

# MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD  
OF THE  
*One Hundred and Twelfth*  
*Legislature*  
OF THE  
STATE OF MAINE

VOLUME I  
SECOND REGULAR SESSION  
January 8 - April 2, 1986

The House was called to order by the Speaker.  
Prayer by Father Arthur St. Pierre, Immaculate  
Heart of Mary Church, Fairfield.  
Pledge of Allegiance.  
The Journal of Friday, February 21, 1986, was  
read and approved.  
Quorum call was held.

February 19, 1986

TO: Speaker of the House John Martin  
FROM: S/Richard Anderson, Commissioner, Dept. of  
Conservation  
SUBJECT: Maine Conservation Corps Annual Report

At this point, the Speaker appointed  
Representative Gwadosky of Fairfield to act as  
Speaker pro tem.

I am pleased to submit to you the second annual  
report on the activities of the Maine Conservation  
Corps (MCC). Once again, the MCC has successfully  
operated a large number of conservation projects  
throughout the state. Many job training agencies and  
public land-managing agencies actively participated  
in, and contributed funds, to the programs.

The House was called to order by the Speaker pro  
tem.

I am proud of the accomplishments of the MCC and  
think it is remarkable the extent to which the  
program stretches its limited General Fund  
appropriation.

PAPERS FROM THE SENATE

Unanimous Leave to Withdraw

Report of the Committee on Taxation reporting  
"Leave to Withdraw" on Bill "An Act to Exempt the  
Spent Nuclear Fuel Disposal Trust Fund from State  
Taxation" (S.P. 730) (L.D. 1867)

Report of the Committee on Local and County  
Government reporting "Leave to Withdraw" on Bill "An  
Act Relating to Burial Preparations for Indigent  
Persons" (S.P. 311) (L.D. 800)

Report of the Committee on Appropriations and  
Financial Affairs reporting "Leave to Withdraw" on  
Bill "An Act to Expand the Maine Job Start Pilot  
Program" (S.P. 709) (L.D. 1834)

Report of the Committee on Aging, Retirement and  
Veterans reporting "Leave to Withdraw" on Bill "An  
Act to Make Survivors Benefits Mandatory for any  
Member of the Maine State Retirement System" (S.P.  
524) (L.D. 1419)

Report of the Committee on Judiciary reporting  
"Leave to Withdraw" on Bill "An Act to Amend Certain  
Judicial Divisions and Districts of the Maine  
District Court Statutes." (S.P. 657) (L.D. 1695)

Report of the Committee on Judiciary reporting  
"Leave to Withdraw" on Bill "An Act Relating to the  
Time of Penobscot Nation Trust Land Acquisition"  
(S.P. 731) (L.D. 1868)

Were placed in the Legislative Files without  
further action pursuant to Joint Rule 15 in  
concurrence.

COMMUNICATIONS

The following Communication:

STATE OF MAINE

Inter-departmental Memorandum

The following Communication:

STATE OF MAINE  
DEPARTMENT OF HUMAN SERVICES  
AUGUSTA, MAINE 04333

February 20, 1986

Honorable John Martin  
Speaker of the House  
State House Station 2  
Augusta, Maine 04333

Dear Speaker Martin:

Enclosed is the first annual Department of Human  
Services Report on the Medicaid program, which has  
been developed in accordance with 22 MRSA §3174B as  
enacted by the 112th Legislature.

We are pleased to deliver this report and hope that  
it will prove informative as the Legislature  
addresses important policy decisions related to the  
program during this legislative session.

Sincerely,

S/Michael R. Petit  
Commissioner

Was read and with accompanying report ordered placed on file.

PETITIONS, BILLS AND RESOLVES  
REQUIRING REFERENCE

The following Bills were received and, upon the recommendation of the Committee on Reference of Bills, were referred to the following Committees, Ordered Printed and Sent up for Concurrence:

Judiciary

Bill "An Act to Amend the Criminal Code to Redefine Victim" (H.P. 1459) (L.D. 2056) (Presented by Representative NELSON of Portland) (Cosponsor: Representative KANE of South Portland) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

(Ordered Printed)  
Sent up for concurrence.

Labor

Bill "An Act to Amend the Law Relating to Group Health Insurance" (H.P. 1460) (L.D. 2057) (Presented by Representative BEAULIEU of Portland) (Cosponsor: Representative HALE of Sanford) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 26)

(Ordered Printed)  
Sent up for concurrence.

Local and County Government

Bill "An Act to Validate Proceedings Authorizing the Issuance of Bonds to Remodel the Waldo County Court Building" (Emergency) (H.P. 1461) (L.D. 2058) (Presented by Representative DRINKWATER of Belfast) (Cosponsors: Representative CROWLEY of Stockton Springs, Senators SHUTE of Waldo and CHALMERS of Knox) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27)

Bill "An Act to Validate Proceedings Authorizing the Issuance of Bonds for a Cooperative Extension Service Facility in Waldo County" (Emergency) (H.P. 1462) (L.D. 2059) (Presented by Representative DRINKWATER of Belfast) (Cosponsors: Representative CROWLEY of Stockton Springs, Senators SHUTE of Waldo and CHALMERS of Knox) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27)

(Ordered Printed)  
Sent up for concurrence.

Taxation

Bill "An Act to Establish a Sales Tax Exemption for Sales to Incorporated Nonprofit Homes for the Elderly" (H.P. 1463) (L.D. 2060) (Presented by Representative DEXTER of Kingfield) (Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27)

(Ordered Printed)  
Sent up for concurrence.

Study Report-  
Committee on Business and Commerce

Representative BRANNIGAN from the Committee on Business and Commerce to which was referred by the Legislative Council the Study Relative to Problems Relating to Property Casualty and Liability Insurance have had the same under consideration and ask leave to submit its findings and to report that the accompanying Bill "An Act Pertaining to the Establishment of Mandatory Risk-sharing Plans" (H.P. 1456) (L.D. 2053) be referred to this Committee for public hearing and printed pursuant to Joint Rule 19.

Report was read and accepted, and the bill referred to the Committee on Business and Commerce, ordered printed and sent up for concurrence.

Study Report-  
Committee on Business and Commerce

Representative BRANNIGAN from the Committee on Business and Commerce to which was referred by the Legislative Council the Study Relative to Problems Relating to Property Casualty and Liability Insurance have had the same under consideration and ask leave to submit its findings and to report that the accompanying Bill "An Act Relating to Cancellation and Nonrenewal of Property and Casualty Insurance Contracts" (H.P. 1457) (L.D. 2054) be referred to this Committee for public hearing and printed pursuant to Joint Rule 19.

Report was read and accepted, and the bill referred to the Committee on Business and Commerce, ordered printed and sent up for concurrence.

REPORTS OF COMMITTEES

Unanimous Leave to Withdraw

Representative SOUCY from the Committee on Education on Bill "An Act to Increase the Daily Compensation of Substitute Teachers" (H.P. 375) (L.D. 516) reporting "Leave to Withdraw"

Representative PRIEST from the Committee on Judiciary on Bill "An Act to Limit the Liability of Property Owners Relative to Snowmobiles and ATVs" (H.P. 1338) (L.D. 1875) reporting "Leave to Withdraw"

Representative PAUL from the Committee on Legal Affairs on Bill "An Act to Allow Minors to Enter Class A Liquor Lounges" (H.P. 1305) (L.D. 1821) reporting "Leave to Withdraw"

Were placed in the Legislative Files without further action pursuant to Joint Rule 15 and sent up for concurrence.

#### Divided Report

Majority Report of the Committee on Marine Resources on Bill "An Act to Conserve Striped Bass" (H.P. 1213) (L.D. 1720) reporting "Ought to Pass" in New Draft (H.P. 1448) (L.D. 2041)

Signed:

Senators: CHALMERS of Knox  
BROWN of Washington

Representatives: RICE of Stonington  
MANNING of Portland  
RUHLIN of Brewer  
COLES of Harpswell  
MITCHELL of Freeport  
CROWLEY of Stockton Springs  
VOSE of Eastport

Minority Report of the same Committee reporting "Ought Not to Pass" on same Bill.

Signed:

Senator: SHUTE of Waldo

Representatives: CONNERS of Franklin  
SALSBURY of Bar Harbor  
SCARPINO of St. George

Reports were read.

On motion of Representative Crowley of Stockton Springs, the Majority "Ought to Pass" Report was accepted, the Bill read once and assigned for second reading tomorrow.

#### Divided Report

Majority Report of the Committee on Fisheries and Wildlife reporting "Ought to Pass" as amended by Committee Amendment "A" (H-522) on Bill "An Act Pertaining to Local Registration of Watercraft" (H.P. 1216) (L.D. 1724)

Signed:

Senators: MATTHEWS of Kennebec  
USHER of Cumberland

Representatives: WALKER of Norway  
ROTONDI of Athens  
ERWIN of Rumford  
JACQUES of Waterville  
WEYMOUTH of West Gardiner

GREENLAW of Standish

Minority Report of the same Committee reporting "Ought to Pass" as amended by Committee Amendment "B" (H-523) on same Bill.

Signed:

Senator: WEBSTER of Franklin

Representatives: CONNERS of Franklin  
CLARK of Millinocket  
DUFFY of Bangor

Reports were read.

On motion of Representative Jacques of Waterville, the Majority "Ought to Pass" Report was accepted and the Bill read once.

Committee Amendment "A" (H-522) was read by the Clerk and adopted.

The Bill was assigned for second reading tomorrow.

#### CONSENT CALENDAR

##### FIRST DAY

In accordance with House Rule 49, the following items appeared on the Consent Calendar for the First Day:

(H.P. 1292) (L.D. 1809) Bill "An Act to Improve Whitewater Rafting" Committee on Fisheries and Wildlife reporting "Ought to Pass" as amended by Committee Amendment "A" (H-526)

(H.P. 1246) (L.D. 1756) Bill "An Act to Amend the School Construction Law" Committee on Education reporting "Ought to Pass" as amended by Committee Amendment "A" (H-528)

(H.P. 1205) (L.D. 1712) Bill "An Act Regarding Utility Assessments" Committee on Utilities reporting "Ought to Pass" as amended by Committee Amendment "A" (H-529)

(S.P. 560) (L.D. 1489) Bill "An Act Authorizing Mutual Financial Institutions to Reorganize into Mutual Holding Companies" Committee on Business and Commerce reporting "Ought to Pass" as amended by Committee Amendment "A" (S-376)

(S.P. 747) (L.D. 1911) RESOLVE, Authorizing the Sale of Certain Public Lands in Lewiston Committee on State Government reporting "Ought to Pass"

(H.P. 859) (L.D. 1218) Bill "An Act to Amend the Medical Examiner Act and Related Provisions" Committee on Judiciary reporting "Ought to Pass" as amended by Committee Amendment "A" (H-530)

There being no objections, the above items were ordered to appear on the Consent Calendar of Tuesday, February 22, 1986 under the listing of Second Day.

#### CONSENT CALENDAR

SECOND DAY

In accordance with House Rule 49, the following items appeared on the Consent Calendar for the Second Day:

(S.P. 755) (L.D. 1919) Bill "An Act to Allow the Maine Maritime Academy to Participate in the New England Regional Student Program"

(S.P. 663) (L.D. 1700) Bill "An Act to Continue Protection and Advocacy Services at the Current Level" (Emergency)

(S.P. 696) (L.D. 1782) Bill "An Act Concerning the Conservation and Preservation of Unique State Historical and Library Research Material"

(H.P. 1206) (L.D. 1713) Bill "An Act to Amend the Date on Which Quarterly Campaign Reports are Due" (C. "A" H-515)

(H.P. 1371) (L.D. 1935) Bill "An Act to Clarify the Provisions Relating to the Proration of Property Taxes"

(H.P. 1233) (L.D. 1742) Bill "An Act to Fund Elderly Legal Services in Northern and Eastern Maine Communities" (C. "A" H-517)

(H.P. 1333) (L.D. 1870) Bill "An Act to Amend the Quarterly Reporting Requirements for Municipalities not Receiving General Assistance Reimbursements" (C. "A" H-518)

(H.P. 1226) (L.D. 1733) Bill "An Act Relating to the Surplus Lines Insurance Law" (C. "A" H-519)

(H.P. 1301) (L.D. 1817) Bill "An Act Regarding Funds Generated by the Sales of Duck Stamps and Prints" (C. "A" H-521)

(H.P. 1251) (L.D. 1761) Bill "An Act to Expand the Maine Conservation Corps" (Emergency) (C. "A" H-524)

(H.P. 1204) (L.D. 1711) Bill "An Act Relating to Public Utility Service Charge Liens" (C. "A" H-525)

No objections having been noted at the end of the Second Legislative Day, the Senate Papers were Passed to be Engrossed in concurrence and the House Papers were Passed to be Engrossed or Passed to be Engrossed as Amended and sent up for concurrence.

PASSED TO BE ENGROSSED

Bill "An Act Concerning Required Request for Organ Donation" (Emergency) (H.P. 1444) (L.D. 2036)

Bill "An Act to Establish a One-day Fishing License" (H.P. 1449) (L.D. 2042)

Bill "An Act to Clarify Sales of Surplus Vehicles at State Auction" (H.P. 1450) (L.D. 2047)

Were reported by the Committee on Bills in the

Second Reading, read the second time, Passed to be Engrossed, and sent up for concurrence.

(At Ease)

At this point, the Speaker resumed the Chair.

The House was called to order by the Speaker.

ORDERS OF THE DAY

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

Bill "An Act to Change Martin Luther King Day from a Special Observance Day to a State Holiday" (Emergency) (H.P. 1335) (L.D. 1872)

- In House, Bill and accompanying papers indefinitely postponed on February 12, 1986.

- In Senate, Report "A" - "Ought to Pass" as amended by Committee Amendment "A" (H-500) read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (H-500) as amended by Senate Amendment "A" (S-377) thereto in non-concurrence.

TABLED - February 21, 1986 by Representative GWADOSKY of Fairfield.

PENDING - Further Consideration.

The SPEAKER: The Chair recognizes the Representative from Fairfield, Representative Gwadosky.

Representative GWADOSKY: Mr. Speaker, Men and Women of the House: I move that the House recede and concur.

The SPEAKER: The Chair recognizes the Representative from Bangor, Representative Diamond.

Representative DIAMOND: Mr. Speaker, Men and Women of the House: It has been almost two weeks since this body debated the issue now before us. In the time following that debate, a lot has happened. I can't think of any issue that has come before the legislature in the past few years that has generated so much public discussion following an action of the legislature as has this issue. It might have been a tax issue, it might have been a road issue or a highway issue, I don't know, but I can't think of anything that has generated as much public outcry and concern as the issue that we are about to take on. It is not just the action of this body that caused the concern, it was the manner in which it was debated, but most importantly, it was the manner in which some members of this body, and more notably members of the public, reacted to the action of the legislature.

As many of you did, I looked at the Record after the debate. I was concerned that what I had been reading in the press and hearing in the halls was not quite what was said on the floor. I have to admit when I looked at the Record, I was dismayed with some of what I read. I was concerned with the implications of what I heard and also the

implications for this particular piece of legislation. I also, in reading that Record, realized one very important factor that made me feel a little better. Maybe it comes from knowing members of this body better than maybe some members of the public do. I realized in reading what was said on the floor, that the intentions of those that spoke, both for and against this bill, were not necessarily what was interpreted by the public. That happens, and there is nothing that we can do about it.

I think that on an emotional issue such as this, sometimes our emotions get the better of us and in reading that, I realized that some very well meaning people, both in support of this bill and opposed to this bill spoke - spoke their convictions, spoke their beliefs, but did so trying the best as they could to represent the people of their district. We are a citizen legislature. We are made up of doctors, nurses, every walk of life is represented, even a handful of lawyers. Surprisingly we are not professional politicians in the conventional sense of the term. We are not professionally trained communicators; we do not speak like Churchill, like Roosevelt, or even like Ronald Reagan. We see flashes of that everyday in members of this body, but for the most part, none of us can do so consistently.

The public though has a different standard for us, unfortunately, and sometimes it is a little unfair. It is to our credit though that they have that standard, that they really feel as though we are people who, with every word, speak our convictions in the most articulate and lucid manner. They have a standard of eloquence for us that I think is something hard for us to match and hard to cope with. I think that the debate of the other day was an example of that. The fact that we spoke to an issue that did deal with our emotions in which we felt very strongly was interpreted by those who pay casual attention to the legislature as reflecting something other than what we discussed.

I think that as a result of that debate some very unfair things were said about members of this body and I think that it is sad and some of those things were very offensive. I know the people in this body very well and I know that their vote back two weeks ago and their vote today, regardless of the outcome, are going to be based on what they feel should be the proper direction of this state, what they feel should be the future of this bill and not one based on any prejudice or bias on the part of anybody in this body and any person in this state.

There is a lesson to be learned from last week - a hard lesson, but a true one. As we have seen, sometimes our best intentions are often misinterpreted, they are questioned, they are criticized. We might have the most noble of purposes; yet they are often denigrated by those who can't believe that we could be that noble. Such was the case with Martin Luther King during his struggles in the sixties. Here was a man who had a very simple message. He wanted to use his constitutional rights to make sure that everybody in this country got the same protection, that the millions of people who were being denied their civil rights by the majority in this country were entitled to the same guarantees that the constitution provides. It was a very simple message; yet it was one that was clouded with confusion, anger, bitterness and hatred. It wasn't until after Dr. King's death when we could sit back, reflect, and look at the so-called "bigger picture"

that we understood what he was trying to say. There are people in this country who still don't hear that message and don't understand it but at least the numbers are growing of those who do.

This legislature has an opportunity today to take action on a bill that I believe deserves our support. It reflects a number of things. First of all, it honors a person who without doubt changed the face and the direction of this nation. Nobody can deny that. It reflects an American citizen's efforts to change society, not a politician, not a military hero, but an American citizen who brought about change, inspired millions of people and bettered America because he took action simply by exercising in a peaceful way his constitutional rights.

It also does more. I think this bill and the day that it would hope to establish would create a day that allows us to reflect on the two hundred years of American history - our struggle, the struggle of all to maintain and respect the rights of all, not just a few, but all. That effort is best personified, I believe, by the efforts of Dr. Martin Luther King. But there is another thing that I think it can do, and I think that in light of last week's action, we have to keep this in mind as well - I think often in life sometimes the apparent righteousness of our action and our beliefs tend to stifle and trample the sincere motives and spirit of people who have the same goals that we have, who are trying to accomplish the same thing but possibly in a different manner.

Our unwillingness to deal with their different approach or the differences among us allows that to happen. I think in the debate two weeks ago we saw that the emotions that took over sometimes clouded our ability to understand what members of this body were trying to say. Members on both sides of the issue all want fairness, all want equality, all want some recognition. At that time, we were not sure of what approach to take. As time allowed us to better understand what Martin Luther King was all about and what he spoke for, I hope that time has allowed us to better understand the question now before us.

I think if we focus on the real issue today, we are going to be setting a good example for those generations to come, lessons that they can learn from and grow from, and in order to do that properly today our focus has to be on one thing - it is on the value of the lessons that we learned from Martin Luther King and others who fought with him. If we focus on that and nothing else, this state will be a better place for all.

The SPEAKER: The Chair recognizes the Representative from Cumberland, Representative Dillenback.

Representative DILLENBACK: Mr. Speaker, Men and Women of the House: I think we all honor Dr. King and I agree with many of the statements of the gentleman that just spoke. I am very proud of this House and the quality of debate that we have had. It hasn't been as bad as has been indicated in the papers. We have a higher threshold here, but I am going to have to approach this vote today on the basis of a business man's attitude. You know, we have to have in this state monies to do what we want to do. Maine has one of the highest state and local taxes in the country. The State of Maine has \$309 million dollars in bonded debt, we have \$700 million dollars in debt for the housing program, moral obligation bonds. The prisons are asking for several million dollars right now.

What we need is to honor Dr. King and we are doing it. We have a national holiday, we have a state law on the books which now states that the schools are supposed to recognize Dr. King, they are supposed to teach about Dr. King and I am sure that they are doing it. Why is it so important that we be the twenty-sixth state to have a national holiday or have a holiday for the state? It isn't necessary, we have everything we need right here. I hope that the people that speak today will realize that there is not one vote going to be changed. We have two opposite positions here today and I don't think that it is necessary to debate this. So I hope that we keep it on a high plane and I hope that you will stick to your vote.

The SPEAKER: The Chair recognizes the Representative from York, Representative Rolde.

Representative ROLDE: Mr. Speaker, Men and Women of the House: I was silent the other day during the marathon debate that we had on this bill. I am not sure that I can add a great deal that is new, but I did want to share with you an experience that I had last summer that points out why I am going to vote for this bill today.

As many of you know, I like to travel and last summer I was overseas. One night in a cafe in Paris, France I was talking with some people, some of them students from Third World countries. Also getting into the conversation in the way that commonly happens at a Parisian cafe, was a Communist. When I say Communist, I mean Communist -- not one of your dewey-eyed liberals who professes socialist principles, but the hard core, card-carrying militant whose life is dedicated to the proposition, that only by destroying the capitalist system can the world live in happiness. Naturally, the number one obstacle to that goal is the United States, so this individual tried to tear our country apart in the eyes of those students. Since they are not white, he of course started in on the racial policies of the United States claiming we were a racist country where blacks and other minorities were heavily persecuted and suppressed.

I let him go on for awhile. I could see that he was making some points and then I just said, well if the United States is such a racist country, how come we celebrate the birthday of Martin Luther King Jr., as a national holiday? Then, looking at the faces of those students, I knew that I had scored the most telling point. As a historian, albeit an amateur one, I know that the racial problem in America has until very recently been the major flaw in our democracy. It was a problem that bedeviled the founding fathers and the framers of the Constitution. I do not have any less respect for George Washington or Thomas Jefferson or James Madison because they were slave holders or because they continued the institution of slavery in the Constitution or even because, in trying to determine how to weigh the population of the southern states, they decreed that a black human being would be considered three-fifths of a person. Those were the times they lived in.

But we today live in different times. We live in times where the entire world is interconnected and becoming more so every day. The population of that world, I would remind you, is more than two-thirds non-white. Our country is in a global competition to win the friendship, support and respect of those peoples who are so different from us. The United

States of America presents a unique picture of interracial striving to the world of a society that is integrating and coming together peacefully and sometimes painfully. We have far to go but the distance that we have come simply in my lifetime, from the days when I went to school in Florida -- and we had apartheid within our own communities -- is staggering and a reason to stand up for our nation with great pride.

I realize that my communist opponent in our mini debate in Paris would never be able to come back and say -- "You may have the Martin Luther King holiday in your country, but you don't have it in your own state." No, he would never know enough to be able to say that, but for my part in a private way, I would like to be able to be as proud of my state as I am of my country. That is why I am going to vote for this bill.

The SPEAKER: The Chair recognizes the Representative from Gorham, Representative Brown.

Representative BROWN: Mr. Speaker, Men and Women of the House: I have seen a lot of lobbying going on in the halls on this subject and I received two phone calls over the weekend. Both callers said, "stick to your guns and vote against making a holiday for Martin Luther King." I don't change my vote from being lobbied or from other pressures. There is only one thing that changes my vote and that is when my constituents ask me. I sent out questionnaires and this was one of the questions on it. The people in my district appreciate having an opportunity to express their opinion through me and responded quite well to my questionnaire. I counted them over the weekend on that one question. The response was 209 yes; 160 no; 30 undecided. So therefore, I will vote to make Martin Luther King Day a state holiday. But in my opinion, Abe Lincoln deserves to be honored and have his day set aside as a holiday more than any other person. I remember him as a man who fought to preserve the Union and make equality live for all and I believe in that.

I remember a song that I used to sing when I went to Sunday school -- and I am not going to sing it today, so don't be frightened -- but it said "red and yellow, black and white, they are precious in His sight. Jesus loves the little children of the world." I have always remembered this. My previous vote was not because of racism -- my only feeling, when I voted against this before, was because of the economic situation.

The SPEAKER: The Chair recognizes the Representative from Mt. Desert, Representative Zirkilton.

Representative ZIRNKILTON: Mr. Speaker, Men and Women of the House: Like Representative Rolde, I would like to share an experience with you that I had. Each day when this body meets, we begin with a prayer and often whoever offers that prayer prays for us to have guidance. I don't always pay as much attention to that as I should, but last Friday, I did. When I went home, because this issue is so emotional, I laid there in bed that night, staring off into the darkness and I asked for guidance and some thoughts came into my head and I wrote those thoughts down. If you will bear with me, I would like to read them to you because they sum up my feelings about this issue.

Historically, the United States has been blessed with individuals who rise when needed to champion a cause they believe in with all their heart and soul.



They are driven by a compelling need to change an injustice which, for some reason, has been overlooked or, in some cases, even embraced by our political leaders and society as a whole. These great Americans are not swayed by the fear of leaving the mainstream; instead they become more determined and, as their words and ideals begin to gain grass roots support, a part of society feels threatened. It feels threatened by change, by a fear of the unknown. Surely these leaders must have realized they were endangering their lives and the lives of their loved ones. I believe they did, but their deep-rooted desire for social justice was far too strong to succumb to the simple emotion of fear. This is the kind of character shed by many of America's greatest, and even though their bodies have been silenced, their dreams live on in all of us.

When I think of racial equality in this country, I think of President Lincoln who a century ago allowed our nation to become divided and go to war with itself, because, like our founding fathers, he believed that all men are created equal. President Kennedy and his brother Robert recognized a century later that racial discrimination was still rampant in many parts of our country. Congress then passed legislation so no black American could ever again be legally forced to sit in the back of the bus. And of course, Dr. Martin Luther King, Jr., who dared to venture where few black men had ever been before because he had a dream, and because like these other men he possessed the quality to overcome the fear of failure with the knowledge of what was right. I don't believe Dr. King's dream ever included personal recognition or reward. Like so many other great Americans, he was a servant of the people.

In last week's editorial of the Bar Harbor Times, the last paragraph read, "Only when the King holiday becomes official, marked by schools and businesses closing, will we finally be paying more than lip service to the ideals that King lived and ultimately died for" — do we honestly believe that Dr. King would be happy with a holiday in his name, knowing that in America's inner cities the number one cause of death for black teenagers is murder? Nearly 50 percent of the black children in this country are born to unwed mothers. The unemployment rate for black people is consistently higher than the rate for white people.

The United States Congress passes a bill to honor Dr. King's birthday, while at the same time, considering cuts in education for under-privileged children.

I believe that passing the King legislation and sending our children home from school to the television sets and the video games in honor of a man that many of our younger children have never heard of would, indeed, be paying nothing more than lip service. To the dreams of a man that I believe would agree, if he were alive today, that we have come a long way but we still have a long way to go.

Dr. King always stressed the need for education. He believed it was the answer to many of society's problems and it was the only answer for many minorities to compete for good jobs in our society. I believe that he was right. In a time when our nation's educational system has been criticized for graduating students who can neither read nor write — it would make little sense to deprive our children of one of Dr. King's most important goals, access to equal education for all Americans. The greatest

tribute that this country could ever give to Dr. Martin Luther King's memory would be to send our children to school, set the English and Math books aside for a day and, instead, spend the time learning and talking about the problems that minorities have faced, not only throughout history, but in today's world as well. This would ensure that Dr. King's dream would always be a day of thought to our children and their children and not just a misunderstood day off for centuries to come.

The SPEAKER: The Chair recognizes the Representative from Old Town, Representative Paradis.

Representative PARADIS: Mr. Speaker, Men and Women of the House: I voted in opposition to this bill the first time that we had it before us. Today, I will be changing my vote. I will be voting in support of the bill.

The rhetoric that has gone on here this morning has been excellent and the plane of discussion has been very high on this bill and has been very moving but I have had occasion to think in the past two weeks, as I am sure that many of you have, and it has not been a lobbying effort because I have resisted that lobbying effort and I found what has been placed against me to be very offensive. It has been my own concern for this bill that made me recognize that I had erred in the way that I voted.

I have marched with people, not only the blacks but with all minority groups in the service. I made it my lifetime vocation and I assure you that they have served honorably and with all the dignity of any person who subscribed themselves or submitted themselves to the call of the flag. I think, for that reason and since Dr. Martin Luther King himself marched down through the South and called attention to the plight of his people, all of us, our American Indians, our French, our Italians and all of our other ethnics in this nation have profited by it. So, today I will be changing my vote. I hope that some of you will follow me.

The SPEAKER: The Chair recognizes the Representative from Durham, Representative Hayden.

Representative HAYDEN: Mr. Speaker, Men and Women of the House: I wanted to rise today to give you two thoughts that I have had that I think are worth considering before you make your vote today.

The first thought is this question, "what about others who are American heroes, who individually we may hold to a very special status." What about Abraham Lincoln, for example? The conventional answer is of course is Abraham Lincoln's birthday and the honor that we hold him in is held under the umbrella of President's Day but I think for all of those who honor him, everybody in this body, for example, that doesn't seem like a very good answer. The fact is that we have holidays to honor people, not just because of them — Abraham Lincoln stands for many things more than just himself, he is just one President of the United States. That is also the case of Dr. Martin Luther King, Jr. — there are people in the House, there are people in the state who fundamentally disagree with some of the things that Dr. Martin Luther King said, with some of the things that he stood for. There is hardly a person in this House or in this state that wouldn't agree that the way we have treated the black men, women, and children in our country is our blackest chapter. I think there is almost no one who would disagree with the fact that, out of that blackest chapter, has come some of our greatest acts of courage and of

patriotism, that we have tried to deal with that fundamental wrong. That is a great part of what Dr. Martin Luther King stood for.

The gentleman from Mt. Desert, Representative Zirkilton, asked for guidance -- well, I submit that all of us ask for guidance -- people have been asking for guidance on this issue for a long time. I guess they get different guidance and they come up with different conclusions.

I think the things that Dr. Martin Luther King stood for are not done. The things that the American Revolution was fought for -- they haven't all come to pass. The things that our heroes all fought and died for haven't come but they stand for our hopes, they stand for our dreams. Dr. Martin Luther King doesn't have a holiday just for him -- he has a holiday for those principles. I think that that is what many of the people that will ultimately decide to vote for this holiday will cast their vote for. I think that that is very important to remember.

It is a practical issue, too. We have a practical job to do here. Many people in the House and the other body and throughout the state had some concern because of the effect this holiday may have on business, the cost of it. I think that is an absolutely valid consideration. The status of the bill, as it has changed and come back to us, answers many of those questions. Now this bill puts the decision of what to do with this bill, in terms of a holiday, in the hands of the business men and women that have to make it. I think that is where it should be. We are making the decision that this day is a holiday. What the business people in this state want to do with their employees and their businesses is their private decision. We are not forcing anything upon them. I think that is the way it should be.

It is the way it happened, incidentally, with the President's Day. This is not a holiday that makes us choose between Abraham Lincoln and Martin Luther King -- it is not a holiday that makes us have to take a loyalty oath on behalf of everything that Martin Luther King said or even did but it is a holiday that gives us and the people that we represent a chance to make some statement for the things that this man has come to stand for. They are bigger than he is, they are bigger than any of us. That is what happens to a few chosen people in our history. It is what happened to Abraham Lincoln.

I think it is for that reason that the fact that there are still things left undone doesn't prevent us from voting for this bill. It is also the reason that we may disagree with some things that Martin Luther King said or did -- it doesn't prevent us from voting for this holiday. It is for that reason I am going to support this legislation. I know it is for that reason that some number of you have elected to change your votes in support of it. I think those are worthy thoughts and ideas and are worth our careful consideration.

The SPEAKER: The Chair recognizes the Representative from Damariscotta, Representative Stetson.

Representative STETSON: Mr. Speaker, My Fellow Representatives: I would like to address an argument that was made by the Representative from York on the question of history because I think that Maine need not apologize to anybody for its history and for its conduct through the years. Let us remember that in 1820 Maine became a free state and Missouri became a

slave state. Let us remember that General Howard from Maine founded Howard University in our nation's capitol. Let us remember that the State of Maine gave harbor to the slave, Agamenticus, who escaped from Georgia. No, the State of Maine does not have to apologize to any one, whether he be Communist, foreigner or anyone else. The State of Maine stands high and proud. I believe that Maine does not experience the kind of guilt that has been suggested here -- the kind of guilt that some of us would atone for in making this a state holiday.

I would like to comment just a moment on the question of the business holiday and point out that a business holiday does not affect our hospitals, who will not be given the opportunity to decide whether it is a holiday or non-holiday -- my little hospital down in Damariscotta is going to experience about a \$9,000 a year cost for another holiday so it is not all that simple to say, "Oh no, it is not going to cost the State of Maine anything."

I just think we ought to keep things in perspective and I think we ought to recognize the fact that the State of Maine joins the nation in celebrating Martin Luther King Day as a national holiday. The State of Maine has made it a special observance day within our school systems.

Mr. Speaker, when we vote on this issue, I ask for a roll call. I intend to stay with my vote against this bill.

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At this point, the Speaker appointed Representative Gwadosky of Fairfield to act as Speaker pro tem.

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The House was called to order by the Speaker pro tem.

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The SPEAKER PRO TEM: The Chair recognizes the Representative from Eagle Lake, Representative Martin.

Representative MARTIN: Mr. Speaker, Men and Women of the House: First let me get the facts out of the way. This will not mean any added costs for the Damariscotta hospital and unless the trustees so wish to grant that request, nothing will change.

To the Representative from Cumberland, Representative Dillenback -- there will be no added costs for the business community unless they wish to give it. The state will have no extra costs either unless the state wishes to negotiate that into the contract. That is basically the way in which we are debating this issue now. So do not be led to assume that this means anything to you. There is one area which in fact would be mandation and it would be in dealing with state banks that would remain open if this bill does not pass, while federal banks will be closed under the federal holiday.

What brings me to my feet here today are the remarks of the Representative from Damariscotta, Representative Stetson, that the history of Maine is a proud one, that we ought not to be ashamed. I speak as one of those whose ancestors became part of Maine, not by choice but by decision of the Webster-Ashburton Treaty in which the St. John Valley became part of Maine in 1842. My grandparents and great-grandparents had no choice in the matter, they

found themselves on the American side. So, it was not a choice which they took lightly and they fulfilled those responsibilities, in my opinion, fairly well. But to say that our history is a proud one in regard to those people is an affront to the people of my ancestry.

For a moment I would like to quote to you the history of Aroostook written by Wiggins. After you are done listening to me, I would ask those, especially whose relatives come from the St. John Valley and who have ancestry there still to this day, to keep these words in mind and to listen carefully to what I say. The author is describing the Upper St. John and I will skip over part of it because some of it is not necessary. "In the northern part of Aroostook is a large French population, a part of whom are descendants of the old Acadian refugees and a large portion emigrants from Canada and their descendants. These people, though American citizens and constituting a portion of the permanent population of the state, are, nevertheless, in many respects a distinct and separate community and will remain so to a great degree for many years to come."

Then he describes the Swedish Scandinavian people of Central Aroostook and how they have merged into the society of Central Aroostook. "With the French, it is entirely different. They are not only of another nationality and with language, manners, customs and traditions different from ours, but they are of a different race also. They are of the Latin race which is not readily grafted upon Anglo-Saxon stock and hence are not readily merged into the general mass of the population of this region. There are, of course, instances more or less frequent of intermarriage between the French and native Americans and, in some cases, the distinct characteristics seem in a great measure to disappear in the next generation, but as a rule, the lines of race are clearly marked amid the general population of the County as are the lines of the Gulf Stream in the midst of the waters of the Atlantic."

For many years, the French have been inhabitants of Canada, but they are a separate people and the Anglo-Saxons have not yet been able to absorb them into a common nationality. The manners, customs, traditions, dress and language of the people along the St. Lawrence are still largely those of France, rather than those of England or America, and such they will continue for many years."

Then he describes the people. Remember that these people were known as people of Madawaska, which meant the entire region. "The people of Madawaska, as this whole upper country settled by the French is called, are simple minded, light hearted, pleasure loving class, of kindly and most hospitable manners and peaceable and law-abiding in their general deportment. Their tastes are simple and their wants comparatively few and apparently easy to be supplied. They are a peculiarly social people and love to assemble in large numbers for the enjoyment of their innocent pastimes, or for the celebration of their religious fetes. Music and dancing have great charm for them and they are naturally pleased with gay colors, both in dress and in the pictures with which they love to adorn their houses. Their diet is simple and they are, in no way, given to extravagance in the matter of food or drink." I could go on and on and on but I don't think I need to say too much more or read too much more.

This was written by Edward Wiggins in the year

1922, not 1820.

Let me just follow up with this because I had to ask myself the question, why am I for Martin Luther King Day? I started to think, not only of this book, of what I had read when I was a college student but of other things as well, and I remember as a child of ten coming home and hearing some of my friends talking about a neighbor getting married to someone who didn't live in my community. I went home and told my mother that I had just heard the next door neighbor was marrying a "tete de pioche." For those of you who do not understand the French language, the translation of that is "head of the hoe." It has no meaning to you but in French it is a very derogatory term, which means basically one of disgust of marrying someone who was an outsider who didn't understand the language, who did not understand French, etc. My mother said to me, "if I ever hear you say that again, you are going to pay for it."

I had to go back to the history of my community to see when there were three mills in my hometown. They were owned and run, for the most part, by people from Augusta, the Martin's and the Burleigh's, no relation to me. Basically, they ran the town meetings since there was no Australian ballot and any employee that voted against the company and the position of the company and the selectmen put up by the company would not have a job on Monday morning. As you look at the history and the names of the selectmen of my hometown, ironically you will see they were 95 percent French electing people that were not French but they were employees and usually the managers of the company -- the selectmen to run the community.

Then I remembered another incident, one when I became a student at the University of Maine, now Orono, in the early 60's, and I frankly didn't know what discrimination was personally until then, but I found out. I was lucky. I was one of those whose last name they couldn't tell the difference so I had one advantage over some of you in this room. It was amazing to me to find out that, for the first time, I was not, as the Representative from Lewiston, Representative Handy, discussed in the debate last time --- we were homogeneous in this state. I was homogeneous in my hometown, 99 percent. A French Canadian of French Canadian descent. I didn't realize what could happen in a community that was not like that but I found out, not so much to myself as I found out what happened to students whose last names were Michaud and Paradis and what would happen to them in the classroom. Don't tell me that it didn't happen because I was involved in going all the way to the Board of Trustees with the issue when I was a student. It is on the record.

Then I said to myself, if discrimination can occur at whatever level, it can occur anywhere. I don't think that, at this point in time, it is an issue necessarily of hatred or it may not even be fear of the unknown, but more important than that, look at everyone else in this room and look at yourselves perhaps more than any other. We tend to stick with people that we feel the most comfortable with or about, whether it be the same age, the same color, the same religion, the same whatever. There is always that little bit that we are not sure of when we deal with someone that we haven't known for any length of time. That is fear, basically, of not knowing what our fellow person next to us is like.

Now, Martin Luther King Day isn't going to solve

any of that, directly and immediately but what it will do is this — it will help us, hopefully, to remind us that discrimination can occur to all of us, to each one of us in this room. At some point in our lives, each one of us in this room has discriminated. I was thinking about that last week and I said to myself, I have got to go beyond. I have to find help if we want to pass this bill because it simply, in my opinion, has a lot of people voting against the bill for legitimate reasons, not because of bigotry, not because of racism, but for legitimate reasons as they perceive them. So I did something that I, quite frankly, have never done, I sought help.

I called a Republican. I called Congressman McKernan on Thursday. I also talked to Senator Mitchell so there is no problem there. I talked specifically of what was the position of the delegation when the issue was voted on in Washington. How did they vote? I found that all four members of our delegation had voted for the national holiday. After I found that out from Senator Mitchell, I called Congressman McKernan. I said, "I need your help" and at which point he laughed. I said, "I will tell you why, we need some votes, and I think you can help us. You can help basically try to tell the people of Maine why it was that our Maine delegation, who represents the same people, by the way, voted for the bill. Yet, we in Maine, who represent the same people as the four of you did, did not. Is there a difference? Are we representing different people?" He assured me that he would help, for which I was very pleased.

As thoughts come through my mind, I need to tell you one other thing. A lot of people have said, "why don't we do something with Abraham Lincoln? Why don't we commit ourselves to a national holiday?" I, for one, stand ready to do that. The Lincoln holiday was killed in the U.S. Senate by representatives of the South when it came to a vote, not by the Northern vote, and that is why it is not what it was or ought to be. We ought not to use that kind of approach to find reason for our own failure to vote for enactment of this legislation. If the South killed Lincoln's birthday and everything that Lincoln stood for, let us not be the reason in a northern state why we would be the one's to kill the recognition of Martin Luther King Day in Maine.

So, I implore you to consider the possibility, even if you have never met a black person, even if you don't know one, even if you don't like one, even if you don't like a French person, whatever it is. Do it with one thought in mind — that it is and will be a symbol to prevent discrimination and to think about the causes of discrimination in this state for the future.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Lewiston, Representative Aliberti.

Representative ALIBERTI: Mr. Speaker, Men and Women of the House: It is with great sensitivity to Dr. King that I choose to address this body. I choose not, I repeat not to debate the merits of honoring Dr. King; on the contrary, I rise to honor Dr. Martin Luther King, Jr. in a manner consistent with his widely known philosophy, that of peaceful resolution.

The designation of a holiday for Dr. King is rapidly becoming an issue of division and selfishness. This body is being asked to honor Dr. Martin Luther King, Jr., not to raise doubts about

his greatness, there are those who want to honor themselves rather than the greatness of the beloved Dr. Martin Luther King Jr. — another holiday for themselves for whatever reason. Make no mistake about it, their objective, whether it is now or later, is a holiday, period.

The dream, the great dream, is turning into a nightmare losing all the meaning of the original intent to honor and commemorate for posterity the "I had a dream" message to mankind. Let us edify and glorify Dr. King in its proper perspective, a day of honor concentrated in the schools, in the banks, in industry, in business, in the temple's, everywhere where the spirit of sacrifice with greater direct honor — not a day off that requires and encourages no one one iota of selfishness and support of a great dream. Is Abraham Lincoln, is Washington Carver, is Booker T. Washington, is F.D.R., J.F.K., R.F.K., is Sergeant York, Sergeant Bassalone, is Samantha Smith, is Crista McAuliffe and the astronauts mourned and revered and respected less because there is no holiday? You know the obvious answer.

Future generations will always remember and honor our great one's in their own private way. A so-called holiday does not increase their greatness. Let us commemorate, venerate and generate a spirit of giving in an unselfish spirit of this day, one of commemoration, Dr. Martin Luther King, Jr. I will go to the temple in the day that is honored in your name with bowed head and bended knees and give thanks.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Orono, Representative Bost.

Representative BOST: Mr. Speaker, Men and Women of the House: As hard as it is to follow Speaker Martin, I will attempt to reiterate some important points. No issue in recent memory, as Representative Diamond spoke of as he lead off the debate, has raised such storm of public editorial and legislative comment as this issue of establishing Martin Luther King Day in the State of Maine.

I don't believe that public comment has been reflective of the true spirit of this legislature and of members that comprise it. Charges have been levied at colleagues of mine, which I feel may distort their intentions and distract from the real issues. I hope today that we can get beyond that.

Our decision today will not only be watched by Maine people but by people across this country, who look at Maine and its long history of independent spirit and equality for all its citizens.

It has often been said, "As Maine goes, so goes the nation." We have a responsibility to maintain that spirit. What better way to maintain that spirit than to honor a man who embodied those very principles which we hold dear.

It has been alleged that there is a cost involved in this endeavor and that that cost is somehow prohibitive. I submit to you that a far greater cost will be assessed if we do not pass this legislation. The cost to our children who will not benefit from the historical perspective that Representative Stetson speaks of, which is necessary if they are to remember and to carry on Martin Luther King's work. The cost to progress, which has been made slowly and steadily by those who have not always been the beneficiary of those freedoms, which many of us take for granted. The cost of not acknowledging a man who led this nation by non-violent protests through one of the most difficult periods in our nation's history. The cost involved in explaining to the

citizens of this state why Martin Luther King Day is honored by our President, by our Congress, but not by our Maine Legislature.

I am confident that each of you in this chamber will weigh those costs and determine them too great not to support the amended version of this legislation. We can say then to our children that we in some modest way kept Martin Luther King's spirit and ideals alive. It may take some personal soul searching as some have said they have done since our last vote. I, therefore, urge you to vote yes, so that we can move forward.

The SPEAKER PRO TEM: The Chair recognizes the Representative from Wells, Representative Wentworth.

Representative WENTWORTH: Mr. Speaker and Members of the House: We voted not to pass this bill because many of us really believe that it is more important to aid our education rather than to create another state holiday at the expense of our taxpayers.

I respect Jock McKernan's opinion but I respect the vote of my people. I have over 400 responses to this question with a two to one in favor of not accepting the holiday.

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At this point, Speaker Martin resumed the Chair.

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The House was called to order by the Speaker.

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The SPEAKER: The Chair recognizes the Representative from Waterville, Representative Jacques.

Representative JACQUES: Mr. Speaker, Men and Women of the House: I, too, am one of those who voted against this the last time. When I entered my caucus yesterday, I was accosted by six people whom I care for very much. What concerned me the most was they didn't even want to know why I had voted against it. They were just upset that I had voted against it. I voted against this proposal because of the concerns I had when it came to the end of the year, how much this bill would cost when it got on the Appropriations Table and what we would have to give up to fund this bill. I was very distressed when I saw a former member of this body say that the whole reason for the defeat for this bill was racism, pure and simple.

I will submit to this House that there is nothing pure about racism, there is certainly nothing simple about racism.

Representative Martin touched on something that is very familiar to me. As you know, my name is spelled J-a-c-q-u-e-s not J-a-k-e-s. Unfortunately, I am not one of the one's that had a name that could be read either way. There is only one way to read Jacques and that is French. When you add on the fact that I am a Catholic, you have a little double trouble. I don't profess to know what the blacks have suffered in this nation any more than I profess to have experience in what the American Indian has suffered in this nation.

I can tell you a little story about my hometown, the City of Waterville. The French came to the City of Waterville because they went to work at the mills, the cotton mills and the factories. We were the

bottom of the heap. That went on for quite a long time. Then something strange happened. A new minority moved into Waterville, the Lebanese community. The worst thing that happened was that the French were now elevated one step above the Lebanese in the City of Waterville. They very quickly forgot what they had been through before the Lebanese got there. Fortunately, the City of Waterville grew and the Lebanese community and the French community of Waterville have worked to make Waterville what it is today. The Lebanese community has contributed, what I think is the one of most outstanding Senators in the United States Senate, from the City of Waterville, that being George Mitchell. This last election we elected a Lebanese mayor to the City of Waterville, Tom Nale.

If you look back over the years, you will see that the Lebanese and the French have come together to make one of the most outstanding working groups in the City of Waterville. I am very happy to say that I have many Lebanese friends and I have many Lebanese supporters in the City of Waterville. It just goes to show how soon we forget and how easy it is to forget.

I have come to think a lot of most of you in this House. I won't say all of you, but most of you. It bothered me a little bit to see this whole House dragged into the cesspool we call racism. I took the same oath you all did to represent the people in my district. It also bothered me to see them dragged into this same cesspool of racism. Unlike Representative Zirnkilton, I did not seek guidance but I did stay awake, I did look at the ceiling, I did think about this over and over again. I looked for some answers but I looked for those answers within myself and within the people I represent. I asked myself, why would my people be against Martin Luther King's birthday? I asked myself, why would some of my people be in favor of Martin Luther King's birthday?

Last night, I watched a movie called the Trials of Nuremberg, where Spencer Tracy played a judge in the tribunal that had to decide the fate of the political leaders of Nazi Germany. It was ironic that my thoughts kept going from the movie to the debate and back and forth.

This morning I asked myself, why would my people be opposed to Martin Luther King's birthday being a holiday? I must remind you, I voted against it the first time. Well maybe we are a little jealous. Maybe we are a little guilty. Maybe we don't want to admit that there was a problem. Maybe we do want to admit to a problem. I wondered if, when it came right down to it, that this was not an issue of dark versus light, this was more encompassing and that is the way I am going to look at it today. What we have here is a symbol, whatever side of the symbol you are on is up to you, but we do have a symbol. I believe it is a symbol that is as important to the white people as it is to the dark people. The dark people are beginning to look ahead and they want to put, what I consider to be the icing on the cake, as Representative Bost said, to a dark period in our history but it also can be a symbol for the people on the lighter side. That same symbol is going to be that we have realized our mistakes, we have grown with those mistakes much like the French and the Lebanese have in the City of Waterville, and we are ready to admit those mistakes and give something for people to look at and to say yes, all sides have come

together, all sides have admitted that things were wrong but we look for a better day. I don't think anybody can argue whether Martin Luther King was a special kind of person or not. I don't think anybody has tried to argue against that proposal today. I think probably he plays as much a part of that symbol as the fact that we are debating this holiday today.

How about the black man that discovered the process for removing red blood cells from the white cells so that we could all be in better health, better taken care of, who died because he was not allowed to enter a "whites only" hospital when he got in a car accident. Is he any more or less than Martin Luther King? How about Jesse Owens, who went to Nazi Germany and showed in a time when Mr. Hitler was trying to promote his discrimination and white superiority, that this man certainly could do some awfully amazing things as far as athletic ability and show to the people that this dark man from the United States of America could compete with them on any level -- as a matter of fact, surpass them on any level, is he any more or less than Martin Luther King?

As I was driving down here this morning, and I was lobbied in the halls (the full court press, as I call it) this kept going over and over in my mind. I did not get any revelations. I decided that probably the symbol was more important than all the words that pass back and forth, all the prejudices that would try to be dragged up, all of the racism, all of the bigotry and I knew better of this House. I knew better of the people that I represent in the City of Waterville. I think once I was able to remove it from that level, I was able to see things in a whole different light and I intend to change my vote (which I don't do very easily) and vote for this bill today because I think it is the right thing to do.

The SPEAKER: The Chair recognizes the Representative from Canton, Representative McCollister.

Representative MCCOLLISTER: Mr. Speaker, Ladies and Gentlemen of the House: Once again, we are weighing the merits of creating a holiday to honor the late Martin Luther King. There is no question that this man should be honored by each and every one of us. He was a motivating force behind a great social and legal revolution in America. His methods of non-violence not only changed American institutions but also saved them by allowing them to change without a destructive violence. His impact on the character of America can be seen in the face of America today. We are by far a more equal society than when Reverend King began his movement. We can not belittle this man's work by any standard because his effort has made us realize our inequity. The real question is, how do we honor this man who labored to free us from our own injustice, who worked to make us accept the person for ability rather than color and who opened great resources to the American economic system. Do we honor his labor with leisure? Do we honor Reverend King with play? Do we honor a Nobel Peace Prize winner with just another day off? Is this an honor? Is it a praise for his great accomplishments? Is it fair to Reverend King who labored, sweat and died for his beliefs, to create a day which we will use for fishing trips, going to the movies and ski weekends? Are we really honoring his fight for the poor when we deny some worker's in Maine a days wage so that the more affluent can go out and play? My answer is, no.

I cannot see that a man who gave his life, so

that we would realize equality in our society, approving of a day which would clearly penalize the poor and benefit the rich. As the inheritors of his legacy, we cannot tarnish his stand for the poor and the underprivileged by creating a holiday for the well-to-do and the privileged. I cannot favor a holiday for Reverend King because I do honor him. I cannot favor a Martin Luther King holiday because I know, just as every one in this chamber knows, that the day will not be a remembrance of Reverend King but rather one more in a series of three day weekends for those who can afford it and a four day paycheck for those who are struggling for a living.

The SPEAKER: The Chair recognizes the Representative from Buxton, Representative Kimball.

Representative KIMBALL: Mr. Speaker, Ladies and Gentlemen of the House: In listening to the Speaker's remarks regarding his family in the St. John Valley, I was reflecting back on some of my own family history and what came to mind was, while certainly no one wants to forget discrimination, some of our greatest accomplishments in our nation have been through people coming together.

My own great-grandfather was a member of the 4th Maine Regiment Company I, who was nearly scalded to death in a battle on the White River in Arkansas during the Civil War. I am reminded that those companies that went on those excursions were made up of the French, Scotch, Irish and the Blacks. When we think about such a holiday, I stop to wonder whether or not in thinking about discrimination, certainly don't want to forget that, but what are we actually celebrating here? I think that what we are celebrating in the establishment of a state holiday for Martin Luther King is the belief in standing up for human dignity and personal freedom. I think it is the basis of the American tradition.

Throughout our national history such events have been sources of pride, not only on the national level, but locally as well.

Within our society, I think it is important to talk about people coming together in this kind of process, this has been an evolutionary process. I want to bring up the remarks last week of Representative Gwadosky when he mentioned that, unlike other nations of the world where armed rebellion and violence were the only means for social and political change, we should celebrate our society and hold it up as a model where non-violence and the political process are our means of maintaining human dignity and personal freedom.

Other folks this morning have mentioned different individuals during our history, who have stood up for human dignity and personal freedom in their own times and through other means, but today I don't believe anyone exemplifies the position that our society is in and has developed to, in regard to how we go about doing just that than does Dr. Martin Luther King, Jr. I would urge your support as well on the passing of this legislation.

The SPEAKER: The Chair recognizes the Representative from Waterboro, Representative Lord.

Representative LORD: Mr. Speaker, Men and Women of the House: Last Saturday, I took to the road in my towns to find out how my people felt about this issue. After the debate that we had a couple of weeks ago, I felt that it was time I found out just how the people in my towns felt. I went to the store, I went to the post office, I even went down to the town office and spent an hour and a half there.

I talked with about between thirty-five and forty people. Only one, only one said that he would like to see the holiday and I said, would you mind telling me why you would like having the holiday? He said, it would be awfully good to get another day off with pay. Another day off with pay.

And then when I was getting ready to come up here last night, a young fellow from town called me and said that he wished that I would vote for the Martin Luther King bill, and I said that I was going to vote against it. He said, would you tell me why? I said that I would be glad to. I said that I asked myself -- is Martin Luther King any more deserving to have a state holiday than the patriots who stood up at Concord and Lexington and fought shoulder to shoulder and fired the shot that was heard around the world and was the start of our nation, the greatest nation on earth -- I said, I don't think so.

Did Martin Luther King give more of himself than those patriots did in those early days, getting killed, who lost their property, or whose property was burned? I said no, I don't think so. He said, I thought that Patriots' Day was an official state holiday. I said, no it isn't. But if you look at the paper handed out by Dan Gwadosky, we only have six official state holidays and Patriots' Day is not an official state holiday. Until this is rectified and this injustice corrected, I think that we should not vote any more holidays because I feel there was a time in our history that if it weren't for those brave souls who started it all, maybe we wouldn't be free today.

I would ask all of you folks to vote no on this issue.

The SPEAKER: The Chair recognizes the Representative from Fairfield, Representative Gwadosky.

Representative GWADOSKY: Mr. Speaker, Men and Women of the House: I think that it might be productive to take another look to see what the bill currently in its amended form does. The bill now before us would not establish Martin Luther King Day as a state holiday but rather as a limited state holiday. In other words, we wouldn't celebrate it as we celebrate Christmas Day or Thanksgiving Day, but rather we would celebrate it as we currently celebrate Patriots' Day and Columbus Day. It is a day off for banks, for schools, and the courts. Businesses may open or close at their discretion. Also, as the Speaker has mentioned and others have indicated, state employees would have to collectively bargain to get the day off as would unionized companies at unionized plants. I think we would make a mistake today if we continue to put the emphasis on the holiday as another day off. If you use the argument that we shouldn't have day's off because all they do is play and relax, then why do we have a holiday for Christmas? I mean, why do we have a day off for Thanksgiving? There must be some reason that we are having those and the reason is that it is a chance for us to mark that date. We can kind of gauge our progress: It is a time for us to reflect on the incomplete goals of racial and economic equality currently, that can not only be found in Maine, but across the nation. We have come some ways and we have passed laws that have helped and perhaps minorities are better off than they were at one time. Poor people of all colors are still with us in numbers that are unacceptable and indeed inexcusable in a nation that boasts and prides itself on its

economic wealth and its democratic form of government.

I think that this is a wonderful opportunity here for us today to make a statement about the type of people we in Maine are and that we care about this type of legislation. I certainly urge your support on the motion to recede and concur.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Nelson.

Representative NELSON: Mr. Speaker, Men and Women of the House: I was not here when we initially debated this bill and I felt very sad about the fact that I could not be registered either for nor against the bill. I knew in this process that I would have my day, as we all do, and that it would come back and bounce from one body to the other. And so it is really with great pride that I stand and talk to you about why I am going to vote for this. There is no problem for me. I didn't have to debate it. I didn't have to question, I just knew.

Do you remember when we all watched those horrible scenes in Selma on television where you watched the people, unarmed, defenseless, stand courageous because of their beliefs and got mowed down by a great wall of water? Those great hoses -- and we watched those bodies fall and roll and get pushed against the wall? Remember that? Do you remember reading about those three young men, Schauer and Goodwin and Cheney, who were unarmed, who went down South to plead the cause of people who wanted to vote? I remember that. And I thought to myself at the time, I wished I had been brave enough and the circumstances in my life had been right so that I could have gone and marched and shown, not only for myself but for the people in my community and for my children and my children's children, so that I could stand and say how wonderful and brave and courageous these people were. It was unbelievable.

Can you imagine standing up for something that you believed in and have people with clubs and dogs attacking you? Do you remember that scene with those people standing there and those angry, vicious dogs attacking those people? Can you imagine what it must be like, how frightening it must have been for these people, and how brave they were? They were filled with integrity because they had a leader who told them, you can make things right and you don't have to kill to do it. That was the first time, except for Gandhi, that we in America ever did something like that and it made me very proud and it made me sort of sad that I could not have been there too.

So I look upon this particular vote as a vote in which I can show, that I can stand up and say, that these people did not choose to come to America, they did not choose to be here, they came here in chains. And because they wished, as they matured, to simply drink water out of a public watering place, a fountain, they were denied that. They were denied equal access to education for their children. But they wished to stand erect and say, enough, no more, and they were willing to do it with their own bodies and their own minds and their spirit, and for that, we are honoring the idea that, in America, because it is America and we are all proud to be here, you can do that and you can succeed. You can't do that in Russia, you can't do that in many other countries, maybe not even in the Philippines for all we know, but you can in America. You can make a difference, and I am proud that my children can see that if you care enough about your country, if you love it enough, you can stand up and say no, I want the right



to sit anywhere I want on that bus. I want the right to drink out of a public fountain, and I don't have to kill anyone to do it. I just have to stand and say that it is wrong and the good people of this nation will say, you know, you are right. That is what it means to me about this holiday.

It could be called anything you want but it is a day honoring equality for everyone and that is what it says. Martin Luther King, Jr. happened to be a black man, he could have been a Jew, he could have been a native American, but he was a black man. The point is, he stood for those things that seems to me are the most important and precious in America, and whether you want to celebrate it by going to work or by staying home and putting your flag out, that is up to you.

But I know that the people of Maine whether they called you or sent in your questionnaires, there are hundreds of thousands of other good people of Maine who did not call, who may not have answered the questionnaires, and those are the people too that you must think about and remember. I am voting for this. I am proud to be here. I am lucky to be here to press my button. I want my children to know and my grandchildren to know that when it came time for the State of Maine to make a statement about equality for everyone, I was there and I pressed my button proudly.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Brannigan.

Representative BRANNIGAN: Mr. Speaker, Men and Women of the House: I voted for this measure the last time and I have had many, many calls asking me to change that vote, demanding that I change that vote. One of the callers drove home to me why I cannot change that vote. He said, in a few years they will be saying -- Martin Luther King -- who? Do we want to make a holiday for somebody like that? Yes, because what this is all about is remembering. We have holidays for remembering and they help us to remember. We are remembering two things, negatives and positives. We have three or four holidays that most of us have off, to remember wars, we have had to fight wars, unfortunately. So we have Patriots' Day, Independence Day, Veterans Day, and Memorial Day where we remember the negatives, the injustices, the terribleness, that caused us to go so far as to kill in war. But we remember also the positives, that the people had the courage and the valor to go out to fight and some to die. We remember that over and over again each year with holiday after holiday, day off after day off. This is another holiday that I am going to vote for. It is not a holiday that I take a head count in my district because I would lose. This is a holiday where we remember negatives and positives. We cannot forget my son, my grandson -- they should not forget slavery and the negative black experience of this country, they should never forget that. We must remember and we must remember a new way, a different way of righting that injustice, the nonviolent way. Unfortunately, we have to go to war sometimes and unfortunately, we have to use the non-violent approach, and we have done that. That should be memorialized and remembered and why not do that with the same kind of holiday that we do remember war and the injustices that brought that war? Why not? We must not forget and it never should be -- Martin Luther King -- who? Never, we must remember. Please vote with us to make this a

holiday in Maine.

The SPEAKER: The Chair recognizes the Representative from Mechanic Falls, Representative Callahan.

Representative CALLAHAN: Mr. Speaker, Men and Women of the House: I will be very brief. I have one question. It is a big reservation pertaining to voting on this bill. The question in my mind is, if Martin Luther King's history and records were so positive for the benefit of this country, why were they all confiscated and locked up until the year 2027?

The SPEAKER: The Chair recognizes the Representative from South Portland, Representative Nicholson.

Representative NICHOLSON: Mr. Speaker, Men and Women of the House: You know the amendment that we have before us is just part of the subject. When I returned the first of January, I thought surely we would be taking action on this bill. But it was partly delayed because it was going to cost the state a million dollars. I am concerned about now and tomorrow. We often talk about our ancestors and the tough road that some of us had but what is going to happen now and the immediate future and future? Maybe some of these drafts will help us put it into the proper picture.

I think of the time when I was on the Sioux Indian Reservation for a year as a volunteer in service to America. I had the pleasure of meeting a native American, a Sioux, who, in his own right and through the efforts he had to offer to people, was elected mayor of Rapid City, South Dakota. We all know the Jackie Robinson story. I personally know a good friend who is black, who goes back to the slavery days in the south. He left there, and as a boy, took part in life and finally landed in Maine to become an outstanding citizen as a civic leader and a political leader in his hometown. I can think of former Congressman Washington, now the mayor of Chicago. I can think of hiring a Japanese man, who was put away in a prison camp during World War II. Steve McKye had the abilities to become a successful salesman. Sure I have heard about the people marching with the troops -- who hasn't? Many of the people in this room have not marched with the troops. I happened to be with the troops who marched on Yokohama immediately after World War II. Maybe we should make a special holiday for General MacArthur. He liberated the Philippines. Civil rights are apparent, they are working, let them work, let them work for all people. I say, keep politics out and vote our conscience.

The SPEAKER: The Chair recognizes the Representative from Portland, Representative Manning.

Representative MANNING: Mr. Speaker, Men and Women of the House: Last week, I got a phone call from one of my young constituents asking if he could shadow me today in the leadership program that the Portland Public Schools are having this year. I said, certainly and Seth Monahan is here today and he is a Page. I would just like to read a letter that was given to me by Seth by the Portland Public Schools. "Dear Mr. Manning: Thank you very much for your willingness to serve as a mentor for Seth Monahan, a student in the anatomy of leadership course in the Portland Public Schools. Our classes meet monthly in an all day session away from our regular courses at Portland and Deering High Schools. We have examined basic leadership and



principles in style. We have studied leadership styles with the ideas offered by Agamemnon, Sir Thomas Moore, Machiavelli, Mahatma Gandhi, and Martin Luther King, Jr."

The SPEAKER: The Chair recognizes the Representative from Lincoln, Representative Harper.

Representative HARPER: Mr. Speaker, Men and Women of the House: It was in 1941 that I first experienced apartheid and I was shocked and I was ashamed and I also responded. I integrated buses in 1941. I integrated the restrooms in Wilmington, North Carolina in 1941 and after. I have had first-hand experiences in the black sections in many parts of both the North and the South. I have worked side by side with many exceptionally fine people in the inner city areas of New York, where some were black and some were white and some were yellow. But we shared a common cause. We cared very, very dearly for the human dignity and the human rights of all people. I talked and I worked hard to prevent the Rochester riots which I remember so dearly as a terrible, terrible happening and I keep that memory in my heart, hoping and praying that we will never experience such things again.

I continue to do whatever I can to further the human rights for our people. I am not a racist. We cannot so honor Dr. King because he was black, we cannot honor him because of our own guilt feelings, we cannot honor him because of the suffering which he experienced and his tragic death. We do honor him because of his leadership to the blacks and to the hope and the direction he gave to them and to this nation. But to pass this bill today, we should look at that total person, a person whom we are holding up to our young people as a great man who lived a great life, an American hero, whom they can emulate. What kind of a person was Dr. King, I do not know. I hear many, many things, the question bothers me.

I would respectfully ask that we wait until later and look at this again when those locked records are released. I urge you to vote no today.

The SPEAKER: The Chair recognizes the Representative from Brunswick, Representative Rydell.

Representative RYDELL: Mr. Speaker, Men and Women of the House: The past two weeks have been very difficult for me. I was very, very troubled by the vote taken on this issue and have spent many hours agonizing over why it occurred. I realized that this is an emotional issue for me and it must be explained on a very personal basis. Now we are about to take another vote. I believe we have been given a second chance and that the vote we take today is vitally linked to the welfare and well being of our state in the future. It will send a clear message to the succeeding generations of Maine citizens. The question is, which message?

As a young Jewish child growing up in the 1950's, I quickly learned that there were clubs that my family could not join, classmates that would never invite me to their homes, and a part of the adult community, which would always consider me and others like me, different and less equal. I grew accustomed to this state of affairs, did not question it, it was a part of living, but what I had difficulty with was those times when the subtle discrimination became not so subtle - when a real estate agent would not show my family a home in a certain section of town and when slogans and derogatory remarks were made against members of the Jewish faith.

I remember one Sunday afternoon walking with a

friend to a neighborhood store. We were lighthearted, carefree young girls on our way to enjoy a treat. Our demeanor and our world really changed as we walked back home. In the short interim, someone had scrawled with huge chalk letters, anti-Semitic slogans on the sidewalk, words that we felt had been written directly at us. Imagine if you can the fear and dread of two ten year olds as they walked along the street, sure that somewhere, someone was lurking and watching, and waiting for us because we were Jewish. Yet, we didn't dare run. Trembling and furtively glancing over our shoulders and to each side, we made our way home and double bolted the door behind us. I had not thought about that scene for several years until the debate on the Martin Luther King holiday brought all the fear and dread and horror of that situation back to me. I believe that, although those who vote against it will not mean it to be, I believe that a vote against this holiday is really one more scrawling on the sidewalk telling blacks and all minority groups that they don't get to enjoy true equality in a dominant white society. However it is meant, that is the message that we, who are members of a minority group, will receive today.

Last week, Channel 10 in Lewiston showed the second part of a series on the civil rights movement. It was a moving and thought provoking program reminding us of how far we have come in this country in the struggle to make all our citizens equals and also reminding us that Martin Luther King was the inspiration, the catalyst, that allowed so many blacks and whites to join together in at last ridding the United States of the worst evidences of racial prejudice, but not all of it.

During the program, Kenneth Clark, a brilliant and highly respected black psychologist, recounted what is perhaps his most famous study, originally carried out in the 1950's and cited by the Supreme Court in the 1954 school desegregation decision. Young black children, some as young as 3 years old, were shown dolls exactly alike except in the color of the doll's skin. Many of the children rejected the dark skin doll as dirty or bad. When asked which doll was the good doll, a large number of children, in the South, in the North, in the Midwest, in the East, rural or urban, always chose the white doll. When asked to identify which doll was like themselves, some children, particularly those in the North, refused, burst into tears or ran away from the play table. By the age of 7, most black children in the study identified themselves with the dark skinned doll but they still identified the white doll as the "good doll."

As a graduate student in 1965, I not only read this study but replicated it in the City of Cleveland. The results were the same. Those children of the 1950's and 1960's are today's black adults. What is the message that we, in the Maine Legislature, wish to bring to them? Psychologists tell us that few people, who have been forced to recognize themselves as inferior, will ever fully lose that sense of shame and self-hatred. How many learning problems, school failures, behavior difficulties as children, and personal and occupational problems as adults, can be traced back to the lack of self-worth, lack of confidence, and belief in one's self as a worthwhile and good human being that was inculcated as a child? We must join together today in sending a strong message to those

adults and to their children and grandchildren, that here in Maine we have taken a crucial step in assuring that black citizens of our state and those who are citizens of other states, may come here as visitors or as future residents, need not fear neither real nor symbolic scrawlings on the sidewalks.

This is a very beautiful state. Our scenery is glorious but I believe that we cannot be judged by our scenery alone nor by our individual self-interest -- that cannot be our guiding light in this vote. Our moral fortitude and our respect for all people and the message that we want to send to all minorities must be the guide for our vote today. We have an opportunity today to tell blacks and all minorities of the world that here in Maine, not only do we not discriminate, but we will make a commitment to honor their struggle for equality by declaring a holiday in memory of the man, who more than any other in recent times by his words and by his deeds, dedicated his life to make America better for all of us.

We need this annual reminder that Martin Luther King accomplished what no person before him had been able to do. He inspired vast numbers of his own people with courage to cast off the bonds of centuries of prejudice against them and to begin to think of themselves as equal human beings, as good as any one else. But Martin Luther King also left a very important legacy for the non-black population, he gave to vast numbers of us the courage to cast off our bonds, those bonds being the prejudices that many have been brought with and socialized into. He gave us the courage, the stamina, the fortitude, to join hands with our black brothers and sisters. He made us realize that none of us are free until we are all free. That is a legacy we must never lose.

Please vote yes on the pending motion.

The SPEAKER: The Chair recognizes the Representative from Damariscotta, Representative Stetson.

Representative STETSON: Mr. Speaker, Ladies and Gentlemen of the House: You did me great honor, Mr. Speaker, when you descended from the podium to answer my earlier debate and you brushed aside the Damariscotta hospital with a simplistic remedy that the Administrator, Ted Laliberte, and the trustees, of which I am not a member, could simply vote not to grant the holiday to the employees and this would save our hospital that expense. They would single out Martin Luther King Day and say, "we are not going to give you this holiday in this hospital." Thank you Mr. Speaker for that.

This is not the celebration of the righting of wrongs -- this is not a French holiday -- it is not a Lebanese holiday -- it is not a Jewish holiday -- a Catholic holiday -- all of these suggestions have been made here today that we must institute a holiday, a holiday of shame. I say no, there is no holiday of shame in the State of Maine. The State of Maine can still remain proud of its heritage. Sure there have been injustices and there will continue to be injustices but I hesitate to suggest that those injustices are shared by the people of Maine, that they are the character of the people of Maine. We, as a nation, have created a national holiday in honor of Martin Luther King. I see no reason why we as a state must now go to the nation and say, "oh, we admit that we have been very guilty, we have been shameful, we have been hateful, we have been guilty" -- no, we have not been guilty, we stand proud and we

stand erect this day, not because we have done injustice to any race or nationality or religion because I think the people of Maine have proved themselves over the ages. No, Mr. Speaker, we can't solve the problem for the Damariscotta hospital quite that easily.

I urge you to vote against the pending motion.

The SPEAKER: The Chair recognizes the Representative from Westbrook, Representative Carrier.

Representative CARRIER: Mr. Speaker, Members of the House: This will be more of a learning and informative session here for the next few minutes. I cannot believe in the length of time that I have been here, the conspiracy, the deceit, the smoke screens, that have been put in front of you people. Some of you fell for it. I would like to tell you a little bit of the truth. I will stand to the challenge of anybody that wants to say different and I will stand on the basis of the information that I have. I have, like a lot of you, sat here for one hour and three-quarters listening and suffering, suffering because we all hope to contribute one way or the other, no matter which side we are on. It is not a matter of sides, it is a matter of decency. I want to point out to you, if I am allowed, some of the discrepancies, some of the dirty, under-handed work that has been done in order to achieve a certain vote or a certain goal. If it means that much to some to get something, under dire and bad circumstances, they can have it. I am not going to suffer from it.

First of all Mr. Speaker, I want to make some corrections, if possible. If anybody wants to build their ego, they can take my place today, I will give them all the notes and I can assure you that if you get the same publicity that we have had in the last four or five days, that you can have it, if that is what you want. I don't want any publicity. This is not the reason I took a stand against this bill because I am still convinced that this bill is not any good. It was presented under improper circumstances. It is in the eyes of the beholder whether this is an emergency or not. I don't challenge your intelligence to that because you know that this is not an emergency. You also know if you have to use that kind of means in order to put something through, you had better think a little bit, if you still want to be in association with the people who worked this deal out.

I would like to ask the Speaker to delete on Page 143, line 34 of the Legislative House Record of February 12, 1986 the fifth word in which should read as "peers," not as "fears." Because I intend to come back on those peers of the people who you are supposed to be so honoring. I don't believe that is so. Is it possible to get the Record straightened out?

The SPEAKER: The Chair would advise the Representative that the Chair will look at the Record and listen to the tape again.

Representative CARRIER: Okay, that is good enough.

In our local papers and you probably read it in Sunday's paper that I was quoted as calling the people in this House, the ones that voted for it before, as weaklings. I want to say to you that I never used such words. I don't know where it came from. I don't know if it is an assumption that someone made but to whoever wrote the article, it must have been somebody else because I never referred to the people of this House as weaklings. I know

better than that. I respect people, at least I try to. I try to understand them; sometimes I don't, but I try to. So, ladies and gentlemen, these are a few of the things. I cannot believe that a short while ago that somebody --- do you want to tell them about what happened or should I?

The SPEAKER: The Representative has the floor.

Representative CARRIER: As a matter of courtesy, I will not say anything about it. It is up to you to find out what happened. Okay?

You know, you should never get mad but it is awfully hard at times not to. The local papers have quoted us -- the local papers in Portland have done a terrific job on us, they really have. If you did not notice it -- no one has mentioned it yet -- and you are not a little hurt by it -- the fact is that everybody in this House has been quoted as being ignorant. You know what that is? In another article in the same paper on another day, we were also quoted -- there is an awfully lot of people who are going to have to get hammered. This was given to the paper by one of the people who really promotes this bill, one of the people who have come from out of state and taken one of our good state jobs at one time or another, has reaped the benefits of the money that is involved, came here probably to prove a point that you can get such a job, and leave state government.

All I can say to you is, that when somebody uses such terms to describe grownup people that devote their time here to better our way of living, I think it is extremely insulting. You can put a tracer on these people and the tracer is, ladies and gentlemen, just like the last time I told -- get involved in finding out if someone has a certain stance -- get involved in finding out about them. I am telling you that most of us take care of our families first. It is a pattern for one who takes a stand like this and calls people names -- look into their family affairs and see what happens. If you approve of it, that is okay too.

I am going to ramble on different things. There were so many, many things that were said here, which I believe are untrue. Let's get on to the cost. People say, if you don't work, it doesn't cost anything. The trouble is, it is much worse if they don't work; if they work, it costs something; if they don't work, you pay them for a holiday and you get nothing from it, no profit, labor or anything so there is a cost. You can challenge this but go see the Finance Officer here and you will find that the cost of a holiday to the state employees will cost \$1.5 million. To go further, we have just about under 500,000 taxpayers in this state so, for me to turn around and contribute to a state employee having a day off tomorrow, it will cost me in taxes \$3.00. It will cost you \$3.00 too if you are a taxpayer. If you want to do that, that is okay too. State employees already have 10 paid holidays and I am not against that but the thing is, everybody now is to the point where everybody who works 200 days a year, that is a lot. Can you imagine -- how can people function and how can businesses function with that kind of a labor force? They want to make this a legal holiday -- I didn't see anyone get up here and put an amendment and say, make it a legal holiday without pay. You know, not many of them would take it.

Where is the funding for this? This is a great question. I can ask the Appropriations Committee -- where is the funding for this? The truth is, and let

somebody get up and say different, there is no funding, there is no \$1.5 million to give to these people to make this a legal holiday. If there was \$1.5 million, I suggest to you that we turn around today and take the same \$1.5 million and give it as a bonus to the veterans that we never gave anything to -- whatever that amounts to, \$20,000, \$10,000, that would provide a home for a lot of them. They deserve it. Nobody gets up here and tells you that the funding is not there and it is going to cost money, one way or the other. You don't get people to work without paying them. It is costing you, either in production or in cash, that is what it is. I don't think it is right to lead people to believe that everything is all right.

On the polls -- I received this and others received that -- I would exchange some very nice letters that I have received in the last three or four days here. Very interesting.

Two TV stations in Portland took polls -- I don't know how much credibility you want to apply to that but two stations in Portland came out with the people against a legal holiday for Martin Luther King. You say you want to listen to your constituents -- there is something for Portland there.

This bill says if it is declared a legal holiday by the Governor -- just imagine for a moment what has transpired and was said here. We are not going to have the same Governor but if we did, you would not know where you stood because when they had the party downstairs, the paper reported the next day that he had reservations about whether he would sign the bill or not; then all of a sudden, he not only is for it but sent a group of his people up here to change the people's mind. You know, cash in, the mortgage is due, you have to do this. This is awful, this is awful. It is not going to get any better. Think about it because the prospects for Governor, as was said this morning, one has committed himself to help around here. I know two or three others that would go for this too so this is a smoke screen in itself, the amendment.

The fact is, you can go from here to the other body -- what happened over there? Does anybody know what happened over there on the first vote? If you don't, you had better inquire. I am sure you will not like what you find because I think most people are honorable in this House and I want it to be that way. I also want to say to you that sitting here this morning I was listening with interest to some of the things that were said and I had a list here of the Chairmen of the Committees -- those that voted for it; those that voted against it -- the last time. It is interesting to find out that they have all fallen into place except one so if that is what you have to do to get a chairmanship, you had better reassess your position. These are some of the things that has happened.

Now, let's talk about this bill. I hold the same convictions as before. I think there are many other people who deserve recognition instead of Martin Luther King. I don't agree with his line of thinking and what he has done. I think it is a bad way to get anything done. You don't challenge the law. If you don't like it, you move. If you don't like the laws we make in Maine, go somewhere else. Do somebody else a favor. I really believe that this is a bad way to come up with a holiday. I still maintain -- I can still take you down to the cemetery down here and show you a few people who have died because they

believed in the flag and some of them were very close to you or your family and some are right in your family. I know of some who work within this House that have a hard time. They are collecting disability and rightly so.

I don't think that this man has done that well and I don't agree with his philosophies whatsoever and I feel very sorry to see so many intelligent people in this House either voting for something they believe is politically popular or else the smoke screen is so thick that some can't see through it. All in all, I am against the bill. I again mention to you what we were called -- not only me, they didn't mention my name but it is all of us, I guess -- if you don't do this, you are going to get hammered somewhere along the line and we know that. Under these conditions, I know that I won't vote for the bill and those that voted with us last time, I hope they stay with us.

The SPEAKER: The Chair recognizes the Representative from Waldoboro, Representative Begley.

Representative BEGLEY: Mr. Speaker, Ladies and Gentlemen of the House: I have always had a great deal of respect for Martin Luther King's leadership and courage in his stand on non-violence, his honest belief that this could bring about change. I shall vote again today for this holiday as my personal tribute to King's powerful, eloquent stand for non-violence.

The SPEAKER: The Chair recognizes the Representative from Kennebunk, Representative Murphy.

Representative MURPHY: Mr. Speaker, Members of the House: Making it very clear that I speak as the Representative from Kennebunk, I was very pleased to see the Representative from Westbrook clarify the statement made in terms of weaklings. There has been quite a bit said from within this House and out of this House in terms of the last vote, in terms of the Representative who says there is an underlying wave of racism in our state with members of the legislature and the lobby. I think an apology is due to the state and to this body. I would ask that Representative never to judge my heart in terms without looking in.

I think the Speaker made reference to discrimination in terms of his family. I think when we look back on the 1950's and the 1960's, there is a series of small struggles. My father was part of that struggle. In 1952, he was a teacher and a coach at a very prestigious, white public school and voluntarily made the decision to transfer to an all black public school. At that time in Omaha, Nebraska, the only door that was open to blacks was the door to the packing house to work as manual laborers. My father committed himself to try and open those locked doors as a teacher and as a coach. I had the privilege, and I thank my father to this day that I was the bat boy, I was the boy at the end of the bench that held the towels, and I had an opportunity to be a friend to my father's friends. At that time, there were no quotas as were developed towards the late sixties in terms of black athletes. I didn't see my father on weekends because my father was traveling at his own expense going to the University of Kansas, Kansas State, University of Nebraska, Iowa State, fighting to get those students, who just happened to be athletes, into those institutions, to try and get them the grants, to try and get them the scholarships. The doors were locked but he was successful. As the boy who sat on the end

of the bench, I heard the slurs toward my father, I saw the loss of family friends. This has always been in my heart, it has always been buried in my consciousness. It really wasn't pulled back forth into the person I am today until I had the chance to talk to my good friend, Tim Wilson.

In the 1960's, Dr. King had the courage to pull together those small battles, those small struggles being waged by whites and blacks throughout this country. He articulated that struggle.

I agree with the Speaker and I agree with the Congressional Delegation that a National Holiday in Dr. King's memory is most appropriate.

The night of Dr. King's death is scarred in my memory. I spent that night on the phone with black civil rights leaders and ministers from the ghetto in North Omaha. I had written out a letter of resignation, it was my first year teaching, and in talking with those ministers had asked where I could tutor, what I could do. Those ministers and civil rights leaders said, stay where you are at, you are in a white school and everyday you go into that classroom and whether it is World History or Geography or U.S. History, you are talking about where we have been, where we are, but most important, where we need to go. I have had the opportunity to have literally thousands of students pass through my classroom. I think to a person -- they will tell you that has been a theme in my life and I think that is why the charge of racism because I have a different path, a different goal, that stung me so deeply.

There is not a member of this body that doesn't have within him or her some degree of prejudice, whether it is religious or directed against man or woman or whether it is ethnic. We are what we are. But I think when we look to the future, our hope is the new generation and the key to develop those attitudes so they will understand, as a people, where we have been, where we are, but most importantly, where we are going is in the classroom. We presently have in the law the requirement that on that day all Maine teachers, no matter the subject, discuss the contributions of Dr. King, where we have been, where we are, but most importantly, where we are going. For that reason, I voted last week against this bill; today I plan to vote that same way because I feel the hope is with the new generation. I think as Dr. King said, it is the new generation that will stand together and be color blind.

The SPEAKER: The Chair recognizes the Representative from Caribou, Representative Ayer.

Representative AYER: Mr. Speaker, Ladies and Gentlemen of the House: I think it is time that we look at this from a practical consideration issue before us. It appears to me that we have two issues here and both of these issues have been very well represented. One of the issues is philosophical; the other is economic. Unfortunately, we only have one vote. My feeling that much of the opposition to this holiday is because of the economics of the issue. I think there is a solution. I think we ought to vote yes for this holiday paying tribute to a great leader, Martin Luther King, of a great movement, the civil rights movement. I think we ought to vote yes, regardless of whether we are French, whether we are English, whether we are Black or whether we are of indeterminable origin, I guess, like myself. I think we ought to vote yes because we are from Maine. As people from Maine, we try to do what is right for our state.

Then I think, as the second part of the solution, we ought to look at the economic issues, where they should be addressed. We ought to look at the economic issues when we become involved in negotiations with our state employees, with whatever group should be before us. We ought to look at negotiations and we ought to look at mutual agreements between employees and employers and address whatever economic issues that might be presented as a consequence of this holiday at that time.

The SPEAKER: The Chair recognizes the Representative from Canaan, Representative McGowan.

Representative MCGOWAN: Mr. Speaker, Ladies and Gentlemen of the House: Living in Maine, unlike living in Nebraska and other places, does not allow us to great exposure to what some other people in this country see. Our exposure to black people is very limited. I wanted to bring about to you my first exposure to a black person. I was in the ninth grade and I was not the bat boy but I was the quarterback on a football team in Pittsfield. We were playing Dexter. I remember, after being hit by about four of the Dexter linemen, waking up and seeing this black man standing over me holding my neck because I had hurt it very badly. Let me tell you, they had one heck of a football team up in Dexter for a long time. That man was Tim Wilson and that was the first black person I had ever seen in Maine. About three years later in a history class, I saw a picture of the same town in central Maine, very close to my town Dexter, lined with Ku Klux Klan members participating in a rally. The streets were filled with people wearing white robes. They were not wearing white robes for their discrimination against black people but for Catholics and Jews and other minorities. Racism is alive in Maine, it runs through my blood, I am sure it runs through many of you, as Mr. Murphy mentioned previously.

A week ago, we had Representative Nelson before the Appropriations Committee asking for money to appropriate to the Maine State Library to tell our children about the Holocaust. I am going to support that bill and I am going to include in that bill that we tell Maine children that attend our schools about our own discrimination against blacks in this country and the things that have happened.

I can tell you as a small businessman that that argument is no good. I have been in business for several years and I know what affects me in business and I know what affects my pocketbook. This bill has no affect on your business, believe me.

We can afford it as far as the Appropriations Committee is concerned, we can afford this bill, I know we can. I have talked to the fiscal analysis people. I have talked to the Chairman of the Committee and this bill is affordable, it is not something that is way out of bounds and that argument is no good.

I remember reading during the history of the civil rights debate about a Northern police officer who had moved to the South and had stood there in those marches with civil rights people and he said that the hardest decision that he had was to let that dog go because he felt he was compelled that it wasn't the right thing to do but he did it anyway. I almost likened that to something in this debate in this House today. We can impersonally do nothing or we can do something. I am going to support it. I haven't been that strongly concerned with it but I

remember my first exposure to a black in Dexter. I remember seeing those Ku Klux Klan hoods in Dexter. I know that racism is alive in Maine. I know that we don't have a lot of exposure to black people and I just wanted to say, in a popular context that is used frequently, this vote is for you Tim.

The SPEAKER: The Chair recognizes the Representative from Sidney, Representative Bragg.

Representative BRAGG: Mr. Speaker, Ladies and Gentlemen of the House: I have sat here through this long debate like the rest of you but listening very carefully to everything that was said and it just seems kind of strange to me, and I have to respond to that on the record so that people will understand my position, that nothing has been said except from one Representative here in this presentation in my recollection to point out the fact of what might possibly have been part of what set Martin Luther King apart from so many other people. That was in his reference to him as Reverend King. I think in the whole course of the debate that we have lost sight of that, that here was a man who was dedicated to a cause that he believed in. He was a sincere, dedicated christian, I believe. I respect those that feel otherwise but I never have been able to develop a hatred towards that man. I have always been able to respect him and felt that when he was speaking, he was speaking for more than just the cause we sometimes debate here on the floor. Unfortunately, the political system that we are in, I think, has moved many of us to debate this issue from the aspect of the political losses or gains from it.

I think if Martin Luther King had been that kind of a man, what happened 20 odd years ago, would have been a lot different than the way we have seen this read out in history.

I watched that man. I have watched those replays of his "I have a dream" speech. It almost gives me chills ever time I see that because I, in my spirit, feel a depth to that man, a depth that is controversial to many of us but nevertheless it is there. I don't think very many of us understand what he was saying when he said "I have been to the mountain top and I have seen." I think that goes right over our heads. He saw something that I don't think we have been able to really touch on the floor here today, a higher calling, a greater goal, not political gain, but his vision was far and beyond what most of us would ever dream of being.

It seems rather strange that we would have a man named Martin Luther King, whose name has become synonymous with the civil rights uprising or whatever you want to call it of the 1960's, but yet he carries the same name as a man, who many years before him, Martin Luther, who was the initiator of another great upheaval in the history of our world and it affected history considerably, what became known as the Reformation Period. But I recall reading that Martin Luther, the real Martin Luther, the original one I am talking about, one of his wishes was that nothing would be done to set him apart-- in that he didn't want his name attached to anything because what he did was not in a fleshly manner, what he did was in a spiritual manner. I feel that in making my own decision that I have to hark back to that of what Martin Luther said and realize that it is great that we honor the fleshly man, Martin Luther King, what he did for his people and for our nation as a whole. I think that should always stand in history but I think we have got to look deeper beyond him and ask

ourselves whether we are really honoring the real Martin Luther King, the spirit that moved him, that is the thing that will live on, that is the thing that will set men free.

I have to believe that the argument that has been presented, that setting this day apart as it is right now, gives that man and his vision much more honor than another three day weekend. I accept many of the arguments that have been given in this debate for setting this aside as a national holiday. I reject many of those arguments that have been given against it. I think each one of us stands here as an individual and to judge us as a group is certainly not fair.

Mr. Speaker, Ladies and Gentlemen of the House, I feel that I must vote against this, not a vote against the man, but because my concern is much deeper than that.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call, it must have the expressed desire of more than one-fifth of the members present and voting. Those in favor will vote yes; those opposed will vote no.

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

The SPEAKER: The pending question before the House is the motion of Representative Gwadosky of Fairfield that the House recede and concur.

The SPEAKER: The Chair recognizes the Representative from Lewiston, Representative Jalbert.

Representative JALBERT: I request permission to pair my vote with the Representative from Lewiston, Representative Nadeau. If he were here and voting, he would be voting yea; if I were voting, I would be voting nay.

The SPEAKER: The Chair recognizes the Representative from Benton, Representative Parent.

Representative PARENT: Mr. Speaker, I wish to pair my vote with Representative Murray of Bangor. If he were here and voting, he would be voting yes; I would be voting no.

The SPEAKER: The Chair recognizes the Representative from Island Falls, Representative Smith.

Representative SMITH: Mr. Speaker, I request permission to pair my vote with Representative Mills of Bethel. If he were here, he would be voting yes; I would be voting no.

The SPEAKER: The Chair recognizes the Representative from Bangor, Representative Lebowitz.

Representative LEBOWITZ: Mr. Speaker, I request permission to pair my vote with Representative O'Gara of Westbrook. If he were here, he would be voting yea; I would be voting nay.

The SPEAKER: The Chair recognizes the Representative from Rumford, Representative Erwin.

Representative ERWIN: Mr. Speaker, I request permission to pair my vote with the Representative from Auburn, Representative Brodeur. If he were here, he would be voting yea; I would be voting nay.

The SPEAKER: The pending question before the House is the motion of the Representative from Fairfield, Representative Gwadosky, that the House recede and concur. Those in favor will vote yes; those opposed will vote no.

77 having voted in the affirmative and 61 in the negative with 3 being absent and 10 paired, the motion did prevail.

By unanimous consent, ordered sent forthwith to the Senate.

(See Roll Call No. 241)

By unanimous consent, all matters having been acted upon requiring Senate concurrence were ordered sent forthwith to the Senate.

(Off Record Remarks)

On motion of Representative Ridley of Shapleigh, Adjourned until eight-thirty tomorrow morning.