonder how the ultimate consumer feels. I used to like tomatoes. I saw two advertised in the market up here the other day for 74 cents and I walked off and didn't buy them. They were not very big tomatoes. I like grapes too. I rarely eat them now because this bargaining deal in the far West has been so extremely successful.

If you happen to look at the last copy of Newsweek, you will see that Caesar Chavez and Mr. Meany had their picture taken together there. I don't know who is fighting whose battles out there but I think that the consumer is the one who is getting the rough end of the deal.

Just to be sure that you know where I stand on this, I do go along with the minority report of the Agriculture Committee. I hope you will vote down the majority report so that we can make a motion to accept the minority report.

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

Mr. HASKELL: Mr. Speaker and Ladies and Gentlemen of the House: I'm going to vote against the adoption of this bill this morning, not because I do not believe that bargaining is necessary in the agricultural section, but because I think the bill has some features in it that simply are not workable.

Bargaining is proceeding in Aroostook County currently. It is successful in getting established, and I think that we would be ill-advised at this juncture to inject the state into the bargaining process because this bill is not as innocuous as Representative Cooney would indicate to you. If you are interested, I wish you would look on page 5 at the limitations sections, Section 4 and Section 5. These are the reasons that I could not support the bill because these limitations, in my view, simply would not work in the economic climate that prevails in agricultural products.

A second reason that I am going to not support the bill is the fact that it seems to me very import-

ant that minority bargaining groups should have an equal opportunity in participating in the bargaining process and the bill as it is written, affords no opportunity, in my view, for a second bargaining group to participate in the process.

I think, again, that a major deficiency in the bill is the fact that there is no time interval established during which a negotiating process may be carried out. And I think that all of you are aware of the crucial importance of the time element. Again, talking in terms of potatoes, the planning for acreage and so forth is done during the winter months, the time that the contract negotiations are carried on. There is nothing in the bill that would limit the time interval of negotiation. In other words, either side could protect a negotiating process to their own advantage to an unlimited length of time. I think this would prove to be a handicap if, for example, either a producer or a handler were in a minority situation.

I think if we are going to move into this field, we have got to do it with a well researched bill. I think it would be premature and unwise to pass this type of legislation at this time.

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

Mr. BRIGGS: Mr. Speaker and Ladies and Gentlemen of the House: I will be very brief because I realize that you are becoming weary. But the recent debate that you have just listened to is exactly the kind of thing which I have spoken to you about earlier, which has kept the farmers in Aroostook County at least, and I presume almost everywhere, from being able to get together.

Now much has been said, as an example, by the gentleman from Perham, Mr. Bragdon, about letting the present bargaining board continue. I would like to remind you, the present bargaining board has as a president, Bernard Shaw of Limestone, who is a potato grower who is widely known. He has worked very very hard in bargaining with the processors for the potato growers this year and they have been quite successful. Mr.

Bragdon would like to let the board work and I concur with that.

I would like to make it clear that Mr. Shaw, who is the president of the Agricultural Bargaining Committee that has been referred to, is very very anxious that this bill will receive passage. I would also like to point out, inasmuch as Mr. Shaw is my brother-in-law, of which I am pardonably proud, that Mr. Shaw is no fuzzy-headed, agricultural radical or a radical of any other kind, as you can ascertain for yourselves if you care to do so.

Mr. Shaw is widely respected in his community of Limestone. He is the pillar of his church there. He is a member of the school committee there. He is a successful potato grower there. And you won't have any difficulty finding that he is very widely liked throughout Aroostook County. He is president of the Agricultural Bargaining Committee which has been referred to and he is exceedingly anxious that this legislation shall be successful.

I hope the majority report of the committee will be accepted and I move that the vote be taken by the yeas and nays.

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

Mr. HOFFSES: Mr. Speaker, Ladies and Gentlemen of the House: The question has been raised why is it that everyone is speaking on this bill relative to the potato farmer and nothing is said about the poultry farmer. Well, I am going to speak about the poultry farmer.

Now, first of all, let me hasten to say that I am not so versatile and been associated with as many things as my very good friend from Oakland, Mr. Brawn. He seems to be far more versatile than I would ever hope to be. But I can speak with some knowledge of the poultry business, having been born and brought up in it. I think I do know and can appreciate the problems which the poultry industry is confronted with and has been confronted with for a good many years.

It is my understanding that the processors are placing the poultry on the farms — they are not

placing the birds on the farms in a just and equitable way. They are crowding the farms, they are forcing the producer to produce far more than his facilities will properly handle. It is my understanding that all of the losses, the producer is having to bear that responsibility.

Well, now, if the processor is not using the proper judgment in placing the birds out, then he should be the one who would be responsible for the losses, and not the producer himself.

These are creating conditions which, as I said before, are causing far more loss to the poultry industry, far more loss in number of birds than is necessary. And the loser is the man who has to scratch and dig for his daily wages and hope to be able when he gets through to have a little money to pay back the FHA loan which he has been forced to implement in order to stay in business and to purchase the equipment which the processor is requiring him to update every so often.

Almost all of the farms are owned by the producer. The producer is the one who is having to pay the real estate. We all know what the price of real estate is going on as far as taxes are concerned, they are upping the valuation and hence, up goes the taxes.

Now, the farmer is the man on the bottom of the totem pole, and the consumer is the man on the top of the totem pole. Neither one of them have but one direction to go. The farmer, hopefully, can get a better return. The consumer hopes to be able to buy at the best price possible. But the man in the middle is the one who can work both ways. If he sees his costs are going up, he can automatically increase the price of his product to the retailer or he can, by the same token, reduce the price that he is paying from the producer. So, they are not in as untenable position as the farmer and the consumer; and my heart bleeds for both, because I have been the producer, I am now the consumer, and I am well aware of these circumstances.

It has been mentioned that we should wait and see what the federal government does on this matter. I say let's not wait, you and I have no way of prejudging what the federal government is going to do. If you believe in the merits of this bill, let's not give any consideration to what the federal government may or may not do. I would urge the passage of this document.

The SPEAKER: The Chair recognizes the gentleman from Limestone, Mr. Albert.

Mr. ALBERT: Mr. Speaker and Members of the House: Being a member of the NFO, I think I have to defend their position.

There were 12 of us appointed four years ago to go out and bargain with the processors. We had very good luck. The first door we came to, we were thrown out. They wouldn't even let us in their place. So, that is the kind of bargaining we have had in Aroostook County.

Let me tell you one other thing due to the A.B.C. They had a man here last week that works for them by the name of Mr. Weeks, he is their key man. He called up every processor, because I sat alongside the telephone and I listened, and he invited them to go on TV last Friday night to debate this bill, pro and con. Nobody would accept it. He also invited some of these legislators to go on TV and they refused. So, that is how much bargaining power we have got. We have none.

The SPEAKER: The Chair recognizes the gentleman from Easton, Mr. Mahany.

Mr. MAHANY: Mr. Speaker, Ladies and Gentlemen of the House: First let me say, the question that Mr. Cooney brought up I think was well answered by the gentleman from Houlton, Mr. Haskell.

I would like to answer Mr. Smith from Exeter when he speaks of the Idaho bargaining law. That is true, they do have bargaining, but it is not under this law. And as I stated in the first of my speech, I am not opposed to bargaining. It is this particular bill and its formation that I am opposed to.

Some have talked here, the proponents of this bill, that the potato

processors — the problems have been before us the last few years. During the last few years from '64 to '65 up to the present one, we have had top prices. That is no fault of the processors. I wonder what we would have done and how much lower the price might have been had we not had the processors in our area to take off a lot of these potatoes that would have been hunting for some place to go, probably out in the field, because we were getting all in the fresh markets that was possible during those years.

Now, when—these processors didn't just drop in here. After World War II, potato growers, at least, were looking for some other avenue to handle some of their production. And we started working with the other areas across the country to see if we could develop a quota system or some kind of a control system, manage system of potato production and sales. However, the other areas would not cooperate, and eventually that fell through; but at the same time, we were talking with some of those areas to look into the possibility and bring french frying processing in Aroostook County.

I was one of those men who worked on this proposition. Another man that worked hard on it and many of you remember, was Senator E. Perrin Edmunds. We put in a lot of time on it, a lot of hard work. A lot of the areas helped get the development corporations established to have some federal money to get these going. And at that time I wanted and tried to get some of the growers to get together, and we would build and operate and own, eventually, one of these processing plants. However, everyone was afraid of the possibilities of defeat and losing of money.

I want to point out right here, too, that everything is not rosy for processors. Processing is a cut-throat deal. They are just as hard on one another in selling their product as day and night.

I would like to answer now Mr. Albert of Limestone when he speaks of the invitation that Mr. Weeks extended to some of the processors and also asked me if

I would consider it. That was May 18, sometime in the morning. It was about 10:00 o'clock when he sent me down this note, and I read, "Mr. Representative M a h a n y : Thought you would be interested. I invited each of the four operating potato processors to discuss L. D. 1941 on the country news tonight. All of the processors either politely refused or some were out of town, and one was, I believe, sick.

"I will be discussing the bill alone, apparently. Will appreciate your consideration." I went back and talked with Mr. Weeks and told him had he asked me two weeks ago, I would have gladly gone on TV and discussed this bill with him. However, 10:00 o'clock in the day that he wants to go on that evening I thought was a pretty late notice, especially when we wouldn't be out of here, possibly, until 1:00 or 2:00 o'clock, I would drive 240 or 250 miles, have a lunch or a dinner and then go another 15 or 16 miles. That, to me, seemed unreasonable, and I told Mr. Weeks so.

I also want to answer Mr. Briggs. I know the young gentleman Mr. Briggs speaks of. There is no question here about his character or what not. I also know that he is president of this bargaining association. I also know that a good many in his association, they do not want to extend themselves into the particular regulations of this bill. And many of them have talked with me and told me so. Yesterday, two members came to my house and spent an hour with me, from 12:00 o'clock to 1:00 o'clock discussing this. And they definitely oppose going with this bill. They would rather stay and see how we make out with the A.B.C. contract we are working with now.

I don't want any of you people to think I am a boy. I have had quite a lot of experience. Some have been telling how long they had been in the potato business. Maybe I ought to say a word how long I have been at it. Well, I have been in the potato business a long time. I have been in the potato business since I was a small boy, not much taller than that

desk, when I hauled my first load of potatoes to the market. I belonged to all of these potato agencies, such as the Maine Potato Council, The National Potato Council. At one time I was president and director of Federal Fort Fairfield National Farm Loan Association. I have worked with A.S.C.S. I was a local member of the A.A.A., the P.M.A., the A.S.C.A., all of those things. So these problems are not new to me, I think I enjoy as good a reputation and what I think on different matters concerning agriculture is as well thought of as any man from Aroostook County.

The SPEAKER: The Chair recognizes the gentleman from Orland, Mr. Churchill.

Mr. CHURCHILL: Mr. Speaker and Members of the House: I don't blame the opponents of this bill being potato farmers, because they have just experienced one of the most successful gains in years on the price of potatoes. And if you folks recollect the price of broilers, what they were last year and what they are this year, I believe they have just about doubled on poultry of any type. Yet, they are receiving the same price per foot for raising these birds that they have for the past 20 years.

I urge you to support this bill.

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

Mr. HUNTER: Mr. Speaker and Members of the House: I think I have been talked right out of my speech. So, being a signer of the "ought to pass" report, I felt that the bill did have a lot of merit. I promise you, I had some pretty good reasons why I signed it this way, but it is near dinner and I wouldn't want to talk any longer.

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

Mr. BITHER: Mr. Speaker and Members of the House: I think before we vote on this bill I should say something that has not been said, believe it or not.

This bill sets up a bargaining board of five members to bargain for all agricultural commodities. Now, all of you have heard so

far is poultry and potatoes. In case you get the idea there is only poultry and potatoes, what about all the grains we raise in the state, what about the blueberries. They are represented. What about strawberries, the apples, all come under this bill. What about the canning corn, and beans, dry beans, green beans, you name it. There are probably some others that I can't think of right now, but they are all under this bill.

I would also like to say that in southern Aroostook, another member of the southern Aroostook delegate, not a member of this House, and myself have contacted either by phone or by personal contact in the neighborhood of 125 or more farmers, and every one of them say no, they don't want this bill. And for that reason I have to go against the passage of this bill.

The SPEAKER: The Chair recognizes the gentleman from Van Buren, Mr. LeBlanc.

Mr. LeBLANC: Mr. Speaker, Ladies and Gentlemen of the House: Being from St. John Valley where livelihood depends on farming, I support L. D. 1014. Granted, it is not the perfect bill, but the day we pass a perfect bill in this House, you and I won't be here.

Mr. Evans, Mr. Albert, Mr. Smith stated this bill is a must to save the poultry and potato farmers. As a businessman for 25 years dealing with farmers, I have seen them go out of business year after year because of inadequate prices.

I don't agree with Mr. Mahany. The farmers of Aroostook County do want this bill. I urge you to vote favorably on this bill.

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

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

The SPEAKER: The pending question is on the motion of the gentleman from Freedom, Mr. Evans, that the House accept the Majority "Ought to pass" Report on Bill "An Act to Create a Maine Agricultural Bargaining Board" (H. P. 1511) (L. D. 1941). All in favor of that motion will vote yes; those opposed will vote no.

#### ROLL CALL

YEA — Albert, Baker, Berry, G. W.; Berry, P. P.; Birt, Boudreau, Briggs, Bunker, Bustin, Cameron, Carey, Carrier, Carter, Chick, Chonko, Churchill, Clark, Conley, Connolly, Cooney, Cote, Cressey, Curran, Curtis, T. S., Jr.; Dam, Davis, Deshaies, Donaghy, Dow, Drigotas, Dunn, Dyar, Emery, D. F.; Evans, Farnham, Farrington, Fraser, Garsoe, Genest, Good, Goodwin, H.; Goodwin, K.; Greenlaw, Hamblen, Hancock, Henley, Herrick, Hobbins, Hoffses, Huber, Hunter, Immonen, Jackson, Jacques, Jalbert, Kauffman, Kelley, Kelley, R. P.; Keyte, Knight, LaPointe, Lawry, LeBlanc, Lewis, E.; Lewis, J.; Lynch, MacLeod, Martin, McCormick, McHenry, McKernan, McMahon, McNally, Merrill, Mills, Morin, L.; Morin, V.; Morton, Mulkern, Murray, Najarian, Norris, Palmer, Perkins, Ricker, Rolde, Rollins, Santoro, Shaw, Shute, Simpson, L. E.; Smith, D. M.; Smith, S.; Sproul, Stillings, Strout, Susi, Talbot, Tanguay, Theriault, Tierney, Trask, Tynedale, Walker, White, Willard, Wood, M. E.; The Speaker.

NAY — Berube, Bither, Bragdon, Brown, Farley, Finemore, Haskell, Kelleher, Mahany, Maxwell, Parks, Peterson, Pratt, Wheeler.

ABSENT — Ault, Binnette, Brawn, Cottrell, Crommett, Dudley, Dunleavy, Faucher, Fecteau, Ferris, Flynn, Gahagan, Gauthier, Kilroy, LaCharite, Littlefield, Maddox, McTeague, Murchison, O'Brien, Pontbriand, Ross, Sheltra, Silverman, Soulas, Trumbull, Webber.

Yes, 109; No, 14; Absent, 26.  
The SPEAKER: One hundred nine having voted in the affirmative and fourteen having voted in the negative, with twenty-six being absent, the motion does prevail.



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

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

Mr. BROWN: Mr. Speaker, I move we reconsider our action on item 6, page 10. I move we reconsider our action of this morning whereby we receded.

The SPEAKER: The gentleman from Augusta, Mr. Brown, moves that the House reconsider its action on Bill "An Act Relating to Hours of Work and Minimum Wages for Taxicab Drivers" (H. P. 1035) (L. D. 1356) whereby it receded. All in favor of that motion will vote yes, those opposed will vote no.

A vote of the House was taken.

74 having voted in the affirmative and 28 having voted in the negative, the motion did prevail.

Thereupon, Mr. Brown of Augusta withdrew his motion to recede.

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

Mr. BROWN: Mr. Speaker, I now move we recede and concur.

On motion of Mr. Carey of Waterville, tabled pending motion to recede and concur and tomorrow assigned.

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

Mr. SPROUL: Mr. Speaker, is the House still in possession of L. D. 1943?

The SPEAKER: The Chair would answer in the affirmative. The House is in possession of Bill "An Act to Amend Municipal Regulation of Land Subdivision Law." (H. P. 1513) (L. D. 1943).

Mr. SPROUL: I move we reconsider our action whereby we passed this to be engrossed for purposes of an amendment.

On motion of Mr. Simpson of Standish, tabled pending reconsideration and tomorrow assigned.

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(Off Record Remarks)

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On motion of Mr. Birt of East Millinocket,

Adjourned until eight-thirty tomorrow morning.