

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and First Legislature*

OF THE

STATE OF MAINE

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and

SPECIAL SESSION

JAN. 6 - JAN. 17, 1964

DAILY KENNEBEC JOURNAL  
AUGUSTA, MAINE

## HOUSE

Friday, June 7, 1963

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

Prayer by the Rev. Mr. George Whittier of Augusta.

The journal of yesterday was read and approved.

### Conference Committees Report

Report of the Committees of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act relating to Definition of 'Hotel' under Liquor Law" (H. P. 299) (L. D. 393) reporting that the House recede from its action whereby the Bill was passed to be engrossed as amended by House Amendment "B" and from its action whereby House Amendment "B" was adopted, indefinitely postpone House Amendment "B", adopt Conference Committee Amendment "A" and pass the Bill to be engrossed as amended by Conference Committee Amendment "A"; that the Senate recede from its action whereby the Bill was passed to be engrossed as amended by House Amendment "A" and Senate Amendment "A" and its action whereby House Amendment "A" and Senate Amendment "A" were adopted, indefinitely postpone House Amendment "A" and Senate Amendment "A", adopt Conference Committee Amendment "A" and pass the Bill to be engrossed as amended by Conference Committee Amendment "A" in concurrence.

(Signed)

RUST of York  
SMITH of Strong  
KNIGHT of Rockland

— Committee on part of House.

KIMBALL of Hancock  
CHRISTIE of Aroostook  
JACQUES of Androscoggin

— Committee on part of Senate.

In the House: On motion of Mr. Rust of York the Report was read and accepted. The House receded from its action whereby the Bill was passed to be engrossed as amended by House Amendment "B" and from its action whereby House Amendment "B" was adopted. House

Amendment "B" was indefinitely postponed.

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

CONFERENCE COMMITTEE AMENDMENT "A" to H. P. 299, L. D. 393, Bill, "An Act Relating to Definition of 'Hotel' Under Liquor Law."

Amend said Bill by inserting at the beginning of the first line the underlined abbreviation and figure "Sec. 1."

Further amend said Bill by striking out everything after the amending clause and inserting in place thereof the following:

"Each such hotel shall be open for the convenience of the traveling public 7 days per week and a reasonable proportion of the gross income of each such hotel shall be derived from rental of rooms and sale of food; except that a reasonable proportion, but not less than one-third, of the gross income of each hotel for which a part-time license has been issued shall be derived from rental of rooms and sale of food."

Sec. 2. Effective date. This act shall become effective for all licenses issued for the calendar year 1965 or any part thereof, and thereafter."

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

### Papers from the Senate Senate Reports of Committees Ought Not to Pass

Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Bill "An Act relating to Establishment, Maintenance and Operation of Regional Technical and Vocational Centers" (S. P. 383) (L. D. 1086)

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

In the House, the Report was read.

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

(Later Reconsidered)

### Ought to Pass with Committee Amendment

Report of the Committee on Health and Institutional Services on Bill "An Act Revising Laws Relating to Pineland Hospital and Training Center" (S. P. 418) (L. D. 1161) 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. 418, L. D. 1161, Bill, "An Act Revising Laws Relating to Pineland Hospital and Training Center."

Amend said Bill in that part designated "Sec. 144-A," of section 7 by adding after the underlined figure "16" in the 5th line the underlined words and punctuation 'except as provided in section 144-E.'

Further amend said Bill in that part designated "Sec. 144-B," of section 7 by striking out in the 4th line the underlined word "established" and inserting in place thereof the underlined word 'determined'

Further amend said Bill in that part designated paragraph "A," of subsection I of section 144-B of section 7 by striking out in the 3rd line the underlined word "may" and inserting in place thereof the underlined word 'shall'

Further amend said Bill in that part designated paragraph "B," of subsection I of section 144-B of section 7 by adding at the end of said paragraph, before the period the following:

'; except that, certification by a psychologist shall not be required if the person, as determined by the department, is so severely retarded as to be untestable by formal methods'

Further amend said Bill in that part designated subsection "II," of section 144-B of section 7 by striking out all of said subsection and inserting in place thereof the following:

'II. Emergency admittance. Whenever it is made to appear to the

superintendent of the Pineland Hospital and Training Center that a person, a proper subject for the Pineland Hospital and Training Center, is in need of immediate care and treatment and admittance is requested by a licensed physician with the approval of a parent, relative, spouse or guardian of the person, the person may be admitted solely on the basis thereof for a period not to exceed 15 days. A report of the circumstances of such emergency admission shall be made promptly to the department and if continuing care and treatment is indicated the regular admission procedure shall be initiated for voluntary admission without certification. During the pendency of said procedure the superintendent may detain such patient at his institution, but in no event for a period longer than 30 days.'

Further amend said Bill by striking out all of the 14th and 15th lines of section 8 and inserting in place thereof the following: 'upon a certificate of 2 licensed physicians who are graduates of some legally organized medical college and have practiced 3 years in this State, it'

Further amend said Bill by striking out all of the last line of section 8 and inserting in place thereof the following:

'section 145 of chapter 27, section 144-B, be committed admitted to said school.'

Further amend said Bill in the last line of section 9 by striking out the underlined figure "144-A" and inserting in place thereof the underlined figure "144-B"

Further amend said Bill in the 3rd line from the end of section 10 by striking out the underlined figure "144-A" and inserting in place thereof the underlined figure "144-B"

Further amend said Bill in that part designated "Sec. 144-A," of section 7 by striking out in the 4th line from the end the underlined words and figures "section 118 or 119" and inserting in place thereof the underlined words and figures 'chapter 149, section 17-A or 17-C'

Further amend said Bill in that part designated "Sec. 144-D," of section 7 by striking out in the 4th line the underlined words and figures "section 118 or 119" and inserting in place thereof the under-

lined words and figure 'chapter 149, section 17-A or 17-C'

Committee Amendment "A" was adopted in concurrence, and the Bill assigned for third reading the next legislative day.

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

Mr. JALBERT: Mr. Speaker, I move that we reconsider our action on item one, S. P. 383, L. D. 1086, Bill "An Act relating to Establishment, Maintenance and Operation of Regional Technical and Vocational Centers," whereby we indefinitely postponed the measure—or accepted the "Ought not to pass" Report of the Committee.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, now moves that the House reconsider its action whereby it accepted the Committee "Ought not to pass" Report on item one.

Mr. Minsky of Bangor then asked for a division on the motion.

Mr. JALBERT: Mr. Speaker, when the motion was made I had just got to my seat, and the reason I did not sign a Report on this measure was my own negligence; and that certainly is no excuse. However, I would like to call the attention to the membership of the House that in my humble opinion, this is as important a measure as there is before this body. This will be the beginning of a sound program of vocational training in this state.

I would like to refer back for a few moments and talk wherein it concerns a few years ago the thousands of Maine people who left our state to work in Connecticut. The reason for that, that immediately following World War I the State of Connecticut embarked upon a program of vocational training. They launched fourteen area vocational training schools so that when it became somewhat the style to get away from the real large metropolis, the State of Connecticut found themselves in the enjoyable position of having fifty thousand skilled people in various trades. So many industries moved in to Connecticut that they finally had to raid the fine laboring hands and skilled laboring hands of people in Maine,

New Hampshire, and Vermont to a point where I know that my colleagues, from my area at least, will bear me out when I say that over weekends before these people made their final moving plans one would walk around the cities of Lewiston and Auburn and other areas, even Augusta, and see so many Connecticut plates that we thought we were in Connecticut.

I could talk at length on this measure but for purposes of debating later on, and for purposes of the importance of this measure, I would hope that you would go along with me as far as reconsideration is concerned so that we probably would wind up having this measure also on the Senate Appropriations calendar, as so many others are now and will be from now until the final moments of the closing of the Legislature, so that this measure would have its final — its fair shake. I think it's no news to any of you who know me, how I feel about vocational training, but the attention nationwide now is on vocational training. Vocational training has become a very definite must. It has, in my humble opinion, top priority. I ask in all sincerity that you keep this bill alive by going along with the motion to reconsider.

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

Mr. MINSKY: Mr. Speaker, Ladies and Gentlemen of the House: Although I made the motion that the "Ought not to pass" Report of the Appropriations Committee be accepted, it was not because I have any less respect for vocational training, than does the gentleman from Lewiston, Mr. Jalbert. I do believe that vocational training is necessary as are many things in this state, but I further believe that with the financial circumstances of this state such as they are that we must be somewhat selective in the items that we choose.

Our educational budget is skyrocketing at the moment. This particular bill currently carries a price tag of \$800,000, and I believe that if this program was to be implemented in the future that the \$800,000 would be a pittance; because this is a bill in which if certain schools apply that they will receive state aid, and

we will not be placing a ceiling on it. This could be two or three million dollars in the 102nd Legislature which already, I believe, even before it is born, faces many great educational problems. I believe we must make progress in vocational training, that we must be selective.

Between the action of the 100th and the 101st Legislatures, we have established an additional post-secondary school for vocational training institute in northern Maine. There is still within the Committee, that has not been acted upon in this House, a bill which would commit this Legislature to creating a third such post-secondary facility. I do not believe in any way we could pass both this bill and that bill. I would point out to you that this not only allows for secondary education, it provides for post-secondary education, it provides for courses running through the thirteenth and fourteenth grades which is an additional two years onto our high school programs, as you know right now they end at twelve years. I do not believe that this program is particularly workable. I do not believe the details have been satisfactorily drawn. I do not believe it will best meet the needs of the state at this time; and I believe the price tag is too high, in view of the other areas of education we must meet, including the vocational areas we have already decided to go forward into now. For this reason I hope the motion to reconsider will not succeed.

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

Mr. EWER: Mr. Speaker and Ladies and Gentlemen: While we are debating this L. D. 1086, I would call your attention to Senate Amendment "A", Filing S-282, which was accepted by the opposite house, which changes the figure asked for from \$800,000 to a considerably smaller amount, that is \$321,000 for the biennium. I do not know any more than anyone else whether we can afford this or not, but I do think this is a step which Maine must take. The greatest trouble as far as working people are concerned in Maine today is the fact that the unskilled jobs are disappearing at a tremendously fast rate. Something is going to have to be

done for our unskilled labor. We are going to have to face this thing sooner or later, and I would join with the gentleman from Lewiston, Mr. Jalbert, in his request that this thing be kept alive at least until we see a little better where we are going to stand.

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

Mr. MCGEE: Mr. Speaker, this particular bill has been amended, as you have just heard, in the Senate to a very moderate cost. It is simply a pilot program, a different program of statewide technical vocational schools taken part in, with state aid, by our regular school systems, as I understand it. I think it's a very important program, and I was very sorry to see how close it came of coming to its end by asking for indefinite postponement; and I really hope that we do reconsider this measure because it is the beginning of a program, now only asking appropriation enough for a pilot understanding on it so it can be produced as a better program later on.

The SPEAKER: The Chair recognizes the gentleman from Winthrop, Mr. Thaanum.

Mr. THAANUM: Mr. Speaker, Ladies and Gentlemen of the House: I'm very much interested in a bill of this kind. As a good many of you know, I have spent quite a majority of my lifetime in the labor management field, and I am very much concerned about the gap that I think is in our educational program with respect to vocational training. I think we've taken a step in the right direction with our vocational training school in Portland. I think we've also taken a step in the right direction with our vocational training school in the northern part of the state. I would hope as time goes on that we would have more vocational training schools such as we have established, but for the time being I think this is a splendid idea, to encourage the vocational training in our schools that already have this particular type of training.

I think there's a great gap in our educational program. I think our schools are putting too much thought

on college educations and forgetting all about our boys and girls who are not able to go to college, who are dropping out of school, who come to the end of a dead end street, if you will. And I would call your attention to this fact today, that our graduates from our schools, or our drop-outs from our schools, are young people who have in mind to get married and have homes and children, and be self-supporting, and the drop-out from the school or even the graduate from school today cannot demand the wages that is needed to make a living at this time. And I think that we need to offer this opportunity for these children who are not going to college, to train them in certain skills or certain lines which they wish to follow; and I think this bill offers an opportunity to make a good start in that direction.

Now, I read recently an article that came from the particular legislation that is going through the Legislatures of a great many states at this time, and I was not surprised to note that great emphasis was being placed upon vocational training and scientific training in the other states because of the times. We are living at an age now where just a pair of hands and a strong back do not get jobs at the present time, jobs at least that will make a living. We're moving into an age now where our boys and girls have to have advanced training, and they're not all going to want to go to college or to teachers' colleges or the University of Maine; and I think this will help to fill a gap that is badly needed in our educational system here in the State of Maine. And I hope that you will vote for reconsideration when this vote is taken. I thank you.

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

Mr. RUST: Mr. Speaker, Ladies and Gentlemen of the House: I wish to thank the gentleman from Lewiston, Mr. Jalbert, this morning for bringing this particular piece of legislation to the attention of this House. I wholeheartedly agree with him that this is one of the most important pieces of legislation that is passing through this Legislature, and it would be a serious fault on

our part if we let it slide through without some good debate. I also would like to say to the gentleman from Winthrop, Mr. Thaanum, that I wholeheartedly support his statements. There are a large number of absentees this morning and I hope this matter would be reconsidered so that it could be debated at length next week by having it tabled. Thank you.

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

Mr. JALBERT: Mr. Speaker, the gentleman from Bangor, my good friend, Mr. Minsky, talked about another measure, that still has not come to light, concerning vocational training. It happens to be the measure that concerns the Androscoggin County area. The survey showed that it should be vocational training on the level of the Maine Vocational Training Institute in Portland. It should be renewed in effort by having one in Presque Isle which certainly I wholeheartedly supported, having one in Bangor which I would support — certainly I would support my own motion. One, however, must not be selfish. I think that both ideas have a different concept although they arrive at the same thing, and I think both should be given their fair run; and I certainly again hope that you will vote to reconsider.

The SPEAKER: The Chair recognizes the gentlewoman from Fal-mouth, Mrs. Smith.

Mrs. SMITH: Mr. Speaker and Members of the House: You know I can't help. I just can't resist calling to your attention a statement made on May the 17th by the gentleman from Lewiston, Mr. Jalbert, when Mr. Jalbert said, and I quote: "Mr. Speaker, I as a signer of the unanimous 'Ought to pass' Report of this Committee, I did it without weakness. If I'm going to be weak signing a report, I'm going to sign it 'Ought not to pass' and be honest with myself. The Committee discussed this bill at length." I want to assure you that the Committee did discuss this present bill at length. I want to assure you that the Committee did discuss this present bill at length, and the previous bill at the time of discussion was also discussed, but not at the

length of this bill. I was lukewarm to it. Many of you in this House know that I signed out an "Ought not to pass" on that bill the last session, but having allowed the bill to come out with a majority — a completely "Ought to pass" Report, I then did stand up and to some extent defend the position of the Committee. And until Mr. Jalbert, the gentleman from Lewiston, stood up I did not know that we did not have the unanimous report from the Appropriations Committee.

Now this does not have too much bearing on this bill. I just can't resist the inference. However, this did have a lot of study. We recognize all the things that have been said about this bill this morning, the good points of it and so forth; but we just couldn't see how this state could get into another educational program of this magnitude at this time. This is not the amount of money on this bill for the new program which is almost like a Sinclair Act. This particular bill is close to almost everyone's heart in this room. In the Portland area, for instance in my area, we talked not long and not loud but to some degree as to how we might form an administrative district some way on our vocational level within our own high schools and within our own scope. This, of course, puts you over so that the state furnishes a great deal, so there has been interest; but this is a tremendous program. You ought to recognize that, and the Appropriations Committee did not feel that we could get into it at this time. And I hope that the motion to reconsider is lost because I feel unless you want to get into this program, you're just wasting time. If you want to get into it, then you should reconsider.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, rises on a point of privilege. The gentleman may state his point.

Mr. JALBERT: Mr. Speaker, the lady from Falmouth, Mrs. Smith, quotes my comment of May 17, I believe; and she is absolutely right. I stated, and I don't think she was in the room when I stated, a few minutes ago that the bill slid by me, and it's going to be obvious in my mind, that it slid by a lot of us — the report slid by a lot

of us this morning, so that I admitted that I had made a mistake and I am one of those fools that will admit that once in a while one makes a mistake.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Lewiston, Mr. Jalbert, that the House reconsider its action whereby it accepted the "Ought not to pass" Report on Item one, Bill "An Act relating to Establishment, Maintenance, and Operation of Regional Technical and Vocational Centers," Legislative Document 1086. A division has been requested. All those in favor of reconsideration will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Eighty-two having voted in the affirmative and twenty-seven having voted in the negative, the motion to reconsider did prevail.

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

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

The SPEAKER: The question now before the House, the pending question, is the motion of the gentleman from Bangor, Mr. Minsky, to accept the "Ought not to pass" Report.

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

Mr. BRAGDON: Mr. Speaker, I move that this matter be tabled until Tuesday next.

The SPEAKER: The gentleman from Perham, Mr. Bragdon, moves that item one be tabled until Tuesday next. Is this the pleasure of the House?

(Cries of "No")

All those in favor say yes; those opposed say no.

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

The SPEAKER: All those in favor of accepting the "Ought not to pass" Report, say yes; those opposed say no.

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

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

Mr. JALBERT: Mr. Speaker, I move that we substitute the bill for the report.



The SPEAKER: The Chair understands that the gentleman from Lewiston, Mr. Jalbert, moves that the House concur with the Senate and substitute the Bill for the "Ought not to pass" Report. Is this the pleasure of the House?

The motion prevailed and the Bill was then given its two several readings.

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

SENATE AMENDMENT "A" to S. P. 383, L. D. 1086, Bill, "An Act Relating to Establishment, Maintenance and Operation of Regional Technical and Vocational Centers."

Amend said Bill in section 4 by striking out in the 3rd line the figure '\$250,000' and inserting in place thereof the figure '\$100,000' and by striking out in the 4th line the figure '\$550,000' and inserting in place thereof the figure '\$221,000'

Senate Amendment "A" was adopted in concurrence and the Bill assigned for third reading the next legislative day.

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

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Monday, June 10, at four o'clock in the afternoon. (S. P. 619)

Came from the Senate today read and passed.

In the House:

The SPEAKER: Is it now the pleasure of the House that this Order be passed in concurrence?

Mr. Rust of York then asked for a division.

The SPEAKER: A division has been requested.

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

Mr. WELLMAN: Mr. Speaker and Members of the House: I urge that you accept this. I have been led to believe by the Appropriations Committee that the supplemental budget will be out; hopefully, it will be with us on Monday. I feel that perhaps we can have separate

party caucuses and discuss this on Monday, and that we can get going — we might even wind up next week.

The SPEAKER: Is the House ready for the question? A division had been requested. All those in favor of passing this Order, will please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Sixty-nine having voted in the affirmative and thirty having voted in the negative, the Order received passage in concurrence.

### Divided Report

Majority Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Resolve Appropriating Funds for Operation of Advisory Committee on Education (S. P. 269) (L. D. 733)

Report was signed by the following members:

Messrs. EDMUNDS of Aroostook  
CAMPBELL of Kennebec  
PORTEOUS of Cumberland  
— of the Senate.

Messrs. HUMPHREY of Augusta  
BRAGDON of Perham  
MINSKY of Bangor  
JALBERT of Lewiston  
EDWARDS of Raymond  
PIERCE of Bucksport  
— of the House.

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

Report was signed by the following member:

Mrs. SMITH of Falmouth  
— of the House.

Came from the Senate with the Majority Report accepted.

In the House: Reports were read.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: I move that we accept the Majority "Ought not to pass" report in concurrence with the Senate.

The SPEAKER: The question before the House is the motion of the gentleman from Perham, Mr. Bragdon, that we accept the Majority "Ought not to pass" Report.

The Chair recognizes the gentleman from Falmouth, Mrs. Smith.

Mrs. SMITH: Mr. Speaker and Members of the House: I only arise to explain my position, which may seem strange to some of you. But we have quite a number of committees before this Legislature and we have some that have come in as new committees and some that are established committees. I feel that, somewhat out of hand, they have grown and grown with the amount of money that has been needed to maintain them. This committee is one of those who has remained with a budget of around \$4,000. It has never asked for more than \$4,000. We have just passed, yesterday, I believe, the Committees for Children and Youth with a \$5,000 appropriation. We have in this paper somewhere the Committee on Aging for \$15,000 each year of the biennium, which hires two secretaries when given one between them. We have the Committee on Mentally Retarded, \$15,000 or so each year.

So it seemed to me that we ought to treat all the committees alike—somewheres near alike. Now even on these orders that we have passed, they are way out of line, one committee having five; two having fifteen; and this committee we cut out completely with money. So I refused to sign the Majority "Ought not to pass" and feel that one committee is as valuable to one group as another committee is to another; and certainly if the Committee on Aging is valuable, and the Committee on Youth is valuable, then certainly the Committee on Education is valuable.

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

Mr. EASTON: Mr. Speaker and Members of the House: I have been for several years a member of this august body, the Governor's Advisory Committee on Education. My opinion as to the value of the committee is well known to a few of my friends. It is misbegotten, misguided and misled. Nevertheless, I believe that the committee as such could have valuable functions. It was originally set up by statute which set no limit as to number

of members and set no terms for the membership. The result is that they now have considerably over a hundred members of whom many no longer show up. It is controlled entirely by the Department of Education, it serves as another appendage in the propaganda machine of this department. In the morning sessions someone from the department comes down and makes a speech and gives them the orders; and in the afternoon the ringing resolutions are passed.

Despite all this, I warmly urge that this committee be continued. It could have a valuable function. Someday, hopefully in the next Legislature, corrective legislation will be introduced and this committee will serve the function for which it was originally intended; that is, a lay committee to discuss and bring before the public the educational issues of the day, from lay people thinking for themselves. This is not the case today, but there is no reason under the sun why this cannot be true in the future, and I warmly urge that this committee be continued.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Perham, Mr. Bragdon, to accept the Majority "Ought not to pass" Report. All those in favor say yes; those opposed say no.

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

Sixty having voted in the affirmative and forty-one having voted in the negative, the Majority "Ought not to pass" Report was accepted in concurrence.

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### Divided Report Tabled Until Later in Today's Session

Majority Report of the Committee on Constitutional Amendments and Legislative Reapportionment reporting "Ought not to pass" on Resolve Proposing an Amendment to the Constitution Forbidding Discrimination Against Any Person Because of Race, Religion, Sex or Ancestry (S. P. 527) (L. D. 1448)

Report was signed by the following members:

Messrs. PORTEOUS of Cumberland  
NOYES of Franklin  
FARRIS of Kennebec  
— of the Senate.  
Messrs. DENNETT of Kittery  
PEASE of Wiscasset  
WATKINS of Windham  
VILES of Anson  
SMITH of Strong  
— of the House.

Minority Report of same Committee on same Resolve reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. JACQUES of Androscoggin  
EDMUNDS of Aroostook  
— of the Senate.  
Messrs. SMITH of Bar Harbor  
BERMAN of Houlton  
PLANTE  
of Old Orchard Beach  
CARTIER of Biddeford  
COTTRELL of Portland  
— of the House.

Came from the Senate with the Reports and Resolve indefinitely postponed.

In the House: Reports were read.

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

Mr. PEASE: Mr. Speaker, I move that we indefinitely postpone the Reports and the Resolve in concurrence.

The SPEAKER: The gentleman from Wiscasset, Mr. Pease, moves that both Reports and Resolve be indefinitely postponed in concurrence.

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

Mr. WELLMAN: I wish to place myself on record as firmly opposed to the motion of the gentleman from Wiscasset and I wish a division.

The SPEAKER: The Chair recognizes the gentleman from Winthrop, Mr. Thaanum.

Mr. THAANUM: Mr. Speaker and Ladies and Gentlemen of the House: I also would like to go on the record as opposed to the motion of the gentleman from Wiscasset, Mr. Pease. A good many of you who

served in the Armed Forces served side by side with men of all races, colors and creeds, and I am quite sure that we who served in the Armed Forces are in favor of a constitutional amendment of this kind. Thank you very much.

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

Mr. BERMAN: Mr. Speaker and Members of the House: I signed the report on this along with my colleague Mr. Smith from Bar Harbor and other gentlemen of this House, and I still stand behind my report. However, I like to be practical about this and I notice that the next item on our calendar is along similar lines, which is trying to do something on a practical basis to help out this situation. So I shall bow to the majority on this one and I hope that the next matter will be thoroughly debated.

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

Mr. EWER: Mr. Speaker and Ladies and Gentlemen of the House: It may be that the next item on the calendar is more practical, but I feel that in view of the record in Maine, the good relationship between races, religions and creeds—in other words, all members of the human family, that this item we are now debating should be passed. We have had a very good record here in Maine over the years and I hope that we can succeed in preserving this record. This bill with its amendment, I think will put us on record as being one of the states where we believe in good associations between all peoples, where we believe in fairness, sympathy, and living together. And for these reasons, I hope that the motion to indefinitely postpone this bill does not prevail.

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

Mr. PLANTE: Mr. Speaker, I move that item four be tabled until later in today's session.

Thereupon, the matter was tabled until later in today's session.

**Divided Report**

Majority Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act relating to Discrimination in Rental Housing" (S. P. 426) (L. D. 1169)

Report was signed by the following members:

Messrs. CAMPBELL of Kennebec  
FARRIS of Kennebec  
— of the Senate.

Messrs. THORNTON of Belfast  
SMITH of Bar Harbor  
CHILDS of Portland  
RUST of York  
PEASE of Wiscasset  
— of the House.

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

Report was signed by the following members:

Mr. BOARDMAN of Washington  
— of the Senate.

Messrs. BERMAN of Houlton  
KNIGHT of Rockland  
— of the House.

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

In the House: Reports were read. The SPEAKER: The Chair recognizes the gentleman from Houlton, Mr. Berman.

Mr. BERMAN: Mr. Speaker, and Members of the House: As a member of the Committee on Judiciary which heard this bill, I would like to move acceptance of the Minority "Ought to pass" Report as amended which the other body has accepted and would speak briefly on this motion.

The SPEAKER: The gentleman may proceed.

Mr. BERMAN: Mr. Speaker, I am really very pleased to be as much in favor of this bill as I may have previously been against at least one other bill this session. I really like to try to get along with people; anything to the contrary you might have heard notwithstanding.

Now my own personal leanings might be a bit on the conservative side, and they do lead me to carefully sift the bills which come be-

fore the three committees on which I am serving. Now I try to ask three basic questions: do we really need this sort of bill either intrinsically or extrinsically; two, can we afford it under our present state of finances; three, are we opening the door to something undesirable or are we closing the door to something desirable.

Now this bill in its intention is, I submit, a wonderful piece of legislation for the State of Maine, for our state should pride itself on fair play and common decency. For some little time, I have been a subscriber to the Times Weekly Review out of London, and within the last month I noticed an article in this excellent publication from the United Kingdom, which said in part: "The colour problem is not becoming easier; it is becoming ever more serious. Every so often it bursts out or boils over. This is what is happening now over the Bristol bus boycott. The general manager of the Bristol Omnibus Company, declares that it is unfair to accuse him of operating a color bar. His company employs West Indians in its garages and depots, but he refuses to change his policy of not employing colored people as bus crews. If he did, he says, he thinks that fewer white people would want the job and it would be difficult to run the services."

Now the paper goes on to comment, "that this dispute is symptomatic of the ostrich-like bewilderment with which so many people in Britain contemplate the colour problem in their midst." "It will be no use, even if it were not morally irresponsible, just to let these coloured people fend for themselves."

"Positive measures are more necessary. This means that persistent efforts have to be made in the educational and social field to fit the coloured people into their new surroundings. In this respect it is noteworthy how different has been the approach in different regions where coloured communities exist; how successfully race relations managed in one place and how they are botched or neglected in others."

"But the lesson of the colour problem is generally speaking, that what

can be done successfully in one place should be a challenge to emulation in another. Often the going is hard; but it will certainly be much rougher if prejudices, restrictions, and merely negative social attitudes are allowed to gather strength in this sensitive and all too menacing field." This was just from recently. Thursday, May 9, 1963, from the Times Weekly Review.

Now that is why I want to urge passage of this bill, which, I say, would serve as a beacon light at least that the great State of Maine is trying to do the decent thing about this problem.

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

Mr. KNIGHT: Mr. Speaker, Ladies and Gentlemen of the House: As one of the Judiciary Committee who signed the "Ought to pass" Report, I would like to make a short statement of explanation at this time. This bill gives everyone equal opportunity to seek the housing he desires. I emphasize; we are talking about equality, not preference. And I support the motion of the gentleman from Houlton, Mr. Berman.

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

Mr. RUST: Mr. Speaker, I move this item lie on the table until Tuesday next.

The SPEAKER: The gentleman from York, Mr. Rust, moves that item 5 be tabled until Tuesday next. All those in favor will say aye; those opposed, no.

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

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

Mr. BREWER: Mr. Speaker, in my area on this bill and on the one that has been tabled until later in the day, I have a number of people that are in favor of this legislation. I simply want to go on record as favoring the motion of the gentleman from Houlton, Mr. Berman.

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

Mr. WELLMAN: Mr. Speaker, I wish to go on record as being in

favor of this motion, and I wish to quote to you a short statement that was made by a leading Episcopal layman, William Stringfellow, and also an eminent attorney from New York.

"The great affront to the negro in the north, is that in spite of all the promises of politicians, all the civil rights statutes and judicial decisions, most negroes still are forced to live in segregation in ghettos, separated from the rest of the community."

Mr. Speaker, Ladies and Gentlemen of this House: I believe that we have an opportunity here in Maine to go on record as opposed to this type of activity and to stand firmly for the principle that everybody has the right and the fair opportunity for housing.

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

Mr. PLANTE: Mr. Speaker, Ladies and Gentlemen of the House: I heartily concur with the remarks of the gentleman from Bangor, Mr. Wellman. The subject matter of this proposal is not and should never be of a partisan nature. I strongly believe that the initiative of extending another civil right to all races, all colors and all religious denominations is ours this morning, and I hope that we will not retard the equality of opportunity for all of our citizens by defeating this measure; but rather that we will pass it by a substantial margin and not even let it lie idle on our law books, but see to it, as individuals, that it is enforced.

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

Mr. TYNDALE: Mr. Speaker, Ladies and Gentlemen of the House: I would also like to go on record with my two distinguished colleagues, Mr. Plante from Old Orchard and Mr. Wellman from Bangor. There is one point that I would like to bring out to you this morning. That is simply this, I have been reading about civil rights for the past several months. We must make up our minds once and for all if we are to believe in civil rights at all, you must accept it in entirety. This must be

in housing, education, and all the other facilities afforded to the human person. I am a believer in the complete brotherhood of man. You have got to accept it. We are leading up to it. It is a part of our human life that no man should be recognized for anything but himself, regardless of race, color or creed. I have always believed in this, and I sincerely hope that our state will completely go on record for this principle which is envisioned in all our constitutions of states and in our country for fair play for all. Thank you.

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

Mr. MacLEOD: Mr. Speaker, Ladies and Gentlemen of the House: This measure came out of Judiciary seven to three, "Ought not to pass." This is a measure that is very difficult to be dispassionate about. Certainly I agree with the gentleman from Old Orchard Beach, it is not a matter of partisan politics; but I do feel this and feel it very strongly, that you never will eliminate prejudice and discrimination by passing a law. Article I, Section I of our State Constitution declares "All men are born equally free and independent, and have certain natural, inherent and inalienable rights, among which are those of enjoying and defending life and liberty, acquiring, possessing and protecting property, and of pursuing and obtaining safety and happiness." This is a real general statement I will admit.

But if we pass a measure such as this, we are taking away more rights than we are guarantying because if this measure passes, any person that owns a house in which there are three or four apartments or one other apartment as the amendment says, then if he chooses not to rent an apartment to a person who might be colored, then automatically he is going to be guilty of infraction of this law. He may have good and sufficient reasons why he does not want that family for a neighbor, but he is automatically going to be guilty under this law.

I can think of several Negro families in my area whom I would be happy to have as my neighbors, and I can also think of several families in my area who are white whom I would hope would never move anywhere near me. But to pass a law such as this is not going to solve this problem. It is going to create, in my opinion, an even greater one.

I am known in my area, on social occasions when we get into arguments, as being one of the greatest defenders of human rights and human liberty regardless of race, creed or color. Some of my friends are not this tolerant, and I am always on the other side decrying what is happening right in the southern part of this country right now. But I don't think that passing legislation such as this is going to solve this problem. Thank you.

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

Mrs. HENDRICKS: Mr. Speaker and Members of the House: In a previous session, we heard many of these same fears expressed when we passed the anti-discrimination bill in resort places. Some of these same fears were expressed. I would like to say we in Portland are very proud that in a non-partisan election, we just elected a colored person to the Water District, and I am sure I would be remiss in my duty if I didn't support this bill.

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

Mr. CURTIS: Mr. Speaker, Ladies and Gentlemen: I don't think we need this type of bill in the State of Maine. I think we are just—because it stirred up people in the south. Now I have spent considerable time in the south, and I saw how the Negro was used there. My wife kept cautioning me all the time. She said I might get killed and I might get badly bruised if I didn't stop taking their part. Now I believe that something should be done in the south, I think perhaps we are little too rapidly doing it. It should have been started way back a long while ago and given a chance to

come up, but as far as the State of Maine is concerned, I don't believe we need this whatsoever. It is a good deal like 'monkey see, monkey do' to pass this legislation.

Now you probably have all read as well as I have not too long ago an article in one of the leading magazines what a racket is going on in New York and some of our larger cities where white people live in very nice houses, and eventually some real estate dealer goes down and buys one and sells it to a colored man and then eventually they all want to sell and in this article, this dealer said that he was probably making fifty, sixty, seventy-five thousand dollars a year by driving the white people out and putting the colored people in. Now that is going on. We won't have anything like that here in Maine because we are not that kind of people. And I think to pass this sort of thing, would be very poor legislation because we do not need it.

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

Mr. BERMAN: Mr. Speaker, I would just like to comment that this morning I do not believe the question is money; the question is people and human decency.

The SPEAKER: The Chair recognizes the gentleman from Wilton, Mr. Scott.

Mr. SCOTT: Mr. Speaker, Ladies and Gentlemen of the House: I would just like to say that this isn't a case of 'monkey see, monkey do.' It is a matter of Christian principle. I am very happy to go on record as being in favor of this measure.

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

Mr. RUST: Mr. Speaker, Ladies and Gentlemen of the House: I tried to table this bill until Tuesday next because there were other members on the committee, the majority report of the committee; who were interested in speaking on this bill and were prepared to do so. However, I think it is upon me this morning to attempt to defend the majority report of the Judiciary Committee, and I always

will support a committee report which I sign.

Now it is obvious this morning that somebody apparently reached down and put the golden touch on this particular piece of legislation for reasons best known to other people. We have heard considerable comments here this morning about equality, equal rights and equal adjustments. All those remarks apply to a two-sided coin because there are people on both sides of the issue. The problem which the people are trying to reach here, from the people who came before the committee, is not a real problem; and the problem that does exist in the areas that are affected, and there are only two areas in that state that really have anything of a nature which could be considered a problem here.

These two particular areas who have a slight problem in regards to it can better take care of the problem by educating the people in those areas. You can't put a bill on the statutes and attempt to cram something of this nature down a person's throat.

Now we have anti-discrimination laws on the statute books of this state which apply to public housing, hotels, motels, resorts, etc.; this bill here attempts to apply the same anti-discrimination law to private rental housing. That is the right which you and I have to do what we want with our own property, whether it be our private home or our private camp at the lake or at the seashore. And I, for one, may be considered a little bit of a bigot or whatever you might want to call me or anti-discriminatory or anti-this or anti-that, but this is a two-sided coin and there are more people going to be affected by this bill than will be benefited by it. And I, for one, don't feel that it is fair, equal or just that people should have to be told and regulated as to who or who not they must rent their private residence, or their private summer camp to. That is just what this bill does. It tells each and every one of you that you cannot rent your own residence if you so choose or your own summer camp to a person of your own choice. I don't think

that is a particularly fair proposition and I hope the motion of the gentleman from Houlton, Mr. Berman, does not prevail. And I would request a division.

The SPEAKER: The Chair recognizes the gentleman from Southwest Harbor, Mr. Benson.

Mr. BENSON: Mr. Speaker, Ladies and Gentlemen of the House: Going back a few weeks when we were discussing the right to work bill, it was said that we have no problem in the State of Maine along this line, therefore, why tamper with it. I feel that way about this bill. We have no racial problem in the State of Maine, and I think we had better leave it alone. And in reading the second paragraph of the bill, I see that we are not concerned entirely with religious sect, but we are also concerned with class and I think that when a person has no real control, we might say, over who he is to have in his lake-side camp or even in his own home as far as that is concerned, I think that we are getting into a pretty dangerous area. I would go along with the gentleman from Brewer, Mr. MacLeod, for a change, and with the gentleman from York, Mr. Rust, in this matter.

Mr. Berman of Houlton was granted permission to address the House a third time.

Mr. BERMAN: Mr. Speaker, I would comment just very briefly on this concept of private property. Now this concept, if you examine it very closely, can be a very nebulous thing. I say it can be a very nebulous thing because we come into the world with nothing and we leave the world with nothing. While we are here, whatever we acquire we can dispose of in our own time or leave behind to others. That, is private property, if you would think of it as such. The great thinkers from time immemorial, those who had no formal education and those who have had great formal education, have looked into this concept of private property and as I understand it, the best thinking is that the owner of property is not the owner; he is only a trustee. Therefore, since we come into the world with nothing, since we leave the

world with nothing, what is the purpose of life?

Now while I am a member of one political party, I sometimes like to read the biographies and autobiographies of leaders of the other party. One of the most unusual men as far as capacities in which he has served during his lifetime, is a gentleman who served as Governor of his state, he served as Congressman, he served as United States Senator, he served as Assistant to the President, he served on the Supreme Court of the United States, he served as Secretary of State, and how does this gentleman end his autobiography? He ends it with a stirring address to the purpose of life. He says as I recall — I don't have the book before me — he says, "The sole purpose of life is to serve humanity." And I suggest ladies and gentlemen, that that is all this bill is trying to do and it is nothing new.

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

Mr. TYNDALE: Mr. Speaker, Ladies and Gentlemen of the House: I heartily agree with the remarks of my distinguished and learned colleague from Houlton, Mr. Berman. I think we are missing a point here. The point at issue is an anti-discriminatory piece of legislation and that is what it is serving to do, nothing else. And I think if you broaden this and say what belongs to a man is his and his alone is not true because from that concept, you would say, I own this place and therefore I will only rent it to the person that I wish to. But we are not governed that way. We are governed by a series of laws, regulations and permissible legislation which we call our own conscience and rights according to the Constitution of the United States. And that principle is that you cannot own a piece of property and call it your own if you intend to rent it. Because in that case, you are governed by a series of laws. This one law is to make it possible for legislation to exist on the books that you cannot discriminate against a person for race, creed and color. That is the issue at hand. I think it is a good



piece of legislation, and it should be passed.

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

Mr. BRAGDON: Mr. Speaker, I feel that I would like to go on record in regards to this matter. I agree completely with the remarks of the gentleman from Brewer. I feel that in passing legislation of this type, you are going to emphasize and call attention continually to a problem which I do not feel exists in the State of Maine to a sufficient extent to warrant the passage of the bill.

The SPEAKER: The Chair recognizes the gentleman from Eddington, Mr. Gilbert.

Mr. GILBERT: Mr. Speaker, Members of the House: I too share the sentiments of the gentleman from Perham, Mr. Bragdon, and the gentleman from Brewer, Mr. MacLeod. I don't think that this is needed in the State of Maine, and I don't think that this is an area where you can pass legislation in effect to educate people. Now I have another serious doubt or legal doubt on it which is along the lines that the gentleman from York was talking. There is a provision in our Constitution that states as follows: "Private property shall not be taken for public uses without just compensation; nor unless the public exigencies require it." Now when you pass this legislation if you do, you, in effect, are taking private property. And this might be against the wishes of the person whether they were misguided or ill-advised or uneducated, but you are, in effect, taking private property.

The SPEAKER: The Chair recognizes the gentlewoman from Falmouth, Mrs. Smith.

Mrs. SMITH: Mr. Speaker, and Members of the House: I would like to go along with those who have spoken for the Majority Report of this Committee. I would suggest to you that having been forced to live in many sections of this state, having several children, I have many times been refused rent on the basis sometimes because they didn't want

that many children and sometimes because a place was not suitable for the number that I had. I wonder if this isn't discrimination, and perhaps we have more of this kind of discrimination than of the one we are speaking of. I certainly hope that we don't pass this bill.

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

Mr. LOWERY: Mr. Speaker, I wish to rise and go on record as favoring the Majority Report.

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

Mr. MINSKY: Mr. Speaker, Ladies and Gentlemen of this House: I had been thinking in my own mind for several days, in fact, several weeks, whether I wished or not to participate in this debate. I hoped quite frankly that I would not. That debate continued here this morning, but I cannot let go unchallenged or unanswered some of the comments made here this morning.

Some of the statements that have been made I think should be answered. One of which was that we can no longer have any choice as to whom we rent our property. This is not so. You can have a choice. And there is an exception on one condition, if the only reason you wish to exclude that person is because of his color or religion, then this, the bill says, would be wrong. But if you wish to exclude this person because you do not feel he would take care of your property or you feel it would be damaging to your property, etc., and the fact that it was a person who had a record that he had gone into apartments and made damages, etc., you still have this choice. It just simply says you cannot have the choice if your sole reason for denying this is the basis of race, religion, color, etc.

I would respectfully represent to the gentleman from Southwest Harbor, Mr. Benson, and to the gentleman from Perham, Mr. Bragdon, that they do not see a problem simply because there are no Negroes to my knowledge in Perham, and there are none in

Southwest Harbor. And I will go one step further because there are no Jews in Southwest Harbor and there are no Jews in Perham, etc.

There are those who have criticized this bill because it is not a perfect bill and because there are errors in it. And I will say to you that there may be shortcomings to this bill, but if we wait for the perfect bill in any given subject, we could have gone home January 3 because men are not capable of writing the perfect bill.

We have talked about our loss of freedom in this, about these great rights. We have freedoms, but every freedom we have is limited. We have freedom of speech, but can you go to a theatre and yell, "fire" in that theatre? You have the freedom to make contracts, rent included, but will the court uphold a contract that is against the laws of the State of Maine? You have a freedom of religion, but has not our Supreme Court struck down certain religious practices which we felt were fine to the general concepts of morality in this country? We have the freedom to assemble, but can I go down town Augusta today and cause an assemblage in the middle of the street? And we have the freedom to own property and do I have the freedom today to put a junk yard or a chicken coop in my back yard? Have not we, in this Legislature, already passed laws concerning junk yards, a prohibition on use of property? Evidently, we are more concerned with junk on human property than we are for human beings.

We say this is unnecessary. Did we wait until the first murder was committed to outlaw murder? Did we wait for the first larceny to outlaw larceny? And I would sadly report to you that I think it is necessary even forgetting the argument of whether we should wait. Come to Bangor and I will show you housing in which Negroes live, and I would submit to you that the housing is in the poorest neighborhood of town and the rents are among the highest. And I think I can show you this in other communities.

It was argued on the Floor of this House four years ago that it wasn't necessary for us to outlaw

discrimination in hotels and motels, but have you ever been asked to leave a hotel because of your religion? I have in the State of Maine. I believe discrimination does exist. We will not eliminate it solely by legislation, but legislation and education goes hand in hand.

I still have the deed in my office of a cottage which my parents bought which simply said that this property can never be sold to any Negro or any Jew.

Are we so afraid to clutter up our books, so afraid to add another law to our law books that we are even unwilling to put into these books what we all so proudly say and beat our breasts about every Memorial Day and every Fourth of July? Mr. Speaker, the remarks I have made this morning, I have not enjoyed making and I have not found pleasant. But I think we are faced with a problem, and I think we should face it. And I think the people of the State of Maine should know where each and every one of us stand. When this vote is taken, I hope everyone can make their position known clearly. I request that it be taken by the yeas and nays.

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

Mr. JALBERT: I move the previous question.

The SPEAKER: A motion for the previous question is not debatable.

Mr. BERRY of Cape Elizabeth: Mr. Speaker, I rise to a point of parliamentary procedure.

The SPEAKER: The gentleman may state his point.

Mr. BERRY: Mr. Speaker, the names of two members of this House were mentioned by the previous speaker, and I rise to take issue and raise the point that these gentlemen are not parochial in their viewpoint. I am completely sympathetic with and shall vote as the gentleman from Bangor votes. I also feel that the gentleman from Southwest Harbor, Mr. Benson, and the gentleman from Perham, Mr. Bragdon, are very sincere and capable legislators who think from a statewide viewpoint.

The SPEAKER: The Chair recognizes the gentleman from Dover-Foxcroft, Mr. Meisner, and for what purpose does the gentleman arise?

Mr. MEISNER: To discuss the issue.

The SPEAKER: The previous question has been moved and is not debatable.

In order for the Chair to entertain the previous question, it must have the consent of one-third of the members present to authorize the Speaker to entertain it. And all of those who desire the previous question at this time, will please rise —

Mr. RUST of York: Mr. Speaker?

The SPEAKER: For what purpose does the gentleman arise?

Mr. RUST: I rise on a point of order.

The SPEAKER: The gentleman may state his point.

Mr. RUST: I wish the Chair to state to the members of the House the effect of the previous question.

The SPEAKER: The previous question shuts off all debate. When motion for the previous question is made, the consent of one-third of the members present shall be necessary to authorize the Speaker to entertain it. No debate shall be allowed until the matter of consent is determined. The previous question shall be submitted in the following words, "Shall the main question be put now?" No member shall speak more than five minutes on the motion for the previous question, and while that question is pending, a motion to lay on the table shall be decided without debate. A call for yeas and nays or for division on a question shall be in order after the main question has been ordered to be put. After the adoption of the previous question, the vote shall be taken forthwith upon amendment and then upon the main question.

All of those in favor of the Speaker entertaining the motion for the previous question will rise and be counted. The monitors will make the count.

The SPEAKER: Obviously, more than one-third having expressed the desire for the previous question, "shall the main question be put now? This is debatable.

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

Mr. PEASE: Mr. Speaker, I would urge the House to defeat the question as to whether the main motion shall be put now. I am sure that there are others including one gentleman who has already expressed a desire to discuss this further. I would hope that we would defeat the motion for the previous question so that some of the rest of us might have the opportunity to express our views before the vote is taken by the yeas and nays.

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

Mr. MacLEOD: Mr. Speaker, I agree with the gentleman from Wiscasset. I have some additional remarks that I wish to make myself on this question. I think it is a very important one. I think we should have the opportunity to discuss it fully and debate it fully.

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

Mr. JALBERT: Mr. Speaker and Members of the House. This is the first time at this session that I moved the previous question. I think it is the first time it has been moved for that matter. I think the reason for my motion is a very obvious one. I shall vote in the same fashion as the gentleman from Bangor, Mr. Minsky, does, roll call or no roll call—

The SPEAKER: The gentleman is not debating the motion for the previous question. Shall the main question be put now?

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

Mr. RUST: I would make a parliamentary inquiry of the Chair.

The SPEAKER: The gentleman may state his point.

Mr. RUST: Is it still possible for any member the House to debate the main question for five minutes?

The SPEAKER: They may debate the motion of "Shall the main question be put now?"

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

Mr. PLANTE: Mr. Speaker, I feel because of the importance of

this issue, that everyone should have an opportunity to express themselves whatever side they may be on.

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

Mr. WELLMAN: Mr. Speaker, I rose during the division shall the question be put. I would now oppose the motion because I feel that we should have a good open debate on this matter.

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

Mr. KNIGHT: Mr. Speaker, as a member of Judiciary that signed the "Ought to pass" Report, I urge you to give the other members of the Committee a chance to express their opinions and would urge you to vote against the motion.

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

Mr. BRAGDON: Mr. Speaker, because this matter is very likely to go to a yea and nay vote, I certainly hope that everybody will have an opportunity to completely express their reasons for voting as they will vote.

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

Mr. JALBERT: Mr. Speaker, having accomplished my point, I withdraw my motion.

The SPEAKER: One-third having expressed the desire for entertaining the motion for the main question, the main question is before us. Shall the main question be put now?

The Chair recognizes the gentleman from Eddington, Mr. Gilbert.

Mr. GILBERT: Mr. Speaker, I move this lie on the table until Monday next.

The SPEAKER: The gentleman from Eddington, Mr. Gilbert, moves that "Shall the main question be put now" be tabled until Monday next? Is this the pleasure of the House? All those in favor will say aye; those opposed, no.

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

The SPEAKER: Is the House ready for the question? All those

in favor of "Shall the main question be put now," please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Seven having voted in the affirmative and ninety-three having voted in the negative, the motion of "Shall the main question be put now" was defeated.

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

Mr. LITTLEFIELD: Mr. Speaker, Ladies and Gentlemen of the House: This is the toughest question I have had to consider during this legislative session. I have one language, its simplicity gains pardon for my lack of letters, but when I was a boy I lived across the street from Negro families. I associated with them. One family was as splendid a family as you could ask for. The other you wouldn't have cared to associate with so much. The same thing existed among the white boys and girls. When I lived in Boston, my daughter went to school where the Negro, the Jew, and other nationalities went to school, and we never thought anything about that part of the school children, what race they belonged to or what religion they belonged to. It never was mentioned in my home.

In Baton Rouge, Louisiana, I have a son-in-law. He is the most liberal fellow that I have ever met. He lives in the south, and he says that legislation against the colored question in the south has set it back fifty years probably.

Now I am not capable of debating the legal aspects of this bill, but I will go along with the majority report of the committee. I am astounded that such a bill should come to the State of Maine because in the Town of Hampden, we make no question about whether a man is a Negro, a Jew or any other nationality. They come to our homes and they rent there. The point to me is, are we going to have equality by education, or are we going to force it by law?

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

Mr. MacLEOD: Mr. Speaker, Ladies and Gentlemen of the House: From some of the remarks that have been made by other people in the House since I stood up, I feel that I should clarify some of the things that I said. If the impression that I gave in my previous remarks was that I didn't feel discrimination and intolerance, religious and racial existed in the State of Maine, I was misinterpreted because I certainly do believe that racial intolerance and religious intolerance and discrimination does exist in this state. It exists in my home town. It exists between the Protestants and the Catholics, and the Catholics and the few Jewish families. It exists between all those religions and a couple of Negro families which we have in Brewer. It exists probably within the Halls of this Legislature. I feel, however, that this is not to be solved by passage of a bill of this type.

I abhor the intolerance and the discrimination that exists in every city and town in this state and exists in every state in this country and every country in this world. I know that many white men in the north looked at the picture of the Negro being kicked in the head down in Mississippi or Alabama and enjoyed looking at that picture. And the Negro was later taken to the hospital, and it is a wonder that he didn't die from the injuries.

This is something that has been with the human race for centuries. And this is a black mark on the human race. And I hope that some day that this will disappear as I hope and feel it is gradually disappearing in this country. But I sincerely and deeply believe that by taking away rights which this bill does from other people in order to grant some rights supposedly to some others, we aren't going to be accomplishing anything toward the end of ending the intolerance and discrimination that does occur. Thank you.

The SPEAKER: The Chair

recognizes the gentleman from Dover-Foxcroft, Mr. Meisner.

Mr. MEISNER: Mr. Speaker, my remarks may be somewhat incoherent here this morning because of the emotion that may have taken hold upon me on this occasion. I was afraid that I wouldn't have this opportunity of standing up here as a Christian minister and defending this motion that has been made here to pass this bill. I preach and in my sermons very often I say that the great Creator has made of one blood all the peoples that dwell upon the face of the earth. I can't point you to that exact quotation, but it is there.

I've had occasion just lately to kind of renew the story that we've all read in our childhood, the story of Washington Irving telling about Rip Van Winkle who left his community on the Hudson and went up into the mountains and slept. He slept for twenty years. When we were children perhaps we were surprised about Rip sleeping for twenty years. As I renewed that the other day, the chief thing about that story to me now is that this man Rip Van Winkle slept through a revolution. When he went away the picture of George III was on the sign in front of the tavern. When he came back there was another George on that sign in front of the tavern and underneath that picture was "George Washington, first in war, first in peace, and first in the hearts of his fellowmen." Now, I'm wondering if we too aren't sleeping through a great revolution. Great writers and philosophers telling us today that we are experiencing the greatest revolution in all the history of this world, a revolution that is taking part all over the world. We read about it in Africa. We read about it in Asia. We certainly read about it here in our own nation, Mississippi, Alabama and in the north. This great man that has quoted to us, this lawyer from New York, in Bangor last winter, said that this movement must come from the north. What we did here was more important than what they are doing in the south.

Now, the remarks that I had, I must leave out many of them. I was deeply stirred by what my friend and colleague from Bangor said, Mr. Minsky. I thoroughly agree with what he said. Many people have said here this morning there was no need of this bill in the State of Maine. There is a document quoted by the Maine Advisory Committee to the United States Civil Rights Commission. They met, I think it was in March, the twenty-fifth, in Portland. They presented a document of some fifty-two pages, and in that fifty-two pages they argued that discrimination is taking place here in the State of Maine, in Portland, in Brunswick and in Lewiston. We know it is taking place in Bangor. It is taking place on a smaller scale in several of our towns, especially those that are connected with the armed forces. I know of a small town where a woman is a graduate of a University and she applied for a teaching position in the school. The school committee in the town said what shall we do? She's equipped in every possible way for this job. We don't know whether to hire her or not. Some said go ahead and hire her if she has the necessary qualifications which they guaranteed she did have. So they hired her, but how many letters did they receive from that little town from people who thought it wasn't right that a colored person should teach their children. Discrimination is where colored people are. It doesn't make much difference what the size of the town is.

This bill is supported by very many people. It is supported by very outstanding educators of our state. A distinguished educator, the President of Colby College, Robert E. L. Strider, I think you will remember at the hearing here before the Committee that he was here. He was the chief spokesman for a great number of people who spoke in favor of this bill for over an hour. We have the names of James S. Coles of Bowdoin University — Bowdoin College, President C. Worth Howard of Ricker College, and a great many others. We have rep-

resentatives from religion, perhaps you think we shouldn't get into that, but these are outstanding people. There is the Reverend Daniel J. Feeney, Bishop of the Roman Catholic Diocese of the State of Maine; Reverend Oliver Loring, presiding Bishop of the Episcopal Church of Maine. You have two Rabbis whose names I have here. You have several others. You have on your desk this morning a petition from the **Congregational Christian Churches** of Maine meeting in session in Portland a few weeks ago urging the passage of this bill, and the passing of it at once. You also have delegates of the Annual Conference of the Maine Methodist Churches meeting in Rockland May the 26th, wishing to express to the State Legislature in support of this bill, and hoping that it will pass at once. I could quote you names of several lawyers who are behind this bill in favor of it, and there are many others.

I will not take up much more of your time here this morning, but to say we are supposed to be a Christian land. I wasn't going to repeat this, but I think I shall just the same. A man came from the south on a vacation up to New York. He went up into a certain vacation area, and as he passed the ways that led down to certain hotels and camps, he saw written right on the sign at the bottom of the sign: "For Christians only." When he came to the town where he was going to spend some time he said to some man he met on the street: "I didn't know you were so religious up here in New York State. I saw on the signs going down to these different camps the sign 'For Christians only.' We don't have those in the south." And the man said to him, "Don't you know what that means?" He said "that means that certain people can't go down there. Certain people of a little different color can't go down there." The man said, "Do you mean to tell me that Christ couldn't go down there for a night's lodging?" The man said, "That's it. The people of the race from which he sprang can't go to these camps. If He went down there with a sign upon his breast

that he was the Christ, they wouldn't dare to refuse him probably because of the publicity, but if they didn't know him, he couldn't get a night's lodging." You say this is not necessary in the north; not necessary in the south, I know there are some flaws in this bill that lawyers can pick apart, but I don't think there are many laws that cannot be picked to pieces if we go after them with that attitude. I sincerely hope, and wish, and even pray, that you pass this bill.

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

Mr. BERMAN: Mr. Speaker, Members of the House: I will be very brief. When I first came to the House in the 100th Legislature, it seemed an awfully long way down from Houlton to Augusta twice a week, and I used to come a good deal of the time by myself, and to keep awake during the long drive I thought of memorizing one of the great documents of all times, the Declaration of Independence. Now I'm not going to repeat it to you in toto this morning, but when we come to the closing moments of this debate, I want to remind you that there are certain truths that are self-evident, that all men are created equal, that they are endowed by their Creator with certain inalienable rights, and that among these rights are life, liberty, and the pursuit of happiness.

This bill should receive passage.

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

Mr. PLANTE: Mr. Speaker, Ladies and Gentlemen of the House: Because an evil has been with us a long time, is no reason to tolerate it. In some of our colonial areas, at one time, you had to profess a particular religious faith to seek public office. Later, in a majority of our colonial states, you had to own a certain number, or a certain amount of property to seek public office, or even to have the opportunity to seek the opportunity for the legal right to vote. We have done away with this. So for me to stand here and listen to people who say "go slow" I need only say that this is easy for some whites, this

is easy for some Christians, but to those who have been discriminated against, it is very difficult for them to be convinced that we should go slow.

In closing, I would like only to remind you that to be born free and equal is fine. However, to live free and equal is better.

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

Mr. BINNETTE: Mr. Speaker, Ladies and Gentlemen of this House: I am somewhat reluctant to get into this debate, but unfortunately after hearing some of the remarks which have been made here this morning, I think I must express myself.

I heartily agree with my colleague from Brewer that there is a lot of discrimination in this state, and there has been for a long time, which should be eliminated. I also heartily agree with my colleague from Bangor, Mr. Minsky, with his tender remarks, and therefore, I am urging you people using the words of our great emancipator "with malice towards none, but with justice to all," I move that we accept the Minority Report.

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

Mr. EWER: Mr. Speaker, I agree with the gentleman from Brewer, Mr. MacLeod, that this document, if passed, will not solve all our problems. I do not think this Legislature or any other state Legislature, or even the National Congress has ever passed a measure to solve the problem fully for which it was designed. I do feel that this is a step towards the solution of that problem, and I want to say here and now that there are two gentlemen in this House and I refer to my colleague from Bangor, Mr. Minsky and my colleague from Houlton, Mr. Berman, that I hope that from now on they will accept me as a friend in the same spirit in which I accept them, that when a man has the courage to air his innermost feelings, as has been done this morning, that his words deserve respect and I hope that we will give them.

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

Mrs. OAKES: Mr. Speaker and Ladies and Gentlemen of the House: I didn't intend to speak on this today, but I feel I have to. As Chairman of Gray Ladies Service in the hospitals of Portland, I have two colored—negro ladies which give about twenty-five hours a month volunteer services, and they do anything that you ask them to do. I should feel very sad if I went back to Portland tomorrow, and they asked me how this situation was in Augusta or at the State House, and I hope I can go back and tell them that there will be no discrimination, and I hope you will pass this bill.

The SPEAKER: The Chair recognizes the gentleman from Paris, Mr. Hammond.

Mr. HAMMOND: Mr. Speaker and Ladies and Gentleman: I have been moved and touched this morning by debate and remarks that I have heard as I have not been moved and touched since I entered this House last January. As far as this item is concerned as a legislative document, I do not agree with it, but I am going to vote for it because I cannot vote against my friends, friends who may be of other religious denominations, friends who may be of a different race, but still over all, are friends.

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

Mr. COTTRELL: Mr. Speaker, I am a Protestant. I am very fortunate in having a brother-in-law of the Jewish faith. I am very proud to have had a student of mine in the Peace Corps in Africa. I want to repeat a simple, most recently famous prayer: Un Unum Sint! (That they be one.)

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

Mr. BRAGDON: Mr. Speaker, I think at this point in the debate I should make one thing completely clear, and that is that I am not voting against anyone, I am simply voting for what I think is the best solution of this problem.

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

Mr. PEASE: Mr. Speaker and Ladies and Gentlemen of the House: I do not rise to defend the Majority Report of the Committee on Judiciary, which I signed. I do not think it needs defense. If you will turn your attention to L. D. 1169, An Act relating to Discrimination in Rental Housing, and compare that bill to the law as it now exists on our books concerning discrimination in places of public accommodation, amusement, and so forth, you will find that paragraph two of the document contains the meat of this bill. I would call to your attention the last phrase of that paragraph two, but first, recite to you briefly what paragraph two, in essence, says. It says that no person, no individual, being the owner of a building, may directly or indirectly in any fashion discriminate or refuse or deny to rent that property to any member of the classes, colors, races, religious sects, denominations, and so forth indicated in the bill in general. And then it goes on to say, except that this provision shall not apply to a building with not over two dwellings, one of which is occupied by the owner. I don't call this to your attention as an attorney because, as a member of the Judiciary Committee, I did not vote on this from a legal standpoint particularly. I took my stand on the fact that on one basis, that even the people who framed this particular bill recognized that what I would refer to also as an inalienable right of an individual to be free in his own private property, and I think that the framers of this bill recognized that principle when they said, and they admitted at the Committee hearing, that this should not apply to your next door neighbor. In other words, you should have the free choice of who you should live beside in your own building. I believe that I asked the question at that time, or if I didn't, I intended to ask the question: What about the individual that owns the eight tenement building, or the six tenement building in which



he lives as the landlord and owner. Does he not have the same private right to the choice of his neighbor regardless of color, race, creed, religious denomination, or what have you? Does he not have that same right to choose the occupant of the vacant apartment beside his in the eight tenement dwelling as he does in the duplex or the two-family house?

And if you again read what we have, you will see that it is fine to except the individual in the duplex, who owns a duplex, and yet if he were to own his own home, a single-family dwelling, and decided to go to the cottage for the summer that he would not have the choice to whom he might rent his own family dwelling. This I think is a basic weakness of the bill from the standpoint of a layman, not as an attorney, in that even those individuals who drafted this bill recognized the fact that to a certain extent we should have our own free choice.

I would prefer as an individual to draw the line at public accommodations, businesses where we're in the business of providing hotel accommodations or as the original bill, or the present bill refers to resort, amusement areas, and so forth, I think that that is the place to draw the line. It is extremely difficult to speak after the emotional pleas that have been made, but I am just as emphatic as some of the other Members of this House who have risen for the mere purpose of saying they want to go on record as being in favor of this legislation, I am just as emphatic, as deciding for myself, that I desire to go on record as completely and inalterably opposed to this particular piece of legislation. We are balancing two principles, one against another. There are members of the Judiciary Committee who are unable to be present today who heard this bill that desired to speak concerning the legal principles involved, but those two principles basically are: one, the right of an individual to a certain extent at least to be free in the use and enjoyment of his private property. The other principle is that which an individual holds for himself against being discriminated.

It would seem to me that this bill goes far beyond the present Statute, it reaches into the home of every individual. I personally do not believe that legislation is the correct approach to the problem which is admittedly present in the State, in New England, and in our nations, as well as in the rest of the world. I think that if the various and sundry individuals who have paid so much attention to having legislation drafted with this particular caveat, if these individuals had paid attention in their own fields of education, in religion and in other fields, to a process of reaching out into their own sphere of influence and convincing individuals that we would be much better off than setting up penalties which might be enforced in case of a technical violation which might occur. I see no reason if we are going to draft legislation like this to exclude from it the duplex rental unit or any one of a number of other things that might be included. The situation which the gentlewoman from Falmouth, Mrs. Smith, brought up; the situation which might occur with a family with two automobiles; might occur with a family with no automobiles; it might occur with a family who happens to want to have a pet. These are all situations which might well occur, and I see no reason if we are to move in this area into an interference with an individual's private right, his freedom of choice in who he shall rent his home or his room or a room in his house or his two rooms in his house, I see no reason why we should not leave that individual choice to him. It is not a question as to whether there is or isn't discrimination; it is not a question of whether it is or isn't a good or a bad thing. I am sure that each one of us would rise and go on record as being opposed to discrimination, and yet are we also able to arise and say that we are protecting or we will protect the individual's right to the use of his own private property as he desires? Emotionally, I am sure you cannot vote against this. I think that if you balance these rights one against another, you will vote to not invade an individual's pri-

vate right of choice in this particular question.

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

Mr. CROMMETT: Mr. Speaker, Ladies and Gentlemen of the House: Years ago I read a quotation from a little known author credited to Cincinnati Miller. I would like to share this with you now:

"In men who men condemn as ill, I find so much of goodness still; In men who men pronounce divine,

I find so much of sin and blood that I hesitate to draw a line, between the two where God has not."

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

Mr. KNIGHT: Mr. Speaker, this law confirms and strengthens a Constitutional principle of long standing, all men are born equally free and independent, and have certain natural inherent and inalienable rights. Like many other principles, new and changing conditions make additional statements necessary to say or to affirm in detail what we believe in general terms.

This bill, or I would refer to it as this law, is a statement in detail expressing our belief in the general proposition that is set forth in Article I, Section 1 of the Constitution of the State of Maine.

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

Mr. ANDERSON: Mr. Speaker, Ladies and Gentlemen of the House: I have been very much impressed by the oratory on this subject, but regardless of this, if not a single word had been spoken, I should have gone along with the Minority Report of the Committee "Ought to pass," and I am proud to make my mark in the appropriate column on the roll call sheet. Thank you.

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

Mr. WATERMAN: Mr. Speaker, Ladies and Gentlemen of the House: I will have to vote for the Majority "Ought not to pass" Report, and I will attempt to tell you why.

I am no theologian, and perhaps the gentleman from Dover-Foxcroft, Mr. Meisner, will correct me if I am wrong, and I will gladly stand corrected, but to begin with, in the holy scriptures otherwise known as the Bible, we have the story of one of the great patriarchs, Noah, and after the great deluge and the water had receded, he had three sons, and their wives, with him, and Noah was a keeper of the vineyards and he partook of the product of the vine and became drunken. One of his sons, Ham, came upon him in his drunken state, and he was also without benefit of too much clothing, and Ham took it as a joke. His other two sons, Shem and Japheth turned their backs and covered themselves with a blanket and walked in and covered their father. God, who created all these people, stated that Ham should be the servant of Shem to the end of time, and I have read where through the ages the colored race is one of the descendants of this son Ham. From the line of Shem, we come down to the family of Abraham and the children of Israel. I have great respect for the children of Israel and in this day known as the Jews. From the descendants we came to the father Abraham and he was promised that he would be the father of a great nation, but he became nearly beyond the age of reproduction and his wife also, but he had an Egyptian hand maid whom he went in and she conceived and bore a son, who was the originator of the Arab race, but finally Abraham had a son as he had been promised, and from that we find that even to this day the Arabs and Israelites have never gotten along because there is still strife in Abraham's tent.

To go along a little further, there came the great famine and they went to Egypt and after 400 years they came out of Egypt, but because the children of Israel were not ready to follow their leader who was Moses, they wandered in the wilderness for forty years until all of those people had died off that originally came out of the land of Egypt, and they finally came into the Promised Land; and if we study on down through we will find that

they had their ups and downs, and as they got away from their Lord, they were taken over by other tribes, and then as they would follow their Lord why they would be the ones who were in power. And finally they were taken into captivity and were thus so for some over 400 years I believe and until the Lord gave his son, as we know him, Jesus Christ, and the Jewish race was set aside for a time, but the Lord has not forgotten them, but in the Scriptures it tells that they would be dispersed throughout the face of the earth and that one day they would be regathered together. They have been under subjection of many different powers through the years, but in 1948 the Republic of Palestine was formed, and they are being taken back to their homeland, as it is prophesied in the Scriptures, but we still have found since 1948 strife in Abraham's tent so to speak, and the Arabs and the Jews still are battling, but the Jews will not be forgotten, and they will come out the leaders, because it is prophesied that way, but the descendants of Ham, they were promised that they would be under the subjection or in servitude. I don't interpret that to mean that they would be slaves or anything like that, but I do believe that all the legislation we can pass and put on the books is not going to change the things that were prophesied and the things we see coming to pass if we watch the television and read the newspapers, we see the movements that are being made throughout the world today, we will still have this problem until the Lord has his plan carried out, and because of these reasons I will have to vote for the Majority "Ought not to pass" Report.

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

Mr. TAYLOR: Mr. Speaker, Ladies and Gentlemen of the House: I feel that I too should state my views on this subject. I hold no animosity toward any person, regardless of his color, race or creed, and I realize that legislation will not answer the problem.

Now it is true we are all created equal, but from that moment that we are created, until the day we die and reach equality again, equality does not exist, only in the books and the laws. Now in this problem of racial discrimination a civil war has been fought in regards to that matter, and laws have been passed and still we are faced with the problem today which to me is proof positive that legislation and wars will not correct this situation.

Now I believe that education and the broadening of one's mind and thinking power will allow tolerance of his fellow man regardless of his race, color or creed; and through that method and, that method only, can tolerance and equality be maintained, or obtained. Now history proves itself in our Country. There have been racial difficulties before, there have been religious difficulties before; but legislation did not stop and correct that situation, it was done through an educational process. And I believe that this matter before us today will be solved only through that method. I believe under those conditions I can vote only with the Majority Report on this matter. I thank you.

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

Mr. BERMAN: Mr. Speaker, I really don't want to belabor this point much longer, but I would suggest to the Members of this House that this is our own, and certainly for me, this is my native land.

Now this question of equality has its humorous aspects. Perhaps one of the original writers of our time in an aptly entitled book "Animal Farm" had this to say about equality. He said all men are created equal, but some are more equal than others. Now I don't believe this, and this is why I don't believe it, because for many months I have carried with me perhaps the most stirring words that have been written and spoken since the war. They were spoken by an American; they were spoken in a foreign land; they were spoken when he received the

Nobel Prize for Literature some years ago, and this is what he said: He declined to accept the end of man, that it is easy enough to say that man is immortal simply because he will endure; but when the last ding-dong of doom has clanged and faded from the last worthless rock hanging tideless in the last red and dying evening, and even then there will be one more sound, that of his puny inexhaustible voice, still talking. He is immortal, not because he alone among the creatures has an inexhaustible voice, but because he has a soul, a spirit capable of compassion, of sacrifice and endurance. It is his privilege to help man endure by lifting his heart, by reminding him of the courage and honor and hope and pride and compassion and pity and sacrifice which have been the glory of his past.

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

Mr. RUST: Mr. Speaker, Ladies and Gentlemen of the House: I sincerely regret that some amongst us this morning may feel that the report of the Committee on Judiciary may have had any direct connection or relation with them. I can assure those persons that that is not so. The decision of the Committee was based strictly and primarily on the private vs the public rights.

We are not actually talking about discrimination here this morning, because if any individual throughout the State of Maine wishes to rent his property to whomever he sees fit, he has a perfect right to do that. What we are talking about this morning, and we have strayed considerably from the subject matter, is that simple principle of our each and every individual right to do what we wish with our own private homes and summer camps. This is the basic issue here this morning. This is a far reaching issue in a state which is so directly related to the tourist industry. There are thousands of people throughout the State of Maine who own summer camps, and I am sure they feel that they would like to do as they see fit and not

be told what they should do with them. There have been some remarks here this morning that the theory of ownership of a home is a very nebulous one. Well I certainly don't consider it that way, because I know that what my family and I have worked for and what we have accumulated by way of a home, be it ever so humble, we have worked very hard for it and we wish to do what we want with it.

We also would say that in doing what we want with it we do not wish to be faced with a law suit to determine whether we were right or wrong in deciding to whom we should rent our property to. There have been some remarks made here this morning as to the type and the caliber of the proponents of the bill. They are certainly outstanding citizens. I could not quarrel with them one bit for the stand that they take publicly because these people are of the type that would take that particular position. However, I would say to the people here in the House this morning that there was no opposition to this bill, and why. I feel it is simply because the people of the State of Maine believe in the sound judgment of this Legislature to protect their basic human rights to do what they want with their real estate. The law which we are talking about here this morning applies to every single residence, single multiple dwelling, private summer camp, private summer cottage, and this particular bill that we are talking of this morning, I don't recall any other state in the United States that has a bill like it on its Statute Books; and I now move that the bill and all its accompanying reports be indefinitely postponed and I request a division.

The SPEAKER: The Chair recognizes the gentleman from Belgrade, Mr. Sahagian.

Mr. SAHAGIAN: Mr. Speaker, I do not rise this morning to debate the question for or against, but I would like to pose a question through the Chair to anyone who would care to answer. Do I understand under this bill, L. D.

1169, if I had a dwelling or if I had a two-family house and if I did not wish to rent it to any individual, that I could be compelled to go to court and pay a fine?

The SPEAKER: The gentleman from Belgrade, Mr. Sahagian, poses a question through the Chair to any member who may choose to answer.

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

Mr. RUST: Mr. Speaker, I will answer the question of the gentleman from Belgrade, Mr. Sahagian, if your property was up for rent and it could be proved that you refused to rent it to any individual because of race, religion, creed, sect or any of the other conditions in this book, you could be taken to court, pay the fine and forced to rent the real estate.

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

Mr. HARRINGTON: Mr. Speaker and Members of this House: Reluctantly today I arise because this bill embraces two distinct fields, and while I am in distinct sympathy with one, I am definitely opposed to the other. It is indeed unfortunate that we have to make these decisions, because in making many of them we go against one principle in favor of another. I do not believe anybody should be discriminated against for any reason. I practice that and I believe in it. I also believe that the people that we have heard about being created equal, in the course of their life some of them acquire properties, others don't. It is indeed unfortunate that those that work hard and acquire properties are being told what to do with them. It looks to me like it is a gradual levelling off from those that we will have to accept aren't equal, from those that have reached a higher plane to maybe those that haven't, irregardless of their race, creed, religion or color, and it seems unfortunate that we in this Legislature should attempt to impose a penalty upon anybody from what they should do with their own hard earned acquired property. Therefore, I definitely will

support the "Ought not to pass" Report.

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

Mr. HUMPHREY: Mr. Speaker, Ladies and Gentlemen of the House: I happen to be at the present time in control of a few rents. The banks had them for a long time, and I probably lost all of my privileges, and on one occasion there happened to be a Jewish couple come to my house and wanted one of my rents. I told them that I would let them know in a day or two. I called a Jewish friend of mine, a Mr. Sussman in Augusta, and he told me that they were a nice couple. I called them and was going to tell them that they could have the rent. They told me that they had found one on the first floor which was of their choice; so I think I would still prefer to check on any race, color or creed before advising them they could have any of my apartments.

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

Mr. JONES: Mr. Speaker, Ladies and Gentlemen of the House: In order to place the reasons for my voting as I will on record, I wish to state that I will accept the "Ought not to pass" Report because I firmly believe that it is an impossibility to legislate morals or things of this nature. It just cannot be done by legislation. That is my reason. Thank you.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Portland, Mrs. Hendricks.

Mrs. HENDRICKS: Mr. Speaker and Members of the House: I recall to mind a very beautiful stamp, a postage stamp, that was issued after the last World War, and it depicted the immortal Chaplains of the various faiths going down together hand in hand after having administered to their fellow men. Now we are not being asked to make an immortal sacrifice, we are being asked to stand hand in hand and to administer to our fellowmen.

The SPEAKER: The question before the House — the Chair recognizes the gentleman from South Portland, Mr. Gill.

Mr. GILL: Mr. Speaker and Ladies and Gentlemen of the House: I am pleased to see this morning that we are all so much on the tolerant side here. I really don't know how tolerant I am because I feel for one thing for the fact that I feel I am tolerant that perhaps I am not fulfilling my obligation in my case as a Christian man and to the Constitution of this Country. However, I certainly will support this bill. I will try to live up to my obligations that I feel have been endowed upon me by the Creator and by the Constitution of this Country; and in regard to the tolerance of fellow man, I don't believe I should be tolerant of the Jew or a Negro any more than they have got to be tolerant of me. This word tolerance should not be in our way of life in this world.

The SPEAKER: Is the House ready for the question?

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

Mr. ANDERSON: When the vote is taken, I request that it be taken by the yeas and nays.

The SPEAKER: The question before the House is the motion of the gentleman from York, Mr. Rust, that Bill "An Act relating to Discrimination in Rental Housing," Senate Paper 426, Legislative Document 1169 and both reports be indefinitely postponed. The yeas and nays have been requested. For the Chair to order a roll call it must have the expressed desire of one-fifth of the membership present. All those desiring a roll call will please rise and remain standing and be counted.

More than one-fifth of those present arose.

The SPEAKER: Obviously, more than one-fifth having arisen, a roll call is ordered. The question before the House is the motion of Mr. Rust of York, that this bill and both reports be indefinitely postponed. Those who favor the motion to indefinitely postpone will answer "yes" when their

names are called, those opposed to indefinite postponement will answer "no" when their names are called. The Clerk will call the roll.

### ROLL CALL

YEA — Benson, Bragdon, Busiere, Carter, Chapman, Coulthard, Cressey, Denbow, Finley, Gilbert, Harrington, Hobbs, Humphrey, Jones, Kent, Littlefield, Lowery, MacLeod, Norton, Oberg, O'Leary, Osgood, Pease, Pierce, Rand, Rankin, Ross, Augusta; Rust, Sahagian, Shaw, Smith, Falmouth; Taylor, Thornton, Vaughn, Viles, Waltz, Waterman.

NAY — Anderson, Ellsworth; Anderson, Orono; Ayoub, Baldic, Bedard, Berman, Berry, Binnette, Birt, Boissonneau, Boothby, Bourgoin, Brewer, Brown, South Portland; Cartier, Choate, Cookson, Cote, Cottrell, Crockett, Crommett, Dostie, Drake, Dunn, Easton, Edwards, Ewer, Foster, Gallant, Gifford, Gill, Giroux, Gustafson, Hammond, Hardy, Hendricks, Hendsbee, Henry, Hutchins, Jalbert, Jewell, Jobin, Kilroy, Knight, Laughton, Lincoln, MacGregor, MacPhail, Maddox, McGee, Meisner, Mendes, Minsky, Mower, Noel, Oakes, Osborn, Pitts, Plante, Poirier, Prince, Harpswell; Prince, Oakfield; Reynolds, Richardson, Rickr, Roberts, Ross, Brownville; Roy Scott, Susi, Thaanum, Trewaray, Turner, Tyndale, Wellman, White, Guilford; Whitney, Wood, Young.

ABSENT — Albair, Bernard, Blouin, Bradeen, Brown, Fairfield; Burns, Childs, Cope, Curtis, Davis, Dennett, Dudley, Hanson, Hawkes, Jameson, Karkos, Lebel, Levesque, Libby, Linnekin, Mathieson, Nadeau, Philbrick, Smith, Bar Harbor; Smith, Strong; Snow, Tardiff, Townsend, Wade, Ward, Watkins, Welch, Wight, Presque Isle; Williams.

Yes, 37; No, 79; Absent, 34.

The SPEAKER: The Chair will declare the vote. Thirty-seven having voted in the affirmative, seventy-nine having voted in the negative with thirty-four being absent, the motion does not prevail.

Thereupon, the Minority "Ought to pass" Report was accepted in concurrence and the Bill read twice.

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

SENATE AMENDMENT "B" to S. P. 426, L. D. 1169, Bill, "An Act Relating to Discrimination in Rental Housing."

Amend said Bill by striking out all of the last 3 underlined lines of the 3rd paragraph and inserting in place thereof the following: 'or national origin.'

Senate Amendment "B" was adopted in concurrence and the Bill assigned for third reading the next legislative day.

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

Mr. BERRY: Mr. Speaker and Members of the House: I move that the House reconsider its action of yesterday whereby it passed an order that the Director of Public Improvements be directed to permit members of the 101st Legislature to park at their pleasure in any parking area of the State Capitol.

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Berry, moves that the House reconsider its action whereby it passed an order of yesterday directing the Director of Public Improvements to Permit Members of the 101st Legislature to park at their pleasure in any parking area at the State Capitol. All those in favor of reconsideration say yes; those opposed, no.

Mr. BERRY: Mr. Speaker, I would request a division on this vote and I should like to speak briefly to my reconsideration motion.

The SPEAKER: The gentleman may proceed.

Mr. BERRY: Mr. Speaker, I think that those of us who drive automobiles have ample places to park around here without parking in loading zones, and in zones where wheel chair vehicles need to park. I think we have special privileges in this connection which are ample for our needs. I think to restrict these places which are reserved now for these essential pur-

poses is really exceeding the bounds of legislative prerogative. I would certainly hope that we could reconsider our action and indefinitely postpone this item.

The SPEAKER: The Chair recognizes the gentleman from Waterville, Mr. Noel.

Mr. NOEL: Mr. Speaker, the gentleman from Cape Elizabeth, Mr. Berry, I have to answer that I don't have a wheelchair, but I have, I'd say, a wooden leg; maybe that's why I park in that restricted place down near the door there so I can get in through the ramp. I don't know if he was referring to me or not, but that's why we park our car over there so I can have an easier time to come in. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Belgrade, Mr. Sahagian.

Mr. SAHAGIAN: Mr. Speaker, with due respect for my colleague from Portland, Mr. Berry, when he says we have ample place for the legislators to park, I'd like to have him show me where is the ample place? I went around four times the other day and I couldn't get a place to park in any part of the parking area of the State House, and I was very much interested in a certain bill and I wanted to be here to take my part on that bill. I went around three times and I couldn't find a place, so on the fourth time I came around, I found a man driving out and I waited there and I got into that place there. Now, that area says one hour limit. Perhaps I was in there probably two hours, two and a half hours, I don't know. I didn't get out of here until the Legislature adjourned. Now this parking area is designated that the newspapers quoted that we already have a place. That place only takes about seventy-five cars. You have one hundred and eighty some odd members in this House and the Senate. Why don't the building superintendent supply us with enough space for us to park. You have eight or nine thousand state employees park here all day long, and they're amply provided with a parking space.

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

Mr. TYNDALE: Mr. Speaker, Ladies and Gentlemen of the House: I heartily concur with the gentleman from Belgrade, Mr. Sahagian. Some of you who have business to attend to during our session find it almost impossible to go on the fractions of time, and if you were to park five, eight minutes over that twenty-minute limit over there sometime, you'll find a ticket on your car. We're not accorded so many privileges. This isn't asking too much, and I don't think any of the colleagues in this House would park their car so as to obstruct traffic. I don't think this order is unreasonable.

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

Mr. JALBERT: Mr. Speaker, I would like to ask a question for anyone to answer. What happens to the rule or order, whatever you may want, that we passed I believe four years ago that if we had three tickets we automatically pay a fine. I may be way off, but I would like to ask. Maybe my good friend from Kennebunkport, Mr. Tyndale, can answer that question. What do you do now? If one says you can't do this and another says you've got a right to do it, what are we going to do about that other deal?

The SPEAKER: The gentleman from Lewiston, Mr. Jalburt, poses a question through the Chair to anyone who may answer if he chooses.

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

Mr. TYNDALE: Mr. Speaker, I can't answer that question because I never had that many tickets, but I did inherit some tickets from my previous seat holder on my car, obviously parking in that area, but I couldn't answer that question because I haven't had that many tickets. I'm sorry.

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

Mr. JALBERT: Mr. Speaker, in the past I might state that I have had that many tickets, so now I bum a ride up here. Besides, my wife wants the car; we compromise, she gets the car and I walk. On this thing here, seriously, we

have got such a rule here, and I mean if we don't knock that one out, I mean this one here can't take effect. Besides I'm in full sympathy with the gentleman from Belgrade, Mr. Sahagian, and I'm in more than full sympathy with the gentleman from Waterville, Mr. Noel, and I'm sure that Mr. Berry was certainly not referring to him particularly in any way, shape or manner, but believe you me, I mean this here deal is getting us worse publicity than if we passed an income tax and a twelve cent sales tax. Pick it up from there.

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

Mr. BERRY: Mr. Speaker and Members of the House: My objection to this order is only that we will be preempting the parking spaces which are being reserved now for short-term use by the public. I think it's not too much to ask a Legislator who drives and arrives late to find a parking space some other place than in the special parking places which are reserved for people who have state business of short duration, or delivery trucks which are using the parking space to service the State House, or emergency use for people who want to get into the wheel chair parking space.

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

Mr. RUST: Mr. Speaker, I arise to pose a question through the Chair to the gentleman from Cape Elizabeth, Mr. Berry.

The SPEAKER: The gentleman may ask his question.

Mr. RUST: Mr. Speaker, does the gentleman from Cape Elizabeth propose a corrective order?

The SPEAKER: The gentleman from York, Mr. Rust, poses a question through the Chair to the gentleman from Cape Elizabeth, Mr. Berry, who may answer if he chooses.

The Chair recognizes that gentleman.

Mr. BERRY: Mr. Speaker and Members of the House: I believe that the present parking arrangement where certain areas are signed



and restricted should be observed by the Legislators in accordance with those restrictions.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Mechanic Falls, Mr. Foster.

Mr. FOSTER: Mr. Speaker, I am in sympathy with Mr. Sahagian, because yesterday morning I was a little tardy and I went to every single parking lot on the State House grounds. I finally looked up the officer in charge of parking and asked him what shall I do, and he himself took me in tow and being the owner of a small car, a foreign car, he got me in between two cars up on the lawn. Now, that's how extreme the situation can become, and what can a Legislator do if he has to get an officer to get him up on the lawn too often during the session?

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Cape Elizabeth, Mr. Berry, that the House reconsider its action whereby it passed an order of yesterday directing the Director of Public Improvements to permit Members of the 101st Legislature to park at their pleasure in any parking area of the state capitol. The Chair will order a division. All those in favor of reconsideration 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 sixty-four having voted in the negative, the motion did not prevail.

#### Order Out of Order

Mr. Cote of Lewiston presented the following Order out of order and moved its passage:

Whereas, winter is the predominant season in Maine; and

Whereas, the tried and true Maine citizen, since the earliest days of settlement, has taken appropriate precautions to insure against the icy blasts of the Maine climate; and

Whereas, the Maine Legislature which is composed of these seasonal veterans has likewise taken the necessary protections, including the installation of storm windows to insure the continuity and uninterrupted comfort of its deliberations; and

Whereas, the removal of these precautions during the brief span of heat known as summer requires the most delicate precision, sensitivity and caution to avoid being caught in the vigorous onslaught of winter; and

Whereas, the Speaker of the House, ever cognizant of the consequences and implications of his acts, has caused these protections to be removed; and

Whereas, this act of courage is a significant stamp of his intrepid character and has captured the imagination of the membership, not to mention assurance of its continued comfort; now, therefore, be it

ORDERED, that the membership of the House to the man stand as a mark of respect to the sagacity, courage and daring of its esteemed leader and offer its prayers for the perpetuation of his excellent judgment.

The Order received passage amid applause, the Members standing.

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

Mr. WELLMAN: Mr. Speaker, I move that we adjourn until four o'clock Monday.

The SPEAKER: The gentleman from Bangor, Mr. Wellman, moves that the House adjourn until four o'clock Monday.

Mr. Rankin of Southport asked for a division.

The SPEAKER: All those in favor of adjourning until Monday at four o'clock, please rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Fifty-four having voted in the affirmative and forty-five having voted in the negative, the House adjourned until Monday, June 10, at four o'clock in the afternoon.