

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Fourth
Legislature*

OF THE

STATE OF MAINE

1969

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Friday, April 18, 1969

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

Prayer by the Rev. Mr. Malcolm Galbraith of Hallowell.

The journal of yesterday was read and approved.

**Papers from the Senate
Indefinitely Postponed**

From the Senate: The following Order:

ORDERED, the House concurring, that the State Department of Banks and Banking be and is hereby authorized and directed to report a Bill or Bills to disclose interest and finance charges in retail sales and loans that will correspond with the Federal Consumer Credit Protection Act, as enacted under Public Law 90-321; and be it further

ORDERED, that said Department of Banks and Banking report such Bill or Bills at the next regular or special session of the Legislature (S. P. 436)

Came from the Senate read and passed.

In the House, the Order was read.

On motion of Mr. Carey of Waterville, the Joint Order was indefinitely postponed in non-concurrence and sent up for concurrence.

**Reports of Committees
Ought Not to Pass**

Report of the Committee on Election Laws reporting "Ought not to pass" on Bill "An Act relating to Recount and other Election Procedures and Changing the Primary Election Dates" (S. P. 66) (L. D. 188)

Report of the Committee on Liquor Control reporting same on Bill "An Act relating to Powers and Duties of Liquor Inspectors" (S. P. 110) (L. D. 320)

Came from the Senate read and accepted.

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

Ought to Pass

Report of the Committee on Education reporting "Ought to pass" on Bill "An Act Increasing Borrowing Capacity of School Admin-

istrative District No. 14" (S. P. 309) (L. D. 1027)

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

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

**Ought to Pass with
Committee Amendment**

Report of the Committee on Inland Fisheries and Game on Resolve Permitting Ice Fishing on Second Chase Lake, Aroostook County (S. P. 296) (L. D. 1001) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted and the Resolve indefinitely postponed.

In the House: Report was read.

On motion of Mr. Bourgoin of Fort Kent, the Committee "Ought to pass" Report was accepted in concurrence.

Thereupon, the Resolve was given its first reading.

Committee Amendment "A" (S-76) was read by the Clerk and adopted in concurrence and the Resolve assigned for second reading the next legislative day.

Non-Concurrent Matter

Joint Order relative to University of Maine at Portland - Study re Preservation of Building (S. P. 423) which was indefinitely postponed in non-concurrence in the House on April 10. (Later Reconsidered)

Came from the Senate with that body voting to insist on its former action whereby the Order was passed and asking for a Committee of Conference, with the following Conferees appointed on its part:

Messrs. KELLAM of Cumberland
CONLEY of Cumberland
BERRY of Cumberland

In the House:

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

Mr. WAXMAN: Mr. Speaker, may this item be set aside until later in today's session?

The SPEAKER: The gentleman should dispose of it at this time.

A motion to recede and concur, insist or adhere.

Mr. WAXMAN: I move that we recede and concur with the Senate.

The motion prevailed.

Non-Concurrent Matter

An Act relating to the Certification of Operators of Water Treatment Plants and Water Distribution Systems (S. P. 317) (L. D. 1031) which was passed to be enacted in the House on April 15 and passed to be engrossed as amended by Committee Amendment "A" on April 10.

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

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

Non-Concurrent Matter

Bill "An Act Increasing Compensation of Members of Board of Hairdressers" (H. P. 227) (L. D. 283) which was passed to be engrossed as amended by Committee Amendment "A" in the House on March 20.

Came from the Senate indefinitely postponed in non-concurrence.

In the House: On motion of Mr. Ross of Bath, the House voted to insist and ask for a Committee of Conference.

Non-Concurrent Matter

Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Bill "An Act relating to Working Capital of State Liquor Commission" (H. P. 619) (L. D. 807) which was accepted in the House on April 16.

Came from the Senate with the Report and Bill recommitted to the Committee on Appropriations and Financial Affairs in non-concurrence.

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

Non-Concurrent Matter Tabled and Assigned

Bill "An Act to Provide for Forfeiture of Vehicles Used to Transport Narcotics" (H. P. 734) (L. D. 952) which was passed to be engrossed in the House on April 4.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Owls Head, Mr. MacPhail.

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

Mr. Moreshead of Augusta then moved that the matter be tabled until Wednesday, April 23.

Whereupon, Mr. Mills of Eastport asked for a vote on the tabling motion.

The SPEAKER: A vote has been requested on the tabling motion. The question before the House is on the motion of the gentleman from Augusta, Mr. Moreshead, that this matter be tabled until Wednesday, April 23, pending the motion of the gentleman from Owl's Head, Mr. MacPhail that the House insist on its former action and ask for a Committee of Conference.

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

A vote of the House was taken.

64 having voted in the affirmative and 50 having voted in the negative, the motion did prevail.

Orders

On motion of Mr. MacPhail of Owls Head, it was

ORDERED, that Carl Erickson, Jr. of Warren be appointed to serve as Honorary Page for today.

Mr. Gauthier of Sanford was granted unanimous consent to address the House.

Mr. GAUTHIER: Mr. Speaker and Ladies and Gentlemen of the House: The two Sanford girls, namely Miss Merrifield, who won the State Home Award on Homemakers, and Miss Fredette, who won the Governor's essay contest on the handicapped, who appeared before you a few weeks ago, asked

me to convey to you Mr. Speaker and ladies and gentlemen of the House, their sincerest thanks for the reception you gave them a few weeks ago when they appeared before you.

I wish to further inform you that Miss Fredette received word from Senator Margaret Chase Smith that she won fourth place in the national contest.

House Reports of Committees, Leave to Withdraw

Mr. Foster from the Committee on Judiciary on Bill "An Act to Integrate Activities of the Probate Court into the Superior Court" (H. P. 992) (L. D. 1276) reported Leave to Withdraw.

Mr. Williams from the Committee on Public Utilities reported same on Bill "An Act relating to Valuation of Public Utility Property for Fixing Rates" (H. P. 240) (L. D. 295)

Mr. Dennett from the Committee on State Government reported same on Bill "An Act Authorizing the Governor to Designate a Municipal Official as Enrolling Officer for the Purpose of Enrolling the Militia" (H. P. 529) (L. D. 700)

Reports were read and accepted and sent up for concurrence.

Leave to Withdraw Covered By Other Legislation

Mr. Drigotas from the Committee on Taxation on Bill "An Act Providing for a Tax on Soft Drinks" (H. P. 1127) (L. D. 1448) reported Leave to Withdraw, as covered by other legislation.

The Report was read and accepted and sent up for concurrence.

Ought Not to Pass

Mr. Millett from the Committee on Education reported "Ought not to pass" on Bill "An Act relating to State Subsidy for School Superintendents" (H. P. 1025) (L. D. 1334)

The Report was read and accepted and sent up for concurrence.

Ought to Pass in New Draft New Draft Printed

Mr. Marsteller from the Committee on State Government on Bill "An Act relating to Approval of Appointment of Assistant County Attorney for Hancock County" (H. P. 197) (L. D. 244) reported same in a new draft (H. P. 1137) (L. D. 1459) under title of "An Act relating to Approval of Appointment of Assistant County Attorneys for Hancock and Washington Counties" and that it "Ought to pass"

Report was read and accepted, the New Draft read twice and assigned the next legislative day.

Ought to Pass Printed Bills

Mr. Clark from the Committee on Public Utilities reported "Ought to pass" on Bill "An Act Creating the Harrison Water District" (H. P. 867) (L. D. 1109)

Mr. Rideout from the Committee on State Government reported same on Bill "An Act Increasing Certain Fees for the Secretary of State's Office" (H. P. 910) (L. D. 1171)

Mr. Starbird from same Committee reported same on Resolve Changing the Name of Mud Pond in Oxford County to Twilight Pond (H. P. 968) (L. D. 1250)

Miss Watson from same Committee reported same on Bill "An Act Setting off a Portion of the Town of Perry to the State of Maine for the Pleasant Point Reservation" (H. P. 1058) (L. D. 1389)

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

Ought to Pass with Committee Amendment

Mr. Martin from the Committee on Appropriations and Financial Affairs on Bill "An Act to Reappropriate Balance of Appropriation for Vocational Building at the Men's Correctional Center" (H. P. 795) (L. D. 1036) reported "Ought to pass" as amended by Committee Amendment "A" (H-204) submitted therewith.

Mr. Chick from the Committee on Education on Bill "An Act Con-

cerning the Training of Barbers" (H. P. 661) (L. D. 848) reported "Ought to pass" as amended by Committee Amendment "A" (H-205) submitted therewith.

Mr. Foster from the Committee on Judiciary on Bill "An Act to Give the Commissioner of Veterans Services Power to Acquire Land by Eminent Domain" (H. P. 634) (L. D. 822) reported "Ought to pass" as amended by Committee Amendment "A" (H-206) submitted therewith.

Mr. Jameson from the Committee on Natural Resources on Bill "An Act Providing for State Contribution to the Cooperative Soil Survey" (H. P. 904) (L. D. 1165) reported "Ought to pass" as amended by Committee Amendment "A" (H-207) submitted therewith.

Reports were read and accepted and the Bills read twice. Committee Amendment "A" to each was read by the Clerk and adopted, and the Bills assigned for third reading the next legislative day.

Tabled and Assigned

Mr. Snow from the Committee on Natural Resources on Bill "An Act relating to Approval of Refuse Disposal Areas" (H. P. 739) (L. D. 957) reported "Ought to pass" as amended by Committee Amendment "A" (H-208) submitted therewith.

Report was read.

(On motion of Mr. Snow of Caribou, tabled pending acceptance of the Report and specially assigned for Wednesday, April 23.)

Mr. Lawry from the Committee on Public Utilities on Bill "An Act Increasing Borrowing Capacity of Waldoboro Sewer District" (H. P. 535) (L. D. 706) reported "Ought to pass" as amended by Committee Amendment "A" (H-209) submitted therewith.

Mr. Rand from same Committee on Bill "An Act to Expand the Purposes of the Portland Water District to Authorize it to Engage in Treatment and Disposal of Sewage" (H. P. 705) (L. D. 919) reported "Ought to pass" as amended by Committee Amendment "A" (H-210) submitted therewith.

Reports were read and accepted and the Bills read twice. Committee Amendment "A" to each was read by the Clerk and adopted, and the Bills assigned for third reading the next legislative day.

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

Mr. RICHARDSON: Mr. Speaker, I would move that we reconsider our action on item six, page two, where we voted to recede and concur with the Senate.

The SPEAKER: The gentleman from Stonington, Mr. Richardson, moves that the House reconsider its action of earlier in the day whereby it receded and concurred with the Senate on Joint Order relative to University of Maine at Portland — Study re Preservation of Building (S. P. 423) which was indefinitely postponed in non-concurrence in the House on April 10. Is it the pleasure of the House to reconsider its action?

Thereupon, Mr. Waxman of Portland asked for a vote.

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

Mr. LEVESQUE: Mr. Speaker, may I inquire through the Chair of the gentleman from Stonington, Mr. Richardson, as to what his reason is for reconsideration at this point where we receded and concurred and could very well join in a Committee of Conference? Would the gentleman from Stonington, Mr. Richardson, care to answer that?

The SPEAKER: The gentleman from Madawaska, Mr. Levesque, poses a question through the Chair to the gentleman from Stonington, Mr. Richardson, who may answer if he chooses. The Chair recognizes that gentleman.

Mr. RICHARDSON: When we receded and concurred with the Senate and not on a motion to insist and have a Committee of Conference. If the motion prevails, I would move that we insist and have a Committee of Conference.

The SPEAKER: Is it the pleasure of the House to reconsider its action? A vote has been requested, and the previous action was receding and concurring with the

Senate. If you wish to reconsider this action you will vote yes; if you are opposed you will vote no. The Chair opens the vote.

A vote of the House was taken. 90 having voted in the affirmative and 31 having voted in the negative, the motion did prevail.

Whereupon, on motion of Mr. Richardson of Stonington, the House voted to insist and join in the Committee of Conference.

Divided Report

Majority Report of the Committee on Inland Fisheries and Game on Bill "An Act relating to the Wearing of Fluorescent Clothing When Hunting" (H. P. 61) (L. D. 63) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

- Messrs. HOFFSES of Knox
- ANDERSON of Hancock
- MARTIN of Piscataquis
- of the Senate.
- Messrs. LEWIN of Augusta
- THOMPSON of Belfast
- PORTER of Lincoln
- BOURGOIN of Fort Kent
- KELLEY of Southport
- of the House

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

Report was signed by the following member:

- Mr. ROCHELEAU of Auburn
- of the House.

Reports were read.

On motion of Mr. Lewin of Augusta, the Majority "Ought to pass" Report was accepted.

The Bill was then given its two several readings.

Committee Amendment "A" (H-211) was read by the Clerk and adopted and the Bill assigned for third reading the next legislative day.

Divided Report

Majority Report of the Committee on Liquor Control on Bill "An Act relating to Sale of Liquor not to be Consumed on the Premises" (H. P. 826) (L. D. 1065) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

- Messrs. BERRY of Cumberland
- BOISVERT of Androscoggin
- CONLEY of Cumberland
- of the Senate.
- Messrs. CHANDLER of Orono
- FAUCHER of Solon
- COUTURE of Lewiston
- LEIBOWITZ of Portland
- STILLINGS of Berwick
- TANGUAY of Lewiston
- of the House

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

Report was signed by the following member:

- Mr. HICHENS of Eliot
- of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Eliot, Mr. Hichens.

Mr. HICHENS: Mr. Speaker, Ladies and Gentlemen of the House: I now ask that the Minority Report "Ought not to pass" be accepted and I would speak on my motion.

I am not referring to the bill itself but would refer to the amendment because I think that will explain and you have that right on your desk this morning. It is L. D. 1065, An Act relating to the Sale of Liquor not to be Consumed on the Premises. We read: "Hotels, class A restaurants and club spirituous and vinous liquors licensees, their clerks, servants or agents may sell liquor in the original packages to be consumed elsewhere than upon the licensed premises."

In other words, this means that a person may go into a hotel, a Class A restaurant or a club and buy bottled liquors and walk out with them as if it was a regular open store. This a monopoly state and I believe that all sales should be made from our state liquor stores if they are going to be made at all. This will only open the door to further liberalization of our sales of liquor in the state and I believe that we should kill this right at the present time.

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

Mr. COTE: Mr. Speaker and Members of the House: I rise in opposition to the motion of the gentleman from Eliot, Mr. Hichens. It is true that it will liberalize our liquor laws somewhat, but it will only do, make legal what the bootleggers are doing now illegally. It is my opinion, as far as this bill is concerned, that it will be a revenue producing bill for the state. It will also provide those services to those people who now have a hard time getting liquor from certain towns who have to travel thirty-five or forty or fifty miles in order to go to a liquor store. These people have voted in these towns to have liquor, but we cannot afford to put in new stores. In this manner we can take care of their requests. As I said, this will produce a revenue for the State of Maine through the sale of licenses to licensees now.

I have consulted with Mr. Murphy and he tells me he sees no problem as far as enforcement is concerned because these licensed places are now under his jurisdiction and under his control, and I feel that the citizens of Maine should be given a little better service in this field and that we should work towards getting rid of the bootlegger in this state. And if there is any bootlegging going on, it is done between those hours when the liquor stores are closed and when the buyer cannot purchase a bottle. And I feel it is a measure that is going to be beneficial to our state both morally, also it will be beneficial to our state and that it will stop once again I say the bootlegger and I hope we vote against the acceptance of the "ought not to pass" report.

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

Mr. BIRT: Mr. Speaker, I pose a question through the Chair to the gentleman from Lewiston, Mr. Cote. If this bill were enacted would this allow me to go into the Pilot's Grill in Bangor as a restaurant with a Class A take-out license and buy a fifth of Canadian Club in its original container and take it home with me?

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

Mr. COTE: Mr. Speaker, the answer is in the affirmative.

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

Mr. LEVESQUE: Mr. Speaker, may I ask through the Chair a question to the gentleman from Eliot, Mr. Hichens, that if this document should become law, wouldn't it be somewhat a little bit better to the person that wishes to buy a bottle in its original form to buy it through a licensed operator, or whether we should continue to allow the bootleggers to sell it at a much higher price and derive no benefits from the sale?

The SPEAKER: The gentleman from Madawaska, Mr. Levesque, poses a question through the Chair to the gentleman from Eliot, Mr. Hichens who may answer if he chooses. The Chair recognizes that gentleman.

Mr. HICHENS: Mr. Speaker and Members of the House: I would say that it might stop a little bootlegging but I don't think it is going to make much better the situation. You noticed yesterday that there were a lot of eyebrows lifted when the committee report came out and and I think today's action explains that. The main reason that I had so much support yesterday as against the agency stores, today it comes up because the hotels and the restaurants and so forth are going to have this business themselves, and I think it is self-explanatory because of the action of yesterday and the referred action of today.

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

Mr. McTEAGUE: Mr. Speaker and Members of the House: I would pose a question to any member of the Liquor Committee. Would the liquor sold in bottles be sold—or could it be sold at a price either above or below the

price at which it is now sold in the State stores?

The SPEAKER: The gentleman from Brunswick, Mr. McTeague poses a question through the Chair to anyone who may answer if they choose.

The Chair recognizes the gentleman from Eliot, Mr. Hichens.

Mr. HICHENS: Mr. Speaker, the original bill stipulated that this bottled liquor would be sold at a twenty per cent increase. This has been left out in the amendment; I don't know just the reason for it but they have the right in the original bill to sell it for twenty per cent higher than what it would be bought for in the liquor stores.

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

Mr. STARBIRD: Mr. Speaker and Members of the House: I think this bill as I read it over here in my book and the amendment to it, I can't see any need of this. Mr. Cote mentioned bootleggers. I think the obvious way to eliminate that if it is possible is better enforcement rather than tailor the law to fit the violation. I can't see any logic in doing that. I would think where we yesterday had very good arguments placed before us and which we went along with against the agency stores, that it was a liberalization of the law that we didn't think we wanted, that this would accomplish a liberalization that would be even further along than that.

I, myself, as I read this over can't see any reason for it. This is a monopoly state. I think it is working well and I think we should keep it that way.

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

Mr. COTE: Mr. Speaker and Members of the House: We seem to have gone a little bit astray, now we are discussing yesterday's bill that was killed in this House. I must give my reason why I voted against yesterday's bill. In the first place, in my opinion, it would cost \$4,000,000 to the State just to go into this type of agency store. Under my bill, it doesn't cost one penny; it's a revenue pro-

ducing bill, revenue which we need at this time. Now if this House is going to go along this morning to stop the bootlegger from operating illegally and selling bottles at one hundred per cent markup, I think this is a step in the right direction.

Now as far as the amendment is concerned, I haven't looked the amendment over, I looked it over fast. There is an intent in this bill to charge twenty per cent over and above the cost, which would make it — in other words a five dollar bottle would cost six dollars if you bought through a Class A restaurant, hotel or club. Hotels today do sell bottles but only to registered guests, and it seems to me I would like to see that twenty per cent go back into the amendment. I don't know how it got left out, by mistake; it was through the Attorney General's office that this amendment came about. So I would hope probably this morning that in order to correct this situation somebody may table the bill until next week so we could fix the amendment.

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

Mr. EMERY: Mr. Speaker, I move we table this until Wednesday next.

Mr. Hichens of Eliot then asked for a vote on the tabling motion.

The SPEAKER: The gentleman from Auburn, Mr. Emery, moves that L. D. 1065 be tabled until Wednesday, April 23, pending the motion of the gentleman from Eliot, Mr. Hichens, to accept the Minority "Ought not to pass" Report. A vote has been requested on the tabling motion. All those in favor of this matter being tabled until Wednesday, April 23, will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

59 having voted in the affirmative and 69 having voted in the negative, the motion to table did not prevail.

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

Mr. STARBIRD: Mr. Speaker and Members of the House: I offer

this as a rebuttal about revenue producing items. I submitted a bill, L. D. 1307, raising certain liquor license fees which to my knowledge is still in committee; we just had a hearing last week. This instrument would produce about \$267,000 increased revenue each year in comparison with the estimate of \$50,000 on the document we are now discussing. I would say that this would be the way to acquire the increased revenue, if this is what you want. That means somewhat over \$200,000 more. If we are looking for revenue, this may be one way to get it.

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

Mr. DONAGHY: Mr. Speaker and Members of the House: I fail to see where the gentleman from Lewiston that is so much worried about the bootleggers, since Mr. Murphy doesn't have any problem with them. The reason I arise is the fact that I come from a town of roughly 2,500 people. There are two other towns that are smaller in the county that have liquor stores. The State Liquor Commission has told us that we can have none. We have no Class A restaurants, we have no hotels, so here again the folks from down Lewiston way seem to be worrying about something that they don't know too much about.

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

Mr. SAHAGIAN: Mr. Speaker, I would like to pose a question through the Chair to Mr. Hichens or any other member who would care to answer, as to the number of hotels and restaurants that are selling liquor today?

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

The Chair recognizes the gentleman from Eliot, Mr. Hichens.

Mr. HICHENS: Mr. Speaker, I do not know whether I fully understand the question, as to whether he means how many hotels or restaurants are serving liquor or what. I do not know just how many

there are but there are Class A restaurants and hotels and clubs that serve liquor to their own residents. They can take that liquor to their own rooms and use it, but they can't take it out of the building.

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

Mr. SAHAGIAN: Mr. Speaker, I don't exactly know the number of the licensees that we have that are serving today liquor on the premises, but if this bill will permit those very same licensees, whether they are hotels, motels or restaurants, then you are going to number anywheres from a hundred or more. I am not sure of the number. But, if we are going to do that, why do we need the state liquor store setup? Why don't they abolish the state system and go back into an open state like Massachusetts or Rhode Island or New York? You are opening the door now by allowing a hundred or two people to serve liquor on their premises to take out. I think then if you are not happy with the state monopoly setup, that's a nice way to try it out and see what it will do. I will have to go along with the gentleman from Eliot, Mr. Hichens in accepting the Minority Report "Ought not to pass."

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I think primarily this morning my reason for getting up on this document is for its ultimate importance to the revenue producing part that will be beneficial to the State of Maine.

I think probably right now most of the people in the State recognize the fact that the regulated stores now have certain hours that they abide by, and come 8:30 in the morning when the stores open and then when it comes the time for closing whether it be 5:00 o'clock or 5:30 in the afternoon, even if somebody comes in one minute after closing time at 5:30, the door is locked and the person that wishes to buy a bottle of liquor is denied the privilege of buying a bottle of liquor through the store

because the doors are closed and locked and the employees are scheduled on their way home.

I think primarily this same person will turn around and will buy this bottle of liquor that he wanted to buy illegally in one form or the other. I think that by having these facilities open to the general public on a regulated basis—they have to buy their liquor from the liquor commissions or the state liquor stores, this will afford the opportunity of these people going to a licensed establishment and be able to satisfy their needs if it was all that important. If it was not all that important, then he is going to wait until the next day. But I think that there is a definite advantage for these people that might go in one minute after closing hour and could still very well purchase the same amount of liquor through another licensed establishment in the community, other than going to some areas where they are absolutely not licensed and we should try to eliminate.

Although most of you people here in this House this morning recognize the fact that it is almost, almost impossible for the law enforcement agencies to eliminate all the bootleggers; if you eliminate ten fifteen will grow in another corner some place. So I think it would be a definite advantage that we supervise this to regular licensed agencies and they in turn will have to get their liquor from the Commission, which I think is going to be a definite advantage.

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

Mr. BIRT: Mr. Speaker and Members of the House: For many years, ever since the abolition of prohibition, the State of Maine has exercised a monopoly over the sale of hard liquor. This will be the first break in the door. As the good gentleman from Madawaska has pointed out, if it is one minute past closing hour and the store is closed a man could not buy a bottle in the state store, he could then go to hotel and buy it. But I would then submit that why should

he even go to the state store in the first place. It might be more convenient to drive around the block and stop at the hotel and buy it during the day.

I believe that if we are going into this area that we might as well accept the fact that within a very few years we will eliminate the state stores in their entirety and do all the sale of hard liquor through the hotels and Cless A restaurants; and I certainly don't believe that that is the direction the people of the State of Maine want to embark on. I would certainly hope that the House this morning will accept the Minority "Ought not to pass" Report.

Mr. Sahagian of Belgrade was granted permission to speak a third time.

Mr. SAHAGIAN: Mr. Speaker and Members of the House: This is something here most of us in this House do not realize today, that if we permit this one hundred or two hundred stores to go out and sell liquor by bottles, you don't want to forget that you are going to increase the enforcement force by quite a bit of number, and that will be added expense to the state's stores.

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

Mr. MEISNER: Mr. Speaker and Members of the House: I am not going to make a speech. I just want to go on record in support of accepting the Minority Report. When my friend from Ellsworth told me about this bill, I couldn't believe my own ears. I came and looked it up and hardly believed my own eyes. All the opportunities we have given to the liquor interests during this session so far, that they would try to push it a little bit farther. It seems to me that we might as well go back to the old days of the saloon.

There has been quite a lot of talk here about stopping bootleggers. I have lived a long while and there have been bootleggers that I have heard tell of all my life, and I think we will always have bootleggers just as long as liquor is produced. I don't believe this is going to stop bootlegging

and I don't think it is going to be a good thing for the people of the State to have this bill passed.

So I hope when the vote is taken that you will vote in favor of the Minority Report, and I would ask for a roll call.

The SPEAKER: The Chair recognizes the gentleman from Monmouth, Mr. Chick.

Mr. CHICK: Mr. Speaker and Members of the House: Most of the remarks this morning have been from people who are concerned with the fellow that can't buy his liquor. I don't think that we've got to worry about that. Most people that I know that drink usually have more than one week's supply of liquor on hand. So I don't think we have got to worry about them.

Now also there is some concern that somebody might arrive at a store one or two minutes late on a weekend and would be unable to buy liquor. To me that may be a good thing; perhaps they will spend the money for food for the family, if they can't buy the liquor. So I hope that the motion to accept the Minority Report will prevail.

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from Eliot, Mr. Hichens, that the House accept the Minority "Ought not to pass" Report. 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.

More than one fifth having expressed the desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question is on the motion of the gentleman from Eliot, Mr. Hichens, that the House accept the Minority "Ought not to pass" Report on Bill "An Act relating to sale of Liquor not to be Consumed on the Premises," House Paper 826, L. D. 1065. All those in favor of accepting the Minority "Ought not to pass" Report will vote yes; those

opposed will vote no. The Chair opens the vote.

ROLL CALL

YEA — Allen, Baker, Barnes, Benson, Berman, Birt, Bragdon, Brown, Buckley, Bunker, Carey, Carrier, Casey, Chick, Clark, C. H.; Clark, H. G.; Crommett, Crosby, Cummings, Cushing, Donaghy, Dudley, Durgin, Dyar, Erickson, Eustis, Evans, Farnham, Fine-moore, Fortier, A. J.; Gauthier, Gilbert, Good, Hall, Hanson, Hardy, Haskell, Hawkens, Henley, Hewes, Hichens, Huber, Hunter, Immonen, Kelley, K. F.; Kilroy, Lawry, Lee, Lewin, Lewis, Lincoln, Lund, MacPhail, Marstaller, McNally, Meisner, Millett, Mitchell, Moreshead, Mosher, Page, Payson, Porter, Quimby, Richardson, G. A.; Ross, Sahagian, Scott, C. F.; Scott, G. W.; Shaw, Snow, Starbird, Susi, Temple, Thompson, Trask, Tyndale, White, Williams, Wood.

NAY — Bedard, Bernier, Binnette, Boudreau, Bourgoin, Brennan, Burnham, Carter, Coffey, Corson, Cote, Cottrell, Couture, Cox, Croteau, Dam, Drigotas, Emery, Faucher, Fecteau, Foster, Fraser, Giroux, Jalbert, Jameson, Johnston, Jutras, Kelleher, Kelley, R. P.; Keyte, Label, Leibowitz, LePage, Levesque, Marquis, Martin, McTeague, Mills, Morgan, Nadeau, Norris, Noyes, Ouellette, Pratt, Rand, Rideout, Rochelleau, Santoro, Sheltra, Soulas, Stillings, Tanguay, Vincent, Watson, Waxman, Wheeler.

ABSENT — Chandler, Curran, Curtis, D'Alfonso, Danton, Dennett, Fortier, M.; Harriman, Heselton Laberge, McKinnon, Richardson, H. L.; Wight.

Yes, 80; No, 56; Absent, 13.

The SPEAKER: Eighty having voted in the affirmative and fifty-six having voted in the negative, the motion to accept the Minority "Ought not to pass" Report does prevail.

Sent up for concurrence.

Orders out of Order

On motion of Mr. Richardson of Stonington, it was

ORDERED, that Craig Hutchinson of Stonington be appointed to serve as Honorary Page for today.

Mr. Stillings of Berwick presented the following Order and moved its passage:

WHEREAS, Charles Edwin Grant of Lebanon has devoted over a quarter century of his life to the service of the people of Lebanon as both an appointed and elected official; and

WHEREAS, Charles Edwin Grant will celebrate the eighty-fifth anniversary of his birth on the 29th day of April, 1969; and

WHEREAS, the people of Lebanon will assist in the celebration of this anniversary; now, therefore, be it

ORDERED, that the House of Representatives of the 104th Maine Legislature join in the celebration and extend to Charles Edwin Grant its congratulations on this anniversary in recognition of his service to the community; and be it further

ORDERED, that a duly authenticated copy of this House Order be transmitted forthwith to Charles Edwin Grant.

The Order received passage.

The SPEAKER: Is there objection to considering a paper from the Senate out of order? The Chair hears none; the Clerk will read the paper.

From the Senate: The following Order:

ORDERED, the House concurring, that when the House and Senate adjourn, they adjourn to Tuesday, April 22, at 10 o'clock in the morning. (S. P. 437)

Came from the Senate read and passed.

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

Divided Report

Majority Report of the Committee on Taxation on Bill "An Act Increasing the Sales Tax and the Cigarette Tax and Removing the Sales Tax Exemption on Trade-in Credit for Vehicles" (H. P. 1128) (L. D. 1449) reporting same in a new draft (H. P. 1138) (L. D. 1458) under title of "An Act Increasing the Sales Tax and the Cigarette Tax, Removing the Sales Tax Exemption on Trade-in Credit for Vehicles and Providing for a Tax

on Soft Drinks" and that it "Ought to pass"

Report was signed by the following members:

Messrs. WYMAN of Washington
HANSON of Kennebec
— of the Senate.
Messrs. FORTIER of Rumford
ROSS of Bath
SUSI of Pittsfield
Mrs. WHITE of Guilford
— of the House.

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

Report was signed by the following members:

Mr. MARTIN of Piscataquis
— of the Senate.
Messrs. DRIGOTAS of Auburn
COTTRELL of Portland
HARRIMAN of Hollis
— of the House.

Reports were read.

On motion of Mr. Susi of Pittsfield, the Majority "Ought to pass" in New Draft Report was accepted.

The New Draft was given its two several readings and assigned the next legislative day.

Passed to Be Engrossed

Bill "An Act relating to Death Benefits before Retirement under State Retirement System" (S. P. 175) (L. D. 576)

Bill "An Act relating to Retirement Allowance for Participating Local District Employees and Prior Service Credit for Municipal Employees" (S. P. 382) (L. D. 1296)

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

Third Reader

Tabled and Assigned

Bill "An Act Granting Veterans a Property Tax Credit in Lieu of an Exemption" (H. P. 743) (L. D. 961)

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

(On motion of Mr. Dam of Skowhegan, tabled pending passage to be engrossed and specially assigned for Tuesday, April 22.)

Bill "An Act relating to Sunday Sale of Liquor if January 1st Falls

on Sunday or Monday" (H. P. 775) (L. D. 1008)

Bill "An Act Defining the Term Just Value for Purposes of Property Assessment (H. P. 877) (L. D. 1120)

Bill "An Act relating to Mandatory Fines on Minors who Violate Certain Liquor Laws" (H. P. 1135) (L. D. 1455)

Bill "An Act relating to the Jet Fuel Tax" (H. P. 1136) (L. D. 1456)

Resolve Authorizing a Study of the Operational Aspects of the Superior and Supreme Courts (H. P. 404) (L. D. 515)

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 and sent to the Senate.

Passed to Be Enacted Emergency Measure

An Act relating to the Camp Trip Leader's Permit under Fish and Game Laws (H. P. 814) (L. D. 1053)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 114 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act Revising the Laws Relating to the Practice of Dentistry (S. P. 264) (L. D. 868)

An Act to Change the Name of Eastern Maine General Hospital to Eastern Maine Medical Center (S. P. 361) (L. D. 1225)

An Act relating to Compensation of Electricians Examining Board and Membership of Oil Burner Men's Licensing Board (H. P. 505) (L. D. 676)

An Act Amending the Liability of Landowners Law (H. P. 735) (L. D. 953)

An Act Establishing a Scenic Highway Board (H. P. 837) (L. D. 1075)

An Act to Study Desirability of Extending Route 161 from St. Francis to Canada (H. P. 928) (L. D. 1189)

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

Orders of the Day

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

HOUSE MAJORITY REPORT (6)—"Ought not to pass"—Committee on State Government on Bill "An Act relating to Membership and Salary of State Liquor Commission" (H. P. 782) (L. D. 1015) and MINORITY REPORT (4) reporting "Ought to pass"

Tabled—April 11, by Mr. Rideout of Manchester.

Pending—Acceptance of either Report.

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

Mr. RIDEOUT: Mr. Speaker, may I have this tabled until Wednesday next?

Thereupon, Mr. Starbird of Kingman Township asked for a vote on the tabling motion.

The SPEAKER: The gentleman from Manchester, Mr. Rideout, now moves that item one, L. D. 1015, be tabled until Wednesday next pending acceptance of either Report. A division has been requested on the tabling motion. All those in favor of this matter being tabled until Wednesday, April 23, will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

94 having voted in the affirmative and 23 having voted in the negative, the motion to retable did prevail.

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

Bill "An Act relating to the Sale of Fireworks" (H. P. 284) (L. D. 360) (In House, Indefinitely Postponed) (In Senate, passed to be engrossed as amended by Senate Amendment "A" S-44)

Tabled—April 11, by Mrs. Cummings of Newport.

Pending—Motion of Mr. Corson of Madison to recede and concur.

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

Mr. CORSON: Mr. Speaker, I move that we recede and concur with the Senate and would speak to my motion.

The SPEAKER: The gentleman's motion is on the Floor and he may proceed.

Mr. CORSON: Mr. Speaker and Ladies and Gentlemen of the House: This bill, L. D. 360, will permit the sale of Class C fireworks in Maine for a period of fifteen days each year, such fireworks to be used only on July Fourth. I now move that we recede and concur and ask for a roll call.

The SPEAKER: The gentleman from Madison, Mr. Corson, moves that the House recede from its former action and concur with the Senate.

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

Mr. TEMPLE: Mr. Speaker and Ladies and Gentlemen of the House: I will try to be as brief as possible this morning. I will only repeat a few of the bad points of this bill. When this bill was heard in committee there was only one proponent for this bill and the sponsor. There has been no demand that I know of from the public for this legislation. This bill is poorly drawn, there are no provisions for policing this law, and no financing for policing. The bill conflicts with other states' statutes. The bill would only encourage bootlegging of all types of fireworks. There are no restrictions on where fireworks would be sold, no provisions for their storage.

The size of fireworks means little as far as danger. I would like to show the members of the House this morning a standard State Police bullet, a 38 used by our police over the state, and see how strong but how deadly anything can be even though it is small. Another factor, many Class C fireworks are made today from metallic paper. This would only add to our litter program in the State of Maine. And still another factor, it has been brought forth that over ninety per cent of the riots over the country there have been fireworks present.

I would like to read an AP dispatch to the Kennebec Journal and the Portland papers this past week pertaining to the riot in Chicago. "Thirteen men and women were fined for taking part in this riot by Magistrate Arthur Dunn who heard the case in the District Court. He set forth in his decision, "I firmly believe that our cities and the residents of these cities can and must be protected by their government from noisy, chanting, shouting, marching, threatening picketers who under the guise of free speech hurl peices of brick, stones and fireworks, bent on filling the minds, of men and women and children with fear and hysteria."

I would hope this morning — this bill has been before the House and the Senate since February 25. It has been tabled eight times plus the two days it has not been attended to here in the House; and I would hope this morning that you would vote against this motion to recede and concur, and that when you do vote you will understand that you are voting for a model fireworks law which we have in the State of Maine, twenty-one other states have it and all the six New England states have it. I hope that you will defeat this motion of the gentleman from Madison, Thank you.

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

Mr. LePAGE: Mr. Speaker and Members of the House: I asked an old friend and a veteran legislator for the best advice that he could give a freshman legislator. He said take the marbles out of your ears and put them in your mouth and listen. But my conscience would bother me this morning if I didn't get up and speak against this bill, and my reasons.

I had a brother-in-law when at the age of fifteen was roller skating at Old Orchard Beach. A firecracker was thrown from an unidentified person and it struck him in the eye. He is now forty-eight years old and he has never regained the sight of that eye. Need I say any more how I feel about this bill?

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

Mr. SCOTT: Mr. Speaker, Ladies and Gentlemen of the House: I think some of us here today are under the impression that this bill would permit Class C at a rather minimum amount of injuries and maiming. I submit to you that this is not the case because the bill is not in my opinion enforceable. The enforcement of this would require as many enforcement officers as the Liquor Commission or even more to enforce. How can you limit to sixteen-year-olds in this situation? How can you limit to sale two weeks? And most of all this would encourage a number of Class C fireworks sellers to be tempted to sell larger fireworks under the counter.

I submit to you that this is similar to the case of a drowned man. He either is dead or he is not dead; he is not half dead. In perhaps less delicate language, I submit that this is a case of being pregnant; you cannot be part pregnant. You are either one or the other. Thank you.

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

Mr. VINCENT: Mr. Speaker, Ladies and Gentlemen of the House: A country is not measured by its greatness through economic or military might but by what it professes to stand for and what it puts forward. The 4th of July is probably the most important day that this country has to celebrate and in the last few years the 4th of July has come upon hard times. The parades are smaller and smaller; the day seems to be just a day to go to the beach, or to get away from the cities. The fireworks displays by the communities have become flat, boring, and the crowds become smaller and smaller. This is an opportunity for us to celebrate the most important day in this nation's history. I can remember when I was small seeing fireworks displays in the backyards and not just something that the city put on. I would support this measure that we might have some

outlet, an outflow, to celebrate this important day in our nation's history. Thank you.

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

Mr. CORSON: Mr. Speaker and Members of the House: I should like to refute two arguments given by my opponents. First of all, regarding the size of the fireworks in comparing them to a bullet. Now I don't think it is quite a fair or logical comparison. I have in my hand a dummy of the largest explosive which would be legal under this bill. It is one and a half inches long, a quarter inch in diameter and contains two grains of powder, considerably less than that contained in any cartridge and I would point out too that there is some difference between paper flying around and a projectile launched from a rifle.

I would also like to point out that the fears that other classes of fireworks besides Class C might be bootlegged is rather illogical considering that the Federal Government actively enforces laws in this nature. If a firework which is not permitted by a state is brought into a state, or attempted to be brought into a state, it is enforced by the Federal enforcement authorities and therefore would require little enforcement on the part of the state.

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

Mr. CAREY: Mr. Speaker, I would ask the gentleman from Madison a question. Is the Federal government currently enforcing the law relating to sparklers and the items that are being brought into the state now which are illegal?

The SPEAKER: The gentleman from Waterville, Mr. Carey, poses a question through the Chair to the gentleman from Madison, Mr. Corson, who may answer if he chooses. The Chair recognizes that gentleman.

Mr. CORSON: Mr. Speaker, the Federal Government is in the process of enforcing this law to the best of its ability. Smuggling across the border is a rough thing

to catch in small amounts. This is done mostly by private individuals and not by the professional or transportation companies.

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

Mr. LePAGE: Mr. Speaker and Members of the House: I would like to point out the size has nothing to do with having your eye taken out if a firecracker should explode in your eye.

The SPEAKER: Is the House ready for the question? The pending question is on the motion of the gentleman from Madison, Mr. Corson, that the House recede from its former action and concur with the Senate. 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. More than one fifth having expressed the desire for a roll call, a roll call is ordered.

The SPEAKER: The pending question is on the motion of the gentleman from Madison, Mr. Corson, that the House recede from its former action and concur with the Senate, which passed this Bill to be engrossed as amended by Senate Amendment "A". All of those in favor of receding and concurring will vote yes; those opposed will vote no. The Chair opens the vote.

ROLL CALL

YEA — Baker, Berman, Bourgoin, Casey, Chandler, Coffey, Corson, Cottrell, Cox, Crommett, Cummings, Cushing, Dam, Drigotas, Dudley, Durgin, Dyar, Emery, Faucher, Foster, Fraser, Gilbert, Haskell, Hewes, Hichens, Huber, Kelleher, Lincoln, Lund, MacPhail, Marquis, Marstaller, Mills, Mitchell, Moreshead, Norris, Payson, Richardson, G. A.; Rideout, Shaw, Susi, Thompson, Vincent, Waxman, Williams, Wood.

NAY — Allen, Barnes, Bedard, Benson, Bernier, Binnette, Birt, Boudreau, Bragdon, Brennan, Brown, Buckley, Bunker, Burnham, Carey, Carrier, Carter,

Chick, Clark, C. H.; Clark, H. G.; Couture, Crosby, Croteau, Donaghy, Erickson, Eustis, Evans, Farnham, Fecteau, Finemore, Fortier, A. J.; Fortier, M.; Gauthier, Giroux, Good, Hall, Hanson, Hardy, Hawkens, Henley, Hunter, Immonen, Jalbert, Jameson, Johnston, Jutras, Kelley, K. F.; Kelley, R. P.; Keyte, Kilroy, Lawry, Lebel, Lee, Leibowitz, LePage, Levesque, Lewin, Lewis, Martin, McNally, McTeague, Meisner, Millett, Morgan, Mosher, Nadeau, Noyes, Ouellette, Page, Porter, Pratt, Quimby, Rand, Rocheleau, Ross, Santoro, Scott, C. F.; Scott, G. W.; Snow, Soulas, Stillings, Tanguay, Temple, Trask, Tyndale, Watson, Wheeler, White, Wight.

ABSENT — Cote, Curran, Curtis, D'Alfonso, Danton, Dennett, Harriman, Heselton, Laberge, McKinnon, Richardson, H. L.; Sahagian, Sheltra, Starbird.

Yes, 46; No, 89; Absent, 14.

The SPEAKER: Forty-six having voted in the affirmative and eighty-nine in the negative, the motion does not prevail.

Thereupon, on motion of Mr. Temple of Portland, the House voted to adhere.

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

An Act to Provide for the Expunging of Certain Records of Arrest (S. P. 223) (L. D. 663)

Tabled—April 11, by Mr. Hewes of Cape Elizabeth.

Pending — Motion of Mr. Lund of Augusta to reconsider passage to be enacted.

On motion of Mr. Berman of Houlton, retabled pending the motion of Mr. Lund of Augusta to reconsider passage to be enacted and specially assigned for Wednesday, April 23.

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

HOUSE REPORT — "Ought not to pass" Committee on Education on Bill "An Act to Create a School Administrative District in the Town of Jay" (H. P. 428) (L. D. 552)

Tabled — April 11, by Mr. Richardson of Cumberland.

Pending — Acceptance.

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

Mr. SCOTT: Mr. Speaker, I move that the Bill be substituted for the Report.

The SPEAKER: The gentleman from Wilton, Mr. Scott, moves that the House substitute the Bill for the Report.

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

Mr. RICHARDSON: Mr. Speaker, I would oppose this motion and I would request that when the vote is taken that it be taken by a division.

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

Mr. SCOTT: Mr. Speaker, Ladies and Gentlemen of the House: If this matter is properly before us I would like to review with you a little bit the Sinclair Law, so-called, which was enacted by the Legislature for the express purpose of giving equal opportunity to all Maine youth for an education at the lowest possible cost to its citizens. Incentives were established, such as construction aid and so forth, to those towns who formed School Administrative Districts. The organization of Districts started slowly and gradually gained momentum under encouragement of one form or another by the Department of Education.

Finally a master plan was developed which called for all towns to be in a District. This plan, although it had no legal authority, was common talk in hopes that towns would join School Districts voluntarily. In the background there was the threat that eventually the Legislature would enact a law making Districts mandatory. We have now arrived at this point where legislation is now being considered, making Districts mandatory.

You may wonder what this has to do with the bill before us, L. D. 552, which is An Act to Create a School Administrative District in the Town of Jay. The facts are these: Jay is a very fortunate town industrially, being the home of the new Androscoggin Mill built by the International Paper Company. There-

fore they are financially capable of educating their youth which, incidentally they are doing. For example, they have a present enrollment of over one thousand students—an increase of nearly one hundred since last June. Continued growth is certain with the present industrial growth. There is also a parochial school in town with an enrollment of 212 and it is very probable that in the near future a large number of these students will be enrolled in the public schools.

Now what has the town done to provide the physical plant? They have a new twenty-two classroom building which they occupied in September 1965, housing their elementary students. The present high school has twelve rooms constructed in 1924 with four new rooms added in 1963. This building will soon be the new Junior High School.

Plans have been drawn and bids have been opened as of Wednesday night for the construction of a new high school at a cost of one point seven million dollars. This will consist of a complete academic wing with four rooms of Industrial Arts, Home Economics area, large library, foreign language laboratory, business area, office and storage area, and a complete Physical Education Center, twenty-four rooms in all plus Physical Education Center and library.

The town is now surrounded by School Administrative Districts. The townspeople have considered joining other Districts, but no workable arrangement has been agreed upon.

So, for all these reasons and the constant threat of compulsory Districts, the citizens are very emphatic in their desire to maintain their own school system. The town has a sound economic base, a long history of strong support for its public schools. For example, Jay High School was among the first group of high schools in the state to become accredited, and the first in Franklin County.

The compulsory district bill which will soon be before us would lead one to believe that the people will have a choice because there is a local referendum provision in

this bill. I have seen this draft that the Committee will soon be coming out with. This bill is purely and simply a rig to force the Town of Jay into a District which they have already voted not to do, and for these reasons I request your support of this bill. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Strong, Mr. Dyar.

Mr. DYAR: Mr. Speaker and Members of the House: I rise in support of the gentleman from Wilton, Mr. Scott. I think he has covered the situation very thoroughly, and I would refer to the remarks made by Mr. Kelley of Machias yesterday. I think these are very pertinent in this case today.

I think we must realize the fact presented by the bill that we are, by accepting the "Ought not to pass" Report of the Committee, we would be saying that a town was financially able to support its own schools and run their own educational facilities would be unable to do so, they would be apt to be forced into districts.

I think we should place a real lot of thought into consideration before voting on this bill, and I'd urge all of you to consider the position of Mr. Scott.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: First I would like to submit that if the school mandating bill does no better than the increase in the number of pupils in high schools did yesterday, we don't have to worry about the mandating bill in this session.

Frankly and truthfully, the Town of Jay is making money from the State of Maine at the present time on their school subsidy. They get 20 per cent subsidy, and they're only raising roughly 16 per cent for education. Their total tax effort is less than 22½ mills, and this is a very very low effort in relation to the State of Maine, I can assure you.

At the present time, the Town of Jay is sharing their facilities with SAD 36, and SAD 36 is sharing some of their facilities with the town of Jay. So in effect, they are

acting as though they were in a school district even though they are not.

The people who were down from Jay and appeared before the Committee were very frank, that the only reason that they wanted the SAD was simply to prohibit being put in some other SAD if the mandatory bill was passed. I would submit that this is not a very good reason to set up a SAD in a school with less than the required number of pupils, and therefore, I would certainly hope that you would support the unanimous Committee Report of "ought not to pass."

THE SPEAKER: Is the House ready for the question? The pending question is on the motion of the gentleman from Wilton, Mr. Scott, that the House substitute the Bill for the Report on Bill "An Act to Create a School Administrative District in the Town of Jay," House Paper 428, L. D. 552. All those in favor of substituting the Bill for the Report will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

66 having voted in the affirmative and 51 in the negative, the motion prevailed.

The Bill was given its two several readings and assigned for third reading the next legislative day.

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

HOUSE REPORT — "Ought not to pass" — Committee on Towns and Counties on Bill "An Act to Place Full - time Deputy Sheriffs under the Personnel Law" (H. P. 530) (L. D. 701)

Tabled — April 11, by Mr. Henley of Norway.

Pending — Acceptance.

Thereupon, on motion of Mr. Henley of Norway, retabled pending acceptance of the Report and specially assigned for Tuesday, April 22.

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

SENATE REPORT — "Ought to pass" — Committee on Health and Institutional Services on Bill "An

Act relating to Solicitation of Eye Services and Appliances" (S. P. 265) (L. D. 869)

Tabled — April 15, by Mr. Carey of Waterville.

Pending — Acceptance in concurrence.

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

Mr. SOULAS: Mr. Speaker and Members of the House: I move we accept the Committee Report in concurrence.

The SPEAKER: The gentleman from Bangor, Mr. Soulas, moves that the House accept the Committee Report in concurrence. Is this the pleasure of the House?

The SPEAKER: The Chair recognizes the gentleman from Hope, Mr. Hardy:

Mr. HARDY: Mr. Speaker and Members of the House: I'm a little concerned with this thing still. I asked a question the other day which wasn't fully answered. I don't understand why the Optician can't advertise — if anybody makes something why they can't advertise the sale of it; and I feel that this is a move to curtail their efforts. So I would make the motion to indefinitely postpone this item and all its accompanying papers.

The SPEAKER: The gentleman from Hope, Mr. Hardy, now moves that L. D. 869 be indefinitely postponed.

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

Mr. SOULAS: Mr. Speaker and Members of the House: I was in hopes that this would reach its third reading so that I could offer an amendment. This is the only reason that I move that we accept the Committee Report in concurrence. However, now I have to go against the motion to indefinitely postpone. Now I rise to move against this indefinite postponement for one reason. Number one, we have accepted this report through the Committee unanimously to pass; it has been accepted by the upper body in the same category.

To speak briefly on this subject, each profession is founded on the basis of meeting and rendering a

service to the public. Now the manner in which this service is rendered is governed by a code of ethics, differing slightly from profession to profession, but containing first and foremost what is the best interest of the public which the profession seeks to serve. Also contained in the code of ethics are strict guidelines of the areas in which the profession can function and regulatory rules of what constitutes professional conduct.

Similar guidelines are laid down in our other legislative code of ethics as adopted by the 100th Legislature. After all, we are working toward the same goal; namely, that which is in the best interest of the public who we serve. It is our contention, based upon court decisions at each level through the Supreme Court of the United States, that glasses, consisting of frames and lenses, and so-called contact lenses, are devices used in rendering a professional service. These are professional materials consumed in the process of rendering a service to a patient. As such, they should be regarded in the same light as bridges and dentures. In other words, they should be regarded as materials, usewise, in making professional service available to the public. In the same vein that dentistry successfully requested a previous Legislature to enact a bill to protect the public, the eye professions are now requesting a similar protection. When the Legislature sees fit to control devices for them now, it is certainly reasonable that control, other than by commercial advertising, should be applied to devices relating to human vision. I hope you will vote against the motion to indefinitely postpone.

The SPEAKER: The Chair recognizes the gentlewoman from Guilford, Mrs. White.

Mrs. WHITE: Mr. Speaker and Members of the House: I concur with the gentleman from Bangor, Mr. Soulas, and hope we will accept this report.

I feel it is important to understand that this legislative document is not an attempt to put the optician out of business. The optician serves the same role to the eye professions as the phar-

macist serves to the medical doctor — he is there for the sole purpose of filling prescriptions written by the prescribing doctor. He is an important and integral part of the eye care team and the eye care professions cannot function without him. The important fact is, however, that he should not be allowed to circumvent or supersede his area of conduct. He should not be allowed to advertise the sale of eyeglasses, spectacles, lenses, frames, mountings, prisms or any other optical appliances or devices commonly included in the prescriptions of optometrists or physicians by newspaper, radio, window displays, television, telephone directory display advertisement, or any other means of advertisement; or to use any method or means of baiting, persuading, or enticing the public into buying eyeglasses, spectacles, lenses, frames, and so forth. I hope, therefore, we will go along with the gentleman from Bangor, Mr. Soulas.

The SPEAKER: The Chair recognizes the gentlewoman from Bethel, Mrs. Lincoln.

Mrs. LINCOLN: Mr. Speaker and Ladies and Gentlemen of the House: I oppose the motion to indefinitely postpone.

In order to maintain high standards in the care of visual health, the Maine Optometric Association is seeking the enactment of L. D. 869, which in essence is a bill intended to prohibit the soliciting of eye examinations and advertising of ophthalmic materials to the public. Here in Maine, Optometry is by statute one of the healing arts and sciences, and rules governing health practices do not allow advertising which utilizes the appeal of the market place. People seeking the services of the physician, the dentist or the optometrist do so on the basis of professional reputation of integrity and competence. For the unscrupulous or incompetent to attract a following through various advertising claims is not in the best interest of public health. Those who use such tactics demoralize professional standards and lower the quality of materials used in visual care. After all, a surgeon

does not advertise "appendectomy: \$64.50." A dentist does not advertise: "Upper and lower dentures, both for \$79.95." A pharmacist does not advertise: "The best penicillin pills — \$39c each."

The Optometric profession has laws and rules which have been sustained by the courts of the land to prevent advertising by those licensed in the health practices.

The very standards under which professional people undertake to refrain from advertising also render it inappropriate to advertise the materials used in their prescriptions. The choice of prescribed materials used for health purposes must not be on the basis of claim of lower prices, superior quality or better terms. The technical aspects of such material cannot be readily evaluated by the public which must rely upon the integrity and competence of professional advice to prescribe the correct item as well as to ascertain its quality.

Maine optometry prides itself in the quality of vision care it offers the people of the State, but Maine optometry is not unique in seeking greater controls to better protect the public health. Forty-two states at present have laws regulating advertising of ophthalmic materials. Advertising and corporate practice are regressive aspects of eye care which must be eliminated. Supreme Court Justice Holmes remarked on the high correlation that exists between the quality of the health care the patient receives and the degree of professionalism that exists. He said, "Professions require education, government control and recognition, codes of conduct, and professional association for only one reason; it is in this way that the public may receive the highest quality of service."

A recent U. S. Supreme Court decision in an Oklahoma case applies to merchandising methods related to advertising of devices used for correcting human vision, — and these are the words of Justice Douglas: "An eyeglass frame, considered in isolation, is only a piece of merchandise; but an eyeglass frame is not used in isola-

tion, it is used with lenses; and lenses, pertaining as they do to the human eye, enter the field of health. Therefore, the Legislature might conclude that to regulate one effectively it would have to regulate the other. We see no constitutional reason why a State may not treat all who deal with the human eye as members of a profession who should use no merchandising methods for obtaining customers." This was from *Williamson vs Lee* 294, U.S. 608 in 1955.

I have letters of support for this bill from many outstanding ophthalmologists in our State, notably one from Dr. Kevin Hill of Waterville; and as I said before, I definitely oppose the motion to indefinitely postpone.

The SPEAKER: The Chair recognizes the gentleman from Westbrook, Mr. Carrier.

Mr. CARRIER: Mr. Speaker and Members of the House: This bill, after great consideration, received an "Ought to pass" Report from the Mental Health and Institutional Services Committee. This bill had a long hearing, and everyone had a chance to be heard. The hearing was of such great attendance that we had to move from one room to the other, but we still heard everyone that wanted to speak.

The Committee met three times to agree on this report. The amendment to be presented should help to solve any disagreement between the optometrist and the opticians. Therefore, I join the others in opposing the motion to indefinitely postpone.

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

Mr. BINNETTE: Mr. Speaker and Members of the House: I certainly hope this morning that we will defeat this motion in order to be able to accept the amendment that is being proposed.

The SPEAKER: The Chair recognizes the gentleman from Hope, Mr. Hardy.

Mr. HARDY: Mr. Speaker and Members of the House: I want to thank the members of the House, because this morning I feel I really got answers. I'm not quite con-

vinced, but I wish to thank them.

The SPEAKER: The pending question is on the motion of the gentleman from Hope, Mr. Hardy, that this Report and Bill "An Act relating to Solicitation of Eye Services and Appliances," Senate Paper 265, L. D. 869, be indefinitely postponed. All those in favor will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken. 18 having voted in the affirmative and 91 having voted in the negative, the motion did not prevail.

Thereupon, on motion of Mr. Soulas of Bangor, the "Ought to pass" Report was accepted in concurrence.

The Bill was then given its two several readings and assigned for third reading the next legislative day.

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

HOUSE REPORT — Ought to pass in New Draft — Committee on Inland Fisheries and Game on Bill "An Act relating to Hunting License for Certain Maine Residents in Armed Forces" (H. P. 384) (L. D. 494) — New Draft under title "An Act relating to Hunting and Fishing Licenses for Certain Maine Residents in Armed Forces" (H. P. 947) (L. D. 1125) (In House, bill substituted for the report) (In Senate, report accepted and new draft passed to be engrossed)

Tabled—April 15, by Mr. Porter of Lincoln.

Pending — Further consideration.

Thereupon, the House voted to recede and concur with the Senate.

The New Draft was then given its two several readings and assigned for third reading the next legislative day.

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

Bill "An Act Providing for the Observance of Certain Legal Holidays on Monday" (H. P. 1117) (L. D. 1436) (House Amendment "A" adopted H-177)

Tabled—April 15, by Mr. Farnham of Hampden.

Pending — Passage to be engrossed.

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

Mr. ROSS: Mr. Speaker, I move that we reconsider our action whereby the House adopted House Amendment "A".

The SPEAKER: The Chair understands the gentleman from Bath, Mr. Ross, moves that the rules be suspended for the purpose of reconsideration. Is there objection?

Mr. Hewes of Cape Elizabeth then asked for a division.

The SPEAKER: Objection has been raised and this will require a two-thirds vote. All those in favor of the rules being suspended will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

The SPEAKER: Seventy-nine having voted in the affirmative and thirty in the negative, seventy-nine being more than two thirds the rules are suspended.

On motion of Mr. Ross of Bath, the House reconsidered its action of April 15 whereby House Amendment "A" was adopted.

Mr. ROSS: Mr. Speaker: I now move that House Amendment "A" be indefinitely postponed and would speak briefly to that motion.

The SPEAKER: The gentleman from Bath, Mr. Ross, now moves that House Amendment "A" be indefinitely postponed.

The gentleman may proceed.

Mr. ROSS: Mr. Speaker and Members of the House: Today we have a perfect example in favor of uniform holidays. Tomorrow is April the 19th, but since it falls on a Saturday most of our employees are off today, and in other places they are observing this day on Monday. No one seems too concerned to celebrate the anniversary of the Battle of Lexington and Concord on its proper day, April the 19th.

Now Tuesday we adopted House Amendment "A" which said that the bill would not become effective until 1971. The proponent of the amendment stated that we should wait until the Federal Government

made this mandatory. I don't feel that just because the Federal Government does something that we should follow suit. For instance, I have been waiting fourteen years for this. As I mentioned last Tuesday, the last Congress finally approved of my original idea which I presented in 1955.

I was delighted to see that now there is much support of this in the House, but I don't see any reason that we should wait until 1971. However, I do see some logic into not rushing into this right away; for instance, Memorial Day this year certain persons have made plans, and it would affect school plans; so I am in favor of removing the emergency clause and having the law become effective at the usual time, 90 days after the amendment. And if my motion is accepted now to indefinitely postpone House Amendment "A", I will offer House Amendment "D" under filing H-196.

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

Mr. HEWES: Mr. Speaker and Ladies and Gentlemen of the House: As the bill now stands, this Monday Holiday Bill, it goes into effect on January 1, 1971. That is the same day the Federal Monday Holiday Bill goes into effect. Hence, as the bill now stands, we, the State of Maine, will be in conformity with the Federal Government. Our holidays will fall on the same days that the Post Offices are closed, so that when businessmen celebrate the Maine holidays, the Federal agencies and post offices will also be closed that day. If we go along with the gentleman from Bath's proposal here, Maine will be out of step with the Federal Government and the post offices during the latter part of this year and all of 1970.

What we're talking about actually, as I see it, are four holidays; Veteran's Day this year and next year, and then next year Washington's Birthday and Memorial Day. That will be a total of eight days, because the Federal Government will celebrate their four holidays on four certain days, and the State on four other days,

so that for eight days, during the latter part of this year and next year, we, the State of Maine, will be out of step with the Federal Government. When you gentlemen and ladies, or your husbands or spouses, go to work on these four days that are celebrated as holidays in Maine, you will find that the Federal post offices are closed, the Federal agencies are closed, and conversely there will be four days when the Federal Agencies and post offices are open, and the State of Maine will celebrate a holiday. I certainly hope you defeat this pending motion. I thank you.

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

Mr. ROSS: Mr. Speaker and Members of the House: My good friend, the gentleman from Cape Elizabeth, Mr. Hewes, is not up to date. As of right now fifteen states have already adopted this, six states have passed a bill that awaits only the Governor's signature, one state, it has passed both houses, and eleven states it has passed one house. We will be out of step if we don't do it.

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

Mr. STARBIRD: Mr. Speaker and Members of the House: I didn't speak on this bill the other day, but personally I'm not too much concerned if we are out of step with other states, out of step with the Federal Government.

Now I work in a factory day by day, and sometimes we have our holidays in the middle of the week, and sometimes at the end of the week, and sometimes on the week-ends, and occasionally days are taken other than the anniversary, purely by vote of the company employees; but to my mind, if a day commemorates an occurrence or a great man's birthday, it should be observed on the anniversary of that day—this is the reason for it. You remove it for your own convenience, and you destroy the whole purpose of the anniversary.

I can see no reason for this bill; I can see no reason for it for the Federal Act, and I would therefore move that the bill and all of its

accompanying papers be indefinitely postponed.

The SPEAKER: The Chair would advise the gentleman this is a matter under reconsideration. The only matter before us now is the indefinite postponement of House Amendment "A".

The Chair recognizes the same gentleman.

Mr. STARBIRD: Mr. Speaker, may I reconsider our action whereby we have passed this bill?

The SPEAKER: The gentleman is not in order at this time. The only matter before the House now is the motion of the gentleman from Bath, Mr. Ross, that House Amendment "A" be indefinitely postponed. Is the House ready for the question?

All those in favor of indefinite postponement of House Amendment "A" will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken. 77 having voted in the affirmative and 35 having voted in the negative, House Amendment "A" was indefinitely postponed.

Mr. Ross of Bath then offered House Amendment "D" and moved its adoption.

House Amendment "D" (H-196) was read by the Clerk.

The SPEAKER: The pending question now is the adoption of House Amendment "D". Is it the pleasure of the House that House Amendment "D" be adopted?

The motion prevailed.

The SPEAKER: The Chair recognizes the gentleman from Eliot, Mr. Hichens.

Mr. HICHENS: Mr. Speaker, I now submit House Amendment "E" and move for its adoption, and I would like to speak on my motion.

House Amendment "E" (H-198) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Eliot, Mr. Hichens.

Mr. HICHENS: Mr. Speaker and Ladies and Gentlemen of the House: It has been many years since my childhood, but many memories of that childhood are still vivid to me. Among those memories was Memorial Day. That was a holiday set apart from all

other holidays because of its difference to its significance.

I can very well remember a Memorial Day going down to the Commons in Lynn, where I was raised, and watching the parade, watching these veterans, the men in blue, who were still living in those days, many of them marching along and with some riding in automobiles, and following that parade to cemetery where the veterans' graves were all decorated and where services were held. These men in blue got up and told of the significance of that day and of the battle for the freedom of our United States of America, to keep it as one Union. Part of the ceremonies was the reading of Lincoln's Gettysburg Address, and the recitation "In Flanders Fields," which was recited for us the other day here in the House. As I grew older, I became a member of the high school band and marched in the parades on Memorial Day, and as I moved into the State of Maine my children grew up and they, from Cub Scouts and Girl Scouts up, looked forward to marching in the Memorial Day parade in the Town of Eliot.

A letter that I received from my oldest son while in the service brought this fact of the significance of the day very clear to my mind. He wrote from his base in California, "I cannot help but relive with you on Memorial Day just what we would be doing if I were home. It means so much more to me now that I am away and cannot participate in these activities than it did when I was home and did march in that parade."

I feel, and I know from experience, that weekend observances of that holiday made a tremendous difference in the attendance in those parades. People went off for the holiday or the weekend, Saturday, Sunday; and when the holiday was on a Monday many of them did not return because they were having too good a time at their vacation spots, and on many occasions there was a very sparse attendance at those activities. But have the same activities take place in the middle of the week and almost the whole town would turn out, both for the

parade and for the services at the cemetery.

We have heard today in the House that we should go along with this because it is going to become a Federal law. Not too many years ago a President of the United States changed the date of Thanksgiving to help the merchandising for the coming Christmas season. Maine along with the other states refused to go along with his edict, and eventually the date was changed to the last Thursday of November.

I would read to you an editorial in yesterday's Portland Press Herald:

"We were sorry to see the Maine House pass, recently, the so-called Monday holiday bill whose only virtue, so far as we can see, lies in attracting a few tourist dollars to the state.

If the sponsors of that bill were consistent, they should do away with the 4th of July and Christmas Day. Instead, they have juggled the holidays they think will arouse the least reaction. There ought to be, in an orderly society, some sense of stability and above all, propriety, in the observance of special events, and not move them all over the calendar to seize whatever revenue the changed dates will bring in.

Massachusetts has also voted a Monday holiday bill, but Concord and other towns are defying it this year, and we hope they will continue to do so. A committee charged with arranging the historic celebrations taking place Friday night and Saturday protested with this statement:

'Concord and many of its neighboring towns have chosen not to march to the drums of the Great and General Court. They will observe their traditional Patriot's Day exercises on the original date of the first battle of the American Revolution, April 19, and not on the nearest Monday.'

The committee might have added in a warning to the legislature, 'if this be treason, make the most of it.'

We wish the Maine Senate would throw the House bill into the wastebasket."

We don't have to wait to let this go to the Senate for their action. We have the opportunity this morning to stand on our rights and to adopt House Amendment "E" and keep Memorial Day where it rightfully should be. On this I would ask a roll call, Mr. Speaker.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: The other day my feelings were hurt. The gentleman from Cape Elizabeth, Mr. Hewes, offered two amendments to delete two of the days, but he left out Memorial Day. But now I see it is in under another sponsor. This is just, of course, another form of erosion at the bill.

We will still have Memorial Day celebrations, there will still be parades, there will still be proper observances, it will just be that they will be celebrated on a different day, and I now move that House Amendment "E" be indefinitely postponed.

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

Mr. HASKELL: Mr. Speaker and Members of the House: There is one point that I feel hasn't been made clear here. I am a retailer employing four people, and I think many people overlook the fact that it is common in retailing to work a six-day week. I know that my employees are intensely interested in this proposition because it does give them additional opportunities for two-day holidays, because unlike many of the industries in the State we do work Saturdays. This proposition, I am sure, has the overwhelming endorsement of the retailers in the State for no other reason than it is an additional opportunity for meaningful vacation time for their employees.

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

Mr. BERMAN: Mr. Speaker and Members of the House: I would rise to oppose the motion of the gentleman from Bath, Mr. Ross, for indefinite postponement, and

I am sorry if anything that I might say this morning may hurt his feelings.

I also dislike to differ with my friend and colleague from Houlton, Mr. Haskell, who spoke about the commercial aspects of this bill. I say that we would be making a serious mistake if we indefinitely postpone Mr. Hichens' amendment, which I most heartily support.

Let alone recalling our childhood when Memorial Day was celebrated with some seriousness and some solemnity, I can remember ever since being in the State House reading General Logan's famous order which established May 30 as a day of memorial. I believe that that order is mounted in the rotunda of the Capitol.

In this era of permissiveness, I would suggest to the House that we should not necessarily be thinking primarily of retailers or of two-day vacations or of long weekends, but we should be thinking of what "holiday" really means. I think that in its generic sense "holiday" means "holy day."

Now why I think Memorial Day, perhaps more than some of the other holidays mentioned, should receive special consideration is that I recall that the origin of Memorial Day came as an aftermath of a great conflict, which was unique in American history and which I am sure all of us hope will never be repeated. It was far more so than in the War of Independence that Americans were shooting at Americans, killing Americans, and maiming Americans, because politicians of those days could not resolve their differences in a peaceful way.

Now I really think that of all of the days that have been mentioned that Memorial Day should stay May 30 regardless of what other states may do, regardless of what the Federal Government may say, and I hope that the House will not vote indefinite postponement of Mr. Hichens' amendment, and when the vote is taken I request the yeas and nays.

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

Mr. FARNHAM: Mr. Speaker and Members of the House: I hope that when the House considers this motion of the gentleman from Eliot, Mr. Hichens, that they will vote against it, and I would remind him that just a few years ago Memorial Day fell on Sunday, and in the northern part of the State, the area in which I am familiar with, the holiday for all the industrial concerns and the retail concerns was held on Monday. The observances in almost all of the communities in that area of the State was not held on Sunday but was held on late Monday afternoon.

I would ask you not to pay too much attention to the editorial in the Portland Press Herald because I am sure that the gentleman from Eliot, Mr. Hichens, did not agree with their editorial when they boasted Sunday sales as a means of increasing revenue to the State of Maine. I hope the motion of the gentleman from Eliot, Mr. Hichens, does not prevail.

The SPEAKER: Is the House ready for the question? The pending question is the motion of the gentleman from Bath, Mr. Ross, that House Amendment "E" be indefinitely postponed. The yeas and nays have been requested, and 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 vote no. The Chair opens the vote.

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

The SPEAKER: The pending question is the motion of the gentleman from Bath, Mr. Ross, the House Amendment "E" be indefinitely postponed. If you are in favor of House Amendment "E" being indefinitely postponed, you will vote yes; if you are opposed, you will vote no. The Chair opens the vote.

ROLL CALL

YEA — Allen, Bedard, Benson, Bernier, Binnette, Boudreau, Bourgoin, Brown, Bunker, Burnham, Carter, Chandler, Chick, Clark, H. G.; Coffey, Cottrell, Couture, Cox,

Crommett, Crosby, Croteau, Cummings, Cushing, Dam, Donaghy, Drigotas, Evans, Farnham, Faucher, Fecteau, Finemore, Fortier, A. J.; Fortier, M.; Fraser, Giroux, Good, Hall, Hardy, Haskell, Hawkens, Henley, Hunter, Jalbert, Jameson, Johnston, Kelley, K. F.; Kelley, R. P.; Keyte, Lawry, Leibowitz, LePage, Levesque, Lund, MacPhail, Marquis, Marstaller, Martin, McTeague, Millett, Mills, Moreshead, Nadeau, Norris, Noyes, Ouellette, Page, Pratt, Quimby, Rand, Richardson, G. A.; Rideout, Ross, Scott, C. F.; Shaw, Soulas, Stillings, Susi, Tanguay, Temple, Thompson, Trask, Tynedale, Vincent, Watson, Waxman, Wheeler, Williams.

NAY — Baker, Barnes, Berman, Birt, Bragdon, Buckley, Carey, Carrier, Casey, Clark, C. H.; Corson, Dudley, Durgin, Dyar, Erickson, Eustis, Foster, Gauthier, Gilbert, Hanson, Hewes, Hichens, Huber, Immonen, Kelleher, Kilroy, Lebel, Lee, Lewin, Lewis, Lincoln, McNally, Meisner, Mitchell, Morgan, Mosher, Payson, Porter, Sahagian, Scott, G. W.; Snow, Starbird, White, Wood.

ABSENT — Brennan, Cote, Curran, Curtis, D'Alfonso, Danton, Dennett, Emery, Harriman, Heselton, Jutras, Laberge, McKinnon, Richardson, H. L.; Rocheleau, Santoro, Sheltra, Wight.

Yes, 87; No, 44; Absent, 18.

The SPEAKER: The Chair will announce the vote, 87 having voted in the affirmative and 44 in the negative, the motion to indefinitely postpone does prevail.

Thereupon, the Bill was passed to be engrossed as amended by House Amendment "D" and sent to the Senate.

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

An Act relating to Residence of Write-in Candidates on Ballots (H. P. 889) (L. D. 1148)

Tabled — April 15, by Mr. Birt of East Millinocket.

Pending — Passage to be enacted.

On motion of Mr. Henley of Norway, under suspension of the rules, the House reconsidered its

action of April 4 whereby the Bill was passed to be engrossed.

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

House Amendment "A" (H-216) was read by the Clerk.

The SPEAKER: The pending question is the adoption of House Amendment "A".

The Chair recognizes the gentleman from Waterville, Mr. Carey.

Mr. CAREY: Mr. Speaker, I would move the indefinite postponement of this, and would speak to my motion.

The SPEAKER: The gentleman from Waterville, Mr. Carey, moves the indefinite postponement of House Amendment "A". The gentleman may proceed.

Mr. CAREY: Mr. Speaker and Ladies and Gentlemen of the House: We, in the City of Waterville, have voting machines, and the law currently says that stickers can be used in the primaries; however, they cannot be used in the general election. To the best of my knowledge, this is the way the law is currently.

We had a gentleman who ran as a write-in candidate four years ago when we had our machines, and unfortunately the glue that he used on the back of the stickers was ideally suited for the communities that did not have voting machines. The glue worked perfectly on the written ballot. However, when they stuck these on the voting machines — for those of you who are not aware, the City of Waterville's voting machines are the Schoppe machines, and there is a door which is provided if you want to cast a ballot for somebody who is not on the printed ballot. You slide the door open and this automatically prevents you from voting for anybody who is on the printed ballot, and now you must submit your write-in candidate either by sticker or by writing it in actually.

As the people were sticking a printed sticker on there and then they slide the door closed, then when they throw the switch which opens the curtain for them, it turns the reel on this big roller one notch and prepares it for the next person. These stickers were get-

ting jammed in the door, and at the end of the day the gentleman had 18 votes. Later on we found many stickers at the bottom of the machine and it was too late to have them counted. However, Winslow saw to it that he was put on the ballot anyway. But it does not work on voting machines, and I understand that we are currently trying to encourage communities to have voting machines.

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

Mr. HENLEY: I am not going to take much time to particularly defend this amendment. I was asked to put in it by the Election Division of the Secretary of State.

It seemed that general elections under Title 21, Section 922, 1 B-3, allows write-in votes, and it was only felt that inasmuch as stickers were allowed in primaries in lieu of writing in, that it would be an added convenience to use it, and it also would assist in counting, because a good many times the write-ins by some people under certain circumstances, the lights aren't too good, has been not too legible. So this amendment was prepared and presented.

We use machines up home and I don't know whether that would have created any problem or not. If that is the case, I am not going to hold any brief on this amendment. I thought it would help and the Secretary of State thought it would help. So if anyone else has any questions or any knowledge on it, I would appreciate it.

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

Mr. BINNETTE: Mr. Speaker and Ladies and Gentlemen of the House: In answer to my good friend from Waterville, Mr. Carey, at the present time stickers are permissive on the primaries. Therefore, it must be you must have the same trouble in the primaries then. Now, how many machines throughout the State are identical to those used in Waterville?

The SPEAKER: The gentleman from Old Town, Mr. Binnette, poses a question through the Chair, and the Chair recognizes the

gentleman from Waterville, Mr. Carey.

Mr. CAREY: In answer to the gentleman from Old Town, Mr. Binnette, the City of Waterville has 21 machines, the City of Portland has some, and it is my understanding the City of Augusta has some, and I don't know as though Bangor may possibly have some. The problem was created in the primary election.

The SPEAKER: Is the House ready for the question? The pending question is the motion of the gentleman from Waterville, Mr. Carey, for the indefinite postponement of House Amendment "A". If you are in favor of indefinite postponement, you will vote yes; if you are opposed, you will vote no. The Chair opens the vote.

A vote of the House was taken.

50 having voted in the affirmative and 36 having voted in the negative, the motion did prevail.

Thereupon, the Bill was passed to be engrossed.

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

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

Bill "An Act Creating the Winterport Water District" (H. P. 1045) (L. D. 1373)

Tabled — April 15, by Mr. Levesque of Madawaska.

Pending — Passage to be engrossed.

Mr. Cox of Bangor offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-171) was read by the Clerk and adopted, and the Bill passed to be engrossed as amended and sent to the Senate.

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

HOUSE REPORT — Committee on Natural Resources on Bill "An Act relating to Regional Planning Commission" (H. P. 828) (L. D. 1067) reporting that it be referred to the Committee on Legal Affairs.

Tabled — April 16, by Mr. Martin of Eagle Lake.

Pending — Acceptance.

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

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: This is a companion bill to L. D. 1068. These bills apparently were inadvertently referred to the Committee on Natural Resources and we have been having some trouble in getting them back to State Government, where the other bills dealing with the same type of legislation is concerned.

So, therefore, Mr. Speaker, in order to make the motion that it be referred to the Committee on State Government, I would now move that the Bill be substituted for the Report.

Thereupon, the Bill was substituted for the Report.

On further motion of the same gentleman, the Report and Bill were referred to the Committee on State Government and sent up for concurrence.

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

HOUSE REPORT — "Ought not to pass" — Committee on Inland Fisheries and Game on Bill "An Act Providing for Adequate Fishways in Dams and Other Obstructions" (H. P. 857) (L. D. 1099)

Tabled — April 15, by Mr. Carey of Waterville.

Pending — Motion of Mr. Carter of Winslow to reconsider indefinite postponement.

Thereupon, on motion of Mr. Carter of Winslow, retabled pending his motion to reconsider indefinite postponement and specially assigned for Wednesday, April 23.

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

Bill "An Act relating to Length of Time in Boarding Stray and Abandoned Dogs" (H. P. 205) (L. D. 255)

Tabled—April 15, by Mr. Crommett of Millinocket.

Pending — Passage to be engrossed.

On motion of Mr. Lewis of Bristol, retabled pending passage to be

engrossed and specially assigned for Tuesday, April 22.

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

Bill "An Act relating to Chiropractic Services for Injured Employee under Workmen's Compensation Law" (H. P. 1115) (L. D. 1434)

Tabled—April 15, by Mr. Huber of Rockland.

Pending — Adoption of House Amendment "A" (H-181)

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

Mr. HUBER: Mr. Speaker and Members of the House: Legislative Document 1434 represents a very very sincere effort on the part of the Labor Committee to come up with a compromise in this area of treatment on Workmen's Compensation and payment for chiropractic services.

The original bill now shows up as Representative J a m e s o n ' s amendment. It is very very similar to the original bill since it goes back to the same type of language in the same area of the law. Consequently, I move the amendment be indefinitely postponed.

The SPEAKER: The gentleman from Rockland, Mr. Huber, now moves that House Amendment "A" be indefinitely postponed. The Chair recognizes the gentleman from Bangor, Mr. Jameson.

Mr. JAMESON: Mr. Speaker and Ladies and Gentlemen of the House: You have this amendment on your desk, and I am surprised at Mr. Huber.

We have in this amendment deleted the whole first paragraph because it was unfair to the working man, to the laborer, and we left in just the second paragraph: "A licensed chiropractor shall be deemed qualified to testify as an expert witness before the Commission within the scope of his licensure." Now if the State sees fit to license this profession, I see no reason in the world why the Industrial Accident Commission will not recognize them. It's unfair to the employee; it doesn't give him a

chance. The bill itself states that the employee must go to a medical doctor.

Now, ladies and gentlemen, I have had this experience a number of times, a slipped disk in the back, and if there is anything any more painful, I'd like to know what it is.

Now they can go to a medical doctor. A medical doctor can make a diagnosis, but he won't have to submit that diagnosis for two or three days, and that man must suffer, when he can go to a chiropractor and be relieved of that suffering within fifteen minutes, and that is a hell of a lot more to say than a medical doctor.

The SPEAKER: The gentleman will be more temperate in his remarks.

Mr. JAMESON: I will be careful. I have had this happen three or four times, ladies and gentlemen. The first time I went to a medical doctor. He strapped me up with about fifty feet of tape for fourteen days. At the end of fourteen days, he took the tape off and half my skin too.

A year later I had the same occurrence, but the foreman of the telephone company where we were working advised me to go to a chiropractor and I'd be back on the job the next day. I did and I was back on the job the next day, as everybody else treated by a chiropractor for a slipped disk will be back the next day. I don't think that the injured employee is getting a fair shake at all.

I'd like to mention another case. A nephew of mine was injured badly, the spine, and he laid in the hospital under medical care for seven months. We pleaded with my brother to take him out and get either osteopathic or chiropractic treatment, which he did. The chiropractor was engaged and in two treatments he had him back on his feet and he is working two jobs now. Had he stayed there another few months in the hospital, he would have been paralyzed for the rest of his life.

Ladies, and gentlemen, I just hope that you will go along and adopt this Amendment "A."

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

Mr. HASKELL: Mr. Speaker, this amendment now essentially gives us to consider the original bill. I am a member of the Labor Committee that heard this bill. No vote was taken in committee on this original bill for the reason that following the hearing and the appearance of a very practical difficulty with the bill as proposed in this amendment, it was perfectly obvious that a favorable report of the bill could not be forthcoming.

However, the members of the Committee were impressed by the very apparent sincere desire on the part of people all over the State, as represented by mail to the Committee, to have treatment by chiropractor compensated, and in an effort to enable this the Committee worked very hard to bring out an amended bill that would overcome the very practical difficulty that I will describe.

The chiropractors, apparently in their lobbying tactics, did not want the revised bill considered; therefore, they have introduced an amendment that leaves us for consideration the original bill.

I will describe now as briefly as I can the practical difficulty that is posed by this legislation. The chiropractor is licensed to practice within a comparatively limited area in the whole field of medicine. Unfortunately industrial accidents do not always fall within this area. The difficulty arises when a person who sustains an industrial accident and is treated only by a chiropractor, and it later becomes necessary for him to appear before the Industrial Accident Commission for a settlement of a claim, the chiropractor is not allowed to testify as an expert witness.

From the material presented at the hearing apparently there is no instance to date that a chiropractor has been allowed to testify as an expert witness. We would then have the situation that a person relying on the passage of this legislation which would allow compensation for treatment by a chiropractor, a person who saw only a

chiropractor and was treated only by a chiropractor, and then it became necessary for him to take the case before the Industrial Accident Commission, he would have no one who could appear for him as an expert witness and in effect his opportunity for compensation would be very seriously jeopardized.

In attempting to surmount this the Committee wrote the language in the bill which is here proposed to be amended, that would require a diagnosis by a physician to protect the rights of the citizens. I would point out that it seems to me as long as this practical difficulty stands that there is no other way in which people could be compensated for treatment by a chiropractor except to protect their rights in the event they later have to appear before the Industrial Accident Commission, and this was the reason for the provision in the bill. The amendment as it now stands very clearly would not have had a favorable report from the Committee and I support Mr. Huber's motion that it be indefinitely postponed.

The SPEAKER: The Chair recognizes the gentleman from Owls Head, Mr. MacPhail.

Mr. MacPHAIL: Mr. Speaker and Members of the House: Similar bills have been before this body many times in a simple attempt to permit a choice for the workman on the assistance he wishes to get in case of an industrial accident. I have here some twenty requests from constituents in my area urging support of this bill. They are licensed, these chiropractors are licensed to practice in this state and they stick very closely within the scope of that license and I would oppose the motion to indefinitely postpone this matter. I move that when the vote is taken it be by roll call.

The SPEAKER: The Chair recognizes the gentlewoman from Bath, Miss Watson.

Miss WATSON: Mr. Speaker and Ladies and Gentlemen of the House: It would seem to me that the issue today is not whether one believes in the art of chiropractic but whether or not an individual has the right to choose between a

chiropractor or a physician for the treatment of certain injuries. If he indeed does have that right, is he then not entitled to Workmen's Compensation if he is treated by a chiropractor who was duly licensed by this state? I believe that the real issue has been clouded and this legislation is long overdue. We do license chiropractors to practice in the State of Maine and therefore we should allow those who have faith in their services to have freedom of choice when it comes to coverage under Workmen's Compensation.

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

Mr. JUTRAS: Mr. Speaker, Ladies and Gentlemen of the House: I would like to add a carbon copy to all the remarks made by Representative Watson of Bath and this is true—the issue today is—there has been discrimination, selfish interests, exclusiveness and unfairness. Those forces have prevailed all these years. A change in the law is long overdue for the State of Maine. It is the influence of the right people, the "in" crowd, the social establishment in America who are against this bill. As a truly dedicated and reliable representative of your people it would appear at this moment that your vote when recorded will stand out as a mark of decency and as an expression of concern for the commonwealth of the people of Maine.

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

Mr. McTEAGUE: Mr. Speaker and Members of the House: I am a member of the Labor Committee. I am not a member of the social establishment. Very obviously I am not a medical doctor.

The Labor Committee, members in both parties — very obviously this is not a partisan issue, spent a great deal of time studying the matter and trying to come up with an answer that would leave some scope to the free choice of these score of letters referred to but also protect the public. I ask the members of the House when they consider the amendment offered to consider this. On the report signed by the

members of the Labor Committee there was not one member who signed the report urging without limitation that injured workmen go to chiropractors. We were convinced that although there could be in certain circumstances some benefits from chiropractic services, that it was at least possible that in other circumstances there could be a detriment.

We felt that by providing for initial examination by either an M. D. or an osteopathic physician that we could guard against the possible undesirable consequences from chiropractic treatment and yet give the injured workman an ultimate choice regarding treatment and further give the chiropractors at least part of what they are asking for.

The SPEAKER: The Chair recognizes the gentleman from Eastport, Mr. Mills.

Mr. MILLS: Mr. Speaker and Members of the House: I have sat here and listened to this discourse on this bill. We had this before us in the 102nd Legislature and I voted in favor of it at that time and I consider it very good legislative law. At the same time I was a member of the board of directors for a hospital in my area, and owing to the fact that I voted for the chiropractor's bill I was told that I hadn't acted in the best interests of the hospital, and was removed from the board of directors. Now if that isn't discrimination in a sense I don't know what you call it; you can call it anything you want to; me, I was relieved of a lot of trouble. But I believe that this thing of the chiropractors is long overdue in the State of Maine. I believe any person who is injured has the right to select who shall treat them. I don't believe anybody should be regimented by any board or any official decree to go and see a certain doctor, or this, that and the other thing, when they have a fear of doing so. And I am going to support this bill.

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

Mr. HUNTER: Mr. Speaker and Ladies and Gentlemen of the House: I've been sitting here and

I was looking over the redraft and I don't see how this redraft is practical at all.

Now how it appears to me, a fella gets hurt in an industrial accident. Let's say he's workin in someone's barn trying to get the milkin machine agoin and he's walking along lookin up at the wires and he's not lookin out for that open scuttle and down through he goes right down into the barn cellar.

And someone that runs one of those I and H potato planters in there a few years ago, and he got hung up there and he got hurt somethin awful. And he goes into town and gets someone to drive him into town, and he goes to his chiropractor that he's been goin to. The chiropractor says to him: "I—I can't treat you until you go to an M.D. to find out what's the matter with ya." Well, if the fella wanted to go to the M.D. in the first place, he'd probably gone. But the M.D., he knows he's mad at him. He's not mad because the last three children he didn't pay for, but the M.D.'s mad because he never paid for the blood tests that he got when he got married twelve years before.

And besides that, his wife's sister works in the office and she's always after him about having so many children. But he has to go over just the same and face him, and because the M.D. says: "What do ya mean, are ya just comin in here and ya want me to tell ya what's wrong with ya, and then you're gonna run back and get treated some other place? And besides that, I'm not gonna to tell ya. Us physicians, we're reputable, you know, and we don't hand out information like that. I know what's wrong with ya and I'll write the chiropractor a letter."

So the man picks up and gets out and has to wait two or three days until the chiropractor gets a letter from the M.D. and then he can go ahead and give him a treatment. And that's why I'm supportin Mr Jameson's amendment to this.

The SPEAKER: The Chair recognizes the gentleman from Fort Kent, Mr. Bourgoin.

Mr. BOURGOIN: Mr. Speaker and Members of the House: The way I can see it, the new bill, new draft, as written, still keeps the chiropractors under the medical profession Association's thumb, but with this amendment, which I have two letters here, approved by two of the medical profession in Fort Kent, with this amendment, it is with their approval. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Westfield, Mr. Good.

Mr. GOOD: Mr. Speaker and Members of the House: I have no quarrel with the medical profession; I hold no particular brief for the chiropractor. I am a member of the Labor Committee that sat on this bill in several of its complications and amendments.

There's only one thing that sticks in my crop and that's this: we license these boys to practice their profession, whatever it is. They do so in all respect to the board that has control over their license. Now to absolutely refuse them to testify on the matter that they are supposed to be expert in, to me is foolishness. I think this legislation is long overdue, and I hope that Mr. Huber's motion will be defeated.

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

Mr. SOULAS: Mr. Speaker and Ladies and Gentlemen of the House: It is difficult for me to believe that the Workmen's Compensation Act in Maine feels that no payments should be allowed for services offered by a chiropractor.

I sell all types of insurances — life, health and accident. Never at any time has my company not paid a claim to a policy holder where a chiropractor bill was presented. We should, as recently mentioned in other bills, get in line with the other 48 states who have seen their way to adopt the payments under Workmen's Comp. to persons seeking the services of a

chiropractor, I hope you will support the amendment offered by Mr. Jameson.

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

Mr. SANTORO: Mr. Speaker, Ladies and Gentlemen of the House: I rise today to speak against L. D. 1434 and Amendment "A" attached to it. I hesitate to speak against other professions of the healing art, and I hope my remarks will be well interpreted, and I assure you there is nothing personal on what I have to say. I am speaking today as a Legislator and as a Doctor of Medicine, hoping that this bill and its amendment will be indefinitely postponed. Let us start from the beginning.

Chiropractic is a method of treatment based on the assumption that most disease result from displacement of the vertebrae and pressure on the nerves as they emerge from the spine, whereby they are prevented from transmitting to the various bodily organs the mental impulse necessary for proper functioning. The chiropractors never resort to any drugs and surgery. They merely try to relieve the impinged nerve and leave the rest to nature. In 1895 B. J. Palmer formulated this sort of treatment, a system of articular adjustment with the hands. He established the Palmer School of Chiropractic at Davenport, Iowa and later other schools were founded. Intensive medical investigation has failed to show scientific foundation for this system. Practically all chiropractors are in the United States, and none in other parts of the world.

A little over 25 years ago chiropractors were allowed to practice their system of treatment in the State of Maine. About five years ago the Statute was revised and the chiropractors were organized as to having their own examining board and their qualifications were again defined. Title 32 of the Revised Statutes defines the chiropractic system, as follows:

"The system, method of science commonly known as chiropractic, or the practice of chiropractic, is

defined to be the science of palpating and adjusting the segments and articulations of the human spinal column by hand and locating and correcting interference with nerve transmission and expression by hand or by electrical treatments, hydrotherapy and diet without the use of drugs or surgery, and any and all other methods are declared not to be chiropractic, and chiropractic is declared not to be the practice of medicine, surgery, dentistry or osteopathy."

So all the chiropractors can do is manipulate the spine, they cannot prescribe drugs or even ask for it, and they cannot perform surgery or give injections and etcetera, etcetera. In other words, their ability is limited. The major objection to chiropractic is simply that they are very much unprepared for the complexities of the patient's care. Present medical doctors have an average of nine years of training after college, some as much as thirteen years.

Chiropractic, on the other hand, despite what the school brochure says, they have only a few years training and not on a solid scientific base but unilateral to their method. The care of a patient, either affected by disease or injury by accident, should be entrusted only to those who have a broad knowledge of disease and injury of all kinds, who are capable of dealing with many different kinds of problems and summoning up all resources of modern medicine.

The health needs of our State and our Nation cannot be met and the standards of care constantly improved in the absence of scientifically based education and health care. Horse and buggy thinking, cultism, empiricism have no place in modern education for the health provisions or in present day diagnosis and treatment of human health. It has been argued that the practice of chiropractic is not the practice of medicine. The diagnosis and treatment of human illness — whether it results from a specific disease entity or some other pathological process, or whether it results from "nerve interference", whatever that is, or distortion, misalignment or subluxation of the verte-

bral column, is and can only be the practice of medicine.

It is an incredible anachronism that in an age when this nation leads the world in many areas of scientific endeavor, we should be asked to place its seal of approval on a group of persons claiming to be practitioners who are largely unaware of proven science of health and disease. Is there any great medical advance which has stemmed from chiropractic? Is there one single human illness which any man here will testify is better diagnosed and treated by chiropractic than medical science? Can any fraction of the extended life span of Americans be traced to the contributions of chiropractic? Has chiropractic developed or discovered any of the vaccines, antibiotics, drugs or hormones, or x-ray, or radiation therapy techniques which play such a large part in the treatment of human illness? If not, may we not reasonably ask just what place this pseudo "healing art" has in our fight against human illness and suffering:

We ask how a practitioner who knows little more than the average layman concerning the host of known diseases which beset the human race can be expected to recognize among his patients, those whose symptoms are not amenable to his manipulations and ministrations?

Considering all I have previously stated, I do not believe that a chiropractor is able to take care of all the industrial accident cases that we have daily in our jobs, factories and plants. There are numerous and various cases from head to toe injury to back injuries, internal injuries bleeding and everything else.

Naturally, the chiropractor would like to be equated with the medical profession but really I do not feel that they are up to the task. How can they stop pain if they cannot use drugs, or give a patient an injection, or stop bleeding and other things connected with an accident? They do not even have a hospital where they can take care of these accidents.

You and I have heard a lot of argument about "freedom of

choice" for the injured or diseased workers. I believe in freedom of choice—that is why we have an America. I believe in freedom of choice of a physician, but this choice must be among physicians of the same caliber, with comparable training qualifications and abilities, if this is to be of benefit to the patient.

In conclusion, I hope that this bill would be indefinitely postponed, and I ask for a division and roll call vote.

The SPEAKER: The Chair recognizes the gentleman from Brooks, Mr. Wood.

Mr. WOOD: Mr. Speaker and Ladies and Gentlemen of the House: I didn't intend to speak on this, but the more I hear, the more I'm convinced that I should say a little something. Now I will give you an example of what will happen if this bill passes as it comes out of committee. About sixteen years ago somebody that's very close to me was injured with a back injury, was advised to go to a certain doctor. She went to the doctor, he wanted to give her ten treatments that cost \$25.00 a treatment; she had been advised not to take those treatments, and he was pretty mad about that. Then he told her that if she didn't go and have an operation she never would walk again, and she hadn't been walking alone then for about four weeks. She refused the operation and came home. Her doctor was pretty mad about it and sent a big bill for making arrangements for her to go to the hospital, that she had refused to have the arrangements made. But in a few days she was told of a chiropractor she could go to, and she went. She came home from him walking. She made probably five or six different visits during the period of a month to that same chiropractor, and she's been walking for sixteen years without any trouble, without any pain to speak of, without any operation.

Now if this bill passes as it came out of the committee, the people that go in to these doctors, they're going to have big bills presented to them for something that they don't want done, and then they're going to have to go to a chiroprac-

tor on their own and put back on their feet again. I'm in favor of this amendment and I hope it passes.

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

Mr. DURGIN: Mr. Speaker and Ladies and Gentlemen of the House: As a member of the Labor Committee I have no fault to find with chiropractors. Now the Committee studied this bill very diligently. We wanted to find a place, seriously, for the chiropractors, to feel they have a place. However, my primary concern is the employee, who is entitled under the Workmen's Compensation Act to be somehow compensated for those injuries.

Now under the present amendment I feel very strongly that this employee would be jeopardized to become qualified for the compensation. Under the present law if a chiropractor appeared before the Industrial Accident Commission, he could not testify, or he could not make diagnosis as to the nature and the extent of the injury. He couldn't testify to that, that the accident caused the alleged injury, what the prognosis for the future was, the nature of, extent of, or percentage of disability.

Now if this employee can't have, at that Industrial Accident hearing, someone with the authority to testify to these things, then he can't be qualified. So I'm opposed to this amendment.

The SPEAKER: Is the House ready for the question? The pending question is the motion of the gentleman from Rockland, Mr. Huber that House Amendment "A" 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.

More than one fifth having expressed the desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question is on the motion of the

gentleman from Rockland, Mr. Huber, that House Amendment "A" to L. D. 1434 be indefinitely postponed. If you are in favor of indefinite postponement you will vote yes; if you are opposed you will vote no. The Chair opens the vote.

ROLL CALL

YEA — Baker, Barnes, Bedard, Benson, Bragdon, Brennan, Brown, Bunker, Burnham, Carrier, Chandler, Clark, C. H.; Corson, Cummings, Cushing, Donaghy, Drigotas, Durgin, Faucher, Fecteau, Fortier, A. J.; Fortier, M.; Giroux, Haskell, Henley, Huber, Jalbert, Kelley, K. F.; Kelley, R. P.; Lawry, Leibowitz, Lewis, Lincoln, Lund, Marsteller, McTeague, Meisner, Mosher, Page, Payson, Porter, Pratt, Rand, Richardson, G. A.; Rocheleau, Sahagian, Santoro, Scott, C. F.; Scott, G. W.; Shaw, Snow, Susi, Tanguay, Thompson, Tyndale, White, Wight.

NAY — Berman, Bernier, Boudreau, Bourgoin, Buckley, Carey, Casey, Chick, Clark, H. G.; Coffey, Cottrell, Couture, Cox, Crommett, Croteau, Dam, Dudley, Dyar, Emery, Erickson, Eustis, Evans, Finemore, Foster, Fraser, Gilbert, Good, Hall, Hardy, H a w k e n s , Hewes, Hichens, Hunter, Immonen, Jameson, Johnston, Jutras, Kelleher, Keyte, Kilroy, Lee, LePage, Levesque, Lewin, MacPhail, Marquis, Martin, McNally, Millett, Mills, Mitchell, Morgan, Noyes, Ouellette, Quimby, Rideout, Ross, Soulas, Starbird, Stillings, Temple, Trask, Vincent, Watson, Waxman, Wheeler, Williams, Wood.

ABSENT — Allen, Binnette, Birt, Carter, Cote, Crosby, Curran, Curtis, D'Alfonso, Danton, Dennett, Farnham, Gauthier, Hanson, Harriman, Heselton, Laberge, Lebel, McKinnon, Moreshead, N a d e a u, Norris, Richardson, H. L.; Sheltra.

Yes, 57; No, 68; Absent, 24.

The SPEAKER: Fifty-seven having voted in the affirmative and sixty-eight in the negative, the motion to indefinitely postpone House Amendment "A" does not prevail.

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

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

SENATE REPORT—"Ought to pass" in New Draft—Committee on State Government on Bill "An Act Revising the State Purchasing Law" (S. P. 253) (L. D. 793) reporting same in a New Draft (S. P. 430) (L. D. 1440) under the same title

Tabled—April 16 by Mr. Dennett of Kittery.

Pending — Acceptance in concurrence.

On motion of Mr. Rideout of Manchester, the Report and Bill were recommitted to the Committee on State Government in non-concurrence and sent up for concurrence

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

HOUSE MAJORITY REPORT (6)—"Ought to pass" as amended by Committee Amendment "A" H-194—Committee on Education on Bill "An Act relating to School Attendance of Pupils over Sixteen Years of Age" (H. P. 985) (L. D. 1269) and MINORITY REPORT (4) reporting "Ought not to pass"

Tabled—April 16 by Mr. Vincent of Portland.

Pending—Motion of Mr. Millett of Dixmont to accept Majority Report.

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

Committee Amendment "A" (H-194) was read by the Clerk and adopted and the Bill assigned for third reading the next legislative day.

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

Bill "An Act to Establish a State Department of Family Relations" (H. P. 1051) (L. D. 1382)

Tabled—April 16, by Mr. Richardson of Cumberland.

Pending—Motion of Mr. Ouellette of South Portland to Refer to Committee on Legal Affairs.

Thereupon, referred to the Committee on Legal Affairs and sent up for concurrence.

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

Bill "An Act relating to Length of Certain Motor Vehicles" (H. P. 398) (L. D. 508) (House Amendment "A" adopted H-120)

Tabled—April 16, by Mr. Carey of Waterville.

Pending—Motion of Mr. Carey of Waterville to recede and concur.

Thereupon, the House voted to recede and concur with the Senate.

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

An Act relating to Form and Arrangement of Ballots in General Elections (H. P. 724) (L. D. 942) (Vetoed by the Governor April 15)

Tabled—April 16, by Mr. Ross of Bath.

Pending—Further consideration.

The SPEAKER: The question pending is, shall this Bill become law notwithstanding the objections of the Governor?

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: Here we go again. Before long I will be having an inferiority complex. I have a sneaking suspicion that the Governor does not like some of my bills. This is the second that he has vetoed within two weeks.

He had in his program a suggestion called "item veto" on budgetary matters. You know, I rather approve of that, but an even better idea, we might term it "a blanket veto". He could hold my bills in the other branch so that all would land on his desk at the same time, and then he could veto all of them at once as an economy measure. It would save the time of writers, of secretaries, it would be a great saving in printing, it would even save power costs for electric typewriters.

But now we will get down to the meat of the subject. Many persons here feel that this is a progressive governmental reform. As a matter of fact, our Chief Executive used to feel that way, but something or someone has changed

him. On such a simple, basic philosophy, I don't see how a person can do an about-face in such a short period of time. Especially since I mentioned before that in my opinion our Governor is a sincere and conscientious man. However, I gather that actual experience he has now learned to temper logic with political expediency. There certainly is nothing wrong or nothing immoral about this.

Let's now look at the actual veto message. Point number one, he says that the present ballot is structured to allow a full range of choice. In my opinion that is an excellent sentence, but it would equally apply to the office typed ballot. The only exception would be you would have to read all of the candidates' names.

Item number two, he said that this would be a hardship for the working man who has to go and vote after he gets done working all day, and under this proposal he then wouldn't bother.

The opponents have always said that there is no need to eliminate the big box because people split their vote anyhow. Now if we follow the Governor's logic, we would be presupposing that the average working man only wants to vote the big "X". I don't believe they feel that way, and I don't believe that they want to be urged or tempted to do that. But if this is really a major reason, and if I am lucky enough to come back in this body again, I intend to sponsor similar legislation with an additional provision "time out to vote."

Point number three, he says that if the box is removed, people will not vote for candidates for lesser offices. I would like to point out that those persons who vote the straight ticket now are not voting for individuals. Most of the time they have no idea who they are voting for in the lesser offices.

Item number four, he says that our system is most successful when party responsibility is clearly defined. I will admit that our whole political structure is based on the two-party system, but certainly the big box does not define party responsibility. It is just a means

of making voting easier even though you don't know who you are voting for.

Lastly, I was dumbfounded and very pleased to read the last sentence of his reason, number five. He stated that my favorite bill would not result in the destruction of political party responsibility. Such an astute observation justifies all the compliments that I have paid our Chief Executive lately; and this reason alone proves the worth of this legislation which, in my opinion, would assure the chances that more qualified persons would be elected and thus upgrade government, and I hope that the House will see fit to override the veto.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I would not want to add or to glorify the remarks of the gentleman from Bath this morning, if only for the simple reason of saving electricity, saving typewriters, saving the words to be written in the records. Although I find myself in the opposite direction of his remarks this morning, I feel that the crusade sponsored by the gentleman from Bath, Mr. Ross, is wrong; so therefore I would urge not only the members of my party but I would urge every member of the House this morning that when the question is put, should this document become law notwithstanding the objections of the Governor, I would urge everybody to vote no.

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

Mr. HEWES: Mr. Speaker and Ladies and Gentlemen of the House: I would like to speak briefly supporting Mr. Ross, the gentleman from Bath. I vote not on personalities. As you know, Mr. Ross and I were on opposite sides of an issue this morning; and in the same vein, last week I voted to sustain the veto of the Governor, and this week I will vote on this bill to override it.

It boils down to an issue of coat-tail riding and I think this House and the other body should be com-

mended for having the courage to vote a bill, this bill, which will result in many of us losing our seats here in the House. Although right now it appears that in the next two elections, 1970 and 1972, the other party has the advantage from the big box. Events happen. Who knows what the future holds? I think that we should vote on the overall issue without being concerned about just what is selfishly better for us in the next election or two.

With reference to coattail riding, I would like to read to you from Page 1079 of last session's legislative record where one of the Representatives said, "Mr. Speaker, this could be my finest hour, or final hour. However, Mr. Speaker and Ladies and Gentlemen of the House, I sneaked in under the circle at the top of the ballot." And then later on he says, "... here I have a seat in the House, a plush seat, the company is good, and I might borrow from that vast store of cogent remarks of our sophisticated legislator — I've missed a big word there, I meant to say — parliamentarian, is the word, we have two checks a week, sometimes three, and the fringe benefits are not too bad either. There's an occasional hot supper where the food is excellent and the hospitality is even better."

I submit that the better law would require the voters to be conscientious and think on each individual person they vote for, and as a result we will have more responsive representation if the candidates had to run on their own abilities rather than the coattails of candidates running for higher office. I thank you.

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

Mr. BENSON: Mr. Speaker and Members of the House: I would heartily concur with the remarks made by the gentleman from Bath, Mr. Ross. I think a classic example of the coattail riding and the irresponsible method of voting that we are presently using is that of Portland where we have eleven Representatives, and I am sure that many of the voters that go into the booth vote for people on

that ballot that they have no idea who they are, or even where they come from in relation to the city itself.

I think that a much more responsible method of voting would be that of voting for the individual and not for the party. I hope that you will go along with his motion to override the veto.

The SPEAKER: The pending question is, shall this Bill, An Act relating to Form and Arrangement of Ballots in General Elections, House Paper 724, L. D. 942, become law notwithstanding the objections of the Governor? This requires a two-thirds affirmative vote to become law. Pursuant to Article IV, Section 2, the yeas and nays are ordered. All those in favor of this Bill becoming law notwithstanding the objections of the Governor will vote yes; those opposed will vote no. The Chair opens the vote.

ROLL CALL

YEA—Baker, Barnes, Benson, Birt, Bragdon, Brown, Buckley, Bunker, Chandler, Chick, Clark, C. H.; Clark, H. G.; Corson, Crosby, Cummings, Cushing, Donaghy, Durgin, Dyar, Erickson, Farnham, Finemore, Gilbert, Good, Hall, Hardy, Haskell, Hawkens, Henley, Hewes, Hichens, Huber, Immonen, Jameson, Johnston, Kelley, R. P.; Lee, Lewin, Lewis, Lincoln, Lund, MacPhail, Marsteller, McNally, Meisner, Millett, Moreshead, Mosher, Page, Payson, Porter, Pratt, Quimby, Rand, Richardson, G. A.; Rideout, Ross, Sahagian, Scott, C. F.; Scott, G. W.; Shaw, Snow, Stillings, Thompson, Tynedale, White, Wight, Wood.

NAY—Bedard, Bernier, Binnette, Boudreau, Bourgoin, Brennan, Burnham, Carey, Carrier, Carter, Casey, Coffey, Cottrell, Couture, Cox, Crommett, Croteau, Dam, Drigotas, Dudley, Emery, Eustis, Faucher, Fecteau, Fortier, A. J.; Fortier, M.; Fraser, Gauthier, Giroux, Hunter, Jalbert, Jutras, Kelleher, Keyte, Kilroy, Lawry, Lebel, Leibowitz, LePage, Levesque, Marquis, Martin, McTeague, Mills, Mitchell, Morgan, Nadeau, Ouellette, Rocheleau, Santoro, Starbird, Tanguay, Temple, Vincent, Waxman, Wheeler, Williams.

ABSENT—Allen, Berman, Cote, Curran, Curtis, D'Alfonso, Danton,

Dennett, Evans, Foster, Hanson, Harriman, Heselton, Kelley, K. F.; Laberge, McKinnon, Norris, Noyes, Richardson, H. L.; Sheltra, Soulas, Susi, Trask, Watson.

Yes, 68; No, 57; Absent, 24.

The SPEAKER: Sixty-eight having voted in the affirmative and fifty-seven in the negative, sixty-eight not being two thirds, the Governor's veto is sustained.

It will be placed on file.

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

HOUSE REPORT — "Ought to pass" as amended by Committee Amendment "A" H-185—Committee on Business Legislation on Bill "An Act relating to Guarantees by Corporations" (H. P. 592) (L. D. 773)

Tabled—April 16, by Mr. Scott of Presque Isle.

Pending—Acceptance.

Thereupon, the "Ought to pass" Committee Report was accepted and the Bill read twice.

Committee Amendment "A" (H-185) was read by the Clerk.

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

Mr. SCOTT: Mr. Speaker, I move that this lie on the table until Wednesday next.

The SPEAKER: Does the gentleman object to adopting Committee Amendment "A" before it is tabled?

Thereupon, Committee Amendment "A" was adopted.

The SPEAKER: Does the gentleman further object to this matter being assigned for Tuesday next?

Mr. SCOTT: I believe so. The Attorney General has got to make a technical change in it.

The SPEAKER: The Chair would advise the gentleman that amendments will be pending or proper at that time. Does the gentleman still object?

Mr. SCOTT: I don't know.

Thereupon, the Bill was assigned for third reading the next legislative day.

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

HOUSE REPORT — "Ought to pass" as amended by Committee Amendment "A" H-186 — Committee on Business Legislation on Bill "An Act relating to Installation of Sprinkler Systems in Hotels" (H. P. 260) (L. D. 336)

Tabled—April 16, by Mr. Lewin of Augusta.

Pending—Acceptance.

Thereupon, on motion of Mr. Scott of Wilton, retabled pending acceptance of the Committee Report and specially assigned for Wednesday, April 23.

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

HOUSE REPORT — "Ought to pass" as amended by Committee Amendment "A" H-191 — Committee on Highways on Bill "An Act relating to Short Term Permits for Trucks to Haul Loads" (H. P. 631) (L. D. 819)

Tabled—April 16, by Mr. Stillings of Berwick

Pending—Acceptance.

Thereupon, on motion of Mr. Ross of Bath, retabled pending acceptance of the Committee Report and specially assigned for Wednesday, April 23.

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

Bill "An Act relating to Retirement Benefits for Call Firemen under State Retirement System" (H. P. 834) (L. D. 1072)

Tabled — April 16, by Mr. Farnham of Hampden.

Pending — Passage to be engrossed.

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

Mr. TEMPLE: Mr. Speaker and Members of the House: I would hope that the ladies and gentlemen of the House would discuss, while they are home over the weekend, with their fire departments what their fire fighters think about this bill, and then I would like to ask that it be tabled until Tuesday before I would debate on this.

Thereupon, on motion of Mr. Farnham of Hampden, tabled pending passage to be engrossed

and specially assigned for Tuesday, April 22.

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

Bill "An Act relating to Taking Lobsters by Use of Otter or Beam Trawls" (H. P. 908) (L. D. 1169)

Tabled — April 16, by Mr. Bunker of Gouldsboro.

Pending — Passage to be engrossed.

Mr. Bunker of Gouldsboro then offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-215) was read by the Clerk and adopted and the Bill passed to be engrossed as amended and sent to the Senate.

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

Bill "An Act relating to Licensing of Guides under Fish and Game Laws" (H. P. 1123) (L. D. 1444)

Tabled — April 16, by Mr. Birt of East Millinocket.

Pending — Passage to be engrossed.

Thereupon, on motion of Mr. Birt of East Millinocket, retabled pending passage to be engrossed and specially assigned for Wednesday, April 23.

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

HOUSE MAJORITY REPORT (6) — "Ought to pass" — Committee on State Government on Resolve Proposing an Amendment to the Constitution to Grant Adult Rights to Persons Twenty Years of Age and to Reduce the Voting Age to Twenty Years (H. P. 614) (L. D. 802) and MINORITY REPORT (4) reporting "Ought not to pass"

Tabled — April 16, by Mr. Dennett of Kittery.

Pending — Acceptance of either Report.

Thereupon, on motion of Mr. Jalbert of Lewiston, retabled pending acceptance of either Report and specially assigned for Wednesday, April 23.

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

Mr. SCOTT: Mr. Speaker, I move that we reconsider our action of earlier in the day whereby Joint Order, Senate Paper 436, was indefinitely postponed in non-concurrence.

The motion prevailed.

The same gentleman then moved that the Order receive passage in concurrence.

The SPEAKER: The Chair recognizes the gentleman from Southwest Harbor.

Mr. BENSON: Mr. Speaker and Members of the House: I am not sure that this is setting a precedent, but if you will read the Order you will see that you are asking the State Department of Banks and Banking to report a bill or bills to the Legislature. I think this is highly unusual, and if the sponsors of this measure wish to accomplish something here, I respectfully request that they might do it through the Legislative Research Committee or by some other means. I think this would be highly unusual, and for that reason I would now move the indefinite postponement of the Order.

The SPEAKER: The Chair would advise the gentleman that the motion is not in order; it having been reconsidered it is now to be considered for passage in concurrence.

Whereupon, on motion of Mr. Scott of Wilton, tabled pending his motion that the Joint Order receive passage in concurrence and specially assigned for Tuesday, April 22.

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

Mr. CAREY: Mr. Speaker, I would move that we reconsider our action whereby we receded and concurred with the Senate on item one on today's calendar, which is on page nine. Bill "An Act relating to Length of Certain Motor Vehicles," House Paper 398, L. D. 508.

The SPEAKER: Is the gentleman referring to tabled and today assigned matters?

Mr. CAREY: Yes I am, Mr. Speaker.

Whereupon, on motion of Mr. Rideout of Manchester, tabled pending the motion of Mr. Carey of Waterville that the House reconsider its action whereby it voted to recede and concur with the Senate and specially assigned for Wednesday, April 23.

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

Mr. JALBERT: Mr. Speaker and Members of the House: In that I never won too many laurels or blue ribbons for apple polishing, it would behoove me this morning, if you would look at this long calendar, I stated to some of my seatmates that every once in a

while we get bogged down into an area where we wind up with unfinished business of previous days and also tabled and assigned matters of the day.

I am sure that our attendance here helps a great deal to bring about the disentangling of the slight mess that I figured we were on as far as calendar-wise is concerned, but I am sure also that it is thanks to the leadership of our Speaker and the leadership of both branches and both parties. I think that today if experience is anything, any criteria, I would say that we have done a fine job.

On motion of Mr. Eustis of Dixfield.

Adjourned until Tuesday, April 22, at ten o'clock in the morning.