

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Fourth
Legislature*

OF THE

STATE OF MAINE

Volume III

June 17, 1969 to July 2, 1969

Index

1st Special Session

January 6, 1970 to February 7, 1970

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KENNEBEC JOURNAL
AUGUSTA, MAINE

Report was read and accepted and sent up for concurrence.

The following papers from the Senate were taken up out of order by unanimous consent:

**Senate Report of Committee
Ought to Pass with
Committee Amendment**

Report of the Committee on Judiciary on Bill "An Act to Correct Errors and Inconsistencies in the Public Laws" (S. P. 366) (L. D. 1248) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" and Senate Amendments "D", "E" and "G".

In the House:

The "Ought to pass" Report was accepted in concurrence and the Bill given its two several readings.

Committee Amendment "A" (S-317) was read by the Clerk and adopted in concurrence.

Senate Amendment "D" (S-332) was read by the Clerk and adopted in concurrence.

Senate Amendment "E" (S-335) was read by the Clerk and adopted in concurrence.

Senate Amendment "G" (S-338) was read by the Clerk and adopted in concurrence.

Under suspension of the rules, the Bill was given its third reading.

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

Mr. RICHARDSON: Mr. Speaker, is the offering of a House amendment in order at this time?

The SPEAKER: Amendments are in order.

Mr. RICHARDSON: Mr. Speaker, I offer House Amendment "D" to L. D. 1248, under filing number H-611, and move its adoption and would speak to the motion.

House Amendment "D" (H-611) was read by the Clerk.

The SPEAKER: The gentleman may proceed.

Mr. RICHARDSON: Mr. Speaker, Ladies and Gentlemen of the House: In defense of the legislative process I want you to know that all of the mistakes and so forth that we are charged with are not truly our own and this is a case in point where we now have information that the State Tax Assessor can, without any projected revenue loss, effect a waiver or rebate of the auto trade-in tax paid during the month of June 1969. You will recall that we repealed the auto trade-in and then by our action of the day before yesterday went back to the old law.

Now from a public relations point of view I think that this is an excellent thing for us to do, that is to permit the State Tax Assessor to have a waiver or a rebate of the amount of taxes paid by a person in June of 1969 that he would not have had to pay but for our previous action. Therefore I hope that the House will adopt House Amendment "D" which is before you under filing H-611 and it is self-explanatory, which is the reason I have made such a long speech about it.

Thereupon, House Amendment "D" was adopted.

The SPEAKER: The Chair recognizes the gentleman from Mexico, Mr. Fraser.

Mr. FRASER: Mr. Speaker, am I to understand that Senate Amendment "G" under filing number 338 has already been acted upon?

The SPEAKER: The information is correct.

Mr. FRASER: I move that we reconsider our action whereby this amendment was adopted.

The SPEAKER: The gentleman from Mexico, Mr. Fraser moves that the House reconsider its action whereby it adopted Senate Amendment "G".

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: In opposition to the motion to reconsider, I want to make two things

very very clear. First of all, the question of our applying our state income tax prospectively or to embrace prospective changes in the federal law is covered in this bill, and therefore it is necessary that the emergency preamble be placed on this bill.

The second thing is that this does not exempt railroads from the operation of a state income tax. At the outset, of course, the very persuasive members of the railroad lobby had requested that they be exempted and we have consistently refused to do so. The only thing that this amendment does is to make clear that the so-called gross receipts tax imposed by the railroads on themselves still stands in lieu of other forms of taxation by municipalities, and we do not give them any tax advantage under our income tax law and this amendment doesn't give them any either.

And I want to make that clear that we have been over and over this and I hope that the House will not reconsider the adoption of Senate "G".

The SPEAKER: The Chair recognizes the gentleman from Mexico, Mr. Fraser.

Mr. FRASER: Mr. Speaker, I hesitate to, I certainly don't feel qualified to read law in the way the gentleman from the other side of the hall does but it looks to me here like it says, by paying of an excise tax that it takes care of all their taxes—"Every corporation, person or association operating any railroad in this State under lease or otherwise shall pay to the State Tax Assessor, for the use of the State, an annual excise tax for the privilege of exercising its franchises and the franchises of its leased roads in the State, which, with the tax provided for in section 561, in place of all taxes upon such railroads and its property." I just don't understand it.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: I can only assure the gentleman that the amendment was prepared

in the Attorney General's office originally, that we have no intention to exempt railroads from the payment of a corporate income tax under the income tax previously collected and the only reason for this amendment is to, it returns the law to what it was before we adopted the income tax and all this does is provide that the railroads shall be exempt from municipal tax liability under this and I can only assure the gentleman that there is absolutely no intention on our part to exempt railroads from the payment of a corporate income tax. And this position has been consistently taken by the leadership right from the beginning.

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

Mr. MILLS: Mr. Speaker, I pose a question to the Majority Floor Leader, the gentleman from Cumberland. As I understand this this stops all municipalities from taxing any railroad property, such as rolling stock going through their territory?

The SPEAKER: The gentleman from Eastport, Mr. Mills poses a question through the Chair to the gentleman from Cumberland who may answer if he chooses.

The Chair recognizes that gentleman.

Mr. RICHARDSON: Mr. Speaker, when the corporate income tax was originally proposed, and there is some dispute about this between myself and a member of the railroad lobby, but when it was originally proposed some question was raised as to whether or not we intended to tax, place a corporate income tax on corporate profits from operation of railroads. Now this has been and still is our intention to place a corporate tax. All the amendment does is preserve the existing law as it was with reference to railroads prior to the adoption of our income tax.

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

Mr. JALBERT: Mr. Speaker and Members of the House: As I understand it now this puts this law back to where it was originally. There are some in the trucking industry who felt that this was

taking the railroads out of the corporate income tax and if they were taken out of the corporate income tax, the railroads, then the truckers should be. This is not right. This merely puts the law back to where it was and it does not take the corporate income tax, the railroad people out of the corporate income tax. It leaves them there. This amendment should pass.

The SPEAKER: Is the House ready for the question? The pending question is reconsideration. All in favor of reconsideration say yes; those opposed say no.

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

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

Mr. HICHENS: Mr. Speaker, I offer House Amendment "A" to Committee Amendment "A" under filing number H-595 and move its passage and would speak on my motion.

The SPEAKER: The Chair understands that the gentleman from Eliot, Mr. Hichens moves that we reconsider our action whereby Committee Amendment "A" was adopted. Is this the pleasure of the House?

(Cries of "No" and "Yes")

The Chair will order a vote. All in favor of reconsidering the adoption of Committee Amendment "A" will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

44 having voted in the affirmative and 42 having voted in the negative, the motion did prevail.

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

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

Mr. HICHENS: Mr. Speaker, is it permissible to put an amendment on the Committee Amendment now?

The SPEAKER: You have the opportunity to offer an amendment to Committee Amendment "A".

Whereupon, the same gentleman offered House Amendment "A" to Committee Amendment "A" and moved its adoption.

House Amendment "A" (H-595) was read by the Clerk.

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

Mr. HICHENS: Mr. Speaker and Ladies and Gentlemen of the House: Two years ago as a freshman legislator I was naive enough to accept inconsistent amendments in good faith. When I returned home following the session I was severely chided for voting in favor of a portion of the education inconsistencies amendment that hurt my own area. I had not noticed this gem hidden in the amendment. At the special session I was able to have this corrected. Since then I have learned to read L. D.'s and amendments especially those of this type. In so doing I found very definitely hidden in this amendment before us a section which adds restaurants and taverns, or in more common terms saloons, to the 1:00 a.m. Sunday opening permits. This just pushes the door open much wider toward complete Sunday sales of liquor and malt beverages in the state.

Regardless of my own personal opinions on Sunday sales, if this amendment were to be considered I believe it should have come through the Liquor Control Committee where the original bill was heard and later passed and signed by the Governor and not as an inconsistency in the public laws submitted by the Judiciary Committee, a bill dealing with revisions of the liquor laws that has been under consideration for several days and was enacted last Friday, yet no such amendment as this was added.

I therefore request that House Amendment "A" to Committee Amendment "A" be adopted.

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

Mr. RIDEOUT: Mr. Speaker, Ladies and Gentlemen of the House: The Act to Correct Errors and Inconsistencies in the Public Law is designed just to do that, to pick up the pieces that we might have missed in the rush of getting legislation out. Now as I understand this, we had intended in the L. D. that permitted one o'clock

closing to include Class A restaurants and clubs, et cetera, and because of the wording of the way that came out some of them are going to have to close at midnight, some are going to have to close at one.

Now this item in the Errors and Inconsistencies bill is to have them all close at the same time which was the intent of the initial legislation and I would ask you to vote against this amendment so that we can have the bill as it was intended in the first place.

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

Mr. BERMAN: Mr. Speaker and Members of the House: I hope you will not vote against the acceptance of the amendment and that you will support Mr. Hichens from Eliot. Last week or so Mr. Hichens from Eliot pointed out to me this situation which existed in Committee Amendment "A" of which I was not aware and I don't believe that many other members of the Judiciary Committee were aware. Now we tried to be very fair in that Committee and anything that goes against our grain is something that finds its way into the omnibus bill much to our surprise. Now for that reason if for no other reason I hope that you will not defeat the motion to adopt Mr. Hichens amendment and when the vote is taken I would request a division.

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

Mr. CORSON: Mr. Speaker and Ladies and Gentlemen of the House: I was the sponsor of the original one o'clock closing bill and there was a mistake in that bill which I did not realize and did not recognize until I saw the omnibus bill. Our original intent was — my original intent anyway was that the Class A restaurants, hotels and clubs would be allowed to serve liquor at 1:00 A.M. year round, and the law as it was formerly on the books provided that the closing time would be Eastern Standard Time, which meant that they would run until twelve o'clock during the winter and one o'clock

in the summer, and this applied to all establishments.

And now when we changed it we made it prevailing time and we find that we have actually cut back the restaurants and taverns and we have taken an hour away from them in the summer. I discussed this matter with the gentleman from Eliot, Mr. Hichens and my only hope was that we could effect some compromise amendment here where we could at least restore the original rights and the laws to them. We were not able to achieve any meeting on this. Therefore I would ask you to defeat the amendment and leave the omnibus bill as it is.

The SPEAKER: Is the House ready for the question? The pending question is the adoption of House Amendment "A" to Committee Amendment "A". All in favor of its adoption will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken. 55 having voted in the affirmative and 69 having voted in the negative, House Amendment "A" to Committee Amendment "A" failed of adoption.

Committee Amendment "A" was then adopted.

Mr. Berman of Houlton offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-593) was read by the Clerk.

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

Mr. HEWES: Mr. Speaker, Members of the House: As I look at this amendment this is a substantive change in the law. It is probably very worthwhile but in this section, Section 4459 of Title 22, it sets forth the duties of the overseers of towns and it sets forth employment of paupers, town paupers. The very last sentence is the sentence that is referred to on your amendment here that "Any person who refuses without lawful excuse to perform the employment directed by the town" —referring to a pauper, "shall be punished by a fine of not more than \$20 or by imprisonment for not more than 90 days for each offense, or by both."

I would think this is a substantive change and if we are only going to make procedural changes in this act to correct errors and inconsistencies we should not adopt this particular amendment. Instead we should wait until next session, I should think, and if a bill like this comes up it no doubt would receive the support of the Legislature.

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

Mr. FINEMORE: Mr. Speaker and Members of the House: I am wondering, I am not too well qualified on this end of it, but I am wondering if this would stop the towns when they tell a man where his wife is under ADC and they are being supplemented by the town under general relief, and if a town requests him to shovel snow or something like that when he isn't working to cover up some of this supplement allowance that is given to a recipient of ADC, I believe this would conflict with it. So I am very much against this amendment if my feeling is correct.

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

Mr. BERMAN: Mr. Speaker and Members of the House: I will try to be as brief as I can in explaining the purpose of the amendment. At the present time the City of Bath is a defendant in an action brought by a welfare recipient. The suit requests that a declaratory judgment, that Title 22 Maine Revised Statutes Annotated, Section 4459 violates the United States Constitution, Amendments 13 and 14 and 42 United States Code, Sections 1981 and 1994. This matter was brought to my attention by my good friend and esteemed colleague from Bath, Mr. Ross.

I suggested to Mr. Ross when this matter came up late in the session that he would see if we could do this in the more or less pure way, by having a bill introduced into the Legislature and having a public hearing on it. But membership very wisely decided that this was late in the session and that if something were to be done to alleviate this situation in

the litigation which the City of Bath is defendant, that it could be done on the omnibus bill.

Now we are not trying to put anything over on anybody, but this last sentence that House Amendment "A" is seeking to take out frankly under our Constitution, as has been enunciated by the United States Supreme Court, would hold our statute unconstitutional; namely, that anyone who is a welfare recipient and refuses to work could be under the present laws of the State of Maine punished by a fine of not more than \$20 or by imprisonment for not more than 90 days for each offense or by both.

Now frankly I think that this is a pretty good provision and I can agree with the situation and the feelings of the gentleman from Bridgewater, Mr. Finemore. The only point is, that if we leave this on the books of the State of Maine and not adopt House Amendment "A" our Maine statute is going to be declared unconstitutional. If this House in its judgment wishes our Maine statute to be declared unconstitutional, all well and good, because I am sure the gentleman from Bath and myself don't have any direct interest in being welfare recipients.

However, I think we should do the very forthright thing and actually bring this situation to a close by adopting House Amendment "A" and bringing the State of Maine statutes into line with the federal court decisions; and for this reason I hope that you will adopt House Amendment "A". Any further questions on this matter might be directed to my good friend and colleague from Bath, Mr. Ross.

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

Mr. ROSS: Mr. Speaker and Members of the House: I will admit that this is a substantive change, but it did come up very late in the session. I requested that a public hearing be held but I was told that it would be better to put it in this way. Now it does have definite statewide implication, because in the City of Bath we are requesting welfare

recipients who are able bodied and able to work to do work, like Mr. Finemore from Bridgewater said — shovelling snow or doing a little work on the roads and so forth.

But, a very disgruntled gentleman in this category got hold of Pine Tree Legal Assistants group and they decided that they would make a test case out of the City of Bath, and that they would try to prove the whole thing unconstitutional; and if they do none of these cities or towns will be able to use these people and the welfare recipients will just, no matter how able bodied they are, they will just be able to laugh at us if we request that they do any work at all.

Now this went before Judge Ed Gignoux and he has called a three-judge hearing on it. It is pretty important and pretty difficult and maybe it is going to be called unconstitutional anyhow. But this is the only chance we have by removing these penalties to have it declared constitutional. So those of you who want your welfare recipients to work and if they are able bodied, if you don't vote for this amendment you have no chance of having them work because the whole thing will definitely be declared unconstitutional.

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

Mr. BRENNAN: Mr. Speaker and Ladies and Gentlemen of the House: I am personally surprised that this law is on the books. It certainly smacks of an involuntary servitude which is, I think, clearly unconstitutional. I think this is well pointed out by the gentleman from Houlton, Mr. Berman. So I would urge the adoption of this amendment to get some of these worn-out laws off the books that probably won't meet a constitutional test.

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

Mr. VINCENT: Mr. Speaker and Members of the House: It is my understanding that the person, welfare recipient, that does this work will not be paid the going rate. Does this mean that the person that presently holds the job

will be fired causing a second unemployment?

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

Mr. McTEAGUE: Mr. Speaker, I would address a question through the Chair to any member that might care to answer. If we pass this part of the errors and inconsistencies law and remove the criminal penalty in this situation, what would be left on the books? Would the town be able, if an individual did refuse to work who is able bodied, would they be able to deny him welfare in the future, or what sanction would they have?

The SPEAKER: The gentleman from Brunswick, Mr. McTeague, poses a question through the Chair to anyone who may answer. The Chair recognizes the gentleman from Bath, Mr. Ross.

Mr. ROSS: Mr. Speaker and Members of the House: In answer to the question if we remove the penalties, the mandatory penalties, no, of course, the town cannot force because they will have no penalty; but those who are willing to work, those who are conscientious enough, those who want welfare but are willing to work it off can do it. And to answer the question of the gentleman from Portland, Mr. Vincent, as far as paying the going wage, they are being paid different wages in different towns but at no time are they being paid less than the minimum wage. And certainly no other persons would be laid off because of it.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: Having served many years as a selectman and having to ask these people — and now believe me an awful lot of these people that do come for this assistance you wouldn't even ask to because they are people that need assistance, they are aged or they have got arthritis or something like that; and I think no reasonable man would ever ask them to do anything. But you have on this particular job when you are an assessor in a small town, you have a lot of very abled bodied citizens that just don't want

to work and that is why they are requiring assistance and come to you for assistance.

Now in my case we used to ask them to clean up the school yard, the papers in the school yard, or mow the school yard, or trim the trees in the school yard, or many other little jobs that you normally wouldn't get done, and come in and get a town order.

Now I am sure if we were to pass this order these people wouldn't do it at all. And I don't think this is a good order. It wouldn't be — when I was an administrator it wouldn't be a good job, and I suspect it wouldn't be a good one for those people that is administering local affairs today.

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

Mr. MILLS: Mr. Speaker and Ladies and Gentlemen of the House: I would pose a question to Representative Ross. What effect would this have on the veteran's status? As it stands now a veteran cannot be pauperized in the State of Maine. What effect would this have on that?

The SPEAKER: The gentleman from Eastport, Mr. Mills, poses a question through the Chair to the gentleman from Bath, Mr. Ross, who may answer the question.

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: This would have no effect on the veteran's status.

Mr. Berman of Houlton was granted permission to speak a third time.

Mr. BERMAN: Mr. Speaker and Members of the House: I didn't realize this House Amendment which is trying to do something to clear up a situation in Maine's jurisprudence was going to run into such objection. Now I haven't had a chance to discuss this with my good friend and seat-mate, the gentleman from Enfield, Mr. Dudley, and I certainly wouldn't pose as an expert in the field of running a retail gasoline outfit or some of the other activities in which Mr. Dudley is undoubtedly an expert. But this a

field in which I am not an expert but I do know something about and I am trying to relieve a situation where the state of the Maine law is that if we didn't adopt House Amendment "A", if we went along with the feeling of my good neighbor, Mr. Dudley, the State of Maine would have an unconstitutional statute on the books. And I really don't think that that is what we should do. So I hope you will go along and adopt House Amendment "A".

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

Mr. FINEMORE: Mr. Speaker and Members of the House: Very very briefly, not to keep going with it, as I understand the gentleman from Houlton, Mr. Berman, to say that this is unconstitutional now; and I understand the gentleman from Bath, Mr. Ross, to say that it hasn't been proven unconstitutional yet. I would like to know which one is right and which one is wrong.

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

Mr. ROSS: Mr. Speaker and Members of the House: It has not actually been declared unconstitutional as yet. But we have been assured that if we do not adopt this amendment it will be declared unconstitutional and, if it is, then no longer can you even request these people to shovel snow or work on the roads or anything.

The SPEAKER: A vote has been requested. All in favor of the adoption of House Amendment "A" will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken. 118 having voted in the affirmative and 4 in the negative, House Amendment "A" was adopted.

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

Mr. BERMAN: Mr. Speaker and Members of the House: I would like to offer House Amendment "B" to the omnibus bill under filing number 594 and would speak briefly to my motion.

House Amendment "B" (H-594) was read by the Clerk.

The SPEAKER: The gentleman may continue.

Mr. BERMAN: Mr. Speaker and Members of the House: I would like to explain what House Amendment "B" is about so that you won't think that anything is being put over on you. During the session we had a bill before Judiciary Committee regarding people who are hospitalized in either Bangor or Augusta State Hospitals and other institutions of the State who may wish to petition the court that they be allowed to be freed from such institutions. Now somewhere along the line, the way that the state of the law at the present time is, the petition would have to be directed to the court in the county from which the person was sent to this institution.

Now it made good sense to the Attorney General's Department and to the Commissioner of Mental Health and Corrections that it would be much better if the petition were held say in Penobscot County if the person were in the Bangor State Hospital, or in Kennebec County if the petitioner were in the Augusta State Hospital; and that pure and simple is what this amendment is all about. So I hope you will go along and adopt House Amendment "B".

Thereupon, House Amendment "B" was adopted.

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

By unanimous consent ordered sent forthwith to the Senate.

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

Mr. BOURGOÏN: Mr. Speaker, is L. D. 1248 still in the possession of the House?

The SPEAKER: The Chair would advise the gentleman that this matter has just been passed to be engrossed and sent under unanimous consent to the Senate.

Mr. BOURGOÏN: Thank you.

Non-Concurrent Matter

An Act Increasing the Number of Superior Court Justices (H. P. 955) (L. D. 1236) which was passed to be enacted in the House on May 2 and passed to be engrossed on April 25.

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

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

By unanimous consent ordered sent forthwith.

The Chair laid before the House a matter tabled earlier and assigned for later in today's session:

Non-Concurrent Matter

Resolve Proposing an Amendment to the Constitution Providing for a Full-time Attorney General to Hold Office for Four Years (S. P. 491) (L. D. 1585) which failed of final passage in the House on June 27 and which was passed to be engrossed as amended by House Amendment "C" (H-541) as amended by House Amendment "A" (H-585) thereto on June 26.

Came from the Senate finally passed in non-concurrence.

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

Mr. BERMAN: Mr. Speaker and Members of the House: Last week we had quite an extensive debate on this matter. The House refused to enact this measure for very sound reasons. So I say simply today that I hope the House will stand by its position and not enact this amendment.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: As was indicated by the gentleman from Houlton, Mr. Berman, that this came before us last week and was debated for some time and failed enactment. I think primarily it failed enactment because a large number of the members of the House were not in attendance for very obvious reasons, that the weather was almost unbearable and the heat of the House itself in some instances became quite unbearable.