

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Third
Legislature*

OF THE

STATE OF MAINE

Volume II

May 10 to June 15, 1967

**KENNEBEC JOURNAL
AUGUSTA, MAINE**

HOUSE

Wednesday, June 14, 1967

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

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

The journal of yesterday was read and approved.

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

Report of the Committee on Towns and Counties reporting "Ought not to pass" on Bill "An Act relating to Penalty for Exceeding Appropriation for Economic and Recreational Development in Oxford County" (S. P. 514) (L. D. 1227)

Came from the Senate read and accepted.

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

Ought to Pass

Report of the Committee on State Government reporting "Ought to pass" on Bill "An Act to Appropriate Money to Plan and Apply for a Rural Youth Corps for Maine" (S. P. 628) (L. D. 1630)

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

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

**Divided Report
Tabled and Assigned**

Majority Report of the Committee on Legal Affairs reporting "Ought not to pass" on Bill "An Act Providing for the Registration of Land Surveyors" (S. P. 550) (L. D. 1447)

Report was signed by the following members:

Mrs. SPROUL of Lincoln
Mr. STERN of Penobscot
—of the Senate.

Messrs. BELIVEAU of Rumford
SHAW of Chelsea
CUSHING of Bucksport
CONLEY of Portland
—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 following members:

Mr. GOOD of Cumberland
—of the Senate.

Mr. RICHARDSON
of Stonington

Mrs. BAKER of Orrington

Mrs. WHEELER of Portland
—of the House.

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

In the House: Reports were read.

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

Mr. RICHARDSON: Mr. Speaker, I move that L. D. 1447 be tabled until the 15th pending acceptance of either Report.

The SPEAKER: The gentleman from Stonington, Mr. Richardson, moves that L. D. 1447 be tabled and specially assigned for Thursday, June 15, pending the acceptance of either Report.

Mr. Shaw of Chelsea then requested a division on the tabling motion.

The SPEAKER: A vote has been requested on the tabling motion. All of those who favor this matter being tabled until the next legislative day will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

51 having voted in the affirmative and 50 having voted in the negative, the motion to table did prevail.

Non-Concurrent Matter

An Act relating to Notice of Legislative Hearings (S. P. 347) (L. D. 931) which was passed to be enacted in the House on June 1 and passed to be engrossed as amended by Senate Amendment "A" on May 26.

Came from the Senate indefinitely postponed in non-concurrence.

In the House: On motion of Mr. Dennett of Kittery, the House

voted to recede and concur with the Senate.

Non-Concurrent Matter

Bill "An Act relating to Executive Reorganization" (S. P. 384) (L. D. 996) on which the House accepted Report "B" reporting "Ought not to pass" of the Committee on State Government in non-concurrence on June 12.

Came from the Senate with that body voting to insist on its former action whereby Report "A" reporting "Ought to pass" was accepted and the Bill passed to be engrossed.

In the House:

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

Mr. DENNETT: Mr. Speaker, I move that we now adhere.

The SPEAKER: The gentleman from Kittery, Mr. Dennett, now moves that the House adhere.

The Chair recognizes the gentleman from Eagle Lake, Mr. Martin.

Mr. MARTIN: Mr. Speaker, I move that we recede and concur and ask for a division.

The SPEAKER: The gentleman from Eagle Lake, Mr. Martin, moves that the House recede and concur and a vote is requested.

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

Mr. DENNETT: Mr. Speaker and Members of the House: The arguments against this bill are just as valid today as they were the other day and as I stated before there is a letter with the signature of the Attorney General stating that this measure would be unconstitutional, and this still holds; and this letter is in effect, it exists, and there is no reason to change any minds. I certainly hope that you will vote against the motion of the gentleman from Eagle Lake, Mr. Martin, to recede and concur.

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

Mrs. CARSWELL: Mr. Speaker, I pose a question to anybody who—

The SPEAKER: The gentleman may pose her question.

Mrs. CARSWELL: What reasons did the Attorney General give for this being unconstitutional?

The SPEAKER: The gentleman from Portland, Mrs. Carswell, poses a question through the Chair to the gentleman from Kittery, Mr. Dennett, who may answer if he desires, and the Chair recognizes that gentleman.

Mr. DENNETT: Mr. Speaker, Members of the House: The Attorney General stated in his letter that this was in violation of that section of the Constitution which pertained to the division of the three branches of the Legislature—of State Government—of the Executive, of the Legislative, and the Judicial, that, this was conferring upon the Executive powers that rightfully belonged to the Legislative.

The SPEAKER: Is the House ready for the question? The pending question is on the motion of the gentleman from Eagle Lake, Mr. Martin, that the House recede from its former action and concur with the Senate. A vote has been requested. All those in favor of receding and concurring will vote yes; those opposed will vote no; and the Chair opens the vote.

36 having voted in the affirmative and 74 having voted in the negative, the motion to recede and concur did not prevail.

Thereupon, the House voted to adhere to its former action.

Non-Concurrent Matter Tabled and Assigned

Bill "An Act relating to Publication of Legal Notices" (H. P. 1182) (L. D. 1684) which was passed to be engrossed in the House on May 31.

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

In the House:

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

Mr. McMANN: Mr. Speaker, I have an amendment being prepared for this matter and I hope some kind person would table it until tomorrow.

Thereupon, on motion of Mr. Richardson of Cumberland, tabled pending further consideration and specially assigned for tomorrow.

The SPEAKER: The Chair at this time would request the Sergeant-at-Arms to escort the gentleman from Bath, Mr. Ross, to the rostrum to serve as Speaker pro tem.

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

Orders

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

Mr. RICHARDSON: Mr. Speaker, I would inquire if the House is in possession of Senate Paper 358, L. D. 966, Bill "An Act to Correct Errors and Inconsistencies in the Education Laws"?

The SPEAKER pro tem: The answer is in the affirmative.

Mr. RICHARDSON: Mr. Speaker, I move that we reconsider our action of yesterday whereby we passed this bill to be engrossed.

Thereupon, on motion of Mr. Benson of Southwest Harbor, tabled pending the motion of Mr. Richardson of Cumberland to reconsider and specially assigned for tomorrow.

Mr. Carrier of Westbrook was granted unanimous consent to address the House.

Mr. CARRIER: Mr. Speaker and Ladies and Gentlemen of the House: I ask the members of this House to join with me this morning in extending our congratulations and best wishes to Representative Robert Harnois and his wife Irene, who are celebrating today their twenty-sixth wedding anniversary. (Applause)

(Off Record Remarks)

House Reports of Committees Leave to Withdraw Covered by Other Legislation

Mr. Dennett from the Committee on State Government on Resolve Proposing an Amendment to the Constitution Providing for the Appointment of Judges and Registers of Probate (H. P. 10) (L. D. 22) reported Leave to Withdraw, as covered by other legislation.

Report was read and accepted and sent up for concurrence.

Ought to Pass in New Draft New Draft Printed

Mr. Dennett from the Committee on State Government on Resolve Proposing Amendment to the Constitution Relating to Bond Issues to be Voted Upon by the People (H. P. 1033) (L. D. 1499) which was recommitted, reported same in a new draft (H. P. 1206) (L. D. 1717) under same title and that it "Ought to pass"

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

Divided Report

Majority Report of the Committee on Judiciary on Bill "An Act Establishing the Maine Planning Commission on Criminal Law Administration" (H. P. 583) (L. D. 815) reporting "Ought to pass" as amended by Committee Amendment "B" submitted therewith.

Report was signed by the following members:

Messrs. MILLS of Franklin
HARDING of Aroostook
— of the Senate.

Messrs. HEWES of Cape Elizabeth
FOSTER

of Mechanic Falls
DAREY

of Livermore Falls

BERMAN of Houlton

QUINN of Bangor

BRENNAN of Portland

DANTON

of Old Orchard Beach

— of the House.

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

Report was signed by the following member:

Mr. HILDRETH of Cumberland
— of the Senate.

Reports were read.

The Majority "Ought to pass" Report was accepted and the Bill read twice.

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

COMMITTEE AMENDMENT
"B" to H. P. 583, L. D. 815, Bill
"An Act Establishing the Maine

Planning Commission on Criminal Law Administration.”

Amend said Bill by inserting before the enacting clause the following:

‘Emergency preamble. Whereas, the President of the United States, Commission on Law Enforcement and Administration of Justice urges “in every State and every city, an agency, or one or more officials, should be specifically responsible for planning improvements in crime prevention and control and encouraging their implementation”; and

Whereas, the U. S. Department of Justice has made grants of up to \$25,000 to several states in order to further this activity and stands ready to do so for Maine; and

Whereas, several studies are necessary in the immediate future, it is desirable to maintain continuity with the Governor’s Planning Committee on Criminal Administration which will be replaced by this permanent body; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, ’

Further amend said Bill in that part designated “\$502” by striking out all of the first 4 sentences (same in L. D. 815) and inserting in place thereof the following:

‘The committee shall consist of 19 members. The following shall be members of the committee: The Attorney General, the Chief of the State Police, the Senate and House chairmen of the Joint Standing Committee on Judiciary of the Legislature and the Director of the Division of Probation and Parole. The remaining 14 members of the committee shall be appointed by the Governor from among citizens and public officials who have an interest in law enforcement, judicial administration and corrections. The membership shall include: Two other members of the Joint Standing Committee on Judiciary of the Legislature, a sheriff, a chief of a municipal police department, the head of a correctional institution in the State

of Maine and a representative of the Federal Bureau of Investigation.’

Further amend said Bill in that part designated “\$503” by striking out the underlined semicolon at the end of subsection 2 (same in L. D. 815) and inserting in place thereof the following: **‘such studies may include but shall not be limited to creation of a full-time prosecuting attorney system, juvenile offender laws and review of statutes in relation to The Model Sentencing Act;’**

Further amend said Bill by adding at the end, the following:

‘Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.’

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

Divided Report Tabled and Assigned

Majority Report of the Committee on State Government reporting “Ought to pass” on Bill “An Act to Establish the Division of Municipal Affairs in the Executive Department” (H. P. 1184) (L. D. 1686)

Report was signed by the following members:

Messrs. WYMAN of Washington
LUND of Kennebec
STERN of Penobscot
— of the Senate.

Messrs. WATTS of Machias
PHILBROOK
of South Portland
MARTIN of Eagle Lake
STARBIRD
of Kingman Township
RIDEOUT of Manchester
— of the House.

Minority Report of same Committee reporting “Ought not to pass” on same bill.

Report was signed by the following members:

Mr. DENNETT of Kittery
Mrs. CORNELL of Orono
— of the House.

Reports were read.

(On motion of Mr. Brennan of Portland, tabled pending acceptance of either Report and specially assigned for tomorrow.)

Passed to Be Engrossed

Bill "An Act Providing for Paid-up Life Insurance Coverage for State Employees and Teachers" (S. P. 236) (L. D. 561)

Bill "An Act relating to Membership of the Advisory Council of the Department of Economic Development" (S. P. 671) (L. D. 1702)

Bill "An Act Revising the Laws Relating to Arson" (S. P. 675) (L. D. 1705)

Bill "An Act relating to Temporary Loans by State" (H. P. 1203) (L. D. 1712)

Bill "An Act relating to Duties of State Transportation Commission" (H. P. 1204) (L. D. 1713)

Were 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 Authorize the Creation of the Maine State Park and Recreation Area Fund and the Issuance of Not Exceeding Four Million Dollar Bonds of the State of Maine for the Financing Thereof" (S. P. 14) (L. D. 30)

Bill "An Act Entering the State of Maine Into the New England Interstate Planning Compact" (H. P. 620) (L. D. 876)

Resolve Proposing an Amendment to the Constitution to Increase Credit of State for Guaranteed Loans for Recreational Purposes (S. P. 158) (L. D. 329)

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

Passed to Be Enacted**Bond Issue**

An Act to Authorize General Fund Bond Issue in Amount of Two Million Eight Hundred and Thirty-seven Thousand Five Hundred Dollars and to Appropriate Moneys for Construction, Extension and Improvement for Airports (H. P. 1166) (L. D. 1667)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. In accordance with the provisions of Section 14

of Article IX of the Constitution a two-thirds vote of the House being necessary, a total was taken.

119 voted in favor of same and 7 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 Appropriating Funds for Operation of the Governor's Advisory Committee on Education (S. P. 645) (L. D. 1651)

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

Enactor**Tabled Until Later in Today's Session**

An Act Regulating Snow Traveling Vehicles (S. P. 654) (L. D. 1666)

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

On motion of Mr. Williams of Hodgdon, the House voted to suspend the rules and to reconsider its action on June 5 whereby the Bill was passed to be engrossed as amended.

The same gentleman then offered House Amendment "C" and moved its adoption.

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

HOUSE AMENDMENT "C" to S. P. 654, L. D. 1666, Bill, "An Act Regulating Snow Traveling Vehicles."

Amend said Bill in section 1 by striking out all of that part designated "\$2160" (same in L. D. 1666) and inserting in place thereof the following:

'\$2160. Application

This chapter shall not apply to the operation of snow traveling vehicles on unplowed private and woods roads, rivers, brooks, streams and great ponds.'

Mr. WILLIAMS: Mr. Speaker and Members of the House: It looks to me as if a person who owns a snow sled under this bill does not have much place to go. Now if you own some land, you are all right. For instance, the Great Northern Paper Company

owns several millions and they have several million acres of land to roam over and they do not even have to license the snow sled under this bill. These sleds, in my estimation, find most of their objections around the town. This amendment gets them out in the open country, away from the people where they would disturb no one. If we are going to ask them to pay \$3 to operate a snow sled, a snow traveling vehicle, for a couple of months in the year, at least we should provide some place for them to go. Thank you.

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

Mrs. BAKER: Mr. Speaker and Members of the House: As I read this amendment, it seems to me that there would be no control whatsoever over the snow traveling vehicles on these private and woods roads, rivers, brooks, streams and great ponds. Now, I would like to inquire, through the Chair, does that mean that people could operate these snow traveling vehicles under the influence on these great ponds and other areas included in this amendment? I think that if we adopt this amendment, we defeat a great deal of the purpose of the general bill.

The SPEAKER pro tem: The gentlewoman from Orrington, Mrs. Baker has posed a question through the Chair to anyone who may answer if they so desire.

The Chair recognizes the gentleman from Enfield, Mr. Dudley.

Mr. DUDLEY: Mr. Speaker and Members of the House: I will attempt to answer the gentlewoman from Orrington. This is so, there wouldn't be under the bill. However, this isn't where the problem was. I checked with the Commissioner or the man in charge of it in the Fish and Game Commission, a man by the name of Marsh is in charge of the warden service, and he said they had no complaint. The trouble seemed to be around peoples' buildings and shrubbery and small trees that had been set out. And he had no quarrel and he said that if at any time they did, they would come to the Legislature and ask that it be cor-

rected, but up till now snow sleds on great ponds, lakes and streams and woods roads haven't been a problem. The complaints have come from people who own valuable shrubbery and rose bushes, people who have set out trees on abandoned farms and had the tops knocked off and this would tend to correct it because, as the gentleman from Hodgdon has told you, these people have no other place to go. In other words this bill gives someone a license with no place to go; something like a license to steal. And a lot of people think just because they've got a license they can go a lot of places. Now, I came here with some problems, the snow traveler has given me some problem on some land where trees had been set out, knocking the tops off and so forth, and I would like to do something. I had once moved that this bill be indefinitely postponed and it was tabled and amended and I don't like the bill exactly, but with these amendments I am going to try to go along with the bill. I have a lot of objections to the bill but I am going along with the bill this morning with Mr. Williams' amendment. I would like to point out while I am on my feet, a few other things.

Where I come from, for instance, I own land enough so that me and myself and my family, and as this bill is written I suppose my grandchildren, will always have a place to go without a license. I will read the section to you, if you don't mind, on page 2—"No registration shall be required for a snow traveling vehicle owned and operated over the snow on land on which a person lives or on lands to which he has contractual right or which he is domiciled." Now that means that Mr. Williams for instance, Williams he owns several farms and his family would be able to travel at leisure. But his next door neighbor, the poor unfortunate man that lives in a rent would have no place in which to travel. He can't go on the highway and even if we sell him this license he can't go on the land of others, so he has not much of any place to go.

Now, I would feel a bit guilty in returning home, so I don't care,

my son has a snow traveling vehicle and I own land enough in both the Town of Enfield and Howland and so forth so we can travel over several towns; but I still feel kind of guilty that my next door neighbor has no place to run his snowmobile.

And for these few reasons that I have given you and to save any more of your time which I can give you many others, I would like to be known here in this House as supporting the man, the more unfortunate person that doesn't have these benefits of owning lots of land. Now, as he has already told you the Great Northern Paper Company, Oxford Paper Company and all these paper companies that own several towns, they don't have to register, they go on the lakes and ponds.

Let me point out one other thing. When you register your automobile, it's to run on the highways. You can now run your automobile on frozen lakes, ponds and rivers, woods roads and private roads without registration. We are only extending this to these snow traveling vehicles, the same thing, only we are saying in his amendment that they must be unplowed private roads. In other words, if the road is plowed, they cannot go with this snowmobile on it or the snow traveler, it's got to be an unplowed private way. And this is another reason why I think that if we extend this to automobiles, the right to drive on these unregistered, these people should have some privilege too.

Now, I think it would work out I hope it works out this way and I think it will. In our town we had some problem with children playing ball in the street, knocking out windows occasionally when they would strike a fly ball, irritating some people, and so some of us in town got together and built a ball diamond. Now the children play on the ball diamond and don't bother anybody. I think if we set aside a place for these people that are giving us trouble, to run, that we will be getting rid of the problem that we have running around the buildings and I hope that it works out this way and if it don't I am sure that the next

legislature can add to this bill. Possibly this is better than indefinitely postponing what is not a very good bill. Thank you.

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

Mrs. BAKER: Mr. Speaker and Members of the House: I also feel that if we adopt this amendment that it removes all the — and it certainly does, remove all of the general provisions of the bill and thereby it would remove the necessity for registration. They could take their snow traveler in the back of a pickup truck and unload it in any one of these areas and use it to their heart's content and would not need to be registered. Now, that doesn't seem to me to be fair when other people are having to register their vehicles.

The SPEAKER pro tem: The Chair recognizes the gentleman from Camden, Mr. Haynes.

Mr. HAYNES: Mr. Speaker and Members of the House: This amendment will, in fact nullify the complete bill. I ask for a division on this amendment.

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

Mr. COOKSON: Mr. Speaker and Members of the House: Regardless of whether or not we pass a bill regarding licensing of these snow traveling machines, you are going to find these machines are going to be traveling on private land unless it has been posted, which is just what's going to happen unless we do pass something here, and I think that we should go along with this bill and try to get it passed without this amendment which will take all of the teeth out of it. I am quite concerned about the whole thing and I wish that we might indefinitely postpone this amendment.

The SPEAKER pro tem: Does the gentleman make this in the form of a motion?

Mr. COOKSON: Yes, sir.

The SPEAKER pro tem: The question now before the House is on the motion of the gentleman from Glenburn, Mr. Cookson, that House Amendment "C" be indefinitely postponed.

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

Mr. WILLIAMS: Mr. Speaker and Members of the House: I would like the members to read in the bill the exemptions that now exist. It says "No registration shall be required for a snow traveling vehicle owned and operated" on the land of another and so on and so on, or on a commercial ski area. Well, that's all right for the people that own the land, they don't have to do it anyway, but under this amendment of mine, we are giving the people that don't own a lot of land. Now, personally, I don't own a snow sled anyway, but I do own a considerable piece of land. Under the present exemptions in the bill, I wouldn't even have to register my snow sled—the thing wouldn't apply at all; but for some people on the other one, my amendment only gives them the privilege of going over a great pond or an unplowed woods road back in the woods and they aren't going to do a tremendous lot of damage on a great pond in my estimation. I hope the amendment does pass.

The SPEAKER pro tem: The Chair recognizes the gentleman from Enfield, Mr. Dudley.

Mr. DUDLEY: Mr. Speaker and Members of the House: I just want to point out one or two things. Number one, snow travelers do give us some problem around our shrubbery and around the town and I do want to do something about it and this bill will, with the amendment. I do want to point out that I didn't come down here to clip poor people for \$4.00, I came down here to try to correct the problem. We are trying to correct the problem of these snow vehicles in residential areas and I am only pointing out that what I think is the best way to do it and I am sure this amendment will do it and I hope that the motion does not prevail and we are able to keep this amendment, because this bill is not too bad a bill with the amendment and I think I have pointed out about everything. In other words, some people here are out to clip people. They are after the \$4.00, not to correct the problem. I want to correct the problem, I don't want to clip them the \$4.00; it isn't the \$4.00 I'm after, it's to correct the problem.

The SPEAKER pro tem: The Chair recognizes the gentleman from Mars Hill, Mr. Dickinson.

Mr. DICKINSON: Mr. Speaker and Members of the House: I have an amendment now being reproduced that should be available shortly, so I would hope that someone might table this bill for the purpose of introducing this amendment.

Whereupon, on motion of Mr. Cookson of Glenburn, tabled until later in today's session.

**Enactor
Tabled Until Later in Today's
Session**

An Act Creating County Commissioner Districts (H. P. 457) (L. D. 631)

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

(On motion of Mr. Starbird of Kingman Township, tabled until later in today's session.)

**Enactor
Tabled and Assigned**

An Act relating to Qualification of Witnesses (H. P. 510) (L. D. 723)

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

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

An Act Providing Vocational Education Loan Funds (H. P. 882) (L. D. 1294)

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

**Enactor
Tabled and Assigned**

An Act relating to Hours of County Offices of Androscoggin County (H. P. 1045) (L. D. 1517)

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

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

Mr. JALBERT: Mr. Speaker, the alert gentleman from the Attorney General's office, John Benoit, has

made me aware that there is a technical error in this measure and before enactment I would like to have the amendment being presented now, and I would appreciate it if someone would table this measure until tomorrow.

Thereupon, on motion of Mr. Darey of Livermore Falls, tabled pending passage to be enacted and specially assigned for tomorrow.

An Act relating to Salary and Expenses of Third Member of Atlantic Sea Run Salmon Commission (H. P. 1195) (L. D. 1698)

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

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

Mr. NADEAU: Mr. Speaker and Members of the House: I wish I had something the Attorney General found technically wrong with this. I would like to table it forever. But anyway, as we heard the other day, that we had a very vague explanation of who the third member and what his duty was on this. I personally would like to see this indefinitely postponed and I so move.

The SPEAKER pro tem: The question now before the House is on the motion of the gentleman from Sanford, Mr. Nadeau, is that this item be indefinitely postponed.

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

Mr. STARBIRD: Mr. Speaker and Members of the House: I would remind you again that this item received the unanimous report of the Committee and I would remind you again that when we can get a unanimous report out of the State Government Committee, the thing must be reasonably okay because we seldom do get unanimous reports. I urge you to vote against the motion of the gentleman from Sanford.

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

Mr. LITTLEFIELD: Mr. Speaker and Members of the House: I support the motion of the gentleman from Sanford, Mr. Nadeau. If this bill is killed, it's my under-

standing that Atlantic Sea Run Salmon Commission will then consist of the Commissioner of Sea and Shore Fisheries, the Commissioner of Inland Fisheries and Game, three biologists at about \$9,000 a year and one Clerk at \$4,000 a year, making a total of \$30,000 a year, and I don't think that this bill is needed. I concur with the gentleman to indefinitely postpone it.

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

Mr. EWER: Mr. Speaker and Members of the House: I don't know how many of you saw the CBS program last Sunday night at seven o'clock which featured the third member of this Commission, Horace Bond of Bangor, who is probably one of the greatest authorities on the Atlantic Salmon in the eastern part of the United States and Canada. He is a man who is recognized on an international basis. He is an extremely competent, well informed gentleman. He has been putting in anywhere from a hundred to two hundred days a year for a good many years on this job. He's done it for a good many years out of his own personal belief in Maine — the value to Maine of the salmon fishing industry. It seems to me that this man, if his services could be procured for \$1,500 a year, is certainly to be classified as a bargain.

As far as this changing the complex of the Commission I can't see how it does in the least — he's already the third member of the Commission and has been for a great many years. The indefinite postponement of this amendment doesn't take him off it, it would simply put him back on a salary of ten dollars a day instead of \$1,500 a year. Thank you.

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

Mr. DENNETT: Mr. Speaker and Members of the House: As heretofore stated by the gentleman from Kingman Township, Mr. Starbird, this bill came out of the Committee on State Government in a new draft unanimously

"Ought to pass." Now there have been some changes in the bill as it was introduced as No. 530. Number 530, legislative document, called for the Commissioner of Sea and Shore Fisheries to receive a salary of \$500, also for the Inland Fisheries and Game Commissioner, who are ex officio members of the Board, also to receive a salary of \$500. In the New Draft these are eliminated. It does, however, retain the \$1,500 for the third member of the Commission, Mr. Bond, whose duties have already been described to you by the gentleman from Bangor, Mr. Ewer. He is very much interested, he is hard working, he spends a lot of time — it is not unreasonable to give him \$1,500 a year.

Inasmuch as the original bill was changed, these \$500 increases for two commissioners were eliminated I think the bill is very, very fair and I would trust that the motion made by the gentleman from Sanford, Mr. Nadeau, will be turned down by this House.

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

Mr. NADEAU: Mr. Speaker and Members of the House: After the explanation of Mr. Dennett, knowing that this has been taken away, this \$500, from two of the people and will permit these department heads to return to work, if they're not sitting in the balcony where they usually are — I don't see them today, but they'll be back later on sometime. With that in mind I will now withdraw my motion. If this money is going to go to the working member and permit those other guys to go back to work I will withdraw my motion.

Mr. Nadeau of Sanford was granted permission to withdraw his motion to indefinitely postpone.

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

Finally Passed

Resolve Reimbursing Certain Municipalities on Account of Property Tax Exemptions of Veterans (S. P. 173) (L. D. 365)

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

Orders of the Day

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

Bill "An Act Reducing Maximum Amount and Duration of Small Loans and Establishing Equitable Rates for Small Loan Agencies" (S. P. 373) (L. D. 986) (In Senate, passed to be engrossed as amended by Committee Amendment "A" (S-159)

Tabled—June 12, by Mr. Scott of Wilton.

Pending — Passage to be engrossed.

On motion of Mr. Jalbert of Lewiston, tabled until later in today's session.

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

SENATE MAJORITY REPORT (6)—Ought Not to Pass—Committee on Judiciary on Bill "An Act relating to Unjustified and Justified Abortions" (S. P. 215) (L. D. 478)—MINORITY REPORT (4)—Ought to Pass in New Draft (S. P. 667) (L. D. 1695) (In Senate, Minority Report accepted and passed to be engrossed)

Tabled—June 12, by Mr. Farrington of China.

Pending—Acceptance of either Report.

The SPEAKER pro tem: The Chair recognizes the gentleman from China, Mr. Farrington.

Mr. FARRINGTON: Mr. Speaker, I now move that the House accept the Minority Report in New Draft.

The SPEAKER pro tem: The question now before the House is on the motion of the gentleman from China, Mr. Farrington, that the House accept the Minority "Ought to pass" Report in new draft.

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

Mr. QUINN: Mr. Speaker and Members of the House: I desire to

address the House in opposition to the motion.

As one of the six members of the Judiciary Committee that brought in a report "ought not to pass" I would like to give the ladies and gentlemen of the House my reasons for that vote.

I told you yesterday that I had spent considerable time in enforcing the laws of the State of Maine as County Attorney in Penobscot County for ten years, and as Judge of the Bangor Municipal Court. In these criminal cases we were compelled to satisfy a Jury or a Judge beyond a reasonable doubt of a person's guilt. Therefore—and by the way I am the last, or was the last, full time County Attorney of Penobscot County. In Penobscot County we now have two assistants. So, I merely refer to that to say to you that all of the cases that came over my desk for attention I knew of personally, and I'm going to refer to that experience a little later in my discussion.

But it was our obligation to prove beyond a reasonable doubt that the respondent was guilty. The result of or converse of that is that the defendant's attorney had to create a reasonable doubt for his client in order to free him of a criminal charge—draw a red herring across the path if you will. So that when I consider these cases and when I considered this case, it was natural for me to look for the red herring.

I want to bring your attention to the original bill, L. D. 478. Now this bill has been greatly circularized, not only among the members of this House but around the state, so that a lot of people have been getting ideas about this bill that are not true. And as a result of that we have been getting many letters, not only from individuals but from groups of individuals requesting us to support this bill.

Statement of Facts on this original bill:

"A. A mother who has German measles within the first three months after becoming pregnant and having a 75 percent assurance of having a blind, deaf, severely retarded baby.

B. A twelve-year-old girl who becomes pregnant by her father as the result of incest.

C. The housewife-mother who is assaulted and raped by a gang of hoodlums and becomes pregnant."

Now those "scare" expressions were put into this bill by its sponsor. And who was its sponsor? Not the good lady whose name appears on the original bill, the Senator from Lincoln County. When we had our hearing this lady was so embarrassed before the Committee because of the things and the questions that were being asked that the sponsor of the bill, Dr. Schumacher, a psychiatric doctor in the Department of Health and Welfare, acknowledged the sponsorship of the bill and consequently, the sponsorship of the statements.

Now later on—these are the statements that appeared in the printed bill, later on when testimony was given did he say 75 percent? No, he did not say 75 percent. What did he say? He said 50 to 75 percent; that's quite a decrease. And other MD's who appeared before the Committee made a statement that this was a way out of proportion; that the more correct statement would be from 10 to 15 percent—I'll refer to that a little later.

Next he says, and he picks out—a twelve year old girl becomes pregnant. He couldn't go below that age very well, so he picks the sensational. The housewife-mother who was assaulted and raped by a gang of hoodlums—he selects the unusual.

Now all of these things for what purpose? Was it to give a true and factual evidence to the Committee to assist the Committee in determining what was right and what should be done? The evidence later did not confirm those things.

Now the bill as redrafted provides for a woman who is pregnant with child, if she wants to be aborted she must make a written request for it. For the purposes of physical health, mental health, birth of a child with grave and permanent mental or physical deformity, or pregnant as a result of

rape or incest, and in that case it must be less than sixteen weeks of gestation.

Now this bill before our Legislature is one of many bills that have been sponsored before other legislatures throughout the country this year and presumably from the same source — the psychiatrists. And I'll refer to that a little later.

We have had a terrific amount of testimony presented to our Committee. I have volumes which I would like to have you know about such as we learned about the cases, and upon which we made our decision, but I'll only take your time to refer to a couple of them which might generally outline how some of our citizens who have found themselves in this kind of a predicament feel. Here is a statement from a lady who appeared from South Portland. She says — "My husband is a member of the Governor's Advisory Council on Problems of Mental Retardation. Unfortunately he is unable to attend the hearing to address the Committee, so I am speaking for him as a private citizen, as well as for myself. First, in opposition to this bill I submit for your consideration: who among us is perfect? Which imperfection is minor enough to be permitted to live on, and which so great that it is deemed to destruction? This bill proposes to leave this monumental decision to two doctors" — that was the original bill and this statement was made at the time of the original bill. "Any two doctors. What proof have we that any given unborn has, or has not, these imperfections? We have statistics which project a ratio of defectives in certain situations. These same statistics also project a given number of normal births. There is no guarantee that German measles during the first three months of pregnancy must result in a deformed fetus. From our own personal experience, I would like to bring out the fact that we are the parents of a mentally retarded child. There was no known medical reason for this child to be afflicted. Five years after her birth, I had German Measles during the first three months of pregnancy,

and bore a normal, healthy baby. This is unusual to be sure, but who has the wisdom to know beyond a doubt on which side the ratio any given child must be?"

Second, should a fetus missing an arm or a leg be destroyed, or one minus both arms or both legs? Which should be allowed to live and which, if any, should die? Consider the many amputees who lead happy, productive lives in the full dignity to which we all have a moral and legal right. Should a fetus which may be minus one of the five senses be killed, or would this life be destroyed only if it were without two or more of the senses? Consider Helen Keller! Should a crippling deformity be the object of our destruction? Consider Franklin Delano Roosevelt and others who have soared to great heights from wheelchairs. Regardless of political leanings, it must be admitted that F.D.R. held the top job in this country. Who is to look into the brain of an unborn child and determine if it is, or is not, damaged; and if so, to what extent? And who will guarantee that a child born as nearly perfect as possible will remain that way for his lifetime?

We all know of cases in which a genius or near-genius has gone berserk. We all know of accidents and illnesses which have left people crippled or brain-damaged. Are we to destroy these victims? To what standard of perfection will we grant the privilege of life? If we kill off the afflicted, the deformed and the unwanted in our midst, where do we draw the line?

As a civilized Nation, our sensibilities would be outraged if these children were destroyed after birth, just as we were shocked and sickened by Hitler's tactics. He killed off the afflicted, the infirm, the aged and those not of full German blood in his insane effort to develop a super breed.

We are not considering here whether or not you shall give consent to ridding our state and our society of at least some of these protections. That will give you a little sample of the dozen or more statements that were made before our Committee.

Now along that line I was given a clipping which is rather apropos to this subject matter. It says: "Therapeutic Abortion. Maurice Baring used to tell the following story. One doctor said to another: 'About the terminating of a pregnancy, I want your opinion. The father was syphilitic. The mother tuberculous. Of four children born, the first was blind, the second died, the third was deaf and dumb, the fourth also tuberculous. What would you have done? Answer, 'I would have ended the pregnancy.' 'Then you would have murdered Beethoven' And we would have lost that great musical genius that has given us so much pleasure and satisfaction through life."

Now there is a quotation from some of our medical doctors that appeared before the Committee that there is a vaccine now permitting medication that can be given to humans to eradicate measles, and I have a clipping here from a local paper, and it says: "President Johnson announced Monday that a common measles can be wiped out as a threat to the nation's children and the goal is to do it by the end of 1967. Vaccinations by the millions will be the weapon."

So let's give a little consideration to the elimination of the source of the ailment that causes these defects, rather than murdering thousands of innocent children.

Now, one of these things that are now treated, perhaps a little out of order—is rape.

Now the type of rape that I read in the Statement of Facts is unusual. I never have heard of very many types of rape of that sort in the State of Maine. What they have in other states where they have similar bills such as we are considering I don't know, but I do know we do not need this bill in the State of Maine.

Now in a case of rape—and I had many cases of it as a prosecuting attorney. What happened? Some innocent person—I'm speaking about a real rape—not an alleged rape. Some innocent person was violated; they were shocked—they were incensed. Now what do they do—do they go hide behind a bush until they become

pregnant? No, they don't—they go to the first house they can get to—they go to the first person they can get to and tell what happened to them. And then what happens? A doctor is immediately called in; he examines the victim and treats the victim. The victim doesn't become pregnant.

Incest. In my fourteen years as a prosecuting attorney I had one case of incest. A father who had impregnated his fifteen year old girl—not twelve year old—fifteen year old daughter. The case came before me, the person was prosecuted, the person went to State's prison.

Now the child loved her father—and did not disclose what had happened until she had to, and then was well along beyond the sixteen weeks that this bill refers to. She was within about six or seven months of her pregnancy. Now what happened? She loved her father—her mother forgave, but the father had broken the law and had to be punished, and he was sent to State's prison; and then what happened? Within a year the mother and the whole family petitioned together for pardon—they needed him back home.

Now we don't have to worry too much about incest cases here in the State of Maine.

Now relative to another proposition, physical health and the well-being of the mother. We have a present law on our books that says: "Whoever administers to any woman pregnant with child, whether such child is quick or not, any medicine, drug or other substance, or uses any instrument or other means, unless the same is done as necessary to preserve the mother's life."

So we already have a law on our books that takes care of the physical well-being of the mother if necessary and for the testimony we received from the M.D.'s before our committee they have on several instances considered the mental condition of the mother as well as the physical in taking care of her situation. So we need not worry about that.

Now the next one was mental health. Now who is this going to affect? This is going to affect that great branch of the medical fra-

ternity known as the psychiatrists the sponsors of the bill, and presumably the sponsors of other bills throughout the country similar to this one.

Now I'm going to quote from what one of our medical doctors said in this regard: It says—"This bill was proposed by a psychiatrist. It is understandable—that 'mental health looms large as a reason for abortions, but how does one determine the true state of a patient's mental health when that patient is faced with an unwanted pregnancy?'"

Now you can compare that with the doctor's approach to the situation and consider further. The most outspoken psychiatrists are those who advocate more liberal abortion laws. Even under existing legislation they acknowledge that abortions are being performed for psychiatric indications that have been exaggerated. Now you are getting into a field where you are having abortions rather promiscuously.

"Throughout the United States," the statement goes on to say, "as medical indications for abortions have become practically nonexistent, so-called psychiatric indications have been the basis for an ever-increasing percentage of the reasons listed for abortions. The number of abortions, performed in two New York Teaching Hospitals for psychiatric reasons rose from 13% in 1943 to 87½% in 1963." Who wants the abortion law?

Now, that was one of the M.D.'s quoted as being a fact from medical information. Now, further than that, we received a communication from twenty-one physicians from Portland concerning this bill and among other things they said, "We are wholeheartedly against this measure for the following reasons: 1. It first of all condones the violation of the Hippocratic Oath given by physicians wherein, and I quote, 'I will prescribe regimen for the good of my patients according to my ability and my judgement and never do harm to anyone. To prescribe no one will I prescribe a deadly drug, nor give advice which will cause his death. Nor will I

give a pessary to procure abortion.'"

Now, they make a reference to the mental health in the bill.

"In regard to Mental Health—there are no accurate or reliable statistics to substantiate the erroneous premise that abortion will reduce the incidence of mental illness. In fact, quite the converse is probably true, that the addition of guilt feelings associated with abortion may only serve to accentuate and trigger severe mental disease.

In a recent New York City survey by the National Opinion Research Center, it would appear that the upper and middle class who can be aborted for a fee have even a higher incidence of mental illness than the poor charity patients who frequently are not in a position financially to obtain an abortion.

It is therefore difficult to reconcile this fact with the claims made by the proponents of the abortion law that this law will reduce the incidence of mental illness.

As far as abnormal children resulting from German Measles in the mother during pregnancy — there are no accurate nor valid statistics. We are all aware of outrageously false claims that 80% of children born of mothers who had contracted German measles during pregnancy have been born defective. If the truth were known, it would probably be in the vicinity of 14 to 15%."

Now this is what twenty-one physicians from Portland say and consider that in the light of the original statement of the psychiatrist that sponsored the bill of 75%.

"We are aware that research is now in progress to develop a German Measles vaccine which, when available, should eliminate this argument.

As physicians, we do not believe that this is strictly a religious issue but we all, I am sure, believe in the inalienable right to life as most Americans do and those of us who adhere to some religious principle all believe in the Commandment of God—"Thou shalt not kill,"

Let us kill the permissive abortion bill and certainly not kill innocent human beings."

Now that is the statement of twenty-one physicians of Portland which backed up in large measure the oral presentations before us in person of other physicians.

Now, we have considered the original statement of 75% of the children born because mothers had measles in the original statement. We then obtained information from Dr. Schumacher in his testimony before the Committee that it might be 25 to 50%. We had other information from doctors who appeared at the Committee that it might be 10 or 15%—quite a difference. And these doctors from Portland in the statement say it might be 14 to 15%. Well, what does that add up to? This is the serious part of the bill. What does that add up to? That adds up to this. If Dr. Schumacher is right, to abort a woman who has had the measles in order that she will not deliver a mentally deficient or physically deficient fetus or child, you would be aborting and taking the life of 50 to 75% who would be innocent and who would have been born normal. If you take the word of the doctors who said that 10 to 15% would be born mentally defective or physically defective, you would be taking the life of 85 to 90% who would have been born normal.

Now, I say to you, why not be certain? Why gamble? Why not wait until this child is born and then find out for sure that this child is abnormal, mentally or physically, and if it proves to be such, take its life. Would you agree to go along on that basis? If you did, it would save the lives of thousands of innocent children who would be born normal. Of course you wouldn't. You would be horrified at any kind of a suggestion, but isn't it a more practical suggestion than taking the lives of thousands of innocent children that would be born normal? This is not a good bill. This bill might well be called a bill pertaining to life and death and as such one of the

more serious L.D.'s before us in this session.

I respect the good judgment of the members of this House and I am confident that no God-fearing member will vote for this measure, which would create such a horrible and shocking result. They would not want it upon their conscience that they had any part in making it possible for the destruction of innocent human beings. I thank you. I would like to move that this bill and all its accompanying papers be indefinitely postponed and when the vote is taken, I ask for a roll call.

The SPEAKER pro tem: The question now before the House is on the motion of the gentleman from Bangor, Mr. Quinn, that the bill and all accompanying papers be indefinitely postponed.

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

Mrs. CARSWELL: Mr. Speaker and Members of the House: The gentleman from Bangor, Mr. Quinn, made reference to the sponsor of the bill. He is correct. This bill was peddled, it was peddled by the psychiatrists. It's a psychiatrists' bill. We want nothing to do with it. The parents of retarded children are very, very disgusted that such a bill should be placed in the Legislature of the State of Maine, and I belong to several of those organizations. And many of the people have called and asked me to speak out very, very strongly against this bill.

Now, I have a newspaper clipping here which referred to the State of New Jersey. "A child, however defective and mentally retarded, has a right to live and it is paramount to any right presumed by the parents to destroy him before birth, the New Jersey Supreme Court ruled Monday . . ."

"The majority said it sympathized with the parents but 'we firmly believe the right of their child to live is greater than and precludes their right not to endure emotional or financial injury.'"

I also have another clipping and the title is "Unborn Baby is 'A Person' Court Rules," and this is

from Boston, "The Massachusetts Supreme Court says an unborn baby is 'a person' in the eyes of the law and thus has a right to recover damages for wrongful injury."

Now, let's get back to the sponsors of the bill, the psychiatrist. As I stated, I agree with the gentleman from Bangor, Mr. Quinn. I was in the office of Dr. Schumacher before this bill was ever drawn up by the Director of Legislative Research. Dr. Bowman was sitting in the office with Dr. Schumacher and me. The subject was brought up about an abortion bill. They asked me if I would take it. I made no comment other than to say no and may I have a copy.

Now, I have a clipping here from one of the Portland papers, I believe it is the Evening Express and it's a series and it's Series 18, "Psychiatry Confused, Searching for Panaceas," and this was written by a psychiatrist, Dr. Roy R. Grinker, Sr., Director of the famed Psychosomatic and Psychiatric Institute at Michael Reese Hospital and Medical Center in Chicago, and according to this clipping, he states:

"Psychiatry and psychoanalysis today have not lived up to their well-advertised and hoped-for promises. One has only to talk to disappointed patients and confused and frustrated therapists to ascertain this." Now, this certainly doesn't have a great deal to do with the abortion bill but at the same time it shows the quality of some of our psychiatrists. Now, I'm not knocking the psychiatrists in general, but I do feel that some of them are very, very confused. Now, we have Pineland Hospital and Training Center which the State of Maine has provided to take care of the unfortunate individuals who have been born mentally retarded. We also have in the legislative process bills for a long term care facility for the retarded in Bangor and probably one in Augusta and some day another one in Pineland. Now, what are we going to do? It seems at this point that we are a bit confused and I'm just hoping that

the legislators will not even think of passing a bill such as this.

Now, I talked to Dr. Schumacher one day after I had heard him make a remark about the mother who had an abortion because she was told that her child was going to be born blind or retarded. I asked Dr. Schumacher what was so wrong about being born blind or retarded. Then I mentioned about Helen Keller, all that she had given to the people of the United States and other countries. He said oh, that's the exception. Well I beg to differ with Dr. Schumacher. It is not the exception. We have Dr. Lorraine Gaudreau over here in the Department of Health and Welfare and she appeared before the Legislative Committee on Health and Institutional Services and when that woman spoke, you could hear a pin drop. Lorraine Gaudreau. Dr. Lorraine Gaudreau was born blind and she has given to the people of the State of Maine services that I doubt that a lot of sighted people would be able to give. She goes to the homes of individuals who have had a person in the family become blind, either early in life, later on in life or possibly who have had a child that has been born blind. She helps to adjust these families and the individual.

Now, I hate to bring the Vietnam War into this story but I think it's relevant. We perhaps will have some servicemen who will come back with this affliction and I do feel that this doctor who was born blind will have a great deal to offer these servicemen, and I very, very strongly oppose this bill and I hope that every member of the House will give it a sound trouncing so that these psychiatrists' prediction of it coming back to the next legislature will not hold out. I thank you.

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

Mr. DANTON: Mr. Speaker and Members of the House: As has been pointed out to you by the very able gentleman from Bangor, Mr. Quinn, the Committee on Judiciary had a very lengthy hear-

ing regarding this L. D. and much of the testimony given before the Committee was emotional. I tried to be as objective as possible and I based my conclusion on facts, and, because of certain statements made by a prominent member of the Medical Association in the State of Maine, as a matter of fact he is the President of the Maine Medical Association, I felt that I should vote "ought not to pass" in regard to this legislation. The President of the Maine Medical Association, appearing as a private physician, a man who lives and practices here in the State of Maine told us this—that he contacted the three largest hospitals of the State and received the following reports: Therapeutic abortions performed in these three large hospitals, or the three largest hospitals, were twelve during the past year ending 1966; the total of abortions refused were none; the total number of admissions to these three hospitals was 33,455. He further commented that, "No one can determine whether a grave physical or mental defect will be present before birth. It is a practical impossibility in any specific case to say with certainty before an abortion is performed that a 'grave physical or mental defect' will be present."

In regard to the curbing of illegal abortions, it is a fact that in areas where abortion is legalized there was a considerable increase in the number of illegal abortions. This is because those women who aim to be rid of an unwanted pregnancy are so concerned to preserve secrecy that they continue to seek help from unorthodox sources.

It is also a fact, ladies and gentlemen, that German Measles many times go undiagnosed, that it is a very difficult diagnosis to make, that there are no good objective tests by which the diagnosis of German Measles can be confirmed. These are facts.

In the medical profession today there are those physicians who sincerely believe that one patient could have German Measles several times and there are others that believe that one attack confers a life long immunity. The

fact is that the rash of German Measles is not characteristic of any particular disease. It looks like the rash caused by sulfa drugs, aspirin, strong liniment or even strawberries.

The present law is workable, necessary therapeutic abortions are being done in Maine. There is no need for any changes in our present law. Let's not play any guessing games with abortion and I would hate to think that the State of Maine would be one of the leading states insofar as the export of youth is concerned, insofar as the abortion laws are concerned, and be one of the last states insofar as education is concerned. And for that reason, I now move the indefinite postponement of both reports and when the vote is taken I request a roll call.

The SPEAKER pro tem: The Chair recognizes the gentleman from Livermore Falls, Mr. Darey.

Mr. DAREY: Mr. Speaker and Members of the House: I am one of the members of the Judiciary Committee that signed the Majority Report. Now, there are very few states, and this is according to the proponents of the bill, that have the so-called abortion law, according to the proponents there are only eight states and the District of Columbia. I'll read to you those states: Alabama, New Mexico, Colorado, Massachusetts, New Jersey, Pennsylvania, Oregon and Maryland. L. D. 1695, the aborted son of L. D. 478, has properly been defined as a bill designed to incorporate the psychiatrists' penchant for permissiveness into the law governing abortion in the State of Maine, and that is just what it is, a psychiatrists' penchant. You will observe that in the original bill under Section A that a certificate must be under the signature of a doctor of medicine specializing in psychiatry.

Now there are warning signals, red lights that appear in various of these bills that we are asked to consider and the first red light that appears in this bill provided for the certification of two physicians only, one of whom would be the person performing the abortion. Now, if any of you attended

that meeting, I know some of you did, I asked the proponent why only the two physicians, one of them who was to perform the operation, and his reply to that question was — well, that is according to the present law. That's why we incorporated it in this bill because that is the way the present law reads. Well, now if you'll just read R. S., Title 17, Sec. 51, there is nothing like this mentioned. What is proposed here is what you can term the buddy system. I'll O. K. yours, you O. K. mine. Now, they have changed this in the amended bill to a committee of three physicians, called a special hospital board of the hospital which is to perform the therapeutic abortion upon the certification of the psychiatrists. Now that's not a very significant change.

One of the many witnesses who appeared before the Committee was Dr. George E. Sullivan of Fairfield, the first and only time that I ever met the gentleman but he certainly made a favorable impression upon me and upon other members of the Committee. Unfortunately, Dr. Sullivan was not permitted to complete his full verbal report, he made the error of having passed his written report to the several members of the Committee; however, perhaps it was better that way because I have had a chance to review it not once but many times as have other members of the Committee, and have had an opportunity to analyze and confirm that report and I have come up with this answer, this 8½ page report contains a fair, honest, true and sincere appraisal of what we have before us today. Dr. Sullivan is a doctor of medicine, he has been practicing in the State of Maine since 1937. He is, at present, the President of the Maine Medical Association and now, as President of the Maine Medical Association or the AMA, the American Medical Association or, as in our case, the President of the American Bar Association or the President of the County Bar Association, his reports and his opinion, his statements are deserving of utmost credence. Such is the case of Dr.

Sullivan's report; I wish you all could read it.

On the first page he confirms the statement that he obtained records from the three largest hospitals in the State of Maine with the results as you have heard, and this is for the year 1966, you will recall that a hearing on our bill was March the first of this year. Now, of those three hospitals there were twelve therapeutic abortions performed and none refused, with the total admission of 33,455 patients, and Dr. Sullivan asked each one of those hospitals if there was any particular problem in that field, and the answer was "no."

From these figures it is very apparent that the existing present law is satisfactory and is workable.

Now another warning light, the red light of this bill under Statement of Facts of the proponents under "A", as a basis under which such abortions could be performed; the woman who has had German Measles within her first three months of pregnancy and having a 75 percent chance — that's the first time we get that percentage, that 75 percent chance of having a blind, deaf or severely retarded baby.

Now I made copious notes in that hearing and as has been pointed out the proponents — not the opponents — but the proponents in another report in their testimony gave this percentage 50 percent, high 50 to 75 percent. Another one of the proponents, 25 percent.

Now I was informed last Friday that the authentic records from Margaret Hague Maternity Clinic, a very large maternity clinic in Jersey City, New Jersey, indicate this to be 12 percent, and this morning from the report which I received from the New York Public Health Department, their record indicates as follows: 7 percent low, 10 percent high — that is the report from the New York Public Health Department.

Now I repeat — not 75 percent, not 50 percent, not 25 percent; perhaps 12 percent, or low 7 to 10 percent. Remember, here a human life is involved. This is not a time for guessing games.

Now for the legal aspects. We have a Rule of Law and I am going to mention this in view of the opposition of the proponents which contend that this is not a human life involved.

We have a Rule of Law handed down from the Sixteenth Century perpetuities as laid down in the Rule in Shelley's Case, the nightmare of every law student, in a decision by a friend of my good friend, the gentleman from Houlton, Mr. Berman, as laid down in Lord Coke, 1 Coke, 93A decided in 1599. The rule prohibits creation of interests in estates which by any possibility might not become vested within a life or lives in being, plus 21 years and with a period of 9 months thereafter — during the period of gestation.

Here we have the principle recognizing that in this period of 9 months there is a life involved — a legally recognized life with property rights. Again I repeat — life or lives in being. It may be groups such as this, the 103rd Legislature, until after the last one of us has gone, plus 21 years plus that 9 months in which that life is recognized with property rights the same as ours.

Now this Rule in Shelley's Case, the rule against perpetuities, has been handed down to us throughout the ages. It has been incorporated in the Maine Revised Statutes — Title 33, Section 101, and confirmed in the First National Bank versus DeWolfe, 134 Maine, 487, the opinion written by Chief Justice Dunn with Justices Sturgis, Barnes, Thaxter and Hudson concurring.

Now there is something else for us to be concerned here and that is the physicians' oath of Hippocrates, referred to as the "Physicians Hippocratic Oath." L. D. 1695 and the original bill 478 is in direct violation of the spirit and letter of this oath, which a medical student takes upon receiving his degree, that sacred oath which you see hanging on the walls of many of the doctors offices — in which a student raises his right hand and says, "I swear by Appollo the Physician, etc." ending up in the second paragraph, the last line of

that oath and I quote, "Furthermore, I will not give to a woman an instrument to produce abortion." I heard that oath administered not too many days ago to 116 medical students and I could not help but remember that hearing that we had on this bill and which we would soon be considering.

Now, in conclusion, I know that we will be mindful of the oath that we have taken, at the beginning of the session, that we will act for the good of the citizens, that we will act for the best of our Maine womanhood, that we will not substitute the Rule in Shelley's Case for the curet of the abortionist. That we will not exchange, alter or amend the Physicians Hippocratic Oath for the curet of the abortionist. That we will follow the report of the majority of the Committee. That we will accept the recommendations of the President of the Maine Bar Association and abort L. D. 478, L. D. 1695 and all its accompanying papers. In doing so, ladies and gentlemen, I am sure that we will make no mistake.

The SPEAKER pro tem: The Chair recognizes the gentleman from Cape Elizabeth, Mr. Hewes.

Mr. HEWES: Mr. Speaker and Members of the House: I feel about as popular as a skunk at a lawn party on this particular bill but I do believe in the convictions. Much of these arguments have dealt with fourteen words in the bill, namely the part about the birth of a child who may have grave and permanent mental or physical deformity. I assure you that if the bill could be enacted with these words out; in other words that if the other members of Judiciary would have gone along with excluding those words, I certainly would have and I think the other members of the Judiciary Committee who signed the "ought to pass" bill would have. In other words, the portion of the bill which has been emphasized so much in argument is the part about the deformed child, the Helen Keller type child, and I am in sympathy with the comments of the good lady from Portland and the other people in respect to that portion of the bill; and perhaps if that part could be

amended and the gentleman from Bangor or the gentleman from Portland who is about to speak, Old Orchard Beach, and the other gentlemen would go along with that, I certainly would too.

But, I want to discuss now the bill in its present state, which is L. D. 1695. It's permissive legislation. It is nothing that requires that any of your children or grandchildren or friends have to be aborted. It is permissive in certain cases. Now yesterday the good gentleman from Bangor, Mr. Jameson, mentioned that prohibition in his opinion, was one of the bases of the breakdown of moral fiber. I submit to you that right now there is a prohibition under existing law that prevents abortion. I think we ought to repeal this prohibition just as I assume the good gentleman from Bangor wanted the prohibition of liquor sales repealed in years gone by. So, I hope that you will vote to repeal this prohibition.

This bill, which I want to have you glance at, is L. D. 1695. It requires that the lady who is to be aborted must give her written consent. You may wish to look at L. D. 1695 and I wish you would turn to it. At the bottom of the first page you see in the second line where it says there must be the "written request" of the woman. This isn't something that's half cocked, she has to submit in writing her request and then the rest, at the bottom of the first page it says with the written consent of some person to whom she is close, her husband or her father or guardian or something of that nature. So initially this abortion must be instigated by the woman in writing and by her husband or father or guardian, or someone of that nature. Then if you turn over to the very top of the next page you will see there must be "written certification" by members of a special hospital board. Now we don't want to have some quacks that are going off half cocked and authorizing abortions. Instead, we have tried to word the bill so that a board of a hospital will be set up and you must have the written

certification by the members of that board.

Then, as you see there is to be a special hospital board created. Now, basically the abortion will be permitted in just a few certain cases. First — the first two I'll take together are rape and incest. Now, in the case of rape it seems to me that there are two lives that are damaged by a rape — not only the girl who has been raped, which is one of the most hideous crimes I think we will all agree, but the child who is born from this unfortunate union. The child, think of the child who would come into the world under a rape situation and think of the girl who has been raped, hasn't the victim been punished enough? The mere fact that she has been raped and gone through the pain and suffering that she has, must she be coerced or forced to bear the child for the full term of her pregnancy?

And what of the stigma? Some ten, twenty, thirty years later people will remember if she had had a baby out of wedlock, where as if she was aborted early in her pregnancy, only the doctor and her family would know of it. And then incest, one of the most horrible crimes there is, when you take some young, presumably teenage girl, who is living with an uncle or cousin or someone immediately in the family, after she has become pregnant on the incest, to whom does she turn? She would turn, wouldn't she, to the member of the family with whom she is living and it wouldn't be until she was well into her pregnancy that she would know that she was pregnant, and therefore it seems to me to give the unfortunate victim of incest some break, permit her to be aborted.

Just think back when you people were in your teens, when you first came to the age of puberty, what did you know about these things? I read in Ann Landers column just a week or so ago, some girl wrote in, wanted to know what to do in case of a social disease. So, I ask you to think of these teenagers, the girl who has been raped or became pregnant from incest; and if just for those

two categories, this bill should be enacted.

I'm not going to discuss the part about the child who may be deformed or mentally deformed, that has been discussed. As I said if that part of the bill, those fourteen words, which are on the second page of the bill, if those words were taken out that would be fine with me. But I do want to discuss the mother who may undergo such a mental strain that she will have to be confined to a mental institution. We have talked about 50-50 or 75%. I'm going to take a situation of four to one. If you, each of you would look two seats to your left and two seats to your right so that you are thinking of five people. If a beloved woman in your family, or one of the other four families of those next to you were to be committed because of a pregnancy, wouldn't you be in favor of an abortion? Wouldn't you want that one out of five to have the opportunity to be aborted? I believe last week most of you saw our family, our five children. They need their mother. If per chance my wife should become pregnant and four other gentlemen here, just perhaps the gentlemen I see four, the gentlemen like Mr. Rocheleau, Mr. Starbird or Mr. Nadeau or Mr. Levesque, if our five wives should become pregnant and each of our doctors should tell us that if you go through with these respective pregnancies, one of those five wives will be committed to a mental institution, don't you think that it would be proper that these five women be aborted so that they could stay with their families, stay with the children who need them, need the loving care that only a mother can give?

Why, there's no question but all of us would gladly get medicine for our wives or loved ones if they were sick, we would go through snowstorms gladly, go through blizzards to get some medicine for our spouses. But in a situation I have just presented, if the odds were only one out of five, or twenty percent that the mother, my wife or the other gentlemen's wives, were to be committed so that she

could not stay and take care of her children, wouldn't it be just that if they wanted, that they could be permitted to have that abortion? This is strictly permissive legislation. It is not mandatory. If the other four gentlemen I just mentioned don't want to have their wives aborted, nor if the wife doesn't want to, then that is perfectly alright. But why not permit some woman who is subject to being confined to a mental institution, suffer emotional and mental problems, allow that person—(interrupted by Speaker pro tem)

In short, it seems to me that this is just a bill of legal abortion versus illegal abortion. A University of Maine instructor spoke at the hearing and said that he estimated there were from 1,000 to 5,000 illegal abortions in Maine at the present time. I think he is way too high. He said that was based on national average but I think we all know that there are illegal abortions going on at the present time. This bill would provide safe abortions with modern medical techniques and, in my opinion, if we enact this bill it would just be keeping the laws of the State of Maine up with improved medical science. I thank you.

The SPEAKER pro tem: The Chair recognizes the gentleman from Portland, Mr. Brennan.

Mr. BRENNAN: Mr. Speaker and Members of the House: As a member of the Judiciary Committee and a signer of the "ought not to pass" report, I would like to say I see no necessity for passage of this bill at this time. Let us not hastily turn the State of Maine into a social laboratory. Let us wait and observe and analyze the results of the passage of a similar bill in Colorado. Furthermore, I submit that a decision on this bill need not be made on the basis of a religious reasoning. I feel that we can make our decision on the basis that a need has not been shown for passage of this type of legislation.

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

Mrs. CARSWELL: Mr. Speaker and Members of the House: I first of all would like to ask that the House forgive me for getting up again so soon. I do want everybody who wants a chance to be able to talk on this and I'll try not to get up again, but I felt that I had to answer the gentleman from Cape Elizabeth, Mr. Hewes. My doctor tells me that the trauma that a woman suffers after an abortion is so terrible that she could also end up in a mental institution, so I think that weakens the argument that he just gave. And the proposal also to do away with the section on page 2, Section A, which includes impairment and physical defects and so forth, the gentleman suggested that perhaps an amendment be made. Well, it seems to me that we had L. D. 478, now we have 1695, and before we get another one we had better kill this one.

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

Mr. NADEAU: Mr. Speaker and Members of the House: After all these able speakers, I hate to get up on this subject, but I must. First of all, I'll give you a reason why. If I can have your attention just for one minute, you are all invited to inspect these letters. There's not hundreds of them, there's thousands of signatures here, all against this abortion bill. You are all invited. And I would like to remind you gentlemen before you vote. Some of these letters are from Portland, South Portland, Sanford, Springvale, Auburn, Lewiston, and from the fine town of Cape Elizabeth, Brunswick, Topsham, Van Buren, Livermore Falls, Chisholm, Waterville, Fairfield, Skowhegan, Winslow and many others, and they are all here for your inspection. I could bore you with a lot of things that some of them said because some of these are so touchy that I'm afraid that if I read them to you we'd be crying in here.

I have one here that said I will not give the name because the child is retarded, "Who are you to tell me that I don't have the right to my retarded child?" I have another one here signed but

I can give this name, it's from Waterville, person by the name of Gilbert or Ackeley, either one of these, the family have seven children, they say they don't want to be deprived of this life. I have one here from a person that says here, and this is from Augusta, I'll just pick some of the points — "I am ashamed to say that as a resident of Augusta, I voted for a man who eventually was voted to a position of leadership in the Senate," in the other house, "and who used his position to vote for this bill. I shall reconsider myself at the next election." I would like to remind you folks of this, she says, "How can so-called intelligent men of your caliber in the House or the Senate, vote to pass a bill to spare the bulls by outlawing bullfighting but support a bill that will take the life away from someone creative." And remember we did pass a bill, not to injure the bulls, mind you.

Now, at the hearing we had mothers that had retarded children, we had mothers that had children that were deaf and dumb; they all spoke. Those of you that were not there, you really missed something. Now, this is why I have shown you all these letters and mind you, I have petitions here that carry, one petition carries nearly a thousand names. Come take a look at it, I invite you, they are from practically everyone's home town that's here and remember, I will see that this proof is sent to your home towns and I hope you will use good sense and common sense in voting correctly in defeating this bill.

Now, in Sunday's article, did you notice Sunday's article? It said here that Maine had the third highest illegitimate babies in the country. Do you know that if we pass this bill we're not going to be third, gentlemen, we're going to put Maine on the map. You know, let Maine be first, we will be number one if you pass this bill. And it says "Let's Keep the People in Maine" or "Let's Draw People Into Maine." Well, if you pass this bill, I assure you you are going to draw people into Maine. And if this is the type of people

you want, by permitting these abortions, by passing this bill, then go ahead and pass this bill, but I certainly hope in closing, if you people will back up these many fine gentlemen and lawyers who spoke before this indefinitely postponing, but I must read this and this comes from a person, it says, "Besides this, abortion can physically and mentally harm the mother because it's unnatural." This is only one sent. It says, "this is our term of abortion, our firm convictions as to tomorrow's parents; but perhaps we're wrong, perhaps we can take life that has not yet seen the world."

Well then, can we take the life of a child, of a year old child, suffering from leukemia or some other deadly disease and is it possible that we deliberately kill a Siamese twin that the other might live; if so, which one will we choose? Hardly a decision to make and yet it is exactly what we are doing in an abortion. Will it be the mother or will it be the child? And in closing, please support and these thousands of hundreds of signatures from your town, your city and my town, please help support this indefinite postponement of this bill.

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

Mrs. BAKER: Mr. Speaker and Members of the House: I, too, have had mail in regard to this bill and the heavy preponderance of mail which I have received has been in support of the abortion bill. Therefore, I rise in opposition to the motion to indefinitely postpone the bill. I feel that this is permissive legislation, it's not mandatory. If a person has religious convictions, or otherwise, that forbids the use of such a law, that's entirely up to the individual. This is permissive, and I cannot understand why others that have no religious scruples in opposition to it, should not have the advantages that would be provided by this bill.

If you will refer to page 2 of the new draft, L. D. 1695, you will see where it refers to the special hospital board of three doctors, and I

have faith in the integrity and honor of our doctors. I don't think we need to worry about indiscriminate practice of this under such a bill and I think few of us realize the very strict regulations of the hospitals, the general hospitals, and such abortions would have to be done in the recognized hospitals.

For the record, I would like to read you a letter that I received in support of this bill, and I quote, "I am writing this letter as an individual citizen. I belong to no group which is pressuring me to present the viewpoint of the group. However, as an individual, a teacher, and one who has done considerable study of the social sciences, I believe our laws on abortion, passed at a time when we were trying to increase our population, need changing.

"We must also remember that our present laws were passed at a time when medical science had no way of predicting the possibility of serious birth defects and when the operation inducing abortion was a very serious threat to the life of the patient.

"The argument that the embryo or early fetus is a life is rather specious, who would seriously claim that this embryo or early fetus possesses a knowledge of life or a sense of identity?

"It is also rather illogical to argue that we have no right to terminate this purely biological life, since every time we order a bombing mission we in effect decide to terminate the lives of both bombing victims and crew members of the planes in unknown numbers, some of whom are almost certain to be as innocent as an embryo or a fetus. We justify this by believing that we are combating or removing a threat to the nation, the world or society.

"Why do we not have the same right to terminate the development of an unconscious embryo or fetus which responsible medical scientists or doctors have decided is a threat to the life, health or mental well-being of the mother? Not to mention the probable or possible menace or burden to a society which is approaching a population

level which is a threat to the existence of mankind itself.

"For all of these reasons, I support the proposed measure before the legislature."

And if any member of the Legislature would like to look at this letter and see the signature, I would be happy to supply it. The good gentleman from Old Orchard, Representative Danton, mentioned that it's almost impossible to identify German Measles. In answer to that I would like to read a letter which I received from Mary Miller Dietrich, M.D., of Orrington and this is in part and I quote:

"The recently acquired laboratory test for diagnosing German measles, now puts the criteria for a therapeutic abortion on a solid basis, in the case of an early pregnancy. Much heart break, as well as suffering and expense to individuals, as well as the State can thus be avoided. This is good prophylactic medicine, as well as consistent with Public Health Theory.

"The American Medical Women's Association has taken definitive action, at their House of Delegates meeting last November, in Washington, supporting more liberal laws regulating therapeutic abortion. This resolution cites our concern with (1) the health and welfare of women and of families; (2) the estimated one million abortions performed each year in the United States, of which only about 18,000 are performed in accordance with medical standards of safety; and (3) the 10,000 deaths each year from the complications of criminal abortions. The resolution calls for uniform state laws conforming to the recommendations of the American Law Institute, or the American College of Obstetricians and Gynecologists, permitting abortion after appropriate consultation, for reasons affecting the physical or mental health of the mother or the child. The resolution was passed without a dissenting vote."

I would like to state that I am a member of the Methodist Church in Maine, of which there are 34,000 members, and I received this telegram yesterday addressed to me at the State House: "Vote yes on Abortion Bill. Vote of Annual

Conference of Maine Methodist Churches overwhelmingly supports proposed changes in abortion legislation. We support bill strong as concerned Christian citizens. We urge your support for passage," and this was signed A. Stanley Getchell, Chairman of Commission on Christian Social Concerns, Methodist Church, Bangor and also by Reverend James M. Young and Reverend J. Allen Broyles.

I oppose the motion to indefinitely postpone this bill and I hope that the House will vote to accept the new draft, L. D. 1695. Thank you.

The SPEAKER pro tem: The Chair recognizes the gentleman from Portland, Mr. Conley.

Mr. CONLEY: Mr. Speaker and Members of the House: I would just like to quote from a recent medical publication from one of my area's local hospitals. It states as follows and I quote:

"Is the unborn child a human being? This is the crux of the entire matter. I find it hard to believe that a mother who feels the stirrings of life within her has any doubt that this is a distinct human being.

"Those of us who have been present on the occasion of a spontaneous abortion and have watched the feeble spasms of the fetus can have little doubt that this is a distinct human being. Even legal decisions are beginning to recognize the fetus as a human with the rights of a human person. Only this past month, the New Jersey Supreme Court rendered a decision which stated 'that a child however defective and mentally retarded, has a right to live and it is paramount to any right presumed by the parents to destroy him before birth.' This decision was rendered against the parents who had sued two doctors who refused to abort the mother when she contracted German measles during her pregnancy."

I will stand this morning to go on record as being strongly opposed to this bill and my personal feeling that the title of this bill has been titled wrong, because in my own mind I feel it to be an act of legalized murder.

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

Mr. STARBIRD: Mr. Speaker and Members of the House: I sit here for quite a long time this morning listening to the arguments, mostly against this bill, and I am heartily in agreement with them. I was well aware that the Maine Conference of the Methodist Church took a stand in favor of this bill, and I'm a Methodist and I heartily condemn their action. They do not speak, in this particular matter, for the bulk of the Methodist Church in this State, I do not believe. They certainly don't speak for me in this matter.

Now, it seems strange that many of the church groups, many of the organizations that would go on record in favor of legalized abortion, would also condemn capital punishment. In other words, a murderer would be able to have his trial and be put in prison and live out his life, at least have life, and a person unborn would be condemned without trial, without a chance to speak in his own defense. I can hardly call this fair. I know a boy who is about twenty years old now, he was deaf, he's called a deaf mute because he cannot speak intelligently simply because he has never heard anything. He's the type they call stone deaf. He was born that way. And yet, he is a highly intelligent boy. I have known him for many years. He is deaf because his mother had German Measles so they say, before he was born. Can we stand and pass a judgment of execution on his kind? Can we condemn a person to death simply because they are deaf? I leave that to your judgment.

Another thing that I might add, to some extent amusing — this thing in its entirety isn't amusing. I think I heard the gentleman from Cape Elizabeth, Mr. Hewes, mention cousins as being within the prohibited degrees, and I might mention that there are persons in my own locality who have married who are first cousins. My grandparents on one side of the family were cousins. I think cousins are permitted to marry in this State

and I don't think that this connection would be regarded as incest. So, I think that fairly sums up what I have to say on the subject and I fully concur with the gentleman from Bangor, Mr. Quinn. I think he has amply stated the position that I hold.

The SPEAKER pro tem: The Chair recognizes the gentleman from Baileyville, Mr. Townsend.

Mr. TOWNSEND: Mr. Speaker and Members of the House: I am wholeheartedly against this bill. My reason for being this, was that I was born a blue baby. Thank you very much.

The SPEAKER pro tem: The Chair recognizes the gentleman from Portland, Mr. Sullivan, and welcomes him back to the House.

Mr. SULLIVAN: Mr. Speaker and Members of the House: I'm glad to be here. I'll tell you the reason I was absent for a couple of hours, because they were interviewing me. And as usual I went into detail on my ideas and beliefs.

You know I am very pleased this morning to see that we have so many experts in medicine, we have so many experts that are surgeons, we have so many and their supporters who seemingly are wonderful psychologists, psychiatrists. You know it pleases me very much to know that we have so many in this Legislature and their friends that know so much about everything. As far as I know, there is no one in this House, with one possible exception, that knows everything about everything, and I believe he would admit that he doesn't know everything about everything, and his name is Representative Sumner Pike.

Now, in my opinion, there is no one person that knows everything about everything in one particular field, not all of these fields which certain people and members of this Legislature indicate that they know all about. Now, let's face the facts. It so happens in the past five years I try to choose my doctors like everything else, on the basis of their knowledge—not on the basis of their religion. One of my surgeons happened to be Dr. Ives and Dr. Ives' mother was Reverend Hilda Ives, and in talking with Dr. Ives at one time, approximately

three and three-quarters years ago, he made the following statement: There were 2% of the doctors he would consider excellent, and he further said that the excellent doctors agree with him and he said there were another ten or twelve percent that he would consider good, and he said it went down rapidly from there, and I asked him about the lower 25%; well, he said, let me give you an illustration.

He said that the lower 25% he said, yeah, they have a degree, but he said many of them are out and out racketeers. He said they get a patient, maybe it's Monday, and that patient usually is a woman because there are more women that goes to doctors than men, and he said they could probably, that particular doctor could probably give the woman some simple medicine, maybe an aspirin tablet or an anacin, or some simple medicine, and tell them, you call me and let me know if this doesn't work allright or it doesn't help you. But instead of that, they say, they shake their heads and say, you had better come back and see me next Monday. Now when they get back next Monday they have to come in the following Monday and they keep them coming every week if they possibly can. What, to help them? No—for that fee they get every week, and that type of doctor does most of those patients more harm than good because they get their minds working against themselves. In many instances, in addition to taking the money away from the patient, they put them in ill health. Many times I believe they even put them in mental institutions.

Now, when some of these people get up here and make these statements, they are absolutely ridiculous. It so happens that I have signatures or letters of about approximately 3,750 people; and for the benefit of that very smart lawyer, Mr. Hewes from Cape Elizabeth, I have 86 letters from Cape Elizabeth and 76 of them against this abortion bill and only 6 in favor of it; and because apparently, as has happened many, many times before in this State, certain

individuals apparently are slightly prejudiced because of their lack of knowledge.

Now being a member of all churches or houses of worship that believe in a higher power, I am a member of them all in spirit, and I have gone to the Methodist church probably a hundred times, and I was in the Methodist church sometimes twice a week in the years after August '45, all during '46 and into '47 when —

The SPEAKER pro tem: The Chair recognizes the gentleman from Baileyville, Mr. Townsend.

Mr. TOWNSEND: Mr. Speaker, whether we have a quorum or not.

The SPEAKER pro tem: The question of a quorum has been raised. Will all the members in their seats please vote yes and the Chair will open the vote.

A poll of the House was taken.

The SPEAKER pro tem: Seventy-six being a quorum and there being less than seventy-six members in the House, I will declare the House in recess for five minutes.

After Recess

Called to order by the Speaker pro tem.

The SPEAKER pro tem: The Chair would respectfully suggest that so a vote can be taken on this matter before lunch sometime that the members who wish to debate please limit their debate to a few moments because we have heard almost all of the points to be covered I believe.

Mr. JALBERT: Mr. Speaker!

The SPEAKER pro tem: The Chair now recognizes the gentleman from Portland, Mr. Sullivan.

Mr. SULLIVAN: I beg your pardon, I have the Floor if you don't mind, Mr. Jalbert.

The SPEAKER pro tem: The House will be in order.

Mr. SULLIVAN: I think that about everything that can be said on this thing has been said, and nothing I would say would probably change one vote, so let's vote without any more talking or speeches. You can demonstrate how you feel by your vote. The proof of the pudding is in the eating. Thank you.

The SPEAKER pro tem: The Chair recognizes the gentleman from Dover-Foxcroft, Mr. Meisner.

Mr. MEISNER: Mr. Speaker, Ladies and Gentlemen of the House: I am going to obey the order and be very brief, but I just want to stand up here and let it be known which side of this question I am on, and I want to go on record as being absolutely opposed to this bill. I have thought very much about this bill ever since I knew it was in the hopper. I have contacted very many doctors and since I have come to the serious conclusion, because this is a serious bill, it has to do with the taking of life, and I don't want to go along with this bill for that reason, and I hope you will go along with the indefinite postponement.

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

Mr. MINKOWSKY: Mr. Speaker and Honorable Members of this Body: As far as I am personally concerned, this L. D. has been debated quite fully and I don't intend to belabor this issue any longer. I just want it known and on record so that my constituents in Lewiston will have no misunderstanding about my stand, that I am wholeheartedly opposed to this legalized abortion measure.

As Representative Quinn stated, let's kill this legalized abortion bill and not the child, and he is absolutely correct. I urge you to vote for the indefinite postponement of this bill. This is definitely a life and death measure which will have shocking results if enacted. Thank you.

The SPEAKER pro tem: Is the House ready for the question? The question now before the House is on the indefinite postponement of this bill and all its accompanying papers. The gentleman from Bangor, Mr. Quinn has requested a roll call. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All those in favor of a roll call will vote yes, those opposed will vote no and the Chair opens the vote.

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

The SPEAKER pro tem: The pending question is on the motion of the gentleman from Bangor, Mr. Quinn, that Bill "An Act relating to Unjustified and Justified Abortions," S. P. 215, L. D. 478, and both Reports be indefinitely postponed. All those in favor of the indefinite postponement will vote yes, those opposed will vote no and the Chair opens the vote.

ROLL CALL

YEA — Baker, R. E.; Bedard, Belanger, Beliveau, Berman, Binnette, Birt, Boudreau, Bourgoin, Bradstreet, Bragdon, Brennan, Brown, Buck, Burnham, Carey, Carrier, Carroll, Carswell, Champagne, Clark, Conley, Cote, Cottrell, Couture, Crockett, Curran, D'Alfonso, Danton, Darey, Dennett, Drummond, Dudley, Dunn, Eustis, Ewer, Fecteau, Fortier, Fraser, Gaudreau, Gauthier, Gill, Giroux, Harnois, Hawes, Healy, Henley, Hennessey, Hichens, Hodgkins, Humphrey, Hunter, Immonen, Jalbert, Jameson, Kilroy, Kyes, Lebel, Levesque, Martin, McMan, McNally, Meisner, Miliano, Minkowsky, Mosher, Nadeau, J. F. R.; Nadeau, N. L.; Noyes, Pendergast, Prince, Quimby, Quinn, Rackliff, Robertson, Robinson, Rocheleau, Sawyer, Scribner, Snowe, P.; Soulas, Starbird, Sullivan, Townsend, Trask, Truman, Watts, Wheeler, White, Wight.

NAY — Allen, Baker, E. B.; Benson, Bunker, Cornell, Crommett, Cushing, Dickinson, Durgin, Foster, Fuller, Hall, Hanson, B. B.; Hanson, P. K.; Harriman, Haynes, Hewes, Hinds, Huber, Jannelle, Lewis, Lincoln, Littlefield, Mad-dox, Philbrook, Pike, Porter, Richardson, G. A.; Richardson, H. L.; Rideout, Sahagian, Scott, C. F.; Scott, G. W.; Shaw, Shute, Snow, P. J.; Susi, Thompson, Wood.

ABSENT — Bernard, Cookson, Crosby, Drigotas, Edwards, Evans, Farrington, Hanson, H. L.; Harvey, Hoover, Jewell, Kennedy, Keyte, Lewin, Lycette, Payson, Roy, Tanguay, Waltz, Williams.

Yes, 90; No, 39; Absent 20.

The SPEAKER pro tem: The Chair will announce the vote. Ninety having voted in the affirmative and thirty-nine having voted in the negative, the bill is indefinitely postponed in non-concurrence and will be sent up for concurrence.

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

Mr. QUINN: Mr. Speaker, I move we reconsider our action and I hope everyone will vote against me.

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

Mr. BINNETTE: Mr. Speaker, I certainly hope that we will follow the recommendation of the gentleman from Bangor, Mr. Quinn and all vote no.

The SPEAKER pro tem: All those in favor of reconsideration will say yes; those opposed will say no.

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

The SPEAKER pro tem: Is there objection to taking up a matter on Supplement Number One of the House Advance Journal and Calendar? The Chair hears none, the Clerk will read the Order.

From the Senate: The following Order:

ORDERED, the House concurring, that the Committee on Appropriations and Financial Affairs report a Bill that will provide additional funds for the expenditures of State Government for the fiscal years ending June 30, 1968 and June 30, 1969 (S. P. 687)

Came from the Senate read and passed.

In the House:

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

Mr. LEVESQUE: Mr. Speaker, may I inquire from the Chair if this is the omnibus bill for the financial package?

The SPEAKER pro tem: The gentleman from Madawaska, Mr. Levesque poses a question through the Chair to any member who may answer if they so choose.

The Chair recognizes the gentleman from Lewiston, Mr. J'albert.

Mr. JALBERT: Mr. Speaker, I move this order lie on the table until tomorrow.

Mr. Richardson of Cumberland requested a division on the tabling motion.

Mr. JALBERT: Mr. Speaker, am I in order to withdraw my tabling motion?

The SPEAKER pro tem: You may withdraw your tabling motion.

Mr. JALBERT: Mr. Speaker, I withdraw my tabling motion. Mr. Speaker and Members of the House: I am a member of the Appropriations Committee; I am fully aware that I am in the minority; I am fully aware that I have no title, but the fact of the matter is that I am a member, I couldn't answer the question of the gentleman from Madawaska, Mr. Levesque, and I can appreciate that possibly the gentleman—not possibly, I can appreciate that the gentleman from Cumberland, Mr. Richardson would know more about what is going on around here than I do. But by the same token, I assure you of one thing, that as far as party measures are concerned, I go right down the line on them, as far as financial matters are concerned, I want to know what these things are all about, and I intend to know what they are all about. I don't know anything about this order and I am asking somebody to table this order until tomorrow.

Thereupon, on motion of Mr. Richardson of Cumberland, the order was tabled pending passage and assigned for later in today's session.

Mr. J'albert of Lewiston was granted unanimous consent to briefly address the House.

Mr. JALBERT: Mr. Speaker and Members of the House: I just have read the order as distributed and I would suggest that the supplement that I didn't read carefully would call for unanimous consent to take up this matter. However, the thing has been properly tabled so we will let things well enough alone.

Mr. Richardson of Cumberland was granted unanimous consent to briefly address the House.

Mr. RICHARDSON: Mr. Speaker and Members of the House: Another petty matter perhaps, but I intended prior to the time the gentleman from Lewiston, Mr. Jalbert suggested tabling to table this until later in today's session and I am sorry that we did not communicate on this as far as the time. He indicated he wanted the time; I wanted him to have the time and all the other members of the Appropriations to have the necessary time. Thank you.

Mr. Hinds of South Portland was granted unanimous consent to briefly address the House.

Mr. HINDS: Mr. Speaker and Members of the House: Just so that no one will think there is anything wrong with this order, we had presented to us, all the Appropriations Committee members, a week or so ago a list of items that departments had requested as urgent items to be included including the finishing and construction on several of our state institutions and several other staff member positions which were left out in error that were not considered by Appropriations in the original bill. We have to report all our bills out by Friday of this week and in order for this to be discussed this afternoon by the Appropriations Committee, this order was sent forthwith from the Senate this morning so that the full Appropriations Committee could discuss it this afternoon.

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

Mr. JALBERT: Mr. Speaker, I stand corrected by the gentleman from South Portland, Mr. Hinds, and I don't want to be so weak as to apologize, but I say that I was wrong.

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

Bill "An Act Revising Laws Relating to Licensed Small Loan Agencies" (H. P. 468) (L. D. 681) (In House, passed to be engrossed as amended by Committee Amendment "A" (H-318) (In Senate, passed to be engrossed as amended

by Committee Amendment "A" as amended by Senate Amendment "B" (S-246) thereto and as amended by Senate Amendment "C" (S-247)

Tabled — June 12, By Mr. Scott of Wilton.

Pending — Further consideration.

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

Mr. SCOTT: Mr. Speaker and Members of the House: Earlier in the day we tabled L. D. 986. We have before us now L. D. 681. My remarks will be directed to both of these bills. I will attempt to explain each one as they come along and hope that you will bear with me. I think that this will save time.

This is the third session I have served on the Business Legislation Committee, and it has been a most difficult one. We have a wonderful committee and all very cooperative and non-partisan. We have been blessed with an unusually able Senate Chairman. If it hadn't been for such a fine group, I would have thrown up my hands long ago.

The Small Loan legislation and the Truth-In-Lending legislation has been almost beyond comprehension. Some of the sponsors of this legislation have at times tried to confuse the issue by introducing almost identical pieces of legislation and succeeded in getting a couple of these bills before the Judiciary Committee. In addition to this, rumors have been circulated to the effect that certain members of the Committee had been paid \$1500 to work for a study. The Senate Chairman confessed that he and I had been bribed by a lobbyist—a friend of mine for over twenty years — he did pick up the breakfast tab one morning. If this is bribery, I think the gentleman from Southwest Harbor has me over the barrel.

Those of you who were at the last Special Session will recall the blast of the Honorable Speaker of this House on Small Loan Companies. This blast is still ringing in my ears. In addition to this, I just bailed my son-in-law out of a small loan on which he was paying 30% interest. It cost me \$750 for an old junk automobile which he sold the

other day for \$50. I think you can understand how I feel. In spite of this, I think there is a place for these companies, and they are needed, with proper regulation. I would have preferred to have this regulation drawn by experts who are not under pressure and are not emotionally involved. Along this line, I suggested to one of the sponsors of this legislation at the Pre-Legislative Conference that we go to the Bank Commissioner and enlist his help, so that legislation could be introduced that would curtail these Small Loan Companies without going too far. I say this because I have great reservations when we as a Legislature enact laws to set rates on any commodity — be it potatoes, eggs, milk, insurance or interest rates. Our responsibility, of course, is to act when competition does not work in the public interest. Such is the case in regard to small loan companies. This is why your Committee has approved this legislation. I just hope we haven't acted too hastily or too drastically.

There have been about ten bills in all before the Committee dealing with the regulation of Small Loan Companies and Truth-In-Lending. This entire field is a very technical one, and has caused the Committee considerable concern. We all agree that some strengthening of the Small Loan laws should be made, and we have tried to do this as honestly as possible. This bill L. D. 681, is sponsored by the gentleman from Lewiston, Mr. Jalbert; it is a department bill. The bill mainly strengthens the powers of the Commissioner of Banks and Banking to void loans and revoke licenses. In addition, it corrects certain areas of potential abuse by prohibiting the conduct of other business and making a profit on group insurance where most of the abuses have been made. The maze of amendments before you may be very confusing — they are to me. They are very technical and intended for clarification and strengthening of the Bill.

Briefly, these amendments strike out the reference to disability insurance that refer to accident and

health, making the language consistent with the remainder of the Bill. It also strikes out "at rates as approved by the Insurance Commissioner" so they will no longer be able to charge more than they pay for this insurance, even if the department has approved a higher rate.

The Bill is further strengthened so in case the Small Loan Company takes legal action against a borrower, and the Court finds the loan isn't according to law, it will not be necessary for the borrower to take a separate action.

There is a feature in one of these amendments that will require the small loan companies to discharge the mortgage after it has been paid off. One of the other amendments, Senate Amendment 247 limits the waiting period to thirty days on this disability insurance. The present practice is to write disability insurance for seven days, which is very expensive. The Committee felt that a thirty day waiting period would be advisable. In addition the minimum payment of \$40 per month and the loan must be at least eighteen months.

In addition to this, the licensees must annually report to the Banking Commissioner the amount of insurance sold and the premiums charged therefor and premiums paid on a form prescribed by the Commissioner, and this summary of the report will be published in the Annual Report of the Commission. In addition to this as the Banking Department goes around auditing these small loan companies, if they detect any irregularities in the insurance charged they will be required to report this to the Commissioner of Insurance who will make an investigation and be able to prosecute.

In addition to this, each licensee shall keep such books and records for a period of four years instead of two years. Now briefly this is just exactly what L.D. 681 does ladies and gentleman. Now Mr. Speaker, I move we recede whereby this bill was passed to be engrossed.

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

Mr. JALBERT: Mr. Speaker and Members of the House: Last summer I spent an evening discussing this program with the Banking Commissioner and his Assistant, and it was allowed that something had and should be done. At the beginning of the session I was given a measure which was labeled L. D. 681 which is this measure that we are discussing now.

To say that I am an expert on the subject would not be true and I cannot lay claims to this; to say that there have not been abuses would not be true. However, to say that without complete and thorough look-see that these programs should not be done, that a look into these programs should not be done would indicate that we were remiss in my opinion in our duties as legislators.

One strong point that has not been brought out here where I think a great many abuses lie is in the method of collection. I think that area should very definitely be looked into. I certainly agree with the gentleman from Wilton, Mr. Scott that there are abuses and certainly that there are good people in this industry. I also would say that this industry is a needed industry.

I received a phone call on Monday evening from someone who had listened to this debate that I had, in my way I was somewhat passionate in my remarks concerning the bill on second mortgages, and procedures, with the representative from Portland, Mr. Scribner. At that time he suggested that this measure could well necessitate a study. I certainly concur with him now on this basis and I would say that it was only my lack of knowledge of the program that probably made me speak in the manner that I did Monday. However, I will say that we had gone through the program and apparently nothing was accomplished from it because of the fact that the thing had not been looked into far enough, no more than this measure here in itself. I think that if a committee or a special commit-

tee or a committee that exists now would go into this program and go into the vast areas wherein it concerns the entire program of the larger banks, larger commercial banks, the program, the entire program, I think we could really come up with something that would be sound. I think we could well call in the former resident of Orono, the eminent Dr. George Ellis who is President of the Federal Reserve Bank of Boston, who is well known to all of us. Certainly the internationally known Dr. Charles Phillips, now retired Bates College President and a member of the S.E.C., could certainly be called in and give us some invaluable help should we decide to go in and study these programs.

For that reason and no other reason whatever, I now move, Mr. Speaker, the indefinite postponement of this measure, the bill and all of its accompanying papers and when the vote is taken I ask for a division.

The SPEAKER pro tem: The matter is non-concurrent, and since it is in non-concurrence the motion for indefinite postponement is not in order, but of course you can defeat any of the other concurrent motions that are made. The question now before the House is the motion of the gentleman from Wilton, Mr. Scott, that we recede from our action whereby this bill was passed to be engrossed in the House.

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

Mr. ROBERTSON: Mr. Speaker, after the motion by the gentleman from Lewiston, I had hoped that we might recess for lunch because he is going to have to face the situation that we as proponents of this measure are going to have to show you folks what this measure is all about. I have stood here this morning and sat here this morning and watched the gentleman from Lewiston, I have watched Brooks Brown, I have watched all the lobbyists out there contact each and every one of you individually. They have explained to you they want to defeat this measure. I am in a position along with the others who are going to talk on this mea-

sure of having to tell you why they want to defeat it, the advantages and the reasons for this bill, and when you get through listening to the information that we have here, if you want to vote along with what the lobbyists have told you, you go right ahead, but I'm going to tell you that if you use and search your soul and if you consider your conscience and continue to vote the way that they have told you to vote, I don't think you will find it in your heart to do it.

This I am going to say, it may take some time. It is quarter of one, I know all of us are hungry, I think there are going to be several speakers on this bill, it is detailed and needs clarification, and Ladies and Gentlemen, regardless of the study that we are attempting to promote we have made this study, we have had ten or twelve individuals studying this for months. This Committee that has brought this bill out ten to nothing has studied this bill. We have the facts — I can give you facts for hours — these other speakers can give you facts for hours. The only idea of postponing this, it is organized procrastination in an attempt to continue to allow these loan companies to use the continued usury, the continued excess charges of insurance and interest that they have been continuing. Ladies and Gentlemen, there is a right and a wrong side; we who have sponsored these bills are on the side of righteousness; we are going to defend them to the end.

Now I don't want to continue to hold you folks here because I have got to go into facts which I feel necessary in order that you will understand. I can continue if you would like.

The SPEAKER pro tem: The Chair recognizes the gentleman from Southport, Mr. Buck.

Mr. BUCK: Is it in order to make a motion to recess?

The SPEAKER pro tem: A motion to recess is always in order.

(Off Record Remarks)

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

Mr. JALBERT: Mr. Speaker and Members of the House: I will only take one minute, and as far as I am concerned it is perfectly all right if the good gentleman from Brewer, Mr. Robertson, takes all day today and all day tomorrow. I certainly value his thinking. I want to set the record straight, however. Insofar as I'm concerned I do not think there is a law here that says that I cannot talk to people in the corridor. This happens to be my bill; now if I want to talk to an individual about a bill it is my privilege — I don't have to sit here and be accused of procrastination.

I stated when my motion is to be made at the proper time for indefinite postponement that I would be doing it because I felt convinced after the gentleman's remarks from Portland, Mr. Scribner, that this thing should be studied — I felt convinced that that is so, and if one area of it is to be studied, this area should be studied and other areas should be studied.

The name of the gentleman from Augusta, the eminent gentleman, former Judge of the Probate Court, Brooks Brown, has been mentioned, in fact, that I have been in close contact with him. I would like to make this comment here, that as far as I am concerned I have been associated personally with this gentleman for over twenty years and I want to state that I am more than proud to be able to have him call me his friend.

Now this man cannot come in here and speak for himself, and never, never as far I am concerned since I've been here since 1945 have I ever mentioned the name of any individual wherein it concerned procrastination or usury or any other words unless he was in here to protect himself. I don't think that is right — I don't think it should be carried on; I think there has been altogether too much of this at this session.

The SPEAKER pro tem: All those in favor of receding will say yes, those opposed will say no.

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

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

Mr. GAUTHIER: Mr. Speaker, I move we recess until 2:30, and request a division.

The SPEAKER pro tem: The gentleman from Sanford, Mr. Gauthier, now moves that we recess until 2:30 and a division has been requested. All those in favor of recessing until 2:30 will vote yes, those opposed will vote no and the Chair opens the vote.

A vote of the House was taken.

47 having voted in the affirmative and 67 having voted in the negative, the motion did not prevail.

Mr. Richardson of Cumberland was granted unanimous consent to briefly address the House.

Mr. RICHARDSON: Mr. Speaker and Ladies and Gentlemen of the House: Today is June 14 and it is Flag Day. I am not going to bore you at this point in the day's proceedings with a long speech about the symbol, the trite expression of course, but it is a symbol of the United States and her commitment to freedom all over the world.

I simply wish to remind you that there will be a ceremony at the front of the State House on the steps at 1:45 this afternoon, a very brief ceremony, hopefully during which all of us could rededicate ourselves to the principles for which this Flag stands.

Secondly, at this time, Mr. Speaker, I would like to call to your attention a solicitation, if I may use that expression, and I mean it in the best sense of the word, of support for the Charles Lowery Memorial Fund. I feel that this proposed fund which would be dedicated to the memory of this man's efforts toward the development of Maine's oceanographic resources is highly appropriate.

I had the great pleasure of serving on the Natural Resources Council with Representative Lowery. I am speaking in my individual capacity; I would like to very frankly make a pitch to you mem-

bers of the House. It is not necessary that you make a big contribution, but I think that any contribution to this would be in memory of a man who was dedicated to conservation principles with which I so strongly agree.

I move that we recess until 2:30 this afternoon.

The SPEAKER pro tem: The gentleman from Cumberland, Mr. Richardson now moves that we recess until 2:30. Is this the pleasure of the House?

The motion prevailed.

After Recess

2:30 P. M.

The House was called to order by Speaker Kennedy.

The SPEAKER: The Chair at this time wishes to thank the gentleman from Bath, Mr. Ross, and has been informed also that Mr. Ross did a magnificent job this morning under very trying circumstances. Therefore this adds to my appreciation to the gentleman. (Applause)

(Off Record Remarks)

The SPEAKER: The Chair would advise the House that under the motion of the gentleman from Wilton, Mr. Scott, the House recessed from engrossing.

Thereupon, on motion of Mr. Scott of Wilton, the House voted to recede from the adoption of Committee Amendment "A".

Whereupon, Senate Amendment "B" to Committee Amendment "A" was read by the Clerk and adopted in concurrence.

Mr. Scott of Wilton offered House Amendment "A" to Committee Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H. P. 468, L. D. 681, Bill, "An Act Revising Laws Relating to Licensed Small Loan Agencies."

Amend said Amendment by striking out all of the 2nd paragraph and inserting in place thereof the following:

'Further amend said Bill in section 4 by striking out in the 18th and 19th lines (14th and 15th lines in L. D. 681) the underlined words **"Upon complaint to the proper District Court by a borrower, and upon a finding;"** and inserting in place thereof the underlined words **'Upon a finding by the District or Superior Court'**

House Amendment "A" to Committee Amendment "A" was adopted.

Committee Amendment "A" as amended by Senate Amendment "B" and House Amendment "A" thereto was adopted.

Senate Amendment "C" was read by the Clerk.

Mr. Scott of Wilton offered House Amendment "A" to Senate Amendment "C" and moved its adoption.

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

HOUSE AMENDMENT "A" to SENATE AMENDMENT "C" to H. P. 468, L. D. 681, Bill, "An Act Revising Laws Relating to Licensed Small Loan Agencies."

Amend said Amendment by striking out in the 7th and 8th lines the underlined words **"disability income insurance at rates as approved by the Insurance Commissioner"** and inserting in place thereof the underlined words **'accident and health insurance'**

House Amendment "A" to Senate Amendment "C" was adopted. Senate Amendment "C" as amended by House Amendment "A" thereto was adopted.

The SPEAKER: The Chair recognizes the same gentleman.

Mr. SCOTT: Mr. Speaker, I now move that this bill be passed to be engrossed as amended in non-concurrence.

The SPEAKER: The gentleman from Wilton, Mr. Scott, now moves that this bill be passed to be engrossed as amended in non-concurrence.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I gave my reasons this morning for the motion I am to make. This is my measure. I now move the indefinite postponement of this bill and

all of its accompanying papers, and when the vote is taken I ask for a division.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, now moves the indefinite postponement of L. D. 681 and all of its accompanying papers.

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

Mr. CONLEY: Mr. Speaker, I would like to pose a question to anyone in the House who can answer—perhaps someone would know. Is it true that this bill was drafted by the Attorney General's Office and at the request of the Banking Commissioner?

The SPEAKER: The gentleman from Portland, Mr. Conley, poses a question through the Chair to any member who may answer if they choose.

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

Mr. SCOTT: Mr. Speaker, it is my understanding that this is true.

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

Mr. SCOTT: Mr. Speaker, this matter was thoroughly debated this morning, and I want the Members of this House to understand that the Committee has studied this matter thoroughly. It has been a trying experience. We have made compromises and I am sure that it is a good bill and I hope that the motion for indefinite postponement does not prevail.

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

Mr. SCRIBNER: Mr. Speaker and Members of the House: I would like to point out in regard to the remarks of the gentleman from Lewiston, Mr. Jalbert, this morning, He attempted to compare this bill with the second mortgage bill which was debated earlier this week. I think we're faced with an entirely different situation, and a necessity for a study of this measure is exceedingly overrated. The bill, the second mortgage bill, the Committee voted eight to two "ought not to pass." On this particular measure the Committee reported ten to nothing that this measure should pass, the amendments have been offered by the

Committee—it's an excellent measure. I feel that perhaps the Committee has made a lot of adjustments in it in many areas and it has resulted in a very workable bill which is fair to the lenders and to the borrowers, and I'd like to urge everyone to vote against the motion for indefinite postponement.

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

Mr. ROBERTSON: Mr. Speaker and Members of the House: I'm not going to talk at length on this bill at all; I think the gentleman from Wilton, Mr. Scott, has given you the report of the Committee. I think this is an item that is in both the Republican and the Democratic Platform. It is a bipartisan effort to control the unjustified credit insurance rebates, commissions, and overcharges that have existed and find as its victims the friends of yourself and myself, those who fall victims to the small loan problems that we are talking about.

There have been 1685 violations in a five percent sampling found in the small loan regulations this year. This I think—I don't have to stand up here and tell you what has taken place. This bill was thoroughly heard before this excellent Committee, and I might at this time congratulate our Business Legislation Committee for its excellent job on a very difficult set of bills that has come before their Committee, and I think that you folks—I don't want to go into it—unless we have to explain the reasons for this, insurance is excessive in each case. There are so many hidden costs to the borrower that it is pathetic. We have case after case history here before us.

I only want to say I hope that you will back up the report of the Committee which has come out ten to nothing "ought to pass," that you will recognize that they have studied this. We have studied this measure since last January; we've put a lot of effort into it. There have been numerous instances where we spent many, many hours trying to determine what is best for the people of the State of Maine, and I think this

is one of the set of bills that we feel is an emancipation proclamation for the people of the State of Maine freeing them from bondage from the problems that the loan companies have thrown at us.

I think this is a bill that should righteously be passed. I think there is no further need for study; we've made the study, we know the problems exist, this is one of the corrections, and I certainly would appreciate your support in this respect. Thank you.

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

Mr. SULLIVAN: Mr. Speaker and Members of the House: I've got to say "amen" to what Representative Robertson just said. I agree with him one hundred percent. Thank you.

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

Mr. GAUTHIER: Mr. Speaker and Members of the House: As a member of the Business Legislation Committee this, as Mr. Robertson has mentioned, came out of Committee favorable by ten to nothing, and this is a good bill, and I move that you will go along with Representative Scott.

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

Mr. DENNETT: Mr. Speaker and Members of the House: This bill somewhat confuses me as no doubt it does many of you. Previous speakers have mentioned the fact that this bill came out of committee with a ten to nothing, or unanimous "ought to pass" report. If, in the course of its travels it has been amended ten or eleven times, I feel no doubt this is a far cry from the original bill.

There is no doubt that it is necessary in the State of Maine to tackle or approach this problem in some manner, and I certainly do not doubt in any manner the sincerity of previous speakers and proponents of the bill, but I do also agree with the gentleman from Lewiston, Mr. Jalbert. I think that a further course of action could be a study of this problem. The Committee itself, so its spokesman this morning admitted, that

they too were confused. I know they've worked hard; I know they've worked very hard on this thing, and I don't know actually if they really believe they have a workable bill at the present time.

I'm quite aware of the many injustices that are wrought by some of these small loan companies. I too am a little fearful that if they are pressed too hard there might be results which would not be exactly for the good of the people of the State of Maine as a whole. Now I mean by this that these small loan companies apparently do fill a need; people whose credit is no good at banks and lending institutions of — I might even say a higher caliber, are forced many times to go to these small loan institutions, but there are things that are worse that exist. If these people who are forced to go to money—are forced to go truly to the loan sharks who are not regulated in any manner because they are working underground in most instances, then the people of the State of Maine would suffer more.

I would concur with the gentleman from Lewiston, Mr. Jalbert, in his remarks.

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

Mr. SCOTT: Mr. Speaker and Members of the House: I can understand and appreciate how Mr. Dennett, the gentleman from Kittery, feels about all these amendments. They are confusing, but I am sure that what they are trying to do is crystal clear to the Committee. We have had these bills checked by lawyers; the Attorney General's Department has worked on them and so has the Bank Department and they have come out with a very reasonable, I think, amendments and I am sure the bill will be workable and I hope that you defeat the motion for indefinite postponement.

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

Mr. GAUTHIER: Mr. Speaker and Members of the House: I have been on the Business Legislation Committee—this is my third time.

I was in the 94th Legislature, I was in last year, and I am on this year. This Committee, Democrats and Republicans both, have worked as hard as any committee in this House in order to come out with something that would help out the people. I agree with my friend Mr. Dennett from Kittery, it might not be a perfect bill but at least it's a step in the right direction, so I hope that you go along with us.

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

Mr. SUSI: Mr. Speaker and Members of the House: I think rather a common reaction to this bill on the part of many of us Legislators is to the effect that something should be done in this matter — but we, as individuals, don't know exactly what. I think under these circumstances the opponents to this legislation have seized this opportunity to suggest a study, which is just a polite way of killing a bill.

Now I ask you, if there is any question as to whether 180 of us legislators in this Legislature can take action which we practically unanimously agree should be taken, how can we possibly expect a study committee of a few people to prevail against the resources that will be applied against them when there will be no representation or ineffective representation from the victims of the companies who will be so well represented before this study committee?

The members of this fine Business Legislation Committee that's labored for many months on this have very kindly taken much time to explain to me the bill and what it involves, so that I can have a little better understanding of it and, as has been evidenced somewhat here today, these members whose main faults so far as I am concerned is their over-conscientiousness, have indicated that they're not certain that they have one hundred percent the right answer here, and I think that we can all sympathize with this Committee. They do have their problems — it is a complex field. They've worked as hard and as

long as it is possible for them to do on this, and they're still not completely satisfied.

Now I've been concerned about this legislation, too, along with my friends that I have talked with, but if by any stretch of your imagination you believe that these twenty-five or thirty percent rates that are provided for in this bill would reduce the profits of these loan companies more than you wish, then I submit to you that whatever abuse the loan companies receive at the hands of this legislation could not possibly compare with the abuse that the public has received at the hands of the loan companies through these years.

I hope that you support this legislation. Thank you.

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

Mr. CARROLL: Mr. Speaker and Members of the House: I would urgently urge the members of the House to vote today not for a study, but for action. Today is the time to take action. We're all sick and tired of these studies — we're all agreed on that. We've had a study to study the study to study the study — we've gone a little too far in that direction. We've had a Business Legislation Committee that's worked very, very hard, and I happen to know — I've asked them about this. I've had the experience of going to a home after a veteran has passed away, sitting down with his widow and helping her to file for her widow's benefits, and have her pull out the small claims bill which her husband was supposed to be insured. All of his other bills were automatically paid, but the small claims bill just wasn't. Now I said, "This is an insured loan, certainly this must be paid," and I called the loan company and he says, I'm sorry, he says, this has gone over its time limit so this loan is not insured; and I says, what are you going to do about the loan? Oh, he said, she's got to pay it, she's got to pay it. So, I want to assure you that for the sake of these widows, if you don't help anybody else in the State of Maine, let's get this law on the books

today. Now, I urge you all and request that when the vote is taken, it be a roll call vote.

The SPEAKER: Is the House ready for the question? The pending question is on the motion of the gentleman from Lewiston, Mr. Jalbert, that L. D. 681 be indefinitely postponed. The yeas and nays have been requested. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All of those desiring a roll call will vote yes; those opposed will vote no. The Chair opens the vote.

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

The SPEAKER: The pending question is on the motion of the gentleman from Lewiston, Mr. Jalbert, that House Paper 468, L. D. 681, Bill "An Act Revising Laws Relating to Licensed Small Loan Agencies" be indefinitely postponed. All of those in favor of this motion will vote yes; those opposed will vote no. The Chair opens the vote.

ROLL CALL

YEA—Bedard, Bernard, Carey, Clark, Cote, Crockett, Darey, Dennett, Eustis, Farrington, Hawes, Humphrey, Jalbert, Pike, Rackliff, Sahagian, Snowe, P.; Townsend, Wight.

NAY—Allen, Baker, R. E.; Belanger, Benson, Berman, Binnette, Birt, Boudreau, Bourgoin, Bradstreet, Bragdon, Brennan, Brown, Buck, Bunker, Burnham, Carrier, Carroll, Carswell, Champagne, Conley, Cookson, Cornell, Couture, Crommett, Curran, Cushing, D'Alfonso, Danton, Dickinson, Drigotas, Drummond, Dudley, Dunn, Durgin, Evans, Ewer, Fecteau, Fortier, Foster, Fraser, Fuller, Gauthier, Giroux, Hall, Hanson, B. B.; Hanson, H. L.; Hanson, P. K.; Harnois, Harriman, Harvey, Haynes, Healy, Henley, Hennessey, Hichens, Hinds, Hodgkins, Hoover, Huber, Immonen, Jannelle, Keyte, Kilroy, Kyes, Lebel, Levesque, Lewin, Lewis, Lincoln, Littlefield, Lycette, Maddox, Martin, McMann, McNal-

ly, Meisner, Miliano, Minkowsky, Mosher, Nadeau, J. F. R.; Nadeau, N. L.; Noyes, Pendergast, Philbrook, Porter, Prince, Quimby, Richardson, G. A.; Richardson, H. L.; Robertson, Robinson, Rocheleau, Ross, Sawyer, Scott, C. F.; Scott, G. W.; Scribner, Shaw, Shute, Snow, P. J.; Soulas, Starbird, Sullivan, Susi Thompson, Trask, Truman, Waltz, Watts, Wheeler, White, Williams, Wood.

ABSENT — Baker, E. B.; Beliveau, Cottrell, Crosby, Edwards, Gaudreau, Gill, Hewes, Hunter, Jameson, Jewell, Payson, Quinn, Rideout, Roy, Tanguay.

Yes, 19; No, 114; Absent, 16.

The SPEAKER: Nineteen having voted in the affirmative and one hundred and fourteen in the negative, the motion to indefinitely postpone does not prevail.

Thereupon, the Bill was passed to be engrossed as amended by Committee Amendment "A" as amended by Senate Amendment "B" and House Amendment "A" thereto and as amended by Senate Amendment "C" as amended by House Amendment "A" thereto in non-concurrence and sent up for concurrence.

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

Bill "An Act relating to Exemption of Property from Attachment and Execution" (S. P. 538) (L. D. 1389) (In Senate, passed to be engrossed as amended by Committee Amendment "A" (S-222))

Tabled—June 12, by Mr. Berman of Houlton.

Pending—Passage to be engrossed.

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

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

An Act to Authorize Construction of Self-Liquidating Student Housing and Dining Facilities for the State Colleges and Southern Maine Vocational Technical Institute and Eastern Maine Vocational

Technical Institute and the Issuance of Not Exceeding \$6,712,000 Bonds of the State of Maine for the Financing Thereof, (H. P. 1160) (L. D. 1659)

(In House enacted; engrossed as amended by House Amendment "A" (H-354) as Amended by House Amendment "A" (H-357) thereto and as Amended by House Amendment "B" (H-387) (In Senate, passed to be engrossed as Amended by House Amendment "B" and as amended by House Amendment "A" as Amended by Senate Amendment "A" (S-250) thereto in non-concurrence)

Tabled—June 12, by Mr. Birt of East Millinocket.

Pending—Further consideration.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: This bill was reported out of the Appropriations Committee and has been amended in both the House and the Senate. It would now appear that those amendments are not in proper form. If you will bear with me, I will attempt to go through a series of motions that will repeal these amendments and then I will propose another one which I believe will put the bill in the form that it should be in. I would now move that we recede from enactment of this bill.

Thereupon, the House voted to recede from passage to be enacted and from passage to be engrossed. On further motion of same gentleman, the House voted to recede from adoption of House Amendment "A". On further motion of same gentleman, the House voted to recede from adoption of House Amendment "A" to House Amendment "A" and the Amendment was indefinitely postponed. Senate Amendment "A" to House Amendment "A" was read and on motion of same gentleman was indefinitely postponed in non-concurrence. On further motion of same gentleman, House Amendment "A" was indefinitely postponed.

On further motion of same gentleman, the House voted to recede from the adoption of House Amendment "B" and the Amendment was indefinitely postponed.

Mr. Bragdon of Perham then offered House Amendment "D" and moved its adoption.

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

HOUSE AMENDMENT "D" to H. P. 1160, L. D. 1659, Bill, "An Act to Authorize Construction of Self-Liquidating Student Housing and Dining Facilities for the State Colleges and the Issuance of Not Exceeding \$5,400,000 Bonds of the State of Maine for the Financing Thereof."

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

'AN ACT to Authorize Construction of Self-Liquidating Student Housing and Dining Facilities for the State Colleges and Vocational Technical Institutes and the Issuance of Not Exceeding \$6,715,000 Bonds of the State of Maine for the Financing Thereof.'

Further amend said Bill by inserting at the end of the "Preamble," before the period, the following: 'and vocational technical institutes'

Further amend said Bill by striking out all of the first paragraph of "Sec. 1." including the headnote, and inserting in place thereof the following:

'Sec. 1. State Board of Education authorized to construct self-liquidating student housing and dining facilities. The State Board of Education, hereinafter in this Act called the "state board," is hereby authorized to construct at the state colleges and vocational technical institutes student housing and dining facilities, including additions to existing dormitories, together with furnishings and dining facilities therein, and utility approaches thereto, and expenses for financing, as listed below:'

Further amend said Bill by striking out all of the last 4 lines before the last 2 paragraphs of section 1 and inserting in place thereof the following:

'At Southern Maine Vocational Technical Institute	
Men's Dormitory	\$540,000
At Eastern Maine Vocational Technical Institute	
Men's Dormitory and Dining Facilities	700,000

Total Housing and Dining Facilities	\$6,302,300
Interest Payments — As required until facilities are completed	412,700
TOTAL	\$6,715,000

Further amend said Bill by inserting after the underlined words "State college" in the headnote of "Sec. 2." the underlined words 'and vocational technical institute'

Further amend said Bill by striking out all of the last sentence of "Sec. 2." and inserting in place thereof the following:

'The rates for board and room charged and collected for the amortization of the principal of and the interest on the bonds issued with the authority of this Act shall apply also to the dormitories and dining facilities operated by the state board at the state colleges and at the vocational technical institutes prior to the date of ratification of this Act, or which are in the process of construction at the date of ratification, and shall be established to take effect not later than the beginning of the college or school year next following the date of ratification of this Act, and the fees and rentals so charged and collected also shall be pledged to the amortization of principal and payment of interest on the bonds issued under the authority of this Act.'

Further amend said Bill by striking out in the 4th line of "Sec. 3." (same in L. D. 1659) the figure "\$5,400,000" and inserting in place thereof the figure '\$6,715,000'

Further amend said Bill by striking out all of the 2nd paragraph of section 3 and inserting in place thereof the following:

'Such bonds shall be issued in series from time to time so as to meet the needs of state colleges and vocational technical institutes for student housing and dining facilities.'

Further amend said Bill by inserting at the end of section 10, before the period, the following: 'and vocational technical institutes'

Further amend said Bill by striking out all of the 3rd para-

graph from the end and inserting in place thereof the following:

“Shall ‘An Act to Authorize Construction of Self-Liquidating Student Housing and Dining Facilities for the State Colleges and Vocational Technical Institutes and the Issuance of Not Exceeding \$6,715,000 Bonds of the State of Maine for the Financing Thereof’; passed by the 103rd Legislature, be accepted?”

House Amendment “D” was adopted and the Bill passed to be engrossed as amended by House Amendment “D” in non-concurrence and sent up for concurrence.

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

An Act to Authorize the Issuance of Bonds in the Amount of Sixteen Million Eight Hundred Thousand Dollars on Behalf of the State of Maine to Build State Highways (H. P. 1174) (L. D. 1673)

Tabled — June 13, by Mr. Levesque of Madawaska.

Pending — Motion of Mr. Waltz of Waldoboro to indefinitely postpone.

The SPEAKER: The Chair recognizes the gentleman from Waldoboro, Mr. Waltz.

Mr. WALTZ: Mr. Speaker and Members of the House: In view of the fact that this bill is closely allied with the companion bill number 1672, which bill is presently at a Committee of Conference, the Committee of Conference will have a meeting Friday morning at which time some decision will be arrived at. Pending that decision, I hope that someone will be kind enough to table this bill until Friday next.

Thereupon, on motion of Mr. Ross of Bath, tabled pending the motion of Mr. Waltz of Waldoboro to indefinitely postpone and specially assigned for Friday, June 16.

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

SENATE REPORT — Ought to Pass in new draft under new title — Committee on State Government on Bill “An Act relating to

Leases of Right to Take Marine Algae on Submerged Lands” (S. P. 590) (L. D. 1559) — new draft (S. P. 673) (L. D. 1704) under title of “An Act Repealing Law Relating to Leases of Right to Take Kelp on Submerged Lands”

Tabled — June 12, by Mr. Haynes of Camden.

Pending — Acceptance in concurrence.

Thereupon, the “Ought to pass” Report was accepted in concurrence, the New Draft read twice and tomorrow assigned.

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

SENATE MAJORITY REPORT (7) — Ought to Pass as Amended by Committee Amendment “A” (S-225) — Committee on Education on Bill “An Act Creating the University of the State of Maine” (S. P. 496) (L. D. 1258) — MINORITY REPORT (3) — Ought to Pass in New Draft under title of “An Act Creating the Maine Higher Education Commission” (S. P. 665) (L. D. 1693) (In Senate, Majority Report accepted, passed to be engrossed as amended by Committee Amendment “A”)

Tabled — June 12, by Mrs. Hanson of Lebanon.

Pending — Acceptance of either Report.

The SPEAKER: The Chair recognizes the gentleman from Lebanon, Mrs. Hanson.

Mrs. HANSON: Mr. Speaker and Members of the House: I move for the adoption of Minority Report, L. D. 1963, which is the new draft of L. D. 1258 and would speak to my motion.

The SPEAKER: The gentleman from Lebanon, Mrs. Hanson, now moves that the House accept the Minority “Ought to pass” Report in new draft, and the gentleman may proceed.

Mrs. HANSON: Many of the proposed aims and functions of the proposed Maine Higher Education Commission or co-ordinated boards system are the same as the one board system or the opposite system called the University of the State of Maine. However, the meth-

ods of formation of function and procedures are different.

The members of this Legislature, county delegations and the public have heard only one side of this controversy.

The A.E.D. Report as presented to the members of the Legislature, outlining its findings and recommendations, is a book of 125 pages plus a number of good sized volumes of data, reports and exhibits. We must admit that this is an imposing collection of information and indeed does point up the important needs for the development of statewide overall policy, planning and procedure for the future higher education in Maine.

I will not attempt to read in detail this voluminous information and data as I am hopeful that you have at least looked it over and I feel sure you do not care to listen to me read on and on about the subject. A brief summary does seem to be in order. I am sure the scope of the proposed plans in L. D. 1258, the one system plan, for a single fifteen member board will raise many questions in your mind as to the wisdom and effectiveness if adopted.

I cannot in good conscience accept that plan without questioning very seriously its alleged superiority and desirability. I have given this matter a great deal of thought, searched my conscience and talked at every opportunity with people from many walks of life. I have questioned educators in state and out of state for their thinking on this matter; talked to the educated such as doctors, lawyers, businessmen, as well as the so-called average citizen. It has surprised me how many have been concerning themselves seriously about this matter. I have yet to have talked with more than one or two who can bring themselves to like the one board system. They also are upset and uneasy that no alternatives have been discussed or suggested in comparison. The lack of a choice of methods was and is deplored.

Especially, when the single board system has complete control and the final unquestioned decisions are confined to a single fifteen

member board. Also questioned is the fact that such a board will not be a full time working active board.

I feel this L. D. 1693 presents and offers a choice to this body and to the public. The Maine Higher Education Commission vs. the University of the State of Maine.

There is a summary of the major recommendations for the single board system in the A.E.D. Report which is eight pages long. It is extremely wordy, dealing with the broad scope of the formation, appointments, program, facilities, buildings, etc. for the University of Maine and its campuses, the five State Colleges, four Vocational Technical Institutes, the Maine Maritime Academy and—I repeat and, all future campuses which can be brought under the umbrella of a single system.

This type of one board system also wants to form hopefully in the future an Association on Higher Education to advise future legislatures on granting charters and even partial financing for private colleges. This really broadens the future scope of control of such a system.

As projected enrollments of public and private colleges in Maine are expected to reach approximate figures of 55,400 by 1975 and possibly 75,000 students by 1985, in full time and part time courses and the accommodations to care for them, imagine the gigantic scope of the labor for a one board system.

My decision to not support L. D. 1258 and express my approval for a co-ordinated board system as in L. D. 1693, has not been arrived at hastily or lightly. I have searched my mind and soul and lost many nights sleep over this situation.

I have been accused of being brainwashed, pressured and influenced by many about my decision. No one has ever done this to me on this subject. The doubt has been in my mind since I first read 1258.

I think you all must know me well enough by this time, this being my fifth session in this Legislature, that I am sincere in my legislative efforts. I do what I sincerely feel is best for education

and the best interests of my beloved State of Maine.

I have a deep, firm and sincere belief that higher education can flourish and prosper and progress much more efficiently operating under a Commission of a Coordinating Board System. I feel that Dr. Coles' Commission Report might well be inadequate, cumbersome, biased and inefficient in many ways.

For instance, the geographic area is widely spread out, the institutions are widely separated. In Aroostook County there is the Fort Kent operation and the Presque Isle and the Machias operation, the State College in Farmington which is in Franklin County, the University of Maine campuses in Orono, Augusta and Portland, the State College in Gorham which is in Cumberland County plus the four widely separated Vocational-Technical Institutes and the Maine Maritime Academy in Castine.

There is involved here, programs, dormitory and eating facilities, variety of courses, remedial programs, transportation, libraries, and I could go on and on. This is a colossal job for a single board to have complete jurisdiction of. With co-ordinating boards it could make sense.

It also has taken years to build up interest and support for vocational schools for the many who cry out for help along this line. We have to face the fact that we do have many, many individuals who have not the ability to go on to higher academic education, plus many more who could but won't as they only want to work with their hands and those who could not possibly go to academic colleges due to financial inability to pay or for personal economic reasons.

The teacher colleges also in my opinion should have a board of trustees particularly aware of the differences of that type of college.

There has also been comments that consideration may have to be given to equalizing tuition charges if the entire group of higher education institutions comes under the one umbrella. If this takes place, here again, many who cannot afford, or can barely afford higher

education at its present cost, will be phased out. This would please one educator who talked to me. I mentioned this feeling I had and he said "Fine, educators are only interested anyway in those who are worth going higher and higher in the field of education," which shocked me greatly.

There are many intelligent individuals who want to learn to earn a living in what they feel a leaning for and too much liberal arts education forced on them sours them on the educational bit but they are worth saving.

Look at Thomas Edison, for instance. Students lost at this level, many of them eventually will become charges of the State in Health and Welfare or in prisons.

The Maine Maritime Academy should be under its own co-ordinating board. This is a uniquely different type of educational institution. It has in the past and does at present enjoy a reputation for the excellent scholastic and military status of its graduates.

It has quite different problems, methods and procedures to attain this status. It is primarily naval and military in its work. It works closely with the United States Coast Guard and the Maritime Industry and in the opinion of myself and many others, should not be shackled to the one board University of Maine system.

The broad spectrum of geographic spread, the unique and varied programs, the gigantic task of providing and staffing in personnel and equipment and facilities and the multiple facets in this wide scope of endeavor in placing all under a one board system prompts me to urge adoption of Minority Report "B", L. D. 1693.

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

Mr. TRUMAN: Mr. Speaker and Members of the House: I move this bill and all its accompanying papers be indefinitely postponed. When the vote is taken I request a roll call and I would like to speak to my motion.

The SPEAKER: The gentleman from Biddeford, Mr. Truman, now

moves that both Reports and Bill be indefinitely postponed. The gentleman may proceed.

Mr. TRUMAN: I wish you would bear with me and I would like to give you my thoughts and my many hours of study on this subject. I will be talking to you in three capacities, one, as private citizen Ted Truman; two, as a member of this House of which I am justly proud; and three, as a Member of the Board of Trustees with full authority from all the Members of the Board, its Admiral, and its alumni association which numbers over 2,000 strong. This bill, 1258, which I hope you have all looked at and studied over, because it may radically change education and hinder it in the State of Maine.

If they do not have it available or handy, I wish the Page would take these extra copies and distribute them to anyone who doesn't have it handy, and I wish you would follow closely as I try to summarize part of this bill as I see it.

Section 4., first page, "Board of trustees of The University of the State of Maine. The board or trustees of the university, hereinafter named 'The University or the State of Maine' shall be made up of 15 persons. The Commissioner of Education shall serve as a voting member ex officio. Fourteen of the members shall be appointed by the Governor for 7-year terms." This could very well be fourteen plums. As the good lady from Lebanon, Mrs. Hanson, has told you, this is not a full time job, part time basis. Further down in this paragraph it states the "Trustees shall serve without pay." Section 4-A "The board of trustees shall appoint the President of The University of the State of Maine, who shall serve at its pleasure and be chief administrative and education officer thereof." The now Presidents of these various institutions will be changed and called "Chancellors". Further down, "A council of the administrative heads of such campuses, centers, branches and units, with the president as chairman,

shall be formed for the purpose of insuring regular and close co-ordination of programs." Later on, under Nautical training, another board of visitors which will be in an advisory capacity.

I think the University of the State of Maine would be ineffective because it would be inefficient. I see Bill 1258 providing for the creation of a large, cumbersome, sprawling bureaucracy, with a centralization of authority in one 15-member Board of Trustees, and a President and a central staff of executives. Because of the size of the proposed University and the distance between its various units, I see difficulties in communication. I see overlapping of function between the President's central administrative staff and the administrative staffs and I think the University of the State of Maine would be ineffective, because it would reduce autonomy on the individual campuses, with a resulting loss of vitality, essential for institutional quality. I see the trustees finding it impossible to acquire thorough knowledge and understanding of all the programs for which they are responsible; and I see the trustees finding it impossible to devote sufficient time to properly supervise the operations of the various complex units for which they are responsible. I, therefore, see the trustees relinquishing much of the responsibility for the operation of the new University to the President and his central administrative staff. I, then, see the likelihood that much of the decision-making in regard to the operation of the new University will be made by the President and his central core of administrators. Thus, autonomy of individual campuses is likely to be minimal.

Diversity is a keynote of American higher education. Student needs are continually changing. The only way changing needs of students can be met by a college is for those in closest contact with students and the faculty — to have the freedom to initiate programs to meet student needs. The faculty, working with students and local administration, is in a much better position to guide the development of the program than

is a central administrative staff far removed from the campus and the students.

A first rate faculty is the heart of a first rate education system. To attract and keep first rate faculty, they must be assured as much academic freedom as possible. I believe that rigidity and restrictions would tend to prevail under a single state University system.

I think it should be noted that also, that no state, I repeat that, no state has adopted the single board approach in the last 20 years. In the last four years, 13 states have adopted a less rigidly centralized approach to coordination of state higher education.

I have two articles here, if you will bear with me, I would like to read them to you, one from the Portland Press Herald and one from the Bangor Daily News, who I think are two of the finest papers in New England, and the title is "Proposal to Merge State Colleges Has Few Supporters."

"It would almost appear that the only educators in Maine who really want a merger of all public institutions of higher education into a single university system are the members of the Advisory Commission on the Higher Education Study which recommended the move in the first place.

"Ever since the proposal was first made public there has been outspoken criticism from all segments of the higher educational structure that would be affected.

"The Maine Maritime Academy wants no part of it; the University of Maine will join only if adequate financing is available and some of its trustees can oversee the new university; and the state colleges would prefer to remain autonomous under a super or coordinating board.

"It is likely too that the legislative Education Committee will come out with a divided report on the proposed merger," which of course we know has.

"Although the three senators are for the unified system, most of the representatives aren't too keen on the idea.

"The latest reservation about the proposal to be voiced by an institu-

tion came in a statement from the University of Maine trustees.

"They said in effect they won't go along with the proposed university system, the so-called University of the State of Maine, unless the legislature makes a major commitment in funds to carry it out and unless a nucleus of the present university trustees can move on to the new 15-man board which will operate the university system.

"The trustees also criticized a proposal to create a super or coordinating board which is backed by the State Board of Education and some of the state college people.

"An inflated superstructure — boards upon boards — not only increases the time it takes to get things done, but tends to separate too widely the highest policy-making authority from the operating level of the educational process."

The second article, Bangor Daily News, and I think it pertains to us Legislators here.

"Look Carefully Before Leaping"

"The 103rd Legislature is approaching action on the proposal to put all state-supported institutions of higher education in a single package to be known as the University of the State of Maine, the latter to come under the direction of a super board of 15 trustees and a president.

"We have said before and we say again that members of the Legislature should proceed with caution in its consideration of this proposal. Is it best to put all the eggs in one basket?

"It is a mighty big package and will be a costly one.

"The University of Maine is large and expanding rapidly. We'd think its administration would be a pretty big job in itself.

"The plan would encompass the five state colleges, each fair-sized now. It also would take in the state vocational institutions. The vocational education beyond secondary is also growing and presents special problems of its own.

"Finally, the Maine Maritime Academy would come under the

super board. This is a highly specialized school.

"The question we have asked, without hearing any assuring answers, is whether an unpaid board of 15 trustees would be able to handle the operations of these various facets of higher education effectively and in a balanced manner — no one facet being slighted or favored. It seems to us that the administrative burden would largely fall upon the president of such a super university and we are not sure this would be good. It would be expecting a great deal of one man.

"Coordination among the schools of higher learning is sorely needed. But is putting a super board atop others the best solution?

"We urge the individual legislators to examine this package carefully. Its adoption would bring about a revolutionary change in the state's educational system, committing the state to a new course. The 103rd Legislature is faced with a grave responsibility."

In referring to this article about a super board. I don't like anything that is super. I think to be on this Board you would have to be a superman and we know what happened to the supermen of the last war. I'm a member of the Board of Trustees at the Maritime Academy, a small school of a little over five hundred students. We meet about every six weeks. I know the work that I have to put into it, and if I were to be one member of this 15-man board, I guess I would have to be a superman.

In reference, and I direct your attention to this Advisory Commission for the Higher Education Study, "The Need for a Change." "Basically, Maine is faced with the situation in which too many of its men and women of college age do not continue their education beyond the high school level." That's very true, but I don't believe it's because all the institutions are not under one head. It states here "twenty-one states spent more than twice the \$20 per capita spent by the State of Maine." Probably true again, but I think we have to be realistic. Maine is a poor state with less than a million people and not

too much industry. But I think we are doing the best we can with the tools we have. What is wrong with education in Maine? I don't see beatniks running around, people with long hair, demonstrations, flag burning, draft card burning. I think education is fine to a point, but there has to be a little character in these young people and I think we have it in Maine. I think they come from good families, good clean hard-working people and we ought to be proud of our boys and girls. I could go on and on; I've done a lot of research in this, but I do not want to bore you. I think you have to decide for yourself and let this bill stand on its merits.

In regard to the Maine Maritime Academy, and in your wisdom, should you pass this bill, which I hope you don't, I plan to put an amendment in to delete the Maine Maritime Academy. But first, I would like to tell you why the Maine Maritime Academy does not belong anywhere near this kind of a program. As you know, it is a very specialized, unique school and I think we are all proud of it. It deals with the United States Navy, it deals with the United States Maritime Commission, the United States Coast Guard, the U. S. Coast Guard Inspectors which, by law, give the exams. It deals with shipping companies for employment and training. It also deals with unions for employment. It has a very active alumni association with a placement bureau at Castine for graduates that can seek employment at sea or jobs ashore and the last three or four years running they have had three jobs for every graduating boy. I think that's a pretty good record, a record that you can be proud of. It's the number one academy in the country by far, and I speak from experience because I've been to all of them. I've been to sea and I've been in the Navy and that's all they talk about is Maine Maritime Academy.

It maintains a ship, which no other schools does, and it deals with the Board of Education. The Maine Maritime Academy has an atomic reactor fueled with 2500 kilograms of uranium which is on

loan from the U. S. Atomic Energy Commission, which is still another agency with which the other schools have nothing to do with. We have the only nuclear propulsion center in Northern New England.

While I am on my feet, I would like you to know who the members of your Board are by name, and I think you will be able to better judge why I think they are doing a good job and will continue to do so. Our President, Mr. John Platz, a very able attorney from the City of Lewiston. Mr. Edward Stanley, Headmaster of the Maine Central Institute, one of the finest prep schools in the country; Mr. Rudolph Marcoux from Brewer, Maine, who also runs the television network there; Dr. Robert Russell, a very fine surgeon who lives in Castine but has recently been replaced by our Senator Hollis Wyman. Mr. James Bishop, formerly of this House, a very able attorney; Captain George Kittredge, also formerly of the House of Representatives, retired Captain of the United States Navy; Mr. Richard Libby who is associated with the Bar Harbor banks; Mr. Roderick Littlefield of Portland and Scarborough, who in my opinion, is a gentleman's gentleman. Dr. Ermo Scott, former President of Farmington State Teachers College who has been recently replaced by former councillor, William Jabine; Mr. Whitney Wheeler, our Director of Internal Revenue; Dr. Frederick Whittaker of the Bangor Theological Seminary, who has also recently been replaced by Mr. Roger Willey who is brother of our Councillor here in the State House and last, but I hope not least, yours truly.

In looking over the Senate blanket here—

The SPEAKER: The Chair would remind the gentleman that he may not use any Senate procedure to influence the decision of this body.

Mr. TRUMAN: Thank you. Well, I could go on and on, but I think I'll give somebody else a chance to talk. But, before I sit down, I want to tell you a little story. The chief lobbyist of this bill, who I don't have to mention, I guess

you all know who he is, from the other body, who has been talking to most of you, approached me and told me that, or asked me, he said, "Ted, I'm going to have a lot of trouble with this bill in the House. I need your help. If you go along with me, I'll make sure that the Maine Maritime is deleted prior to enactment." He practically told me that Maine Maritime shouldn't be in the bill, but it was put in there because of its many friends here in the Legislature and of its very good name and the reason was to bring in the other small schools, this ought to bring them into the camp, and he assured me that it would be taken out short of enactment. Well I'll tell you, ladies and gentlemen, I would rather see Maine Maritime, if this bill passes, go down with the bill than be part of a trick of this nature. I think this is very, very poor politics and don't like it.

Shortly before we came back here another messenger was sent to me to tell me that if I opposed this bill and it does pass that this gentleman will make sure that Maine Maritime doesn't get out. Well, in answer to that gentleman, let me tell you that the highway runs both ways, that a member of this House can put in an amendment as well as a party on the other side. And if you in your wisdom again see fit to pass this bill, and I hope you do not, I hope you will go along with me to take out the Maine Maritime Academy. I thank you very much for your attention.

The SPEAKER: The Chair recognizes the gentleman from Winthrop, Mrs. Baker.

Mrs. BAKER: Mr. Speaker, first of all let me say I am strongly opposed to dumping either one of these reports until one of them has been accepted, the Majority Report is the one I signed and that is what I will address myself to. I would like before explaining to you my reasons for signing the Majority Report to answer a few of the accusations made by the gentleman from Biddeford, Mr. Truman. He states that no state had adopted this system in the last twenty years. This, we have found to be false. Rhode Island adopted

this system two years ago. A further quote for this, many people used this as an argument and some of the states who adopted the other system, which is the Minority Report, had to because of pre-existing organizations and political factors within the state which we are not encumbered with here in the State of Maine. We can start out with a clean slate and do something for the State with the University of the State of Maine, the original bill.

Secondly, he states that state colleges don't want it. This is a false statement. I have in my records that President Brooks and President Wieden are strongly for this University of the State of Maine.

Third he states, would an unpaid board of fifteen men be able to administer the University? The history of education in the United States gives a resounding yes to this. Boston University, Tufts, Harvard, the University of Michigan, Ohio State are all large, much larger than our proposal we have for you, diversified institutions run successfully by one board.

Now he mentions the Maine Maritime Academy is unique and we all agree it is; I do, but let me give you a case in point why it isn't so unique or so far different than some of our State colleges perhaps. A young man in my town, Winthrop, was a graduate of Maine Maritime Academy, had successfully completed the course in diesel engineering, joined the Maine Maritime group and was at sea for three years. He married, came home and wanted to settle in Winthrop and decided he would like to become a teacher. He was accepted as a teacher in a Junior High School in this State with no other education, just what he had from Maine Maritime Academy. Now I ask you, is this so far different than a state college?

Now I am a signer of the Majority ought to pass Report on the original bill 1258, and I am glad you have copies of it and have been able to look it over. This is the bill which had the public hearing. The other one did not, it is an outgrowth of this. This act would implement the recommenda-

tions of the Advisory Commission, some have attacked this but I think their work has been magnificent. The Advisory Commission for the higher education study was voted unanimously by the Commission, and I would like to read for you a few members of the Commission; now that we are bringing peoples names into this, let me tell you some of the men who served on this Commission.

The President of the University of Maine, the Commissioner of Education, the Commissioner of Economic Development, Edward Blewett, President of Westbrook Junior College, Benjamin Dorsky, President of the Maine State Federated Labor Council, Arnold McKenney, Director of Central Maine Vocational-Technical Institute, Hugh Saunders, President of Saunders Brothers Co., John Sealey, Chairman, Governor's Advisory Commission on Education, Clifford Wieden, President of Aroostook State College, Roger V. Snow, Jr., State Senator, Kenneth R. Gifford, member of the 102nd Legislature and James S. Coles, President, Bowdoin College.

Now the recommendations of this University of the State of Maine resulted from a two-year study by the Commission under authority of the 102nd Legislature, with the nationally-recognized leading experts participated actively in the study made on behalf of the commission.

The statewide university system with a single board of control offers, I believe, the simplest cleanest and most effective organization which the majority of our committee feels it possible to achieve. The plan recommended is based upon sound educational concepts: first, that the state colleges should have programs equal in quality and similar to those of the university, so that there may be full transferability of credit from one institution to another within parallel educational programs. Second, students in post-high school vocational-technical programs should have extra-curricular and cultural opportunities on the same campuses with students in more general programs. Graduates of the voca-

tional-technical programs will live their lives as citizens together with graduates of the other programs, and the two groups should be accustomed to working together. Segregation of vocational-technical students on separate campuses suggests that their programs are not as desirable or as necessary as other university or college programs. Now let us look into the Lewiston-Auburn area, for example. Presently Lewiston-Auburn has the beginning of a fine vocational technical institute, and that is all. Under this proposed bill the higher educational opportunities in this area would be expanded to meet the needs. If it would seem necessary for commuter opportunities I'm sure the strength and support of the University of the State of Maine would make itself felt and there would be development of such opportunities and transfer ability of credits.

And, herein lies my greatest objection to the minority Report and the New Draft. Under that plan the vocational technical institutes would still be left as they are at present, the ward of the State Board of Education — not having the right to grant associate degrees and I believe being treated as the step-child. Time and again, we heard in various committee hearings — “When are you going to give us degree granting privileges.” Now, under this L. D. 1258 all the public higher education institutions and colleges would be able to grant degrees according to the type of school, either two-year, four-year, associate or full transfer.

Let me give you an example of what is happening. Young men who took technical training at S.P.V.T.I. found that if they wished to go into the teaching field with these highly technical skills, they must start at the bottom and take the full four-year course at teacher's college. No transfer of credits is available. For many this is sometimes discouraging to put in six years just to be able to teach one of these skills. Under this L. D. some of this time would be cut down.

Also, present needless duplication

of programs and facilities should be corrected to the fullest extent possible, and any such duplication in the future should be avoided. This can best be done if all higher education is under a single administrative board. There is nothing mandatory under this plan to move existing campuses as some have expressed concern, only suggestions in this respect from the A.E.D. report.

Let me read for you what the Advisory Commission recommended under recommendation no. 14, quote: “While the Commission recognizes that further in-depth consideration of location and coordination as the master plan is developed may result in some deviation from the patterns suggested by the academy, it believes that consolidation is essential in several instances and must have highest priority.” This is all that is stated. Now this act designates those institutions which would be controlled by the trustees of the proposed University of the State of Maine. The precise details of any consolidation of facilities or programs to take place are left to the master plan to be developed under the direction of this newly appointed Board of Trustees.

Public higher education in Maine must grow very fast indeed if it is to be adequate for the needs of Maine youth and the needs of the State itself. For example, in 1965 there were about 25,000 full and part-time students enrolled in institutions of higher education. In 1975 this enrollment will be more than 50,000, and for 1985 it is estimated it will be more than 75,000.

For the Greater Portland area alone there may be as many as 18,000 full and part time students by 1975, and as many as 30,000 full and part time students by 1985.

This plan places emphasis upon facilities for commuting students. This will save expense to the student in his being able to live at home. Expenses of living away from home are the major cost in attending a state college or university, and it will save expense to the state in its not having to provide housing and dining facilities

for the students who do live at home.

By this plan 90 per cent of college-age youth in Maine will be within a forty-mile radius of at least one campus of the University of the State of Maine with full opportunity to transfer after two years to other campuses when this is required for special programs.

In terms of efficiency it will provide the most education for the lowest cost to the state and also the student. To put a price tag on this plan projected twenty years into the future would be difficult and unrealistic. It is certain, however, that through integration and consolidation the cost to the State of Maine will be less and the opportunities to the Maine youth greater than would be the case if the present system with unnecessary duplication and confusion continued, and here no doubt would be the area most appealing to the taxpayer; budgets would be hashed out at every level — then with the State Budget office — then the Governor, and finally presented to the Legislature as one single budgetary program reflecting the needs, priorities and an orderly growth throughout the State.

I urge you to vote against any motion to indefinitely postpone either of these reports.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: I would also like to urge you to vote against the motion to indefinitely postpone so that we may vote and accept the Minority Report of the Committee.

In answer to a couple of questions that my very dear friend from Winthrop has raised, the Education Committee this past winter has recommended a bill and I believe this House passed it to grant the State Board the right to give the vocational schools opportunity to grant associate degrees. Furthermore, she made the statement that Rhode Island adopted the governing board within the past two years. I have in my hand a Public Affairs Research Council of Louisiana, Inc. book and according to that, the State of Rhode Island

adopted a governing board, a single board in the year 1939.

I think it's very interesting to note that I personally have not received or had any letters urging adoption of a single University of the State of Maine unless the writer had been prodded by the sponsor of L. D. 1258 or by some other member of the study committee. I have discussed this bill with various legislators, educators, lawyers, doctors and other people, and so far I have found very few who approve of the bill — the most of them oppose — in fact I was told last Saturday by a prominent attorney from Bangor — now don't pass such a monstrosity.

Surprisingly enough I think that many people have claimed that these people do not know what they're talking about, but those people to whom I have talked do know what 1258 is and what it will do.

I have been lobbied considerably by several of the report signers personally, and also by mail. Some of you I know attended the hour-long session of telephone dialogue with Dr. McKane of Kansas State University. Dr. Coles, Mr. Shute, Senator Snow and I had a dinner meeting of three hours duration in which my friend Mr. Shute and I were lobbied and coaxed, but the substance of the coaxing was not solid enough nor factual enough to change my mind nor that of the other two minority signers.

One of my fears in this is that we have seen over the past few years the slow encroachment of the state in the educational process of our private secondary schools. I expressed this fear with relation to the private colleges of the State to Dr. Coles, and he had no answer, and assured me that I was not the first to express this doubt of the entire system because of this fear of the private colleges being taken over by the state.

If one of the main points as expressed by the report is accomplished and one of the desires as expressed by my good friend Mrs. Baker — namely the upgrading of the vocational schools, it would appear to me that there are two ways

to do it. One is to lower the standards of the four-year institutions or, two, to upgrade the requirements of vocational schools to that of the four-year schools. Both of these methods are to my way of thinking unthinkable. We've had a long, hard job getting those schools accredited — that are so far — and I would remind you that all of our schools are not accredited as yet, so let's not drop standards. On the other hand our vocational schools serve the purpose of educating those youngsters that like to work with their hands and are not interested in a four-year degree.

We were assured in hearing and reported out so that associate degrees would soon be given by our vocational schools. This does not mean that all of the courses can be fully transferred to any other institution, but certainly some of them could be.

My good friend from Portland, Mr. D'Alfonso, expressed the other day the conviction that all youngsters should not go to four-year colleges, but that many were better suited to a vocational program, and I could not agree more wholeheartedly.

It appears that the minority of the Committee, of which there are three, believes that a coordinating board of all of these various schools would work much better. I think it is interesting to note that there is very little support on the campuses that will be affected. We were quoted two of the state colleges — one of the vocational schools; I didn't hear the University of Maine mentioned, but I do feel that the Trustees have made it quite clear what their stand is.

We will propose under another bill that the state colleges be given a Board of Trustees to run them, and then this will place the state colleges in much the same position as the University and the Maritime Academy.

We feel that the State Board of Education has done a very outstanding job over the years, but we agree with them that the time has come to separate these colleges from the Board and also give the Board simply the duty

of overseeing our elementary and our secondary schools.

We believe that a coordinating board will be vital in the expansion of higher education in the State of Maine. We do fear that under a single university the vocational schools of which we can justly be proud will be submerged in the frothing of academic courses. We maintain that this would be a disservice to the young people of Maine, and we are concerned that with the taking over of the state colleges it will be felt necessary by this single Board of Trustees to bring the tuition at these schools up on all levels to that of the present University, thus raising the state colleges from the present \$100 tuition to the \$450 which the University will surely have.

I cannot urge you enough to accept the Minority Report of this Committee when you have the opportunity to vote on it.

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

Mr. ROSS: Mr. Speaker and Members of the House: Of course we all favor the very, very best education that we can give all of our young people, but I have great concern for the financial aspects of education.

As I watched the tremendous dollar increases I realized that we must do all in our power to utilize this increased spending very wisely, and under this suggestion, I believe we have a chance.

Many separate managements are very expensive, whether it's in business, government or in education, but under this plan Maine's Legislature will have a program presented to it each biennium that will present the total higher education needs of the state — liberal arts, teacher training, vocational and technical education, plus all the other specialized undergraduate and graduate needs of our people. The program presented will be the result of a carefully programmed plan with priorities and specific justification of every dollar requested.

The Capital budget too, will be a biennial step towards the fulfillment of proven needs, with state-

wide priorities. Buildings would be erected based not on the salesmanship of one college president, or the fluency of a legislator, but in accordance with a plan.

I believe that the Legislature will be able to make every dollar appropriated work more effectively. Also, the Legislature would have every right to require a biennial report of specifically what was done over the previous two years with these University funds. For the first time each legislator would have a clear picture of the total goals of higher education in Maine public institutions. He would also have a clearer picture of past accomplishments.

The responsibilities of the Legislature is far different from the responsibilities of those concerned with individual schools whether they be at Farmington, the Maine Maritime Academy, Portland, Fort Kent, or any other individual institution.

Ours is the responsibility to create the structure with which the total needs of all the state will best be met for generations to come. It surely must be a structure that makes the most effective possible use of every tax dollar.

This structure is simple and direct. With good, competent men filling the key spots, it can and will lead us to new leadership in the field of higher education. It also can and will offer new and far broader opportunities for the vocationally oriented youngster.

Maine has the opportunity to begin now, and this is the needed vehicle in my opinion and I support the Majority Report.

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

Mr. HEALY: Mr. Speaker and Members of the House: Through the Chair I have a question plus a purpose to my question to the gentleman from Biddeford, Mr. Truman, in his very fine presentation suggested that he hadn't seen any long hairs around here. He hasn't been to Portland lately.

My question is, what is the price tag on this new kingdom? To anybody who may answer.

The SPEAKER: The gentleman from Portland, Mr. Healy, poses

a question through the Chair to the gentleman from Biddeford, Mr. Truman, who may answer if he desires.

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

Mr. LEVESQUE: Mr. Speaker and Members of the House: I know that you have been sitting in your seat for long and many hours, and I shall try to be as brief as possible, although I find myself in quite a dilemma in trying to be brief on such a subject as we are on this afternoon. I think it is probably unanimously agreed here in this House this afternoon that we should not indefinitely postpone these two bills and reports.

I, as a signer of the Majority Report of L. D. 1258, consider it of the utmost importance that we must consolidate our higher education and we must consolidate all higher education under one single board, and primarily for the simple reason that if you will see in your financial world today such corporations as Chrysler Motors, General Motors, General Electric, Westinghouse, which have distributed throughout the country numerous facilities spread from one end of the world to the other. They are not operating under four or five separate boards, they have one board of directors or one board of trustees that manages the affairs of those corporations, and little do I need to say about their operations.

In the Majority Report, as was previously stated by the gentleman from Bath, Mr. Ross, a complete report of the budget of the University of the State of Maine will be made to the people of the State of Maine, where you will find in L. D. 1693, with your five separate boards, this is another way of trying to take out from line budgeting the state colleges, as you have defeated those bills that came before us this session.

Again I find myself in somewhat of a dilemma of our Chief Executive being a graduate of Maritime Academy and an advocate of the one board system. I think probably the Chief Executive has recognized that by joining or consolidating all higher education that this will,

eventually, save the State of Maine a considerable sum of money. Here in the State of Maine we have approximately a million population and our schools of higher education are not so big in number nor in pupil attendance that one board could not be handled very efficiently and very proper. I think if you will look at some of our other more populous states that they have probably three, four or five times the number of students attending higher education; so, therefore, bigness would not be a hindrance here in the State of Maine if this is what some of you are afraid of.

As was pointed out, two of the Presidents of our State Colleges have indicated favoring the University of the State of Maine so therefore, all the State Colleges are not against the University of the State of Maine. So, therefore, ladies and gentlemen of this House, I hope that you will defeat the motion to indefinitely postpone both reports and I hope that when the vote is before you that you will adopt the Majority Report on L. D. 1258. Thank you.

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

Mr. SHUTE: Mr. Speaker and Members of the House: One of the great joys of my short experience here as a legislator has been that of serving on the Committee on Education. To face state-wide educational matters with nine other tried and true men and women of these determining bodies has been a rewarding, refreshing and I hope, productive experience.

Our Senate Chairman has been mentioned here today. I would like to have you know that I believe he is sincere, is dedicated to education. He is a charming, persuasive individual of integrity for whom I have the highest regard. Unfortunately, on this issue, however, we do stand on different but parallel routes. Each side in this issue has its own way, its own demonstrated bill. You will determine which route we will take. The gentle lady from Lebanon, the gentleman from Stonington, and your representative from District 2 in Franklin County have selected

coordinating boards as the route the State of Maine should take in coordinating higher education.

Our capable Chairman has moved among you to seek your support for the majority version, L. D. 1258. We of the minority have not attempted to lobby our version, L. D. 1693. We are glad that you have listened to the explanation of both systems and we know that by now you may have made up your minds. For those of you who may have made a commitment in haste, we of the minority now give absolute so no longer do those commitments necessarily have effect and now we can all start from scratch.

Now then, rather than merely to turn out an "ought not to pass" report and to dismiss it summarily, we of the minority believed that this Legislature should have an alternate plan to that proposed by the Coles Commission. L. D. 1693 would do that. Should you believe we are correct in our judgment, and the Senate concurs, then a companion measure, L. D. 1694, setting up a ten-man Board of Trustees for the State Colleges, would have to be enacted.

We of the Education Committee, mind you, are unanimously agreed that public higher education in Maine needs coordination. With that finding of the A.E.D. report and the Coles Commission conclusion, we do agree. The route we choose to reach that goal has a different route number. Now we've heard the Super Board discussed here this afternoon and I tell you that Super does not have the meaning of superman or superrace or anything else. It is a short term for superimposed. This morning in your mailbox, you all received this chart which has been prepared for your evaluation. This is the chart which would set up a Maine Higher Education Commission. It simply would consist of fifteen members on the Maine Higher Education Commission who would coordinate the activities of all higher education in the State of Maine, including the ten members of the Board of Trustees of the University of Maine, the proposed ten members of the State College Board of Trustees, the ten members of the

State Board of Education, and the twelve members of the Board of Trustees of the Maine Maritime Academy.

Now, if you have read your bill, you know by now that the Maine Higher Education Commission would be made up of fifteen men, two of whom would have been selected from the Board of Trustees of the University of Maine, the State College Board of Trustees, two from the State Board of Education, and one from the Board of Trustees of the Maine Maritime Academy. Now, the reason one was taken from the Maine Maritime Academy is obvious. We feel that Maine Maritime Academy should have representation in any effort in higher education in Maine, but, they are one institution where we have several involved as far as State Colleges are concerned, the Vocational-Technical Institutes, and the University of Maine and its various branch campuses and the University of Maine in Portland.

Read the eleven points in this document which you received this morning in your mailbox and you will determine that we are on parallel routes, but they have different numbers. Now, there's a considerable difference between operating an institution from a central office, which the single board system of the University of the State of Maine would do, and coordinating units of an institution from a central office. Central operation means the direction from a central source, the President's office if you will, of a day by day operation of all of the institutions throughout each year. This was the job of great magnitude to which the Representative from Biddeford, Mr. Truman has referred. Central coordination involves the development of long range planning, the allocation of major program responsibility, the development of annual budgets and the establishment of building priorities.

The gentlemen from Madawaska, Mr. Levesque, has mentioned line budgeting, which would be eliminated under the coordinated board. I also suggest to you that should L. D. 1258 be enacted that

line budgeting also would go out the window.

Obviously, with the central operation, the single system, it would require many more times—many more amounts of communication from various units to the central office and it would require a much larger central staff with more highly trained and more competent administrators, instead of statisticians and clerks.

You have heard of the cost having been mentioned. I would like to give you a quotation, Dr. Melvin Scarlett's testimony at our Committee hearing. Dr. Scarlett, I remind you, has experience in a single system at the University of Minnesota. He was an official at one of their branch colleges in Duluth. He knows what a single system can do, and what it cannot do. He also has seen the advantages of a coordinated board center. Dr. Scarlett says, "It is my opinion that the establishment of a President and a central administrative staff for the new University would add much unnecessary expense to the cost of higher education in Maine. I predict," he says, "that such an administrative staff would cost the state annually between \$200,000 and \$300,000. I also estimate that the annual cost to the State for an administrative staff to work in a so-called super board system would be under \$50,000." I ask you also, to take another look at 1693 to see the accompanying cost figures which are attached thereto, total cost estimated at \$42,000, well under the \$50,000 which has been predicted by Dr. Scarlett.

I have in my hand three pages of people who have endorsed the coordinated board approach to higher education. These men are well known and you have read of their reports in the Letters to Editors column in the various newspapers around the State, I won't go through the trouble of repeating them. I also would suggest to you that Dr. Kerr, Clark Kerr, the recently retired President of the University of the State of California, working with a single system in California, has this to say in a chronicle of higher education. This is an expert speaking—

"At a large university, everything becomes too massive," he said, "and the treatment of students too bureaucratic. Attempts to retain a single unified campus community should be abandoned in favor of a decentralized pluralistic environment of many communities with many power centers," Dr. Kerr said. He advocated the decentralization of both faculty and student governments to provide communities more subject to the control of the people who live in them.

Ladies and gentlemen of this House, I think it would be a tragic error for you to vote in favor of indefinite postponement of this measure; whether or not you choose L. D. 1258 or 1693, you are making the right step toward coordinating higher education in the State of Maine. I have been asked if Farmington State College would lose prestige by joining The University of the State of Maine and if a person who graduates from Farmington State College under the University system, this degree might not mean a lot more than it would at present. My answer is no. The University of the State of Maine has no prestige now because it's non-existent. Farmington does have prestige that has covered over one hundred years in Maine in several areas of academic endeavor. Actually, Farmington would stand alone on its prestige as would other currently accredited institutions if it was incorporated into The University of the State of Maine, because such a University would very likely not be accredited until all its units could be brought up to the standards of accrediting agencies.

Now, according to Dr. Ralph Burns, Secretary for Evaluation of the New England Association of Colleges and Secondary Schools, those institutions which are accredited would likely lose their accreditation if combined in a large university, with other units which have not had accreditation. Without accreditation, an institution of higher education could hardly be considered to have even minimal prestige.

Another witness at our hearing, a long time ago, last April 18, was

the former President of Farmington State College, now an official with the New England Education Assistance Project, Dr. Ermo Houston Scott. He said before our Committee, speaking on L. D. 1258, on the shoulders of fifteen people would be loaded overwhelming responsibility. Whatever program is adopted, the strength of the program lies not with those who administer but with those in the classrooms. The faculty of some of the State Colleges have a great deal of fear for L. D. 1258 because they fear their loss of autonomy and the Representative from Biddeford has pointed this out. Do you realize that at Farmington the faculty voted 48 to 0; at Aroostook, 75 percent of the faculty opposed 1258, and 100 percent of the faculty at Washington State College opposed L. D. 1258. This is the opinion of the majority of the people who are employed at these institutions of higher learning on the public level.

Yes, I do believe that the proposed University of the State of Maine would be an unnecessarily expensive institution whose repressive centralized authority would provide standardized mediocrity. I believe the coordinating board system can accomplish everything. The University of the State of Maine proposes to achieve and the coordinating board system will cost much less, be more effective and preserve the vitality and identity of the individual institutions. Ladies and gentlemen, I am opposed to indefinite postponement of L. D. 1258 and a proponent of 1693, your minority report.

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

Mr. TRUMAN: Mr. Speaker and Members of the House: In my excitement moving to indefinitely postpone this measure, I hadn't realized that I would be killing also the minority report because if it had come out in the new bill I thought it was separate but now reading down through. I really don't believe in both of them but of the two I think we can live with the minority report minus the Maine Maritime Academy. So I withdraw my motion, Mr. Speaker,

and I hope that you support the minority report.

Thereupon, Mr. Truman of Biddeford was granted permission to withdraw his motion to indefinitely postpone.

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

Mr. HEALY: Mr. Speaker and Members of the House: Through the Chair I would like to put a question to any member of the Committee who may answer if they wish. What is the price tag on this new kingdom?

The SPEAKER: The gentleman from Portland, Mr. Healy, poses a question through the Chair to anyone who may answer.

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

Mr. ALLEN: Mr. Speaker and Members of the House: I don't know exactly what the cost will be but I think that is not the important last word on this subject. You might lay out \$50,000 for one scheme and \$75,000 for the other, you might save \$50,000 on the first and \$500,000 on the other; it's the saving we make, not the cost of putting it into effect.

I am sure there is general agreement here that we ought to do something. I am pleased with the high quality of the debate we have had so far. I am also very much encouraged by the close attention given by the members of this House on this highly important subject. Governor Reed has expressed it as the first business of our time. Education is so important that we shouldn't leave it to educators. We have a great need to expand our post-high school educational opportunities. It is estimated that the number attending those schools here in Maine will double in the next ten years and triple in the next twenty years. Only 24 per cent of our high school graduates are now going on to higher education. In 1930, 90 per cent of the jobs open could be filled by high school graduates. It is estimated that in 1970 that percentage will drop to 32 per cent.

We have a great need to coordinate our efforts, as the report states, "We have costly duplication of facilities and programs — a

confusion of voices speaking for higher education and pleading for funds — uncoordinated, uncontrolled, unintegrated growth." The Advisory Commission for the Higher Education Study headed by President Coles, which study cost \$50,000, recommended a single unified system of public higher education, headed by a 15-man board of trustees, an executive board. That is favored by a majority of your Committee on Education. It is also favored by the Trustees of the University of Maine. It is not looked upon favorably by the State Board of Education and generally by some of the officials at some of our State Colleges.

They favor an advisory committee of limited powers; I favor an executive board. I do not say that this executive or administrative board is the only way. Neither road is a guide to perfection. You can't say we will go to heaven on one road and go to perdition on the other one. I recognize in the final analysis the key to progress is leadership more than law, but I think at this stage in Maine we need a board with executive powers and a board that finally calls the shots and not just a board that is advisory.

It does not follow that with an executive board, The University of the State of Maine, that we are going to grow a great deal larger at Orono. Our growth will continue at other places and in some places a good deal faster than Orono. It does not follow that we will lose authority and lose responsibility among the other institutions. I could give you an example in industry and I think this applies to education. I'll mention one company because that's a company everybody knows. We have autonomy in the different divisions of General Motors and a fine rate of competition between Chevrolet and Pontiac, between Buick and Oldsmobile; but in the final analysis there's a Board of Education, in our case — I don't mean a Board of Education, I mean a Board of Directors that family directs the road we should go— General Motors should go. And I do feel that this one group at the

top, this Board of fifteen, is a better way than the other. I would not be completely disappointed and disheartened if the other report were accepted; my great disappointment would be if we did nothing.

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

Mr. LEVESQUE: Mr. Speaker and Members of the House: Again I shall be very brief but only a few remarks in rebuttal. In my eight years on the Committee on Education, or this fourth term of the Legislature of the State of Maine, I find that this is one of the most enthusiastic and progressive pieces of legislation that is going to further help educate our youngsters. We talk a lot about education and boards of trustees but we fail to recognize sometimes the students that will be in attendance at these schools of higher learning. We have since 1957 established the consolidation of our elementary and secondary schools and I think probably this enthusiastic program will further help higher education by consolidation. It is my sincere feeling that if this L. D. 1258 is enacted that this will be for the ultimate benefit of our students by consolidation of under one board of trustees. Thank you.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: May I inquire what motion is now before the House, Mr. Speaker?

The SPEAKER: The Chair understands the motion before the House is the motion of the gentleman from Lebanon, Mrs. Hanson.

Mr. RICHARDSON: Thank you. I would just like to point out, in the Louisiana Report the statement is made, in answer to Mr. Truman, that one of the other disadvantages of the single governing board may be to give too much attention to the problems of the individual institutions and not enough to the overall planning and coordination, and that there may be overcentralization. I think perhaps this has been stressed by all of the proponents, that we will cen-

tralize, and apparently one of the main reasons why no other state has accepted this in twenty years is the fact that they fear overcentralization.

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

Mr. GAUDREAU: Mr. Speaker and Members of the House: I have been lobbied for the Majority Report, I have been lobbied for the Minority Report, and I have been lobbied at length by my daughter who will be a Senior at Washington State College next September. Now, she is probably a little tougher lobbyist than the others. She really sold me, she told me if I didn't vote against the Majority Report she would not speak to me again. Guess how I'm going to vote!

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

Mr. SULLIVAN: Mr. Speaker and Members of the House: I agree with Representative Reta Baker. I agree with the Minority Floor Leader Levesque and I'm for 1258 100 percent and I have been, by the majority of this House, given that mythical crown of being the most talkative and loquacious member of this House. At this time I want to pass it along to Representative Truman from Biddeford, I think he deserves it. Thank you.

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

Mrs. BAKER: Mr. Speaker and Members of the House: I cannot fail to take this opportunity to answer in rebuttal one or two statements from my good friend from Farmington, Mr. Shute, who served on the Education Committee with me this session. He failed to read to you from the Portland paper an answer to President Scarlett's letter in regard to costs. This is the answer—"With reference to relative costs of central administration for the super board system and a single governing board for publicly supported higher education in contrast with the statement that the cost of the former would be less than \$50,000 annually, while

the cost of the latter," this is the one I'm interested in, "would be 200 to 300,000 annually by the Public Affairs Research Council as quoted by the Office of Education lists the single governing board, central office costs from South Dakota and \$66,354, while costs listed for Utah with a coordinating board superior to subsidiary boards is \$75,000 annually. Median costs for institutions listed in the two groups, there are 106,550 for those with single governing boards as compared with \$145,000 for those with coordinating super boards. In addition, there are added costs of the secretaries of the several subordinate boards in this coordinating super board type system," and I believe that the savings—this is my own personal observation, I believe the savings to the State of Maine under the planned program of The University of the State of Maine would be much greater; so that we'd find the overall cost to the State less. It just does not follow that you could have such a conglomeration of boards as is suggested under this redraft and expect it to be effective or economically run.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I have discussed both reports and the program in its entirety at more than length with all parties involved. Wherein it concerns for instance, the University of Maine over the many, many years, I have supported a great many of their programs. Of recent years getting possibly a little more mental and older, I have gone a little bit overboard sometimes in my support of the University's program. I have always felt, however, that the University of Maine was no different than any other department in the State. The University of Maine is a department of state and I have always felt, and I do now, that the University of Maine should be like all other departments, under line budgeting.

Wherein it concerns the Maine Maritime Academy, I started to vote on programs for the Maine Maritime Academy when the

lovable and hard working, devoted life servant of Maritime Academy, the Honorable Ralph Leavitt, made the statement many many moons ago before the Appropriations Committee, "Give me \$15,000 and I'll never darken your door again." I have consistently and happily voted for several programs of expansion on an operating and construction level for the Maine Maritime Academy. I consider, however, that they, too, are part of our State House family and they too should be in line budgeting. Now either one of these programs, as we accept them, would let out all of these other institutions, the vocational schools and the State Teachers Colleges out of line budgeting. We have already had the answer from you people as to how you felt about letting out the State Teachers out of line budgeting.

Whatever report I shall vote for, I assure you of one thing, insofar as I am concerned, I'm going to continue as to the mandate of this House wherein it concerns line budgeting. Whichever report passes today, I promise you that I will have an amendment ready to lead these people where they belong in line budgeting before we wind up in absolute and complete bankruptcy in this State. And I know what I am talking about and I'm not going to take two hours to explain that because I could not take two hours, I could take two days to explain it and I can do it with facts and figures. As far as I am concerned, whichever report is adopted, there'll be an amendment leading these people and keeping them in line budgeting and I would almost be forced to put the University of Maine and the Maine Maritime Academy, two other state departments, under line budgeting. If I don't succeed in passing my amendment, whether I stand alone, I shall go along with the indefinite postponement of the measure.

Mrs. Hanson of Lebanon requested a roll call vote.

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

Mr. CARROLL: Mr. Speaker and Members of the House: I am fully

aware that there are objections to L.D. 1258. Faculty of certain institutions have local loyalties — certain areas have parochial interests.

A Maine youth, ten years old now and in grammar school, really doesn't give a hoot about present loyalties and parochial prejudices. They will be long dead and forgotten when he gets to a Maine College or Technical Institute ten years hence. And 55,000 will get there by 1977. And 75,000 by 1987.

On their behalf, since no one else has spoken very much, very specifically on their behalf in all the words spoken today on the issue, let's ask these questions.

Will my chance of getting a good job be better if I can show a big national corporation that I have a degree from The University of the State of Maine; or better if I show them a degree from Farmington, or Gorham, or Aroostook, for example? For after all is said and done, one big reason I am going to college is to land a good job and make a good living with a good company and to provide a good living for my family.

Say that I decide to switch campuses in Maine while I am in college. Perhaps my family moves, or perhaps I want to study a different special subject. Under which system can I transfer my credits from one college to another, with no loss of my academic standing?

Top notch teachers are the top attraction to me as a student. So will I get better faculty if they are offered jobs at The University of the State of Maine or if the job offer comes from a small college?

I know that the head man in any organization is usually the key to the success of the management. If there exists a job as President of The University of the State of Maine, will it attract one of the finest university administrators in the Nation? Will I benefit if such a man can galvanize all Maine colleges? Or will I be better off with a local college president?

As an example, I would like to cite the Chrysler Motor Corporation who a few years ago had a man that became President, a friend of mine who indulges in the

stock market called me up and said, "Buy some Chrysler stock" and I said, "you know I'm a poor man, I don't have much money to blow." He said, "Let me tell you, wherever this man takes command, his ship of state will sail." He took over Chrysler Corporation; the stock was very, very low, it doubled, it tripled, they split it three for one. My friend made a lot of money on it.

Now, I maintain The University of the State of Maine will be like Chrysler Corporation. The stock will grow, the stock will double, the stock will triple; but this coordinating board is just a little more of the same old hash that we have been cooking for years here in the State of Maine. This coordinating board is a dream of the State Board who is beginning to worry — he has spent a lot of money on education, he's spending a lot of money for a study and the study has come in for a change, this change is The University of the State of Maine.

Now, where have they been with their recommendations over the years? You know, if they were operating a locomotive I would say that they were asleep at the switch. But I don't want to be unjustly harsh on them. I think they have tried their best; but they have proven to me due to the report of this study, that their best is not good enough for these times. And we must have something better. And so as the old saying, "If you'll take the high road, I'll take the low road, and I'll get there before ye." Gentlemen, I like that high road, I want to be up there where I can look off on both sides. You go the low road. The low road is the coordinating board, the high road is The University of the State of Maine. That's my ship of state, that's the one I want to sail on.

If each man and woman in the 103rd Legislature considers these kind of questions, and gives them the honest answers when the time comes to cast their vote, then the youngsters of Maine and the future of Maine will be well served.

But, on the other hand, if too many men and women in the Legislature heed the pressures and loyalties only of today, when they

make their decision they will have served only the past. And it is the inadequacies of the past which have caused the present crisis in higher education in Maine today.

So when the decision comes to a vote, let the yardstick for every legislator be the future benefit of Maine students. In our hands lies Maine's future. I am for The University of the State of Maine. I say that the opportunity facing us today to support a far-sighted, imaginative program for Maine's higher education is exciting. Let us join together and grasp that opportunity.

THE SPEAKER: The Chair recognizes the gentleman from Lubec, Mr. Pike.

Mr. PIKE: Mr. Speaker, this has been a most difficult question for me as I guess I am about the only one here who sat on a College Board for something over a quarter of a century and I realize there is nothing very easy about education at present or education in the future; about what we can do is to plan it as we see it and try to keep it in shape as the time goes on. I have finally, after a lot of soul searching, come to the conclusion that this University of the State of Maine offers a better clearer opportunity for improvement in our higher education system than the other one. This business of putting the University as it is now, the teachers colleges and the vocational institutes—and I am in some doubt about the Maritime Academy, into one coordinated system whereby credits can be transferred, where we can see that education is equalized, and I think we can save quite a lot of money over the far periods that we can see ahead, outweighs some of the theoretical advantages of other systems. I think we have a pretty good chance to clear up some internal jealousies; they won't disappear at once if you know college campuses, you know that the professors and their wives are always conducting little private feuds and they won't change over night, but as far as I can see, the future of the State of Maine will be benefitted very much if we can have one

coordinated group which will not require superhuman effort.

Now as to expense, you can see how much an office costs, but the thing that you can't see is how much that office wastes or saves in its administration. This is a big job and many and many a time a decision by the group that can have the overall view of the situation can save the State of Maine a great deal of money, not only at a given time but in the future. In policy-making with coordination I believe we are better off with the University of the State of Maine. Thank you.

The SPEAKER: The pending question is the motion of the gentlewoman from Lebanon, Mrs. Hanson, that the House accept the Minority ought to pass Report in New Draft. The yeas and nays have been requested. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All of those desiring 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 more than one fifth having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question is the motion of the gentlewoman from Lebanon, Mrs. Hanson, that the House accept the Minority ought to pass Report in New Draft on Bill "An Act Creating the University of the State of Maine," S. P. 665, L. D. 1693. All those in favor of accepting the Minority Report will vote yes, those opposed will vote no and the Chair opens the vote.

ROLL CALL

YEA—Baker, E. B.; Bedard, Belanger, Benson, Berman, Birt, Boudreau, Buck, Bunker, Carey, Champagne, Cote, Crockett, Crommett, Curran, Cushing, Danton, Dudley, Dunn, Foster, Fraser, Fuller, Gaudreau, Hall, Hanson, B. B.; Hanson, H. L.; Harriman, Hawes, Haynes, Healy, Henley, Hodgkins, Hoover, Huber, Humphrey, Hunter, I m m o n e n, Jameson, Kilroy, Kyes, Lewis, Lincoln, Littlefield, Maddox, McMann, McNally, Miliano, Mosher,

Philbrook, Porter, Prince, Quimby, Rackliff, Richardson, G. A.; Robertson, Robinson, Scott, C. F.; Shute, Soulas, Starbird, Thompson, Townsend, Truman, Waltz, Watts, White, Williams, Wood.

NAY—Allen, Baker, R. E.; Beliveau, Bernard, Binnette, Bourgoin, Bradstreet, Bragdon, Brennan, Brown, Burnham, Carrier, Carroll, Carswell, Clark, Conley, Cookson, Cornell, Couture, Crosby, D'Alfonso, Darey, Dennett, Dickinson, Drigotas, Drummond, Durgin, Eustis, Evans, Ewer, Farrington, Fecteau, Gill, Giroux, Hanson, P. K.; Harnois, Harvey, Hennessey, Hewes, Hichens, Hinds, Jalbert, Jannelle, Keyte, Lebel, Levesque, Lewin, Martin, Meisner, Minkowsky, Nadeau, J. F. R.; Noyes, Pendergast, Pike, Richardson, H. L.; Rideout, Rocheleau, Ross, Sahagian, Sawyer, Scott, G. W.; Scribner, Shaw, Snow, P. J.; Snowe, P.; Sullivan, Susi, Trask, Wheeler, Wight.

ABSENT—Cottrell, Edwards, Fortier, Gauthier, Jewell, Lycette, Nadeau, N. L.; Payson, Quinn, Roy, Tanguay.

Yes, 68; No, 70; Absent, 11.

The SPEAKER: The Chair will announce the vote. Sixty-eight having voted in the affirmative and seventy having voted in the negative, the motion does not prevail.

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

Mr. LEVESQUE: Mr. Speaker, I move we accept the Majority Report.

The SPEAKER: The gentleman from Madawaska, Mr. Levesque, now moves we accept the Majority Report. The Chair recognizes the gentleman from Kingman Township, Mr. Starbird.

Mr. STARBIRD: Mr. Speaker, I move this lie on the table until tomorrow.

(Cries of "No")

The SPEAKER: The gentleman from Kingman Township, Mr. Starbird, now moves this matter be tabled until Thursday, June 15.

Mrs. Baker of Winthrop requested a division.

The SPEAKER: A vote has been requested on the tabling motion.

All those in favor of the tabling motion will vote yes, those opposed will vote no and the Chair opens the vote.

A vote of the House was taken.

24 having voted in the affirmative and 109 having voted in the negative, the tabling motion did not prevail.

Thereupon, the Majority Report was accepted in concurrence and the Bill read twice.

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

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

An Act to Appropriate Moneys for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1968 and June 30, 1969 (S. P. 597) (L. D. 1557)

Tabled — June 12, by Mr. Richardson of Cumberland.

Pending — Passage to be enacted.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: The question pending before the House is the enactment of L. D. 1575 which has been debated and discussed by every member of this House for many, many hours and I do not propose at this hour of the day to go into any detail at all with respect to what this program does. You have received from the Minority Leader and the Majority Leader of this House editorials which in our judgment, take positions which we think are more in line with what we think the future holds for Maine. The Minority Leader has distributed for you reference copies of the editorial appearing in the Bangor Daily News on May 19th. I have given you copies of the editorial appearing in the Portland Press Herald on June 12th.

In sitting here listening to this debate that has preceded this question, it has seemed to me throughout that we have missed the point of what L. D. 1575 means and what

it does. L. D. 1575 seems to restate, in clear and unequivocal terms, the commitment of this Legislature to support public education at all levels in the State of Maine. It seeks to remove the towns and municipalities, to remove from their shoulders, the burden of ADC payments. This program seeks to restore to the University of Maine the operating funds necessary to make sure that the University of Maine continues to be in the future, as it has been in the past, a great State institution.

It is curious, as pointed out in the Bangor Daily News Editorial, to find an alignment in which the Republican Party has proposed a larger amount of spending on its face than the program presented by the Governor. It is curious until one looks behind the facade and when one looks at the spending requirements, the funding requirements confronting this Legislature, and as we look at these requirements, it all boils down to one very simple question. You either want to borrow your way through this biennium beginning July 1st, a few days from now or you will vote to soundly finance State Government for the next biennium.

Many of us have convictions which we hold very strongly. On the issue which we have just decided, I voted in favor of The University of the State of Maine because I was convinced, beyond any doubt, on the basis of my imperfect understanding of the need and my insufficient time to study the matter carefully. But I was faced and confronted with a decision as you are and it had to be made and it had to be made now.

The Republican Party took no position on that issue. Now, on this issue, I take a position and I speak for my Party when I say that the only, the only, basic difference between us, between my friend across the way and myself is that I insist, as a Republican, I demand as a Republican, that the people of this state not be lured into a sense of false security by borrowing now to pay for current services. No one—and I am trying to be completely candid with you, none of the Democratic members

of this House that I have talked with have, as we say, looked me right in the eye and said that our program isn't a good program. No one in this House denies that we must do something to relieve educational costs. No one denies that we must put the University of Maine on a sound financial basis.

I am not unaware of what the result of this vote is going to be. It has been said many times, and this is true today as it has been the other times it has been said, very little that I say is going to change a single vote in this House. You know it and you know I know it. I did think that it might be helpful if you realized that the decision confronting you is whether or not you are going to borrow your way through this biennium and raise the sales tax this time or next time rather, or whether or not you are going to face up to the financial realities and the financial crisis that confronts us.

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

Mr. ROSS: Mr. Speaker and Members of the House: I would like to speak very briefly to the tax issue. In 1955 my vote was the vote that was needed to make 101 votes for the Republican Plan of patchwork taxation. I held out until the very last minute, at which time I gave in only because I did not want to be an obstructionist. At that time I favored the Democrat proposal suggested by Governor Edmund S. Muskie to increase the sales tax. I stated on the Floor of the House at that time that I didn't think it was fair to place the burden of all of our increased spending needs on a select few which would be covered under patchwork taxation. Today I am happy that I can be consistent with my thinking then, without any arm twisting whatsoever. I shall vote for what I believe is the fairest tax. No tax is popular, but at least this spreads the burden equitably. Our Chief Executive has not told us and he has not espoused the fact that he doesn't propose any taxes. Our Governor suggests several additional taxes plus excessive bonding. I didn't approve this

when the Republicans suggested it; I don't approve it now and I support the program as presented.

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

Mr. LEVESQUE: Mr. Speaker and Members of the House: I fully realize that it must be by error, and unfortunately it comes up today that on the today's House advance journal and calendar, in the third line, we have the fiscal year ending June 30, 1968, and then we go back to June 30, 1959, and fully realizing that this is a typographical error I only thought I would bring this out in gesture of the fact that we certainly in the loyal opposition do not want to go back to 1959. And little that I will say here this afternoon will change one single vote in this House of Representatives.

Most parties have made their positions very clear; the Chief Executive has made his position very clear. The House has not denied the Majority Party that they have an excellent program, nor has the Majority Party denied that the Minority Party program, or the Governor's program, was an excellent program. It all depends on which side of the fence that you're looking at when you call a program a good or bad program.

I feel very certain that if the Majority Party, in their endeavor to do good for the municipalities or for education in this State of Maine, would have done something similar to what the 102nd Legislature have done of passing the former Governor John H. Reed's budget in its entirety and then supplement the Governor's program for what they think we should be doing—that this might not be the case that is presently before us today. Somehow or other we find ourselves in a dilemma here in this state, of the present Majority Party having been in continuous majority for over fifty years, but still we find that this same Majority Party that has been in power continuously for fifty years find themselves in a position that they have to vote against something in order to be constructive.

So, for this reason and other reasons that have been stated on the

Floor of this House that we do not want to saddle the people of Maine with a major tax increase now and again two years from now, and then I'll use the words of the Majority Floor Leader, the gentleman from Cumberland, Mr. Richardson—"which would be better for us now, to borrow some for furthering state government or to put before the people of the State of Maine a deficit of \$46 million."

The SPEAKER: The Chair recognizes the gentleman from Enfield, Mr. Dudley.

Mr. DUDLEY: Mr. Speaker and Members of the House: Today we seem to be told or try to be led to believe that there's only two alternatives — either you vote for this tax, or you bond the state into deficit spending. This is truly not the case.

This state can never today, tomorrow or any other day spend itself into prosperity. I say that I don't believe the people are demanding these services. I haven't seen any sign of this — nobody has demanded extra services of me. The population of this state hasn't grown as fast as our budget is. All we're doing is going along with creeping socialism; every year I sit here it creeps harder, and this year it's taken the biggest bite ever since I've sat here in this House. I suggest to you that there is a third alternative. All you've got to do is stop this spending; and you're buying things you don't need and things that people are not asking for. I think you just like to spend money, and I say to you there is a third alternative — let some of those bills on the Senate table die right there. So there is a third alternative — and that's how I feel about it. I know the people of which I represent didn't send me down here to spend money carelessly, recklessly or similar to a drunken sailor, and I think that's what I see here in a good many instances. And so I urge you not to vote for this tax, I don't believe it's needed, and I also don't believe deficit spending is needed. I believe that if we hadn't met here the people of the State would have been much better off because I

don't see anything we've done for them except grab their pocket-books and run with it.

Now I can say that the way I look at this state government and the way we're running, that if you people see these people that believe in Santa Claus — I don't. You can buy those people anything they want, but no doubt about it you will have to take everything they've got to do it and the people that I represent are not in favor of that; they're in favor of spending their own money. And I hope you give them some consideration, and please realize there is more than two alternatives.

Mr. Conley of Portland requested a roll call.

The SPEAKER: This being an emergency measure, under the Constitution requires for its enactment the affirmative vote of two thirds of the entire elected membership of the House. All those in favor of its enactment as an emergency measure will vote yes; those opposed will vote no.

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

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

The SPEAKER: The pending question is on the enactment of Senate Paper 597, L. D. 1575, An Act to Appropriate and Provide Moneys for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1968 and June 30, 1969. All in favor of this matter being enacted will vote yes, those opposed will vote no, and the Chair opens the vote.

ROLL CALL

YEA — Allen, Baker, E. B.; Baker, R. E.; Benson, Birt, Bragdon, Brown, Buck, Bunker, Clark, Cookson, Cornell, Crockett, Crosby, Cushing, Darey, Dickinson, Drummond, Dunn, Durgin, Evans, Ewer, Farrington, Foster, Fuller, Gill,

Hall, Hanson, B. B.; Hanson, P. K.; Harriman, Hawes, Haynes, Henley, Hewes, Hichens, Hinds, Hodgkins, Hoover, Humphrey, Immonen, Jannelle, Kyes, Lewin, Lewis, Lincoln, Littlefield, Maddox, McMann, McNally, Meisner, 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.; Shaw, Shute, Snow, P. J.; Snowe, P.; Soulas, Susi, Thompson, Townsend, Trask, Waltz, Watts, White, Wight, Williams, Wood, The Speaker.

NAY—Bedard, Belanger, Beliveau, Bernard, Binnette, Boudreau, Bourgoin, Bradstreet, Brennan, Burnham, Carey, Carrier, Carroll, Carswell, Champagne, Conley, Cote, Couture, Crommett, Curran, D'Alfonso, Danton, Drigotas, Dudley, Eustis, Fecteau, Fortier, Fraser, Gaudreau, Gauthier, Giroux, Harnois, Harvey, Healy, Hennessey, Huber, Hunter, Jalbert, Jameson, Keyte, Kilroy, Lebel, Levesque, Minkowsky, Nadeau, J. F. R.; Nadeau, N. L.; Rocheleau, Sawyer, Scribner, Starbird, Sullivan, Truman, Wheeler.

ABSENT—Berman, Cottrell, Dennett, Edwards, Hanson, H. L.; Jewell, Lycette, Martin, Payson, Quinn, Roy, Tanguay.

Yes, 85; No, 53; Absent, 12.

The SPEAKER: Eighty-five having voted in the affirmative and fifty-three in the negative, with 12 being absent, eighty-five being less than one hundred and one, this Bill fails of enactment.

(Off Record Remarks)

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

Mr. JALBERT: Now, on the record, Mr. Speaker, my seatmate Mr. Beliveau a moment ago in putting a motion before us the Speaker somewhat hesitated, said he's bushed. I might say that I get here very early in the morning, and this morning when I got here there were exactly nine people

waiting to see the Speaker—and I speak about the Speaker not to catch favors, I mean it's, my feelings toward him are well known. However, I do know that he yielded the Chair, and I must add my compliments to the gentleman from Bath, Mr. Ross, you did a fine job. I found him later on writing his speech that he made this noontime in Auburn. He travelled from here to Auburn, made his speech, came back, and again took up his duties as Speaker of the House, amid some heated debate this afternoon. I have been up there for a few minutes off and on and I was always happy to get off the rostrum. And I think that

before we leave today—I know we will later on, give our feelings to this gentleman, but I think that as we leave today we should rise and give a round of applause for Speaker David Kennedy for a job well done and—

The SPEAKER: The Chair understands the gentleman from Lewiston, Mr. Jalbert, moves that the House adjourn until 9:30 tomorrow morning—

Mr. JALBERT: I did not make the motion. (Applause, Members rising)

And according to the motion of Mr. Jalbert of Lewiston, the House adjourned until nine-thirty o'clock tomorrow morning.