

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Fourth
Legislature*

OF THE

STATE OF MAINE

Volume III

June 17, 1969 to July 2, 1969

Index

1st Special Session

January 6, 1970 to February 7, 1970

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KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Wednesday, February 4, 1970

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

Prayer by the Rev. Mr. Ondon Stairs of Augusta.

The journal of yesterday was read and approved.

Papers from the Senate

From the Senate: The following Order:

ORDERED, the House concurring, that the Joint Standing Committee on State Government report out to the Senate a Bill giving special interim legislative investigating committees access to certain records (S. P. 657).

Came from the Senate read and passed.

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

Non-Concurrent Matter

Bill "An Act Abolishing Full-Time County Attorneys and Increasing Salaries of Certain County Attorneys and Assistant County Attorneys" (H. P. 1449) (L. D. 1825) which was passed to be engrossed as amended by House Amendments "B", "C", "D" and "E" in the House on February 3.

Came from the Senate passed to be engrossed as amended by House Amendments "B", "C" and "E" and House Amendment "D" as amended by Senate Amendment "A" thereto in non-concurrence.

In the House: On motion of Mr. Norris of Brewer, the House voted to recede and concur.

Non-Concurrent Matter

An Act relating to Water Quality Standards (S. P. 650) (L. D. 1828) which was passed to be enacted in the House on February 2 and passed to be engrossed on January 30.

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

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

Messages and Documents

The following Communication:
THE SENATE OF MAINE
AUGUSTA

February 3, 1970

Honorable Bertha W. Johnson
Clerk of the House of Representatives

104th Legislature

Dear Madam Clerk:

The Senate today voted to Adhere to its former action whereby it Indefinitely Postponed, Bill, "An Act Relating to Powers and Duties of the Attorney General" (S. P. 588) (L. D. 1743).

Respectfully,

(Signed)

HARRY N. STARBRANCH

Secretary of the Senate

The Communication was read and ordered placed on file.

The following Communication:

THE SENATE OF MAINE
Augusta

February 3, 1970

Honorable Bertha W. Johnson
Clerk of the House of

Representatives
104th Legislature

Dear Madam Clerk:

The Senate today voted to join in a Committee of Conference on Bill, "An Act to Promote Governmental Reorganization and Efficiency" (S. P. 641) (L. D. 1812).

The President appointed the following members of the Senate to the Committee: Senators — TANOUS of Penobscot, BARNES of Aroostook and CONLEY of Cumberland.

The Senate also voted to join in a Committee of Conference on Bill, "An Act to Clarify the Education Laws and Subsidy Payments" (H. P. 1309) (L. D. 1623).

The President appointed the following members of the Senate to the Committee: Senators — KATZ of Kennebec, ANDERSON of Hancock and KELLAM of Cumberland.

Respectfully,

(Signed)

HARRY N. STARBRANCH

Secretary of the Senate

The Communication was read and ordered placed on file.

On the part of the House, the Speaker appointed the following Conferees on the disagreeing action of the two branches of the Legislature on Bill "An Act relating to Jurisdiction of District Court in Divorce Actions," House Paper 1337, L. D. 1666:

Messrs. BERMAN of Houlton
MORESHEAD of Augusta
BRENNAN of Portland

**House Reports of Committees
Ought to Pass
Printed Bill
Tabled Later in the Day**

Mr. Susi from the Committee on Taxation, pursuant to Joint Order (H. P. 1456), reported a Bill (H. P. 1465) (L. D. 1839) under title of "An Act on Tax Relief to the Elderly" and that it "Ought to pass"

Report was read and accepted, the Bill read twice and later today assigned.

Divided Report

Majority Report of the Committee on Judiciary on Bill "An Act Providing for the Regulation of Motion Pictures" (H. P. 1392) (L. D. 1747) reporting same in a new draft (H. P. 1466) (L. D. 1840) under title of "An Act Providing for the Regulation of Motion Pictures for Exhibition to Minors" and that it "Ought to pass"

Report was signed by the following members:

Messrs. QUINN of Penobscot
HOLMAN of Franklin
VIOLETTE of Aroostook
— of the Senate.
Messrs. BRENNAN of Portland
HESELTON of Gardiner
BERMAN of Houlton
HEWES of Cape Elizabeth
FOSTER of Mechanic Falls
— of the House.

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

Report was signed by the following members:

Messrs. MORESHEAD of Augusta
DANTON
— of Old Orchard Beach
— of the House.

Reports were read.

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

Mr. BERMAN: Mr. Speaker, I would move acceptance of the Majority "Ought to pass" Report and would speak briefly to my motion.

The SPEAKER: The gentleman from Houlton, Mr. Berman, moves the acceptance of the Majority "Ought to pass" Report. The gentleman may proceed.

Mr. BERMAN: Mr. Speaker and Members of the House: While the attention of the session has been well focussed on the question of oil pollution, another form of pollution seems to be abroad in the land and its effect on the minds of our great natural resource, the youth of Maine, cannot be measured in dollars. To combat this, the majority of your committee has worked diligently to bring forth a bill which is stricter than the original proposal, because it absolutely forbids those recently defined as minors from seeing polluted motion pictures, even if accompanied by a parent or guardian.

We are reasonable people and if we are going to say that those defined as minors cannot see these motion pictures, even if accompanied by a parent or guardian, and if this probation does on occasion keep out the young mother with a child in her arms, so much the better. We did not think that motion picture theatres would admit without charge those defined as minors. However, we, would have no objection if an amendment is proposed to preclude this remote possibility.

Somewhere along the line the bill has been termed "watered down." It is nothing of the sort. We have adopted in statutory language, language which is personally offensive, because the State Attorney's office says we have to spell out what is nudity and what is meant by sexual conduct. What this bill is all about is obvious. It is about one particular form of human conduct. Commission happy people want to set up a new state commission in Maine to deal with sex in motion pictures. The majority of your committee

believes the correct approach is a stiff law that prosecutors can enforce. That is why sexual descriptions are spelled out in explicit terms in the majority report.

A new commission to regulate sex in motion pictures, so far as minors are concerned, would just be the beginning of a new bureaucracy. The initial price tag has been repegged to gain votes for the minority report and an amendment to that effect is upon your desks this morning.

But the more reasonable grounds would be to accept the majority report and enact that report as emergency legislation. It would then be law perhaps as early as next week and then if any minor as defined in the law gets into a motion picture theatre in Maine showing a film such as "I am Curious Yellow," an effective prosecution can be set in motion involving a heavy fine, a jail sentence, or both. We believe that operators of motion picture theatres would be foolhardy to risk a heavy fine, a jail sentence, or a combination for the price of admitting those defined as minors to see a motion picture such as the one I have expressly mentioned.

We are not seeking for publicity; we are looking for strict administration of justice. We are seeking prosecutions that can be successful. When the law is broken the one who breaks the law must be punished in this field and punished severely.

Mr. Speaker, I again respectfully request acceptance of the majority report and when the vote is taken I request a division.

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

Mr. JUTRAS: Mr. Speaker and Ladies and Gentlemen of the House: This bill is another one hacking away at our rights guaranteed by the Constitution of the United States. The motion picture industry has policed itself in the identification of moving picture distribution to the public. We all knew what the old rating was, everyone from a seven year old child on up knew what a G movie was, M mature, R

restricted, or X condemned. They knew these ratings, the meaning of these ratings.

Mr. Jack Valenti, president of the Motion Pictures Association, has come out recently with a new set of ratings. It is up to the parents or the appointed guardians to inform themselves and to advise their children in these matters. It is up to the local authority to blow the whistle on so-called dirty movies. It is also the responsibility of the theatre manager to act and act promptly in a situation that becomes inflammable with the showing of a controversial or arty movie. It is up to the local theatre manager working with the police by hiring special police to preclude the sale of admission of tickets to unauthorized persons.

We do not need this type of legislation. It is unconstitutional, it is costly, a real waste of taxpayers money, only to entertain the so-called sycophantic watchdogs of morality at \$50 a day plus expenses, which could amount to almost a quarter of a million dollars a year if they reviewed on the average of one film per day.

Ladies and gentlemen, I urge you when the time comes to vote against this wasteful, fruitless, bureaucratic buildup and because I am a theatre manager I shall abstain from voting to preclude a conflict of interest label, but as a state representative I felt it my duty to express the facts and the truth in this matter. No one can legislate morality; it comes from within and from each and every one of us.

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

Mr. GAUTHIER: Mr. Speaker, and Members of the House: I arise because I do not agree with Mr. Jutras who is the manager of the Sanford Drive-in Theatre. But I do agree — I attended the hearing on this and there was a teacher from Bangor who spoke at this meeting, and I would like to express her feelings because they were mine.

This woman said that our youngsters at sixteen, seventeen, eighteen years old are looking for a

directive from us. Well let us not let them down today, please.

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

Mr. COX: Mr. Speaker and Members of the House: I don't really relish being called a psychopath, but I understand how anybody can get excited over legislation like this. This is censorship, there is no doubt about it. The Supreme Court of the United States asserts that censorship is all right under certain conditions and we have tried very diligently in the drafting of this bill to abide by the decisions that we know are on the lawbooks.

So we started out with the premise that there was great concern and proceeded to see what could be done about it. We enlisted the aid of the Attorney General's office and private practicing attorneys in order to draft legislation that would conform to the Constitution and to the Supreme Court decisions on the subject. Let me assure you that many days, nights, weekends went into the drafting of the original L. D., in order that we would have something that would work, something that would have teeth in it.

Now there is no sense in putting a piece of legislation such as the redraft on the books. We have superfluous laws on the books now, and all of you know it. The redraft is nothing more than we have already. What the original bill does is set up a hearing examiner, with the amendment, of three people. Now in the original bill it was \$50 a day for these people. Of course I know that is ridiculous; we are not going to appropriate that, but we all know we have to bargain sometime. So it is cut down to \$20 a day by an amendment.

I am not trying to pass legislation that is going to tell you and I what kind of movies we are going to see. I am not interested in your conscience. All I am interested in is the young people who are going to this type of filth, and that's all it is, it's filth — and you and I both know it. Now if you and I enjoy filth — fine. But we stop people from drinking up to a certain age, we stop them from taking

drugs at any age; and yet you can take their morals and throw them away.

Now this industry has brought this on themselves. We haven't done this. We aren't legislating morals. They have just tried to see how far they can go without somebody stopping them, and if you don't believe they are going far, go see the next movie.

As the good gentleman from Sanford has said, we can get very excited about these things, and I am excited about this. If you look on the desk before me you will see 6,000 signatures that are excited about it. Therefore I hope you will vote against the motion that is on the floor at this time and perhaps somebody can make a motion to accept the minority report. Thank you.

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

Mr. JUTRAS: Mr. Speaker and Members of the House: I would like to convey this thought to the representative from Bangor, Mr. Cox, that the word psychopath was not used in my charge against his bill. If he would be kind enough to refer to the word "sycophant", s-y-c-o-p-h-a-n-t, he will find the real meaning.

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

Mr. NORRIS: Mr. Speaker and Ladies and Gentlemen of the House: I rise this morning to support the motion of the gentleman from Bangor, Mr. Cox. The problem of obscene movies being made available to children under eighteen years of age is very serious in my area. There has been a committee formed of over 500 members to support this legislation L. D. 1747 in its original draft. I have yet to hear any opposition to this bill from any of my constituency; they would have to be considered one hundred per cent behind this original draft.

We all complain about the rising costs in our prisons and mental health institutions. I charge this body to vote for L. D. 1747 in its original draft even though there is a cost involved, thereby saving the minds and the morals of our young

people and in the long run money for the state.

I would hope, ladies and gentlemen, that you in your wisdom will please consider our plight and listen to our plea for the sake of our children. Thank you.

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

Mr. CORSON: Mr. Speaker and Ladies and Gentlemen of the House: I rise to support the motion of the gentleman from Houlton, Mr. Berman, to accept the redraft of this bill. Now as I understand it, with the laws already on the books and with this redraft, if we do enact it into law, there would be plenty of opportunity here to put a stop to this abuse which as I understand many motion picture theatre operators have indulged in.

Now I have to be honest, I have not been to an X-rated movie — a couple of times I was going to go and I just didn't get around to it. But I have talked to several of my colleagues who have been to these movies and they tell me that the thing that disturbs them most is that as they look around sometimes in the audience they see fourteen and fifteen year old children and this is clearly not right, and we do have the rating system and they are not supposed to be in there.

But as I understand it under this redraft someone would have to merely point this out to the law enforcement agencies and to bring charges against these people, and it seems to me this is just another area where people are always willing to complain but nobody is willing to do anything about it, and so they come to us and expect us to enact a board which will go over this whole thing.

I don't think it will solve too much anyways because if we do enact the board other than spend a little money because we will still be depending on people to bring these abuses to our attention, and they haven't shown much interest in doing this in the past, I doubt that they will in the future. I am afraid we are saddled with apathy until the people themselves are willing to do something. We can pass laws until we're blue in the

face and we're just not going to solve any problems.

The SPEAKER: The pending question is on the motion of the gentleman from Houlton, Mr. Berman, that the House accept the Majority "Ought to pass" Report. If you are in favor of accepting the Majority Report you will vote yes; if you are opposed you will vote no.

A vote of the House was taken.

71 having voted in the affirmative and 40 having voted in the negative, the motion did prevail.

Thereupon, the New Draft was read twice. Under suspension of the rules the New Draft was read the third time, passed to be engrossed and sent to the Senate.

Divided Report

Majority Report of the Committee on Judiciary on Bill "An Act relating to the Housing Needs of People Who Pay Rent" (H. P. 1418) (L. D. 1786) reporting same in a new draft (H. P. 1467) (L. D. 1841) under same title and that it "Ought to pass"

Report was signed by the following members:

Messrs. QUINN of Penobscot
HOLMAN of Franklin
VIOLETTE of Arostook
— of the Senate.

Messrs. FOSTER of Mechanic Falls
HEWES of Cape Elizabeth
BRENNAN of Portland
HESELTON of Gardiner
BERMAN of Houlton
DANTON

of Old Orchard Beach
— of the House.

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

Report was signed by the following member:

Mr. MORESHEAD of Augusta
— of the House.

Reports were read.

On motion of Mr. Hewes of Cape Elizabeth, the Majority "Ought to pass" Report was accepted and the New Draft was read twice.

Assigned for third reading later in the day.

Passed to Be Enacted Bond Issue

An Act to Authorize General Fund Bond Issue in the Amount

of \$4,000,000 for Removal and Abatement of Prohibited Discharges of Oil from Coastal Waters, Lands Adjoining the Seacoast of the State or Waters Draining into the Coastal Waters of the State in the Event of an Oil Pollution Disaster Declared by the Governor (S. P. 652) (L. D. 1836).

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. In accordance with the provisions of Section 14 of Article IX of the Constitution a two-thirds vote of the House being necessary, a total was taken. 114 voted in favor of same and 3 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Enactors

Tabled Later in the Day

An Act Clarifying Laws Relating to the University of Maine (S. P. 632) (L. D. 1804)

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

(On motion of Mr. Levesque of Madawaska, tabled pending passage to be enacted and later today assigned.)

An Act relating to Interest Earned on Investments of Special Revenue Funds (S. P. 654) (L. D. 1837).

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

(On motion of Mr. Marstaller of Freeport, tabled pending passage to be enacted and later today assigned.)

Passed to Be Enacted

An Act to Permit Probable Cause Arrest on Marijuana Misdemeanor Violations (H. P. 1375) (L. D. 1724).

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

Orders of the Day

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

Bill "An Act to Appropriate Moneys for Necessary Items and Miscellaneous Changes for the Fiscal Years Ending June 30, 1970 and June 30, 1971" (S. P. 643) (L. D. 1818) (In Senate, passed to be engrossed as amended by Senate Amendment "A" S-399) (In House, Senate Amendment "A" and House Amendment "A" H-673 adopted)

Tabled—February 3, by Mr. Levesque of Madawaska.

Pending—Passage to be engrossed.

On motion of Mr. Levesque of Madawaska, tabled pending passage to be engrossed and later today assigned.

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

An Act relating to the Commitment of Juveniles to Juvenile Institutions (H. P. 1382) (L. D. 1731) (In Senate, failed of enactment)

Tabled—February 3, by Mrs. Payson of Falmouth.

Pending—Further consideration.

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

Mrs. PAYSON: Mr. Speaker and Ladies and Gentlemen of the House: I move that we insist and ask for a Committee of Conference.

The SPEAKER: The gentlewoman from Falmouth moves that the House insist and ask for a Committee of Conference.

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

Mr. B. BENSON: Mr. Speaker, I move that we recede and concur with the Senate.

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

The Chair recognizes the gentlewoman from Falmouth, Mrs. Payson.

Mrs. PAYSON: Mr. Speaker and Ladies and Gentlemen of the House: I have asked that we insist and ask for a Committee of Conference because going into this bill I am advised that we should have the bill rewritten and presented at

the next session. It is not in proper form. That if we could get it put through at this point, it would be helpful to the authorities, in general, who handle the juvenile cases. However, we may not be able to persuade the other group, the upper House, and therefore, I would like to at least have the opportunity to speak with them. Thank you.

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

Mr. BENSON: Mr. Speaker and Members of the House: I think this bill creates more problems than it will solve. And I think if we recede and concur with the Senate, we will accomplish what the gentlewoman wishes. She can introduce it in the next session of the Legislature and it will be fully considered at that time.

The SPEAKER: The Chair will order a vote. All in favor of receding and concurring will vote yes; those opposed will vote no.

A vote of the House was taken.

90 having voted in the affirmative and 24 having voted in the negative, the motion did prevail.

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

An Act Establishing a Human Rights Commission (H. P. 1439) (L. D. 1814)

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

Pending—Motion of Mr. McTeague of Brunswick to reconsider motion to indefinitely postpone.

Mr. Moreshead of Augusta requested a vote on the reconsideration motion.

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

Mr. McTEAGUE: Mr. Speaker and Members of the House: This is the third day in a period of about a week that we have considered this bill. I would ask the members to keep in mind that this is a bill which prohibits discrimination based on color, or ethnic origin, or religion, but it does not prohibit discrimination based on ability or lack of it,

sobriety or lack of it, credit worthiness or lack of it. I would also ask the members of the House to consider that this bill, which is a compromise bill, received the unanimous support of our State Government Committee.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: As several of you may remember, during the regular session, in the waning hours, I was probably the chief opponent of three bills because they were very confusing, but this is different.

In Maine we certainly are fortunate because we have comparatively few racial disorders. However, we are not Simon-pure as far as discrimination goes. I guess it is just human nature to discriminate. This is a sad commentary, but true.

For instance, one member of this House told me that in his area they definitely discriminated against Protestants. In my city, we had two Congregational Churches. They tried to merge, but in this hassle all sorts of animosities arose, and now they, two members of the same denomination openly discriminate against each other.

So you see, in Maine it is not a question of just black and white or ethnic groups, and in my opinion, this now is a very satisfactory bill to insure fair and equal treatment for all groups. I don't believe that we should be frightened by some imaginary mistreatments that have been mentioned here, and I think that we should show compassion for all of our human beings, and I certainly hope that this morning we do reconsider.

The SPEAKER: The Chair recognizes the gentleman from Machias, Mr. Kelley.

Mr. KELLEY: Mr. Speaker, Ladies and Gentlemen of the House: I listened with interest to the remarks of the previous speaker. His description of the trouble that the church members had had, each with the other, and I was wondering how this Civil Rights Commission would act in a case of that type. Would one

church member go to the Commission and complain that the other one had discriminated against him? These things, if pursued to their logical end, become a bit ridiculous.

I shall be mercifully brief this morning. I think that it boils down to this: If you swallow the fiction that the people of Maine deserve this type of legislation, if you don't feel that present laws are adequate, if you feel that this little Commission will always cost Maine taxpayers only about the same amount of money as is asked for here, \$41,000, and if you feel that this \$41,000 is indeed an excellent investment and will pay dividends one way or the other, then your way is clear, you should vote yes. But if there is a reasonable doubt in your minds as to the necessity for this type of restrictive legislation, a reasonable doubt, then you owe it to yourselves and to your constituents to vote no.

One more thing, if the tide should turn against us, and if we should lose, I would hope as responsible members of this legislature that we restrain ourselves. Let's not engage or indulge in any parliamentary gymnastics. Let us not table — for goodness sake, let's not table this any more, let's finish it one way or the other this morning. Let us not change sides for the purpose of reconsideration. Let's break clean and come out fighting. Thank you very much.

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

Mr. JALBERT: Mr. Speaker and Members of the House: Every time the good gentleman Mr. Kelley gets up, and he is a very fine orator, and I really enjoy listening to him speak, but he comes out with catch phrases that somehow my nimble mind can't grasp too quickly. And this morning it is "mercifully brief." Now I just don't understand that comment.

Now I don't think there is any doubt in anybody's mind who has known me as many years as they have known me, that there are times when I have been slightly intemperate. But in dead seriousness, speaking as one of an ethnic group, I know somewhere along the

line the treatment that my grandparents got. I know that I am not being treated that way in my community that I was born in. I know that I am not being discriminated against. At the expense of some of those here, who might say they have known me for many, many moons, that this may not be the Louie Jalbert that they have often times heard, you know, only idiots do not change their minds. Only people who would want to be mercifully brief would not reconsider.

And when on my last sojourn at one of my homes at St. Mary's, within fifteen minutes a Protestant Minister, a Greek Priest, a Jewish Rabbi and a Catholic Priest called upon me, and each one of the four said a prayer in their language for me, believe you me, it changed my thinking. And if you don't think it would change yours, you have the same thing happen to you.

I think this is a just bill. And I think of the times, and in my mind I know I have been intemperate, and for no other reason but to make amends for my intemperance, I wholeheartedly join the gentleman from Brunswick, Mr. McTeague. And when the vote is taken, I move that it be taken by a roll call.

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

Mr. RIDEOUT: Mr. Speaker and Members of the House: I think everyone knows where I stand on this bill; I am for the bill. Because there was some confusion on the voting yesterday, I want to indicate that if you are for the bill, vote yes for reconsideration.

The SPEAKER: 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. And the pending question is on the motion of the gentleman from Brunswick, Mr. McTeague, that the House reconsider its action whereby this Bill, An Act Establishing a Human Rights Commission, House Paper 1439, L. D. 1814, was indefinitely postponed. All in favor of a roll call vote will vote yes; those opposed will vote no.

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

The SPEAKER: The pending question is on the motion of the gentleman from Brunswick, Mr. McTeague, that the House reconsider its action whereby this Bill was indefinitely postponed. If you are in favor of reconsideration you will vote yes; if you are opposed you will vote no.

ROLL CALL

YES — Allen, Bedard, Berman, Bernier, Binnette, Boudreau, Bourgoin, Brennan, Burnham, Coffey, Corson, Cottrell, Crommett, Croteau, Cummings, Curran, Drigotas, Eustis, Farnham, Fecteau, Gilbert, Giroux, Good, Goodwin, Haskell, Hewes, Hichens, Huber, Hunter, Jalbert, Jameson, Jutras, Kelleher, Kilroy, Laberge, Lawry, Lebel, Leibowitz, LePage, Levesque, Lund, Marquis, Marsteller, Martin, McKinnon, McTeague, Meisner, Millett, Morgan, Nadeau, Norris, Payson, Richardson, H. L.; Ricker, Rideout, Ross, Sahagian, Santoro, Sheltra, Soulas, Starbird, Stillings, Susi, Tanguay, Temple, Vincent, Wheeler, White.

NO — Baker, Barnes, Benson, Birt, Bragdon, Brown, Buckley, Bunker, Carrier, Casey, Chick, Clark, C. H.; Clark, H. G.; Cote, Crosby, Curtis, Cushing, Donaghy, Dudley, Durgin, Dyar, Erickson, Evans, Finemore, Foster, Gauthier, Hall, Hardy, Harriman, Hawkens, Henley, Heslton, Immonen, Johnston, Kelley, K. F.; Kelley, R. P.; Lee, Lewin, Lewis, Lincoln, MacPhail, McNally, Mills, Moreshead, Mosher, Page, Porter, Pratt, Quimby, Rand, Scott, C. F.; Scott, G. W.; Shaw, Snow, Thompson, Trask, Tyndale, Williams.

ABSENT — Carey, Carter, Chandler, Couture, Cox, D'Alfonso, Dam, Danton, Dennett, Emery, Faucher, Fortier, A. J.; Fortier, M.; Fraser, Hanson, Keyte, Mitchell, Noyes, Ouellette, Richardson, G. A.; Rocheleau, Waxman, Wight, Wood.

Yes, 68; No, 58; Absent, 24.

The SPEAKER: Sixty-eight having voted in the affirmative and fifty-eight having voted in the

negative, the motion to reconsider does prevail.

The pending question now is indefinite postponement. If you are in favor of indefinite postponement you will vote yes; if you are opposed you will vote no.

Whereupon, Mr. Jalbert of Lewiston requested a roll call.

The SPEAKER: The yeas and nays are 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 members desiring a roll call vote will vote yes; those opposed will vote no.

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

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

Mr. MORESHEAD: Mr. Speaker, I move this be tabled until later in today's session.

The SPEAKER: The gentleman from Augusta, Mr. Moreshead, moves this matter be tabled until later in today's session pending the motion to indefinitely postpone, and a roll call has been ordered.

Mr. Rideout of Manchester requested a vote on the tabling motion.

The SPEAKER: A vote has been requested on the tabling motion. If you are in favor of tabling this matter until later in today's session you will vote yes; if you are opposed you will vote no.

A vote of the House was taken.

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

The SPEAKER: The pending question is indefinite postponement. The yeas and nays have been ordered.

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

Mr. MORESHEAD: Mr. Speaker and Ladies and Gentlemen of the House: I do not wish to belabor this. The reason I made the tabling motion is I noted that there were a lot of the members of the House absent this morning, and I felt that perhaps later in the session there

would be more of our members present.

I would like to just reiterate what I stated yesterday, and that is that if you do vote against this bill you are not voting in favor of discrimination or bigotry, because as I pointed out yesterday, we do have laws today, and there has been no one here who has shown or pointed out to this House that the existing laws are not working.

I submit to you the existing laws are working and are adequate, and if they are not working it is up to us as citizens to get after those people who have the responsibility to enforce the existing laws. It is not sensible, in my opinion, to create another commission to help solve a problem which we already have laws on the books to solve. So I therefore urge you not to create another commission, not to spend the money that this bill calls for when we have laws which do not require a commission or require an appropriation. So I therefore urge every member of this House to vote in favor of the motion to indefinitely postpone this bill.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: The laws presently on the book may very well serve the purpose of the gentleman from Augusta, Mr. Moreshead, for the purpose intended for the laws. The bill that is before us this morning is to help some other people that may run into the trouble that has been indicated in some areas. I hope when the motion is before you this morning to indefinitely postpone that you will vote no.

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

Mr. RICHARDSON: Mr. Speaker and Ladies and Gentlemen of the House: This bill has been debated and debated and debated. And I really do — and I know most of you won't believe me — but I do hesitate to speak on it again. But when someone makes a statement that our present laws which are

penal in nature are working, I quite frankly and simply cannot accept that. Now the fact of the matter is that we need a means by which those people, and they are in Maine, and we have now had a tacit admission to that fact by at least some of the opponents of this bill, these people need a forum within which we can bring about conciliation, and we can get away from the criminal law.

Our present laws on discrimination and fair employment are criminal in nature, are penal in nature. And that is the reason I hope that you will vote against the indefinite postponement of this bill. And I am delighted to see the gentleman from Machias say let's have it out today, let's break clean, let's not have any punches below the belt. I was a little surprised at the tabling effort. But let's go ahead and decide the issue once and for all.

And I am not suggesting that the opponents of this bill are bigots or that they have their head in the sand at all. I just simply think that we ought to have a better means of handling these problems than we now have on the books.

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

Mr. BENSON: Mr. Speaker and Members of the House: I agree with the gentleman from Cumberland, Mr. Richardson, I don't think anyone has their head in the sand. And the fact that he is known as a sandy-haired gentleman I don't think is significant.

I do feel that we are once again taking the rights from one group and transferring them to another. I think that you are placing the burden on one group to prove their innocence, and you are not requesting, as is normal in the process of law, that a person be proven guilty. I don't think this is a good bill. I never thought so, and I hope that the House will maintain its posture of yesterday and defeat this bill, and I urge you to vote for the indefinite postponement.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I have no doubt but the proponents of this measure are trying to pass a piece of legislation to help somebody. However, it tends to deceive the House when you tell them that this cost is some \$41,000. Every commission that we now have before us came onto the law books of this state with a very small amount of money. This probably will last until the next regular session, and I assure you this will be several hundred thousands of dollars.

Now my question to you people in this House, is this expenditure — not this \$41,000, because this is just to deceive you — but my question to this House, is the tremendous cost of this commission and what it can do for a small amount of people going to be worth what it is costing the taxpayers of the State of Maine?

Now some of you same people in this House are going to be around here when they meet again, and they are going to wonder how all these extra people got on the payroll, and why we had to build another building across the street, and how the cost of State Government goes up every year. Let me remind you, just this once more, that every time we put people on the payroll and create commissions, we are putting the burden on the people by taxes, and enlarging State Government.

And I would like to say it — I have said it on many occasions because of the people — this is one thing where I come from there is one thing they want above all. If you have a conversation with any of my constituents you will find there is one thing they want above all, less government, not more. And anything that we do here that makes more government, makes more cost to them, and more taxes, and more people on the payroll; and I say one more thing — I don't have any ward heelers or anything that I need to find a job for either, so I am not looking for a job for somebody. And it seems to me that every year we have to find a job for a certain number of people. But I would like to make it plain to

the House, I am not looking for a job for anybody at the expense of the taxpayer. Thank you.

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

Mr. STARBIRD: Mr. Speaker and Members of the House: I would like to state so that it will be clear in everyone's mind that this was unanimously backed by the State Government Committee, a committee which was broken three ways in the regular session over this subject, that this does not do what some of its opponents say.

Now we have on the books criminal laws, as the gentleman from Cumberland has said. The person who is accused of discrimination is perhaps, if the case happened to come to the attention of the press, he may be branded with a stigma. Under this bill the people concerned will first come and talk the thing all over. There may be no cause for criminal prosecution whatsoever. The thing may be settled right there, and in all likelihood — 90 or 95 per cent of the cases — will be settled right there. The person who brought the commission's attention to the alleged discrimination may not have been discriminated against because of his color or creed or national origin at all. He may just have thought he did. And these are the things that the commission will attempt to iron out. In my mind the person who is renting, the person who is accused of discrimination, probably has a better show under the commission than he will under the present criminal law. I hope you vote no, and keep this thing alive.

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

Mr. HENLEY: Mr. Speaker and Ladies and Gentlemen of the House: I am not an attorney. I have listened to this debate, I am opposed to this bill, possibly under little different circumstances. I recognize that we do have discrimination. We have had it for thousands of years, and I think in spite of anything you may legislate there still will be discrimination of various kinds.

I feel that this bill is just another government interference with peoples' rights, trying to control people to a further extent. We are trying to control people now from the time they are big enough to go into kindergarten to include the aged. I wonder how long it will be before we will have complete control of government over every personal method.

As far as discrimination is concerned, I have been perfectly aware of it. When I started in high school from the country it so happened that I was one of the few who came from the farmlands, and I was discriminated against. I was called farmer. Possibly in a good many cases now I still might be nicknamed as farmer. And still it doesn't bother me any more. It didn't bother me much then.

I have been discriminated against through various phases of life because of, possibly, my lack of academic education. But what is the value involved? If we are not discriminated against some way in life, what urge are we going to get to better our circumstances? If everybody is going to control all of these various minority groups, if we run to papa every time some little thing goes wrong or somebody called us a bad name, where is our initiative, where is our manhood?

I don't think that we have got anything in the State of Maine that can't be handled by local groups, and it is being handled by a lot of local groups. As far as discrimination in housing is concerned we have seen a little. There may be some. I think one of the biggest difficulties in housing is that there just is not enough housing. And if we keep on hamstringing our landlords there will be even less.

I am inclined to think that a lot of these commissions that we are voting, not only here but in other states and cities and at our national level, are based on something that I call a guilt complex. We are somehow in the last decade being overcome by guilt. Guilt because of this, guilt because of that, guilt because of a few people that are too lazy to earn a living and

they go to papa to support them, even a good many times better than a lot of people that are working for a living. We feel guilty because some people that aren't living quite as good as some other people.

So we are going to do something about legislative law to see that they have everything that the rest of us have—the grand equalizer. More commissions, more committees to control the lives of people. All of them cost money. But whether they cost money or not I feel that it is superfluous that these commissions, especially on these human rights ones, in this part of the area, this part of the country, are entirely unnecessary. They are brought about by this feeling that one, as Mr. Kelley said the other day, it is good politics. Number two, we feel righteous by helping enact some committee which is supposed to assist minority groups.

I do not feel particularly guilty about any of these things. I know our national image has built up a guilt complex on the various assassinations that have taken place. Consequently all these gun laws. Some of them were very ill conceived, and that is dying down now. But that was created by this same guilt complex.

Now are we going to let guilt complex stampede us into legislating commissions to control every avenue of human endeavor? I urge you to vote for indefinite postponement of this bill, and let's take care of our particular situations in the area where they exist.

The SPEAKER: The Chair recognizes the gentleman from Orono, Mr. Chandler.

Mr. CHANDLER: Mr. Speaker and Members of the House: I will promise to be very brief. A number of years ago in the great Rodgers & Hammerstein musical "South Pacific" a very poignant ballad was written called "You've Got to be Taught to Hate." I speak, Mr. Henley, with no guilt complex whatsoever. I speak as a white, Anglo-Saxon Protestant, and I tell you that I hope of all the sins I may ever commit I never teach my children to hate.

I hope you will vote against the indefinite postponement.

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

Mr. RIDEOUT: Mr. Speaker and Members of the House: I know that sometimes in the heat of debate I lose track of the pending question. And I just want to indicate to those people who are for the measure to vote no on the indefinite postponement.

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

Mr. DONAGHY: Mr. Speaker and Members of the House: I have been flattered here on several occasions in this debate because I am on the State Government Committee that reported this out "ought to pass." But it must be noted that this was a compromise, that there were three different schools of thought on this, and in order to get out a bill that had some chance of passage, some reasonable consideration, I compromised my thoughts, just as other people did. And I am going to vote that this bill ought to be indefinitely postponed.

The SPEAKER: The Chair recognizes the gentleman from Bridgewater, Mr. Finemore.

Mr. FINEMORE: Mr. Speaker and Members of the House: I will speak briefly on this. I feel as though I should because I spoke against it in the regular session.

They speak of discrimination. They should go back, way back to the Roman times, when the Romans discriminated against the Israelites. And go along down all through history. What has made this world today? It has been discrimination. Our Pilgrims came here because they were discriminated in England, that is what they came here for. And I hope we bear that in mind.

During World War II the Jews, so-called God's chosen children, were discriminated against. And they arose after World War II, now to be one of the most powerful little nations in the world. It makes you proud of them. That is discrimination.

If the colored people today look out for themselves, and work as well as they have in the past, the discrimination against them will be done away with.

This morning I hope you will permit me to tell a little story of an elderly preacher in our town, a country preacher. And I apologize for telling it, but it might bring out some point. We had a preacher, Elder Beedy, in our town who was always quoting scripture. One Monday morning after some of our men who worked hard and played hard, especially over the weekends, were in a town blacksmith shop, and the Elder was speaking to them over telling them what they should do. And about every word was a word of scripture. So all of a sudden one of these big, old-fashioned blowflies which gathered around the blacksmith shop flew in his mouth.

Well after strangling and much hard work to get his breath again, one of the gentlemen gathered there said, "Reverend, what piece of scripture have you got for that?" He said, "Well, he was a stranger, I took him in."

So let's this morning, let's not let these great orators like the gentleman from Lewiston, Mr. JAlbert, and the gentleman from Madawaska, Mr. Levesque, and the gentleman from Brunswick, Mr. McTeague, let's not let them take us in. Let's vote for indefinite postponement of this bill and get it over with.

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

Mr. MCTEAGUE: Mr. Speaker, an inquiry. Is the question before the House indefinite postponement?

The SPEAKER: The answer is in the affirmative.

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

Mr. MORESHEAD: Mr. Speaker and Members of the House: I would just like to point out one thing further to this House. That in addition to the laws which we have right now on the books there are also federal laws and a Federal Civil Rights Commission, and I

firmly believe if somebody was seriously being discriminated against, they would be adequately taken care of by the federal people if they weren't taken care of here by our local state authorities.

The SPEAKER: The pending question is the motion to indefinitely postpone An Act Establishing a Human Rights Commission, House Paper 1439, L. D. 1814. All in favor of indefinite postponement will vote yes; those opposed to indefinite postponement will vote no. A roll call has been ordered.

ROLL CALL

YEA — Allen, Baker, Barnes, Bedard, Benson, Birt, Bragdon, Brown, Buckley, Bunker, Carrier, Casey, Chick, Clark, H. G.; Cote, Crosby, Curtis, Cushing, Donaghy, Dudley, Durgin, Dyar, Erickson, Evans, Finemore, Foster, Gauthier, Hall, Hanson, Hardy, Harriman, Hawkens, Henley, Heselton, Immonen, Kelley, K. F.; Kelley, R. P.; Laberge, Lee, Lewin, Lewis, Lincoln, MacPhail, McNally, Meisner, Mills, Moreshead, Mosher, Nadeau, Page, Porter, Pratt, Quimby, Rand, Richardson, G. A.; Rochelneau, Sahagian, Scott, C. F.; Scott, G. W.; Shaw, Snow, Thompson, Trask, Tyndale, Wight, Williams.

NAY — Berman, Bernier, Binnette, Boudreau, Bourgoin, Brennan, Burnham, Carter, Chandler, Clark, C. H.; Coffey, Corson, Cottrell, Cox, Crommett, Croteau, Cummings, Curran, Dam, Dennett, Drigotas, Eustis, Farnham, Faucher, Fecteau, Fortier, M.; Gilbert, Giroux, Good, Goodwin, Haskell, Hewes, Hichens, Huber, Hunter, Jalbert, Jameson, Johnston, Jutras, Kelleher, Kilroy, Lawry, Lebel, Leibowitz, LePage, Levesque, Lund, Marquis, Marsteller, Martin, McKinnon, McTeague, Millett, Mitchell, Morgan, Norris, Payson, Richardson, H. L.; Ricker, Rideout, Ross, Santoro, Sheltra, Soulas, Starbird, Stillings, Susi, Tanguay, Temple, Vincent, Wheeler.

ABSENT — Carey, Couture, D'Alfonso, Danton, Emery, Fortier, A. J.; Fraser, Keyte, Noyes, Ouellette, Waxman, White, Wood.

Yes, 66; No, 71; Absent, 13.

The SPEAKER: Sixty-six having voted in the affirmative and seventy-one in the negative, the indefi-

nite postponement motion does not prevail.

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

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

Bill "An Act to Appropriate Funds for School Subsidies" (H. P. 1453) (L. D. 1831)

Tabled — February 3, by Mr. Richardson of Cumberland.

Pending — Passage to be engrossed.

On motion of Mr. Richardson of Cumberland, tabled pending passage to be engrossed and later today assigned.

By unanimous consent the foregoing papers were ordered sent forthwith to the Senate.

(Off Record Remarks)

On motion of Mr. Richardson of Cumberland,

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

After Recess

1:30 P. M.

The House was called to order by the Speaker.

Order Out of Order

On motion of Mr. Norris of Brewer, it was

ORDERED, that Kevin and Peter Hughes of Brewer be appointed to serve as Honorary Pages for today.

The following papers from the Senate appearing on Supplement No. 1 were taken up.

From the Senate: The following Communication: (S. P. 655)

STATE OF MAINE LEGISLATIVE RESEARCH COMMITTEE STATE HOUSE AUGUSTA

January, 1970

To the Members of the First Special Session of the 104th Legislature:

I have the honor to transmit herewith the Legislative Research Committee's report on State Government Office Space.

In view of a growing controversy in respect to the manner of housing the numerous departments, agencies and commissions of State Government, the Committee, upon its own motion, undertook this study designated as committee publication 104-25.

It is the Committee's hope that the findings and recommendations contained herein as to existing and future development of State office space will benefit the Members of the Legislature and the citizens of the State of Maine.

Respectfully submitted,

(Signed)

WILLIAM E. DENNETT
Chairman

Legislative Research Committee
Came from the Senate read and with accompanying Report ordered placed on file.

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

**Reports of Committees
Ought to Pass in New Draft
Passed to Be Engrossed**

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act Making Supplemental Appropriations and Deductions for the Fiscal Years Ending June 30, 1970 and June 30, 1971" (S. P. 592) (L. D. 1749) reporting same in a new draft (S. P. 658) (L. D. 1842) under same title and that it "Ought to pass"

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

In the House, the Report was read and accepted in concurrence and the New Draft read twice. Senate Amendment "A" was read and adopted in concurrence.

Under suspension of the rules, the New Draft was read the third time, passed to be engrossed as amended by Senate Amendment "A" and sent to the Senate.

Non-Concurrent Matter

Bill "An Act Providing for the Regulation of Motion Pictures for Exhibition to Minors" (H. P. 1466) (L. D. 1840) which was passed

to be engrossed in the House earlier in the day.

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

In the House:

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

Mr. JUTRAS: Mr. Speaker, I request that this lie on the table for one legislative day or later on in the session today.

Whereupon, Mr. Benson of Southwest Harbor requested a vote on the tabling motion.

The SPEAKER: The gentleman from Sanford, Mr. Jutras, moves that item three be tabled until later in today's session pending further consideration. A vote has been requested. All in favor of this matter being tabled until later in today's session will vote yes; those opposed will vote no.

A vote of the House was taken.

26 having voted in the affirmative and 77 having voted in the negative, the tabling motion did not prevail.

Thereupon, the House voted to recede and concur.

The following Enactors appearing on Supplement No. 4 were then taken up.

**Passed to Be Enacted
Emergency Measure**

An Act Prohibiting Dumping of Out-of-State Waste Matter (S. P. 645) (L. D. 1820)

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. 115 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 to Regulate Site Location of Development Substantially Affecting Environment (H. P. 1458) (L. D. 1834)

An Act relating to Coastal Conveyance of Petroleum (H. P. 1459) (L. D. 1835)

An Act relating to Prerequisites for the Insurance of Mortgages by the Maine Industrial Building Authority, Maine Recreation Authority and the Municipal Securities Approval Board (H. P. 1464) (L. D. 1838)

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.

The following papers appearing on Supplement No. 2 were taken up.

**Third Reader
Tabled Later in the Day**

Bill "An Act on Tax Relief to the Elderly" (H. P. 1465) (L. D. 1839)

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

The SPEAKER: The Chair recognizes the gentlewoman from Bath, Mrs. Goodwin.

Mrs. GOODWIN: Mr. Speaker, I offer House Amendment "A" and move its adoption and would speak to my motion.

The SPEAKER: The gentlewoman from Bath, Mrs. Goodwin, offers House Amendment "A" and moves its adoption. The Clerk will read the Amendment.

House Amendment "A" (H-697) was read by the Clerk.

The SPEAKER: The gentlewoman may proceed.

Mrs. GOODWIN: Mr. Speaker and Ladies and Gentlemen of the House: This amendment will return to the bill the language and intent of L. D. 1830, which I had originally planned to offer as an amendment to the wildlands tax bill. According to the new bill reported out of the Taxation Committee, the municipalities will have to administer this relief and bear some of the cost. Section 681, which I have amended out, would provide that the municipalities may have a claim against the state to recover 90% of the taxes lost by reason of such claims as exceed 3% of the total municipal levy.

For instance, if a municipality levied \$50,000 in property taxes and paid out \$3500 in relief, they would be reimbursed by the state

90% of the excess over \$1500, which would amount to \$1800. Thus the town would lose \$1700. If on the other hand the relief granted amounted to \$1450, that would be less than 3% of the total tax levied and no reimbursement would be granted by the state.

I have fought for over a year for a system of property tax relief for the elderly, which would come directly from the state. Local governments simply do not have the financial capability to alleviate the hardship imposed on retired persons who must pay a disproportionate share of their income for property taxes. Therefore, it is the state's responsibility. If the towns are asked to bear all or even part of the cost of relief, the local property tax base is eroded and the assessment and rate setting processes might be interfered with.

In addition, I feel that the system could be handled more equitably and uniformly by the State Bureau of Taxation, rather than to impose this added administrative burden on the municipal officers. Further, this amendment also repeals the property tax relief bill passed in the regular session of this Legislature. All the law we enacted in 1969 does is freeze property taxes at age 65 and only serves to perpetuate what may already be an exorbitant tax, while at the same time a person's income may be cut by more than half upon retirement.

It does nothing for those elderly persons who rent rather than own their homes. They too feel the bite of the property tax through increased rent charged by landlords. However, the most odious feature of this present statute is that senior citizens must mortgage their homes in order to receive relief. In other words, they can get relief only if they are willing to jeopardize the future interests of their family and incur embarrassing tax liens on their property. For this reason many senior citizens are not taking advantage of relief for which they might be eligible.

This law, while still in its infancy, is already posing grave problems to local governments. I believe that it should be repealed or replaced with a workable,

equitable plan which will enable our senior citizens to live out their remaining years in comfort and dignity. I want to make it perfectly clear that my first concern is to grant some kind of relief to elderly citizens. I feel that this amendment which I am offering provides the best possible form of relief.

If, however, I am defeated in my attempt to return the administration and total cost of this bill directly to the state, I still intend to support this legislation. I just want to do what is right by these people whom we have ignored for so long.

In the latest issue of Newsweek in an article entitled "The Terrors of Old Age," states "in the United States old people are handled as a commodity." Let us start treating them as human beings. I urge you to adopt this amendment and to finally enact this legislation.

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

Mr. BIRT: Mr. Speaker, as I understand this amendment and I have just seen it and heard the description that has been given by the gentlewoman from Bath, Mrs. Goodwin, that there is probably quite a cost factor on there. I wonder if we could find out what the cost factor of this particular amendment is.

The SPEAKER: The gentleman from East Millinocket, Mr. Birt, poses a question through the Chair to anyone who may answer if they choose; and the Chair recognizes the gentlewoman from Bath, Mrs. Goodwin.

Mrs. GOODWIN: Mr. Speaker and Ladies and Gentlemen of the House: It was originally estimated that this bill would cost \$1.5 million for one year of the biennium. However, since this bill if enacted will not take effect until 90 days after adjournment, tax relief for the tax year 1969 will not be made available. Therefore, the bill actually will not go into effect until the next tax year and there will be no appropriation on the bill until the 105th Legislature.

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

Mr. BIRT: Mr. Speaker and Members of the House: Then I think that possibly you should give serious thought to the fact that you are creating a \$3 million revenue gap for the 105th Legislature immediately with the passage of this bill, because if the cost is \$1.5 million per year, double that for a biennium, I think that this is one of the factors you should seriously consider when you consider the adoption of this amendment.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: I am not sure that I clearly understand this amendment. However, I think that this is something that we better discuss to some extent to see where we're going. I don't know that I object so much to the amendment, but I certainly am reluctant to turn this cost back to the towns if we are now debating the whole bill. I was inclined to let the amendment go if I thought that I understood it correctly, but I would ask one question before I proceed further.

Does the amendment as written put the whole expense back on the state or only what is left after the town pays out 3% of its total assessment?

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

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: If we adopt the amendment that is now before us, the entire cost will be borne by the state and will not be borne by the municipalities.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: I would concur in the objection raised by the gentleman from East Millinocket, Mr. Birt, that we shouldn't go ahead and saddle the next Legislature with any such expense as this.

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

Mr. HEWES: Mr. Speaker and Members of the House: I feel that I am opposed to this particular bill, although I voted and worked very hard among many others for the bill that we passed during the regular session, giving elderly people property tax relief in their particular towns. This particular bill, as I see it, will allow a credit back from the state income tax passed at the regular session. It is a very involved bill. If some of you care to look at L. D. 1839, on page two, section six, it defines income.

I won't read the sentence because it becomes very involved and I am sure if I read it out loud, it is a matter of seven lines or so, there are exceptions. Just what is meant — for example, is cash, public assistance or relief excluded from or considered as an item of income? It isn't clear. I hope that you will keep it confidential I am opposing this bill because the members of the Bar Association would feel a lot of litigation would result from this and that I as a lawyer should perhaps favor this. But looking at the public good I feel that I cannot.

As I started to say, yesterday I was speaking with one of the members of the third house who had four children that have reached the college age and there are two more to go; and if anybody needs help it seems to me it is the parents of the college age children. If anyone needs tax relief, it is the parents of these children, they are trying to give their children the educational background so that they can compete with the world as a whole, and they are finding it very hard to meet the pinch of college education.

And what about the college children themselves? Shouldn't they be entitled to some tax relief if anybody is? Boys and girls who have worked part time while they are going to school, work summers, Christmas vacations; aren't they entitled to relief if anybody is? And what about the service-

men, serving their country from the state? Aren't they entitled to a tax relief as much as anybody? Are we going to turn our backs on them?

And if you want to go right down through the list. The newlyweds, when you are first married, you try to buy furniture for your apartment or wherever you're living; when the family starts to come along. Sure, I know that insurance takes care of a lot of initial hospital expense, but the insurance companies that pay your hospital benefits are making a profit on the premiums that you are paying them. And then when you start to acquire a home, aren't those people entitled to a tax credit? And then as a family comes along as perhaps mine is right now, we are fortunate having three daughters — and of course the oldest girl has outgrown shoes before she has outworn them, we pass them on to the second child. Unfortunately her foot is a little wider than the older girl's foot. And then the third child, her foot is shaped differently too, and I wonder what kind of foot trouble she is going to have when she gets older, having to wear shoes that are worn by two older sisters?

And then we are right back again to the parents of the children who are in college. It seems to me that this particular bill is one that socks it to the workingman, to the breadwinner, the wage earner. It has him pick up a larger proportion of the tab and give relief to someone else. I submit the workingman deserves a break, that he is willing to pay his fair share of the bill, but if this bill gives a credit of a million and a half per year and the income tax raises about 25 million a year that means perhaps 6% of the amount that would have come in from the income tax could be credited back under this bill; therefore every workingman, the newlyweds, the family of any workingman, breadwinner, wage earner, he is having to pay not only his share but also 6% more than somebody else would be picking up.

I oppose this bill and I move the indefinite postponement of this bill and all its accompanying papers.

The SPEAKER: The Chair would advise the gentleman that the only matter before the House at this point is House Amendment "A". Does the gentleman move indefinite postponement of House Amendment "A"?

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I think for a moment I would like to change foot, not because the shoe doesn't fit any more but it seems to me we are trying to change shoes in the middle of a foot of water by including servicemen into a piece of legislation that we're trying to help the elderly of which most of you have heard for some time. If somebody wants to throw in an amendment or a bill to help the servicemen or help those that are between the age of 30 and 50, be that as it may, let us go ahead and do it and work on it on its merit.

I feel that this is certainly very good legislation that we have talked about for a number of years of some tax relief for the elderly. Now the gentle lady from Bath, Mrs. Goodwin, has got a formula whereby the state would pick up a percentage of the money to help these elderly people through the municipality; and certainly nobody will deny that these elderly people—and again if somebody wants to bring in the servicemen and anybody between the age of 25 and 50 let's consider that on its merit. Right now we are considering the elderly, the ones that are making \$1,000 a year or less or \$2,000 a year or less we are trying to form some kind of system whereby they will be relieved of some of the burdens that right now in a lot of instances are insurmountable.

If the motion was made that this amendment would be indefinitely postponed, certainly I will ask you ladies and gentlemen to vote against the motion to indefinitely postpone the amendment. If that is not the case, then I hope that you will support the amendment of the gentlewoman from Bath, Mrs. Goodwin.

The SPEAKER: The Chair recognizes the gentlewoman from Bath, Mrs. Goodwin.

Mrs. GOODWIN: Mr. Speaker and Members of the House: First to answer a question of Mr. Hewes, I believe, yes, that cash, public assistance and relief is considered income, right? That is considered income, but if you look on the last page of L. D. 1839 it says, "No claim for relief under this subchapter shall be allowed to any person who is a recipient of public funds for the payment of the taxes or rent during the period for which the claim is filed."

To get back to who we should be granting relief to, I agree that everyone needs relief from the property tax. If I had my way, the property tax would be abolished completely and replaced by an income tax, based on ability to pay like everyone. But we are talking about people whose income has been cut in half, perhaps by a third, people with practically no money at all, who are just eking out a living. They were once paying members of this society and they contributed to the economy of this state.

Now I am a newlywed. You spoke of newlyweds, so I know what it is like when you're young and trying to get started and buy things. But I am willing to pay more taxes to help the elderly.

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

Mr. ROSS: Mr. Speaker and Gentlemen of the House: As a member of the Taxation Committee I think we now perhaps can get down to the basics, because the Taxation Committee yesterday voted out this bill without this amendment unanimously. Now most people in our country have more today than they ever had before, even with the seemingly uncontrollable inflation we are going through.

The majority of our workers can help offset this by wage increases. We seem to show a great deal of concern for many groups, including youth, teachers, welfare recipients, and so forth; but often we shunt aside the elderly who have worked all of their lives and

worked through times that the younger generation have never seen. The times of depressions, of rationing, and so forth. And now they want to live out the rest of their lives in tranquility and dignity.

Now they are pressed from all sides and they have no way of augmenting their incomes. They skimp and they save and they scarcely get by. And as I said, yesterday the Taxation Committee unanimously reported out the bill "ought to pass." But, to get down to where we should be, I will now move indefinite postponement of this specific amendment.

The SPEAKER: The Chair recognizes the gentlewoman from Topsham, Mrs. Coffey.

Mrs. COFFEY: Mr. Speaker and Members of the House: Yesterday's generation of people are very proud. When we talk about our welfare rolls, you can look around and these people in their seventies and eighties today are not on our welfare rolls because they are proud, too proud to go on welfare. I love the older people. I owe them everything I have today. I feel obligated to vote for this piece of legislation. Without my elders and the fine home and state and everything else that I have been given I wouldn't have anything today, and as far as other people being relieved from taxes I am sure that our soldiers, our housewives or anything, our day is coming if we have people when we are old as concerned as some of us are today about helping us.

The SPEAKER: The Chair recognizes the gentleman from Bridgewater, Mr. Finemore.

Mr. FINEMORE: Mr. Speaker and Members of the House: Very briefly, I agree with Mr. Ross. It doesn't make much difference whether we pass this amendment or not, because I don't think any municipality would object to the setup under 681 on page six of this bill, because right now most of the towns like my own are giving some tax relief to the elderly and I think we would be very pleased to go along with it as the bill is. Of course it would be very nice if the state would pay the whole \$3

million every two years, but I do believe that they still go along and we appreciate that much help for the elderly.

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

Mr. SOULAS: Mr. Speaker, Ladies and Gentlemen of the House: I arise today in support of the gentle lady from Bath, Mrs. Goodwin, and I can honestly say that I deal directly and I should say without equivocation 98% of the people I deal with are past the age of sixty-five; and if you see these people and you talk to them and counsel them the way I do you have no idea the needs that these people really have. And I think this is doing very very little for what these people really need. I will favor this bill.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: I think I understand this amendment now and I concur completely with the objections of the gentleman from Bath, Mr. Ross. I don't think that this special session of the Legislature should saddle the next session of the Legislature with problems. This obviously provides no money at this session and does create a great problem for the next session.

On these grounds again, I say let us not create problems of this magnitude for the next session of the Legislature.

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

Mr. SUSI: Mr. Speaker and Members of the House: The gentleman from Cape Elizabeth, Mr. Hewes, raised the question which I think has partially been dealt with, but I have been approached by several members of the House on basically the same question and it is concerning paragraph six on page two of the bill. And it is a critical portion of the bill inasmuch as the amount of the exemption that any claimant would receive under the bill is based on his income. So determining his income is an important

part of the administration of this bill. Income is spelled out as being federally adjusted gross income plus a number of other things down through to about line six where it says "but not including relief granted under this subchapter."

Well that is the only exclusion in that chapter. It might be read to mean that the balance of the chapter are exclusions, but I checked with the Legislative Research Office and they assured me without any reservations that all of the listed items, except the relief granted under this subchapter are to be included in determining the income of the claimant.

And I would like to at least give my interpretation again of the amendment and what the issue is that we are voting on now. The amendment basically changes the administration of this if it were adopted from the municipality to the state. Also it would place the entire financial load of the relief on the state rather than the municipality sharing to some extent. And what extent we are uncertain of ourselves, under the bill as it was reported out by the Taxation Committee. So I think your choice, so far as this vote is concerned, is whether you in supporting the amendment would rather that the state administer this tax relief act and finance it completely or whether you would rather that the municipality administer and partially finance it. Thank you.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: The gentleman from Pittsfield, Mr. Susi, has just pointed out to some extent it is going to create a burden on the state. And as the gentlewoman from Bath, Mrs. Goodwin, has pointed out, a few moments ago, the municipalities at this stage cannot afford to assume the administration of such a program, and to further illustrate the reasons why for a number of years now we have been trying to take away from the

municipalities the 18 percent for the ADC money that the municipalities are paying.

If under one hand we are going to try to alleviate some of the problems of the municipalities by taking away the 18 per cent, and have the state take care of it, and by the same token you turn around and say, "Well, the municipalities should administer this aid to the elderly," if you remove one and put on another one, I don't see where you stand to gain. So that is why I support the amendment as being very logical and wise at this stage.

Mrs. Goodwin of Bath was granted unanimous consent to address the House for the third time.

Mrs. GOODWIN: Mr. Speaker and Ladies and Gentlemen of the House: I would just like to answer Mr. Bragdon. He said that he agrees with Mr. Ross who would like to see my amendment defeated, but supports the committee bill. Now the committee bill is also going to have a built-in cost for the next Legislature, and we don't even know what that will be.

And at least with my bill we are going to know what the built-in cost is going to be. And I still say the towns cannot afford to bear this burden.

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

Mr. ROSS: Mr. Speaker and Members of the House: May I clarify just one more point? For those who have said it would be difficult for the municipalities to administer this, the bill without the amendment would be administered just like we do the veterans' exemption now, and the towns certainly administer those properly.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: I wish to correct the impression that I left with the lady from Bath, because I certainly did not intend to intimate that I would support the committee bill. I will take care of that when that comes along.

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

Mr. HENLEY: Mr. Speaker and Ladies and Gentlemen of the House: I supported the like bill in the regular session of the 104th. Normally I would consider it bad policy to propose such type of legislation in special session. It seems to me that we have an example in that the past four weeks plus have shown that there are many things that perhaps are not emergency that have been promulgated.

I am in complete agreement that if we are going to have a bill to aid the elderly taxpayers it should be financed at the state level. That is the very purpose of the thing. I stood before you a year or two ago, after attending a session in the summer at the University of Maine on taxation, and explained the Wisconsin plan, and how it was working. This is very similar to it. A sliding scale on gross income of the elderly.

Now I am not going into the various deviations of people who might like to claim tax credits, as my friend Mr. Hewes. Naturally anybody would like to claim tax credit. But we all know that the elderly, past sixty, have passed in a good many cases the height of their income. They retire, they are living on about half, a good many times, or possibly a third of what they used to. They still have the establishment of their home that they have had and built up through the years. Not only is it the same cost, it is more valuable every year. It is costing them more on taxation every year.

Now as to whether this legislation should be passed at this session, so obligating the next session, is it so much to expect of the next session to be saddled with a \$3 million cost if it is for a good cause? Is it worse than it is to bond for \$2.3 million for one building at our university, for \$1.2 million for a student center, for \$4 million for a recreational area at another university? All of that is dealing with the future. That is bonding, that is expecting the future to pay for it. Why is it any worse to expect the next ses-

sion of the Legislature to go ahead with something that we have tried to pass, failed in the last session, and now have got a bill which might be workable?

Probably this amendment and the bill may have inequities that may have to be ironed out. I do not like it as well as the sample plan that Wisconsin uses. That uses a base from zero to \$3,500. It uses a tax return, rather an exemption of 85 per cent of all taxes paid for zero income, down to zero with \$3,500.

Now this is slightly different. But it is still the same general policy. Now as it is now, with this bill, without the amendment, certainly it will help some. But I don't think it is really picking up the assistance that we need for our elderly that have their nice homes that aren't able to keep them because of the tax burden. And I think that in view of what is going on at this special session I would be willing to vote for this amendment and take chances on the money for the next session.

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

Mr. FARNHAM: Mr. Speaker and Ladies and Gentlemen of the House: Just a short time ago I had a call from one of my selectmen and he asked me if I was aware of the abatement law as it is now on the books on taxes. And I said, "No." And he said, "Go get volume six of the Revised Statutes, turn to Page 482." And I did. And here it is.

"If after two years from the date of assessment a collector is satisfied that a poll tax or tax upon personal property or any portion of any tax committed to him for collection cannot be collected by reason of the death, absence, poverty, insolvency, bankruptcy, or other inability of the person assessed to pay, he shall notify the assessors thereof in writing under oath, stating the reason why such tax cannot be collected. The assessors after due inquiry may abate such tax or any part thereof."

I would judge from this, that has been on the books a long time, that we have all the law we need.

The SPEAKER: The Chair recognizes the gentleman from Bridgewater, Mr. Finemore.

Mr. FINEMORE: Mr. Speaker and Members of the House: I think the gentleman from Hampden, Mr. Farnham, is interpreting that somewhat wrong. That doesn't apply to real estate taxes, because real estate taxes, a lien has to go on 18 months afterwards. Therefore it is holding to the property. The volume he is referring to, the page and so on is for personal property only. That is the only place a tax collector can apply for a tax abatement.

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

Mr. TYNDALE: Mr. Speaker and Members of the House: With reference to what Mr. Farnham had to say, he is quite right. The assessor in any town has the privilege of giving an abatement to an elderly person if he so wishes. However there is a fallacy in that law, and it is that he must publish these abatements in the book which are an embarrassment to a great many of these people.

And furthermore in elucidation of that law, he cannot give an abatement unless he gets the other two assessors to go along with him. And in this case there is a great deal of complications involved, and in a majority of cases they do not arrive at that conclusion.

Mr. Soulas of Bangor requested a roll call vote.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. If you are in favor of a roll call you will vote yes; if you are opposed you will vote no.

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

The SPEAKER: The pending question is on the motion of the gentleman from Bath, Mr. Ross, that House Amendment "A" to Bill "An Act on Tax Relief to the Elderly" be indefinitely postponed.

If you are in favor of House Amendment "A" being indefinitely postponed you will vote yes; if you are opposed you will vote no.

ROLL CALL

YEA — Allen, Baker, Barnes, Benson, Birt, Bragdon, Brown, Buckley, Bunker, Chick, Clark, C. H.; Clark, H. G.; Crosby, Cummings, Curtis, Cushing, Dennett, Donaghy, Dudley, Durgin, Erickson, Farnham, Faucher, Finemore, Foster, Gilbert, Good, Hall, Hanson, Hardy, Harriman, Haskell, Hawkens, Hewes, Hichens, Huber, Immonen, Johnston, Kelley, K. F.; Kelley, R. P.; Lawry, Lee, Lewin, Lewis, Lincoln, Lund, Marstaller, McNally, Meisner, Millett, Moreshead, Page, Payson, Porter, Pratt, Quimby, Rand, Richardson, G. A.; Richardson, H. L.; Rideout, Ross, Sahagian, Scott, C. F.; Scott, G. W.; Shaw, Sheltra, Snow, Thompson, Trask, Wight, Williams.

NAY — Bedard, Berman, Bernier, Binnette, Boudreau, Bourgoin, Brennan, Burnham, Carrier, Carter, Casey, Chandler, Coffey, Corson, Cote, Cottrell, Couture, Crommett, Croteau, Curran, D'Alfonso, Drigotas, Emery, Evans, Fecteau, Fortier, M.; Fraser, Giroux, Goodwin, Henley, Hunter, Jalbert, Jameson, Jutras, Kelleher, Kilroy, Laberge, Lebel, Leibowitz, LePage, Levesque, MacPhail, Marquis, Martin, McTeague, Mills, Mitchell, Morgan, Mosher, Nadeau, Norris, Noyes, Ricker, Rocheleau, Santoro, Soulas, Starbird, Stillings, Susi, Temple, Tyndale, Vincent, Wheeler, White, Wood.

ABSENT — Carey, Cox, Dam, Danton, Dyar, Eustis, Fortier, A. J.; Gauthier, Heselton, Keyte, McKinnon, Ouellette, Tanguay, Waxman.

Yes, 71; No, 65; Absent, 14.

The SPEAKER: Seventy-one having voted in the affirmative and sixty-five having voted in the negative, the motion to indefinitely postpone House Amendment "A" does prevail.

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

Mr. SUSI: Mr. Speaker, I offer House Amendment "B" and move its adoption, and would speak to my motion.

House Amendment "B" (H-699) was read by the Clerk.

The SPEAKER: The gentleman may proceed.

Mr. SUSI: The first section of this amendment would repeal the act which we put in in the last session which provided for freeze at age 65. The second section provides that the exemptions as exceed three percent of the total local tax levy shall include not only exemptions granted under this subchapter but also the exemptions for veterans. And the effect of this would be that, well, take a given community that has veterans' exemptions to the limit of the three percent, then the entire burden of this subchapter if adopted would be on the state.

If on the other hand it happened to be a community which had a lot of taxable resources and the veterans' exemptions used up only a small part of the three percent of the total tax levy then the community would have to pick it up to three percent. I think the practical effect would be that throughout the state between veterans' exemptions and exemptions for aged, all communities would be carrying three percent. This amendment was prepared at the direction of the Taxation Committee and has been offered under my name. Thank you.

The SPEAKER: The Chair recognizes the gentlewoman from Bath, Mrs. Goodwin.

Mrs. GOODWIN: Mr. Speaker and Ladies and Gentlemen of the House: Although I am dying, I am not yet dead. And I would like to say that I feel that this Amendment is an improvement over the bill as it came out, and I do support it.

Thereupon, House Amendment "B" was adopted.

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

Mr. HEWES: Mr. Speaker, I move the indefinite postponement of this bill and I would like to speak to that motion.

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Hewes, moves the indefinite postponement of L. D. 1839, Bill "An Act on Tax

Relief to the Elderly," as amended. The gentleman may proceed.

Mr. HEWES: Mr. Speaker and Ladies and Gentlemen of the House: Not only for the reasons that I set forth below, but I think if we want to give real tax relief to the people, we could find out how much money there is in surplus, perhaps \$5 million, and decide on perhaps a million people in the State of Maine and give a tax credit of perhaps \$5.00 per person on their income tax or something of that nature.

The gentleman from Madawaska, whom we all respect, and the lady from Bath, Mrs. Goodwin, stated that this bill as it now stands, or at least as I understood their arguments a few moments ago, this bill as it now stands imposes a burden on the municipalities which they cannot stand. Further, the tax relief bill for the elderly that we passed at the regular session only went into effect about four months ago, October 1, 1969. We worked hard on that bill, it was hard fought, and I feel it was a good bill. Let us give it a chance to be in effect and see how that works out. There hasn't even been an April 1st come up yet since that October 1st bill went into effect benefitting the elderly. I thank you.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: So there will be no misconception, since I opposed the amendment of my colleague from Bath, Mrs. Goodwin, I do want the House to realize that I am in favor of tax relief for the elderly, and I hope that the House votes against the motion for indefinite postponement. And I request that when the vote be taken, it be taken by the yeas and nays.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: I came here to this special session with the understanding that we would probably not be considering any taxation measures. This, as far as I was concerned, would apply

to the taxation of the wildland that was originally proposed under this. It also applies to this measure which does impose an added burden on our municipalities which would be practically equal to what we have been talking about, if we could find the money to remove the 18 percent ADC provision with which they are now saddled.

So certainly, I don't think that we make sense to come up in the late hours of a special session, where we don't have the opportunity to hear from our municipal officers to get any sense of the feeling back home. And certainly when we passed the income tax in the last session, certainly those who voted for the income tax must have felt that there was need for relief in the field of property taxation. And this relief was needed not any more by the elderly than by the municipalities themselves. This certainly throws back a burden on our local units, which I don't think we have properly had time to consider the effects of. I hope you will go along with the motion to indefinitely postpone the bill which is now before the House.

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

Mr. JALBERT: Mr. Speaker, I would pose a question to anyone who may answer on the amendment that we just passed. Would anyone be able to tell me on amendment, filing number 699, what the annual price tag or biennium price tag is on that amendment and when that would start?

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

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

Mr. SUSI: Mr. Speaker and Members of the House: This bill was reported out by the Taxation Committee yesterday. And to my knowledge, there is no member of the Taxation Committee who has been able to get, nor attempted to get from the Bureau of Taxation, an estimate of what the cost would be with the amendment.

However, in discussion of it, I believe that some member of the committee — or it may not have been, I am not certain, but they named the communities in the state, of the number of them, that were already reaching the three percent level with only the veterans' exemption, and it was a high percentage of the total communities in our state who reached the 3% level with only the veterans' exemption. Well all of those communities — this additional burden under the tax exemption for the elderly would be borne one hundred percent by the state.

Now we have an estimate of a million and a half a year as the cost if the state were to bear all of it. I am going to project, without having any accurate information on it, that the cost would be very nearly the same, close to a million and a half a year, even with the community participating. So the communities wouldn't participate that much.

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

Mr. JALBERT: Mr. Speaker and Members of the House: On the basis of the explanation of the more than usually accurate gentleman from Pittsfield, Mr. Susi, I would say that we are almost choosing between an amendment that I consider a great deal more worthy, that we just defeated just a few minutes ago and this amendment here, as far as the bill is concerned. And regardless of that fact, I would feel that I would want more information before I would know actually which way I would want to vote. It could very well be that on the basis of the explanation as given by the gentleman from Pittsfield, Mr. Susi, I would like to see the Goodwin Amendment probably reconsidered or reintroduced or back with us.

Being very mindful of the hierarchy's decision that unless notice is served, or unless reasons are given, no item should be tabled. I think this is a very very important measure. I think the amendment as presented by the lady from Bath, Mrs. Goodwin, had a lot of worthiness to it. I think possibly I might not be as

much in favor of the amendment that I voted for as presented by the gentleman from Pittsfield, Mr. Susi, but I feel very strongly that more time could be considered on this thing, and for that reason I would hope that before we take any further action, not to delay matters, but just to clarify matters, I would hope that someone would table this bill until later in today's session.

Mr. Bragdon of Perham was granted permission to speak a third time.

Mr. BRAGDON: Mr. Speaker and Members of the House: With regard to the gentleman from Pittsfield remarks on this item, I did some figuring on the basis of some of my own localities, some of the localities that I represent, and on the basis of the 3% of the tax of the total commitment, this item would have practically amounted to about the same amount as the ADC figure. And I am informed by the secretary of the Maine Municipal Association that they have determined that pretty much statewide this is true. However, by his amendment he has inserted an uncertain figure in determining what share of this is going to be borne by the towns and what share is going to be borne by the state. By his own admission, we are venturing again into a somewhat uncertain area in this special session.

I think this bill should be killed.

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

Mr. JALBERT: Mr. Speaker, I move this item lie on the table until later in the day's session.

Thereupon, Mr. Lee of Albion requested a vote on the motion.

The SPEAKER: A vote has been requested on the tabling motion. All in favor of this matter being tabled until later in today's session will vote yes; those opposed will vote no.

A vote of the House was taken.

66 having voted in the affirmative and 58 having voted in the negative, the motion did prevail.

Passed to Be Engrossed

Bill, "An Act relating to the Housing Needs of People Who Pay Rent" (H. P. 1467) (L. D. 1841)

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

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

Mr. CARRIER: Mr. Speaker, Ladies and Gentlemen of the House: I rise in opposition to this bill. I am not motivated politically or otherwise to support this bill or to oppose it. I oppose it on the principle that this again, like the other ones that have been passed temporarily in this session, is an invasion of the property rights of the owner.

We are asked today to consider in its new form, L. D. 1841, which relates to an act for the housing needs of the people who pay rent. I wish to say at the outset that I appreciate and I commend the gentleman of the Judiciary Committee who has come up with this draft. I think he has done a wonderful job compared to the other bill we had. But actually today, I oppose this bill again on a matter of principle. I believe that this bill requires extensive examination and I believe that this bill, if passed, would work opposite to what the bill is intended to do.

The proponents have been misled to believe that this will be all helpful to the tenant. There is nothing farther away from the truth than this. Good tenants do not get involved in this problem. They pay their rent, they keep their rent clean and they behave. We are talking today about a certain type of people. They come from all classes. They come from the upper class, the middle class and the poor class. So let us not be misled into thinking, by emotional statements or otherwise that might be said, that this involves the poor people. Again I repeat, I am referring to a type of people that actually are the ones who would get involved in this process. They are the type of people that will enter upon your property, you have let them there, they will live there, they will destroy the property, they don't keep it clean, they don't behave, they turn your

rent into a kennel for cats and dogs, and they are truly the undesirable tenants. This is what we are involved in here.

I question, I think there is much behind this bill, and if the proponents of this bill want to be truthful about this, and I hope they are, will open all the records of this bill to where it comes from, who the promoters are, what it will do, the circumstances under which it would fall under this bill and actually just what it would do for the tenant.

I am not here today to defend a few property owners that don't take care of their property. But I do have one major question, and it is this; that if a tenant chooses to live in a property which according to their own standards is substandard, why do they choose to live there in the first place? Well I only wish to refer to you from very reliable sources, and you can talk to any of the social workers about these communities and ask them why certain people have a hard time to find rents.

Now the good people, the ones that are clean and pay attention to their rent and take some pride in it, regardless of the price they pay per week or per month, there is no trouble. They realize that under circumstances, when it is feasible, that the landlord will take care of his rent.

I do not agree, and I do not pass on any landlord that will not take care of the utilities, and this is the main thing, but I do agree that many places in the vicinity of where I am familiar with, that the people choose to live the way they do because they want to. And I will go into this further later on. I only wish to say that this bill is a very dangerous bill. In effect it will affect the great number of tenants who are very very desirable tenants, and this type of tenant I am talking about that this bill actually tries to protect, is actually in a very very small percentage, probably ten to fifteen percent.

So I will give a chance for the proponents to come out with the truth on this and to come out with the blunt facts. And if they want to be blunt, and let's have the true facts, and if they don't want to give the true facts, I will give

them later, because I am very familiar with the bill, I am very familiar as to who promotes this bill, and I am very familiar that this will be very detrimental to the people of this state. For one purpose and one purpose only, this is an invasion of the property rights of the home owner. Therefore, for this one reason alone, for now, I move for the indefinite postponement of this bill and all its papers.

The SPEAKER: The pending question before the House now is the motion of the gentleman from Westbrook, Mr. Carrier, that item 2, L. D. 1841, Bill "An Act relating to the Housing Needs of People Who Pay Rent," be indefinitely postponed.

The Chair recognizes the gentleman from Bath, Mrs. Goodwin.

Mrs. GOODWIN: Mr. Speaker and Ladies and Gentlemen of the House: First, let me say I am sorry that these two bills came back to back. I know you are probably tired of listening to me; I am tired of listening to me, but I have a responsibility so I will proceed.

According to the 1960 Census only 61.2 percent of Maine's housing units met the Census Bureau's criteria for "adequate" or "standard" housing — that is, housing which is structurally sound with all plumbing facilities. The rest of Maine's housing is substandard, indeed more than 19,000 units were deemed dilapidated. Thousands of Maine families are living in homes with unsanitary plumbing, crumbling ceilings, and inadequate heating. The most helpless victims of our housing plight are the low income families living in substandard apartments. Because of the shortage of decent housing and the limited finances of these people, they often have very little choice as to where they will live and become locked into an untenable situation.

The legislative intent of housing codes is often frustrated by fear of tenants to report violations of such codes. This legislation is meant to encourage the reporting of such violations and thus keep the tenants' dwellings in good repair. This document would allow a tenant on determination by a

local housing or sanitation code enforcement agency or person that the premises are unfit for human habitation, or a nuisance, or a health or safety hazard to have the municipal treasurer set up an escrow account in a local bank into which the tenant pays rent rather than to the landlord. On certification by the enforcement agency that the premises are fit for human habitation, the escrow account is discharged and is received by the landlord. Should the landlord take no steps within 120 days to render the premises fit for human habitation, the account is discharged and 50 per cent of the rent given back to the tenant. Also, if the violation still exists after this period, a new 120-day escrow account may go into effect with distribution of monies as previously provided for.

If the tenancy is terminated for any reason during this period, the landlord may not circumvent the intent of this law by again renting the premises until the dwelling is in proper repair. No tenant can be evicted in retaliation for filing a complaint under this act. Also, any landlord who in breach of contract deprives a tenant of heat, running water, lights, electricity, or adequate sewerage shall be punished by a fine of not more than \$1,000.

Lest landlords feel they are being treated unfairly, I should like to point out the protections provided for them under this act. No tenant who is behind in his rent may file a complaint. Also, if the tenant becomes in arrears while an escrow account is in effect, the proceedings terminate and all money goes back to the landlord.

In addition, if the landlord is aggrieved by the determination of the enforcement agency, he may file a complaint with the District Court; and if the Court finds that the premises are fit for human habitation, the escrow account will be dissolved and all money will go back to the landlord. It should also be pointed out, however, that the tenant, if dissatisfied by the enforcement agency's findings, has the same right to go to the District Court.

I would hope that you will act favorably on this redraft. While it

is not as strong as the bill which I originally proposed, I believe it is a good piece of legislation and fair to all parties concerned. It is time for legislation to be enacted to protect the rights of people who rent and to assure that every Maine family might live in a safe, warm house.

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

Mr. RICHARDSON: Mr. Speaker, I would like to address a question to either the sponsor of the bill or any member of the Judiciary Committee who may care to answer. On the question of unfitness for human habitation, does the bill make it clear, does it make any mention of the circumstances that can arise from the unfitness for human habitation that arises out of the conduct or the living habits of the occupant himself?

I have had some experience in these matters — not in my own home, not as an attorney, but once upon a time I lived in the outskirts of Chicago, Illinois, and I am familiar with some of the problems that they have had in housing there. And I just wonder whether or not the bill takes account of this problem, that you can get rodents and all these other things as a result of the living habits of the occupants themselves without reference to whether or not the landlord himself has complied with the provisions of his lease, has complied with the various housing ordinances and so forth that apply to the renting of rental housing?

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

Mr. HEWES: Mr. Speaker and Members of the House: In reply to the gentleman from Cumberland's question, it was the intent of the Judiciary Committee anyway, that the tenant would be, so to speak, in clean hands. As they say in equity, he would have paid his rent and doing his part of the bargain. The test, of course, is the local municipal enforcement agency or enforcement person. And I would think that the judgment of local enforcement people would be that if the tenant himself were not keeping the premises up then he would not

find the place unfit because of the landlord.

I would like to answer further if I may that I feel that, although I had some of the apprehensions that the fine gentleman from Westbrook, Mr. Carrier had, I think this bill does have safeguards. The rent of the tenant must be paid at all times, and we do have a sincere need for improved housing here in Maine. The people that testified before us as to what we see as we drive in the country or in the city, there is a need for improved housing.

If a bill of this nature can encourage a landlord in a neighborhood to keep up a particular home that he rents, perhaps his keeping up that home will help the neighbor nearby to keep their homes up, and hence the entire neighborhood will be uplifted. Whereas if one house starts to deteriorate in the neighborhood, it is often like cancer, it seems to spread, other neighbors let their houses run down. So all in all I feel this is a very fair bill and I think it protects the rights of the landlord at all times.

The SPEAKER: The Chair recognizes the gentlewoman from Bath, Mrs. Goodwin.

Mrs. GOODWIN: Mr. Speaker and Ladies and Gentlemen of the House: To further clarify the question by Mr. Richardson, the draft which I proposed to the Judiciary Committee stated that any tenant who willfully damages the property would not be able to benefit under this act. And I do not believe it has been included. I would be more than willing to put in an amendment to that effect.

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

Mr. SUSI: Mr. Speaker and Ladies and Gentlemen of the House: I stand in support of the motion made by Mr. Carrier of Westbrook to indefinitely postpone the bill, and lest someone else starts the accusation that I have self interest here, I would like to make the statement that I am now an owner of rental housing and have been practically all my adult life. I have been fortunate enough to dispose of about 80 per cent of it,

and if I have any luck at all, by the end of this summer I will be out of the business. But I do honestly believe that this bill would work just as contrary to what we hope to accomplish, and that is to furnish low income housing here in Maine.

It is a problem all over the United States. We have it to some degree up here in Maine, and it is a serious problem, but I think the problem is with the people rather than with the buildings. I don't think the buildings cause too much problem, but I think we have certain people that we are trying to help—I don't think this is the way to help them, but through education and through counseling and vocational training and as may ways as we can think of, we are trying to help these people who are a problem for themselves and for society certainly.

Now basically we need housing and there is capital to furnish housing for people at any income level, but I think the problem is that many of these families need much more than housing, they need guidance, services day to day and hour to hour services. They just can't seem to correct their own lives. Quite often it is an instance where there is no man in the family and there are several children, and perhaps the lady of the house is just completely run out of energy and interest and everything else, so the property deteriorates and so your enforcement officials locally, they look in on the situation, immediately appraise it as something that is unmanagable, and it is, sort of actually moving right in there and guiding every portion of their lives, you have got serious problems. And so everybody knows it is wrong, and the only responsible one happens to be standing around the scene is the property owner, and you start putting the screws to him and he just moves out and your low income housing problem compounds itself.

I never realized myself, until it was just mentioned here on the floor, that apparently thirty-eight per cent plus of the housing here

in Maine is substandard, which would indicate that some thirty-eight per cent of the housing here in the State of Maine would be possibly subject to action under this bill. And I think it should raise a question in our minds where are we going to replace any portion of this amount of housing? We can't keep caught up, let alone taking more housing units out of circulation.

Now there have been attempts over several years through federal housing agencies and others, and we aren't in an urban area very much up here, so we don't see too much of it, but we do read reports and housing units that were good, adequate housing and have been built only a few years, certain types of people move into them and they become rat infested, cockroach infested, broken windows, doors off hinges and everything, which is no fault of the housing.

Again, I think we have a problem and I think we have to approach it differently. This isn't a new concept, this rent escrow provision. It is in effect in other states now, and I wish I had the foresight to make clippings of them in anticipation that this might be coming here to Maine. I have read several explanations of what the effect of this legislation is in the areas where it has been in effect for, in some instances, several years.

We have provisions now for government financing of legal services, so that legal services are widely used, and we have many social services and you can look and obviously there is a need in a housing situation where there are rats, and swill, and cockroaches and all the whole business. And you take action against the owner of the property and what is actually happening in other states, and I don't mean in isolated instances, I mean wholesale, is that owners of rental property have just walked off and abandoned it, slipped the deed into some tramp's pocket and the buildings are no longer available for occupation by anybody.

Now a lot of these buildings aren't much, that is true. But the

ability of many of these people to pay for housing is very limited, something that the property owner isn't truly at fault for. Now we have got problems here, but I think we would be making a terrible mistake to put this one on the books.

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

Mr. DENNETT: Mr. Speaker, Members of the House: I rise in support of the motion made by the gentleman from Westbrook, Mr. Carrier. Unlike the gentleman from Pittsfield, I am not an owner of any rental property. I believe I have no conflict here whatsoever. However, I think that this is a bill which is fraught with danger. I don't think that we should adopt any part of it.

I think the bill itself, perhaps in its meaning and its intent, is a little ambiguous. It goes on to say that if a tenant lives in a piece of rental property that is deemed unfit for human habitation, and this is going pretty far, a nuisance, a health hazard or a safety hazard, as long as his rent is paid, he can make a complaint. But apparently if he is in arrears, it is all right to dwell in a place that is unsafe for human habitation, a nuisance or a health hazard. This doesn't make sense. If we apparently want to help people, I think it is pretty bad if you are dwelling in a place that is not fit for human habitation, and I don't see what payment of rent has got to do about it. It is very ambiguous.

However, I think that I can agree with other speakers, there is more than even meets the eye here. If we expect private capital to supply housing for people, even people in a low salary range, we certainly don't want to imperil them at all times where they will be subject to constant complaints by tenants who for either real or fancied purposes are always seeking reprisals on the landlords, and can hold the rent in escrow and so forth. It is probably a most discouraging situation to attempt to alleviate the housing shortage that we know exists not only in the State of Maine but all

over. I think this is a very poor bill, and I certainly hope you will go along with the gentleman from Westbrook, Mr. Carrier, in its indefinite postponement.

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

Mr. MORESHEAD: Mr. Speaker, Ladies and Gentlemen of the House: As the only signer of the minority "ought not to pass" report, I would like to give you the main reason why I felt this bill should not pass.

Under the present law, as the law is proposed right now, this bill would only apply to any community that had a housing code. And in any community that had a housing code, if a dwelling was unfit or unsafe or unhealthy, the building inspector has the responsibility of taking some action. But when we asked the people at the hearings why they did not go to their building inspector, they said that they couldn't get anywhere with them. The building inspectors weren't doing anything about fixing their place.

Now I submit to you ladies and gentlemen of the House, that we have laws. If a municipal official is not doing his job, you can bring him to court and force him to comply with the law. But when asked this, the people said, "Well we don't want to go to this trouble, we will come up to the Legislature and get a bill through," such as this rent escrow bill. So it seems to me that rather than following through and doing what they can now, they are coming up here and seeking legislation.

And I would like to perhaps respectfully submit to the lady from Bath, Mrs. Goodwin, that the solution to this problem may not be the bill before us today but perhaps may be the formation of another commission.

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

Mr. BRENNAN: Mr. Speaker and Ladies and Gentlemen of the House: Just to be very brief, I don't think the regulations in the communities can do the job now. There is something in this bill that

gives the protection to the tenant that complains, that is that he can't be evicted for retaliatory reasons, and this is the gist and the nub of the bill; and this is why such a bill is needed in order to help out these people who live in some of these slum areas. The slum landlords are not going to do the job on their own, and the tenants themselves are afraid of being evicted; consequently they don't complain.

That is why we need this bill. I urge you to vote against the motion to indefinitely postpone.

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

Mr. BIRT: Mr. Speaker and Ladies and Gentlemen of the House: About two weeks ago we had some discussion about giving the Attorney General \$15,000 to investigate some of these circumstances, and it seems to me that I heard many of the same people who are supporting this bill now opposing that appropriation. I can't understand their degree of consistency; it seems that they are completely inconsistent in their thinking.

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

Mr. CARRIER: Mr. Speaker, Ladies and Gentlemen of the House: I really and truly hate to prolong this. I believe I have been easy to get along with this session. But I think that there is something very important here and if we are to consider something I think we should have true facts and I wish to relate to you one and probably a few more, the reasons why this bill in itself is a ridiculous bill.

In the first place, this bill was initiated through a group of people that actually came to Augusta a few weeks ago. Probably they had reasons to, to come to the Health and Welfare and make certain demands. Now they were received in the office of the Health and Welfare and I wish to refer to you to probably a little piece of literature which you got here in the last few days. I received this one last Fri-

day and I didn't even know about this. So it kind of changed my—it didn't change my position or my belief on the bill, but it did just emphasize my stand on it.

This here is what is called the Northern Country. Now wherever this is probably shared I think it is in Portland, but I refer to you and you can look at it specifically, in the middle page which has "Welfare March to Augusta." Like I say maybe they have objections to this and they weren't up here mostly for rent, but for something else anyway. So they actually—and it says about in the first line down almost down the bottom, that they confronted Dr. Fisher, and it says here his modern office was crammed with about 180 people.

Fisher, this is what I object on one angle—I think that duress was used to bring this bill in this legislature. "Fisher sat in the middle, us surrounding him"—now can you visualize that? One person sitting and being met by a hundred persons around him, and you have to turn around from one way to the other; if this isn't duress I don't know what it is. And it says—well anyway, there are many other things it says if you want to read it, this paper is of no value to me whatsoever.

It also says that on the condition—now this is right in here, under condition that Dr. Fisher presents a bill, this was one of their demands, presents a bill in this House for an escrow account for these people that choose by their own choosing to live in substandard houses, that they really put the pressure on them. So he agreed to it. Now most of you who have been in this Legislature and in the last one, which I was a member of, you know that in the past I haven't demonstrated a great love for the great doctor. But I can tell you as a matter of justice today that although he and I disagree on certain things, that I will stand by him; I will stand by anybody that under duress is forced to do something which he doesn't have to do. And this I don't agree on and this is one of the reasons why I object to the bill.

Another reason is, and for those of you who have the time later on—and this is just an added material which after I had thought this over and everything else. This is a Newsweek Magazine which I think many of you read of January 26, and on page 54, 55 and 56 it will tell you in there all of the—actually abandonment of houses in Chicago, Boston, and all that stuff. But it will also, if you read all the articles, it will also give you the reasons why the owners of the property are actually abandoning the property, because at this time in many cases it is not feasible to actually do all these repairs.

Now I have forgotten a lot of things and I am glad Mr. Richardson brought it up. What if the tenant goes in your rent and the utilities all work and that stuff, and on their own—and this is a very, very common affair, on their own the first thing you know the utilities don't work. Well you go there, they call you up and you go there and I tell you they are not bashful, they will call you up at one, two o'clock in the morning. So you go there and you get to find out if you have an apartment house of four, six or eight or ten rents, and you find out that somewhere the sewer is plugged somewhere between the cellar floor and the apartments. Now you can just imagine how frustrating it can be to try to find—to unplug the sewer where you don't know you have got ten apartments to choose from. Now this will range—what they will throw down the sewer drain will range anywhere from diapers, anywhere from garbage—they won't, you put garbage cans in back of the houses with certain people, put it back of their house, put it on hooks from the ground so that the dogs can't get to it, and they will come there and they will dump their garbage on the ground.

I have been called—this is years ago, I have been called the same thing, fish, dead fish, put out on the ground. Beautiful! And this here you are called by the social workers. And I sympathize with the social workers because I think that they are trying to do a real good job, and yet these same

people that are fed by the ones that they chisel their rent of, they're the ones that here says in this article, that they call the social worker, "and we felt," ladies and gentlemen, "that the social worker was being unfair, can't understand, or just was plain cruel."

Now I don't believe this, I don't believe this. I don't think anybody is cruel; we can all extend a certain amount of compassion. But I don't believe that this certain type of people actually are the ones that we are talking about now.

We can go on many ways—and this one I will relate very briefly, I will try to be very brief, let's relate not a hypothetical situation, a true situation, of this type of landlord. In the first place they owe you a lot of money; as a matter of compassion maybe you carry them two or three months or something like that, and they owe you a lot of money. The first thing you know you get word from the fellow next door or other tenants that they have moved out during the night. So you don't know in the first place, you don't know where they are at. But it doesn't matter; it is probably a good riddance anyway.

So aside from not paying the rent they leave the rent a mess. They leave the rent a mess, ladies and gentlemen, which I don't care if somebody has had rental property from five years to twenty years, if you don't expect something new to pop up, as far as filth and dirt are concerned you are in for a surprise, because it doesn't work out, there are always new brains coming around and they can think, I tell you, they can really think something nice.

In the first place they will move out, they will leave their place with broken windows. They will take their door locks with them when they leave, they will take light fixtures with them, they will take pieces of copper tubing; and worst of all they will leave the place really filthy with human filth, ladies and gentlemen, and I don't like to bring this up but this is the way it is. Now who are you going to hire to clean this? In the first place I wouldn't have

the gall to ask somebody to do this. So as a landlord you go there and you do this, and they owe you money. Then you have got to start doing repairs and dish out money out of your pocket right and left, and probably later on if you're lucky to find them and to bring them in court. So you bring them in court and you have a judgment against them, what good is it? They will tell you plainly, "I will not work more than forty hours," and you will get nothing.

And these, ladies and gentlemen, are cases I am familiar with and there are many, many others. So I think if you want to protect that kind of people—and this is not confined to class, I am talking about a certain type and they are in all classes, if this is the type of people that you want to protect well I can tell you that I didn't ask Mr. Susi to talk this afternoon—I didn't even know how he felt about this. But there is an indication, he is liquidating, others will liquidate. I will say the same thing as I did yesterday, that the housing authority and poor houses and all that stuff, they have got the wrong approach to solve this problem. They have cut off the investors, and this is what it is, whether it is small, big or anything.

I have many, many other notes as far as to who proposed this bill and the wonderful people that wrote this bill in its original form and everything else, but, if this is what is to be brought up later on I will be glad to. I am strictly opposed to this because I think this is bad for the people, it's bad for the good tenants that I have and other people have, and I think that all in all it is bad altogether.

Mrs. Goodwin of Bath was granted permission to speak a third time.

Mrs. GOODWIN: Mr. Speaker and Ladies and Gentlemen of the House: First I would like to say that I find it rather amusing to picture Dr. Fisher surrounded by a hundred people and intimidated. If you have ever had a dialogue with Dr. Fisher, you know he could be surrounded by one hundred thousand people and not be intimidated.

I would like to point out again that I would be willing to offer an

amendment saying that if the tenant willfully damages the property that he cannot benefit under this act. And I ask for the yeas and nays when the vote is taken.

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

Mr. MILLS: Mr. Speaker, I pose a question through the Chair to anyone who cares to answer. How do these people get in this housing in the first place?

The SPEAKER: The gentleman from Eastport, Mr. Mills, poses a question through the Chair to any member who may answer if they desire.

The Chair recognizes the gentlewoman from Bath, Mrs. Goodwin.

Mrs. GOODWIN: Mr. Speaker and Ladies and Gentlemen of the House: They can't afford anything better.

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

Mr. TYNDALE: Mr. Speaker, I don't seem to have the paper in front of me. May I pose a question to any member of the Judiciary Committee who would care to answer. What was the committee report on this bill?

The SPEAKER: The gentleman from Kennebunkport, Mr. Tyndale, poses a question through the Chair, and the Chair recognizes the gentleman from Portland, Mr. Brennan.

Mr. BRENNAN: Mr. Speaker and Ladies and Gentlemen of the House: If my recollection is correct I think it was a nine to one "ought to pass" report.

In regard to some of the remarks made by the gentleman from Westbrook, Mr. Carrier, I must take issue with him. I believe he suggested that these people choose to live in substandard housing. I submit that that is patently ridiculous. I think it is quite obvious that they are compelled by economic circumstances to live in these situations.

I think that this is what government is all about, to try to help these people out that need some help. And furthermore, as far as any frivolous complaints are concerned, I am sure they will be taken care of by the building in-

spector; if not there is a court hearing available. So again I urge you to vote against the motion to indefinitely postpone.

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

Mr. SHELTRA: Mr. Speaker and Ladies and Gentlemen of the House: I rise to concur with Mr. Susi and Mr. Carrier and all those that propose the indefinite postponement of this bill. Having been involved in property management for at least a twenty-year period directly and indirectly insofar as the renting aspect of it, I have also been involved in the selling of it.

I remember well back in 1945 when our veterans came marching home, and they proceeded to buy homes through the G. I. Bill of Rights. I also remember when the Veterans Administration came to our real estate office and asked us permission after they had repossessed many of these homes as to their salability, and placing them back on the market. Some of these very homes we had been involved in the sales of, you would have been amazed at what we found. Unbelievable. How properties could be so utterly destroyed and gutted by this specific group that Mr. Susi was talking about.

The landlords cannot solve this problem. It is perhaps more of a Health and Welfare problem. Perhaps a psychiatric problem. I certainly urge the indefinite postponement of this bill.

A little bit later after the war also, I was involved in wage earner appraisals for people seeking help through bankruptcy procedures. I would go into some of these home. I would witness for instance a brand new television set, color if you will; the rest of the household was deplorable. You would look into one corner and you would see dirty laundry piled up to the ceiling. And that is without exaggeration.

So I certainly urge the indefinite postponement of this bill.

The SPEAKER: The pending question is on the motion of the gentleman from Westbrook, Mr. Carrier, that this Bill "An Act relating to the Housing Needs of People Who Pay Rent," House

Paper 1467, L. D. 1841 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. If you are in favor of a roll call you will vote yes; if you are opposed you will vote no.

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

The SPEAKER: The pending question is on the motion of the gentleman from Westbrook, Mr. Carrier, that this Bill be indefinitely postponed. If you are in favor of indefinite postponement you will vote yes; if you are opposed you will vote no.

ROLL CALL

YEA — Allen, Baker, Barnes, Bedard, Benson, Bernier, Binnette, Birt, Boudreau, Bragdon, Brown, Buckley, Bunker, Burnham, Carrier, Carter, Casey, Chick, Clark, C. H.; Clark, H. G.; Corson, Cottrell, Couture, Crommett, Crosby, Croteau, Cummings, Curran, Curtis, Cushing, D'Alfonso, Dennett, Donaghy, Drigotas, Dudley, Durgin, Emery, Erickson, Evans, Farnham, F e c t e a u, Finemore, Fortier, M.; Fraser, Gauthier, Gilbert, Giroux, Good, Hall, Hanson, Hardy, Harriman, Haskell, Hawkens, Henley, Hichens, Huber, Immonen, Jalbert, Johnston, Kelleher, Kelley, K. F.; Kelley, R. P.; Kilroy, Lawry, Lebel, Lee, Leibowitz, Lewin, Lewis, Lincoln, Lund, MacPhail, Marquis, Marstaller, McNally, Meisner, Millett, Mills, Moreshead, Morgan, Mosher, Nadeau, Norris, Page, Payson, Porter, Pratt, Quimby, Rand, Richardson, G. A.; Richardson, H. L.; Ricker, Rideout, Rocheleau, Ross, Sahagian, Scott, C. F.; Scott, G. W.; Shaw, Sheltra, Snow, Starbird, Stillings, Susi, Thompson, Trask, White, Wight, Williams, Wood.

NAY — Berman, Bourgoin, Brennan, Coffey, Dam, Faucher, Foster, Goodwin, Heselton, Hewes, Hunter, Jameson, Jutras, LePage, Levesque, Martin, McTeague, Mitchell, Santoro, Soulas, Tanguay, Temple, Tyndale, Vincent, Wheeler.

ABSENT — Carey, Chandler, Cote, Cox, Danton, Dyar, Eustis,

Fortier, A. J.; Keyte, Laberge, McKinnon, Noyes, Ouellette, Waxman. Yes, 111; No, 25; Absent, 14.

The SPEAKER: One hundred and eleven having voted in the affirmative, and twenty-five having voted in the negative, the motion to indefinitely postpone does prevail.

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

Mr. CARRIER: Mr. Speaker, Ladies and Gentlemen of the House: As a matter of expediency I now move that we reconsider our action, and I ask all of you to vote no against my reconsideration motion. And I also ask for a roll call.

The SPEAKER: The gentleman from Westbrook, Mr. Carrier, moves the House reconsider its action whereby it indefinitely postponed this Bill, and requests a roll call. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. If you are in favor of a roll call you will vote yes; if you are opposed you will vote no.

A vote of the House was taken, and less than one fifth of the members present having expressed a desire for a roll call, a roll call was not ordered.

The SPEAKER: All in favor of reconsideration will vote yes; those opposed will vote no.

A vote of the House was taken.

20 having voted in the affirmative and 118 having voted in the negative, the motion to reconsider did not prevail.

The Chair laid before the House the following matter:

An Act Clarifying Laws Relating to the University of Maine (S. P. 632) (L. D. 1804)

which was tabled earlier in the day and later today assigned, pending passage to be enacted.

On motion of Mr. Levesque of Madawaska, the House reconsidered its action of yesterday whereby the Bill was passed to be engrossed.

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

House Amendment "A" (H-695) was read by the Clerk.

The SPEAKER: The gentleman may proceed.

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: In brief explanation as to the reason for this amendment, as you can recall several years ago a ruling was made that the ETV network in our state could not participate in any editorial or any program of politicians or people of that nature go to ETV in explanation of any part of State Government on the ETV network, because it was a state financed institution, and programming there was forbidden by a rule from the laws.

So therefore I would like to offer this amendment that people that are in government will be afforded the opportunity to participate in the ETV programs within the regulations as outlined by the Federal Communications Commission. And anything beyond that is never to be expected by any people in the State of Maine that we would want to go beyond the rulings of the Federal Communications Commission.

This, I think, would be a good piece of legislation for the simple reason that right now we have invested in the University of Maine's ETV network hundreds of thousands of dollars of which the hands of these people that operate the ETV networks are relatively tied as to the availability of governmental information to the general public. And I think as members of the House of Representatives, or a governing body, you would want the people to know through the networks actually what is happening in their government. And I think with the present ruling that has been made they are hand tied into their availability of providing this service to the people.

So therefore I hope that you will support the amendment to afford the ETV people an opportunity to provide a service to the general public as far as the operation of their State Government, local government, or county government is concerned.

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

Mr. BIRT: Mr. Speaker and Ladies and Gentlemen of the House: I am sure the good gentleman from Madawaska will probably remember some of the debate as he was a member of the 100th Legislature when this legislation was adopted to allow the development of the educational TV network, that this was one of the most hardly fought over items, is the abuse that could be made in this particular relationship to people in leadership of a particular party being able to use this government sponsored and supported TV network.

Now to give you just a little tiny bit of the history of this amendment, this bill actually ended up in a Committee of Conference back a few days ago, and the Committee of Conference took out two sections. One of them, as I understand it, was this amendment here, which is now being suggested as being replaced in exactly the same language. And I think that having gone through this whole thing once before that we should not get into it again. I would hope that this amendment is not adopted.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: In further explanation to the remarks made by the gentleman from East Millinocket, Mr. Birt, in the 100th Legislature, which was ten years ago, when this was a very hot issue before the Legislature, the rules and regulations of the Federal Communications Commission were somewhat different than what they are now. They have improved because the use of ETV on a national scale, and the television network on a national scale, have been very much altered in the last ten years. And I don't think that the people that are operating the ETV network in the State of Maine would want to abuse the privilege of informing the general public in the field of government.

And it spells out in the amendment that this could not be used for advertising, or for editing on the part of the ETV people as to their feelings to the general public. This would afford them the opportunity to, if the President of the United States makes a special message to the people, that they could carry this on the networks. Presently they cannot. Or if the Governor of the State of Maine wished to address something to its constituents in his own state he could so do. Or if there was an important piece of legislation coming before the people, that they could use the facilities of ETV to explain to the people what part government is playing in its operation.

And I think this would greatly help in educating the general public as to some phases of the operation of their State Government, or even including the national government. And I think the protection in this bill here is that they would have to abide by the Federal Communications Commission's ruling.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: I sympathize with my very good friend from Madawaska, Mr. Levesque, and I can assure you that when the Conference Committee met that I was entirely willing to see the ETV included in the bill. On the other hand, the Conference Committee did meet, the Conference Committee made a decision, and I feel that now, in view of the fact that the Conference Committee has reported, the report of the Conference Committee has been accepted, that we should not now try to overthrow the Conference Committee Report.

I would therefore move that this amendment be indefinitely postponed.

The SPEAKER: The gentleman from Stonington, Mr. Richardson, moves the indefinite postponement of House Amendment "A".

Mr. Levesque of Madawaska requested a vote on the motion.

The SPEAKER: The gentleman from Stonington, Mr. Richardson,

moves that House Amendment "A" be indefinitely postponed. All in favor will vote yes; those opposed will vote no.

A vote of the House was taken. 68 having voted in the affirmative and 42 having voted in the negative, the motion to indefinitely postpone prevailed.

Thereupon, the Bill was passed to be engrossed as amended by Conference Committee Amendment "A" in concurrence, passed to be enacted, signed by the Speaker and sent to the Senate.

The Chair laid before the House the following matter:

An Act relating to Interest Earned on Investments of Special Revenue Funds (S. P. 654) (L. D. 1837) which was tabled earlier in the day and later today assigned, pending passage to be enacted.

On motion of Mr. Lewin of Augusta, the House reconsidered its action of yesterday whereby the Bill was passed to be engrossed.

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

House Amendment "A" (H-698) was read by the Clerk.

The SPEAKER: The Chair recognizes the same gentleman.

Mr. LEWIN: Mr. Speaker and Ladies and Gentlemen of the House: I will try to be brief this afternoon. For the last several years under the present law the interest which was generated on the invested Fish and Game dedicated funds has been turned over to the General Fund. Roughly \$30,000 to \$35,000 average per year. The rate at something over five percent.

In the past the Fish and Game Department has not requested that this interest money be returned to its dedicated funds. Meanwhile the department has enjoyed space in the new office building free of rental charge, believing the interest was in lieu of rent. And now a directive has been sent out requiring departments which operate on dedicated funds to pay rent for office space. In the case of Fish and Game Department, the rent would be approximately \$23,000 annually.

One other point I would bring to your attention. It is the matter of

the search for lost persons each year in this state. The Fish and Game Department assists in these searches. Several thousand dollars, frankly in the last six years something over \$103,000 has been spent from Fish and Game dedicated funds with little reimbursement from the General Fund. I might say that this reimbursement amounts to a little over \$20,000 since 1964.

Now many of these persons were neither fishing or hunting in the State of Maine. Rather they were hikers on Mt. Katahdin. The Fish and Game Department, however, shared the expense of helping to find them, and I might say they did a good job. The Fish and Game dedicated funds, from which interest is drawn, includes money held for emergency purposes.

For instance, should our state have a dry fall, and the woods are closed, there would be a big license sale drop. But the department expense still would go on. Therefore it is believed only fair that if the General Fund is to receive the interest from dedicated Fish and Game funds, then the office rental charges should not be made to the Fish and Game Department. Whereas the original L. D. 1837 would have interest funds returned to the Fish and Game dedicated fund, this amendment that I am introducing would provide that the interest be kept in the General Fund in lieu of returning it to the department. The way that L. D. 1837 originally was introduced would cause an administrative problem in the office of the State Treasurer and the Comptroller. And they believe that this is a better way to approach the situation. Therefore I move the passage of this amendment.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I would preface my remarks by stating that I have nothing but respect for the gentleman from Augusta, Mr. Lewin. However — and I do not intend to make a lengthy discussion — no matter how you slice this piece of ham, this is nothing but absolutely a raid on the General

Fund by a department that operates under dedicated funds. And believe me, the way the Fish and Game Department operates from the top on down, I would like to enjoy some of those luxuries.

Now if anyone thinks that I am making remarks here because I have immunity for remarks that I am going to make, I will make those remarks to anybody the minute I get out in the corridor, when I don't have immunity.

Now I don't too often get my Irish up, but anything like this is not good government. This is a bad deal. And personally, regardless of my personal feelings toward the sponsor of this amendment, I want no part of it, and I move its indefinite postponement. And when the vote is taken I ask for a roll call.

Mr. Bragdon of Perham moved that this matter be tabled until the next legislative day.

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

Mr. DENNETT: Mr. Speaker, I move that this matter lie upon the table until later in today's session.

The SPEAKER: The Chair would advise that the longer time of the tabling motion has priority. And the Chair will order a vote. If you wish this matter tabled until the next legislative day you will vote yes; if you do not you will vote no.

A vote of the House was taken. 48 having voted in the affirmative and 44 having voted in the negative, the tabling motion prevailed.

Thereupon, the matter was tabled until tomorrow pending the motion of Mr. Jalbert of Lewiston to indefinitely postpone House Amendment "A".

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

Mr. JALBERT: Mr. Speaker and Members of the House: I hope some of us are extended the same privilege later on.

The Chair laid before the House the following matter:

Bill "An Act to Appropriate Moneys for Necessary Items and Miscellaneous Changes for the Fis-

cal Years Ending June 30, 1970 and June 30, 1971" (S. P. 643) (L. D. 1818) which was tabled earlier in the day and later today assigned, pending passage to be engrossed.

On motion of Mr. Levesque of Madawaska, tabled pending passage to be engrossed until later in today's session.

The Chair laid before the House the following matter:

Bill "An Act to Appropriate Funds for School Subsidies" (H. P. 1453) (L. D. 1831) which was tabled earlier in the day and later today assigned, pending passage to be engrossed.

On motion of Mr. Richardson of Cumberland, tabled pending passage to be engrossed until later in today's session.

On motion of Mr. Martin of Eagle Lake, the House reconsidered its action of earlier in the day whereby Bill "An Act Making Supplemental Appropriations and Deductions for the Fiscal Years Ending June 30, 1970 and June 30, 1971" (S. P. 658) (L. D. 1842) was passed to be engrossed as amended by Senate Amendment "A".

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

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

The SPEAKER: The same gentleman moves that the House reconsider its action whereby the House adopted Senate Amendment "A".

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

Mr. MORESHEAD: Mr. Speaker, I request a vote, please.

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

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: If you take a look at Senate Amendment "A" to Senate Paper 658 L. D. 1842 you will find that the amendment adopted by us earlier and by the other body also today earlier, provides that we add to the Supplemental Ap-

propriations Bill an additional \$49,500 for a project and materials for one major exhibit in the so-called new museum. This is additional money to be provided for the Museum Commission, and additional money, I might add, to the money that we allocated in the regular session in both the regular Appropriations Act and the Supplemental Appropriations Act.

During the time that we adopted in late July of 1969 the entire budget for the State of Maine, we allocated monies for the Museum Commission so that they would be in a position to have exhibits to some degree so that they would be able to work on some while the building was being constructed. There is at the present time serious question as to whether or not the building will be ready for occupancy when they say it is going to be.

Secondly, there is a question of whether or not we want to give them an additional \$50,000 in addition to what we gave them. Also it is interesting to note that the Appropriations Committee in its regular session during the special session two weeks ago turned down this request. And I do not feel that we should be in a position to allocate this money to the Museum Commission. So therefore I would hope that you would vote to reconsider and I will ask for a vote, and I would hope that you would vote with me to reconsider.

The SPEAKER: The pending question is on the motion of the gentleman from Eagle Lake, Mr. Martin, that the House reconsider its action whereby it adopted Senate Amendment "A".

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

Mr. BIRT: Mr. Speaker and Ladies and Gentlemen of the House: I would oppose the motion of the gentleman from Eagle Lake, Mr. Martin, and I give you just a little bit of background. I realize that there is some question as to the exact opening date of this museum, but the background of this particular amendment was that these projects, for the museum particularly, require about a year to develop. And although exactly

when we will be going into this museum may be questionable, nevertheless, sometime next summer this museum should be ready for occupancy. And with this long built-in time to develop these projects, some funding is necessary in order to have something inside the museum building when it is opened.

Now we have authorized this building. It is an expensive building, and we certainly would be not too happy about going in there and finding it only about half filled up when they have their opening. I do believe this is necessary. If you cut down from the original request of \$78,000, I believe it is necessary and I would hope that the amendment is not indefinitely postponed.

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

Mr. LEVESQUE: Mr. Speaker and Members of the House: In support of the motion to reconsider this amendment, I certainly hope that the members of this House know fully that if we don't reconsider this \$49,500 amendment, that the members of this House are very well aware that the money is going to be tight to provide, but we already have on the appropriations table, plus other legislation that will eventually land on the table, that this \$49,500 could very well wait until 1971 for any consideration of additional appropriation.

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

Mr. LUND: Mr. Speaker, Ladies and Gentlemen of the House: I rise to oppose the motion of the gentleman from Eagle Lake, Mr. Martin, as to this amendment, and in doing so I suppose I am vulnerable to the accusation that I am supporting a local industry, because in a sense this is a local industry. But it is to the benefit of the whole State of Maine, I think, that we have a museum which serves as an attraction. There are untold thousands of people who visit the State House and see the museum in its present form. I think it is equally important that when the new museum

building is completed that we have at least one exhibit which will be somewhere near ready to be viewed.

As the gentleman from Eagle Lake is well aware, the Appropriations Committee cut very sharply into the budgetary request of the museum at the regular session. Unfortunately, apparently when the Appropriations Committee took up this item recently, as indicated by Mr. Martin, I was not there, so I was not aware of the action which the Committee had taken. However, I think the House should be concerned with the fact that the type of work which is necessary in completing the exhibits, and these are permanent exhibits, is vital work which has to be contracted for months in advance. And unless the Museum Commission does have these funds, we will be in the embarrassing position of having a museum which is completed with large areas of space unoccupied. To me this makes very poor sense, and I think we should continue as we have set out to have at least one exhibit going when the museum is completed.

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

Mr. MARTIN: Mr. Speaker and Members of the House: I feel as if the members of the committee are to some degree abandoning ship, but I won't. I don't doubt the need for exhibits in the museum. I will again point out to you that we did give them money in the regular budget last July. I agree that we did not give them everything that they asked for — but my gosh, they asked for the sky when they came in with that budget before the Appropriations Committee! I do not feel that when we are at a special session attempting to set priorities with the money that we have, that we can build another exhibit for someone to look at in a building that may not even be there when they say it is going to be there.

And the other thing I think I resent to some degree is the arm-twisting of some of the state employees dealing with this item. I do not feel that it is within their prerogative to tell us how I am

going to vote, after we have made up our mind in the Appropriations Committee. And so I would hope that you would reconsider.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: I am sure that the observant members of the House would notice that when the oil pollution control bill received final enactment in the House, I didn't speak on it and I wasn't even here, and some of my friends suggested that that is the reason it went through so smoothly. And that is the reason I am also sure that anything that I might comment on here might not be helpful; but at any rate, I feel obligated to make a comment.

During the general session of the Legislature, the Appropriations Committee spent months and months and months. They reviewed this situation. As I understand it, the timetable for completion is today the same timetable it was then. They made a decision at that time having to do with this question of how many staff people we were going to give to the museum and what we were going to give them in the way of equipment to work with.

We live in a charming, snow filled world, but I hope that we don't let any of that snow get into our brains. We just simply cannot continually pass these things which are deserving unless we do so with a sure and certain knowledge that there isn't going to be enough money to complete even the things that we all believe are top priority items. And that is the reason why at the risk of offending some of my friends I am going to vote in favor of reconsideration.

The SPEAKER: The Chair recognizes the gentleman from Chelsea, Mr. Shaw.

Mr. SHAW: Mr. Speaker, Ladies and Gentlemen of the House: I used to have a fellow that worked for me and sometimes he would come to work in the morning and he wouldn't be much good. He would say, "I've been getting reports all night from the forty-eight states and the Dominion of Canada, and they have kept me

up and I just can't do much today." Well he went out so much with these reports that he was getting from all over the countryside, finally he jumped in the Kennebec and eliminated them.

Well I have got the latest report from the architect who is in charge of building this building, it was put out two weeks ago, and it says that the building is on schedule and will be completed on schedule.

Last winter when the Appropriations Committee gave the appropriation to work on exhibits, they gave the appropriation for the first year of the biennium and no appropriation for the second year. So this appropriation that we are talking about today is the money that should be spent for the coming year. Otherwise, the money that had been appropriated for the exhibits will be completed as of June and there will be a shut-down for a year with no more money to build any more exhibits on. So I am very much against the motion to reconsider.

The SPEAKER: All those in favor of reconsideration of adoption of Senate Amendment "A" will vote yes; those opposed will vote no.

A vote of the House was taken.

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

On motion of Mr. Martin of Eagle Lake, Senate Amendment "A" was indefinitely postponed in non-concurrence.

The Bill was passed to be engrossed in non-concurrence and sent up for concurrence.

By unanimous consent, all matters acted upon after recess were ordered sent forthwith to the Senate.

(Off Record Remarks)

On motion of Mr. Richardson of Cumberland,

Recessed until five o'clock in the afternoon.

After Recess
5:00 P.M.

The House was called to order by the Speaker.

Order Out of Order

Mr. Dennett of Kittery presented the following Joint Order and moved its passage:

WHEREAS, State Government is becoming increasingly complex with many overlapping programs; and

WHEREAS, the cost of State Government is increasing at a rapid pace; and

WHEREAS, the people of the State of Maine desire greater efficiency in State Government; and

WHEREAS, the people of the State are concerned that their tax dollar be spent more efficiently and effectively; and

WHEREAS, in recent years, new systems of industrial organization, accounting and methods of operation have been successfully utilized by the private sector; and

WHEREAS, the Associated Industries of Maine, with consultation from the organized labor unions of Maine, has volunteered to make available to the State, without cost, experts in the fields of taxation, systems analysis, efficiency experts and experts in modern organizational technology; now, therefore, be it

ORDERED, the Senate concurring, that the Legislative Research Committee study the overall operations of State Government to determine whether State Government can operate more efficiently by adopting and applying some of the new methods of industrial organization and operation. Such study shall also include, but not be limited to, determining the feasibility of eliminating overlapping functions, combining related programs and, in general, increasing the efficiency and productivity of state personnel; and be it further

ORDERED, that all departments and agencies of State Government shall cooperate with the Committee in carrying out the purposes of this order; and be it further

ORDERED, that the Committee report its findings and recommendations, together with any necessary legislation, to the 105th Legislature. (H. P. 1468)

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

Mr. MARTIN: Mr. Speaker and Members of the House: I personally have no objection to the passing of the order except to keep in mind that I to some degree resent the fact that we are going to be using funds from the Associated Industries of Maine to do consultation with us in working out such a program. I think it is fine for them to provide advice, and if this is the way it is going to be, then okay. But I don't feel that I, as one representative, feel that I want to owe them anything.

I also would like to have you keep in mind, and I would recommend to the Legislative Research Committee, the study that was done by a group of citizens within this state known as the Governor's Task Force on Government Reorganization of which I was privileged to be a member. I think the people on that Task Force devoted themselves to do a good job and I think that they have done within the time available a very remarkable job in making recommendations to us.

Now unfortunately we apparently are not going to do much about them, and I would hope, however, as the Legislative Research Committee studies the problem, that they keep this blue booklet in mind and use it as a guide and proceed from there.

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

Mr. BENSON: Mr. Speaker and Members of the House: We have been hearing a good deal about governmental reform in the last few days. And I think that this is a unique opportunity for us to take advantage of an offer by Associated Industries as stated in the order and the Organized Labor Unions of Maine, take advantage of an offer that has been made to study state government and to propose any possible reorganizations, consolidation, and so forth that might seem to be appropriate. I don't see that we should be in the position of being concerned about any contributions to us by Associated Industries. I don't think that the order indicates this. I think these people are offering to us the very best talent there is in the

State of Maine to assist us in studying state government, systems analysis, efficiency experts. These are the areas that I feel that we have got to study and I think that it would be an extremely costly study if we were to hire the type of talent that is being made available to us here.

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

Mr. STARBIRD: Mr. Speaker and Members of the House: I can't for the life of me understand why we should have this order to study something that has already been studied, the recommendations made to this Legislature, a bill produced to implement these recommendations. The bill had a thorough hearing before the committee of which I am a part. It came out. I believe, with a eight to two "ought to pass" recommendation. It was badly mangled in the process, but we did hold on to the guts of the bill. We thought that something might come of it.

The bill in the process through this Legislature has probably been emasculated beyond repair. We are going to kill it apparently, and now we come up with an order to study the studies. Ladies and gentlemen. I feel it is entirely unnecessary. If we can go back and by some means rescue the vital parts of the reorganization bill that was submitted to this special session, perhaps we can do something toward reorganization. This here will delay us at least another year.

There will be recommendations made to the next Legislature. The next Legislature will probably have some sort of legislation submitted, it will go through the mill and it will probably result with the same manner the present reorganization bill has done.

If we pass the reorganization bill that has been before this Legislature, we may make a definite start so that the next Legislature can really do something. This order is nothing but a study of a study. I recommend that it be indefinitely postponed and I ask for a roll call.

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

Mr. RIDEOUT: Mr. Speaker and Members of the House: Mr. Starbird has stated a case for the bill on governmental reorganization, but I think he perhaps should face facts that even though it did pass this body, it has been dealt a dismal blow across the hall. I happen to be on the Committee of Conference, and I do not hold out any great white flag for him to hang his hat on.

But I have in my hand a business management study from Illinois that was made by a group of persons such as are outlined in this order before us. It is a comprehensive business analysis of the governmental functions in Illinois and the Illinois government considers it is worth some million dollars for the study.

I have fought, bled and died on the cause of governmental reform and reorganization and I think that this is a welcome, fresh change and I hope that you will support this order and I hope that you will vote to accept it.

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

Mr. DONAGHY: Mr. Speaker and Members of the House: I would like to confirm the feelings of Mr. Rideout. It pains me deeply to go against my good friend, Mr. Starbird. I know how sincere and conscientious he has been on this, but I think he will have to recognize that the bill that was passed in here was not the report of the Task Force, it was a rehash of many of the things that we turned down the first part of the session. We tried to rescue some of the things out of it, but it just wasn't possible. So I think we have got to start over again.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I look at this order with very much mixed emotions this afternoon. In view of what has happened in the past, and what has happened in this present ses-

sion of the Legislature, if we as members of this Legislature are unable to convince the majority of the members of the House of Representatives and the majority of the members of the other branch that we have been in need of governmental reform for the last 15 years, plus the fact that we have had numerous studies in these last 15 years that have been laid on shelves, gathering dust, and the action that was taken on any one of these recommendations was brushed over once lightly.

And that a Task Force that studied this same type of reform as this order calls for, only with a different name, only to find out that after all these efforts have been made—and by the way I might even include that a lot of the expertise and talents in the Task Force were also provided to the people of Maine free of charge, and that the Associated Industries of Maine, as well as labor unions or other organizations were free to express their opinions to the same task force or to the same legislative committees in years past that have studied this. That all of a sudden these groups of people want to do a service to the state that was already available to them if they wanted to make recommendations to the state, to the Legislative Research, to the Governor's Task Force, or any other branch of government, or to the Committee on State Government. All of a sudden now we have got to establish a new file of gathering information to see if there is any possibility of the Legislature adopting reforms in our present state of affairs.

Now ladies and gentlemen of this House today, without the will of the Legislature to provide these reforms what are we going to do with the dust that will acquire on these books, even with this study? Even with the talent provided by the Associated Industries of Maine, provided by the labor unions, provided by the expertise in the university system, or any other institution, that if the will of the Legislature is not present to do any reform what are you going to have? You are going to have another pile of dust that is going to

have no will on it, not even the will to push a broom to wipe the dust aside to find out what the recommendations are.

Now it behooves the Republican organization of this Legislature, of the next Legislature, in combination with the Democratic organization, to say we have got to have reform and have the will to put that into law. Not to put it only into words, but to put it into law, and to put it into being. This, I fear, will not provide us any governmental reform, any more than what the effort has been done by a good number of Democrats and Republicans in this hall this year, to find out that somebody in the other branch, or outside, may very well be trying to sluice the whole governmental reform. So I look upon this, as I started out, with very much mixed emotions.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I first would commend the gentleman from Madawaska. It is very seldom that I really listen to him as intently as I did just now, in his very fine eloquence; and I can see possibly why a young man like he would be at times a little frustrated. Because I recall back when I was a freshman legislator in 1945, feeling that the dome of the building was on my head, I felt that important, and I first presented the change of election date bill. It took me six elections to finally make them see the light. When it was finally presented, somebody said that they should throw me a testimonial for passing it because of the unfortunate occurrence that happened back in 1960, but I think they have changed their minds since then. We find ourselves in the same position as we do with that big square.

I would concur with the remarks wholeheartedly of the gentleman from Eagle Lake, Mr. Martin. I think really and truly with this order it will afford the people involved in this study and with the organizations, and I assure you that when you make the words consultation with the labor unions,

they will be there sooner. They will come early and they will bring their people. And when you call the first meeting I guarantee you they will be there just as quick, if not sooner, than the people involved in Associated Industries of Maine.

I think the last report, as issued by the Nicoll Committee on Governmental Reform, was very very interesting. It is one report that I have read more than once and one report that I feel as the gentleman from Eagle Lake does that this committee can work from.

And if it is any solace to the gentleman from Madawaska, Mr. Levesque about you know, naming committees on committees, and that goes also for the gentleman from Kingman Township, Mr. Starbird, back for about a year I found myself involved in one bridge site committee, that went by the boards and I got another committee, that went by the boards and I committed finally to the point where we wound up where we wanted to go anyway. So sometimes somewhere along the line committees wind up accomplishing something.

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

Mr. DENNETT: Mr. Speaker, Ladies and Gentlemen of the House: I feel quite badly in some respects as to the reception which this order has received. This order, according to my way of thinking, carries with it no political implications whatsoever. I feel very badly that some seem to feel that there is some political involvement; for my part there is none. If this order is ultimately passed and sent to the Legislative Research Committee, I assure you that there will be both members of the majority party and the minority party on this committee.

Now this order does not spell out that there are going to be any reforms. This is simply an offer on the part of these good people, both industry and labor, all citizens of the State of Maine. It doesn't spell out that they shall be members of one party or another party. I believe they are members

perhaps of both parties. These are taxpayers in the State of Maine; they want to lend their best people and their best talents to see if they can possibly come up with something that would be helpful to all the people of the State of Maine.

I regret that any of you find that this carries anything political in any manner with it and I certainly hope that you might forget politics and pass this order. I am not interested whether this is a thing of the Republican Party or the Democratic Party. I think it is for the best interests of the people of this state and I certainly applaud and commend these people who are so kind to offer us their services, and again I assure you that in so doing that they do not feel we owe them anything and that we are not bound to them in any manner whatsoever.

The SPEAKER: The Chair recognizes the gentlewoman from Bath, Mrs. Goodwin.

Mrs. GOODWIN: Mr. Speaker and Ladies and Gentlemen of the House: As one of the frustrated freshmen to which Mr. Jalbert alluded I don't feel that the capitol dome is sitting on my head; I feel today that it has fallen on my head. But having spent a year as secretary to the Task Force and having taken interminable notes from listening to lengthy debate and testimony, and then having spent a year as a member of the Task Force after I became important enough because I had been elected to the Legislature I suppose, I feel that this order is somewhat superfluous; but in the interest of government reform I will support it reluctantly.

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

Mr. STARBIRD: Mr. Speaker and Members of the House: I got pretty heated in my thorough disgust over the mangled condition of the present reorganization bill. My concern for an apparently dying patient and in my haste apparently I moved in definite postponement of this order. In the hopes that we may possibly salvage at least the skeleton to mount in a museum and look at

somewhere, I will withdraw my motion and I will support the order, hoping that perhaps something may come of it and we may perhaps restore some of the flesh to the dry bones.

The SPEAKER: The gentleman from Kingman Township, Mr. Starbird, withdraws his motion to indefinitely postpone.

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

Mr. LEVESQUE: Mr. Speaker and Members of the House: Not speaking in objection to the motion being made but only to inform the gentleman from Kittery, Mr. Dennett, that I certainly in my remarks did not want to reflect any partisanship, because I feel that we as Democrats and you as Republicans are probably as much at fault one as another that we don't have governmental reforms. The only thing that I implied, that we haven't been able to muster the will of the members of the Legislature collectively to implement the reforms. Being in the minority it is a little bit harder for minority to try to initiate reforms, as the gentleman from Kittery, Mr. Dennett, very well knows, and every other member of the House here knows also.

But I certainly did not want to make my position on a partisan basis, because my remarks were made to a legislative branch only, that the will is not there for reforms and if we have study over study over study, including the dust on the studies that have been made for the last fifteen years, without the will there will be no reforms. And certainly the associated industries and their expertise and the labor unions, the efficiency experts, and the system analysis, and the information on taxation that they have had in the past, if they would have been sincere in providing this information, there was enough committee or committees formed in the last fifteen years that they could have made this expertise information available to the members of the Legislature, including the Task Force, legislative study committees, or any other committee that was formed

to provide this kind of information to the Legislature.

In the final analysis, when we have tried to provide some of these reforms, the bureaucracy built into our system now is almost beyond the point of no return. The Task Force has performed their services, the study committees have performed their services; when it comes time to implement these recommendations the bureaucrats have got it all over the legislative branch. Unless we strengthen ourselves, there will be no reforms.

Thereupon, the Joint Order was passed and sent up for concurrence.

The following paper from the Senate appearing on Supplement No. 6 was next taken up.

From the Senate: The following Order:

ORDERED, the House concurring, that the Joint Standing Committee on Appropriations and Financial Affairs report out to the Senate a Bill repealing the limitation of interest on bonds authorized but unissued for water pollution abatement (S. P. 660)

Came from the Senate read and passed.

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

The following matters appearing on Supplement No. 5 that were later and today assigned were taken up.

The Chair laid before the House the following matter:

Bill "An Act on Tax Relief to the Elderly (H. P. 1465) (L. D. 1839) which was tabled earlier in the day and later today assigned, pending the motion of Mr. Hewes of Cape Elizabeth to indefinitely postpone.

The SPEAKER: The Chair recognizes the gentlewoman from Bath, Mrs. Goodwin.

Mrs. GOODWIN: Mr. Speaker, I ask that this matter lie on the table until the next legislative day.

Whereupon, Mr. Hewes of Cape Elizabeth requested a vote on the tabling motion.

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

A vote of the House was taken, 43 having voted in the affirmative and 61 having voted in the negative, the motion did not prevail.

The SPEAKER: The pending question is to indefinitely postpone. The Chair will order a vote. All in favor of indefinite postponement of this Bill will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken, 53 voted in the affirmative and 52 voted in the negative.

Whereupon, Mr. Jalbert of Lewiston requested a roll call vote.

The SPEAKER: 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 members desiring a roll call vote will vote yes; those opposed will vote no.

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

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

Mr. RICHARDSON: Mr. Speaker, an inquiry if I may. Is this bill at the enactment or engrossment stage?

The SPEAKER: In the stage of being engrossed and the pending motion is the motion of the gentleman from Cape Elizabeth, Mr. Hewes, that it be indefinitely postponed.

Mr. RICHARDSON: Thank you sir.

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

Mr. HEWES: Mr. Speaker and Members of the House: I would just like to briefly rehash what we said this afternoon on this bill. During the course of the debate, on another amendment, the gentleman from Madawaska, Mr. Levesque, and the gentle lady from Bath, Mrs. Goodwin, both stated

that as I understood it, that the towns, municipalities can't afford the act as it presently is. There have been statements that perhaps a million and a half or thereabouts dollars per year, or three million per annum, may be involved in this bill.

I submit to you that last October first a new bill went into effect by which the elderly received tax benefits and I submit we should give that bill an opportunity to be tested. As I submitted earlier, this particular bill works for the benefit of the one group, the elderly, but conversely everyone else along the line, every breadwinner, wage earner, working man, has to pay a little bit more picking up the share that would have been paid by those elderly that would benefit from this. I submit that at this state of the session where we are nearing adjournment that this particular legislation should be killed at this time and I hope you vote for indefinite postponement.

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

Mr. JALBERT: Mr. Speaker and Members of the House: The thought of having this item tabled until tomorrow or the next legislative action was mainly to discuss possible amendments, which would afford us an opportunity to vote for what I think would be a better bill. I think that this is a very important piece of legislation. We are here and I don't think we should act too hastily on such important legislation as this.

Now, Mr. Speaker, a parliamentary inquiry, since the motion has been made to table, another motion has been made — would a motion to table be in order? Not by me because I have debated the thing, but would a motion be in order?

The SPEAKER: The Chair would advise the gentleman and the House that no action has transpired since the motion to indefinitely postpone, and that was a move to table and it failed.

Mr. JALBERT: Mr. Speaker and Members of the House: If the motion to indefinitely postpone failed, it would then afford us an opportunity to make a motion to table, and I fervently hope that

you will vote for that purpose, that you will vote against indefinite postponement of this very very important piece of legislation.

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

Mr. GAUTHIER: Mr. Speaker, I would like to ask through the Chair to Mr. Susi, the chairman of the Committee on Taxation of the House, if we vote for this bill will that kill Chapter 444 for the elderly which we passed last year that came in effect in October?

The SPEAKER: The gentleman from Sanford, Mr. Gauthier, poses a question through the Chair to the gentleman from Pittsfield, Mr. Susi, who may answer if he chooses. The Chair recognizes that gentleman.

Mr. SUSI: Mr. Speaker, we adopted House Amendment "B" and one portion of House Amendment "B" would repeal Chapter 444, I think the number is, inasmuch as this bill would replace the law which is in effect now.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I would like to be thoroughly honest with the membership of this House. The reason I want the motion to indefinitely postpone not passed is because I want to reconsider the passage of Amendment "B", because it just does what the gentleman from Sanford apparently does not want to have done, and then after we would reconsider the adoption of House Amendment "B", I would move its indefinite postponement and then reintroduce the original amendment as it was. And that is my major reason why I do hope that you do not vote to indefinitely postpone the bill.

The SPEAKER: The Chair recognizes the gentlewoman from York, Mrs. Brown.

Mrs. BROWN: Mr. Speaker, I would like to ask a question through the Speaker if I may, if we vote for Amendment "A" again, go through this procedure again, we will not fund this until the next biennium?

The SPEAKER: The Chair would advise the gentlewoman that House

Amendment "A" was indefinitely postponed on a roll call vote. The bill as it stands now has been amended by House Amendment "B".

Mrs. BROWN: This is not funded either until the next legislative session?

The SPEAKER: The gentlewoman from York, Mrs. Brown, poses a question through the Chair to any member who may answer if they choose.

Mrs. BROWN: I say one thing, if it is not funded until the next legislative session, why can't we vote on this bill at the next term instead of now?

The SPEAKER: The gentlewoman from York, Mrs. Brown, poses a question through the Chair to any member who may answer if they choose.

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

Mr. BENSON: Mr. Speaker and Members of the House: That sounds like a good idea.

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

Mr. LEVESQUE: Mr. Speaker, an inquiry through the Chair if I may, Mr. Speaker.

The SPEAKER: The gentleman may pose it.

Mr. LEVESQUE: Do I understand that the representative from Bath, Mrs. Goodwin, has indicated that this would readily affect the next legislative session? Although the law would be on the books, the appropriations and the schedule for appropriations would have to be made at the next session of the Legislature?

The SPEAKER: The gentleman from Madawaska, Mr. Levesque poses a question through the Chair to the gentlewoman from Bath, Mrs. Goodwin, who may answer if she chooses.

Mrs. GOODWIN: Mr. Speaker and Members of the House: This would just implement the law and it would then be on the books and it would then be funded in the next session. Does that answer the question?

The SPEAKER: The Chair recognizes the gentleman from Chelsea, Mr. Shaw.

Mr. SHAW: Mr. Speaker and Members of the House: As I understand it, this bill would only go into effect for around six months and wouldn't run into a great deal of money. The next session would possibly have to raise a million and a half, or something like that to pay for it. When you get into the session after that, they have to come up with about ten million to pay for this thing.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: If this is the trend of thought, then why should we worry about providing any money to eliminate the 18 per cent ADC? If ever we are going to try to help one segment of society, ignore the other, and then we are going to try to include all those that are just married and they are just starting to raise a family, and all those between thirty and fifty, because they might run into a problem, we are trying to help the people who are not able to work any more. So if this is not important, then the 18 per cent of the ADC is not important, if you are going to look at it purely in the dollar and cents wise ten years from now.

The SPEAKER: The Chair recognizes the gentlewoman from Bath, Mrs. Goodwin.

Mrs. GOODWIN: Mr. Speaker and Ladies and Gentlemen of the House: I think that it should be pointed out that if in the next session this bill were enacted and it were not enacted before April 1st — unless, of course, it was an emergency, people would not be able to get relief under this act until 1972. So we would be postponing relief for these people for a year.

The SPEAKER: The pending question before the House is the motion of the gentleman from Cape Elizabeth. Mr. Hewes, that this Bill as amended "An Act on Tax Relief to the Elderly," House Paper 1465, L. D. 1839, be indefinitely postponed. A roll call has been ordered. All in favor of indefinite postponement will vote yes; those opposed will vote no.

ROLL CALL

YES — Allen, Baker, Barnes, Bedard, Benson, Birt, Bragdon, Brown, Bunker, Carrier, Chick, Clark, C. H.; Clark, H. G.; Crosby, Cummings, Curtis, Donaghy, Durgin, Erickson, Farnham, Hall, Hardy, Haskell, Henley, Hewes, Huber, Immonen, Kelley, R. P.; Laberge, Lee, Lewin, Lewis, Lincoln, Lund, MacPhail, Marstaller, McNally, Millett, Mills, Moreshead, Mosher, Noyes, Page, Payson, Porter, Pratt, Quimby, Rand, Richardson, G. A.; Rideout, Sahagian, Scott, G. W.; Shaw, Snow, Thompson, Trask, Wight.

NO — Bernier, Binnette, Boudreau, Bourgoin, Brennan, Burnham, Carter, Casey, Coffey, Cottrell, Curran, Cushing, D'Alfonso, Dennett, Drigotas, Evans, Fecteau, Finemore, Fortier, M.; Fraser, Gauthier, Goodwin, Harriman, Hichens, Jalbert, Johnston, Jutras, Kelleher, Kilroy, Lawry, Lebel, Leibowitz, LePage, Levesque, Marquis, Martin, McTeague, Meisner, Mitchell, Morgan, Nadeau, Norris, Richardson, H. L.; Santoro, Soulas, Starbird, Stillings, Susi, Temple, Tyndale, Vincent, Wheeler, White, Wood.

ABSENT — Berman, Buckley, Carey, Chandler, Corson, Cote, Couture, Cox, Crommett, Croteau, Dam, Danton, Dudley, Dyar, Emery, Eustis, Faucher, Fortier, A. J.; Foster, Gilbert, Giroux, Good, Hanson, Hawkens, Heselton, Hunter, Jameson, Kelley, K. F.; Keyte, McKinnon, Ouellette, Ricker, Rocheleau, Ross, Scott, C. F.; Sheltra, Tanguay, Waxman, Williams.

Yes, 57; No, 54; Absent, 39.

The SPEAKER: Fifty-seven having voted in the affirmative and fifty-four having voted in the negative, the motion to indefinitely postpone does prevail.

Sent up for concurrence.

The Chair laid before the House the following matter:

Bill "An Act to Appropriate Moneys for Necessary Items and Miscellaneous Changes for the Fiscal Years Ending June 30, 1970 and June 30, 1971" (S. P. 643) (L. D. 1818)

which was tabled earlier in the day and later today assigned, pending passage to be engrossed.

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

The Chair laid before the House the following matter:

Bill "An Act to Appropriate Funds for School Subsidies" (H. P. 1453) (L. D. 1831) which was tabled earlier in the day and later today assigned, pending passage to be engrossed.

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

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

House: In view of the fact that an amendment is being prepared which will be ready for presentation to the body tomorrow morning, I would ask some member of the House to table this until tomorrow morning.

Whereupon, on motion of Mr. Benson of Southwest Harbor, tabled pending passage to be engrossed and specially assigned for tomorrow.

By unanimous consent, the foregoing matters were ordered sent forthwith to the Senate.

On motion of Mr. Richardson of Cumberland,

Adjourned until nine-thirty o'clock tomorrow morning.