

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

LEGISLATIVE RECORD

OF THE

One-Hundredth Legislature

OF THE

STATE OF MAINE

1961

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Friday, April 21, 1961

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

Prayer by the Rev. Mr. Royal Brown of Gardiner.

The journal of yesterday was read and approved.

Papers from the Senate

From the Senate:

Resolve Authorizing the State of Maine to Convey Certain Land in the City of Saco (S. P. 523) (L. D. 1550)

Came from the Senate referred to the Committee on State Government.

In the House, referred to the Committee on State Government in concurrence.

Senate Reports of Committees Ought Not to Pass

Report of the Committee on Transportation reporting "Ought not to pass" on Bill "An Act Increasing Fee for Motor Vehicle Operator's License" (S. P. 367) (L. D. 1100)

Came from the Senate read and accepted.

In the House, the Report was read and accepted in concurrence.

Ought to Pass in New Draft

Report of the Committee on Industrial and Recreational Development on Bill "An Act Authorizing State Park Commission Fees for Services and Accommodations" (S. P. 83) (L. D. 184) reporting same in a new draft (S. P. 519) (L. D. 1544) under same title and that it "Ought to pass"

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

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

Ought to Pass Referred to 101st Legislature

Report of the Committee on Industrial and Recreational Development reporting "Ought to pass" on Bill "An Act Authorizing Municipal

Construction of Industrial Buildings" (S. P. 42) (L. D. 102)

Came from the Senate with the Report read and accepted and the Bill referred to the 101st Legislature.

In the House, the Report was read and accepted in concurrence and the Bill referred to the 101st Legislature in concurrence.

Ought to Pass Amended in Senate Tabled and Assigned

Report of the Committee on Legal Affairs reporting "Ought to pass" on Bill "An Act relating to Obscene Printed or Written Matter or Material" (S. P. 433) (L. D. 1393)

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

In the House, the Report was read.

(On motion of Mr. Dennett of Kittery, tabled pending acceptance of the Committee Report and specially assigned for Friday, April 28.)

Non-Concurrent Matter

Bill "An Act relating to Salary of Commissioner of Education" (H. P. 776) (L. D. 1058) on which the House accepted the Majority "Ought not to pass" Report of the Committee on State Government on April 5.

Came from the Senate with the Minority "Ought to pass" Report accepted and the Bill passed to be engrossed in non-concurrence.

In the House:

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

Mr. ESTEY: Mr. Speaker, Ladies and Gentlemen of the House: The action of the Senate was indeed a pleasant surprise to me, but in order to give this consideration I move that we lay this on the table until Tuesday, May 2.

The SPEAKER: In reference to L. D. 1058, the gentleman from Portland, Mr. Estey, moves that this be tabled until May 2. Is this the pleasure of the House?

All those in favor say aye; those opposed, no.

A viva voce vote being doubted by the Chair, a division of the House was had.

Forty-six having voted in the affirmative and sixty-one having voted in the negative, the motion to table did not prevail.

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

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

The SPEAKER: The gentleman from Portland, Mr. Estey, moves that the House recede and concur in accepting the Minority "Ought to pass" Report.

The Chair recognizes the gentleman from Kittery, Mr. Dennett.

Mr. DENNETT: Mr. Speaker, I rise in opposition to the motion by the gentleman from Portland, Mr. Estey. We have, on several occasions, discussed and debated this bill and this House has in each instance turned it down. I this morning don't wish under any circumstances to go to any length in again debating it. I think the principles upon which we stand whereby we turned this measure down are sound and I think they are imperative to the continuance of a sound, economic solution to our problems in the State of Maine.

I certainly hope that the motion by the gentleman from Portland does not prevail. Should the motion fail, I will make a motion that we adhere.

The SPEAKER: The Chair recognizes the gentleman from Bridgton, Mr. Haughn.

Mr. HAUGHN: Mr. Speaker, Ladies and Gentlemen of the House: I know this is an awful hard thing to get up here once again and defend a position of Minority "Ought to pass" Report. But yesterday, if you people realized in this House, those same gentlemen all advocating savings for the money of the people of the State of Maine, passed the bill which allowed four more additional employees on the State payroll from the University of Maine to come in here as trainees at the fee of \$375 a month, there's an increase in salary to pay, an additional payroll of the State. These same people who condone this now oppose keeping an established, qualified man in the State

of Maine; and you ladies and gentlemen know it is not unusual, even on our own community, state and county level, to let a man go at one salary because he asks for an increase, then replace him with a man, who may be as good or may not be as good, for a higher fee.

And I hope you will weigh and consider these facts and will try to keep a good man here even if it means a compromise on what is being asked and allow this thing to go upon the motion which it is, but not to table it until a compromise can be reached through a Committee of Conference at least.

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

Mr. HAM: Mr. Speaker and Ladies and Gentlemen of this House: In reference to the comment just made by my colleague, Representative Haughn, I do not wish to debate the bill he mentioned. However, I do wish to set the record straight. It was not \$15,000 as such that we are going to use for this internship plan because we get \$29,000 back from the Ford Foundation. And also while I am on my feet I concur with my fellow representative from Kittery, Mr. Dennett, on this given bill.

The SPEAKER: The Chair recognizes the gentleman from Madawaska, Mr. Levesque.

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I don't know whether you want to hold this conservative position all the way down the line and leave no stones unturned. I for one feel in this light, that although if you have seven or eight thousand employees, should you deny every employee just because you feel that you have one or two or three or a dozen that are deserving of due consideration?

In this case we have heard debate on this issue before and now again, and everybody seems to think well, if we don't give it to one we should not be giving it to the other. Well I think we have some deserving employees in the State of Maine. I think we should weigh these things considerably and feel that some of those deserving

employees are rendering a service to the State of Maine that is unparalleled in any respect, and that we should give some of these employees further consideration. They are rendering this service not only to the people of the State of Maine, they are rendering this service to our children and probably to our children's future.

So, therefore, I hope that the motion of the gentleman from Portland, Mr. Estey—although I have not always been in agreement with him—I hope that his motion will be carried.

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

Mr. DENNETT: Mr. Speaker, we have, in the State of Maine, perhaps not a single employee who is not rendering a service to the State. I can't, in all consideration, feel that one is a better man than another. I would not in any manner deprecate the position which this gentleman holds. I think he does well for the State of Maine, but so do others. And I think the sole thing that we are hinging on this morning is, that once we break this dam we let a flood of spending and taxing overwhelm us.

When the vote is taken, I ask for a division.

The SPEAKER: The Chair recognizes the gentleman from Friendship, Mr. Winchenpaw.

Mr. WINCHENPAW: Mr. Speaker, I am not on the State Government Committee, but I feel that we should hold this conservative course. I am on the Labor Committee, as you know, and we have had a great deal of discussion over all the people who have been unemployed this winter. And I can't see that we can retract from this conservative course that we have taken.

The SPEAKER: The Chair recognizes the gentlewoman from Portland, Mrs. Hendricks.

Mrs. HENDRICKS: Mr. Speaker and Members of the House: Many citizens have approached me in regard to this matter, in favor of this bill. Therefore I feel that it would be best if we were on record, so when the vote is taken I request a roll call.

The SPEAKER: The Chair recognizes the gentleman from Waterboro, Mr. Bradeen.

Mr. BRADEEN: Mr. Speaker and Ladies and Gentlemen of the House: It occurs to me that there has been a most important angle missed altogether in this debate this morning. It seems to me that there is in question here, the integrity of the thinking of the people of the Maine House of Representatives. If my recollection is correct, this bill was voted down by a count of ninety-six to thirty-five. I ask you people, do we know our own minds? Should we change that vote at this late date? I'm not changing mine.

The SPEAKER: The Chair recognizes the gentleman from Madawaska, Mr. Levesque.

Mr. LEVESQUE: Mr. Speaker, in answer to the gentleman who has just stood up and said that we have had a vote on this particular bill of ninety-six to thirty-five, I quite agree with him, although I have seen here in the past three or four weeks, or four or five weeks, almost similar actions taken one day and then the next day a complete reversal of the same thing. Now I am not in agreement that everybody in this House does not know what he is doing one day, but stays up all the rest of the night to find out what he did the day before in order to correct himself the next day. I think probably they feel one thing one day and vote their convictions.

And I hope that the people in this House again this morning are going to stand up and be counted and vote their convictions. Thank you.

On motion of the gentlewoman from Peru, Mrs. Vaughn, House Rule 25 was suspended for the remainder of today's session in order to permit smoking.

The SPEAKER: Is the House ready for the question? A roll call has been requested. For the Chair to order a roll call it must have an expression of a desire for a roll call by at least one-fifth the members present. Will those who desire a roll call please rise and remain standing until the moni-

tors have made and returned their count.

A sufficient number did not arise.

The SPEAKER: Obviously less than one-fifth having arisen, a roll call is not ordered.

A division has been requested. The question before the House is the motion of the gentleman from Portland, Mr. Estey, that the House recede and concur in accepting the Minority "Ought to pass" Report on Bill "An Act relating to Salary of Commissioner of Education."

All those in favor of receding and concurring please rise and remain standing until the monitors have made and returned their count.

A division of the House was had.

Thirty having voted in the affirmative and eighty-four having voted in the negative, the motion to recede and concur did not prevail.

The SPEAKER: The Chair recognizes the gentleman from Bridgton, Mr. Haughn.

Mr. HAUGHN: Mr. Speaker, I now move that we insist on our former action and ask for a Committee of Conference.

The SPEAKER: The gentleman from Bridgton, Mr. Haughn, moves that the House insist and ask for a Committee of Conference.

The Chair recognizes the gentleman from Kittery, Mr. Dennett.

Mr. DENNETT: Mr. Speaker, frankly I am a little bit at loss to know to what extent that motion can be debated, but I would ask—

The SPEAKER: It is open to full debate.

Mr. DENNETT: I won't further debate in any manner at all, but I would ask that you vote against the motion to insist that I might make the next motion, which is to adhere, and then we are through with it.

The SPEAKER: The Chair recognizes the gentleman from Bridgton, Mr. Haughn.

Mr. HAUGHN: Mr. Speaker and Members of the House: I never knew of any problem that was not serious enough, in a nature of this kind, to at least give some further thought to it. This does not mean the House has to accept the Committee of Conference, but it does in fairness and in all fairness

give it full treatment of consideration, and I hope that you will go along with the motion as made before you.

The SPEAKER: The Chair recognizes the gentleman from Milbridge, Mr. Kennedy.

Mr. KENNEDY: Mr. Speaker, if I am in order I move that we adhere to our former action.

The SPEAKER: That motion would not be in order at this particular time.

The prevailing motion is to insist, since it has a higher rank than that of adhering. But if the motion to insist is defeated, then the motion to adhere will be in order, and that motion has been offered by the gentleman from Kittery, Mr. Dennett.

Is the House ready for the question?

The Chair recognizes the gentleman from Madawaska, Mr. Levesque.

Mr. LEVESQUE: Mr. Speaker, I think in all sincerity that we should stand by the motion of the gentleman from Bridgton, Mr. Haughn, and try to give some of this matter a little bit more consideration, and I hope that the members of this House will so give Mr. Haughn another chance to be able to have this thing out with a Committee of Conference.

Mr. Dennett of Kittery then asked for a division.

The SPEAKER: A division has been requested on the motion to insist. Is the House ready for the question? Relative to Bill "An Act relating to Salary of Commissioner of Education," House Paper 776, Legislative Document 1053, all those in favor of insisting, please rise and remain standing until the monitors have made and returned their count.

A division of the House was had. Thirty-four having voted in the affirmative and eighty-five having voted in the negative, the motion to insist did not prevail.

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

Mr. DENNETT: Mr. Speaker, I move that the House now adhere.

The SPEAKER: Is it the pleasure of the House to adhere?

The motion prevailed.

Non-Concurrent Matter

Joint Resolution relative to Economy of Maine (S. P. 520) which was indefinitely postponed in non-concurrence in the House on April 19.

Came from the Senate with that body voting to insist on its former action whereby the Resolution was adopted, and asking for a Committee of Conference.

In the House: On motion of Mr. Anderson of Greenville, the House voted to adhere.

The SPEAKER: The Clerk has just informed me that there are in committees at this particular time, 258 bills, and that all but a small number of those, maybe a half a dozen, have been heard. So apparently 250 of them would be in order to be reported out provided of course there were not some technical reasons that they were being withheld. So the progress of this Legislature will depend to some extent, not entirely, on how quickly we get the bills. Of course the remainder of the progress depends upon how rapidly and expeditiously we dispose of the bills when we get them.

The Chair would like to announce at this particular time the Committee for the Mock Session. The Chairman will be the gentleman from Vinalhaven, Mr. Maddox; the gentleman from Madison, Mr. Fogg; the gentleman from Bangor, Mr. Minsky; the gentleman from Ellsworth, Mr. Anderson; the gentlewoman from Patten, Mrs. Harrington; the gentleman from Hallowell, Mr. Choate; the gentleman from Waldoboro, Mr. Waltz, the gentleman from Mexico, Mr. Matheson, and the gentleman from Brunswick, Mr. Lowery.

The SPEAKER: Also with reference to L. D. 1201, "An Act Increasing Tax on Milk Producers for Promotional Purposes," in reference to the action of the House on April 19, 1961 whereby it insisted and moved to join in a Committee of Conference, the Chair appoints the following members on the part of the House as conferees:

Messrs. CURTIS of Bowdoinham
BRAGDON of Perham
DODGE of Guilford

Another committee of conference has reference to L. D. 1254, Resolve in favor of John W. McGuire of Houlton. On April 20, the House insisted and asked for a Committee of Conference. The Chair appoints the following conferees on the part of the House:

Messrs. BERMAN of Houlton
HUGHES of St. Albans
BREWER of Bath

Orders

Mr. Brown of Fairfield was granted unanimous consent to briefly address the House.

Mr. BROWN: Mr. Speaker, Ladies and Gentlemen of the House: In response to the resolve entered by Mr. Hardy of Hope yesterday, I received the following telegram which I would like to read:

"Hon. Robert O. Brown
House of Representatives
State House, Augusta, Maine

We are in receipt of wire from Harvey R. Pease regarding the lyrics of the Maine Stein Song to be sung on the forthcoming Mitch Miller show. This matter first came to our attention with the receipt of your telegram this afternoon. We understand there were 3 sets of lyrics for the song in question. Unfortunately the ones selected were the ones to which the wire refers. Ballantine has no knowledge of these shows in advance. We see them for the first time when they are presented to the public. Please however accept our sincere regret in this matter and we trust that our many friends in the State of Maine will forgive the oversight. As a native and long-time resident of the Pine Tree State, may I also add my personal regrets.

Very sincerely,

JAMES E. GLOVER,
Manager
Distributor Operations."

Mr. Glover was a former Law partner of Senator Muskie in Waterville and at one time was City Treasurer of Waterville. I would also like to announce at this time that the show will be seen tonight at nine p.m., and I hope that the lyrics are changed. Thank you.

On motion of Mr. Binnette of Old Town, it was

ORDERED, that Deborah Jane Kilroy of Cape Elizabeth, and Carol Ann Kilroy of Rumford, be appointed to serve as Honorary Pages for today.

On motion of Mr. Karkos of Lisbon, it was

ORDERED, that Cheryle L. Jones of Farmington be appointed to serve as Honorary Page for today.

On motion of Mrs. Lincoln of Bethel, it was

ORDERED, that Peter Estey of Portland be appointed to serve as Honorary Page for today.

On motion of Mr. Wheaton of Princeton, it was

ORDERED, that John W. MacGregor of Eastport be appointed to serve as Honorary Page for today.

On motion of Mrs. Shaw of Chelsea, it was

ORDERED, that Dianne and David Philbrick of Augusta be appointed to serve as Honorary Pages for today.

On motion of Mrs. Sproul of Bristol, it was

ORDERED, that Thomas N. Hancock of Nobleboro be appointed to serve as Honorary Page for today.

The SPEAKER: The Chair would like to announce that Thomas N. Hancock is the grandson of Representative Hancock of Nobleboro; Dianne and David Philbrick of Augusta are grandchildren of Representative Philbrick of Augusta; John W. MacGregor is the son of Representative MacGregor of Eastport; Peter Estey is the son of Representative Estey of Portland; Cheryle L. Jones is the daughter of Representative Jones of Farmington; Deborah Jane Kilroy and Carol Ann Kilroy are grandchildren of the gentlewoman from Portland, Mrs. Kilroy.

The Sergeant-at-Arms is requested to escort the Honorary Pages to the well of the Hall of the House in order that they may enter upon the performance of their duties for the remainder of today's session.

Thereupon, the Honorary Pages were escorted to the well of the Hall of the House by the Sergeant-at-Arms. (Applause)

The SPEAKER: At this time the Chair will request that the Sergeant-at-Arms escort the gentleman from Cape Elizabeth, Mr. Berry, to the rostrum to act as Speaker pro tem.

Thereupon, Mr. Berry of Cape Elizabeth assumed the Chair as Speaker pro tem and Speaker Good retired from the Hall.

House Reports of Committees Leave to Withdraw Tabled and Assigned

Mr. Knight from the Committee on Judiciary on Bill "An Act relating to Certain Property of Town of Union, Knox County, Acquired under Will of Francis E. Thompson" (H. P. 886) (L. D. 1221) reported Leave to Withdraw

Report was read.

(On motion of Mr. Finley of Washington, tabled pending acceptance of the committee report and specially assigned for Friday, April 28.)

Mr. Smith from the Committee on Judiciary on Bill "An Act Defining Residence of Military Personnel for Mortgage Purposes" (H. P. 252) (L. D. 366) reported Leave to Withdraw

Reports were read and accepted and sent up for concurrence.

Ought Not to Pass Tabled

Mr. Moore from the Committee on Inland Fisheries and Game reported "Ought not to pass" on Bill "An Act Revising the Law Relating to Licensing and Safety Operation of Boats" (H. P. 984) (L. D. 1371)

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

Mr. WADE: Mr. Speaker, Ladies and Gentlemen of the House: There being a companion boating bill which has not yet been reported out of committee, I would therefore request permission to table L. D. 1371 unassigned pending the action of the committee on the companion bill.

Thereupon, the Bill was tabled pending acceptance of the Committee Report and unassigned.

Mr. Thornton from the Committee on Judiciary reported "Ought not to pass" on Bill "An Act relating to the Distribution of Certain Proceeds to Persons Outside the United States" (H. P. 754) (L. D. 1040)

Same gentleman from same Committee reported same on Bill "An Act relating to Disposition of Municipal Records of Security Titles for Personal Property" (H. P. 936) (L. D. 1284)

Mr. Albair from the Committee on Taxation reported same on Bill "An Act relating to Tax Exemptions of Property of Churches, Religious Societies or Parishes" (H. P. 847) (L. D. 1161)

Reports were read and accepted and sent up for concurrence.

Tabled and Assigned

Mr. Bradeen from the Committee on Taxation reported "Ought not to pass" on Bill "An Act to Enact a Uniform Local Sales and Rental Tax Law" (H. P. 550) (L. D. 747)

Report was read.

(On motion of Mr. Kellam of Portland, tabled pending acceptance of the Committee Report and specially assigned for Wednesday, April 26.)

Mr. Maxwell from the Committee on Taxation reported "Ought not to pass" on Bill "An Act Applying Sales Tax to Admissions" (H. P. 1032) (L. D. 1433)

Mr. Waterman from same Committee reported same on Bill "An Act Exempting Estates of Blind Persons from Taxation" (H. P. 782) (L. D. 1064)

Reports were read and accepted and sent up for concurrence.

Tabled

Mr. Waterman from the Committee on Taxation reported "Ought not to pass" on Bill "An Act Providing for a State Income Tax" (H. P. 1026) (L. D. 1427)

Report was read.

The SPEAKER pro tem: The Chair recognizes the gentleman from Brunswick, Mr. Lowery.

Mr. LOWERY: Mr. Speaker, Ladies and Gentlemen of the House: considering that this was one of the major tax bills presented, it was my own bill, I now move that this bill be tabled unassigned, be taken off at the proper time when the other tax bills come in.

Thereupon, the Bill was tabled pending acceptance of the Committee Report and unassigned.

Indefinitely Postponed

Mr. Wheaton from the Committee on Taxation reported "Ought not to pass" on Bill "An Act Repealing Property Tax Exemptions for Churches, Literary and Scientific Institutions" (H. P. 908) (L. D. 1242)

Report was read.

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

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: This bill before us that has been reported out of committee "Ought not to pass" unanimously, is one of the great problems that we have in our state today, whether we wish to face up to this problem or not is our own personal conviction. I am going to—because of the fact that this is about the first time I believe that this has even been introduced in any state in the Union, I am going to take a few moments and give you some facts on this. You can do with this bill just exactly whatever you want to do with it, and you will. However, I want you to know a few of the things that are going on.

Those who are interested in the church-state relations in the United States, dared not take for granted as good and permanent, the religious tax exemptions presently in effect in the nation and in the several states and municipalities. The subject needs to be discussed despite the hesitancy caused by the fears of the churchman that merely to raise any question opens the churches to the possibility of crippling taxation and the hesitancy of government officials caused by their fears of appearing to be anti-religious if they even speak of taxing churches. The already complex church-state question is further complicated by competitive concern

of churches with each other, especially typical Protestant fears of increasing Roman Catholic power and typical Roman Catholic interpretation of all Protestant political action as being primarily anti-Roman Catholic.

This bill of mine would take all the exemptions—would take all the churches, all literary and scientific and all benevolent and charitable institutions off the exempt list. People are not ready apparently for that yet. And yet that exemption list is growing in the State of Maine and all over this nation tremendously fast to the extent that in the country today thirty-three percent of all properties in the United States is tax exempt, of that—and that holds true with the figures that are available in the State of Maine. We haven't many figures available in this state however.

Now all of this thirty-three percent is not church property or institutional property—some of it is state, some of it is government. You can get those figures if you want to look them up, but you cannot get the figures of church property, for some reason or another those figures have been hidden away. Some people don't want them known.

The churches today are in one of the best periods of their history financially. I've spent seventeen years of my life in this work. We're not the poverty stricken institution we used to be. We have money to do just about anything we want. And when people speak of the fact that some little country church somewhere is going to be hurt if this thing goes through, they're arguing a little local particular and ignoring the over-all picture. A church can be a liability or it can be a blessing to any community. The church back in its beginning was born paying taxes and the founder of the Christian church emphasizes the fact time and again that the church had an obligation to its community through taxation. The church can be for good or it can be narrow-mindedly evil.

Some people say that there is no problem in the State of Maine in regard to this, that we should continue to ignore it. The

problem is not only in the State of Maine on the state level, but it is also on the federal level, it is also on the local level. I want to speak about those things for a moment in a few minutes.

We would not be faced, however, this morning with an increase in sales tax, if we would eliminate unnecessary exemptions, if we would do something to modify the social institutions, if we would do something to handle this abuse of tax exemptions. I have a little personal experience I wish to tell you about.

The church is exempted not only on property taxes, but it is exempted through the federal income tax; we have none to pay there. We have no tax to pay as far as the sales tax is concerned; we have no tax to pay as far as any local activity is concerned. I went down to a garage somewhere in the State of Maine to buy an automobile. After purchasing the automobile, the sales tax was \$43. I was told this: "Mr. Smith, you're a Reverend, yes, why don't you be smart, take your church tax exemption number and buy this through your church. It will save you the sales tax." I told the man it wouldn't be right, he said "well all the rest of them are doing it, or many of them." His statement was all the rest of them, but I doubt that. This is just one of the abuses going on.

Down in New York City, at New York University, a little while ago another abuse was noted when they acquired the Mueller Spaghetti Company's stock and sought tax exemption for the firm on the ground that its net income would go to the University. That has been stopped by the United States Congress. Out in California somewhere, one of the greatest wineries in the world is owned and operated by the church, tax exempt. Today religious organizations remain free to venture into unrelated business activities and, because they escape the fifty-two percent corporation tax on gross income, compete inequitably with competitive firms. In such circumstances a church related business can show a net profit much higher than its competitors and sooner or later obviously can put competitors out of business.

In California the man can grow a beard, get a private religion, build a chapel and operate a business with a fifty-two percent advantage. Others argue that this credit is brought on the churches generally when, for example, a winery enjoys this income tax exemption. A few of the other exemptions that we have throughout the country, and this is just to name a very few of them, down in Massachusetts there is a jelly and preserve business with twenty-seven flavors owned and operated by the church, tax exempt. In Wrentham, Massachusetts there is a concern making and selling candies, tax exempt. In Rochester, New York, there is a great bakery, tax exempt. In Colorado there are great ranches, cattle ranches, thousands of acres, tax exempt. These things are creeping into Maine, and the reason that I presented this bill was to stop some of this before it gets too great a hold upon our State here.

The church has spent five hundred million dollars on schools alone, that doesn't come under exemption. Well I could name several others, the church owns property in Goodyear Tire and Rubber Company, they own it in Bethlehem Steel, they own it in Commonwealth Edison, and they own it in Brooklyn Edison, they own it in the Pacific Gas and Electric Company, in Montana Power Company, Indiana Electric Company, Atlantic City Convention Hall, Louisiana Hotel Company, just to name a very few of the businesses that the churches are in today, and because they are in it, much of that becomes tax exempt.

In the Columbia Law Review, volume forty-nine, page 991, the legal profession has taken some action on this. I would quote: "... some of the older decisions however vest a strong judicial antagonism to religious tax exemption. It is easier to admire the motives for such exemptions, than to justify it by any sound argument. Only let the theory be carried a little further, let a specific tax be levied to support houses of worship and it would speedily attract public attention. Yet the one is precisely the same in principle as the other,

to say that such is the practice of civilized nations is not sound, it is rather an apology from a departure from principles."—the legal profession.

Well, I am going to skip over quite a lot of this stuff here. The State of California, I wrote out and asked them what they thought of the matter because they are faced with it. They wrote back and this is a part of their letter—well I'm not going to read the letter but they warned the State of Maine, California warns the State of Maine against permitting any further exemptions at least on religious properties. The City of Phippsburg, Massachusetts, answered me back and gave me some wonderful figures down there, and that city is having a terrible problem with institutional and church exemptions. New York City wrote back and sent me some figures of what is happening down there. And by the way, I couldn't get these figures in Maine, I have a bill coming up soon that will produce them if you folk want those figures produced. But down in New York City for instance, the churches, synagogues, monasteries, and convents in 1958 and 1959 totaled five hundred six million dollars; in 1960-61 totaled five hundred and sixty-nine million dollars; colleges and schools in New York City alone, 1958-59, totaled one hundred ninety-five million dollars; and two years later 1960-61 totaled two hundred and fifty-two million dollars, all of this tax exempt. Parsonages in New York City in 1958-59 totaled four million dollars, in 1960-61 totaled twenty million dollars, all tax exempt. Those are just a few of the figures from New York City. Where did this exemption business come from in the first place? You will find that it is a carry over from the old state institution, the institutional established church, and when the established church was done away with, the tax exemptions were not done away with. I have the history of it here and would like to read it to you, but it's too long. I would tell you, however, that tax exemptions of church property is not founded upon facts, it is not founded upon principles, it is not founded upon any reasonable thing at all,

it is a carry over from the old established church idea of early colonial America.

When I presented these facts and figures at the hearing no one could get up and offer any contradiction that was reasonable at all, all they could do is to get up and call names. That was the sum and substance of all the opposition we had. They called us—likened us to Castro, to Khrushchev, to Russia, to Communism. I notice by a newspaper report that F.D.R. said that when his enemies wanted to sound off, all they could do was call names also.

I guess I have told you about enough on this, and it is a real problem, it is growing in Maine, facts and figures in Maine as I said before are not available as of this moment. I trust they will become available sometime in the future. In order to get an expression of this Legislature to give anybody a chance to vote that wants, Mr. Speaker, I would ask that the bill be substituted for the report.

The SPEAKER pro tem: The question now before the House is the motion of the gentleman from Strong, Mr. Smith, that the bill be substituted for the report. Is this the pleasure of the House?

The Chair recognizes the gentleman from Moscow, Mr. Beane.

Mr. BEANE: I would ask for a division.

The SPEAKER pro tem: The Chair recognizes the gentleman from Pittsfield, Mr. Baxter.

Mr. BAXTER: Mr. Speaker, Ladies and Gentlemen of the House: As House Chairman of the Taxation Committee, I think perhaps I should say just a few words on this bill. Obviously since we passed the bill out unanimously "Ought not to pass," I would hope that the House does not vote in favor of substituting the bill for the report. We did have a long and well attended hearing, and there was more said by and large on the subject of not granting the exemption than on granting the exemption. As the gentleman from Strong, Mr. Smith, has pointed out, we did get into the emotional level at times, but we felt that there was evidence presented which would indicate to us that this exemption was a satisfac-

tory part of our tax structure in Maine.

I think one basis on which we made this decision was on belief that the churches do accomplish enough good. They are oriented to the public good, to the extent that they very nearly take on the character of a public institution. And public institutions, as you know, are tax exempt. The churches certainly carry out actions and things for the public benefit which by and large the State itself very likely would have to do if the church weren't there to do it. Of course the gentleman from Strong, Mr. Smith, has outlined to you the problem that other states have with church tax exemptions. All of which of course were very interesting, but I do want to call your attention to the fact that those are other states, and that the State of Maine as far as we can see does not have this problem. In other words, if a church had a winery in Maine, or a spaghetti factory or whatever it might be, it certainly would be taxed. This we have established with the taxation bureau.

As a matter of fact the property tax exemption, which is what we're talking about here in Maine, is rather narrowly construed. It applies only to the church itself, the vestry, some of the personal property within the church and the land on which the church resides; and I believe tombs or something like that, and the parsonage up to an amount of six thousand dollars. We think that is quite narrowly construed and we don't see any danger of the church property taxation exemption being broadened to the extent that it takes in property which you and I would feel would be normally taxed property. In fact I think you will notice on your calendar today another bill which the Taxation Committee recommended unanimously "Ought not to pass," and that was "An Act relating to Tax Exemptions of Property of Churches, Religious Societies and Parishes," and that would have broadened the church property taxation somewhat; and that we did not feel was necessary at this time.

Of course the bill also exempts a great many other large and

very important institutions, farm property taxation, institutions such as literary educational institutions, which have been a basic part of our tax exemption picture all over the United States for a great many years.

I think that Reverend Smith from Strong has indicated in his discussion that he put this bill in to call attention to the extent of property exemption, not only in this state but in other states in the country where it is a problem. I think he certainly has called our attention to the problem, we recognize it's there; but certainly the Taxation Committee, and I hope this Legislature doesn't feel that this is the time for us to so radically change the taxation policies of the state and taxation policies which we feel coincide in a conservative manner with general taxation custom throughout the United States.

So, for this reason, I will move now that the Bill and all its papers be indefinitely postponed.

The SPEAKER pro tem: The question before the House is the motion of the gentleman from Pittsfield, Mr. Baxter, that the Report and Bill, "An Act Repealing Property Tax Exemptions for Churches, Literary and Scientific Institutions," House Paper 908, Legislative Document 1242, be indefinitely postponed. Is this the pleasure of the House?

The motion prevailed.

Thereupon, the Report and Bill were indefinitely postponed and sent up for concurrence.

Ought to Pass in New Draft New Drafts Printed

Mr. Thornton from the Committee on Judiciary on Bill "An Act Repealing Law Providing for Additional Court Review in Public Utility Cases" (H. P. 752) (L. D. 1038) reported same in a new draft (H. P. 1127) (L. D. 1554) under title of "An Act Amending Law Providing for Additional Court Review in Public Utility Cases" and that it "Ought to pass"

Mr. Brown from the Committee on Natural Resources on Bill "An Act Revising Laws Relating to Pollution Control" (H. P. 940) (L. D. 1288) reported same in a new

draft (H. P. 1125) (L. D. 1552) under same title and that it "Ought to pass"

Mr. Letourneau from the Committee on Taxation on Bill "An Act Prohibiting Illegal Collection of Sales Tax" (H. P. 1036) (L. D. 1437) reported same in a new draft (H. P. 1126) (L. D. 1553) under same title and that it "Ought to pass"

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

Ought to Pass Printed Bills

Mr. Knight from the Committee on Judiciary reported "Ought to pass" on Bill "An Act relating to Liability of Landowners Towards Hunters, Fishermen, Trappers, Campers, Hikers or Sightseers" (H. P. 934) (L. D. 1282)

Mr. Rust from same Committee reported same on Bill "An Act relating to Rulings on Admissibility of Evidence by Public Utility Hearing Examiners" (H. P. 755) (L. D. 1041)

Same gentleman from same Committee reported same on Bill "An Act relating to Disclosure of Vital Records" (H. P. 988) (L. D. 1375)

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

Tabled

Mr. Jameson from the Committee on Natural Resources reported "Ought to pass" on Bill "An Act Classifying Certain Surface Waters in Lincoln County" (H. P. 1015) (L. D. 1416)

Report was read.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Bristol, Mrs. Sproul.

Mrs. SPROUL: Mr. Speaker, since this concerns largely Boothbay and Boothbay Harbor, and I think you will remember there is a bill in to establish the Boothbay Harbor Sewer District, the Town of Boothbay Harbor is trying to do something about this. I have talked to the Selectmen several times in Boothbay Harbor and have also talked with the Selectmen in Boothbay, and they say that they would like to know just what this means and all about it. I really think

this is a problem they are trying to do something about. For that reason, I hope the House will go along with a motion to table this unassigned and I will take it off the table as soon as I possibly can.

The SPEAKER pro tem: The question before the House is the motion of the gentlewoman from Bristol, Mrs. Sproul, that this matter be tabled unassigned pending acceptance of the Committee Report. Is this the pleasure of the House?

The motion prevailed.

Mr. Matheson from the Committee on Natural Resources reported "Ought to pass" on Bill "An Act Classifying Certain Waters in Salmon Falls-Piscataqua River Watershed" (H. P. 1013) (L. D. 1414)

Mr. Perry from same Committee reported same on Bill "An Act Classifying Certain Tidal Waters in Sagadahoc County" (H. P. 832) (L. D. 1147)

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

At this point, Speaker Good returned to the rostrum and assumed the Chair as Speaker.

The SPEAKER: The Chair wishes to congratulate the gentleman from Cape Elizabeth, Mr. Berry, for his excellent job as Speaker pro tem. (Applause)

Senate Order Out of Order

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and the House adjourn, they adjourn to meet on Tuesday, April 25th, at ten o'clock in the morning.

Came from the Senate read and passed.

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

Passed to Be Engrossed

Bill "An Act relating to Reckless Homicide, and Death Caused by Violation of Law, by Vehicle Operator" (S. P. 521) (L. D. 1545)

Bill "An Act Amending Charter of City of Waterville" (H. P. 825) (L. D. 1140)

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

Third Reader Amended

Bill "An Act Revising Minimum Wage Law" (H. P. 1115) (L. D. 1537)

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

Mr. Knight of Rockland offered House Amendment "A" and moved its adoption.

House Amendment "A" was read by the Clerk as follows:

HOUSE AMENDMENT "A" to H. P. 1115, L. D. 1537, Bill, "An Act Revising Minimum Wage Law."

Amend said Bill in section 7 by striking out all of that part designated "I" and inserting in place thereof the following:

"I. Examination of records, books, etc. Every employer subject to sections 132-A to 132-J shall keep a true and accurate record of the hours worked by each employee and the wages paid; and the Commissioner or his authorized representative may, and upon written complaint setting forth the violation of section 132-C, shall have authority to enter the place of business or employment of any employer or employees in the State, as defined in section 132-B, for the purpose of examining and inspecting any or all books, registers, payrolls and other such records of any such employer that in any way relate to or have a bearing upon the question of wages, hours and other conditions of employment of any such employees; and copy any or all of such books, registers, payrolls and other records as he or his authorized representative may deem necessary or appropriate; and question such employees in the presence of the employer or his authorized agent for the purpose of ascertaining whether sections 132-A to 132-J have been and are being complied with. Any and all information so received shall be considered as confidential and shall not be divulged to any other person or agency except insofar as

may be necessary for the enforcement of sections 132-A to 132-J”

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

Mr. KNIGHT: Mr. Speaker and Members of the House: The minimum wage law today allows the Commissioner of Labor, upon written complaint, to enter the premises of an employer and examine any or all books of the employer relating to minimum wage. L. D. 1537 to which this amendment is offered, requires the employer to keep a true and accurate record of the hours worked of each employee and of the wages paid. L. D. 1537 allows the Commissioner of Labor to enter the premises of an employer on his own volition and does not require a prerequisite of a complaint being made. The present law as to what records can be examined is too broad. All this amendment does is to clarify the law and limit the records that the Commissioner may examine to those records that will now be required by law to be kept. I hope this amendment is adopted.

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

Resolve Authorizing the State Military Defense Commission to Convey Certain Land in Hancock County (S. P. 514) (L. D. 1534)

Resolve Regulating Fishing in Certain Waters of Aroostook County (H. P. 487) (L. D. 687)

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

Amended Bills

Bill “An Act Creating the Town of Kittery Port Authority” (H. P. 682) (L. D. 960)

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

Bill “An Act Repealing Laws Requiring that Cemeteries be Fenced” (H. P. 1008) (L. D. 1409)

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

Bill “An Act relating to Distribution of Obscene Literature to Minors” (S. P. 9) (L. D. 9)

Bill “An Act relating to Number of Members of Superintending School Committees” (S. P. 431) (L. D. 1391)

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

Passed to Be Enacted

An Act relating to Control of Missiles and Rockets (S. P. 430) (L. D. 1390)

An Act to Incorporate the Town of Hamlin, Aroostook County (H. P. 685) (L. D. 963)

An Act Revising the Laws relating to Veterinarians (H. P. 865) (L. D. 1200)

Finally Passed

Resolve relating to Opening Date for Open Water Fishing on Certain Waters (S. P. 34) (L. D. 59)

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

Enactor

Indefinitely Postponed

Resolve Regulating Ice Fishing on Umsaskis Lake and Long Lake, Aroostook County (H. P. 488) (L. D. 688)

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

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

Mr. MOORE: Mr. Speaker and Members of the House: In reference to this item five, it is quite

common for me to make one mistake on these resolves, but this is a little unusual, I made two on this one, and I feel if I don't oppose this one that I'll be making three. I think that we made a mistake when we reported this out ought to pass. These two lakes are in the heart of the Allagash country where the last of our good trout fishing remains, and as far as I can see, the people who would benefit from this resolve would be the Canadian woodchoppers more than anyone else because this is back in the wilderness where any of the local people don't get in the winter time. So I move for indefinite postponement of this resolve.

The SPEAKER: The gentleman from Casco, Mr. Moore, moves that this Resolve be indefinitely postponed. All those in favor of the motion to indefinitely postpone, please say aye; those opposed, no.

A viva voce vote being taken, the motion did prevail. Sent up for concurrence.

Orders of the Day

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

Bill "An Act Prohibiting Public Employees to Have Pecuniary Interest in Public Contracts." (H. P. 1025) (L. D. 1426) — In House Read the Third Time.

Tabled — April 14, by Mr. Hardy of Hope.

Pending — Passage to be Engrossed.

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

Mr. DENNETT: Mr. Speaker, Members of the House: This bill was passed out of the Committee on State Government. We were very sympathetic with the aims expressed in this bill. Nevertheless, we find that it contains several bugs, and it seems impossible, by amendment, to eliminate them. With permission of the sponsor and all interested parties, I now move that this bill be indefinitely postponed.

The SPEAKER: The gentleman from Kittery, Mr. Dennett, moves that this Bill be indefinitely postponed. All those who favor the in-

definite postponement of this bill please say aye; those opposed, no.

A viva voce vote being taken, the motion did prevail. Sent up for concurrence.

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

Bill "An Act relating to Store Registration under Pharmacy Laws." (H. P. 1100) (L. D. 1513) — In House Read the Third Time.

Tabled — April 18, by Mr. Coulthard of Scarborough.

Pending — Passage to be Engrossed.

On motion of Mr. Brown of Fairfield, the Bill was indefinitely postponed on a viva voce vote and sent up for concurrence.

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

Bill "An Act Authorizing Acceptance of Federal Act Providing for Financial Assistance in Constructing School Facilities." (S. P. 410) (L. D. 1351) — Engrossed in Both Branches. On April 19, House Receded from Engrossing, House Amendment "A" Read. (Filing H-199)

Tabled — April 19, by Mr. Bragdon of Perham.

Pending — Adoption of House Amendment "A".

The SPEAKER: The Chair recognizes the gentleman from Medford, Mr. Hichborn.

Mr. HICHBORN: Mr. Speaker and Members of the House: Legislative Document 1351 started out rather inauspiciously as a routine amendment to sections 1, 2 and 3 of Chapter 41 of the Revised Statutes of Maine. The present law permits the School Building Authority to accept the provisions of any federal act providing federal aid for school construction. Pending legislation before the Federal Congress provides that federal aid for construction must be received and administered by the state agency which is responsible for the educational program, the public program at the elementary and secondary level. In order that we may take advantage of the federal legislation, it was necessary to change the present law to make it pos-

sible for the State Board of Education to be the receiving agency.

Secondly, the proposed federal legislation specifically states that of the federal monies \$25,000 must be set aside for administration, and it further specifically provides that ten percent of the first year's allotment shall be used for research, pilot programs and special projects.

There was nothing wrong with L. D. 1351 as it was originally written and presented, but those who honestly feel that Maine does not need any federal aid and who honestly feel that Maine should not accept any federal monies, and that we should not accept the \$14,000,000 or any part of that federal aid likely to be forthcoming, so strongly objected that last Wednesday I offered an amendment in an honest effort to reach a reasonable compromise. Since that time, it has become very plain that those who are in favor of accepting federal aid for school construction and other purposes here in the state, are very much opposed to the suggestion contained in the amendment because they say that the amendment is too restrictive. On the other hand, those who oppose receiving this money, say that it is too liberal. And because I too realize that the amendment, as offered, destroys the effectiveness of L. D. 1351, I wish to withdraw the amendment at this time.

The SPEAKER: The gentleman from Medford, Mr. Hichborn, withdraws House Amendment "A".

The Chair recognizes the gentleman from Rockland, Mr. Knight.

Mr. KNIGHT: Mr. Speaker, am I to understand the amendment has been withdrawn?

The SPEAKER: The amendment has been withdrawn on motion of the gentleman who offered it.

The Chair recognizes the gentleman from Rockland, Mr. Knight.

Mr. KNIGHT: Mr. Speaker and Members of the House: This is very important legislation. I am in favor of this L. D., but one should not vote on it lightly or without being fully informed. In order to allow time to the Members of this House to talk this matter over with their constituents over the weekend, I would now move to table this matter and specially as-

sign it for Wednesday of next week, April 26.

The SPEAKER: The gentleman from Rockland, Mr. Knight, moves this bill be tabled pending passage to be engrossed and specially assigned for Wednesday, April 26. Is this the pleasure of the House?

A viva voce vote being taken, the tabling motion did prevail.

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

HOUSE REPORT — Ought Not to Pass — Committee on Legal Affairs on Bill "An Act relating to Determination of Quorum at Special Town Meetings in Kittery." (H. P. 683) (L. D. 961)

Tabled — April 20, by Mr. Dennett of Kittery.

Pending — Acceptance of Report.

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

Mr. DENNETT: Mr. Speaker and Members of the House: It is clear that there has been some misunderstanding as to the intent of this bill. I have cleared this through the House Chairman of the Committee on Legal Affairs, and I now move that this bill be recommitted to that Committee.

The SPEAKER: The gentleman from Kittery, Mr. Dennett, moves that the Report and Bill be recommitted to the Committee on Legal Affairs. Is this the pleasure of the House?

The motion prevailed. Sent up for concurrence.

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

Bill "An Act relating to Annual Permits to Move House Trailers and Mobile Homes Over Highways." (Amendment Filing H-155) — In House Read the Third Time.

Tabled — April 20, by Mr. Philbrick of Bangor.

Pending — Motion of Mr. Chapman of Norway to Indefinitely Postpone.

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

Mr. CHAPMAN: Mr. Speaker and Members of the House: I think this bill has been entirely cleared

with Mr. Philbrick and Mr. Ham, and now I would move that it be indefinitely postponed.

The SPEAKER: The prevailing question is the motion of the gentleman from Norway, Mr. Chapman, that the bill be indefinitely postponed.

The Chair recognizes the gentleman from Brewer, Mr. Ham.

Mr. HAM: Mr. Speaker and Members of the House: In respect to this bill, I talked to my fellow colleague yesterday, Mr. Chapman, about this. Now there is other legislation germane to this type of legislation. However, I just learned that this other legislation that is germane is now on the table in the other branch, so as a result and due to not knowing the outcome of the other legislation, I sincerely hope that this bill is not indefinitely postponed, and if a motion is in order, I would move that we accept the Minority I believe, Minority Report, on this L. D.

The SPEAKER: The prevailing motion is the motion to indefinitely postpone.

The Chair recognizes the gentleman from York, Mr. Rust.

Mr. RUST: Mr. Speaker, Ladies and Gentlemen of the House: I rise in support of the motion of the gentleman from Norway, Mr. Chapman, and against the motion of my good friend from Brewer, Mr. Ham. I would like to point out for your consideration a very important fact why this piece of legislation should not pass.

It is the custom of these people that sell house trailers to take their tractors and move a trailer for an owner from one location or from one trailer park to another or from one part of the state to the other. Now as the law presently goes, for these people to move these trailers, these trailers must be registered. So if I want to move my trailer from Kittery to Bangor, I have to go down to the Town Clerk's office and pay an excise tax and get the trailer plates; but if this particular piece of legislation goes through, the towns are going to lose this money because this particular law will allow these trailer people to just hitch onto one of these trailers and tow it over the highway with their own special

plates, and they can do all the moving they want for a normal \$50.00 or \$100.00 a year. Therefore, I hope that this bill is indefinitely postponed.

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

Mr. HAM: Mr. Speaker and Ladies and Gentlemen of this House: I agree with some of the points made by my fellow colleague, Mr. Rust. However, if this other legislation that is now on the table in the Senate does pass as it did this House, they will be able to do what this bill states anyway. As a result of it being on the table, I would now move that this be tabled unassigned.

The SPEAKER: With reference to this matter the gentleman from Brewer, Mr. Ham, moves this matter be tabled unassigned pending the motion of the gentleman from Norway, Mr. Chapman, that it be indefinitely postponed. Is this the pleasure of the House?

(Cries of "No")

Thereupon, a viva voce vote being taken and doubted by the Chair, a division of the House was had.

Fifty-seven having voted in the affirmative and forty-two having voted in the negative, the tabling motion did prevail.

Mr. Maddox of Vinalhaven was granted unanimous consent to address the House briefly.

Mr. MADDUX: Mr. Speaker, Ladies and Gentlemen of the House: In regard to the Mock Session, will those members of the committee as appointed by the Speaker this morning please meet in the well of the Hall of the House immediately following adjournment for a very short meeting.

Mr. Hardy of Hope was granted unanimous consent to address the House briefly.

Mr. HARDY: Mr. Speaker, Ladies and Gentlemen of the House:

I rise to call attention to an additional slight to the State of Maine.

You will recall that yesterday, this House passed an order protesting changes made in the lyrics of

the Maine Stein Song by Mitch Miller.

I would like to read you just a few lines of his reply:

In New York, Mitch Miller, who leads the singing in the show, said there are three versions and the one without reference to Maine would have national rather than regional appeal.

Now undoubtedly, Mr. Miller's remarks were meant to be conciliatory, but they are anything but that.

This one "without reference to Maine would have appeal nationally rather than regionally." What makes Mr. Miller think that Maine does not have national appeal? I submit to you our tourist appeal alone would prove this not to be true. At any of our magnificent beaches, in our mountain areas and on our thousands of lakes here in the State of Maine, people from every state in the union enjoy them all summer. Surely this is national appeal. And if you'll just note the out-of-state license plates that are already beginning to show up you will realize that our season begins early and lasts long.

I would make the suggestion that the Maine Department of Economic Development be instructed to invite Mr. Miller to spend his next vacation here in Maine, so that he may learn first hand that the appeal of the State of Maine is not just regional nor just national either, but as shown by our U. N. visitors, our Canadian and other foreign visitors, our appeal here is international as well as regional. Thank you. (Applause)

On motion of Mr. Baxter of Pittsfield, the House voted to take from the table the twenty-fifth tabled and unassigned matter:

HOUSE ORDER relative to Clearing Unassigned Matters from House Table.

Tabled — April 12, by Mr. Baxter of Pittsfield.

Pending — Passage.

Thereupon, the Order received passage.

The SPEAKER: We are proceeding under Orders of the Day.

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

Mr. WILLIAMS: Point of order for information. I would like to ask through the Chair of the gentleman from Pittsfield, Mr. Baxter, when this Order takes effect?

The SPEAKER: The gentleman from Hodgdon, Mr. Williams, has asked a parliamentary question through the Chair, and the Chair will answer that question, that it takes effect immediately. You will notice that this House Order applies to only certain days of the week.

The Chair recognizes the gentleman from Ellsworth, Mr. Anderson.

Mr. ANDERSON: Mr. Speaker, I move the House adjourn.

The SPEAKER: The Chair would advise the gentleman from Woodstock, Mr. Whitman, that an adjournment motion is not debatable.

Mr. WHITMAN: I ask for a division.

The SPEAKER: A division has been requested on the motion to adjourn. All those in favor of adjourning please rise and remain standing until the monitors have made and returned their count.

A division of the House was had. Thirty-four having voted in the affirmative and sixty-nine having voted in the negative, the motion did not prevail.

The SPEAKER: Will the gentleman from Pittsfield, Mr. Baxter, approach the rostrum please?

(Conference at rostrum)

Called to order by the Speaker.

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

Mr. JALBERT: Mr. Speaker, some of the members are confused as to what days this order pertains to and I was wondering if it might not be advisable to explain the order.

The SPEAKER: The Clerk will read the order again.

(The Order was read by the Clerk)

The SPEAKER: The Chair would like to announce that there will be a House caucus next Tuesday evening here in the House at 7:30.

You will notice that this House Order taking unassigned matters off the table, applies only to the days Tuesday, Wednesday and Thursday.

The Chair would request that the Republicans remain here in the House for about a five-minute caucus immediately following the termination of today's session.

On motion of Mr. Whitman of Woodstock,

Adjourned until ten o'clock, Tuesday morning, April 25.