

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Third
Legislature*

OF THE

STATE OF MAINE

1967

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Wednesday, May 10, 1967

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

Prayer by the Rev. Mr. Louis George of Bangor.

The journal of yesterday was read and approved.

Papers from the Senate

From the Senate: The following Communication:

THE SENATE OF MAINE
Augusta, Maine

May 9, 1967

Honorable Bertha W. Johnson
Clerk of the
House of Representatives
103rd Legislature

Dear Madam:

The President of the Senate today appointed the following members of the Senate to the Committee of Conference on the disagreeing action of the two branches of the Legislature on: Bill "An Act Establishing the P o l i c e m a n ' s Arbitration Law" (S. P. 342) (L. D. 926)

Senators:

MacLEOD of Penobscot
SEWALL of Penobscot
STERN of Penobscot

Respectfully,

(Signed)

JERROLD B. SPEERS
Secretary of the Senate

In the House, the Communication was read and ordered placed on file.

From the Senate: The following Communication:

THE SENATE OF MAINE
Augusta, Maine

May 9, 1967

Honorable Bertha W. Johnson
Clerk of the
House of Representatives
103rd Legislature

Dear Madam:

The President of the Senate today appointed the following members of the Senate to the Committee of Conference on the disagreeing action of the two branches of the

Legislature on: Bill "An Act to Relieve Elderly Persons from Increases in the Property Tax" (H. P. 953) (L. D. 1384)

Senators:

FERGUSON of Oxford
CURTIS of Penobscot
HARDING of Aroostook

Respectfully,

(Signed)

JERROLD B. SPEERS
Secretary of the Senate

In the House, the Communication was read and ordered placed on file.

From the Senate: The following Order:

ORDERED, the House concurring, that the Legislative Research Committee be, and hereby is, directed to study the subject of federal tax sharing as opposed to federal grants-in-aid; and be it further

ORDERED, that a report of such study, together with any recommendations deemed necessary, be made to the next special or regular session of the Legislature as the Committee shall determine (S. P. 636)

Came from the Senate read and passed.

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

Senate Reports of Committees Ought Not to Pass

Report of the Committee on Liquor Control reporting "Ought not to pass" on Bill "An Act relating to Sale of Liquor to Government Instrumentalities and Excise Tax on Malt Beverages Sold to Vessels of Foreign Registry" (S. P. 163) (L. D. 334)

Came from the Senate read and accepted.

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

Covered by Other Legislation

Report of the Committee on Liquor Control reporting same on Bill "An Act to Provide for a Graduated License Fee for Retail Sale of Malt Liquor" (S. P. 478) (L. D. 1199), as covered by other legislation.

Came from the Senate read and accepted.

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

Ought to Pass in New Draft

Report of the Committee on Indian Affairs on Bill "An Act relating to Education of Indians" (S. P. 452) (L. D. 1155) reporting same in a new draft (S. P. 633) (L. D. 1634) under same title and that it "Ought to pass".

Report of the Committee on Natural Resources on Bill "An Act relating to Surface Water Classification" (S. P. 305) (L. D. 744) reporting same in a new draft (S. P. 635) (L. D. 1635) under title of "An Act relating to the Water and Air Environmental Improvement Commission" and that it "Ought to pass".

Report of the Committee on State Government on Bill "An Act relating to Eligibility for Office of Bank Commissioner" (S. P. 279) (L. D. 659) reporting same in a new draft (S. P. 632) (L. D. 1633) under same title and that it "Ought to pass".

Report of same Committee on Bill "An Act Creating the Pest Control Compact" (S. P. 511) (L. D. 1261) reporting same in a new draft (S. P. 630) (L. D. 1631) under same title and that it "Ought to pass".

Report of same Committee on Bill "An Act to Create an Interdepartmental Board on Mental Retardation and an Advisory Council on Mental Retardation" (S. P. 556) (L. D. 1451) reporting same in a new draft (S. P. 631) (L. D. 1632) under title of "An Act to Establish an Office of Mental Retardation" and that it "Ought to pass".

Came from the Senate with the Reports read and accepted and the New Drafts passed to be engrossed.

In the House, Reports were read and accepted in concurrence, the New Drafts read twice and tomorrow assigned.

Amended in Senate

Report of the Committee on State Government on Bill "An Act relating to Fallout Shelters in Public Buildings" (S. P. 166) (L. D. 337) reporting same in a new draft

(S. P. 607) (L. D. 1589) under title of "An Act relating to Fallout Shelters in Public School Buildings" and that it "Ought to pass"

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

In the House, the Report was read and accepted in concurrence and the New Draft read twice. Senate Amendment "A" was read by the Clerk and adopted in concurrence, and tomorrow assigned for third reading of the New Draft.

Ought to Pass with Committee Amendment

Report of the Committee on Education on Bill "An Act relating to Eligibility for School Construction Aid" (S. P. 395) (L. D. 1028) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report of the Committee on Legal Affairs on Bill "An Act relating to Licensing of Elevator Mechanics" (S. P. 109) (L. D. 180) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report of the Committee on State Government on Bill "An Act relating to Leave of Absence for Teachers Serving in the Legislature" (S. P. 560) (L. D. 1432) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

In the House, Reports were read and accepted in concurrence and the Bills read twice. Committee Amendment "A" to each was read by the Clerk and adopted in concurrence, and tomorrow assigned for third reading of the Bills.

The SPEAKER: The Chair would ask the Sergeant-at-Arms to escort the gentleman from Southwest Harbor, Mr. Benson, to the rostrum to act as Speaker pro tem.

Thereupon, Mr. Benson assumed the Chair as Speaker pro tem and Speaker Kennedy retired from the Hall.

**Ought Not to Pass
Tabled and Assigned**

Report of the Committee on State Government reporting "Ought not to pass" on Bill "An Act relating to Certain Expenses of Supreme Judicial Court Paid by State to Cumberland County" (S. P. 207) (L. D. 546)

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. Dennett of Kittery, tabled pending acceptance of the Report and specially assigned for tomorrow.)

Final Reports of Committees

Final Reports of the following Joint Standing Committees:

Indian Affairs

Sea and Shore Fisheries

Came from the Senate read and accepted.

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

Non-Concurrent Matter

Bill "An Act relating to Transportation of Disabled, Collision Damaged, Wrecked or Repossessed Highway Motor Vehicles" (H. P. 59) (L. D. 84)

which was passed to be engrossed as amended by Committee Amendment "A" in the House on April 20.

Came from the Senate with Committee Amendment "A" indefinitely postponed and the Bill passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

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

Non-Concurrent Matter

Bill "An Act to Grant a New Charter to the City of Auburn" (H. P. 609) (L. D. 859)

which was passed to be engrossed as amended by Committee Amendment "A" in the House on May 4.

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

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

Non-Concurrent Matter

Report of the Committee on Indian Affairs reporting "Ought not to pass" on Bill "An Act relating to Special Offices for Indian Tribes" (H. P. 747) (L. D. 1094) which was accepted in the House on April 13.

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

In the House:

On motion of Mrs. Carswell of Portland, the House voted to recede and concur in substituting the Bill for the Report.

Thereupon, the Bill was read twice. Senate Amendment "A" was then read by the Clerk and adopted in concurrence. Under suspension of the rules, the Bill was given its third reading and passed to be engrossed as amended by Senate Amendment "A" in concurrence.

Orders

On motion of Mr. Minkowsky of Lewiston, it was

ORDERED, that Robert Isaacson of Lewiston be appointed to serve as Honorary Page for today.

On motion of Mr. Richardson of Stonington, the House voted to reconsider its action of yesterday whereby House Paper 979, L. D. 1421, Bill "An Act relating to the Computation of Secondary School Tuition," was passed to be engrossed as amended by Committee Amendment "A".

On further motion of the same gentleman, tabled pending passage to be engrossed and specially assigned for Friday, May 12.

**House Reports of Committees
Ought Not to Pass
Tabled and Assigned**

Mr. Scribner from the Committee on Appropriations and

Financial Affairs reported "Ought not to pass" on Bill "An Act Providing Funds for Relocating of Maine Central Railroad Tracks in Livermore Falls" (H. P. 822) (L. D. 1230)

Report was read.

(On motion of Mr. Darey of Livermore Falls, tabled pending acceptance and specially assigned for Friday, May 12.)

Covered by Other Legislation

Mr. Pike from the Committee on Natural Resources reported same on Bill "An Act to Provide for the Conservation of Clean Air" (H. P. 454) (L. D. 629), as covered by other legislation.

Report was read and accepted and sent up for concurrence.

Ought to Pass in New Draft New Draft Printed

Mrs. Hanson from the Committee on Education on Bill "An Act relating to Privately Owned Business, Trade and Technical Schools" (H. P. 974) (L. D. 1416) reported same in a new draft (H. P. 1152) (L. D. 1644) under same title and that it "Ought to pass"

Report was read and accepted, the New Draft read twice and tomorrow assigned.

Ought to Pass with Committee Amendment

Mr. Shute from the Committee on Education on Bill "An Act relating to Adult Education" (H. P. 311) (L. D. 445) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 311, L. D. 445, Bill, "An Act Relating to Adult Education."

Amend said Bill in the 11th line (9th line of L. D. 445) by inserting after the underlined word "rate" the following: 'of $\frac{3}{4}$ of the cost of instruction'

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

Mr. Cookson from the Committee on Inland Fisheries and Game on Bill "An Act relating to Trapping reported "Ought to pass" as Beaver" (H. P. 405) (L. D. 571) amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

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

COMMITTEE AMENDMENT "A" to H. P. 405, L. D. 571, Bill, "An Act Relating to Trapping Beaver."

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

Further amend said Bill by adding at the end thereof, a new section, as follows:

'Sec. 2. R. S., T. 12, Sec. 2360, amended. The 9th paragraph of section 2360 of Title 12 of the Revised Statutes, as revised, is amended to read as follows:

Any beaver skin or beaver skins that come into this State in any manner from any other state or country shall have bear the official stamp tag or seal of the state or country from which said skin or skins were taken. Any beaver skin or beaver skins that come into this State in any manner from any other state, country or province thereof which does not require an official stamp, tag or seal of that state, country or province thereof, shall be tagged in accordance with this section by the person possessing such skins.'

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

Divided Report Tabled and Assigned

Majority Report of the Committee on Legal Affairs reporting "Ought to pass" on Bill "An Act relating to Charging Fees for Services to Persons Acting as Subjects for Student Instruction and Training in Beauty Schools" (H. P. 611) (L. D. 854)

Report was signed by the following members:

Mrs. SPROUL of Lincoln
Mr. STERN of Penobscot

— of the Senate.

Messrs. BELIVEAU of Rumford
 RICHARDSON of
 Stonington
 Mrs. WHEELER of Portland
 Mr. SHAW of Chelsea
 — of the House.

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

Report was signed by the follow-
 ing members:

Mr. GOOD of Cumberland
 — of the Senate.
 Mrs. BAKER of Orrington
 Messrs. CUSHING of Bucksport
 CONLEY of Portland
 — of the House.

Reports were read.

(On motion of Mrs. Lincoln of
 Bethel, tabled pending acceptance
 of either Report and specially as-
 signed for Friday, May 12.)

Divided Report

Majority Report of the Commit-
 tee on Legal Affairs reporting
 "Ought not to pass" on Bill "An
 Act Revising Laws Relating to
 Boilers and Unfired Steam Pres-
 sure Vessels" (H. P. 851) (L. D.
 1265)

Report was signed by the follow-
 ing members:

Mrs. SPROUL of Lincoln
 Mr. GOOD of Cumberland
 — of the Senate.
 Mrs. BAKER of Orrington
 Mr. CUSHING of Bucksport
 Mrs. WHEELER of Portland
 Messrs. CONLEY of Portland
 BELIVEAU of Rumford
 —of the House.

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

Report was signed by the follow-
 ing members:

Mr. STERN of Penobscot
 — of the Senate.
 Messrs. RICHARDSON
 of Stonington
 SHAW of Chelsea
 — of the House.

Reports were read.

On motion of Mr. Beliveau
 of Rumford, the Majority "Ought
 not to pass" Report was accepted
 and sent up for concurrence.

Divided Report

Majority Report of the Commit-
 tee on Legal Affairs reporting
 "Ought not to pass" on Bill "An
 Act Revising Laws Relating to
 Exemptions and Inspections under
 Boiler and Unfired Steam Pressure
 Vessels Law" (H. P. 852) (L. D.
 1266)

Report was signed by the follow-
 ing members:

Mrs. SPROUL of Lincoln
 — of the Senate.
 Mrs. BAKER of Orrington
 Messrs. CUSHING of Bucksport
 CONLEY of Portland
 Mrs. WHEELER of Portland
 Mr. BELIVEAU of Rumford
 — of the House.

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

Report was signed by the follow-
 ing members:

Messrs. STERN of Penobscot
 GOOD of Cumberland
 —of the Senate.
 Messrs. RICHARDSON
 of Stonington
 SHAW of Chelsea
 — of the House.

Reports were read.

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

Mr. RICHARDSON: Mr. Speaker
 and Ladies and Gentlemen of the
 House: I would move that we
 accept the Minority "Ought to
 pass" Report.

The SPEAKER pro tem: The
 gentleman from Stonington, Mr.
 Richardson, moves that we accept
 the Minority "Ought to pass"
 Report.

The Chair recognizes the gentle-
 man from Rumford, Mr. Beliveau.

Mr. BELIVEAU: Mr. Speaker
 and Members of the House: This
 bill, L. D. 1266, the companion
 bill to the previous one, L. D.
 1265, which is an extension of the,
 you might say the revision of the
 boiler laws. Now, this bill of course
 had an extensive hearing. We had
 an opportunity to listen to the testi-
 mony of representatives from the
 Department of Industry and Labor

and the Committee concluded that to permit this bill to pass would place a very great burden upon a large segment of our population.

Now this bill in effect would require that the initial inspection of all boilers carrying steam pressure in excess of fifteen pounds would be conducted by the chief inspector or the deputy inspector. It is our understanding at this time that many of these inspections are done by representatives from the various insurance companies that insure these boilers. Now it was suggested that if this bill were to be enacted it would require additional personnel to augment it. We would have to hire more inspectors. Witnesses did state at the time of the hearing there was no need for this except that it was probably more efficient, but there was no real felt need at this point. Now there was strong opposition from many of the larger industries who retain their own inspectors and conduct their own inspections. And also it was uncontradicted that the Department of Labor and Industry stated that most of these inspections were done very efficiently.

So, in conclusion, the Committee felt that at this time there was no need for this law; secondly that it would just expand an existing bureaucracy; that the safety of the citizens of the State of Maine at this time is well protected, you might say, by our existing laws; and so consequently, I strongly urge that you reject the Majority "Ought to pass" Report.

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

Mr. RICHARDSON: Mr. Speaker and Ladies and Gentlemen of the House: I dislike arguing with my very worthy colleague, Mr. Beliveau, but we had two people who opposed the bill, to the best of my recollection. One was from the Maine Central Railroad, and the other one was an inspector from an insurance company. Frankly, I can't see that this bill is going to injure anyone. We have read in the papers about various laundromats, the boilers have exploded throughout the country, not necessarily here in Maine but

it's just because we have been fortunate. It was the feeling of the minority of the Committee that perhaps we should decide to protect the people of Maine before anything actually did happen to kill anyone, and that is why we came out with a report that it ought to pass. The Department at the present time accepts the inspection of the various insurance companies and I see no reason why there would be any change in the future, they might desire to have one extra inspector. I don't think they would require very many since they do actually accept at the present time the inspections of the insurance companies. Therefore I hope that the Minority "Ought to pass" Report, the bill as amended, will pass.

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

Mrs. BAKER: Mr. Speaker and Members of the House: I would like to say in connection with this bill that it was specified that it would require two or three more men in the Department, and when the vote is taken I would ask for a division.

The SPEAKER pro tem: A vote has been requested.

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

Mr. HUMPHREY: Mr. Speaker, I would like to ask the gentleman from Stonington if a similar bill was in the 101st Legislature.

The SPEAKER pro tem: The gentleman from Augusta, Mr. Humphrey, poses a question through the Chair to the gentleman from Stonington, Mr. Richardson, who may answer if he wishes.

The Chair recognizes that gentleman.

Mr. RICHARDSON: The answer is in the affirmative; yes, I think we have had a bill several sessions.

The SPEAKER pro tem: The Chair recognizes the gentleman from Lewiston, Mr. Cote.

Mr. COTE: Mr. Speaker and Members of the House: As a member of the Legal Affairs Committee for eight years, this bill repeatedly came before us and repeatedly the Legal Affairs Committee repudiated the bill. As

the gentleman from Rumford, Mr. Beliveau said, this is only a means of putting more inspectors to work. We find that under this law as presently we have had no chaos of any kind. As it was said, the insurance inspectors inspect these boilers before they give out the insurance, and we felt for eight years as members of the Legal Affairs that it was just duplication of work, and that's why we always reported this bill out "ought not to pass" and I hope that the question "ought to pass" should be beaten down and we should accept the "ought not to pass" Report.

The SPEAKER pro tem: Is the House ready for the question? The question before the House is on the motion of the gentleman from Stonington, Mr. Richardson, that we accept the Minority "Ought to pass" Report. A vote has been requested. All those in favor of accepting the "Ought to pass" Report will vote yes, those opposed will vote no. The Chair will open the vote.

A vote of the House was taken.

13 having voted in the affirmative and 100 having voted in the negative, the motion did not prevail.

Thereupon, on motion of Mr. Beliveau of Rumford, the Majority "Ought not to pass" Report was accepted and sent up for concurrence.

**Passed to Be Engrossed
Third Reader
Tabled and Assigned**

Bill "An Act Relating to Minimum Amount of Benefits Under Employment Security Law" (S. P. 505) (L. D. 1220)

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

(On motion of Mr. Levesque of Madawaska, tabled pending passage to be engrossed and specially assigned for Friday, May 12.)

Bill "An Act Reclassifying Certain Inland Waters of the State" (S. P. 626) (L. D. 1626)

Bill "An Act relating to Publication of Notice for Public Hearing

for Applications for Liquor Licenses" (H. P. 854) (L. D. 1267)

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

**Third Reader
Tabled and Assigned**

Bill "An Act Providing for a New Charter for the City of Waterville" (H. P. 945) (L. D. 1385)

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

(On motion of Mr. Carey of Waterville, tabled pending passage to be engrossed and specially assigned for Friday, May 12.)

Bill "An Act to Incorporate the Town of Richmond School District" (H. P. 1052) (L. D. 1526)

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

Amended Bills

Bill "An Act to Create a Commission to Prepare a Revision of the Insurance Laws" (S. P. 326) (L. D. 925)

Bill "An Act Establishing a Grievance Procedure and Appeals Board for State Employees" (S. P. 383) (L. D. 995)

Bill "An Act Revising the Law Relating to Dealers in Securities" (S. P. 389) (L. D. 1069)

Bill "An Act relating to Aid for Persons Injured in Hunting Accidents" (H. P. 272) (L. D. 472)

Bill "An Act relating to Complaints and Violations Under Motor Vehicle Sales Finance Act" (H. P. 511) (L. D. 724)

Bill "An Act relating to Disposition of District Court Funds" (H. P. 1000) (L. D. 1462)

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

Engrossed in Non-Concurrence

Bill "An Act Increasing the Membership of the Board of Trustees of Richmond Utilities District" (H. P. 1054) (L. D. 1524)

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

Mr. Hennessey of West Bath offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 1054, L. D. 1524, Bill, "An Act Increasing the Membership of the Board of Trustees of Richmond Utilities District."

Amend said Bill by striking out all of the last underlined paragraph and inserting in place thereof the following:

'All of the affairs of said district shall be managed by a board of 5 trustees, residents therein.'

House Amendment "A" was adopted, the Bill passed to be engrossed as amended in non-concurrence and sent up for concurrence.

**Passed to Be Enacted
Emergency Measure**

An Act relating to Retail Jewelers Association (H. P. 1070) (L. D. 1535)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 125 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act relating to Adult Education (S. P. 394) (L. D. 1027)

An Act relating to Driver Education (S. P. 402) (L. D. 1033)

An Act relating to Attending Secondary School Outside of Residence (S. P. 403) (L. D. 1034)

An Act revising the Laws Relating to Dentists and Dental Hygienists (S. P. 551) (L. D. 1448)

An Act to Permit Savings and Loan Associations and Savings Banks to Act as Trustee Under Self-employed Individuals Tax Retirement Act of 1962 (S. P. 614) (L. D. 1604)

An Act to Regulate the Practice of Psychologists (S. P. 619) (L. D. 1611)

An Act relating to List of Prospective Jurors and Selection of Jurors (S. P. 620) (L. D. 1612)

An Act to Revise the Uniform Gifts to Minors Act (H. P. 320) (L. D. 454)

An Act to Provide State-wide Education Service for the Blind (H. P. 481) (L. D. 694)

An Act Exempting the Use of Lake View Plantation's State Valuation in Computing State Aid to School Administrative District No. 41 (H. P. 576) (L. D. 808)

An Act relating to Accreditation of Elementary Schools (H. P. 738) (L. D. 1061)

An Act relating to Workmen's Compensation Insurance (H. P. 754) (L. D. 1101)

An Act Permitting Approval of Early Childhood Education Programs (H. P. 784) (L. D. 1146)

An Act Amending Charter of City of Calais (H. P. 802) (L. D. 1210)

An Act Authorizing the Granting of Associate Degrees by the State Vocational-Technical Institutes (H. P. 883) (L. D. 1297)

An Act to Establish the Augusta Civil Service Commission (H. P. 904) (L. D. 1315)

An Act relating to Sprinkler Systems in Boarding Homes (H. P. 905) (L. D. 1316)

An Act Establishing a Consumers' Council (H. P. 1004) (L. D. 1471)

An Act to Revise Minimum Salaries for Teachers, Providing Incentive for Professional Training (H. P. 1133) (L. D. 1613)

An Act relating to Fees of Witnesses in Criminal Cases (H. P. 1134) (L. D. 1614)

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

At this point, Speaker Kennedy returned to the rostrum.

SPEAKER KENNEDY: The Chair thanks the gentleman for his service and commends him for an excellent performance.

Thereupon, the Sergeant-at-Arms escorted the gentleman from

Southwest Harbor, Mr. Benson, to his seat on the Floor, amid the applause of the House, and Speaker Kennedy resumed the Chair.

Orders of the Day

Mr. Payson of Falmouth was granted unanimous consent to address the House.

Mr. PAYSON: Mr. Speaker and Members of the House: The Clerk and her assistants, the Sergeant-at-Arms and his troops, in fact all the lovely young ladies and stalwart gentlemen who keep the machinery going and the papers piling up.

Thank you for your kind thoughts, cards, notes and calls. Fortunately for you my throat is still bothersome so you will not be subjected to any vocal Neanderthal conservatism.

As reported by TV and all the news media and visitors in person, you have done well in spite of the absence of my usually brilliant opposition.

But in all seriousness my wife and I both are most grateful. Many times when someone has been sick I have said, "Oh he wouldn't care, or she wouldn't want to hear from me." That was wrong. Now perhaps you have made me a more understanding and more sympathetic person. For that too, I am grateful.

I shall be joining you occasionally and staying longer as time goes on and I get stronger. So thanks again, and thanks very much. (Applause)

The Chair laid before the House the first item of Unfinished Business:

HOUSE REPORT "A" (5) — Ought to Pass — Committee on Election Laws on Bill "An Act relating to Form and Arrangement of Ballots in General Election" (H. P. 216) (L. D. 306) — REPORT "B" (5) — Ought Not to Pass.

Tabled — May 4, by Mr. Ross of Bath.

Pending — Acceptance of either Report.

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

Mr. ROSS: Mr. Speaker and Members of the House: Today has been nicknamed "Government reform day," so I think it only fitting that we start out first with the basics and provide a good up-to-date ballot to insure more responsible voting and to encourage better qualified candidates to run.

Many, including myself, voted for the abolition of the big box at the top of the ticket. However, in so doing I realized that this was not the ideal solution because it still left two columns, and the temptation to check down one column or another without giving due consideration. As a matter of fact, the present ballot is really not fair to the Democrat Party because it lists all of the Republicans in the first column. But, here we have a new clean-cut modern method.

All of you have been given a sample ballot which we had prepared. This was not a professional job, but was just so that you could see an example of what it might look like. You will note that the order of the candidates does not depend upon the party but they are listed alphabetically, so neither party has the advantage.

The three basic arguments used against this are, that it will take too long to vote, that people don't want to bother to go down through the individual names, and that it will take too long to count the ballots.

For those who feel that it would take too long to vote, I can only reiterate what I have said before — that our vote in this Country is one of the most treasured rights that we have and it certainly is worthy of a little extra time. For those who say they don't want to check every name, they already check down every name in exactly one half of our elections — the primary election every year. For those who question the length in counting, I can only say that this year we have already enacted a law which will allow a different, fresh group of counters to come into every polling place if the community so desires.

Now, some time ago Massachusetts was one of the first to have this type of ballot, and so

it is sometimes referred to as the "Massachusetts straight ballot." But, I prefer the terminology, the "office type ballot" or the "directory ballot," because as the value of updating voting procedures became proven many other states adopted this type ballot and so now approximately one half of our fifty states have this type ballot.

There is one other argument and that is on political philosophy; those who just want to vote for political ideologies and not for the person themselves. I say if they want to vote that way they still can, because certainly they can read the words "Republican" and "Democrat" and make their check marks accordingly, and if they can't distinguish between these two terms, I wonder how they ever qualified as a voter in the first place. For those of you who feel that there might be names down toward the bottom of the ballot that would be eliminated, I wonder why you don't oppose the Primary ballot, because this might happen in that case.

Now, aside from the equality in this, it is a neat, simple modern ballot. It would not be ungainly because there would be several columns and the bill itself says there would not be over twenty-five names in any one column. But you would finally note as another benefit, and an example of streamlining, the Referendum questions would be on the same sheet. This would be a saving in both, in paper work and in printing cost.

I now move the acceptance of Report "A" "Ought to pass" and when the vote is taken I request it be taken by the yeas and nays.

The SPEAKER: The gentleman from Bath, Mr. Ross, now moves that the House accept Report A, or "Ought to pass" Report. Is the House ready for the question? A roll call has been requested. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present.

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

Mr. BINNETTE: Mr. Speaker and Members of the House: I would like to pose a question to Representative Ross relative to

this matter. We've had good many occasions after elections to have a lot of disputed ballots and irregularities in recounts. Don't you think there would be a greater chance of mistakes with this type of a ballot?

The SPEAKER: The gentleman from Old Town, Mr. Binnette, poses a question through the Chair to the gentleman from Bath, Mr. Ross, who may answer if he chooses, and the Chair recognizes that gentleman.

Mr. ROSS: Mr. Speaker, in answer to the question of the gentleman from Old Town, Mr. Binnette, there certainly would be more chance of mistakes in this than if persons were encouraged to vote a straight ticket—there's no doubt about that, but I don't think a person should be encouraged to vote a straight ticket.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: In support of the passage of this legislation and acceptance of Report A, and in partial answer to the question that's been posed, I think if you will examine this procedure that it requires a little painstaking attention in the act of voting, and for that reason I think it's going to cut down on the number of errors that are made. Examine this ballot and I think that you will see that the voter is going to have to review each one of these offices and make the best choice that he knows how. I think when he does that, there's going to be a lot less of this business of scratching a big X down through a whole list of candidates. Thank you.

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

Mr. NADEAU: Mr. Speaker, may I ask through the Chair a question of Mr. Ross?

The SPEAKER: The gentleman may pose his question.

Mr. NADEAU: Are there any other states who do it this way, and if so, how many? And also, does he feel that this does not deny a right for a person to vote any way he may desire to do so?

The SPEAKER: The gentleman from Sanford, Mr. Nadeau, poses a question through the Chair to the gentleman from Bath, Mr. Ross, who may answer if he chooses, and the Chair recognizes that gentleman.

Mr. ROSS: In answer to the question of the gentleman from Sanford, Mr. Nadeau, I covered those remarks in my short statement. Yes, there are other states that do this; I said, approximately one half of the states of this Country. As of last count there were exactly twenty states — the last count that I had. And, your other question was, does this prohibit a person from voting the way they want to vote? No, it does not; they can vote any way they want to vote — they can vote a straight Democratic ticket or a straight Republican ticket by just going down and voting for the Republicans or Democrats in each instance.

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

Mr. JALBERT: Mr. Speaker and Members of the House: My first question would not be asked—if I were prompted to ask this, I would like the gentleman from Bath, Mr. Ross, to tell me what power some people have to have who was a candidate for reelection on the ballot, but I'm not going to ask that question. But the question I will ask is, does this eliminate the big square?

The SPEAKER: The Chair recognizes the gentleman from Bath, Mr. Ross, who may answer if he chooses.

Mr. ROSS: Mr. Speaker, I would first like to answer the question that was not asked, and that is the question of candidate for reelection.

The bill, if Mr. Jalbert, would read the bill, the bill does not include those words, but the persons in the Secretary of State's office who designed this put them on because they copied a Massachusetts ballot and they're on there. As I said, this was not a professional job but we did the best we could with the limited resources we had to work with.

And the answer to the second question, is in the affirmative.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I really always consider my very, very dear friend from Bath my very, very dear friend—but, I'd like to ask him another question. In what state—in what arms of Morpheus was he in when he dreamt up this bauble?

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, poses a question through the Chair to the gentleman from Bath, Mr. Ross, who may answer if he chooses, and the Chair recognizes that gentleman.

Mr. ROSS: Mr. Speaker, to answer the question of my also very, very dear friend, Mr. Jalbert, I would say that I have always been interested in this type of legislation, and when I saw that the elimination of the big box might be defeated I started doing some research in the library and I researched many of the states and I found that this, in my mind, was by far the most progressive ballot that I could find anywhere.

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

Mr. LEVESQUE: Mr. Speaker and Members of the House: I find somehow or other this morning that this is relatively no better or no worse than the elimination of the big square which was defeated in this House not too long ago.

I think probably looking at the history behind the Massachusetts ballot, we here in the State of Maine don't think we'll accomplish any better than they have in Massachusetts, and their record there hasn't been all too perfect regarding this ballot. I think probably the people in Massachusetts and most likely a Democratic stronghold over the years, have not been too happy with that sort of a ballot. I fail to see where there's going to be progress by adopting this kind of ballot, in view of the fact that the human errors being as they are will find themselves even more so in this type of ballot. They will have to go

through the ballot as they presently do if they want to vote for the individual candidates, which — this has been done more in the last ten years than ever before, but we have had more room for errors than ever before. And this would further complicate the recounting and the possibility of errors; so I see — I fail to see completely where this would better our present situation as far as ballots are concerned.

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

Mr. HEALY: Mr. Speaker and Members of the House: This looks like a slick move to remove the circle at the top of the ballot. I would urge you all to vote against this.

The SPEAKER: The Chair recognizes the gentleman from Kingman Township, Mr. Starbird.

Mr. STARBIRD: Mr. Speaker and Members of the House: I would like to pose a question to Representative Ross. Noting, as he said, that both the candidates and the referendum questions are on the same ballot, would the voiding of the ballot be complete if it was decided that the side that contained the candidates' names would void the referendum also? Now we have separate ballots for the referendum and for candidates, so if the ballots with the candidates names on them are void, the same person might validly vote for referendum because it is on a separate ballot. Here they are on the same ballot. Would the entire ballot be void, the referendum and all?

The SPEAKER: The gentleman from Kingman Township, Mr. Starbird, poses a question through the Chair to the gentleman from Bath, Mr. Ross, who may answer if he chooses and the Chair recognizes that gentleman.

Mr. ROSS: Mr. Speaker, in answer to the question of the gentleman from Kingman Township, Mr. Starbird, no, that would not be voided, if the individual candidate side was voided and the other side was voted properly, that would stand.

The SPEAKER: All of those desiring a roll call will vote yes,

those opposed will vote no, and the Chair will open the vote.

A vote of the House was taken and a sufficient number voted in the affirmative.

The SPEAKER: Obviously, more than one fifth having expressed a desire for a roll call, a roll call is ordered. The pending question is the motion of the gentleman from Bath, Mr. Ross, that the House accept Report "A" "Ought to pass" on Bill "An Act relating to Form and Arrangement of Ballots in General Election," House Paper 216, L. D. 306. If you are in favor of the acceptance of Report "A" you will vote yes, if you are opposed to the acceptance of Report "A" you will vote no, and the Chair will open the vote.

ROLL CALL

YEA—Allen, Baker, E. B.; Benson, Berman, Birt, Bragdon, Brown, Bunker, Clark, Cookson, Crockett, Crosby, Cushing, Darey, Dennett, Dickinson, Drummond, Dunn, Durgin, Edwards, Eustis, Evans, Ewer, Farrington, Foster, Fuller, Gill, Hall, Hanson, H. L.; Hanson, P. K.; Hawes, Haynes, Henley, Hewes, Hichens, Hinds, Hodgkins, Hoover, H u b e r , Humphrey, Immonen, Jameson, Kyes, Lewin, Lewis, Lincoln, Littlefield, Lycette, Maddox, McMann, Miliano, Mosher, Noyes, Pendergast, Philbrook, Pike, Porter, Prince, Quimby, Rackliff, Richardson, G. A.; Richardson, H. L.; Rideout, Robertson, Robinson, Ross, Sahagian, Scott, C. F.; Scott, G. W.; Scribner, Shaw, Shute, Snow, P. J.; Snowe, P.; Soulas, Susi, Thompson, Townsend, Trask, Waltz, Watts, White, Wight, Wood.

NAY—Bedard, Belanger, Bellevau, Bernard, Binnette, Boudreau, Bourgoin, Brennan, Buck, Burnham, Carey, Carrier, Carroll, Carswell, Champagne, Conley, Cote, Cottrell, Crommett, Curran, Danton, Drigotas, Dudley, Fecteau, Fortier, Fraser, Gaudreau, Gauthier, Giroux, Harnois, Harvey, Healy, Hennessey, Hunter, Jalbert, Jewell, Keyte, Lebel, Levesque, Lowery, Martin, McNally, Min-kowsky, Nadeau, J. F. R.; Nadeau, N. L.; Payson, Rocheleau, Sawyer, Starbird, Tanguay, Truman, Wheeler, Williams.

ABSENT—Baker, R. E.; Bradstreet, Cornell, Couture, D'Alfonso, Hanson, B. B.; Harriman, Jannelle, Kilroy, Meisner, Quinn, Roy, Sullivan.

Yes, 84; No, 53; Absent, 13.

The **SPEAKER**: 84 having voted in the affirmative and 53 having voted in the negative, the motion to accept Report "A" "Ought to pass" prevails.

Thereupon, the Bill was read twice and assigned for third reading tomorrow.

The Chair laid before the House the second item of Unfinished Business:

Resolve for Construction and Erection of Statue to "The Maine Lobsterman" in Washington, D. C. (H. P. 661) (L. D. 916)

Tabled—May 4, by Mr. Hennessey of West Bath.

Pending—Passage to be engrossed.

The **SPEAKER**: The Chair recognizes the gentleman from West Bath, Mr. Hennessey.

Mr. **HENNESSEY**: Mr. Speaker and Members of the House: This is an article that has been kicked from pillar to post around the State of Maine. If it were great in 1939, it would still be great. But the action of this figure is not characteristic of the Maine lobster fisherman.

The Maine people should be represented by a truly outstanding sculpture done by a nationally recognized Maine sculptor.

I would suggest the formation of a committee of qualified professionals, headed by Richard Collins of the Maine Arts and Humanities Commission, to make this choice for the people. Members of this committee should be thoroughly familiar with sculpture and its purpose and the use which this piece of sculpture is to serve in Washington. The choice should be made with great care and thought so that we, and future generations, can be justly proud of the work selected.

I move for indefinite postponement of this Resolve.

The **SPEAKER**: The gentleman from West Bath, Mr. Hennessey,

now moves that this Resolve be indefinitely postponed.

On motion of Mr. Ross of Bath, tabled pending the motion of Mr. Hennessey of West Bath to indefinitely postpone and specially assigned for later in today's session.

The Chair laid before the House the third item of Unfinished Business:

Bill "An Act Revising Certain Portions of Workmen's Compensation Law" (H. P. 674) (L. D. 946)

Tabled—May 4, by Mr. Richardson of Cumberland.

Pending—Motion of Mr. Dudley of Enfield to indefinitely postpone.

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

Mr. Scott: Mr. Speaker, Ladies and Gentlemen of the House: Last week I was about to speak in support of the gentleman from Enfield, Mr. Dudley, when our Floor Leader, the gentleman from Cumberland, Mr. Richardson, tabled this measure.

The gentleman from Enfield, Mr. Dudley, stated that passage of this measure would work a hardship on the small employer who employs one or two people. This is very true. Last session the Workmen's Compensation laws were liberalized so that the overall rate increased some thirty-six percent, and for all classes of business as an average. As the gentleman from Ellsworth, Mr. McNally, will tell you, it increased nearly sixty percent for his particular class of business.

The most important point for us to keep in mind is that insurance companies are refusing to write insurance on small risks because no premium is developed. Any small loss will more than use up the minimum premium paid, so the only way they will be able to purchase Workmen's Compensation is through the Assigned Risk Bureau, which will of course increase the cost considerably; in most cases I would say fifty percent. For these reasons, I would urge your support of the motion of the gentleman from Enfield, Mr.

Dudley, for indefinite postponement.

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

Mr. EWER: Mr. Speaker, Ladies and Gentlemen of the House: Probably the answer to how you will vote on this bill depends a great deal on your philosophy. The individual who is employed as a sole employee of a small business or one of two employees is not given any security under the present law; under this bill he would be, and there is quite a feeling in my own mind that the man who is hurt or injured and unable to earn anything to support his family may possibly need a little more coverage than the one individual who may be employing him. I realize that the paper work for any employer small or large is getting to be quite an item, but there are several things, particularly the condition of farm laborers has changed somewhat, with the increased use of machinery on farms he can have more severe injuries than he was getting before with a hoe, and it seems to me that as a matter of protection for the small employer he would be better off covered by insurance than he would by taking his chances on being sued in court under the old common law setup.

The SPEAKER: The Chair recognizes the gentleman from Sidney, Mr. Drummond.

Mr. DRUMMOND: Mr. Speaker, Ladies and Gentlemen: I would like to go along with the Representative from Wilton. At the hearing it was brought out as he said, that these small operators, it would be almost impossible for them to buy insurance and that in a great many cases they would be assigned risks. The gentleman from Bangor mentioned that it is difficult for an employee who is the only employee, if he is hurt, to pay his bills, but a great many of these employers of a single employee carry liability insurance which could take care of this situation.

I have here some information from the Farm Bureau in New Jersey, and the rates are based

on a hundred dollars of payroll. An employee in dairy, the cost is \$6.31 to \$7.82 per hundred dollars of payroll; poultry, \$5.92 to \$7.36; vegetable people, \$3.10 to \$3.78; fruit people, \$4.27 to \$5.27, and general \$6.31 to \$7.82. I won't keep on reading and bore you with statistics, but these rates are very high, and I am sure that if the employer could carry liability insurance and not be forced to come under this regulation that it could work very well, and I urge you to support the gentleman from Enfield, Mr. Dudley's motion for indefinite postponement. Thank you.

The SPEAKER: Is the House ready for the question? The pending question is the motion of the gentleman from Enfield, Mr. Dudley, that this Bill be indefinitely postponed.

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

Mr. CONLEY: Mr. Speaker, may I inquire through the Chair as to what the Committee Report on this bill was please?

The SPEAKER: The Chair would advise the gentleman it was a Divided Report with a majority "Ought to pass."

The Chair will order a vote. The Chair recognizes the gentleman from Woolwich, Mr. Harvey.

Mr. HARVEY: I would like to ask an inquiry to any member who can answer, supposing in my business I hire one and I also have got him insured. Now under this bill if it is enacted, what would be my rates per week for a machinist drawing between one and two hundred dollars a week?

The SPEAKER: Is the House ready for the question?

Mr. Conley of Portland requested the yeas and nays.

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

A vote of the House was taken and a sufficient number voted in the affirmative.

The SPEAKER: Obviously, more than one fifth having expressed a

desire for a roll call, a roll call is ordered. The pending question is the motion of the gentleman from Enfield, Mr. Dudley, that Bill "An Act Revising Certain Portions of Workmen's Compensation Law," House Paper 674, L. D. 946, be indefinitely postponed. If you are in favor of the indefinite postponement of this bill you will vote yes and those opposed will vote no, and the Chair opens the vote.

ROLL CALL

YEA — Allen, Belanger, Benson, Binnette, Bragdon, Brown, Buck, Bunker, Burnham, Carey, Carrier, Carroll, Champagne, Clark, Cookson, Crockett, Crommett, Crosby, Danton, Darey, Dennett, Drummond, Dudley, Dunn, Durgin, Edwards, Evans, Farrington, Fecteau, Foster, Fraser, Fuller, Gauthier, Giroux, Hall, Hanson, H. L.; Hanson, P. K.; Harnois, Harvey, Hawes, Haynes, Healy, Henley, Hewes, Hodgkins, Hoover, Huber, Humphrey, Hunter, Immonen, Jameson, Jewell, Keyte, Kyes, Lewin, Lewis, Lincoln, Littlefield, Lycette, Maddox, McMann, McNally, Minkowsky, Mosher, Nadeau, J. F. R.; Payson, Pendergast, Philbrook, Pike, Porter, Prince, Quimby, Rackliff, Richardson, G. A.; Rideout, Robertson, Robinson, Rocheleau, Sahagian, Sawyer, Scott, C. F.; Scott, G. W.; Shaw, Shute, Snow, P. J.; Snowe, P.; Starbird, Susi, Thompson, Trask, Truman, Waltz, Watts, White, Wight, Williams, Wood.

NAY — Baker, E. B.; Bedard, Berman, Birt, Boudreau, Bourgoin, Carswell, Conley, Cote, Cottrell, Curran, Cushing, Drigotas, Eustis, Ewer, Fortier, Gaudreau, Gill, Hennessey, Hichens, Hinds, Jalbert, Lebel, Levesque, Martin, Nadeau, N. L.; Scribner, Soulas, Tanguay, Townsend, Wheeler.

ABSENT — Baker, R. E.; Beliveau, Bernard, Bradstreet, Brennan, Cornell, Couture, D'Alfonso, Dickinson, Hanson, R. B.; Harriman, Jannelle, Kilroy, Lowery, Meisner, Miliano, Noyes, Quinn, Richardson, H. L.; Ross, Roy, Sullivan.

Yes, 97; No, 31; Absent, 22.

The SPEAKER: 97 having voted in the affirmative and 31 having voted in the negative, the motion to indefinitely postpone does prevail.

Sent up for concurrence.

The Chair laid before the House the fourth item of Unfinished Business:

Bill "An Act relating to Credit for Military Service Under State Retirement Law" (S. P. 277) (L. D. 657) (In Senate, passed to be engrossed as amended by Committee Amendment "A" (S-96)

Tabled—May 4, by Mr. Pendergast of Kennebunkport.

Pending — Passage to be engrossed.

On motion of Mr. Pendergast of Kennebunkport, retabled pending passage to be engrossed and specially assigned for tomorrow.

The Chair laid before the House the fifth item of Unfinished Business:

Bill "An Act relating to Constitution of Police Department of City of Lewiston" (S. P. 487) (L. D. 1343) (In Senate, Passed to be Engrossed as Amended by Committee Amendment "A") (S-67)

Tabled—May 4, by Mr. Jalbert of Lewiston.

Pending — Passage to be engrossed.

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

Mr. COTE: Mr. Speaker, I now move that this bill and all its accompanying papers be indefinitely postponed.

The SPEAKER: The gentleman from Lewiston, Mr. Cote, now moves this bill be indefinitely postponed. The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Thereupon, on motion of Mr. Jalbert of Lewiston, tabled pending the motion of Mr. Cote of Lewiston to indefinitely postpone and specially assigned for Friday, May 12.

The Chair laid before the House the sixth item of Unfinished Business:

HOUSE REPORT—Ought Not to Pass — Committee on Appropriations and Financial Affairs on Bill “An Act to Provide for Payment for Unused Sick Leave of State Employees” (H. P. 299) (L. D. 434)

Tabled—May 4, by Mrs. Baker of Winthrop.

Pending—Acceptance.

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

Mr. BRAGDON: Mr. Speaker, I note the absence of the gentleman from Winthrop, Mrs. Baker, and I move this be tabled until the 12th.

Thereupon, on motion of Mr. Levesque of Madawaska, tabled pending acceptance and specially assigned for Friday, May 12.

The Chair laid before the House the seventh item of Unfinished Business:

Bill “An Act Creating the Short Form Deeds Act” (S. P. 537) (L. D. 1442) (In Senate, passed to be engrossed)

Tabled—May 4, by Mr. Richardson of Cumberland.

Pending — Passage to be engrossed. (House Amendment “A” (H-252))

On motion of Mr. Benson of Southwest Harbor, retabled pending passage to be engrossed as amended and specially assigned for Friday, May 12.

The Chair laid before the House the eighth item of Unfinished Business:

Bill “An Act relating to Membership on the Maine Milk Commission” (H. P. 339) (L. D. 487)

Tabled—May 4, by Mr. Evans of Freedom.

Pending — Passage to be engrossed.

On motion of Mr. Hawes of Union, retabled pending passage to be engrossed and specially assigned for later in today’s session.

The Chair laid before the House the ninth item of Unfinished Business:

HOUSE MAJORITY REPORT (7) — Ought Not to Pass — Committee on Education on Bill “An Act Providing Vocational Education Loan Funds” (H. P. 882) (L. D. 1294) — MINORITY REPORT (3) — Ought to Pass.

Tabled — May 4, by Mr. Levesque of Madawaska.

Pending — Motion of Mr. Gauthier of Sanford to accept Minority Report.

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

Mr. SHUTE: Mr. Speaker and Ladies and Gentlemen of the House: We signed an “Ought to pass” report on this document because we believe in it.

This is not to suggest that those members of the Education Committee signing the Majority Report are less enthusiastic about vocational education, because this is not so. We merely disagree on the manner in which loan funds shall be made available.

We of the minority in this instance believe that all of the emphasis on loan for education beyond the 12th grade, has been and continues to be on the academic level. That is, those students who seek assistance for getting baccalaureate degrees in a four-year institution such as our State Colleges, the University of Maine, or Bates, Bowdoin, Colby, Husson and the rest, to strive for the best education is noteworthy, praiseworthy and should be encouraged.

But there are some people who do not desire this type of education. These are the people who like to work with their hands, or to build with the skills God gave them. These people have been exposed to some of this in a manual training course, perhaps, or shop course in high school — completely inadequate at best, we believe — but enough to whet their appetites for more of this specialized type of training.

Then after graduation from high school, they have applied for further training at an institution that was founded by one of these legislative bodies, one of our fine Vocational Technical Institutes. Or, if these institutions do not pro-

vide the type of course they want, they may apply to another institution in another state. It might be Pratt Institute in Brooklyn, or a school specializing in aircraft mechanics, pilot training, something not offered in a Maine school. Under L. D. 1294, we could make application for a \$500 loan if we wanted to go to one of these schools. This just might be enough to send a student to an institution such as we have described. Without this loan, a worthy student might drift in and out of jobs and never really become a productive worker who has been trained adequately.

Now, my colleagues on the Committee on Education may inform us that another bill is on its way, L. D. 1616, which we heard yesterday and which might accomplish the same purpose.

We would like to believe this, but we find that nowhere in its offerings does it go far enough in the field of Vocational Education loans. We feel that this bill, L. D. 1616, is also needed and needed badly, but we submit that it is oriented to the four-year degree type seeking student, and we fear for the forgotten student, the one who may feel a greater need for a loan fund of the type provided by L. D. 1294.

Its total proposed allocation is something over \$221,000 for the next two years. John Snell, and Dr. John Cass of the Vocational Education Division and the Guidance and Special Education Division respectively, both have supported this measure.

The testimony we like best, however, comes from its sponsor, the gentleman from Sanford, Mr. Gauthier. Said he at our committee hearing on this bill, "This is not a giveaway program. The loans will be repaid. It just gives a chance to kids without money," and we heartily support the opinion registered by Mr. Gauthier, and we hope that his motion will be accepted.

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

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

House: I rise too in support of the motion of Mr. Gauthier, the gentleman who sponsored this particular bill now before us. I'd like to note that we have a bill in this Legislature that will make available funds for loans to students in our colleges and universities. Also available to these students are many other types of educational loans that will enable them to finance their education until they have completed their college work. This is not so for the student who desires to attend a vocational school. He must earn his money in advance or be fortunate enough to be financed by his parents because there are not available funds from which he can borrow in the category of an educational loan. Ladies and Gentlemen of the House, if there is one thing the State of Maine needs, and needs badly, and is constantly seeking, it is new industry. Prior to location in our state the first step a potentially new industry takes is to conduct a survey to ascertain the available manpower and get an estimate of skilled workers and the potential training schools that would produce qualified employees in their specific industry. For the most part we seem to have, readily available, the necessary individuals of executive calibre to supply the needs of industry. However, we do not have available workers skilled in the various trades required by these manufacturing plants.

I think weekly we see advertisements in the news, I happen to have one here taken from the Bangor Daily News in which they're seeking various lathe operators, automatic screw machine operators, turret lathe operators, etc. These are appearing constantly. As new industries come into our State, they are going to continue to appear. So then I think, ladies and gentlemen, it develops that these people are an important and an integral part of expanding and developing industry. We also know that many who are fully qualified and would attend these schools are found in the lower income groups and who cannot afford to go to school beyond the

high school level. So, ladies and gentlemen, I think it's just as simple as that, if we want new industry we must have available, skilled trade workers. Now, to provide these workers we need the vocational schools and if we are going to get students to attend these schools, to supply these needs, we must make available funds that will enable the prospective student to borrow for his education. As it has been cited, this is definitely not a give-away program—the money will be returned to the state. From my point of view, it is an investment in the progress and expansion of our State of Maine, an investment to acquire new industry that will keep these same skilled workers we are talking about in our state instead of sending them to our neighboring states, because, ladies and gentlemen, this does not add to the economic progress of the State of Maine.

I think we must not, we cannot, continue to ignore the financial needs of these prospective students. The State of Maine stands 48th among the states in its support of secondary and post-secondary vocational instruction. Now is the time that we can rectify the position and reap economic rewards for our state as these students benefit from the money which we can allocate for loans and become actively engaged in industries.

So, Members of this Legislature, I beseech you to pass this bill before you, to make available funds for those who will be the future workers in our manufacturing plants, in our own State of Maine. Let's keep them here. Let's give them an opportunity to attend these schools. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Saco, Mr. Bedard.

Mr. BEDARD: Mr. Speaker and Members of the House: Two years ago we passed a bill here for a technical high school at the high school level and it was approved by the voters of the State of Maine and it was for York County only. At that time the bill had a lot of opposition, but this bill was rec-

ognized by the people of the State of Maine that vocational training at the high school level was a necessity to the State of Maine if we are to get industry, and I say the time is here now that these boys should be supported that cannot go to college, they should be granted a loan which they will repay, if they are honest enough to learn a trade and earn a living they will pay it back, and they never had that opportunity up until now and I say let's give it to them and vote for this bill. Thank you.

The SPEAKER The Chair recognizes the gentleman from Caribou, Mr. Allen.

Mr. ALLEN: Mr. Speaker and Ladies and Gentlemen of the House: Three of our four vocational schools are quite new on the higher educational scene; they are just getting started. The Higher Education Assistance Foundation on the other hand was established in May 1958, nine years ago by a group of Maine business and banking people, educators and other individuals which contributed to a guarantee fund totaling \$153,000 for loans to students and institutions of higher education. The loans were not for freshmen; they were for sophomores and higher classmen and were for \$500 a year or a maximum of \$1500. The Higher Education Assistance Foundation trustees in May 1966, just one year ago, revised their program to comply in all respects with the provisions of Student Loan Acts passed by Congress in November 1965 and thereby obtained Federal grants. The program was made effective only last August. It provides for loans beginning in the Freshman year rather than wait until the Sophomore year. It stipulates that loans are to be made to students attending institutions approved by the United States Office of Education.

Maine Vocational Schools were approved only in January of this year, in a supplement to the original list issued in November of last year. The supplement for Maine includes: Central Maine Vocational Technical Institute in Auburn, Eastern Maine Vocational Tech-

nical Institute in Bangor, Northern Maine Vocational Technical Institute in Presque Isle, and Southern Maine Vocational Technical Institute in South Portland.

"The American Banker" January 23, reads: "U. S. extends loan guarantee plan to vocational pupils only in January of this year." That's on January 23. On January 4, earlier that same month, the Higher Education Assistance Foundation was out of business because it didn't have any money, and would gladly have taken on every applicant for vocational schools if they'd had it. They did have some money which was allocated to students for a second semester in the colleges to which they had made payments earlier. The Federal Government has allocated \$10,000 to start the program in vocational schools, which AGAF should have by July 1 to use as a guarantee fund to cover any loan defaults by vocational school students. With the help of Maine banks that \$10,000 seed money will generate loans of \$100,000.

The record on student loans to date is a very good one—an excellent one—but I would consider a loan from a school Freshman in a vocational school, even a better loan than one accorded to a four-year college Freshman and this is the reason: In less than two years the vocational school Freshman will be a man with a skill in demand, getting good wages and paying up his loan. The bank will have the money sooner to lend to someone else, some other student. From this date on there is little likelihood of Maine banks overlooking and bypassing students registered at the four Maine Vocational and Technical Institutes.

AGAF notified Maine participating banks, as I said on January 3rd, not to make any more student loans because they're well over the limit of the guarantee fund, and the \$50,000 appropriated under L. D. 323 helps students who need additional money for the second semester, which had already been agreed with them. No loans for next fall will be considered until July 1, and the banks have so been notified. We expect by that time additional money will

be forthcoming from the United States Office of Education. Some payments will also be made on loans outstanding.

There was a hearing before your Education Committee yesterday afternoon on a resolve proposing an amendment to the Constitution pledging credit of the State and providing for the issuance of bonds not exceeding \$1,000,000 for student loans at both Maine Vocational schools and other institutions of higher learning on the United States Office of Education approved list. You will receive a unanimous "Ought to pass" Report from your Education Committee on that Resolve. We should not, in my opinion, vote loan funds only for our vocational schools; we should have one fund, one guarantee, one plan in cooperation with the United States Government for all higher education loans, and I am sure in that case the vocational schools will not be slighted.

Because we shall be considering the resolve pledging a million dollars within two or three legislative days, and because we expect our student loan program will be in operation for July 1, the students in all of the approved institutions including our four vocational schools, I believe we should not pass L. D. 1294 today. I move we lay it on the table until Friday, May 12.

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

Mr. GAUTHIER: Mr. Speaker and Members of the House: A few days ago in talking with Dr. Cass, Chief of the Bureau of Guidance and Special Education in regards to L. D. 1294, "An Act Providing Vocational Education Loan Funds," if this Act does not pass the vocational students of Maine will have lost their best opportunity to borrow money and attend institutions of higher education. The higher education loans and grants have been notable for their primary interest in the direction of four-year academic education. Furthermore, only ten thousand of that money was ever earmarked for vocational school students. We have no firm indication that any loan fund to be considered by this

Legislature will not have the same preference. We have no indication either that any loan fund will not be accompanied by a rate of interest discouraging to the student. Neither have we any firm knowledge that any loan or loan guarantee funds dependent upon a referendum will be accepted by the voters of this State. We have a good chance, I think, of turning down this and other firm measures to other people to go to vocational, academic higher education this year, in return for a promise of next year, and maybe never. I sincerely ask that you make it possible for this year's high school graduates to go on to school this year and that in so doing you did not discriminate against vocational education, knowing that our state needs these technical trainings to attract industry and to educate a broad segment of our youth.

Ladies and gentlemen of the House, therefore — these are two different areas of education — these school funds, and I further assure you that if they combined the vocational students will continue being the forgotten people and overlooked and bypassed at the expense of higher education students. Therefore, ladies and gentlemen, I hope that you will go along with me on this bill and accept the Minority "Ought to pass" report. I thank you.

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

Mr. LEVESQUE: Mr. Speaker and Members of the House: This is possibly one of the best pieces of legislation for our vocational training that we have had before this session of the Legislature or before many sessions of the Legislature. However, it is my feeling that the document presently before the Education Committee will serve this purpose, in view of the fact that the Vocational Technical Institutes in the State of Maine have never been formerly recognized by the Federal Government and by many other institutions, up until this last January. This made it extremely hard for the students going to a vocational technical institute to acquire loans to attend these schools. However, the

story has changed somewhat since the approval list has been sent last January to the State of Maine and to the Department of Education, which changes the picture entirely.

The document that's before the Education Committee now will generate a ten-to-one sum of money. In other words, if the bond issue comes out for a million dollars, this will generate ten to twelve and a half million dollars for availability of loans to all students of all schools. So this is why I feel that this is presently an excellent document for the vocational school only. The other document that will be coming before you shortly will cover all higher education, and this is with an assurance or a guarantee that the vocational students will be used the same as any higher education in our state. So, this is relatively a very good document, but it's the feeling of the Committee that the other document will cover more students going to more schools in the future. Thank you.

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

Mr. DENNETT: Mr. Speaker and Members of the House: I rise in support of the motion made by the gentleman from Sanford, Mr. Gauthier, to accept the Minority "Ought to pass" Report.

This morning, ladies and gentlemen of the House, you have been given an excellent coverage of the intent of this objective by both the gentlemen from Farmington, Mr. Shute, and the gentleman from Brewer, Mr. Robertson. There is little that I could add to this, other than to urge you strongly to support the "Ought to pass" motion.

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

Mr. DANTON: Mr. Speaker and Members of the House: I rise to commend the gentleman from Sanford, Mr. Gauthier, who has demonstrated such great interest in helping the long neglected students who aspire to work with their hands as well as with their minds. I assure that gentleman that I will support him now in his

motion, and I urge my colleagues in this House to do the same.

The SPEAKER: The Chair recognizes the gentleman from Solon, Mr. Hanson.

Mr. HANSON: Mr. Speaker, I move this item lie on the table until Friday, May 12.

The SPEAKER: The gentleman from Solon, Mr. Hanson, moves that this matter be tabled until Friday, May 12, pending the motion of the gentleman from Sanford, Mr. Gauthier, to accept the Minority Report. All those in favor of tabling will say yes —

Mr. Nadeau of Sanford requested a vote on the tabling motion.

The SPEAKER: A vote will be taken on the tabling motion. All those in favor of tabling this matter until May 12 will vote yes, and those opposed will vote no, and the Chair opens the vote.

A vote of the House was taken, 5 having voted in the affirmative and 121 having voted in the negative, the tabling motion did not prevail.

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

Mr. SNOWE: Mr. Speaker, I ask that when the vote be taken it be taken by the yeas and nays.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: I have only two things to add—the thing that worries me is that if this bill is passed, the AGAF may assume that the vocational technical students are all taken care of and that there is no necessity of loaning them any money. I think Mr. Allen did point out that the Federal Government has promised to AGAF in Maine, sometime prior to July hopefully \$10,000 which when it is anted up on will give something in the nature of \$100,000 to loan to vocational technical students.

I am fully and wholeheartedly in sympathy with the bill and I think the entire Education Committee was in sympathy with the bill. We just feel that it is better to attack it in the direction that Mr. Levesque has already referred to and

we feel that it will do a far better job generated in this way. Thank you.

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

Mr. GAUTHIER: Mr. Speaker and Members of the House: As I have mentioned previously, all these years, all we've been given is a promise, and let's keep these two bills divided, let's give vocational what is due them—the students. There's seventy per cent of these students coming out of high school; there's only thirty percent that on the average, as far as the Education Department has told me, that goes to college. We have an anti-poverty program today that if something happened in the future like we're trying to do today we probably would have given these seventy percent a chance to earn an education or a trade for themselves, and we wouldn't have as much anti-poverty program as we have at the present time. I thank you.

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

A vote of the House was taken and a sufficient number voted in the affirmative.

The SPEAKER: Obviously, a sufficient number having expressed the desire for a roll call, a roll call is ordered. The question before the House is the motion of the gentleman from Sanford, Mr. Gauthier, that the House accept the Minority "Ought to pass" Report on Bill "An Act Providing Vocational Education Loan Funds," House Paper 882. L. D. 1294. All those in favor of accepting the Minority Report will vote yes; those opposed will vote no, and the Chair will open the vote.

ROLL CALL

YEA — Baker, E. B.; Bedard, Belanger, Benson, Berman, Bernard, Binnette, Boudreau, Bourgoin, Bragdon, Brennan, Brown, Buck, Bunker, Burnham, Carey, Carrier, Carroll, Carswell, Cham-

pagne, Clark, Conley, Cookson, Cornell, Cote, Cottrell, Crockett, Crommett, Crosby, Curran, Cushing, D'Alfonso, Danton, Darey, Dennett, Dickinson, Drigotas, Drummond, Dudley, Durgin, Eustis, Evans, Ewer, Farrington, Fecteau, Fortier, Foster, Fraser, Fuller, Gaudreau, Gauthier, Gill, Giroux, Hall, Hanson, P. K.; Harnois, Harvey, Hawes, Haynes, Healy, Henley, Hennessey, Hewes, Hichens, Hinds, Hodgkins, Hoover, Huber, Humphrey, Hunter, Immonen, Jalbert, Jameson, Keyte, Kyes, Label, Levesque, Lewin, Lewis, Lincoln, Littlefield, Lowery, Lycette, Maddox, Martin, McMann, Miliano, Minkowsky, Mosher, Nadeau, J. F. R.; Nadeau, N. L.; Noyes, Pendergast, Philbrook, Pike, Porter, Prince, Quimby, Quinn, Richardson, H. L.; Rideout, Robertson, Robinson, Rocheleau, Ross, Roy, Sahagian, Sawyer, Scott, C. F.; Scott, G. W.; Scribner, Shaw, Shute, Snowe, P.; Soulas, Starbird, Sullivan, Susi, Tanguay, Thompson, Townsend, Trask, Waltz, Watts, Wheeler, White, Wood.

NAY — Allen, Birt, Dunn, Edwards, Hanson, H. L.; Jewell, McNally, Rackliff, Richardson, G. A.; Snow, P. J.; Wight.

ABSENT — Baker, R. E.; Beliveau, Bradstreet, Couture, Hanson, B. B.; Harriman, Jannelle, Kilroy, Meisner, Payson, Truman, Williams.

Yes, 127; No. 11; Absent, 12.

The SPEAKER: 127 having voted in the affirmative and 11 having voted in the negative, the motion to accept the Minority "Ought to pass" Report does prevail.

Thereupon, the Bill read twice and assigned for third reading tomorrow.

Mrs. Carswell of Portland was granted unanimous consent to address the House.

Mrs. CARSWELL: Mr. Speaker and Members of the House: On tabled items today, we almost got to the bill to help the Indians, and in the rear of the Hall of the House you will see our Indian Representative, Mr. Nelson, who is limited to ten trips. He is back here again today and his bill is tabled again.

I hope that you will think over the Indian problems very, very seriously and the next time that this item comes up, please do something to help these people. Thank you.

On motion of Mr. Richardson of Cumberland,

Recessed until one-thirty o'clock in the afternoon.

After Recess

1:30 P.M.

The House was called to order by the Speaker.

The Chair laid before the House the tenth item of Unfinished Business:

Bill "An Act relating to Taxation of Television Sets" (H. P. 287) (L. D. 407) (In House passed to be engrossed) (In Senate Minority — Ought Not to Pass Report accepted in non-concurrence)

Tabled — May 5, by Mr. Richardson of Cumberland.

Pending — Further consideration.

On motion of Mr. Hanson of Gardiner, the House voted to insist on its former action and ask for a Committee of Conference.

The Speaker appointed the following Conferees on the part of the House:

Messrs. HANSON of Gardiner
ROBINSON of Carmel
WOOD of Brooks

On the part of the House, the Speaker appointed the following Conferees on the disagreeing action of the two branches of the Legislature on Bill "An Act to Relieve Elderly Persons from Increases in the Property Tax," House Paper 953, L. D. 1384:

Messrs. PHILBROOK
of South Portland
McMANN of Bath
COTTRELL of Portland

The Chair laid before the House the eleventh item of Unfinished Business:

HOUSE MAJORITY REPORT
(6) — Ought Not to Pass — Committee on Indian Affairs on Bill "An Act relating to Rights and Privileges of Members of the In-

dian Tribes at the Legislature" (H. P. 117) (L. D. 188) — MINORITY REPORT (4) — Ought to Pass.

Tabled — May 5, by Mr. Richardson of Cumberland.

Pending — Acceptance of either Report.

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

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

The SPEAKER: The gentlewoman from Portland, Mrs. Carswell, moves that the Minority Report "Ought to pass" be accepted.

Mr. Nadeau of Sanford requested a division.

The SPEAKER: A vote has been requested. The Chair recognizes the gentlewoman from Portland, Mrs. Carswell.

Mrs. CARSWELL: Mr. Speaker, I request a roll call and I would like to speak briefly before the roll call. Mr. Speaker and Members of the House. L. D. 188 came out eight to two, eight ought not to pass and two ought to pass. Now I feel that I would like to see this bill passed because I think that we are just treating the Indians as a bunch of dumbbells; I hate to use those words, but this is just the way I feel.

We have the Indians coming down here every session. This session we limited their trips to ten trips, yet their bills are tabled and retabled, and you look up in the back and there they are, hopeless, sitting up in the back there watching the white man table their bills and then eventually killing them.

We have 152 seats in the House, and we recognize the Indians as representatives at the Legislature, but they are outside. They don't have any voice in legislation that affects them. Now this bill, if it is accepted as is, will allow them to speak on all matters. However, if the House does not feel that it wishes the Indians to speak on all matters, I do have an amendment that will allow them to speak only on matters pertaining to the Indians, and I have talked with the Indians, and many of them feel that they will be very happy with the bill with the amendment at-

tached to it, so if you accept the Minority "Ought to pass" Report, I would attach the amendment to it if that would be acceptable, and I would request a roll call.

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

Mr. DENNETT: Mr. Speaker and Members of the House: I rise in opposition to the motion made by the gentlewoman from Portland, Mrs. Carswell. It seems as though we are a little bit far fetched in some of our thoughts perhaps on this matter. First of all, I would like to call your attention to the Constitution of the State of Maine. The Constitution of the State of Maine clearly sets forth that there shall be a House of Representatives consisting of 151 members. If by any chance we intend to build this membership of the House up to 153, it can't be accomplished by statutory law, it can only be accomplished by a Constitutional Amendment.

Now on the other hand, can you picture anyone who is admitted as a Representative to this body limited to the matters on which they could speak? I would feel very badly indeed if I came up as a Representative from Kittery and I could only speak on matters pertaining to the Town of Kittery. It would seem quite far fetched as it would to every other member of this House. There is a Constitutional issue at stake here, not an emotional issue, feeling badly for the Indians. I think we all want to give the Indians their due, but when we attempt by statutory law to extend to them a seat in the House of Representatives, and then even say they are limited in rights, no, but without a Constitutional Amendment I feel very strongly that we can't do it.

There is also another thing and a matter I think of extreme importance, and those who are perhaps more learned in the law than I am could verify this, and this is section 3 of part three of Article IV, and it goes on to say: "Each house shall be the judge of the elections and qualifications of its own members. ***." Now furthermore, we have a bill which would be a statute going through

here upon which the other body takes action, when your Constitution of the State of Maine clearly states that this body, and this body alone, shall be the sole judge of the qualifications of its membership.

Now I think this is the time to take one hard look at this, forget our emotions, and just go down to good hard-headed judgment and see how we are really going off the deep end on this thing. I truly hope that the motion to accept the ought to pass Report will not be accepted.

The SPEAKER: The Chair recognizes the gentleman from Kingman Township, Mr. Starbird.

Mr. STARBIRD: Mr. Speaker and Members of the House: There have been many points, valid points, brought up here, but I would like to say this, that I have done a little mite of research in the past House Record, Legislative Record, from 1933 to '43 and almost throughout all those years there were specific references to both Indian representatives being seated, they were escorted to their seats and given a seat. In two instances there are records of two of the representatives actually speaking on the House Floor. Whether this was courtesy granted by House Order or not, I don't know, I don't know the exact concerns.

There is a Constitutional question perhaps involved here, and I would ask that someone might table this matter until this question could be cleared up. Thank you.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: I have requested and received from the Attorney General's Department an answer to a question which I posed, and that is whether or not we would violate a Constitutional provision if by proper legislation we were to permit tribal representatives to occupy a seat and speak by unanimous consent. In the opinion of the Attorney General, there is no specific prohibition of allowing them that right, so in good faith with my friend

from Kingman, Mr. Starbird, I would say that I asked the Page to go get it, I have gotten this report from the Attorney General. Now the question then becomes, is this something that the people of House want to do? I am not sure that this legislation is the appropriate vehicle to do it, but I think we can decide today whether or not we want to grant a seat on the Floor of this House and a right to speak under limited circumstances to Indian representatives.

Speaking as an individual and not as the Majority Floor Leader, I feel that we should not grant them this privilege. I feel that they are going to vote in general elections. If they are dissatisfied with the Representative that they elect in the general election to this Legislature, they can defeat him and they can certainly make their views known. I feel that this is the most effective way to grant to the Indian the right to control his own affairs and the right to be effective in this State Government.

Now I know that there are many here who disagree with me; I am sure that there are many here who feel that I must harbor some deep-seated prejudice or hatred toward the Indians. It is not so. I simply feel, and I think the Commissioner of Indian Affairs backs me up, that the way to give the Indian full status and make him everything that he wants to be, is to let him participate in the general elections. The Republican Party I believe is carrying out that commitment, and it is for that reason that I join with the gentleman from Kittery, Mr. Dennett and suggest that you vote with the majority of the Committee and vote against acceptance of the Minority Report. Thank you.

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

Mrs. CARSWELL: Mr. Speaker and Members of the House: I would be remiss if I didn't read this very brief statement from Chief John Stevens, the Indian Governor from Passamaquoddy. "Historically, our representative at the Legislature is in the nature of an ambassador from our people

to yours. For years we have protested that he should receive the same dignity and privileges as regular members of the Legislature, minus only of course a vote. Anything less than this we feel is then something less than equal dignity to which we are justly entitled. Signed: Chief John Stevens, Passamaquoddy Indian Reservation."

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I find myself in this position this morning that in order to protect the Indians or part of the Indians' wishes, and if it is within the realm that is indicated by the Attorney General's office, and is not breaking a prior precedence, as indicated by the gentleman from Kingman Township, Mr. Starbird, that this has happened in the past in the thirties or forties, then I see absolutely no reason why that this legislation should not be tackled at this session of the Legislature and certainly if it is the wishes of the Indians that this be so, that they had this prerogative previously and the Attorney General finds no conflict, then by all means let us give the Indians what belongs to the Indians and let them be seated if that is the wishes of the people.

The SPEAKER: The Chair recognizes the gentleman from Kingman Township, Mr. Starbird.

Mr. STARBIRD: Mr. Speaker and Members of the House: I have one final statement and it is simply this, apparently any question that anyone might have had as to the constitutionality of this bill or possibly an amendment to it has been cleared up. We do have the right to seat, to let a man come in here and sit down and by unanimous consent allow him to speak. These are the only two things that I am asking: that this bill be accepted, the Minority Report be accepted today so that an amendment to this effect might be added, and that a man be allowed to come in and sit down here and listen to us as he has in the past at various times and for various rea-

sons in the past, it hasn't been consistent, but almost so. He has been allowed to speak. This is all that I would request.

I think it is simple justice and simple democracy. We have brought in and allowed by unanimous consent practically every Tom, Dick and Harry that came along, and I mean this is no downgrading of those people that have spoken. We have given everyone the right to speak on practically every subject that they wanted to in this House since I came here. We brought people in from outside to do the same thing, and I think it is only simple justice that the original inhabitants of this Country are given the same right. They do not apparently wish to speak through white elected representatives, only to a certain extent. They would like to have also their own man here on the job, and that's all there is to it. It's just a matter now of whether you wish to grant simple justice to two men or withhold it from them. This is the only question right now, and I plead with you for justice.

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

Mr. DENNETT: Mr. Speaker and Members of the House: I do not wish in any manner to really prolong this argument, but without a question of doubt, the Attorney General expressed an opinion, but I would remind the members of this honorable body, that the only one body that can finally pass upon this, the constitutionality of this, is the Supreme Court of the State of Maine, and again, the Attorney General merely expresses an opinion. And I do somewhat take issue with the idea that the Indians within our state are foreign nations. I think if we want to help the Indians, we will regard them as citizens of the State of Maine the same as any other persons. We have extended to them the same rights by being able to elect a representative from their classes, or we are about to do it, it hasn't had final passage, and I think in doing this, the Indian is afforded representation the same as everyone else. I am very willing that

they send their representatives in the same manner as they have been sending them as long as I can remember, and I certainly again hope that you will go along to defeat the motion to accept the Minority "Ought to pass" Report.

The SPEAKER: All those in favor of a roll call will vote yes and those opposed will vote no, and the Chair will open the vote.

A vote of the House was taken and a sufficient number voted in the affirmative.

The SPEAKER: Obviously, a sufficient number having expressed a desire for a roll call, a roll call is ordered. The pending question is the motion of the gentlewoman from Portland, Mrs. Carswell, that the House accept the Minority "Ought to pass" Report on Bill "An Act relating to Rights and Privileges of Members of the Indian Tribes at the Legislature," House Paper 117, L. D. 188. All those in favor of accepting the Minority Report will vote yes and those opposed will vote no, and the Chair will open the vote.

ROLL CALL

YEA—Bedard, Berman, Bernard, Binnette, Boudreau, Bourgoin, Brennan, Burnham, Carrier, Carroll, Carswell, Champagne, Conley, Cottrell, D'Alfonso, Danton, Eustis, Fortier, Gaudreau, Harnois, Harvey, Hennessey, Hichens, Hunter, Immonen, Jalbert, Jameson, Kyes, Lebel, Levesque, Lowery, Martin, Miliano, Minkowsky, Philbrook, Rocheleau, Ross, Sawyer, Starbird, Tanguay, Truman, Wheeler, Wood.

NAY — Allen, Baker, E. B.; Benson, Birt, Bragdon, Brown, Bunker, Carey, Clark, Cornell, Cote, Crockett, Crommett, Crosby, Curran, Cushing, Dennett, Drummond, Dudley, Dunn, Durgin, Edwards, Evans, Ewer, Farrington, Foster, Fraser, Fuller, Gill, Hall, Hanson, H. L.; Hanson, P. K.; Hawes, Haynes, Healy, Henley, Hewes, Hinds, Hodgkins, Huber, Humphrey, Jewell, Keyte, Lewin, Lewis, Lincoln, Littlefield, Lycette, Maddox, McMann, McNally, Mosher, Nadeau, J. F. R.; Nadeau, N. L.; Pendergast, Pike, Porter, Prince, Quimby, Richardson, G.

A.; Richardson, H. L.; Rideout, Robertson, Robinson, Sahagian, Scribner, Shaw, Snow, P. J.; Snowe, P.; Soulas, Susi, Thompson, Townsend, Waltz, Watts, White, Williams.

ABSENT—Baker, R. E.; Belanger, Beliveau, Bradstreet, Buck, Cookson, Couture, Darey, Dickinson, Drigotas, Fecteau, Gauthier, Giroux, Hanson, B. B.; Harriman, Hoover, Janelle, Kilroy, Meisner, Noyes, Payson, Quinn, Rackliff, Roy, Scott, C. F.; Scott, G. W.; Shute, Sullivan, Trask, Wight.

Yes, 43; No, 77; Absent, 30.

The SPEAKER: Forty-three having voted in the affirmative and seventy-seven having voted in the negative, the motion to accept the Minority Report does not prevail.

The Chair recognizes the gentleman from Kingman Township, Mr. Starbird.

Mr. STARBIRD: Mr. Speaker, just one sentence. Apparently my average is holding up as far as my bills are concerned this session.

The SPEAKER: It is the pleasure of the House now to accept the Majority "Ought not to pass" Report?

The motion prevailed. Sent up for concurrence.

The Chair laid before the House the twelfth item of Unfinished Business:

An Act Creating the Maine Higher Education Loan Authority Act (S. P. 59) (L. D. 72)

Tabled—May 5, by Mr. Birt of East Millinocket.

Pending—Passage to be enacted.

On motion of Mr. Birt of East Millinocket, retabled pending passage to be enacted and specially assigned for Friday, May 12.

The Chair laid before the House the thirteenth item of Unfinished Business:

HOUSE MAJORITY REPORT (7)—Ought Not to Pass—Committee on Agriculture on Bill "An Act Repealing Milk Control Prices at the Retail Level" (H. P. 958) (L. D. 1529)—MINORITY REPORT (3)—Ought to Pass.

Tabled—May 5, by Mr. Evans of Freedom.

Pending—His motion to accept Majority Report.

The SPEAKER: The Chair recognizes the gentleman from Solon, Mr. Hanson.

Mr. HANSON: Mr. Speaker, I would respectfully request that this item lie on the table until slightly later in this legislative day.

The SPEAKER: The gentleman from Solon, Mr. Hanson, now moves that this matter be tabled until later in today's session.

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

Mr. EVANS: Mr. Speaker, I think I'd kind of like a division on that.

The SPEAKER: A vote has been requested. All those in favor of the tabling motion will vote yes, those opposed will vote no and the Chair will open the vote.

A vote of the House was taken.

41 having voted in the affirmative and 74 having voted in the negative, the tabling motion did not prevail.

Thereupon, the Majority "Ought not to pass" Report was accepted and sent up for concurrence. (Later motion to reconsider was defeated.)

The Chair laid before the House the fourteenth item of Unfinished Business:

HOUSE MAJORITY REPORT—Ought Not to Pass—Committee on Labor on Bill "An Act relating to Benefit Amounts Under Employment Security Law" (H. P. 1007) (L. D. 1474)—MINORITY REPORT (2)—Ought to Pass.

Tabled—May 5, by Mr. Ewer of Bangor.

Pending—Motion of Mr. D'Alfonso of Portland to accept Minority Report.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. D'Alfonso.

Mr. D'ALFONSO: Mr. Speaker and Members of the House: One last word on this particular L. D. If you believe in giving a meager increase to those who are unemployed and have dependents; if you believe that the most critical week for the unemployed is the

first week of unemployment; if you believe that an unemployed person may of necessity need benefits for more than twenty-six weeks; if you believe in strengthening the eligibility requirements by requiring beneficiaries to be truly attached to the labor force, then I invite you to support the passage of L. D. 1474, and when the vote is taken, I ask that it be taken by roll call.

The SPEAKER: The Chair recognizes the gentleman from Raymond, Mr. Durgin.

Mr. DURGIN: Mr. Speaker, Ladies and Gentlemen of the House: This bill came out of committee eight to two, ought not to pass. I would suspect that it edges into the field of social welfare. This unemployment compensation fund is solely contributed to by the employer. I feel the passage of this bill, that part of this fund should be implemented by general fund revenues. I would urge your support for the Majority "Ought not to pass" Report.

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

Mr. EWER: Mr. Speaker and Members of the House: One of the principal reasons the majority signed ought not to pass on this bill, and in saying this I am not trying to detract anything from the statements made by the gentleman from Portland, Mr. D'Alfonso, but their reasoning was this, that if the employer who has to pay into the fund is faced with a choice between hiring a man with ten dependents and one with no dependents, the chances are the man with the family is going to be the one who won't be selected for the job.

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

A vote of the House was taken and a sufficient number voted in the affirmative.

The SPEAKER: Obviously, more than one fifth having voted in

favor of a roll call, a roll call is ordered. The pending question is the motion of the gentleman from Portland, Mr. D'Alfonso, that the Minority "Ought to pass" Report be accepted on Bill "An Act relating to Benefit Amount Under Employment Security Law," House Paper 1007, L. D. 1474. If you are in favor of the acceptance of the Minority Report you will vote yes; if you are opposed to the Minority Report you will vote no, and the Chair will open the vote.

ROLL CALL

YEA—Bedard, Belanger, Bernard, Binnette, Boudreau, Bourgoin, Brennan, Carey, Carrier, Carroll, Carswell, Champagne, Conley, Cote, Cottrell, Crommett, Curran, D'Alfonso, Danton, Drigotas, Eustis, Fortier, Fraser, Gaudreau, Harnois, Healy, Hunter, Jalbert, Keyte, Kyes, Lebel, Levesque, Lowery, Martin, Miliano, Mosher, Nadeau, J. F. R.; Nadeau, N. L.; Rocheleau, Sawyer, Scribner, Starbird, Tanguay, Watts, Wheeler.

NAY—Allen, Baker, E. B.; Benson, Berman, Birt, Bragdon, Brown, Buck, Bunker, Burnham, Clark, Crockett, Crosby, Cushing, Dennett, Drummond, Dudley, Dunn, Durgin, Edwards, Evans, Ewer, Foster, Fuller, Gill, Hall, Hanson, H. L.; Hanson, P. K.; Harvey, Hawes, Haynes, Henley, Hewes, Hinds, Hodgkins, Huber, Humphrey, Immonen, Jameson, Jewell, Lewin, Lewis, Lincoln, Littlefield, Lycette, Maddox, McMann, McNally, Minkowsky, Pendergast, Philbrook, Pike, Porter, Prince, Quimby, Richardson, G. A.; Richardson, H. L.; Rideout, Robertson, Robinson, Ross, Shaw, Snow, P. J.; Snowe, P.; Soulas, Susi, Thompson, Townsend, Truman, Waltz, White, Williams, Wood.

ABSENT—Baker, R. E.; Bellevau, Bradstreet, Cookson, Cornell, Couture, Darey, Dickinson, Farrington, Fecteau, Gauthier, Giroux, Hanson, B. B.; Harriman, Hennessey, Hichens, Hoover, Jannelle, Kilroy, Meisner, Noyes, Payson, Quinn, Rackliff, Roy, Sahagian, Scott, C. F.; Scott, G. W.; Shute, Sullivan, Trask, Wight.

Yes, 45; No, 73; Absent, 32.

45 having voted in the affirmative and 73 having voted in the negative, the motion did not prevail.

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

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

Mrs. WHEELER: Mr. Speaker and Members of the House: I move we reconsider our action on item 13, L. D. 1529, where we accepted the Majority "Ought not to pass" Report, and I will speak to my motion.

The SPEAKER: The gentlewoman from Portland, Mrs. Wheeler, now moves that the House reconsider its action whereby it accepted the "Ought not to pass" Report on Bill, "An Act Repealing Milk Control Prices at the Retail Level," and the gentlewoman may proceed.

Mrs. WHEELER: Mr. Speaker and Members of the House: The times change, like the styles of clothes, the shapes of cars and the attitudes of people. Such a case exists today.

We are again asked to consider the merits of removing controls on the retail price of milk. Two years ago we approached the question of milk price controls amid the controversy of price fixing in several sectors of the economy. The session turned down any plan to affect milk prices. But today, two years later, the conditions in the milk industry are different and they need some freedom in the market. Retail price controls on milk are no longer used in our neighborhood State of New Hampshire.

Retail price controls on milk undermine the freedom of the market. They destroy the healthy condition of supply and demand that has been responsible for price balance in every other commodity in the market. But since the thirties we have been asked to protect one segment of the agricultural market, the milk industry, and have blindly obliged, not the dairyman who has to fight for his breakeven price of milk but the dairy industry people who are protected by law and assured of a

profit by a duly constituted Milk Control Board.

Today the farmers who produce milk are looking for leadership in other directions because they cannot, some feel, effectively bargain with their only customer, the milk dealers. Yet, it is a travesty on the natural laws of economics that the dealers have no problems bargaining with their customers, the general public. We members of the general public pay the price of milk that is set by the Milk Commission, and I must tell you that the spirit of this law that established the Commission is stale, it is out of step with the times, it is a part of yesterday.

In a complex society such as ours is today, in a nation where the economy is reaching new highs each year, in a State where the few still control the lives of many, we must look for ways to protect the many. We must remove old laws that are no longer in the public interest. We must take steps to create laws that are in the public interest.

There has been expressed a fear that should the retail price controls be abolished that the dairy industry would shrink, that there would be fewer milk dealers, and those who are left would be controlling the entire market. This fear of monopoly is baseless because the number of milk dealers has been shrinking year after year while the price controls remained.

What has happened is that some dealers exercise shrewder business practices than others, and in the true spirit of competition they are able to offer more and better services, and thereby win more business.

I am sure, and many in the milk industry agree with me, that the marginal milk dealers will only survive if they can meet competition in the open market. The controls on the retail price of milk will do nothing to save them from themselves.

I submit, members of this House, that passage of L. D. 1529 is in the best interest of the State, its people and the economy of the agricultural sector of our State.

I hope the motion of Mr. Evans of Freedom is defeated and that the Minority "Ought to pass" Re-

port is accepted, and I respectfully request a vote.

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

Mr. EVANS: Mr. Speaker and Members of the House: Shooting at the Milk Commission has been a favorite pastime for a good many years, and especially here in Maine. I believe about fifteen years they've been shooting at the Milk Commission, and they claim that the Milk Commission is crumbling and only twelve states have retail prices but no mention is made of the many states' existing controls over retail prices through stabilization courts, unfair trade acts and the low cost statute. Also, that sixteen other states now have legislation pending to return, extend or expand controls on retail sales. I could name those states but I don't think it's necessary. There's also been said that the Maine market would be better off without it because they would have lower prices. Well, now this is not so because in the neighboring states where some of the states have no Milk Control Boards, their prices are higher than they are in the State of Maine. Also been said that the consumption of milk would go up if we didn't have a retail price set on it.

The per capita consumption of milk in Maine is 153 quarts against a national average of 126 quarts. Well, now I can't see where your control on the retail price of milk has cut down the consumption of milk in the State of Maine any, and as far as bottled milk is concerned, delivered to the door is delivered cheaper in the State of Maine than it is right in Massachusetts, or Connecticut either. There are a few places in some of the states that do sell gallon jugs cheaper than they do in the State of Maine, but nine times out of ten those are price leaders — they're just a come-on to sell something else, and I don't believe that taking this off will help the customers a great deal.

There's one other thing we must consider — that all farm prices have decreased one and seven-tenths percent in the last year. Consumer's buying power has in-

creased a great deal more than that, and I don't think that the consumers are suffering with the prices that they have to pay for milk in the State of Maine, and I hope you defeat this reconsideration motion.

The SPEAKER: The Chair recognizes the gentleman from Solon, Mr. Hanson.

Mr. HANSON: Mr. Speaker and Members of the House: Times do change as the gentlewoman from Portland, Mrs. Wheeler, indicated. For approximately thirty years the dairy industry in the State of Maine supported the Maine Milk Commission and the pricing structure one hundred percent. I think on the other occasions when similar legislation has been before this House, you have been faced with a choice of, in which on one side you have a one hundred percent opposition from the dairy industry. Now this has changed — the situation has changed — the Maine law — the Maine Milk Commission protects only sixty percent of the dairy industry in the State of Maine. Only sixty percent of these dairymen, your friends and neighbors, receive the benefit of this protection.

This legislation currently is very, very inequitable, it's discriminatory. If we cannot apply this protection and the benefits of Maine law to all of our people, all of our dairy industry, then it may be well that we would do away with it entirely.

The gentleman from Freedom, Mr. Evans, has mentioned the per capita consumption in the State of Maine. While there's an old saw that "figures don't lie, but liars can figure." Now I don't intend to reflect in any way upon any member of this House in that statement, I am merely trying to prove a point, that these figures do not take into account the tremendous influx of vacation-time people, tourists, who consume a large portion of that milk. The large per capita consumption in the State of Maine is reflected in large part by our tourist industry.

The statement has been made that bottled milk is sold cheaper here in Maine. This is true, but I would assure you, ladies and gen-

tlemen of the House, and I think you in your own homes recognize this fact, that the bulk of milk today, particularly that purchased by the lower income people is in the quantity units—the gallon and the half gallon, and this in the State of Maine is considerably higher than it is in other states, notably Massachusetts.

I would respectfully urge that this House support Mrs. Wheeler in her motion for reconsideration. I think that we owe an obligation to all of our people. Let's not arbitrarily make second-rate citizens, second-class citizens out of almost half of our dairy industry. These people are entitled to a fair shake; the consumer is entitled to a fair shake.

And one final point that I would like to make—and that is that the existing retail pricing structure in Maine is no longer effective. In most instances, or in a number of instances, the retail price of Maine currently is higher than the minimum retail price. This minimum retail price protects the dealer. He can be assured that his backyard is safely guarded while he competes for the market. It does not protect or benefit the consumer; it does not protect or benefit the producer—it benefits the dealer. Thank you.

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

Mr. EVANS: Mr. Speaker and Members of the House: This business of a retail price, they claim it's all in the benefit of the dealer. Well, now I think you'll find that if you don't have a healthy dealer, you're not going to have healthy farmers, because a dealer that is not able to pay for his milk is going to make it rough on the farmers, and we know that years ago—why that was put in, was because a lot of the dealers couldn't pay for their milk. And they're not getting rich on it today with the prices that they have to pay for the containers, for the milk, the labor that they use for it, they're not getting any great big profit. And I think there was one remark made here about "figures don't lie, but figurers do." Well, now here is a little sheet that was put out

and there's some figures put in here that, maybe they don't lie, but somebody that put them out didn't have it quite correct, I guess.

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

Mr. MOSHER: Mr. Speaker and Members of the House: In Maine the annual dairy business amounts to \$46,000,000 a year, approximately. About thirty years ago the Maine Milk Control Board was created to establish a minimum price paid to the producer. This accordingly passed on to the consumer. This kept the producer and the dealer on a fairly sound financial basis. In this way, the producer received a fair price for his product and the dealer was able to have a reasonable return for the investment and in turn was able to pay the producer. I have been through that when they haven't been able to pay the producer and there is quite a sum of money that I couldn't collect and probably of course never will now, and I know just what that means. At the present time there are twelve other states that are trying to have this Milk Control Board because it seems to be the soundest way to control the milk business, and they said in New Hampshire that they did away with the Milk Control Board and they did two years ago which was a political gadget. There are now two bills in the New Hampshire legislature to try to re-establish it. I am definitely in favor of the retention of this Milk Control Board and I hope you vote against reconsideration.

Mr. Brennan of Portland requested a roll call.

The SPEAKER: A roll call has been requested. The Chair recognizes the gentleman from Madawaska, Mr. Levesque.

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I have been informed that this afternoon some of the committees are having either hearings or executive sessions, and should we in this House today act on important legislation when members are not available to be in the

House because of either executive sessions or committee hearings.

The SPEAKER: The Chair would advise the gentleman that to the best knowledge of the Speaker, there are no hearings that have been advertised for today.

The Chair recognizes the gentleman from Limerick, Mr. Carroll.

Mr. CARROLL: Mr. Speaker and Members of the House: Being a member of the study committee of the 102nd Legislature, having been privileged to have seen the records of the dealers whose records were subpoenaed by that committee, and having seen the profits that the dealers are making, I feel obligated to speak today even though I perhaps should sit silent.

It was said at the hearing that ten percent of the dealers have gone out of business in the past few years, and I asked them, did you see the records of these dealers that went out of business? No. They are not necessarily going out of business because business is bad, they are going out of business because the offers they are receiving for their business are very lucrative offers and it is a good time to get out of business if you want to get out.

I happened to see some records of a dealer where two individuals received as much as \$80,000 each for their services rendered. I also know that if the dealers are making a great profit that all they would have to do is just increase the salary of the officials of their corporation and they can hide this profit, so I just question if we are to retain milk control in the State of Maine shouldn't we set a margin of profit or set the salaries that the officials of a company can make. This is all I will say.

The SPEAKER: All of those desiring a roll call will vote yes and those opposed will vote no and the Chair will open the vote on a desire for a roll call.

A vote of the House was taken and a sufficient number voted in the affirmative.

The SPEAKER: Obviously, more than one fifth having expressed a

desire for a roll call, a roll call is ordered.

For what purpose does the gentleman arise?

Mr. HANSON: I have a further comment if it is in order.

Whereupon, Mr. Hanson of Solon was granted permission to speak a third time.

Mr. HANSON: Mr. Speaker, it's a short statement. While we are feeling very, very sorry for the milk dealers, I think it might be well to recognize and remember the fact that these dealers do subvert our laws and get around them. The dealers buy milk in Maine at a reduced price and sell it into New Hampshire at the Class 1 price and then there are other dealers who buy milk in Vermont and New Hampshire and out of state and bring it in to Maine and sell it at the Class 1 price. They manage to make a buck. Thank you.

The SPEAKER: The pending question is the motion of the gentlewoman from Portland, Mrs. Wheeler, that the House reconsider its action whereby it accepted the "Ought not to pass" Report on Bill "An Act Repealing Milk Control Prices at the Retail Level," House Paper 958, L. D. 1529. All those in favor of reconsideration will vote yes and those opposed will vote no and the Chair will open the vote.

ROLL CALL

YEA — Allen, Bedard, Belanger, Bernard, Binnette, Bourgoin, Brennan, Buck, Carey, Carroll, Carswell, Champagne, Conley, Crommett, Curran, D'Alfonso, Danton, Drigotas, Eustis, Fraser, Gill, Hanson, H. L.; Harvey, Hawes, Healy, Henley, Jameson, Lebel, Levesque, Lewin, Martin, Miliano, Minkowsky, Nadeau, J. F. R.; Nadeau, N. L.; Quimby, Robertson, Robinson, Rocheleau, Ross, Scribner, Susi, Truman, Watts, Wheeler.

NAY — Baker, E. B.; Benson, Berman, Birt, Boudreau, Bragdon, Brown, Bunker, Burnham, Carrier, Clark, Cote, Crockett, Crosby, Clushing, Darey, Dennett, Drummond, Dudley, Dunn, Durgin, Edwards, Evans, Ewer, Farrington,

Foster, Fuller, Hall, Hanson, P. K.; Harnois, Haynes, Hewes, Hinds, Hodgkins, Huber, Humphrey, Hunter, Immonen, Jalbert, Jewell, Keyte, Kyes, Lewis, Lincoln, Littlefield, Lowery, Lycette, Maddox, McMann, McNally, Mosher, Pendergast, Philbrook, Pike, Porter, Prince, Rackliff, Richardson, G. A.; Richardson, H. L.; Rideout, Sawyer, Shaw, Snow, P. J.; Snowe, P.; Soulas, Starbird, Tanguay, Thompson, Townsend, Waltz, White, Wight, Williams, Wood.

ABSENT — Baker, R. E.; Beliveau, Bradstreet, Cookson, Cornell, Cottrell, Couture, Dickinson, Fecteau, Fortier, Gaudreau, Gauthier, Giroux, Hanson, B. B.; Harriman, Hennessey, Hichens, Hoover, Janelle, Kilroy, Meisner, Noyes, Payson, Quinn, Roy, Sahagian, Scott, C. F.; Scott, G. W.; Shute, Sullivan, Trask.

Yes, 45; No, 74; Absent, 31.

The SPEAKER: 45 having voted in the affirmative and 74 having voted in the negative, the motion to reconsider does not prevail.

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

SENATE DIVIDED REPORT "A" (5)—Ought to Pass—Committee on Industrial and Recreational Development on Bill "An Act Creating the Position of Community Recreation Specialist" (S. P. 438) (L. D. 1122)—REPORT "B" (5)—Ought Not to Pass. (In Senate, Report "A" accepted and passed to be engrossed)

Tabled—May 2, by Mr. McMann of Bath.

Pending—Motion of Mr. Littlefield of Hampden to accept Report "B".

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

Mr. McMANN: Mr. Speaker and Members of the House: I urge you not to accept the "Ought not to pass" Report and would like to speak to the motion. This bill came out of committee with a divided report of five to five. Since this report, two committee members have expressed a desire to

vote yes and I hope they will speak in favor of ought to pass. There was no opposition at the Committee hearing.

I spent fourteen years at this type of work as the Director of Recreation in the City of Bath, and have been tabbed as the father of recreation in this city. Also, I was honored by having one of the best football fields in the State named in my honor, McMann Field. I sympathize with these people in the cities and towns of the State who work at this kind of work, for the simple reason they have no one to talk to or no one to turn to for assistance in their programs. This person appointed through the Personnel Board would be available for help to these people, directors of recreation, and other people throughout the State who desire recreation programs. It must be remembered that more time is being on hand for people to have and use for recreation. I urge that you vote against the motion ought not to pass and give the bill a chance on the Appropriations Table along with the other bills. Thank you.

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

Mr. LITTLEFIELD: Mr. Speaker and Ladies and Gentlemen of the House: This L. D. 1122 is An Act Creating the Position of Recreation Specialist, a Community Recreation Specialist.

Section B of the bill states that one of his duties will be to assemble and disseminate information relative to public recreation matters. This work is already being done by the Cooperative Extension Service of the University of Maine. Let me read from the Resource Development Highlights of this month which is a report of the University of Maine Cooperative Extension Service. From that report it says:

"The Towns of Norway and Paris have joined together to provide first-rate recreation programs and facilities to residents. The Norway-Paris Recreation Commission is composed of six civic-minded citizens—three members from each town are appointed by their respective town manager.

Accomplishments to date include: Employment of a full-time recreation director; establishment of a Teen Center with supervised activities for junior and senior high age groups; supervised skating and skiing activities with instruction available; senior Citizens Centers and programs initiated in both towns; basketball programs for elementary, junior and senior high boys; organized basketball league for men; organized hockey program.

Some additional activities planned by the Commission include modern dance classes for girls, supervised playgrounds in both towns, two baseball leagues for boys, and indoor volleyball and basketball for girls.

The Commission's efforts have contributed greatly to making Norway and Paris a better place to live. Its expanding future can add considerably to the continued growth of the area." And may I remind you that this has all been done without the Recreational Specialist. A new project planned.

"A project is being planned in the Town of Sanford that will transform 300 acres of burnt-over woodland into a recreational lake and cottage complex. Supervisors of the York County Soil and Water Conservation District are helping eight cooperating landowners evaluate and plan the construction of a 30-foot high dam and the resulting 150-acre lake. After a careful evaluation of the soil suitability around the proposed lake, it is estimated that over 115 cottage lots can be created."

This has been done without the creation of a Recreation Specialist. We don't need to create this \$10,000 position, in my view. The work is already being done.

Section C, of the Bill, "To furnish field and technical service on recreation matters by studying and appraising recreation needs, by promoting and organizing local recreation systems, by developing programs and services, by providing assistance in designing and laying out recreation areas and facilities," and so on.

Now, a five-cent letter to the Bureau of Documents in Washington, D. C. will provide most of this

information. Soil Conservation Bureaus provide ideas about good locations. Forest and Wildlife Service have information. We know how to bond and what to insure. And we have plenty of men and women in our own localities to help with recreation.

We have a recreation area and program in our town in Hampden. Lots of work has been donated by interested citizens. We buy two dollar stickers for our cars to enter the area. A dam has been built across Sourdabscook Stream to make a pool where swimming, life saving and diving can be taught. There are tables in the grove where families can gather for picnic lunches. All this and more has been done and we never heard of a Recreation Specialist.

This bill creates another state employee, another \$10,000 increase in the line budget of a state department. May I call your attention to the fact that there are nearly 10,000 state employees of all categories on the State payroll today. The population of our State is less than a million. That makes a state employee to every hundred people and if there are four people to a family, then you have a state employee to every twenty-five families.

In my four sessions in the Legislature, I believe this bill comes the nearest to nothing but a \$10,000 appropriation of any bill that has come to the House. I move that we accept Report "B", "Ought not to pass."

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

Mr. HUNTER: Mr. Speaker, Ladies and Gentlemen of the House: These small towns need a recreation director. The last few years people spent a lot of time playing and having fun and things like that. Years ago if you wanted to play ball you could go out in someone's pasture and play; apparently we can't any more. I know the Town of Lisbon that I represent, a town of about six thousand people, often they had to call upon a specialist to find out where to build a tennis court or a playground or a ball field or something like that,

and if you go to write to Washington you would never get nothing done at all. What we need is a specialist, someone you can ring up on the telephone and find out just what is going on, get him to come down and show you what to do, and ordinarily I am not in favor of spending money, but this is only \$10,000 and I'm for it.

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

Mr. LEWIS: Mr. Speaker, when this bill was heard before the Industrial and Recreational Development Committee in executive session, I was one of the five who voted ought not to pass. Since that time because of some investigation that I have made and because of personal reasons, conditions in my own town for instance, I wish to go on record now as favoring the report ought to pass.

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

Mr. GILL: Mr. Speaker and Ladies and Gentlemen of the House: I would like to rise to support the motion to kill this here bill. I would like you to refer to legislative document 1122. In the layout of the duties of this one man to carry out all over the State of Maine, I submit that this one man could not carry out these duties that are laid out here, and he would have a problem in finding the cafeteria for the first three or four months out of this Department here in Augusta. I simply state that this L. D. is to get something on the books so that the next time they can come back and ask for a staff and additional personnel and it will develop a little bit of competition between Mr. Bachman's Department and the new Community Recreation Specialist.

The duties of this act and the appropriation on it is for \$10,000. You may ask why \$10,000 and as I said, I believe the reason for this is they have got to have a little price tag on it because we don't seem to pass any legislation unless there is a certain amount of money involved, this is the chief reason. If this bill is passed, you

will find that during the current services budget discussion of the 104th Legislature you would be dealing with something in excess of well \$50,000 to \$75,000 I feel. I am in favor of the development of local recreation and I feel this is just where it should be done at a local level. All communities have got gentlemen that are willing to pursue this such as the Representative from Bath, Mr. McMann, who has done such a fine outstanding job down there, and if it wasn't out of order, I would like to give him a voting stand of confidence, and he has done a fine job and now I understand that he has got it rolling and they have now got a paid recreation specialist there and they are doing a good job only it is costing them a lot more money.

Actually, what this bill is to do is to start a new department. I notice that down where George's concession was they have got a little bit of space and perhaps that is where they would like to establish the office for this one man, but I tell you eventually that they would need quarters much larger. Actually, this \$10,000 will not do the job, and the job is not needed to be done anyway, so I say let the communities develop the program, there are good people in all the communities. Do not create a new department which we do not need.

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

Mr. NADEAU: Mr. Speaker, I rise in support of Mr. Gill that we should defeat this. This is just the start of many examples. Mr. McMann said that he was active in sports. I have been a basketball official for nineteen years and I do many charity games. In our area I have been President of Little League. We last year spent a thousand dollars and it wasn't sufficient just to run a league for a little town and that was only one sports, and you people, you learned people are going to sit here and think that \$10,000 is going to do the job? You are all wrong. This is just the opening of the door and I hope you will see this.

Now what's going to happen to all these countless number of people that we have in your town and my town who are doing all this work now for nothing? They are going to say what do we do, let's join the State payroll which is already overburdened by too many employees and too many costs. Like I said before, there is too many of them doing for nothing, let's give them the old incentive about let's see what we can do at no cost. Please defeat this bill.

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

Mr. HENLEY: Mr. Speaker and Members of the House: First, I want to thank Mr. Littlefield from Hampden for his comments on the Norway-Paris area and also I will state right now that I'll go along with him on his suggestion that we defeat the bill. I think that perhaps I may gain the unfriendly feeling of our director, Mr. Mike Rozos who is doing such a wonderful job in the Norway-Paris area because he specifically asked me to support this bill, and first off I thought that I would, but if these people in the areas can do a wonderful job without someone here in Augusta to tell them how to do it, I say let them continue to do it.

In Norway-Paris and that area we have had at times as I suppose they have in a lot of areas something of a problem with teenagers who didn't have too much else to do, so a group of people got together and had the backing of the two towns and they did employ a specialist, they in fact imported him from Virginia, but he has done a wonderful job. Now he has only been here less than a year and except for the fact that sometimes he gets a little excited and you can hardly understand him, he is almost one of us, but he has done a wonderful job with the young people in our two areas and we have voted him extra money this year, not for his salary, but for things he is attempting to do, and as Mr. Gill states and Mr. Nadeau, I don't quite see why we need an office here in Augusta to try to tell them what to do when they are doing such a wonderful

job and they are doing it now, so I feel that we should defeat this bill.

The SPEAKER: The Chair recognizes the gentleman from Lincoln, Mr. Porter.

Mr. PORTER: Mr. Speaker, I heard this bill very carefully in committee and I was opposed to it. I have heard some debate this afternoon and I am still opposed to it. If you will look in section C of your L. D. 1122 you will find that this specialist is to help recruit, train and place recreation workers. From that I assume he is going to be running a recruiting office, a training school and a placement bureau. There are eight different classifications of duties for this specialist to perform. Do you think for one minute that one person could handle those duties? I don't. I could visualize this once they get their foot in the door to build up this department working ten or twenty workers and then still be looking for more. I am utterly opposed to this bill.

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

Mr. NADEAU: Mr. Speaker, just briefly I would like to remind this learned body that there are funds available from the Federal Government. Now I know, I applied for \$100,000 and the only cost it is going to be for us if we do get it, and I know the money is being held up, is that you have to match ten percent of it and this could be from work of people, qualified people to instructions and you call that as your part, your assessment towards this program. I see nothing in this bill where they checked the Federal Government, and I think there has been very little time put into this and I think if they would have told us at least that they looked into this where other monies would have been available to match this, you might have gone along with it, but I know they didn't even take that trouble so we ought to defeat it.

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

Mr. FORTIER: Mr. Speaker, Ladies and Gentlemen of the

House: If my mathematics are correct now with the recognition on the part of Mr. Lewis of Bristol that he possibly was in error in signing the report, if my mathematics is correct I feel that this now is a majority report. I want to commend the Norway-Paris area and the brief history and the brief resume that Representative Littlefield from Hampden gave us. I think if these people have done such a marvelous job in this area that probably they should be recognized in providing this assistance.

We in Waterville have an extensive recreation program. We probably can continue it without this recreation specialist. However, I am sure it would be a great help if our recreation director, who is underpaid and dedicated, could reach to the State for some of the information he would need or he does need to expedite some of the programs that he would like to place in force. I signed the ought to pass report and I am thoroughly convinced that the expenditure isn't that great. I am thoroughly convinced that the people who are preaching gloom and doom and saying that this is going to cost \$50,000 or \$70,000 or \$80,000 or \$90,000 within the next biennium are in error and I would urge you to vote against the acceptance of Report B.

Mr. Sahagian of Belgrade moved the previous question.

The SPEAKER: The gentleman from Belgrade, Mr. Sahagian, has moved the previous question. For the Chair to entertain the motion for the previous question, it must have the consent of one third of the members present. All those in favor of the Chair entertaining the motion for the previous question will vote yes and those opposed will vote no and the Chair will open the vote.

79 voted in the affirmative and 17 voted in the negative.

The SPEAKER: Seventy-nine having voted in the affirmative and seventeen having voted in the negative, the motion for the previous question is entertained. The question now before the House is, shall the main question be put now? This is debatable for five minutes by any one member. As

many as are in favor of the main question being put now will say yes; those opposed, no.

A viva voce vote being taken, the main question was ordered.

The SPEAKER: The main question is the motion of the gentleman from Hampden, Mr. Littlefield, that the House accept Report "B" "Ought not to pass," on Bill "An Act Creating the Position of Community Recreation Specialist," Senate Paper 438, L. D. 1122.

Mr. McMann of Bath requested a division.

The SPEAKER: A vote has been requested. All those in favor of accepting Report "B" "Ought not to pass" will vote yes; those opposed will vote no and the Chair opens the vote.

A vote of the House was taken.

80 having voted in the affirmative and 37 having voted in the negative, the motion did prevail, Report "B" was accepted in non-concurrence and sent up for concurrence.

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

SENATE REPORT — Ought Not to Pass as Covered by Other Legislation — Committee on Education on Bill "An Act Changing the Uniform Local Effort Rate in Computing General Education Purpose Aid" (S. P. 297) (L. D. 736) (In Senate, Report accepted)

Tabled — May 3, by Mr. Dunn of Denmark.

Pending — Acceptance in concurrence.

Thereupon, the "Ought not to pass" Report was accepted in concurrence.

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

HOUSE REPORT — Ought Not to Pass — Committee on Appropriations and Financial Affairs on Bill "An Act Providing for Pensions for Widows of Former Governors" (H. P. 1050) (L. D. 1522)

Tabled — May 3, by Mr. Robertson of Brewer.

Pending — Motion of Mr. Quinn of Bangor to substitute Bill for Report.

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

Mr. HUMPHREY: Mr. Speaker, I notice that Mr. Quinn is absent and I move that this be tabled until the next legislative day.

Thereupon, tabled pending the motion of Mr. Quinn of Bangor to substitute the Bill for the Report and specially assigned for tomorrow.

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

Bill "An Act relating to Possession, Storage and Handling of Explosives" (H. P. 107) (L. D. 134) (Committee Amendment "A") (H-225)

Tabled—May 3, by Mr. Harvey of Woolwich.

Pending—Passage to be engrossed.

On motion of Mr. Harvey of Woolwich, passed to be engrossed as amended by Committee Amendment "A" and sent to the Senate.

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

Bill "An Act Granting Complimentary Fishing Licenses for Certain Maine Residents in Armed Forces" (H. P. 1120) L. D. 1592)

Tabled—May 3, by Mr. Cookson of Glenburn.

Pending — Adoption of House Amendment "A" (H-237).

Thereupon, House Amendment "A" was adopted.

On motion of Mr. Dudley of Enfield, tabled pending passage to be engrossed and specially assigned for tomorrow.

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

Bill "An Act relating to Closed Season on Black Bear" (H. P. 1119) (L. D. 1591) (In House, passed to be engrossed) (In Senate, indefinitely postponed in non-concurrence)

Tabled—May 3, by Mr. Birt of East Millinocket.

Pending—Further consideration.

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

Mr. BIRT: Mr. Speaker, I move that the rules be suspended for the purpose of reconsideration.

The SPEAKER: The Chair understands that the gentleman moves that the House recede. Is this the pleasure of the House?

The motion prevailed.

Mr. BIRT: I move that we reconsider out action whereby this bill was passed to be engrossed.

The SPEAKER: The Chair would advise the gentleman that we have receded from engrossment.

Mr. Birt of East Millinocket then offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 1119, L. D. 1591, Bill, "An Act Relating to Closed Season on Black Bear."

Amend said Bill by inserting at the end the following sentence:

'This section shall apply to Aroostook County and that portion of Penobscot County north of the Canadian Pacific railroad tracks.'

The SPEAKER: Is it now the pleasure of the House that House Amendment "A" be adopted?

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

Mr. BRAGDON: Mr. Speaker and Members of the House: I can hardly believe myself when I find myself up here defending the bear. I am up here and I hardly know what to say. I wonder how the gentleman from East Millinocket got into the Aroostook County area. I think the thing that I resent about this the most is that we are making the bears from Aroostook County an exception to the other bears in the State of Maine. I hope that we would defeat this amendment and let the Aroostook County bears have equal privileges with the bears from the other areas in the state. I would be glad to hear the remarks of the gentleman from East Millinocket; perhaps I will change my mind.

The SPEAKER: The gentleman from Perham, Mr. Bragdon, poses a question through the Chair to the gentleman from East Millinocket, Mr. Birt, who may answer if he chooses.

The Chair recognizes that gentleman.

Mr. BIRT: Mr. Speaker and Members of the House: To give you some background of this bill, there were several bear bills that were presented to this Legislature and there was a relatively good hearing held on them. At that time the bill that came out of committee had extended the closed season by another fifteen days. It also put a bag limit of one bear on and eliminated the shooting of cubs and it required the filing with the Fish and Game Department notification of registering the killing of bear. At that time there were people from the western part of Aroostook County as well as from the northern part of Penobscot County who were interested in this.

This redraft of the original bill came out of committee unanimous "ought to pass" with no objections from the Fish and Game Committee. But the bill ran into some problems in the other body because of objections from some areas in the western and southern part of the state. Because of the desire of the people in the western part of Aroostook County, which would be a little bit different to the area that the gentleman from Perham speaks of and from the northern part of Penobscot County, I prepared this amendment.

This is an economic thing with these people. They have developed a reasonably good spring bear hunting program and in order to maintain their sporting camps on a reasonable year-round basis they felt this was necessary. And I have attempted to put almost a home rule sort of a situation on this to accommodate the people who felt that this was necessary to their economy. I hope that this will give the gentleman from Perham, Mr. Bragdon, some understanding of what I was attempting to do.

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

Mr. CROMMETT: Mr. Speaker and Members of the House: I would like the record to show that I support my friend the gentleman from East Millinocket, Mr. Birt.

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

Mr. BRAGDON: Mr. Speaker: I make another feeble plea for the bears in Aroostook County. I hope that you will go along with me and not adopt this amendment presented by Mr. Birt of East Millinocket. Let's give the bear of Aroostook County equal privileges to all the rest of the bear in the State of Maine. I hope you will go along and defeat this amendment.

The SPEAKER: Does the gentleman make a motion?

Mr. BRAGDON: I thought my motion was that we refuse to accept the amendment, or is there a

The SPEAKER: The Chair understands that the gentleman moves indefinite postponement of House Amendment "A".

Mr. BRAGDON: And I would ask for a vote.

The SPEAKER: And a vote is requested. Is the House ready for the question? The gentleman from Perham, Mr. Bragdon, moves indefinite postponement of House Amendment "A". All those in favor will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

71 having voted in the affirmative and 27 having voted in the negative, the motion prevailed.

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

Mr. BIRT: Mr. Speaker and Members of the House: Having made a valiant fight to see if I couldn't protect the bear in Penobscot and Aroostook Counties, it leaves no other option than to move to recede and concur with the Senate.

The SPEAKER: Is it the pleasure of the House that this bill be passed to be engrossed?

The motion prevailed.

The SPEAKER: Is it now the pleasure of the House that we recede and concur with the Senate in the indefinite postponement of this bill?

The motion prevailed.

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

HOUSE MAJORITY REPORT (8)—Ought Not to Pass—Committee on Agriculture on Bill "An Act to Create a State-wide Milk Marketing and Producer Pool" (H. P. 569) (L. D. 801)—MINORITY REPORT (1)—Ought to Pass in New Draft (H. P. 1131) (L. D. 1607)

Tabled—May 3, by Mr. Jewell of Monticello.

Pending—Motion of Mr. Hanson of Solon to accept Minority Report.

The SPEAKER: The Chair recognizes the gentleman from Solon, Mr. Hanson.

Mr. HANSON: Mr. Speaker and Ladies and Gentlemen of the House: Pertinent to our previous action on retaining the price structure here in Maine, it makes the dairy pool enactment all the more necessary. The dairymen are fighting for survival. The dairy industry is in trouble; this is a fact.

Maine is losing a vital segment of its dairy industry! Another fact. And Maine has a double standard. This, too, is a fact. Those farmers selling milk on the Maine Market get an average of 81c a cwt. more for their milk than their neighbor selling on the Boston market. Why? Basically because Maine law applies to and protects the market of only 60% of Maine dairymen. This is further compounded by such things as: 1. Split shippers, dairymen who sell all the milk they can on the preferred Maine market, and then send the balance to the Boston market where it further reduces the Boston price, and: 2. a higher rate of fluid milk sales in Maine which is made possible to a large extent by the availability of the Boston Federal Order from which Maine dealers can purchase milk in periods of peak demand and to which they can ship their surplus in periods of oversupply. This is called buying short — I'd refer you to page 28 in the Interim Dairy Study report which explains the term. This eliminates the necessity for the Maine dairy industry to provide for its seasonal fluctuations as is

the case with the larger Boston market.

Just what is the answer? The Maine producers shipping to the Boston market have come up with what they feel is a fair and equitable solution, a statewide milk marketing and producer pool. Under this proposal, all dairymen in Maine would share equally in the preferred Maine market which is supported by Maine law. The Pool would be administered by the present Maine Milk Commission and would be self supporting by virtue of a self imposed tax per cwt. on nearly all of the milk produced or sold in Maine. It would return to all producers in Maine a price approximately 60c per cwt. more than the Boston blend price which those shipping to the Boston market now receive.

It would do this by: 1. generating an additional \$682,000. for the existing volume of milk produced in the state, 2. by increasing payments to Maine market producers by means of better Class I utilization, 3. by a lowering of excessive hauling rates now burdening many producers for the Maine market, and 4. an average 21c per cwt. payment into the pool fund by those producers currently selling on the Maine market. The Attorney General's office finds the proposal, L. D. 1607, in a new draft now constitutional and enforceable. The Maine Milk Commission has no objections to the proposal and feels qualified and capable of implementing and administering it. It certainly would allow all producers to share in the premium Maine market, guaranteed by Maine law, and it will help to assure the consumers of Maine an adequate and low-cost product by helping those suffering most from the cost price squeeze to stay in business.

What are the major objections? Producers for the Maine market do not like the idea of having to contribute that 21c per cwt. But take courage, the Boston Milk Market Administrator has just announced a 20c per cwt. price increase in the Boston Federal Market. Again, by Maine law, the producers for the Maine Market will get this increase too, because their price is pegged to the Boston

market price, so maybe they won't lose so much anyway. After all, they didn't contribute to this latest price increase or to the previous increases granted over the last two years, which total nearly 60c per cwt. While milk shortages developed over the last six years, and production for the Boston market fell each and every year since 1960, those producing for the Maine market continued blissfully to over-produce, managing to increase production in each of the years, 1960, 61, 62, 63, 64 and 65 by which time the growing shortages in the Boston market necessitated price increases which by virtue of Maine law they too received.

In Summary I cannot emphasize too much:

1. If Maine law provides a favorable market within the State, all producers should share in it.

2. The producers for the Maine Market over the last two years, have received about 60c per cwt. price increase because of the sacrifice of their neighbors selling on the Boston market. They are about to get another 20c per cwt. increase in the price of their Class I milk.

3. The dairy industry, and particularly that part of it selling to the Boston market, which brings approximately \$10,000,000. in new money into the State, is of considerable value to the State of Maine. It is worth saving and unless something is done soon, it will be too late. In 1960 there were 1705 Maine dairymen selling to the Boston market. Latest figures this year show only 671 left, and that number is dropping.

4. We have a problem, we have the organization necessary to do the job of correcting it, and this proposal is the tool we need! I urge each and every one of you to put aside selfish considerations and vote for equality, fairness and equal protection under the law. Vote yes to the motion to adopt the minority report. Thank you.

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

Mr. EVANS: Mr. Speaker and Ladies and Gentlemen of the House: The Agriculture Commit-

tee was put in the middle with this milk bill pool business, because it has been proven to be highly controversial within the dairy industry of this State. Nevertheless, we believe we conducted a fair hearing, that the Majority "Ought not to pass" report represents our only reasonable disposition of this bill. There are a number of things that have come up, now for instance, they speak about the pool for the Maine shippers, not giving them a fair deal to the Boston shippers. Well, now any Boston shipper has a right to get on the Maine market. I, at one time, was a dairy producer myself. I shipped both to the Maine market and the Boston market, and I didn't care to stay on the Maine market, I went to shipping on the Boston market, and I can't say as I figured that I was being robbed of anything because I didn't get quite so much as I would off the Maine market.

And I notice that they weren't given credit for the shortage, they said, in the Boston market. Well, the reason for some of that shortage, the Maine market has been taking more milk every year. And I know right lately our shipper in Albion got a chance to go off the Maine market. It is possible for any shipper to go out of the Maine market. He may have to wait a time, but that's to be expected. And as far as the price being paid to the Boston market, it is, to this extent, that they pay the same price for milk of number one class in the State of Maine that they do in Boston, but here is one of the differences; on the Boston market they have 40% surplus. That has nothing to do with the State of Maine doing it, that's because there's so many shippers, a lot of them produce a lot of milk. The State of Maine No. 2 class milk, is 26 cents a hundred less than it is in Boston. and the difference between that, and the cost of carting the milk to Boston which makes up this 81 cents, pretty near all of it, and I ask you, all of you, if you saw a man in the river drowning, would you throw in a man that couldn't swim to pull him out, and that's exactly

what you're going to do when you do this pool bill. So I'll urge you all to vote against substituting this pool bill for the report of the Committee, and I ask a division.

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

Mr. BELANGER: Mr. Speaker and Members of the House: I would like to clarify the situation as it's been explained to me, by giving you a word picture. I would like to assume that we are all producers of milk. By some regulation, those on the other side of the aisle are getting 15 cents a quart for their milk. We on this side are only getting 10 cents a quart, for our milk. So, the result would be that we, on this side, would want to get on the other side as fast as we can. Not room enough for us over there, so we have to stay here. That, in a nutshell, is about the way it's been explained to me by the local producers of my area. Therefore, apparently, 1607 is the one vehicle that will rectify this trouble. Therefore, I recommend, I really urge you all to vote in favor of the adoption of the motion by Mr. Hanson of Solon, the adoption of the Minority Report. Thank you.

The SPEAKER: Is the House ready for the question?

The Chair recognizes the gentleman from Skowhegan, Mr. Keyes.

Mr. KYES: Mr. Speaker and Members of the House: It is a wonderful feeling to awaken in the morning and still find yourself in the land of freedom and free enterprise. But I wonder if the farmers who are able to only sell to the Boston market for far less money than they would be able to receive if allowed to sell on the Maine market feel. I cannot help but wonder why many farmers are being robbed. I have always believed strongly in fair play and shall continue to do so. Why doesn't the 103rd do something to make a wrong a right, by not accepting the Majority vote, not ought to pass and accept the Minority Report and put all farmers on an equal level? And also I would like to mention the fact of the Representative from Freedom who men-

tions that, if a man was drowning would you throw another man in to save him? At the age of ten years old I was not able to swim; I jumped in and saved a girl in the Kennebec River, and today she has a family of five, and if it hadn't been for my learning to swim very fastly she still would be at the bottom of the river.

The SPEAKER: The Chair recognizes the gentleman from Woolwich, Mr. Harvey.

Mr. HARVEY: Mr. Speaker, I would like to ask Representative Hanson, a couple of questions through the Chair.

The SPEAKER: The gentleman may pose his questions.

Mr. HARVEY: Number one is, would the Maine pool do away with the Milk Commission as such? Number two, would it do away with the current price controls? Number three, would the farmers be forced to join the Maine Milk pool?

The SPEAKER: The gentleman from Woolwich, Mr. Harvey, poses questions through the Chair to the gentleman from Solon, Mr. Hanson, who may answer if he chooses.

The Chair recognizes that gentleman.

Mr. HANSON: Mr. Speaker and Members of the House: In answer to the first question—no the Milk pool bill would not do away with the Milk Commission. In fact as I indicated in my remarks it is incorporated within the proposal. The Maine Milk Commission would in fact set up and administer the proposed program, and this holds true also for the pricing structure. In fact I prefaced my remarks with the statement that our previous action of retaining the pricing structure made it all the more mandatory that we do effect the Maine pool. This pricing structure and the Maine Milk Commission's action is what provides this premium market in Maine. Actually its maintained at an artificially high level and for this reason it is very discriminatory against those who cannot participate in it. This pool would allow all dairymen to participate in it and again, to answer your question, almost all there is, the one exception of the

producer-handler, 95 percent of whose milk is produced and sold within his own business, these are exempt, but other than that all of the producers in Maine would become a part of the pool.

It would be actually a paper pool. The milk itself would not be pooled, it would go to the same markets, generally speaking, but the income from this milk would be distributed in such a way through equalization so that all dairymen within the State would share equally.

I hope I answered your questions.

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

Mr. EVANS: Mr. Speaker and Members of the House: There is a provision in that bill to deduct two cents per hundred weight, and I have asked different ones what that would cost, and they claim it would cost the farmers in the State of Maine \$93,000 to administer this. Now they claim that's only an estimate, but I never found any estimates that were ever high enough, generally they're too low. And about being an injustice to a lot of the Boston shippers, I have a lot of Boston shippers come to me and said if this doesn't hurt the Maine shippers, they're for it, otherwise, they're not. Now that's the feeling of a great many of the shippers in my locality, and I'm sorry if some of the boys in the House around here had their ears go big when I speak, but it happens to be that my voice is quite loud, I see a couple of them here stuffing their fingers in their ears.

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

Mr. MOSHER: Mr. Speaker and Members of the House: Really the difference in the price that the Boston shipper gets and the Maine shipper gets is in the amount of surplus that they sell or class two. The class one price is something like \$6.80, the class two is \$3.20, give a little, one way or the other, depending on the amount.

The Maine shipper is regulated, or in my case anyway, is regulated to right around twenty percent.

When we get over that we sell the cow, when we get under that we buy. The Boston shipper, he ships what he wants to, whatever he happens to have, and that runs up to approximately fifty percent the year round. If all the Boston shippers would cut down to the same price, to the same amount of surplus as the Maine shippers send, all the difference in the two prices would be the distance in the shipping.

The SPEAKER: The Chair recognizes the gentleman from Cambridge, Mr. Quimby.

Mr. QUIMBY: Mr. Speaker and Members of the House: In behalf of the dairymen in my area who are practically all Boston shippers, I would like to go on record in support of this motion to substitute the Bill for the Report.

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

Mr. LEVESQUE: Mr. Speaker and Members of the House: I find that I am further being informed this afternoon, that it's quite unfortunate that at least two of the committees are holding executive sessions this afternoon, and it's also quite unfortunate that those members are not here and available in this House this afternoon to hear the debate so that when the bill does come up for a vote that they will at least have been able to participate in the discussion or at least listening to the debate.

The SPEAKER: The Chair recognizes the gentleman from Pittsfield, Mr. Susi.

Mr. SUSI: Mr. Speaker and Members of the House: This isn't a problem that the whole state is concerned about. Apparently there are around six hundred producers on the Boston market, but I don't think the problem is any the less serious to those who are involved. I happen to live in the area where there is a preponderance of producers on the Boston market, and I, in the past few years probably the same as many of you have in your own areas, have seen these producers dropping out like flies and leaving their farms that represent in some cases a lifetime's

work, sometimes in cases where it represents generations of a family's work to get a farm up into a certain condition and then have to abandon it due to market conditions in this Boston milk.

I think we all in this House recognize there is a problem and that we'd like to do something about it, and that we aren't too sure just what to do and how to go about it. It isn't only a Maine problem, we know that this problem exists to a greater or lesser extent throughout the country, but if we could see our way to keep this alive this afternoon in the hope that perhaps there is some solution that is acceptable to all the elements involved in this problem, it would certainly be worthwhile to this Legislature if we could make some contribution to the problem of these people who are truly in dire straits. Thank you.

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

Mr. LITTLEFIELD: Mr. Speaker and Members of the House: This is a milk pool bill and I don't know the first thing about it and can't understand it. When problems related to the dairy business arise over bills in the House, I have to refer them to the men in the dairy business in my area. It is my impression that they are not interested in this milk pool. Therefore, I shall have to oppose the motion to accept the Minority Report.

The SPEAKER: The Chair recognizes the gentleman from Union, Mr. Hawes.

Mr. HAWES: Mr. Speaker and Members of the House: I am one of the few members of the House who is on the Boston producer market. I produce milk for the Boston market. I am in full agreement with the Committee's Report of "ought not to pass."

You have had some literature passed out to you, one of them was prepared by the Boston Milk Producers of Maine. As I understand it, there are a hundred members in this Boston Milk Producers—I don't know if that is what they call themselves, the Boston Milk Producers I guess was what they call them. I am not a member

myself, and there are quite a few others that aren't a member, because we have 682 producers on the Boston market and we only have a hundred in this group.

This group is supporting this, so I say that they don't represent a fair share of the Boston producers. I hope that you will go along with the Majority Report "Ought not to pass" on this bill.

The SPEAKER: The Chair recognizes the gentleman from Solon, Mr. Hanson.

Mr. HANSON: Mr. Speaker, I would like to clarify a few points. The gentleman from Freedom, Mr. Evans, indicated a rather exorbitant cost for this program. Mr. Walter Steele of the Maine Milk Commission indicated that in his opinion this could be done for the same cost per hundredweight that the Maine producers are currently paying for the operation of the Maine Milk Commission, which is three quarters of a cent per hundredweight. The increase incorporated in the bill up to two cents was at the urging of the Attorney General's office which felt that there should be some leeway there.

I would like to make one other point too. As far as getting on the Maine market, when you have a pricing structure which requires that all of the producers get the same price for their milk it's very difficult to break into a closed market. If you cannot compete, if you cannot sell your product on the market at a price which is profitable to you but must sell it at the price that the other fellow is receiving, it's pretty difficult to break into the market.

I would say further, too, in regard to the gentleman from Gorham, Mr. Mosher's statement, the utilization in Maine has a high rate of Class I utilization because of its dependence upon the Boston market. If it had to stand alone, if it could not lean on and use the Boston market, it never in the world could have the utilization ratio of seventy-five percent of Class I which it now enjoys.

I would further comment that the Boston Milk Producers of

Maine, a new organization which was formed this year, has shown tremendous growth. All of its membership, to my knowledge, has been gained at public meetings at which these issues have been discussed at great length. I would say in all sincerity that the action of this Committee is representative of the farmers' viewpoint, not of their leaderships. This is contrary to some of the more established older organizations, such as your Maine Dairymen's Association, which has come out and taken a position in opposition to this measure. They are sixty percent Maine shippers and forty percent Boston shippers. And their deliberations, their positions on these various bills has been taken in executive session of which only seven members voted, and these votes generally were simply a majority of four.

I think that's all I have got to say, but I would strongly urge that you support this measure. It's very very fair, very equitable, and very workable, and it is an answer to a serious problem. Thank you.

The SPEAKER: The pending question is the motion of the gentleman from Solon, Mr. Hanson, that the House accept the Minority "Ought to pass" Report on Bill "An Act to Create a State-wide Milk Marketing and Producer Pool," House Paper 569, L. D. 801. The Chair will order a vote. All those in favor of accepting the Minority "Ought to pass" Report will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

41 having voted in the affirmative and 66 having voted in the negative, the motion did not prevail.

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

On motion of Mr. Benson of Southwest Harbor,

Adjourned until nine-thirty o'clock tomorrow morning.