

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and First
Legislature*

OF THE

STATE OF MAINE

1963

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Tuesday, April 9, 1963

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

Prayer by the Rev. Mr. Rodman Cart of the Congregational Church, Farmington.

The members stood at attention during the playing of the National Anthem.

The journal of the previous session was read and approved.

The SPEAKER: The Chair is especially pleased this morning to welcome and recognize in the balcony of the House, twenty-one students from the Milbridge High School, accompanied by their teachers, Mr. Drisko and Mr. Tucker. These young people are the special guests of your Speaker this morning, Mr. Drisko being a former instructor of myself.

On behalf of the House, the Chair extends to you young people a warm and friendly greeting, and we trust that you will enjoy and profit by your visit with us this morning. Will you please stand and be recognized. (Applause)

**Papers from the Senate
Senate Reports of Committees
Leave to Withdraw**

Report of the Committee on Towns and Counties on Bill "An Act Increasing Salary of County Treasurer of Washington County" (S. P. 344) (L. D. 1009) reporting Leave to Withdraw, as it is covered by other legislation.

Came from the Senate read and accepted.

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

Ought Not to Pass

Report of the Committee on Retirements and Pensions reporting "Ought not to pass" on Resolve Relating to Retirement Benefit for Lona A. Tower of Warren (S. P. 282) (L. D. 796)

Report of the Committee on State Government reporting same on Senate Joint Order Relative to Investi-

gation of Discrimination by Department of Labor (S. P. 503)

Came from the Senate read and accepted.

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

**Ought to Pass in New Draft
Tabled and Assigned**

Report of the Committee on Appropriations and Financial Affairs on Resolve Relating to Research and Experimental Work in Relation to the Culture of Sugar Beets in Maine (S. P. 222) (L. D. 610) reporting same in a new draft (S. P. 559) (L. D. 1499) 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.

The SPEAKER: The Chair recognizes the gentleman from Stonington, Mr. Richardson.

Mr. RICHARDSON: Mr. Speaker, I respectfully request that this matter be tabled until April 23rd.

Mr. Jalbert of Lewiston then requested a division on the tabling motion.

The SPEAKER: The question before the House is the motion of the gentleman from Stonington, Mr. Richardson, that item four be tabled until April 23rd and a division has been requested. All those in favor of tabling until April 23, will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Sixty-three having voted in the affirmative and twenty-one having voted in the negative, the tabling motion did prevail.

Thereupon, the Report and Bill were tabled pending acceptance of the Committee Report and specially assigned for Tuesday, April 23.

Report of the Committee on State Government on Bill "An Act Transferring Duties of Commissioner of Agriculture Relating to Shellfish to Commissioner of Sea and Shore Fisheries and Revising Laws There-to" (S. P. 486) (L. D. 1338) reporting same in a new draft (S. P.

554) (L. D. 1489) 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 tomorrow assigned.

Ought to Pass

Report of the Committee on Appropriations and Financial Affairs reporting "Ought to pass" on Resolve for Purchase of Copies of 'Maine Province and Court Records, Volume V' (S. P. 169) (L. D. 468)

Report of the Committee on Towns and Counties reporting same on Bill "An Act to Provide for Special Deputy Clerks of Court" (S. P. 403) (L. D. 1106)

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

In the House, the Reports were read and accepted in concurrence, the Bill read twice, Resolve read once, and tomorrow assigned.

Ought to Pass with Committee Amendment

Report of the Committee on Highways on Bill "An Act Providing for Area Directional Sign on Maine Turnpike for Rumford" (S. P. 360) (L. D. 1026) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 360, L. D. 1026, Bill, "An Act Providing for Area Directional Sign on Maine Turnpike for Rumford."

Amend said Bill in the title by striking out the word "Rumford" and inserting in place thereof the words 'Andover-Rumford Area'

Further amend said Bill by striking out all of the 5th underlined line and inserting in place thereof the following:

"III-A. Andover-Rumford Area: Such sign shall be constructed"

Further amend said Bill in the 6th line by striking out the underlined figure "2" and inserting in place thereof the underlined figure "3"; and by striking out in the 7th line the underlined words "the Auburn exit" and inserting in place thereof the underlined word and figure 'exit 12'; and by striking out all of the last line and inserting in place thereof the following:

"Andover-Rumford Recreation Area-Exit 12;"

Committee Amendment "A" was adopted in concurrence and the Bill assigned for third reading tomorrow.

Tabled and Assigned

Report of the Committee on Public Utilities on Bill "An Act to Clarify Granting of Water Pipe Location Permits" (S. P. 432) (L. D. 1175) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

In the House, the Report was read.

(On motion of Mr. Knight of Rockland, tabled pending acceptance of the Committee Report and specially assigned for Wednesday, April 17.)

Amended in Senate

Report of the Committee on Appropriations and Financial Affairs on Resolve Reimbursing Certain Municipalities on Account of Property Tax Exemptions of Veterans (S. P. 97) (L. D. 234) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

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

COMMITTEE AMENDMENT "A" to S. P. 97, L. D. 234, Resolve, Reimbursing Certain Municipalities on Account of Property Tax Exemptions of Veterans.

Amend said Resolve by striking out the 35th line from the end which relates to the Town of Randolph and inserting in place thereof the following:

'Randolph 830.43 1,008.95 1,839.38'

Further amend said Resolve by striking out all of the last line which relates to the totals and inserting in place thereof the following:

'Totals

\$92,377.88 \$114,651.51 \$207,029.39'

Committee Amendment "A" was adopted in concurrence.

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

SENATE AMENDMENT "A" to S. P. 97, L. D. 234, Resolve, Reimbursing Certain Municipalities on Account of Property Tax Exemptions of Veterans.

Amend said Resolve in the 2nd line by striking out the figure "\$206,894.64" and inserting in place thereof the figure '\$207,029.39'

Senate Amendment "A" was adopted in concurrence and the Resolve assigned for second reading tomorrow.

Non-Concurrent Matter

Report of the Committee on Industrial and Recreational Development on Resolve Appropriating Money for an Additional Public Relations Representative, Department of Economic Development (S. P. 294) (L. D. 867) reporting that it be referred to the Committee on Appropriations and Financial Affairs which Report and Resolve were indefinitely postponed in non-concurrence in the House on April 3.

Came from the Senate with that body voting to insist on its former action whereby the Report was accepted and the Resolve referred to the Committee on Appropriations and Financial Affairs.

In the House:

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

Mr. LITTLEFIELD: Mr. Speaker, this bill calls for an additional public relations representative in the Department of Economic Development. Three people have told me it was being made for me. I don't want it. I move that we adhere.

Thereupon, the House voted to adhere to its former action whereby the Report and Resolve were indefinitely postponed.

Non-Concurrent Matter

Bill "An Act Providing for Adult Identification Cards under Liquor Law" (S. P. 300) (L. D. 873) which was indefinitely postponed in non-concurrence in the House on March 13.

Came from the Senate with that body voting to insist on its former action whereby the Bill was passed to be engrossed.

In the House: On motion of Mr. Pease of Wiscasset, the House voted to adhere to its former action whereby the Bill was indefinitely postponed.

Non-Concurrent Matter Tabled and Assigned

Bill "An Act relating to Definition of 'Hotel' under Liquor Law" (H. P. 299) (L. D. 393) on which the House insisted on March 27 on its action whereby the Bill was passed to be engrossed as amended by House Amendment "A".

Came from the Senate indefinitely postponed in non-concurrence.

In the House: On motion of Mr. Rust of York, tabled pending further consideration and specially assigned for Tuesday, April 23.

Non-Concurrent Matter

Report of the Committee on Inland Fisheries and Game reporting "Ought not to pass" on Bill "An Act relating to Sale of Publications of Department of Inland Fisheries and Game" (H. P. 589) (L. D. 827) which was read and accepted in the House on March 6.

Came from the Senate with the Report and Bill recommitted to the Committee on Inland Fisheries and Game in non-concurrence.

In the House: On motion of Mr. Humphrey of Augusta, the House voted to recede and concur with the Senate.

Non-Concurrent Matter

Bill "An Act Providing an Additional Reporter for Industrial Accident Commission" (H. P. 683) (L. D. 939) which was passed to be engrossed as amended by House Amendment "A" in the House on March 29.

Came from the Senate passed to be engrossed as amended by House Amendment "A" and Senate Amendment "A" in non-concurrence.

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

Non-Concurrent Matter

Bill "An Act Limiting the Amount of Salary of Certain State Officers" (H. P. 830) (L. D. 1217) on which the House accepted the Minority "Ought to pass" Report of the Committee on State Government and passed the Bill to be engrossed as amended by House Amendment "B" on April 3.

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

In the House: On motion of Mr. Berman of Houlton, the House voted to insist on its former action and request a Committee of Conference.

Non-Concurrent Matter

Resolve Authorizing State Highway Commission to Construct Certain Highway Facilities on Interstate Highway 95 in the Towns of Kittery and York (H. P. 975) (L. D. 1347) which was passed to be engrossed in the House on March 26.

Came from the Senate passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

In the House: On motion of Mr. Rust of York, the House voted to recede and concur with the Senate.

**Non-Concurrent Matter
Tabled and Assigned**

An Act Providing for Transportation of Deer by Maine Members of Armed Forces (H. P. 38) (L. D. 61) which was passed to be enacted in the House on February 20 and passed to be engrossed on February 12.

Came from the Senate indefinitely postponed in non-concurrence.

In the House: On motion of Mr. Karkos of Lisbon, tabled pending further consideration and specially assigned for later in today's session.

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

Non-Concurrent Matter

An Act Increasing Number of Superintending School Committee of Town of Baileyville (H. P. 986) (L. D. 1428) which was passed to be enacted in the House on March 7 and passed to be engrossed on March 5.

Came from the Senate recommitted to the Committee on Municipal Affairs in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Wellman.

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

The SPEAKER: The motion is not in order.

Mr. WELLMAN: I move that we recommit this bill to the Committee on Municipal Affairs.

The SPEAKER: Does the gentleman wish to suspend the rules and to reconsider our action whereby this bill has been passed to be engrossed?

Mr. WELLMAN: I do.

The SPEAKER: Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: Now is it the pleasure of the House to recommit to the Committee on Municipal Affairs? It is a vote.

For the information of the House, we will start all over again and do this correctly. Is it now the pleasure of the House that the rules be suspended for the purpose of reconsideration?

The motion prevailed.

The SPEAKER: Is it now the pleasure of the House that we reconsider our action whereby this Bill was enacted in the House on March 7 and passed to be engrossed on March 5?

The motion prevailed.

The SPEAKER: Now is it the pleasure of the House that this Bill

be recommitted to the Committee on Municipal Affairs?

The motion prevailed. The Report and Bill were recommitted to the Committee on Municipal Affairs in concurrence.

From the Senate: The following Communication: (S. P. 564)

DEPARTMENT OF STATE
STATE OF MAINE
Augusta

March 27, 1963

To the Members of the
House and Senate
of the 101st Legislature
State House
Augusta, Maine

Dear Members:

The State of Wyoming has sent seven Memorials to Congress for transmittal to the State Legislature.

The Memorials are submitted herewith.

Very truly yours,

(Signed)

PAUL A. MacDONALD
Secretary of State

Enclosures:

No. 17 — Repeal of Arms Control Act

No. 9 — Requesting 90 percent of Sales of Minerals be credited to the State of Wyoming; U.S. controls over 50 percent of land and 70 percent of the minerals in or under the lands of the State

No. 12 — Opposing creation or extension of wilderness areas

No. 23 — Opposing federal legislation which would encroach on state's Workmen's Compensation Programs

No. 8 — Re: Application for federal small loan projects

No. 7 — Enacting certain legislation to make various areas of reclamation non-reimbursables

No. 11 — Requesting U. S. to provide legislation recognizing laws of states re control of waters within state's boundaries

Came from the Senate read and with accompanying Memorials ordered placed on file.

In the House, the Communication was read and with accompanying Memorials ordered placed on file in concurrence.

Orders

On motion of Mr. Minsky of Bangor, it was

ORDERED, that Katharina Steinhauer of Spiez, Switzerland; Irene Richter of Stuttgart, Germany; and Simon Kjaernested of Reykjavik, Iceland, be appointed to serve as Honorary Pages for today.

The SPEAKER: These three students are spending a year in the United States under the auspices of the American Field Service which this year has brought over 2500 high school seniors to the United States. These students live with American families, attend our high schools and generally participate in all activities as any American youth. Irene is a senior at Brewer High School, while Kathy and Simon are seniors at Bangor High School.

This Order, having received passage, the Chair will ask the Sergeant-at-Arms to retire to the rear of the Hall of the House and conduct these young people to their positions as Honorary Pages for the day.

Thereupon, the Sergeant-at-Arms escorted Katharina Steinhauer, Irene Richter, and Simon Kjaernested to the well of the Hall of the House to serve as Honorary Pages for the day. (Applause, the members rising.)

House Reports of Committees Leave to Withdraw

Mr. Curtis from the Committee on Education on Bill "An Act relating to Teaching Benefits for Military Service" (H. P. 900) (L. D. 1308) reported Leave to Withdraw.

Mr. Waterman from the Committee on Taxation reported same on Bill "An Act Making Motor Vehicles of Certain Public Utilities Subject to Motor Vehicle Excise Tax" (H. P. 951) (L. D. 1385)

Reports were read and accepted and sent up for concurrence.

Ought Not to Pass

Mr. Pierce from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Bill "An Act Providing for 'Breath-Test-Meters'" (H. P. 564) (L. D. 1045)

Mr. Pitts from the Committee on Public Utilities reported same on

Bill "An Act Prohibiting the Misuse of Railroad Signal Equipment" (H. P. 880) (L. D. 1265)

Mr. Taylor from same Committee reported same on Bill "An Act Prohibiting Tampering with Railroad Switches, Lights and Signals" (H. P. 878) (L. D. 1263)

Mr. Welch from same Committee reported same on Bill "An Act relating to Margins on Railroad Yard Tracks for Safety of Employees" (H. P. 879) (L. D. 1264)

Reports were read and accepted and sent up for concurrence.

Ought to Pass in New Draft New Drafts Printed Tabled and Assigned

Mr. Cope from the Committee on Legal Affairs on Bill "An Act Prohibiting the Use of Live Birds and Animals for Certain Purposes" (H. P. 823) (L. D. 1210) reported same in a new draft (H. P. 1038) (L. D. 1505) under same title and that it "Ought to pass"

Report was read.

(On motion of Mr. Taylor of South Portland, tabled pending acceptance of the Committee Report and specially assigned for Wednesday, April 17.)

Mr. Cote from the Committee on Legal Affairs on Bill "An Act Repealing Certain Laws Relating to Bowling Alleys and Billiard Rooms" (H. P. 780) (L. D. 1133) reported same in a new draft (H. P. 1039) (L. D. 1506) under title of "An Act Repealing Certain Laws Relating to Bowling Alleys and Billiard Rooms and Relating to Minors Therein" and that it "Ought to pass"

Mrs. White from same Committee on Bill "An Act relating to Recording of a Memorandum of Lease of Real Estate" (H. P. 933) (L. D. 1367) reported same in a new draft (H. P. 1040) (L. D. 1507) under same title and that it "Ought to pass"

Mr. Prince from the Committee on Retirements and Pensions on Bill "An Act relating to Out-of-State Credit for Service of Members of Maine State Retirement System" (H. P. 828) (L. D. 1215) which was re-committed, reported same in a new draft (H. P. 1041) (L. D. 1508) under same title and that it "Ought to pass"

Reports were read and accepted, the New Drafts read twice and tomorrow assigned.

Ought to Pass Printed Bills

Mr. Easton from the Committee on Education reported "Ought to pass" on Bill "An Act to Authorize the Municipalities of Oakfield, Island Falls, Dyer Brook, Merrill, Smyrna and Crystal to Form a School Administrative District" (H. P. 1007) (L. D. 1458)

Report was read and accepted, the Bill read twice and tomorrow assigned.

Referred to 102nd Legislature

Mr. Tyndale from the Committee on Public Utilities on Bill "An Act relating to Certificate of Public Necessity for Transporting Freight for Hire as a Common Carrier" (H. P. 877) (L. D. 1262) reported that it be referred to the 102nd Legislature.

Report was read and accepted, the Bill referred to the 102nd Legislature and sent up for concurrence.

Ought to Pass with Committee Amendment

Mr. Curtis from the Committee on Education on Bill "An Act relating to Courses of Study at and Degrees by the State Teachers' Colleges" (H. P. 636) (L. D. 892) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 636, L. D. 892, Bill, "An Act Relating to Courses of Study at and Degrees by the State Teachers' Colleges."

Amend said Bill in that part designated "Sec. 225," of section 3 by striking out all of the underlined 5th, 6th and 7th lines and inserting in place thereof the following:

"the same. The board may confer appropriate degrees based upon 4 or 5 years of instruction. Degrees beyond the bachelor's degree may be granted only by colleges accredited by the New England Association of Colleges and Secondary Schools."

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

Mrs. Lincoln from the Committee on Retirements and Pensions on Bill "An Act to Increase the Pensions of Certain Retired Teachers" (H. P. 246) (L. D. 314) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 246, L. D. 314, Bill, "An Act to Increase the Pensions of Certain Retired Teachers."

Amend said Bill by striking out all of the amending clause of section 2 and inserting in place thereof the following:

'Sec. 2. R.S., c. 63-A, Sec. 6, sub-Sec. II, Paragraphs C-1 — C-3, additional. Subsection II of section 6 of chapter 63-A of the Revised Statutes, as enacted by section 1 of chapter 417 of the public laws of 1955, and as amended, is further amended by inserting after paragraph C, 3 new paragraphs C-1, C-2 and C-3, to read as follows:'

Further amend said Bill in section 2 by striking out the single quotation mark at the end and inserting in place thereof the following underlined paragraph:

"C-3. Any teacher now or hereafter retired who is receiving a veterans administration benefit may elect to receive, or not receive, any additional benefit under this chapter if it affects the receiving of any such veterans administration benefit."

Further amend said Bill by striking out the figure "\$114,000" in the 2nd line of section 3 and inserting in place thereof the figure '\$227,517'; and by striking out in the 3rd line the figure "\$114,000" and inserting in place thereof the figure '\$225,001'

Further amend said Bill by adding at the end the following new section:

'Sec. 4. Effective date. This act shall become effective 93 days after the adjournment of the Legislature.'

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

Divided Report Tabled and Assigned

Report "A" of the Committee on Public Utilities on Bill "An Act relating to Transportation to Islands in Casco Bay" (H. P. 611) (L. D. 846) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Mrs. HARRINGTON of Penobscot
Mr. PHILBRICK of Penobscot
— of the Senate.

Messrs. TYNDALE
— of Kennebunkport
WELCH of Chapman
PLANTE

of Old Orchard Beach
— of the House.

Report "B" of same Committee reporting "Ought not to pass" on same Bill.

Report was signed by the following members:

Mr. BOISVERT of Androscoggin
— of the Senate.

Messrs. RAND of Yarmouth
PITTS of Harrison
TAYLOR of South Portland
PHILBRICK of Augusta
— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Harpswell, Mr. Prince.

Mr. PRINCE: Mr. Speaker and Members of the House: This is a bad bill. It is commonly called the Casco Bay Monopoly Bill. The legislation asked for here revolves around safety, and I would like to remind the members of the House that any vessel or any boat in tidal waters is controlled by the U. S. Coast Guard. They can do the best job, and they do the final job. The judgment of the Island people do not want this legislation to pass, and I maintain that this is a monopoly bill because there isn't any other condition along the coast of Maine where this condition is asked for. It is not needed at all, and I move that we accept the "Ought not to pass" Report.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Minsky.

Mr. MINSKY: Mr. Speaker, I would move that this item be tabled until one week from today.

Thereupon, the Reports and Bill were tabled pending the motion of Mr. Prince of Harpswell that the House accept Report "B" "Ought not to pass" Report and specially assigned for Tuesday, April 16.

Passed to Be Engrossed

Bill "An Act relating to the Organization of the Maine State Guard" (S. P. 85) (L. D. 192)

Bill "An Act relating to Indian Tribal Elections" (S. P. 310) (L. D. 976)

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 relating to Attendance Officers of Passamaquoddy Indian Tribe" (S. P. 311) (L. D. 977)

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

Mr. Tyndale of Kennebunkport offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 311, L. D. 977, Bill, "An Act Relating to Attendance Officers of Passamaquoddy Indian Tribe."

Amend said Bill in the 6th line by striking out the underlined figure "89" and inserting in place thereof the underlined figure "92"

House Amendment "A" was adopted and the Bill passed to be engrossed as amended by House Amendment "A" and sent to the Senate.

Third Reader Tabled and Assigned

Bill "An Act Providing Area Directional Sign for Dmariscotta-Pemaquid Region" (S. P. 312) (L. D. 978)

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

(On motion of Mr. Pease of Wiscasset, tabled pending passage to be engrossed and specially assigned for Friday, April 12.)

Bill "An Act relating to Qualifications for Voting on Indian Reservations" (S. P. 449) (L. D. 1278)

Was 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 Tabled and Assigned

Bill "An Act to Authorize Town of Woodville to Pay for Power Line" (H. P. 258) (L. D. 327)

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

(On motion of Mr. Birt of East Millinocket, tabled pending passage to be engrossed and specially assigned for Wednesday, April 24.)

Bill "An Act relating to Payments to Sagadahoc County Law Library" (H. P. 755) (L. D. 1084)

Was 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

Tabled and Assigned

Bill "An Act relating to Licensing of Children's Homes and Defining Day Care Facilities" (H. P. 860) (L. D. 1247)

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

Mr. Tyndale of Kennebunkport offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 860, L. D. 1247, Bill, "An Act Relating to Licensing of Children's Homes and Defining Day Care Facilities."

Amend said Bill by striking out all of the 5th line and inserting in place thereof the following:

'a boardinghouse or home for one 4 or more children under 15 21 years'

House Amendment "A" was adopted.

(On motion of Mr. MacLeod of Brewer, tabled pending passage to be engrossed and specially assigned for Friday, April 12.)

Resolve Increasing Pension of Maurice Albert of Madawaska (H. P. 348) (L. D. 502)

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

Amended Bills

Bill "An Act relating to Definition of and Educational Assistance for Orphans of Veterans" (S. P. 466) (L. D. 1293)

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.

Third Reader Tabled and Assigned

Bill "An Act relating to Operation of Farm Trailers Without Registration" (H. P. 620) (L. D. 855)

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

(On motion of Mr. Coulthard of Scarborough, tabled pending passage to be engrossed and specially assigned for tomorrow.)

Bill "An Act to Revise the Civil Defense and Public Safety Council Law" (H. P. 832) (L. D. 1219)

Bill "An Act relating to Optometric Services under Aid to the Blind and Nonprofit Hospital Organizations Laws" (H. P. 904) (L. D. 1312)

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

Emergency Measure Tabled and Assigned

An Act Revising the Law Relating to Closing-Out Sales (S. P. 48) (L. D. 98)

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

(On motion of Mr. Ayoob of Fort Fairfield, tabled pending passage to be enacted and specially assigned for Tuesday, April 16.)

Passed to Be Enacted Emergency Measure

An Act to Authorize the Municipalities of Corinna and Newport to Form a School Administrative District (H. P. 367) (L. D. 540)

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 division was had, 134 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 Repealing Charter of Pittsfield Water Company and Transferring Assets to the Town of Pittsfield (H. P. 609) (L. D. 844)

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 division was had, 136 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

The SPEAKER: The Speaker is pleased to recognize in the balcony of the House this morning, fifty-three seniors from Skowhegan High School, supervised by David Mattsen, their American Government teacher. These are the special guests of Representative Gerry Wade of Skowhegan.

On behalf of the House, the Chair extends to you young people a warm and cordial welcome and we trust that you will enjoy and profit by your visit with us here this morning. (Applause)

Passed to Be Enacted

An Act relating to Lapsing of Funds Appropriated to Construct a Fishway at Aroostook Falls (S. P. 163) (L. D. 439)

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

**Enactor
Tabled and Assigned**

An Act to Change the Fiscal Year of City of Lewiston (S. P. 280) (L. D. 794)

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

(On motion of Mr. Bussiere of Lewiston, tabled pending passage to be enacted and specially assigned for Tuesday, April 16.)

An Act relating to Town Manager Form of Government (S. P. 330) (L. D. 995)

An Act relating to Salary of Commissioner of Education (S. P. 373) (L. D. 1039)

An Act Adding the Suspension or Revocation of Licenses of Official Inspection Stations to the Administrative Code (S. P. 359) (L. D. 1286)

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 relating to Fee for Tags in Registering Deer (H. P. 40) (L. D. 63)

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

The SPEAKER: The Chair recognizes the gentleman from Denmark, Mr. Dunn.

Mr. DUNN: Mr. Speaker and Members of the House: This is a very small matter — it involves eight to ten thousand dollars a year. It transfers the cost of tagging the deer from the Fish and Game Department to the hunter. It really belongs with the Fish and Game Department. I believe that it gives a sort of 'penny-pinching' image of the State. I now move that L. D. 63 be indefinitely postponed.

The SPEAKER: The gentleman from Denmark, Mr. Dunn, moves that item 9, "An Act relating to Fee for Tags in Registering Deer," House Paper 40, Legislative Document 63, be indefinitely postponed.

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

Mr. RUST: Mr. Speaker, Ladies and Gentlemen of the House: I must rise in opposition to the mo-

tion of the gentleman from Denmark, Mr. Dunn. He says that this is a small matter, and by comparing this particular piece of legislation with others, it is a small matter. However, it does have considerable merit in my opinion. This bill means that the Fish and Game Department will be able to obtain something in the vicinity of twelve to thirteen thousand additional dollars of revenue in the biennium for the purposes of fish-stocking. It also means that the Fish and Game Department will be relieved of a considerable burden in administering the deer registering stations by figuring out the number of deer that have been tagged, the payments that go to each of these, keeping the records, etc. This will mean a further saving to the Fish and Game Department. This bill now has the support of that Department. It also will give a little break to the people who register the deer at the deer-tagging stations by giving them a little larger compensation. I think anybody that has successfully shot a deer will certainly be willing to pay twenty-five cents to register it. This is where it belongs rather than in the licensing fee. I hope the motion to indefinitely postpone does not prevail, and I request a division.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Livermore, Mr. Boothby.

Mr. BOOTHBY: Mr. Speaker, the people in my area are very much opposed to this bill. They say that when you charge an out-of-state hunter a good round price for a deer license, you shouldn't slap him in the face with a twenty-five dollars to take a deer out if he has been successful. Another thing I believe that the Fish and Game Department hire these people or contract with them to tag these deer, and I think that they should pay them. Thank you.

The SPEAKER: Is the House ready for the question?

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

Mr. RUST: Mr. Speaker, Ladies and Gentlemen of the House: I would just like to correct one thing that the gentleman from Livermore

Falls, Mr. Boothby, said. He indicated that the fee here was twenty-five dollars for the transportation. I think on that particular point, he is referring to a different bill than the one we have here. This involves twenty-five cents to register a deer.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Denmark, Mr. Dunn, that item 9, "An Act relating to Fee for Tags in Registering Deer," House Paper 40, Legislative Document 63, be indefinitely postponed. A division has been requested.

All those in favor of the indefinite postponement of this Bill, will 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-nine having voted in the negative, the motion did not prevail.

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

Enactor

Tabled and Assigned

An Act Clarifying the Maine Milk Law (H. P. 172) (L. D. 241)

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

(On motion of Mr. Childs of Portland, tabled pending passage to be enacted and specially assigned for tomorrow.)

An Act Providing for a New Charter for the City of Waterville (H. P. 383) (L. D. 582)

An Act Granting Full Pension Benefits to Lillian Watson of Bangor (H. P. 499) (L. D. 701)

An Act Increasing Compensation of Members of Maine Employment Security Commission (H. P. 682) (L. D. 938)

An Act Increasing Salary of Insurance Commissioner (H. P. 752) (L. D. 1081)

An Act relating to Retirement of Employee Option by Local Districts under Maine State Retirement System (H. P. 789) (L. D. 1142)

An Act Providing for Voting

by New Residents in Presidential Election (H. P. 803) (L. D. 1190)

An Act Increasing Salary of Director of Legislative Research (H. P. 836) (L. D. 1223)

An Act to Create a Commission on Intergovernmental Relations (H. P. 942) (L. D. 1376)

An Act relating to Fees of Tax Collector of Town of Dedham in Collecting Lucerne-in-Maine Village Corporation Taxes (H. P. 1018) (L. D. 1473)

An Act Increasing Salary of Reporter of Decisions (H. P. 1023) (L. D. 1479)

Finally Passed

Resolve Providing a World War I Bonus for George E. Maroon of Lewiston (H. P. 966) (L. D. 1405)

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.

The SPEAKER: The Chair is pleased again this morning to recognize in the balcony of the House, ninety-one students from the Monmouth Memorial Junior High School, with their teachers: Mr. Cottrell, Mr. Barrett, Mrs. Ham and Mr. Murphy; accompanied by their parents, Mr. and Mrs. Ward; Mrs. Cottrell and Mrs. Folsom. Mr. Cottrell is the cousin of Representative Cottrell of Portland. These are the special guests of Representative Thaanum of Winthrop.

On behalf of the House, the Chair extends to you young people a warm and cordial welcome, and we trust that you will enjoy and profit by your visit with us here this morning. (Applause)

Orders of the Day

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

HOUSE REPORT — Ought to pass—Committee on State Government on Bill "An Act to Clarify and Revise Laws of Department of Economic Development." (H. P. 834) (L. D. 1221)

Tabled — March 29, by Mr. Cookson of Glenburn.

Pending—Acceptance of Report.

The SPEAKER: The Chair recognizes the gentleman from Glenburn, Mr. Cookson.

Mr. COOKSON: Mr. Speaker, I move that this Bill be referred to the Committee on Industrial and Recreational Development.

The SPEAKER: The Chair understands that the gentleman from Glenburn, Mr. Cookson, moves that the House accept the "Ought to pass" Report. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The Chair now understands that the gentleman from Glenburn, Mr. Cookson, moves that this be referred to the Committee on Industrial and Recreational Development.

The Chair recognizes the gentleman from Strong, Mr. Smith.

Mr. SMITH: Mr. Speaker, I wish that this matter be tabled until tomorrow.

Thereupon, the Report and Bill were tabled pending the motion of Mr. Cookson of Glenburn that the Report and Bill be referred to the Committee on Industrial and Recreational Development and specially assigned for tomorrow.

The Chair laid before the House the second tabled and today assigned matter of Unfinished Business.

HOUSE MAJORITY REPORT (8)—Ought not to pass—MINORITY REPORT (2)—Ought to pass—Committee on State Government on Resolve Authorizing the Disposal of Western Maine Sanatorium (H. P. 401) (L. D. 600)

Tabled—March 29, by Mr. Tynedale of Kennebunkport.

Pending Motion of Mr. Hammond of Paris to Accept Majority ONTP Report.

On motion of Mr. Hammond of Paris, retabled pending acceptance of the Majority "Ought not to pass" Report and specially assigned for Tuesday, April 16.

The SPEAKER: The Speaker is very pleased this morning to see Representative Bradeen in his seat after being ill for some weeks. (Applause)

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

Bill "An Act to Authorize Cumberland County to Raise Money for Court House Capital Improvements." (S. P. 283) (L. D. 797)—In Senate engrossed with Committee Amendment "A" (Filing S-93)

Tabled — March 29, by Mrs. Smith of Falmouth.

Pending — Third Reading.

On motion of Mrs. Smith of Falmouth, retabled pending third reading and specially assigned for Friday, April 12.

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

Bill "An Act Increasing Salary of Members of Public Utilities Commission." (H. P. 505) (L. D. 707) (Filing H-166)

Tabled—March 29, by Mr. Taylor of So. Portland.

Pending—Passage to be Engrossed.

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

Mr. TAYLOR: Mr. Speaker, Ladies and Gentlemen of the House: At present, the members of the Public Utilities Commission govern a large portion of our lives, the lives of the people here in the State of Maine. I believe in view of the fact that the rates have been increasing so tremendously over the past few years, and the members are presently being well paid with salaries of \$10,000 a year for two of the members and \$11,500 for the Chairman; in view of this fact and in certain cases, the rates of these utilities under their jurisdiction have risen over one hundred per cent in the last ten years, it would seem that it is time to make known the general feeling that these increases in rates must stop. Now is the time to make this sentiment effective. I move for indefinite postponement on this bill.

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

Mr. DENNETT: Mr. Speaker and Members of the House: This bill

came out of the committee on State Government with the unanimous "Ought to pass" report. I find myself quite violently in opposition to the motion made by the Representative from South Portland, Mr. Taylor. I think if we are granting pay raises or not granting them, certainly the basis of the increase in the public utilities' rate is not a basis on which to deny the members of the Public Utilities Commission an increase in pay.

Now relative to these several pay increases that have come out of this Committee, there has been a pretty firm basis for them all, the Public Utilities Commissioners not being any exception to the rule.

Of course those of you who were here in the last session, well remember that I was, you might almost say, a rabid opponent of any pay raises, but this Legislature has been placed in a very peculiar position by raises which were granted by the Governor and Council to certain heads of departments prior to the convening of this Legislature. It left those department heads, who were strictly under the jurisdiction of the Legislature relative to pay raises, in a very peculiar position. We had at least to make some effort to show them that they were not forgotten entirely. Perhaps had there been no other pay raises granted, we might have felt a little differently.

We spent many hours, I think definitely hours, in going over and attempting to evaluate these several raises in pay. The raises that we granted to the members of the Public Utilities Commission were modest. They were far from being what they asked for, but they were generally in line with other raises that were granted. I certainly hope that the motion to indefinitely postpone is defeated, and when the vote is taken, I ask for a division.

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

Mr. LITTLEFIELD: Mr. Speaker, I would like to ask one

question. How much raise are we proposing to give the Commissioners?

The SPEAKER: The gentleman from Hampden, Mr. Littlefield, poses a question through the Chair to any member of the State Government Committee who wishes to answer. The question was: how much are we proposing to raise the various department heads?

The Chair recognizes the gentleman from Bowdoinham, Mr. Curtis.

Mr. CURTIS: Mr. Chairman, under the Senate Filing S-103, it would change it from \$10,000 to \$5,000. I think that might answer the question.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Wellman.

Mr. WELLMAN: Mr. Speaker, I move that this bill lie on the table until tomorrow.

Thereupon, the Bill "An Act Increasing Salary of Members of Public Utilities Commission," House Paper 505, Legislative Document 707, was tabled pending the motion of Mr. Taylor of South Portland that the Bill be indefinitely postponed and specially assigned for tomorrow.

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

AN ACT relating to Registration of Motor Vehicles Required to be Registered in Another State by Maine Residents. (S. P. 345) (L. D. 1010)

Tabled—March 29, by Mr. Finley of Washington.

Pending — Passage to be Enacted.

The SPEAKER: The Chair recognizes the gentleman from Washington, Mr. Finley.

Mr. FINLEY: Mr. Speaker, Ladies and Gentlemen of the House: In regard to item 5, An Act relating to Registration of Motor Vehicles Required to be Registered in Another State by Maine Residents, Senate Paper 345, L.D. 1010, I might add that this bill was introduced in the Committee of Transportation by Senator Wyman of Washington. At the time of

the presentation, there was no opposition. So that when it came out of the Committee, we came out with an "Ought to pass" Report, "which was upheld in the House. I now move that we adhere to our former action.

The SPEAKER: The pending question is the final enactment of the bill.

The Chair recognizes the gentleman from Old Orchard Beach, Mr. Plante.

Mr. PLANTE: Mr. Speaker, Ladies and Gentlemen of the House: I agree with the Chairman of the Transportation Committee that those of us who are opposed to this legislative document erred in not appearing before that committee when the bill was heard. However, since the bill has been heard, and since we received communications in areas that this bill would affect, we have found that there is substantial opposition to it.

This bill has been retabled more times than any bill that has been presented before this session. The reason for this has been mainly in search of one single reason why the bill should pass. I have been unable to find one reason.

First of all, this would permit individuals who have Florida registrations and are Maine residents, who return to Maine, who are one, gainfully employed; two, have a business — it would permit them in a legal manner to escape paying the excise tax which my town receives substantial revenue from; and two, the State of Maine receiving the registration of their automobiles. This does not affect states that we have reciprocity with.

Four years ago, we strengthened these laws so those with Florida plates, who place their children in school in Florida, who are gainfully employed in Florida, and who have businesses in Florida; when they return to Maine and have similar businesses, gainfully employment, or use our roads, we ask that we have the same dealings as the State of Florida. What this would do, it would hamper our law enforcement officials who go after these individuals and try

to have them according to our laws, register their cars and pay the municipal excise taxes. This would cause a substantial loss of revenue in my town. Accordingly, I move that this bill be indefinitely postponed.

The SPEAKER: The gentleman from Old Orchard Beach, Mr. Plante, now moves that item 5, An Act relating to Registration of Motor Vehicles Required to be Registered in Another State by Maine Residents, Senate Paper 345, Legislative Document 1010, be indefinitely postponed. Is this the pleasure of the House?

(Cries of "No")

The SPEAKER: All those in favor, please say aye; those opposed say no.

A viva voce vote being taken, the motion prevailed. The Bill was indefinitely postponed in non-concurrence and sent up for concurrence.

The Chair laid before the House the sixth tabled and today assigned matter of Unfinished Business.

HOUSE REPORT "A" (5) — Ought to Pass — Report "B" (4) — Ought Not to Pass — Committee on Liquor Control on Bill "An Act relating to Operation of Retail Store and Restaurant Prior to Application to Sell Malt Liquor." (H. P. 826) (L. D. 1213)

Tabled — March 29, by Mr. Kent of Benton.

Pending — Motion by Mr. Chapman of Norway to Accept Report "B" (Ought not to pass).

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

Mr. CHAPMAN: Mr. Speaker, Ladies and Gentlemen: I have not changed my mind relative to this bill. I still recommend the bill "Ought not to pass."

The SPEAKER: The gentleman from Norway, Mr. Chapman, moves that the House accept the "Ought not to pass" Report. Is that the pleasure of the House?

The motion prevailed. The "Ought not to pass" Report was accepted and sent up for concurrence.

The Chair laid before the House the seventh table¹ and today assigned matter of Unfinished Business:

SENATE REPORT — Ought to pass with Committee Amendment "A" (Filing S-106) — Committee on State Government on Bill "An Act Increasing Salary of Forest Commissioner." (S. P. 374) (L. D. 1040) — In Senate Engrossed as Amended.

Tabled — April 2, by Mr. Bragdon of Perham.

Pending — Acceptance of Report.

On motion of Mr. Bragdon of Perham, retabled pending acceptance of the Committee Report and specially assigned for Tuesday, April 23.

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

HOUSE REPORT—Ought to pass with Committee Amendment "A" (Filing H-184) — Committee on Municipal Affairs on Bill "An Act Repealing Laws Requiring Fences Around Burying Grounds." (H. P. 876) (L. D. 1416)

Tabled — April 2, by Mr. Birt of East Millinocket.

Pending — Acceptance of Report.

On motion of Mr. Birt of East Millinocket, the "Ought to pass" Report was accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 876, L. D. 1416 Bill, "An Act Repealing Laws Requiring Fences Around Burying Grounds."

Amend said Bill in section 2 by striking out all of the 4th line from the end and inserting in place thereof the following: 'shall be liable to a penalty of not more than \$10 \$100 for neglect to'

Further amend said Bill by adding at the end thereof the following section:

"Sec. 4. R. S., c. 90-A, Sec. 12, sub-Sec. II, Paragraph C, amended. Paragraph C of subsection II of section 12 of chapter 90-A of the Revised Statutes, as enacted by section 1 of chapter 405 of the public laws of 1957, is amended to read as follows:

'C. Providing for public cemeteries; maintaining private cemeteries established before 1880; caring for graves of veterans and maintaining fences around cemeteries in which veterans are buried.'

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

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

An Act relating to Rules and Regulations for Length of Duty of Drivers of Vehicles for Hire. (H. P. 677) (L. D. 933)

Tabled — April 2, by Mr. Tyndale of Kennebunkport.

Pending — Passage to be Enacted.

The SPEAKER: The Chair recognizes the gentleman from Kennebunkport, Mr. Tyndale.

Mr. TYNDALE: Mr. Speaker, reference to L. D. 933, item 9, I offer House Amendment "A" and move its adoption.

Mr. ALBAIR of Caribou: Mr. Speaker?

The SPEAKER: For what purpose does the gentleman arise?

Mr. ALBAIR: To make a motion.

The SPEAKER: Relative to what?

Mr. ALBAIR: Item 9, L. D. 933.

The SPEAKER: The gentleman may proceed.

Mr. ALBAIR: I move this item be tabled until Wednesday, April 17.

Thereupon, the Bill was tabled pending passage to be enacted and specially assigned for Wednesday, April 17.

The Chair laid before the House the tenth tabled and today assigned matter of Unfinished Business:

HOUSE REPORT—Ought not to pass—Committee on Sea and Shore Fisheries on Bill "An Act relating to Taking of Alewives in the St. George River in the Towns of Thomaston, South Thomaston, St. George and Cushing." (H. P. 398) (L. D. 597)

Tabled — April 3, by Mr. Wellman of Bangor.

Pending — Motion of Mr. MacPhail of Owl's Head that the Bill be Substituted for the ONTP Report.

On motion of Mr. Waltz of Waldoboro, retabled pending the motion of Mr. MacPhail of Owl's Head that the Bill be substituted for the "Ought

not to pass" Report and specially assigned for Friday, April 12.

The Speaker: The Chair is pleased to recognize in the balcony of the House, twenty-three members of grades seven and eight of the Jefferson Village School. They are accompanied by their Principal, Mrs. Edna Parlin.

On behalf of the House, the Chair extends to you young folks a warm and cordial greeting and we trust that you will enjoy and profit by your visit with us here this morning. (Applause)

The Chair laid before the House the eleventh tabled and today assigned matter of Unfinished Business:

SENATE REPORT — Ought not to pass — Committee on Taxation on Bill "An Act relating to Exempting Manufacturing Establishments and Mines from Property Tax." (S. P. 160) (L. S. 436) — In Senate Referred to Committee on Constitutional Amendments and Legislative Reapportionment.

Tabled—April 3, by Mr. Wellman of Bangor.

Pending — Acceptance of Report.

On motion of Mr. Waterman, the "Ought not to pass" Report was accepted in non-concurrence and sent up for concurrence.

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

HOUSE MAJORITY REPORT (6) — Ought to pass—MINORITY REPORT (3)—Ought not to pass—Committee on Election Laws on Bill "An Act to Authorize a Bond Issue for Purchase of Voting Machines for Resale to Municipalities." (H. P. 97) (L. D. 141)—In House Reports and Bill Indefinitely Postponed.—In Senate Engrossed with Senate Amendment "A" (Filing S-111)

Tabled—April 2, by Mr. Dennett of Kittery.

Pending—Further Consideration.

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

Mr. DENNETT: Mr. Speaker, I believe that this bill possibly is now in a more palatable condition

to the members of this House. As you will recall, in its original form, it called for a bond issue. This has been eliminated and a sort of a revolving fund set up whereby the voting machines would be sold to municipalities at cost plus freight, and the interest that would be charged would be at the same rate of interest that the State of Maine would have to pay if they issued bonds. This would be a much lower rate than the municipalities themselves could obtain. The point is that there is no bond issue to worry about, it establishes sort of a revolving fund. If the Legislature would pass this and then see fit at any time to repeal it, the money would be restored to the General Fund.

Now this is not an attempt to push anything down anyone's throat, it is no attempt to force towns to buy voting machines, there is nothing compulsory about it in any manner. It is simply to enable towns to purchase machines over a longer period of years at a lower cost. It is designed for the benefit of the towns and nothing else. I now move that we recede and concur with the Senate.

The SPEAKER: The question before the House now is the motion of the gentleman from Kittery, Mr. Dennett, that the House recede from its former action. Is this the pleasure of the House?

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

Mr. CHAPMAN: Mr. Speaker, I have no business debating with my eloquent friend from Kittery and I am not quite sure of the palate of the House, but it is no more palatable to me than the other bill was. This \$60,000 would buy thirty-four machines which might all be taken up by one large city. The return would not be rapid enough so that in the second year, you could buy only one machine. You might be able to buy two machines in three years. I'm still opposed to this bill, and hope that the bill is indefinitely postponed.

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mr. McGee.

Mr. MCGEE: Mr. Speaker, as a business manner in the purchase

of these machines, there isn't anything that would prevent any municipality from buying these machines themselves. They can buy them just as cheap, and if they have the credit sometimes they can get the money cheaper that way on their own credit than they can from the state. And if the towns or cities are in such a condition that they haven't the credit, they shouldn't have to go into debt anymore anyway. They should wait I think it would be better for the state not to get into any more of these small details, and I would suggest indefinite postponement.

The SPEAKER: The Chair recognizes the gentleman from Anson, Mr. Viles.

Mr. VILES: Mr. Speaker, Ladies and Gentlemen: I was a member of the Committee that heard this bill, and towns can buy machines for something like less than \$200 a year without pledging any state credit or revolving funds, and I certainly would go along with the gentleman from Auburn for indefinite postponement.

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

Mr. BINNETTE: Mr. Speaker, I too was a member of that committee, and I agree very much with Mr. Viles that these communities can purchase a voting machine without having to go through revolving funds or a bond issue. I also agree with Mr. McGee that it isn't such a large sum, and if they can't save it from their own community funds, they better wait until they get some in advance.

The SPEAKER: The Chair recognizes the gentleman from Dexter, Mr. Harrington.

Mr. HARRINGTON: Mr. Speaker, I also was on this committee, and I took a little different stand. We all know of the closeness of the elections, and I feel that this fund might in some way influence the towns to buy voting machines and then we would have more complete, more explicit returns instead of all this recount and all of that. That is why I support Mr. Dennett.

The SPEAKER: Is the House ready for the question? The ques-

tion before the House, and the motion of precedence, is the motion of the gentleman from Kittery, that the House recede from its former action whereby it indefinitely postponed this matter and reports.

Mr. Littlefield of Hampden then requested a division on the motion to recede.

The SPEAKER: A division has been requested. All those in favor of receding from our former action whereby this matter was indefinitely postponed, will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Thirty having voted in the affirmative and one hundred three having voted in the negative, the motion did not prevail.

Thereupon, on motion of Mr. Viles of Anson, the House voted to adhere.

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

HOUSE REPORT — Ought not to pass — Committee on Highways on Bill "An Act relating to Construction of Picnic Areas Along the Maine Turnpike." (H. P. 99) (L. D. 143)

Tabled—April 2, by Mr. Harrington of Dexter.

Pending—Acceptance of Report.

Thereupon, the "Ought not to pass" Report was accepted and sent up for concurrence.

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

HOUSE REPORT—Ought not to pass—Committee on Highways on Bill "An Act relating to Turnpike Signs Designating Conditions in Maine." (H. P. 100) (L. D. 144)

Tabled—April 2, by Mrs. Kilroy of Portland.

Pending—Acceptance of Report.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mrs. Kilroy.

Mrs. KILROY: Mr. Speaker and Members of the House: L. D. 144 was to erect a sign at the entrance

to the Maine Turnpike, and this bill came out "Ought not to pass." I have been assured that this legislation will be taken care of when they construct this new highway at Portsmouth. Therefore, I move that the "Ought not to pass" Report be accepted.

Thereupon, the "Ought not to pass" Report was accepted and sent up for concurrence.

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

Bill "An Act Authorizing Forest Commissioner to Permit and Regulate Dredging in Great Ponds." (H. P. 1015) (L. D. 1469) — House Amendment "A" (Filing H-187)

Tabled—April 2, by Mr. Levesque of Madawaska.

Pending — Passage to be En-grossed.

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

Mr. WILLIAMS: Mr. Speaker and Members: I now present House Amendment "B" to L. D. 1469 and move its adoption.

This amendment merely clarifies a little of the wording in that bill.

Thereupon, House Amendment "B" was read by the Clerk as follows:

HOUSE AMENDMENT "B" to H. P. 1015, L. D. 1469, Bill, "An Act Authorizing Forest Commissioner to Permit and Regulate Dredging in Great Ponds."

Amend said Bill in the 18th line by adding after the underlined words "consulted with" the underlined words "and had the approval of"

House Amendment "B" was adopted.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Wellman.

Mr. WELLMAN: Mr. Speaker, Ladies and Gentlemen of the House: I have no quarrel with this bill. I think it probably is a wise move, but I would like, for the purposes of the record, to direct a question to any member of this House if he would answer the question as to what effect this law will have, if any, on the common law as it

may relate to the ownership of land under the water in the great ponds.

The SPEAKER: The gentleman from Bangor, Mr. Wellman, poses a question through the Chair to any member who wishes to answer.

The Chair recognizes the gentleman from Auburn, Mr. Waterman.

Mr. WATERMAN: Mr. Speaker, Ladies and Gentlemen of the House: I do not pretend to be an authority on ownership of the property under the water in a great pond, but as I understand the present statutes, great ponds are the property of the state and this particular piece of legislation was designed because of the fact there are no regulations presently regarding dredging.

I have talked to the Deputy Attorney General, Mr. West, and the only thing there is on the books now is relative to bulldozing into streams. He felt that this was a step which would give them some authority over dredging. This bill came about because of a constituent of mine who has a dredge and who has dredged on a great pond and he felt that because there was no regulation at the present time, that rather than to continue with no guide lines whatsoever that it would be wise if there was some method whereby someone would have control. With the assistance of his attorney who was a former Speaker in this House, this legislation was drawn up.

When the hearing was held, there were people there who represented the Portland Water District who were concerned because there was the possibility of stirring up waters in Sebago Lake area and a conference was had with them and a redraft was drawn. We have tried to come out with something that would be acceptable to all concerned, and have some regulation on the books so that the state — or there would be some authority through the various departments in the state to regulate this, and if there was valuable material found on the bottom of some lake, why the state would still be the owner of the material on the bottom of these great ponds.

There has been some question as to what might happen to some spawn-

ing beds. I think it was the State of Michigan in the March issue of 1962 of Field and Stream, they have done considerable research in that state, and they have found it has been an assist to their spawning grounds and it has improved their fishing.

This is the second amendment I believe that has been attached to this particular piece of legislation, and I think that there is no question but what both amendments may be beneficial.

I hope I have answered the gentleman's question and perhaps questions that others might have had in their minds concerning this bill. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Wellman.

Mr. WELLMAN: Mr. Speaker, I take it from the answer from my good friend from Auburn that it is not the intent of this Legislature to abrogate the rights of the owners of the lands under the waters whether it be state or private, but merely to provide some control for the use of that land.

The SPEAKER: Is the House ready for the question? Is it now the pleasure of the House that this Bill be passed to be engrossed as amended?

The motion prevailed. The Bill was so passed to be engrossed as amended by House Amendments "A" and "B" and sent to the Senate.

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

AN ACT relating to Power of Eminent Domain of Maine State Park and Recreation Commission." (S. P. 542) (L. D. 1468)

Tabled—April 2, by Mr. Wellman of Bangor.

Pending—Passage to be enacted.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Wellman.

Mr. WELLMAN: Mr. Speaker, I move the rules be suspended whereby we engrossed this bill.

The SPEAKER: The gentleman from Bangor, Mr. Wellman, moves that the rules be suspended in order to move reconsideration

whereby this bill was passed to be engrossed on March 27th? Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The Chair understands now that the gentleman from Bangor, Mr. Wellman, moves that the House reconsider its action? Is that the pleasure of the House?

Mr. WELLMAN: I wish to address myself to this motion, Mr. Speaker.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Wellman.

Mr. WELLMAN: Mr. Speaker, as you perhaps know, I have been working with this bill for some time, because I am one who is extremely fearful of the unrestricted use of the eminent domain procedure. I have found that as I have worked with this bill, in attempting to make it better, I have not. I have only made it worse. I will have prepared an amendment that will bring us back to the position where we originally were when this bill appeared from the Judiciary Committee. This is not the best solution, but it is the only solution that we have to this problem. I now move that this bill lie upon the table until tomorrow.

The SPEAKER: The Chair understands that the gentleman from Bangor, Mr. Wellman, moves reconsideration of our action whereby this bill was passed to be engrossed on March 27.

Now the gentleman moves to table and assign the matter until tomorrow. Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The pending motion will be reconsidering our action whereby it was passed to be engrossed.

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

HOUSE MAJORITY REPORT (9)—Ought not to pass—MINORITY REPORT (1)—Ought to pass—Committee on Industrial and Recreational Development on Bill "An Act relating to Definition of Industrial Projects Under Maine Industrial Building Authority Act."

(H. P. 104) (L. D. 148)—In House Majority Ought not to pass Report Accepted. In Senate Enrolled with Senate Amendment "A" (Filing S-114)

Tabled—April 3, by Mr. Jalbert of Lewiston.

Pending—Motion of Mr. Wellman of Bangor to Recede and Concur.

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

Mr. LITTLEFIELD: Mr. Speaker, I move that we adhere.

The SPEAKER: The gentleman from Hampden, Mr. Littlefield, moves that the House adhere to its former action, but the pending question is the motion of the gentleman from Bangor, Mr. Wellman, to recede and concur. And recede and concur has precedence over adhere.

The Chair recognizes the gentleman from Hampden, Mr. Littlefield.

Mr. LITTLEFIELD: Mr. Speaker, I am sorry to disagree with my colleague from Bangor, Mr. Wellman.

Mr. Speaker, Ladies and Gentlemen of the House: It is my understanding that the Maine Building Authority can guarantee ninety percent of the cost of a building and the land upon which it may be located provided an industry uses it for manufacturing, processing or assembling raw materials, or manufacturing products. This bill proposes to add and for the purposes of research and development, for industrial and manufacturing enterprises. It involves huge sums of money many times, and there is no guarantee that you will get a product. It is research. Neither do I find anything in the bill that would prevent a building from being built on a college campus, and I don't want to see a project all mixed up with Maine Building Authority, the Department of Economic Development and the trustees of an educational institution. Research and development should be left to private enterprise. If they want to make a grant to a school for research work, that is a different problem.

This bill came out of the Committee with a nine to one "ought not to pass" Report. As I remember, only members of the Department of Economic Development spoke for it, although it is a bill related to the Maine Industrial Building Authority. I hope the motion to recede and concur is defeated.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Bangor, Mr. Wellman, that the House recede and concur.

Mr. Anderson of Ellsworth then requested a division on the motion to recede and concur.

The SPEAKER: A division has been requested. All those in favor of receding and concurring with the Senate, will please rise and remain standing until the monitors have made and returned their count.

A division of the House was had.

Sixty-seven having voted in the affirmative and fifty-five having voted in the negative, the motion to recede and concur did prevail.

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

Bill "An Act relating to Mileage and Expenses for Members of Legislature." (H. P. 613) (L. D. 848)—Read Third Time. House Amendment "A" read. (Filing H-199)

Tabled—April 3, by Mr. Berry of Cape Elizabeth.

Pending—Motion of Mr. Berry of Cape Elizabeth to Indefinitely Postpone House Amendment "A".

The SPEAKER: The Chair recognizes the gentleman from Cape Elizabeth, Mr. Berry.

Mr. BERRY: Mr. Speaker, Members of the House: I want to apologize sincerely for the confusion which I created the other day. I have been charged with trying to write a page for the Mock Session, and trying to kill my own bill. I assure you it was neither, it was just pure confusion. I would say, however, that I wasn't quite like the gentleman, a very good friend of mine from the other party, who is a very able parliamentarian and speaker who, on the same day, was speaking to an-

other bill which he didn't realize. I would urge the members to support my motion at this stage for the indefinite postponement of House Amendment "A."

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Berry, moves that the House indefinitely postpone House Amendment "A."

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

Mr. COTTRELL: Mr. Speaker, I would request that this be tabled until Tuesday next.

The SPEAKER: The gentleman from Portland, Mr. Cottrell, moves that item seven be tabled until April 16 pending the motion of the gentleman from Cape Elizabeth, Mr. Berry, to postpone House Amendment "A."

Mr. Berry of Cape Elizabeth then requested a division on the tabling motion.

The SPEAKER: A division has been requested on the tabling motion. All those in favor of tabling this matter until Tuesday next, will please rise and remain standing until the monitors have made and returned their count.

A division of the House was had.

Thirty-nine having voted in the affirmative and ninety-one having voted in the negative, the tabling motion did not prevail.

The SPEAKER: The question before the House is the motion of the gentleman from Cape Elizabeth, Mr. Berry, that House Amendment "A" be indefinitely postponed.

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

Mr. CHILDS: Mr. Speaker, I rise for the purpose of clarifying some remarks that were made on the Floor of the House the other day. It was reported that this particular bill, if it were passed, that those legislators who live within an area and they are commuting, that as a result of this bill, they would be reimbursed for their mileage. I can assure them that this is not true. There is a constitutional prohibition which allows the members of the House to only be reimbursed weekly for their mileage back and forth. I put in this amendment because I feel

that if we are going to, in effect, increase your salaries, and that is all this particular bill does, that it should be known to the people of Maine exactly what it is. I don't think this Legislature should impose upon future legislators the bill in its original form without this amendment. I think we are leaving ourselves wide open for a tremendous amount of criticism.

As you undoubtedly know under your state employee situation as far as expense accounts are concerned, that the only thing that you need a voucher for is for your lodging. In other words, under state employee expense accounts, you are entitled to \$11 a day for lodging. I think this is a fabulous bill for the Augusta House. I think you will find that all their rooms will be immediately increased to \$11 a day and probably every other place in Augusta.

Also under food, there is no limitation as to the amount that can be purchased. The only thing that a legislator would have to do, is to put on his expense account the amount of money that he paid for food, and no vouchers are allowed. Under this situation as far as state employees are concerned, naturally if their food bills are somewhat exorbitant, they can be called in on the carpet. Now I ask you, is the Controller for the State of Maine going to call legislators in to reprimand them for spending too much money for food? You are going to leave yourselves open if you go down to a restaurant here in Augusta and maybe you will find yourself having a cocktail before you eat and having the general public say, well, there is one of the legislators having a cocktail on the State of Maine.

I think that if you are going to in effect, increase the salaries of legislators, it should be done so everybody knows about it, and it should be fair to all. I also admit that \$10 a day would be very beneficial to those who live in the immediate Augusta area, but there is no perfect system that we can possibly use. There is no state that has a setup such as the one that is being proposed by this bill. Therefore, I hope that the amend-

ment which I have proposed is not defeated.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Wiscasset, Mr. Pease.

Mr. PEASE: Mr. Speaker, Ladies and Gentlemen of the House: In reading legislative document 848 and attempting to clarify my own thinking and viewing some of the actions that the House has just taken, I feel that perhaps it is impossible to stem the tide, as it were. Many of the things that have already been pointed out to you with regard to the document in its present form, I am sure you understood before this debate began. I had hoped to have an amendment prepared of my own this morning to clarify some of the problems that I am sure will arise in our own explanation to ourselves and to our constituents and to the House and the Legislature for some of the expense accounts that perhaps not members of this Legislature who will be returning will be turning in, but others. It is very difficult for any one at this time to get on his feet and question the integrity of any individual in the State of Maine who might, at some future time, serve in the Legislature. But I am afraid that legislative document 848, if you will, leads us only into temptation, and provides a wherewithal for enabling many individuals to secure unbeknownst to their constituents or to any other individuals in the State of Maine remunerations far beyond, admittedly perhaps beyond their worth.

The amendment that I should like to propose, if given the opportunity later in the day, is to add a maximum amount that could be paid for any daily expenses that were reported. I think that this would take care of the objections which have been made by the gentleman from Portland, Mr. Childs. I would urge that the amendment now before us be indefinitely postponed, and that perhaps further consideration be given to the bill itself at the next move.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Bowdoinham, Mr. Curtis.

Mr. CURTIS: Mr. Speaker, the more they talk on this, the more I get confused. I am sure I couldn't vote on it intelligently now, and I wish it might be tabled until tomorrow, and I so move.

The SPEAKER: The question before the House is the motion of the gentleman from Cape Elizabeth, Mr. Berry, that House Amendment "A" be indefinitely postponed.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I think more than the gentleman from Bowdoinham, Mr. Curtis, more members are confused than he. We have a bill, then we have an amendment before us; then we have a motion that possibly the motion to be that the amendment may be killed so that another amendment may be brought forward. We are still in the mill of raising salaries for departmental heads. This afternoon we are hearing in Appropriations, a bill for longevity which adds to the entire picture. We have three or four different proposals. I agree in some ways with the gentleman from Cape Elizabeth, Mr. Berry. I certainly agree in many ways with the gentleman from Portland, Mr. Childs, and I agree also with the gentleman from Wiscasset, Mr. Pease.

This adds to my being confused, and I am sure that some members of the Committee also are confused. So to clear the deck — I don't think we are going to adjourn here sine die tomorrow — to clear the deck, I move that this bill and its accompanying papers be referred to the Committee on State Government.

The SPEAKER: The question before the House now is the motion of the gentleman from Lewiston, Mr. Jalbert, that Bill "An Act relating to Mileage and Expenses for Members of Legislature," House Paper 613, Legislative Document 848, be recommitted to

the Committee on State Government.

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

Mr. BERRY: Mr. Speaker, I urge the members of the House to vote against the motion, and I request a division.

The SPEAKER: Is the House ready for the question? The pending question is the motion of the gentleman from Lewiston, Mr. Jalbert, that this matter be recommitted to the Committee on State Government. All those in favor, will please rise and remain standing until the monitors have made and returned their count.

A division of the House was had. Ninety-two having voted in the affirmative and forty-four having voted in the negative, the motion to recommit did prevail.

Sent up for concurrence.

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

HOUSE MAJORITY REPORT (9) — Ought not to pass — MINORITY REPORT (1) — Ought to pass with Committee Amendment "A" (Filing H-209) — Committee on Labor on Bill "An Act Providing that Employment shall not be Conditioned upon Membership or Non-membership in, nor upon Payment or Nonpayment of Money to, a Labor Organization." (H. P. 537) (L. D. 754)

Tabled—April 5, by Mr. Wellman of Bangor.

Pending—Acceptance of Either Report.

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

Mr. ANDERSON: Mr. Speaker, my distinguished colleagues, citizens of Maine: I shall be brief.

The SPEAKER: Does the gentleman wish to make a motion relative to item eight and speak to his motion?

Mr. ANDERSON: Mr. Speaker, I move that the Minority Report "Ought to pass" be accepted.

The SPEAKER: The gentleman may proceed.

Mr. ANDERSON: I shall be brief.

The State of Maine is lagging behind other areas of our Nation—in two ways that are affected by the legislation I am proposing.

A man in a factory in Augusta, Maine; a woman in a canning plant in Belfast; a truck driver in Portland, and a dairy route delivery man in Bangor have lost their freedom of choice at the place where they work. They are victims of compulsory unionism. They are forced to belong to a private organization and pay money into it against their will in order to hold their jobs.

Do the ladies and gentlemen of this chamber approve of that?

We here in the Maine Legislature are responsible for the loss of individual freedom in our State. In this realm of individual freedom, Maine is lagging behind twenty sovereign states. We here today are responsible for this.

The other area of lagging is in economic progress. The creation of new jobs in Maine has slowed down. It is lagging behind most states. There can be only one reason for this lag in industrial expansion in Maine—the industrial climate is not as good here as in many of the other states.

Jimmy Hoffa, the Teamster's President, has too much power in Maine. He can close down some of our major industries for almost any reason he wants to name. He can paralyze the commerce of Maine if he chooses to do so. There are other union officials who hold the same degree of abnormal power. This has taken away from Maine industries and businesses the freedom to make management decisions. It has taken away from Maine the free market place in employment. Such power in the hands of a few union officials has hurt the industrial climate in Maine. We here today are responsible for this factor which is contributing to a bad industrial climate in our State.

The legislation I have introduced will abolish compulsory unionism in Maine. It will restore the freedom of choice to the working men and women in our State. Its provisions are simple in this regard. It simply guarantees freedom of choice to Maine citizens at the place where they make their liv-

ing, to join or not join a union. May I repeat, it simply guarantees freedom of choice to Maine citizens at the place where they make their living, to join or not to join a union.

The legislation I have introduced will remove from the hands of Jimmy Hoffa and other union officials the monopoly power they now hold over the jobs and the economy of Maine. It will restore the power of unionism into the hands of the rank and file members. It will prevent the Hoffas and Reuthers from coercing unwilling workers into membership and into paying money that they do not want to pay. Thus it will improve the industrial climate of Maine. Businesses and industries will have more incentive to expand. New industries will look with greater favor on our State. Thousands of new jobs will help the economic welfare of every citizen in Maine. The law I am proposing will have this benefit.

I have in my hand two factual, documented folders. In one, governors in twenty Right to Work states make statements on the benefits of Right to Work laws. These are governors of states, of both political parties, reporting on the worth of Right to Work laws to the people of their states. This one folder refutes all of the false propaganda that you have heard and seen. The proof of the pudding is in the eating. Right to Work laws have benefited the states that have the law. Here is the proof from the governors themselves.

The other folder is a breakdown of economic statistics. There can be no challenge to these facts as presented. The Department of Labor and the Department of Commerce of the U. S. Government are the sources of these statistics. They show, with the accepted yardsticks of economic progress, that Right to Work states are progressing more rapidly than are the non-Right to Work states. The percentage of improvement throughout the last ten-year period of record is greater in Right to Work states than in the non-Right to Work states.

There are the important things: freedom and progress. Again I re-

peat, there are the important things: freedom and progress.

We here in the Legislature are pledged to preserve individual freedom and to make laws encouraging the economic progress of our state. This is our basic function. This is the most important reason for our existence as a legislative body.

I submit, ladies and gentlemen, when the issue contained in the Right to Work law I am proposing is met with truth and courage, no man or woman can challenge the worth of such a law to our state and her people. May I urge you to cut through to your inner honesty as you consider your vote on this measure. Think of individual freedom. Think of economic progress. Then cast your ballot out of the depth of your honesty.

Mr. Speaker, ladies and gentlemen of the House, shouldn't the citizens of Maine be allowed to vote on this measure? Is not this the democratic way to settle this issue? I ask you?

I now move acceptance of the Minority Report "Ought to pass" as amended by Committee Amendment "A."

Thank you.

The SPEAKER: The question before the House is the motion of the gentleman from Ellsworth, Mr. Anderson, that the House accept the Minority "Ought to pass" with Committee Amendment "A" Report.

The Chair recognizes the gentleman from Denmark, Mr. Dunn.

Mr. DUNN: Mr. Speaker, I move this be tabled until Friday next.

Mr. BROWN of South Portland: Mr. Speaker?

The SPEAKER: For what purpose does the gentleman arise?

Mr. BROWN: To request a division on the tabling motion.

The SPEAKER: A division has been requested on the motion of the gentleman from Denmark, Mr. Dunn, that this matter be tabled until Friday next. Those in favor of the tabling motion, will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Eight having voted in the affirmative and one hundred twenty-

four having voted in the negative, the tabling motion did not prevail.

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

Mr. JALBERT: Mr. Speaker and Members of the House: First, I certainly would like to join wholeheartedly the remarks that you made, Mr. Speaker, in welcoming the gentleman from Waterboro back in our midst. A finer gentleman I don't think exists, and certainly we are all happy to see him back.

I have in my hand, concerning this bill, the original letter of the Assistant to the President of Bates Manufacturing. I will not read the entire letter, but I will read one sentence that is very significant. It states: "it could well lead"—concerning this measure, "the passage could well lead to labor unrest in Maine and impede progress in the already unionized industrial plants of the state." Now the significant part of this letter is that I happened to be present when the gentleman who had to leave because of a previous commitment at home concerning the Business Education Day in our City of Lewiston, when he handed this letter to Dennis A. Blais, the Area Director for the Textile Workers Union of America, who read it at the committee hearing. If that doesn't indicate pleasant relations between labor and management, I do not know what does.

I have also an article of Monday in the Bangor Daily News, and I will not read the entire article, in which the Executive Director of the Maine Right-to-Work Committee states that the proponents of the controversial bill, this is as he stated, which failed before the Legislature recently, told a group of Right-to-Work supporters in Presque Isle Saturday afternoon that nine members of the One Hundred and First Legislature had shown contempt for government of the people, by the people and for the people when they acted seriously to deny the voters of Maine their right to decide for themselves on the

Right-to-Work issue. I think that this and other remarks in this article, certainly in my opinion, are somewhat irresponsible. It makes me kind of wonder also when the words for government of the people, by the people and for the people, I think these words were originated by a fine gentleman, and I don't think that they should be included in remarks of this type concerning a piece of legislation of this type.

It also on this measure, and I repeat, on this measure, somewhat questions the integrity of His Excellency, and I don't think I am one of those who has always agreed with that gentleman, and I repeat, on this measure.

For that and many, many other reasons, I now move the indefinite postponement of both reports and accompanying papers, and when the vote is taken I move it be taken by the yeas and nays.

The SPEAKER: The Chair recognizes the gentleman from Manchester, Mr. Gifford.

Mr. GIFFORD: Mr. Speaker, Ladies and Gentlemen of the House: First of all, I would like to say that I have a high regard for my colleague, the gentleman from Ellsworth, Mr. Anderson, and a firm belief in the sincerity of his convictions. However, I could not disagree with him more violently than I do on this issue.

L. D. 754 comes to us proposing only to establish the right of the worker to join or not to join a labor organization, to guarantee his freedom from compulsory union membership. It would seem logical to assume then that this so-called "Right to Work" movement, in support of this legislative document, has developed from a basic dissatisfaction on the part of the worker with the infringement upon his rights of union-negotiated labor contracts destroying his freedom, and that the noise we have been hearing during the last several years is the growing clamor of unhappy workers demanding relief from the wrong that is being done to them.

Nothing could be further from the truth. The working man is conspicuously absent from the

councils of the "Right to Workers" in the State of Maine, and he was conspicuously absent from the small but vocal group of proponents who appeared before the Labor Committee on behalf of L. D. 754. He appeared, in fact, in large numbers in opposition to it.

Who then are the motivating persons behind this legislative proposal, and what is their purpose? For the most part they have been small businessmen, particularly in the construction and transportation industries who seek I would contend not so much to secure for the worker a right of freedom, as to deny him the right to membership in the labor organization supported by all who benefit from it. Thus they seek to weaken his position in the labor market and to change the balance of power in labor-management relations to their personal advantage. In this light, the falsely labeled "Right to Work" bill appears as quite a different thing.

I am sure that few of us here would choose to abolish labor unions, while most of us would agree that certain deficiencies exist in the working of present day labor-management relations. A higher degree of responsibility to the public welfare or lacking it, federal legislation may be necessary ultimately to correct them. A "Right to Work" law in the State of Maine will solve none of these problems. It is unnecessary and undesirable, and I urge you to join with the overwhelming majority of the Committee on Labor to send this proposal down to the defeat it so well deserves.

In conclusion, I would like to comment briefly upon the request by the proponents of L. D. 754 that the One Hundred and First Legislature send the "Right to Work" proposal to the voters in referendum. Early in their planning for the convening of this legislature, the Right to Workers obviously doubted that this deliberative body would enact into law their proposal, for they decided to seek petitions which would enable them to bypass it. Their efforts to gain the petitions failed,

but their doubts obviously remain, for they now request that we send the proposal to referendum just the same, suggesting insidiously that surely no legislator could deny the voters the right to vote themselves on the matter. If their words make sense, then there are several hundred other legislative proposals which will probably be rejected by this Legislature, which by the same reasoning should also go to referendum.

Whenever, in a free society, the number of citizens eligible to vote exceeds that which can function efficiently in a pure democracy, it becomes necessary to adopt a representative government. This we have in the State of Maine, and it is my firm conviction under such a form of government that the elected representatives are charged with the duty of studying and deliberating upon the problems of that government and of acting with courage upon them in the interest of the voters whom they represent. I do not believe that they fulfill these obligations to these voters when they bypass their intended function, and like messenger boys, send the problems along to the voters to solve. I hope that you agree with me, and I certainly urge you to support the pending motion to indefinitely postpone this legislative document L. D. 754 and its accompanying reports.

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

Mr. BIRT: Mr. Speaker, Ladies and Gentlemen of the House: First off, I would like to read a letter which came to me about a month ago in which it says: "I am shocked to believe that a small group of citizens of our state could be so influenced by a national organization to the extent that they will place in jeopardy the future economic structure of our state to satisfy their own means.

"Sponsors of 'Right-to-Work' laws have no economic benefits to distribute. Instead, they can only guarantee unrest, industrial strife, the disturbance of long-established management and labor relationship, wage cuts for workers, dis-

ruption of the free competitive system for employers and general upheaval in our economic system.

"I feel the free and democratic process is certainly being placed in jeopardy if we allow bills of this type to become law, where the state may dictate to labor and management as to what may be written into a collective bargaining agreement between the two parties.

"These so-called 'Right-to-Work' laws are a fraud and a deception to everyone. They offer no one the right to a job. Our free enterprise system is built upon the freedom of choice for employer and employee. Union security does not provide the right to work, but it gives the individual the highest degree of job protection and security ever known. The sponsors of "Right-to-Work" are trying to destroy this protection.

"As we look at other states that have passed legislation of this type, we find low wage levels exist in most states as compared with states that permit free collective bargaining. Not only does it show in wage levels, but also in job security, work standards, deterioration of unemployment compensation systems, workmen's compensation, minimum wages and child labor laws. This all usually follows the passage of 'Right to Work' laws.

"I only hope that our law makers on the state level can see the fallacy in this legislation as harmful to our workers, as it offers nothing but insecurity to the worker. 'Right-to Work' is a catch phrase designed and utilized to ensnare the gullible and defraud the worker."

This was written by a union man and was not written by a union official. This letter — one of my own comments, this letter could well be a testimony to my own knowledge and experience over the last twenty-eight years, during which I have been a member of organized labor with a company that has had the same basic wage contract for at least fifty-four years.

If there is any doubt in the minds of any Member of this Legislature of the great amount of good that

can come from this type of contract between labor and management, I would invite you to spend a day with me in my home and the one adjoining, a town which has at its entrance the sign: "The town which paper made" but which could well be "The town which union labor made". I would like to show you some of the things such as the fine schools, churches, playgrounds and municipal facilities, and particularly the community hospital, one of the finest in Maine, which is a product of labor-management negotiation of which a portion of the cost came from a fund drive conducted by the local unions and which has always had members of the unions on the board of trustees.

A great deal is always said about how this law will free the enslaved union men from the bonds of union imperialism. While you are in your travels with me, I would request you to interview any of the people you will meet to see if you can find just one who is in favor of this law and its passage. I know that you will not find even one because I have talked with these people many times and I know their feelings. They can only be hurt by the passage of this bill.

Ladies and gentlemen of the House, I hope that this L. D. 754 is soundly defeated, and by your so doing, the One Hundred and First Legislature will earn the undying gratitude of the people of the area from whence I come. I thank you.

The SPEAKER: The Chair recognizes the gentleman from Rumford, Mr. Jobin.

Mr. JOBIN: Mr. Speaker, Ladies and Gentlemen of the House: This legislation is probably one of the most widely publicized bills to be introduced into this session.

As a member of the Committee on Labor of the One Hundredth Legislature and again as a member of the One Hundred and First session, I have been asked once more to deliberate the merits of this bill. The record will show that my feelings about it are both definite and sincere.

My town of Rumford has the good fortune of containing Oxford Paper

Company, one of the largest paper mills of the State of Maine, who certainly is interested in a healthy industrial climate. Why then were they not heard when this bill was heard in committee? I assure you, had they been in favor of such legislation, they certainly would have let it be known by each and every one of us. It is not my intent to belabor the various aspects of this bill. However, I am weary of hearing one word continually brought up by the proponents, and that word is compulsion. The proponents of the bill argue that the compulsion factor mentioned in the bill is against one of our basic rights. I submit to you that in a good many instances, as history will show, compulsion with the will of the majority, at the same time entertaining the rights of a minority, is certainly a basic fundamental of our American way of life. I think we are all aware that through our wages we pay social security. This, I think we'll all agree is compulsion. We have no choice in this matter. However, it still is for the common good.

We are forced to render an accounting to the Federal Government and to pay our income taxes, no later than next Monday, I might add. Is this not compulsion? But again, is it not needed for the public welfare?

Last, but far from least, many, many thousands of our young men were ordered to give up their very lives for the insuring of domestic tranquility for the rest of us. Is this not a form of compulsion in its most severe form? Is there anyone in this House, I wonder, that can say that it was not necessary to inflict this compulsion on us?

I assure you that removing of the rights of unions in the State of Maine would be as economically catastrophic to us as having removed our draft laws during the war would have been militarily.

Ladies and gentlemen of the House, after much thought again and deliberation, I can only liken this bill to a common felon, or criminal. I say this because upon analysis the felon, number one, travels under an assumed name or an alias, and I think it has been well pointed out here that the term

“Right to Work” is certainly an alias designed to play upon the emotions of the uninformed.

Also like the criminal, it says that it will serve a particular purpose when in reality the real intent of the bill is hidden beneath well chosen innuendoes and restricted information. We have been exposed to this now for many, many weeks.

Therefore, as the judge and jury in this matter this afternoon, I certainly concur with my good friend from Lewiston, Mr. Jalbert, and feel that we should sentence this criminal to death forthwith.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. Ewer.

Mr. EWER: Mr. Speaker, Ladies and Gentlemen of the House: There are three points I wish to draw to your attention. The first one is, what is the union shop? I should ask you to distinguish between two ideas, an industry having a union agreement only, and one having a union shop clause in its agreement with the union. The union shop is part and only part of the contract between management and labor, governing wages, working conditions, fringe benefits, etc., and may or may not be a part of the contract. The law is very specific as to how this agreement may be set up. First, the union officers must agree that it will be a benefit to the people they represent. Next, all workers coming under the existing contract, must vote and secretly on it. I say all workers, for non-union workers must vote as well as union members. And in order for this union shop agreement to be asked of the management, the law requires not a plain majority, but one of sixty-seven percent, two-thirds of all the workers affected.

Surely this is protection. We are content politically with a margin of one vote over the bare 50 percent, and in several recent votes in various states, labor has not been able to reach the sixty-seven percent point necessary.

The last and the toughest requirement before setting up a

union shop clause in a contract is this: management must agree. In several cases lately, management has not agreed, and this has automatically prevented the setting-up of a union shop.

The second point I want to make is in regard to the free rider, which is basically the only reason for the union shop clause. There is another answer which is being worked out in the steel industry for the so-called Agency Shop. This allows the worker to join or not to join the union as he may wish, but if he decides not to join, he must pay the union the amount that the union figures is required from each worker to pay for the protection which the union is forced to give equally to the non-member as well as to its members. Surely this is fair enough, and I think that this answers the complaint of the right-to-work people about force, but to the best of my knowledge, a little group of words in this right-to-work bill have never been mentioned publicly, that is that group that scattered through says: or any other method or means or action, or whatever words they use to conceal what they really want. This little group of words would eliminate the union shop along with all other methods of union maintenance. It means one thing and one thing only, the cutting down of union strength to give back to management more power to dictate wages and working conditions. In other words, to return to the '90's.

As regards compulsion, my third point, what is it? There is no such thing in an organized society as an unrestricted right. Justice Holmes said the right of free speech gives no one the right to shout "fire" in a crowded theater; the right of free speech does not allow libel or slander in print; and surely I would have no right to call myself a cannibal and then in the name of religious freedom proceed to barbecue the first citizen on whom I can lay my hands. I believe in the right to work, but not in capital letters. I believe in a man's freedom to choose, but

when a man decides where he wants to work, he has exercised this right. He takes this choice on his own by himself, and then he arrives at the point where he has to abridge his freedom for the benefit of others. In the case of a union shop, he now comes under two regulating forces, the employer, as regards hours, work rules, uniforms, wages, and all the other necessary conditions of employment, and second, under the rules of the union, which have negotiated for the benefits and protections the applicant will get through and by his association with his fellow workers in their union; and I ask you, where is the compulsion in this?

The other speakers have made every point that can be made in regard to this. I can only say that I hope the motion to indefinitely postpone does prevail, and by a large margin. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Bucksport, Mr. Pierce.

Mr. PIERCE: Mr. Speaker, I move the previous question.

The SPEAKER: The previous question has been requested. For the Chair to entertain the motion for the previous question, the consent of one-third of the members present shall be necessary to authorize the Speaker to entertain it. All those in favor will please rise and remain standing in your places until the monitors have made and returned their count.

A sufficient number did not arise.

The SPEAKER: Obviously, less than one-third having arisen, the motion is not entertained.

The Chair recognizes the gentleman from Alfred, Mr. Hobbs.

Mr. HOBBS: Mr. Speaker, Members of the House: I wish to speak against L. D. 754, the so-called right-to-work bill. I feel that this type of legislation is unnecessary in Maine, and as proof, I offer these statistics as reported in the magazine Business Week. Maine's percentage of personal income gain for the first eleven months of 1962 was second highest in New England and twelfth in the United States, according to Business Week. Maine's personal income for this period was

\$1,796,900,000; seven and one-half per cent above that for the first eleven months of 1961. The highly industrial state of Connecticut had the highest gain in New England, eight per cent, only one-half of one per cent higher than Maine.

In rebuttal to the arguments offered by the proponents of L. D. 754, I repeat these figures. Maine during the first eleven months of 1962, had the second highest percentage of personal income gain in New England and twelfth highest in the United States. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Madison, Mr. Hendsbee.

Mr. HENDSBEE: Mr. Speaker and Members of the House: I wish to speak in opposition to this measure, L. D. 754.

You have heard references to union officials. I happen to be one of those. For many, many years the union that I represent, for more than sixty years, here in the State of Maine, they were one of the original pioneers of unionism here in this State. We have worked down through the ages; today we have what we consider a very wonderful setup. Every member of organized labor in the mills in our town have benefits of insurance, sickness and health, for themselves and their families. Now ladies and gentlemen, I don't think there is any secret or any doubt in your minds but about the first question that is asked of you today on admission to a hospital, and rightfully so, who is going to pay the bill? We are covered. We are covered by accident insurance. We have a pension plan; and it would be most difficult for a man today to attempt to tell the working people in Maine that this is good legislation. I think it would be easier to drag daylight past a rooster than to do that.

I have been asked to oppose this bill because as in previous sessions bills of this type have been heard, and with the same consequences we hope. I would like to say here and now that the labor situation here in Maine is probably one of the best of any state that there is in the Union.

I hold here in my hand a let-

ter that I received yesterday from a friend of mine who lives in Tucson, Arizona. He says, I cannot raise enough money to establish my TV business here or some other kind of work, is out of question. The employment situation is quite impossible unless you have ten or fifteen years experience in skilled labor. I can't even get a job digging ditches because there are more than 3,000 family men signed up for such jobs now.

I offer to you ladies and gentlemen, that the State of Arizona is a right-to-work state, and as far as the working man in the State of Maine is concerned, I would say a pat on the back while you are living is a lot better than a bucket of tears in the face when you are dead.

The SPEAKER: Is the House ready for the question? The Chair recognizes the gentleman from South Portland, Mr. Brown.

Mr. BROWN: Mr. Speaker, Ladies and Gentlemen of the House: I certainly would like to commend the Members of the Labor Committee for expressing the opinions they felt that the Labor Committee held on this L. D. I think there are a few areas that must come to your attention.

I have before me a telegram, and I am going to be forced to read it in its complete text. There are only the middle section — and the last sentence is the one that I want you really to pay attention to. The reason I read it in complete text is so that there will be no chance of mis-quotations. "Question—are you opposed to allowing the people of Maine the opportunity to vote and decide the right to work issue for themselves. Answer—the only comments I have made or care to make on proposed right to work legislation is the quote I made in 1960 that 'whether statutes of this sort are desirable is a matter wholly for the working people of a given state to decide. I have seen no evidence that a majority of working men and women in Maine favor this type of legislation.' The matter of voluntary unionism is obviously a matter for the working people and I believe it is en-

tirely up to them to initiate any legislation of this type. Inasmuch as this is a matter before the state legislature I would not care to currently expand upon this proposal but would rather stand on my statements made prior to election to congress. My thinking has not changed. My statement is an honest expression of my opinion and the facts as I see them. I have not received one single letter from any working man or woman in Maine in favor of this legislation—Stan Tupper, Member of Congress — Maine.”

I personally would like to make a statement, and I want you to know that this is a statement of my own personal views. I feel that this bill is being pushed as special legislation for a certain group, and that group does not include but a very — and I emphasize “very,” small percentage of the working people whom it will certainly affect. Thank you ladies and gentlemen. I hope the motion to indefinitely postpone will prevail.

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

Mr. PLANTE: Mr. Speaker, Ladies and Gentlemen of the House: Because of the hour of the day, by unanimous consent, I wish to submit arguments into the record that I would otherwise make at this time.

The SPEAKER: The gentleman from Old Orchard Beach, Mr. Plante, requests unanimous consent to introduce a statement for the record without reading same. Is there objection?

The Chair hears objection, the gentleman may not do so.

Mr. PLANTE: Mr. Speaker, Ladies and Gentlemen of the House: I believe it is my duty to warn our Maine citizens that the real effect of this anti-collective bargaining proposal is to depress the State's normal economic growth and that they are being deluded by a percentage juggling act that gives a completely false picture of the economic realities.

Statistics of the United States Department of Commerce and Labor have shown year after year, that most of the states that have en-

acted these repressive right-to-work laws are far below other states in per capita personal income and both hourly and weekly wage rates. Likewise, the great majority of these right-to-work states have steadily lost population as both the skilled and unskilled labor forces have migrated to other states where opportunities for jobs with higher pay are greater. Yet, by juggling figures on a percentage basis, the right-to-work propagandists of the so-called national right-to-work committee are now seeking to rewrite our nation's economic history. The bald attempt to distort and falsify the truth about the national economy to promote passage of a so-called right-to-work law, is like a similar percentage juggling act recently undertaken by communist Russia.

The Wall Street Journal called attention to the falsity of this percentage juggling of figures in an editorial of January 4 of this year. This eminent journal reported that communist Russia, with an increase of 19 per cent in telephone installations in 1961 against a percentage rise in new telephones in the United States of 4.1 per cent, was trying to convince the world that it “is galloping ahead of the faltering capitalists.” The Wall Street Journal then revealed:

“Things are not, however, always what they seem. The Russians' 19 per cent gain is impressive only until you discover that they have 5.1 million telephones and the United States 77.4 million. Thus the whole Soviet Union hasn't any more than the total for New York City, and while the Soviets were adding 800,000 phones, the U. S. 4.1 per cent increase represented a gain of 3.1 million.”

The lesson from this, said the Wall Street Journal, is that: “It's something to remember when people start tossing around percentage rises in economic growth.” On this same juggling of percentages on economic growth, the Washington Star commented: “Figures don't lie, but liars can figure.” This same type of phony use of percentage figures on the U. S. economy is now being plastered all over Maine by the outsider national right-to-work committee propagand-

dists. What are the real facts about the economic lag of right-to-work states? The governors of sixteen southern right-to-work states recently said in a resolution adopted by the Southern Governor's Conference in Nashville, Tennessee: "Why does the south's per capita income continue to remain less than 70 per cent of the national average?" We suggest that the reason the annual per capita income of southern workers in manufacturing is \$800 below that of workers in the non-south is our past reliance on industries in which wages are at the bottom of the list."

Statistics of the U. S. Department of Commerce, reported in its Survey of Current Business, show that in 1960 Mississippi was \$1,050 below the national average of per capita income; Arkansas was \$882 below the national average; South Carolina, \$826 below; Alabama, \$761 below; Tennessee, \$678 below; North Carolina, \$649 below; Georgia, \$615 below; North Dakota, \$482 below; Virginia, \$375 below, and so on with the other right-to-work states with the single exception of Nevada, whose only industry is legalized gambling.

The U. S. Bureau of the Census is the authority for figures that show that right-to-work Arkansas since 1950 has lost 420,000 of its citizens by migration with a net loss in population for the ten-year period 1950 to 1960 of 123,439. This picture of low wages and depressed economy in the right-to-work law states is the same on an examination of hourly and weekly wage levels.

In a recent study of the comparative economies of right-to-work and non-right-to-work states, based on federal statistics, Dr. Milton J. Nadworny, Professor of Economics at the University of Vermont, reported: "Not only have right-to-work states not been catching up in wages and incomes with states having free collective bargaining, but they have been falling farther behind the national pace." Economist Nadworny reported: "The supporters of right-to-work laws have consistently stated that such legislation brings economic benefit to the states. If

we accept their claims that wage and income changes do result from right-to-work legislation, it is obvious these laws act as dampers and brakes, and not as stimulators of improvement and progress. In 1961, nineteen states had right-to-work laws in effect; twelve of those nineteen had such laws on the books in 1950. If we examine hourly rates paid in the twelve states, we find that in 1950 their average was 25c below the United States average. In 1961 the average hourly rate paid in those states was 31c below the national average. For all nineteen states, the same comparison shows that the average hourly rate was 21c below the U. S. level in 1950, and 23c lower in 1961."

In conclusion, I would like to remind our Maine citizens that juggling statistics does not increase pay checks. Percentages, as the Russians have demonstrated, can be used to make a net loss look like a tremendous gain. I would like to point out that government figures are kept in terms of dollars. Why, then, do the supporters of the so-called right-to-work law in their propaganda sheets change that official base and use percentage figures instead?

Ladies and gentlemen, when the vote is taken, I move that it be taken by roll call vote.

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

Mr. RANKIN: Mr. Speaker, Ladies and Gentlemen: It has been proven to us beyond a doubt that today in Maine management and labor are working in complete harmony. Were L. D. 754 enacted by this Legislature, we would be presenting management and labor in this state with an unwanted ugly duckling. Should the time ever arise when such legislation is necessary for the safety and protection of this nation, it should be enacted not among the several states, but at the national level by the Congress of the United States. I am opposed to L. D. 754.

The SPEAKER: The Chair recognizes the gentleman from Kennebunkport, Mr. Tyndale.

Mr. TYNDALE: Mr. Speaker and Ladies and Gentlemen of the House: I am not going to belabor this debate much longer. You have heard practically all the facts that can be said against this legislation, which would prove in your minds certainly that this is not desirable legislation at this time.

There is one fact that I would like to bring out. For the last several years we have spent a great deal of money moving industry into the State of Maine. One of the factors that industry considers first is the labor conditions in that state. We have the finest labor conditions of any state in the Union. That has been a proven factor. If this legislation would deserve attention of any kind, it would indicate that there was labor unrest in this state, which is not true. Therefore, that legislation should not be considered at this time for the expediency of the good economic growth of the State of Maine, number one.

Number two, on compulsory unionism, obviously the person that makes this statement has not examined labor laws in the United States. Unionism is not compulsory. It is voted by management. In effect and essence, if you should pass this legislation, you are telling industry how to run their plants. That is not desirable for the economic growth of that plant for it is a good factor in inviting industry into the state. Industry always understands that you must have a bargaining agent, if you have a union shop. In essence, industry can deal with their labor delegates in charge of that union shop. If you didn't have, and if it was not voted, half one way and half the other, who would you deal with? You would be in constant confusion as far as your labor laws were concerned. I want to concur with a great many of the speakers before me is why this legislation is not expedient at this time, and we must be imperative about this fact, that we have to make our labor climate invitational to industry all along the line, both small, large and indifferent. Let's not confuse them by inducing them to come into a state where your labor laws

are not consistent. I therefore hope that the motion of the gentleman from Lewiston, Mr. Jalbert, will prevail.

The SPEAKER: The Chair recognizes the gentleman from Scarborough, Mr. Coulthard.

Mr. COULTHARD: Mr. Speaker, Ladies and Gentlemen of the House: As a self-employed citizen I take a different view of this issue, and I believe many other self-employed feel that the working people of our state should be given the right to vote for themselves on this issue, rather than we impose legislation or deny them legislation. If this issue is against the best interests of the working people, I have confidence they will know what to do with it. I therefore feel that this bill should go to the people by referendum.

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

Mr. BRADEEN: Mr. Speaker, Ladies and Gentlemen of the House: When I returned to this seat this morning after a somewhat prolonged absence, it was not my intention to make a comment on this bill. However, it has been said with considerable truth, my good friends, that debate is the breath of democracy. I have listened to this debate, the pros and cons. Although I try to keep an open mind, and pride myself somewhat on that, I haven't been able to change my mind on the merits of this situation from two years ago, and I have a feeling which amounts to the conviction that when the vote is cast in this House by you people who represent a million people spread over 33,000 square miles, it should be based on one thing only: What is best for the State of Maine?

We have enjoyed over a long period of years exceptionally good labor relations in this state. My friends, why stir them up?

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

Mrs. OAKES: Mr. Speaker, Ladies and Gentlemen of the House: I am disturbed about this legislation; I have a feeling that a great harm is being done. The impression is being made that our labor relations have

deteriorated to the point of chaos. We want industry in this State of Maine. Let's give a vote of confidence to our labor-management in Maine by voting against this bill.

The SPEAKER: The Chair recognizes the gentleman from Sanford, Mr. Blouin.

Mr. BLOUIN: Mr. Speaker, Ladies and Gentlemen of the House: I just want to say a few words, because I believe it is getting late. I truly believe that this bill is not a good bill for the people in this state. I am sure that the working class people in our state are definitely against this bill. Therefore, I move that the Majority Report be accepted as "Ought not to pass."

The SPEAKER: Is the House ready for the question? The Chair recognizes the gentleman from Madawaska, Mr. Levesque.

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: As I stood in opposition two years ago, so will I do again today, for the simple reason that there is definitely no need for this type of legislation in the State of Maine. At this time, and I think through the years, there has never been any need for this type of legislation. Unless things change in the State of Maine drastically, there shall never be any need for this type of legislation in the State of Maine.

Some reference has been made by the proponents of this bill that this is not to break the labor organizations of any state, but only to give the unions back to the members. These proponents certainly have over the years not been looking for this year or next year, but they are looking five years or ten years from now, what it will do to organized workers in the State of Maine.

I have a small paragraph I would like to read as to what this has done in some parts of the states where they have a right-to-work state. I have chosen an industry that has not too many interests in the State of Maine so that there would not be any conflict. "The American Federation of Hosiery Workers has won many labor board elections in the South, despite bitter employer campaigns against it. Despite this, it has been unable to obtain good faith collective bargaining in the right-to-

work states. As a result, the union's membership has decreased by 76 per cent since the Taft-Hartley Act made right-to-work legal in the states. The hosiery industry, as this document shows, is a concrete example of how right-to-work is used to break unions, destroy collective bargaining and depress wages. The history of hosiery is a refutation of every claim made by the right-to-work advocates and their dummy fronts and committees." So you will recognize it as you have all received matters from both sides pertaining to this type of legislation, what has it done? Basically, over the period of years is that it put labor against labor and then what have you got, you have got absolutely complete chaos in the industries of which management and labor were willing to sit down and collectively sign an agreement.

You have heard the statistics of the different states that have got right-to-work laws. They have increased their membership. They have decreased their membership. They have increased their wages and they have reduced their wages. Here from the Department of Labor, Bulletin 1267 and Bulletin 1320 in regard to the relative membership increase or decrease through the nineteen states: Alabama in 1958 had 185,000 members in 1960 it had 185,000 members; Arizona in 1958 had 40,000 members, in 1960 it had 80,000 members; Arkansas in 1958 had 72,000, in 1960, 72,000; Florida in 1958 had 160,000, in 1960 150,000; Georgia in 1958 had 115,000, in 1960 115,000; Indiana in 1958 had 320,123, in 1960 350,000; Iowa in 1958 had 130,000 and in 1960 135,000; Kansas in 1958 had 150,000 and in 1960 100,000; Mississippi in 1958 had 50,000 and in 1960 45,000; Nebraska in 1958 had 70,000 and in 1960 65,000; Nevada had in 1958 10,070 and in 1960 16,000; North Carolina in 1958 had 80,000 and in 1960 80,000; North Dakota in 1958 had 7,150 and in 1960 18,000; South Carolina in 1958 35,000 and in 1960 35,000; South Dakota in 1958 had 15,000 and in 1960 17,000; Tennessee in 1958 had 175,000 and in 1960 140,000; Texas in 1958 had 375,000 and in 1960

375,000; Utah had 60,000 in 1958 and 45,000 in 1960; Virginia had 95,000 in 1958 and 95,000 in 1960. To draw your own conclusions, who received the most and who has lost the most. These are records that are kept by the Department of Labor and Industry, and when you vote I hope that you will vote according to your conscience and that you will defeat this piece of legislation. Thank you.

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

Mr. ANDERSON: Mr. Speaker, I don't want to belabor this question any longer. All the proponents ask is that the people of Maine be allowed to vote on this question in referendum. I certainly hope the motion to indefinitely postpone does not prevail.

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

Mr. LITTLEFIELD: Mr. Speaker, what is happening here? Let us look back a few years and see what is happening. Bills of this type are being introduced into our states one by one, always assisted by paid propagandists from Washington, D. C. or some place far removed from the state borders. If you have read a history of Russia—I have read four—you can realize how these bills resemble the forming of the cells that were planted by old Nikolai Lenin in the provinces and satellite states of the Soviet Republic to reduce them to communism. They began with the workers. I hope those planning to cast their vote for this bill are fully aware of what they are doing. I support the motion to indefinitely postpone this bill.

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

Mrs. KILROY: Mr. Speaker and Members of the House: I attended the public meeting on this L. D. 754. It was very well attended. At that time I stated that I was definitely opposed to L. D. 754. I feel that I speak with experience. I would hate to admit how far back that I would have to go;

however, I feel that if we didn't have unions to take care of the 23 percent of the people that are organized in this state, perhaps we wouldn't even enjoy what we are enjoying today.

I don't feel there is any need for this legislation, and I definitely oppose L. D. 754, and I hope that it will be indefinitely postponed.

The SPEAKER: The Chair recognizes the gentleman from Denmark, Mr. Dunn.

Mr. DUNN: Mr. Speaker and Members of the House: I would like to state briefly my reasons for signing the "Ought to pass" Report. First, it happens to be my own belief, but it also has the express support of a great many people in my section of the state. Having worked for twenty-five years in a non-compulsory union, which as far as I could see was very satisfactory, I fail to see the utter destruction of unions by enactment of this measure. Rather, I believe that they would have to sell themselves to members to a greater degree than at present.

Secondly, the great majority of the people in this state and in this country fall into three groups, a small group of business or management, and a middle-sized group of organized labor, and a large group of consumers, who are not a part of the first two. This large group seems to have to pay the biggest percentage of the costs of any changes made by the other groups. I cannot see where they get much consideration from either. Passage of L. D. 754 might improve their position.

And third, I think most of us will agree that some controls are needed on a national level, and I doubt if these controls will be forthcoming in the near future. At present, there are nineteen or twenty states which have passed legislation such as L. D. 754, and if a few more might pass similar legislation, it should bring home both to government and labor the trend of thought in large sections of the country and could very well influence future actions of both.

And now about the amendment. If we do not pass L. D. 754, it will be back in 1965; if we do pass it,

the opposition will be back to get it repealed. If it goes to referendum, there is a good chance that the answer might be decisive enough to take care of the matter for a few years; and these were my reasons for signing the minority "Ought to pass" Report.

The SPEAKER: The Chair recognizes the gentleman from Gorham, Mr. Treworgy.

Mr. TREWORGY: Mr. Speaker, Ladies and Gentlemen of the House: I will attempt to be very brief. In the past six months I have had an opportunity to speak with constituents and others in my section of the state covering large areas of Cumberland County, and I think that I would be remiss if I didn't express the opinions that they were able to express to me, and that is that this bill should go to referendum.

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

Mr. MACLEOD: Mr. Speaker and Members of the House: I was planning originally to get up and talk and then I got a little bit overwhelmed by the opposition and I decided not to. Then I thought that perhaps the gentleman from Ellsworth, the gentleman from Scarborough, and the gentleman from Denmark must at this point in the proceedings be getting a little low, so I thought I would stand up and put my two cents worth in.

This bill is not designed, as I understand it, to wreck unions. This bill is designed to return some of the liberties that have been taken away from us through gradual erosion ever since this country was founded. Most of these erosions have been by government. We give up to government the right, many rights, to tax and so forth, which the gentleman from Rumford mentioned. Income taxes are due next Monday, that is true. The majority vote rules in government, but the majority vote should not rule as to whether a man can or cannot work at his given profession.

When society was first formed, they crawled out of their caves and they found fire and they built

a fire and then families banded together to keep warm, and then finally they found out they had to have someone stand watch at night against the marauders and against the enemy tribes. There was the beginning of government. This grew until we had the culmination of that in the United States when we formed the Union. It was a free Union, but if you people can sit here today and tell me that the unions of America today are free, and say it off in the corner when you are by yourself and no one can hear you, I think that most of you will say that those unions are not free. Union leadership under the union shop and closed shop agreements have a degree of control of the American economy today that the tyrants of industry had at the turn of the century. When the industrial revolution started, capital banded together and a very few families in this country and they were ruthless and they were unfeeling and they paid starvation wages and so forth, but the tyranny of ruthless management at the turn of the century should not be exchanged as it has been for the tyranny of labor as we know it today with the Jimmy Hoffas, Electrical Union and others. We saw a recent example of this in New York City when the printers went out on strike, we saw a very small group of people cost the City of New York and the neighboring communities about a quarter of a billion dollars estimated conservatively. We have seen jurisdictional strikes where there wasn't any matter of working conditions involved, but wildcat strikes as to which union would represent the group of workers. We saw a piece of construction at the University of Maine, into which public funds were going this winter, halted by a union that wasn't even involved in the job. I picked up the paper this morning, the Bangor Daily News, and saw down to Rockland four men came in from Massachusetts to strike here in Maine, to form a picket line, because the company in Maine had closed the terminal in Massachusetts, and they said more were coming today.

This bill will not pass today, that is obvious. But I will guarantee to the people of this House, that

within a very few years that if something isn't done to curb the power that union chiefs have under the union shop agreements, then I fear for America itself, and I don't say this facetiously. I stand here not as a labor union official. I stand here not as an employer. I stand here, as I hope, a free citizen of Maine, and I would like to see this legislation pass.

The SPEAKER: The Chair recognizes the gentleman from Sanford, Mr. Bernard.

Mr. BERNARD: Mr. Speaker, in 1961 I voted against this bill. I shall also do it again this year, and I would like to give one reason; I don't think I need two reasons, I think one reason is sufficient.

I received a letter a week ago from a contractor in my home town and this gentleman proceeded to tell me in the letter that I should vote for this bill in order to give the people a chance at their right to join the unions or not join the unions. I would like to tell you people here today that this gentleman has been paying a minimum wage ever since he went in business, and he will probably be paying a minimum wage twenty years from now. I think he is a double-talker. I think that he is not for the rights of the people. He is just against the unions. He doesn't want a union in his business and he would like to see all unions killed. I move the previous question.

The SPEAKER: The gentleman from Sanford, Mr. Bernard, moves the previous question. For the Chair to consider the motion, there must be an expressed desire on the part of one-third of the members present. All those in favor of the motion for the previous question being entertained will please rise and remain standing until the monitors have made and returned the count.

A sufficient number did not arise.

The SPEAKER: Obviously, less than one-third having arisen, the motion is not entertained.

Is the House ready for the question? The question before the House is the motion of the gentleman from Lewiston, Mr. Jalbert,

that item 8 Bill "An Act Providing that Employment shall not be Conditioned upon Membership or Nonmembership in, nor upon Payment or Nonpayment of Money to, a Labor Organization," House Paper 537, Legislative Document 754, both the Bill and the Reports be indefinitely postponed. The yeas and nays have been requested. In order for the Chair to order a roll call, it must have the expressed desire of one-fifth of the members present. All those in favor of a roll call will please rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

The SPEAKER: Obviously, more than one-fifth having arisen, a roll call is ordered.

The Chair will restate the question. All those in favor of indefinite postponement of this bill and the accompanying reports will answer "yes" when their name is called; those opposed to the indefinite postponement will answer "no" when their name is called. The Clerk will call the roll.

ROLL CALL

YES — Albair, Anderson, Orono; Ayoob, Baldic, Bedard, Berman, Bernard, Berry, Binnette, Birt, Blouin, Boissonneau, B o t h b y, B o u r g o i n, Bradeen, Bragdon, Brewer, Brown, South Portland; Burns, Bussiere, Carter, Cartier, Childs, Choate, Cookson, Cope, Cote, Cottrell, Crockett, Crommett, Curtis, Dennett, Dostie, Lewiston; Dudley, Edwards, Ewer, Gallant, Gifford, Gilbert, Gill, Giroux, Gustafson, Hammond, H a n s o n, Harrington, Hawkes, Hendsbee, Henry, Hobbs, Humphrey, Jalbert, Jameson, Jobin, Karkos, Kilroy, Knight, Laughton, Levesque, Libby, Linnekin, Littlefield, Lowery, MacGregor, MacPhail, Mathieson, McGee, Mendes, Minsky, Nadeau, Noel, N o r t o n, Oakes, O'Leary, Osborn, Osgood, Pease, Philbrick, Pierce, Pitts, Plante, Poirier, Lewiston; Prince, Oakfield; Rand, Rankin, Reynolds, Richardson, Ricker, Ross, Brownville; Ross, Augusta; Roy, Rust, Sahagian, Scott, Shaw, Snow, Susi, Taylor, Thaanum, Thornton, Townsend, Turner, Tyndale, Vaughn,

Wade, Ward, Waterman, Welch, Wellman, Whitney, Wight, Presque Isle; Young.

NO — Anderson, Ellsworth; Benson, Chapman, Coulthard, Cressey, Denbow, Drake, Dunn, Easton, Finley, Foster, Hardy, Hutchins, Jewell, Jones, Kent, Lincoln, MacLeod, Maddox, Mower, Oberg, Prince, Harpswell; Roberts, Smith, Bar Harbor; Smith, Falmouth; Smith, Strong; Treworgy, Viles, Waltz, Watkins, White, Gullford; Wood.

ABSENT — Brown, Fairfield; Davis, Hendricks, Meisner, Tardiff, Williams.

Yes, 111; No, 32; Absent, 6.

The SPEAKER: One hundred eleven having voted in the affirmative and thirt-two having voted in the negative, with six absentees, the motion does prevail.

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

Mr. WELLMAN: Mr. Speaker, I move we reconsider our action and I hope you will all vote against me.

The SPEAKER: The gentleman from Bangor, Mr. Wellman, moves the reconsideration of our action whereby this bill and both reports were just indefinitely postponed. All those in favor of reconsideration will say aye; those opposed, no.

The motion for reconsideration failed on a viva voce vote.

Sent up for concurrence.

On motion of Mr. Wellman of Bangor,

Adjourned until nine o'clock tomorrow morning.