

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

**OF THE**

*One Hundred and Fifth  
Legislature*

**OF THE**

**STATE OF MAINE**

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plies are charged. The sum of money taken in by the department last year on this service was in excess of \$16,000. I think on the part of the State Highway Department, this is protecting them in case of suit brought against the Highway Department after construction of water damage caused by salt filtration and so on. Actually that department is buying protection.

The SPEAKER: The pending question is enactment. This being an emergency measure, a two-thirds vote of all members elected to the House is necessary. All those in favor will vote yes; those opposed will vote no.

#### ROLL CALL

YEAS — Albert, Ault, Barnes, Bartlett, Bernier, Berry, G. W.; Binnette, Bither, Boudreau, Bourgoin, Bragdon, Brown, Bunker, Call, Carter, Collins, Conley, Cottrell, Cummings, Curtis, A. P.; Curtis, T. S. Jr.; Cyr, Donaghy, Dow, Doyle, Drigotas, Farrington, Fecteau, Fraser, Gagnon, Genest, Gill, Good, Goodwin, Hall, Hardy, Haskell, Hayes, Henley, Hewes, Hodgdon, Immonen, Kelley, K. F.; Kelley, P. S.; Kelley, R. P.; Keyte, Lawry, Lebel, Lewin, Lewis, Littlefield, Lizotte, Lucas, Lund, Millett, Mills, Morrell, Murray, Marsh, Marstaller, Martin, McCloskey, McKinnon, McTeague, Millett, Mills, Morrell, Murnay, Page, Parks, Payson, Pontbriand, Ross, Scott, Shaw, Silverman, Simpson, T. R.; Smith, D. M.; Starbird, Stillings, Susi, Theriault, Trask, Tyndale, Vincent, Wheeler, White, Whitson, Wood, M. W.; Wood M. E.; Woodbury.

NAYS — Bailey, Baker, Berry, P. P.; Berube, Brawn, Carrier, Churchill, Clemente, Cooney, Cote, Dam, Dudley, Dyar, Emery, D. F.; Emery, E. M.; Faucher, Finemore, Gauthier, Herrick, Kelleher, Kilroy, Lee, Lincoln, Manchester, McCormick, McNally, Mosher, Norris, Orestis, Pratt, Rand, Rocheleau, Rollins, Shute, Simpson, L. E.; Slane, Smith, E. H.; Webber, Wight, Williams.

ABSENT — Bedard, Birt, Bus-tin, Carey, Clark, Crosby, Curran, Evans, Hancock, Hanson, Jalbert, Jutras, Lessard, O'Brien, Porter, Santoro, Sheltra, Tanguay.

Yes, 93; No, 40; Absent, 18.

The SPEAKER: Ninety-three having voted in the affirmative and forty having voted in the negative, with eighteen being absent, this Bill fails of enactment.

Sent to the Senate.

#### Finally Passed Emergency Measure

Resolve Providing Minimum Retirement Benefits for Certain Teachers (H. P. 1361) (L. D. 1776)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken, 113 voted in favor of same and one against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

#### Constitutional Amendment

Resolution Proposing an Amendment to the Constitution Pledging Credit of the State for Guaranteed Loans for Housing for Indians (H. P. 402) (L. D. 515)

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

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

Mr. DUDLEY: Mr. Speaker and Members of the House: This is one of the loans like they were speaking of this morning, the state guaranteed like the sugar beet loan. I hope this is soundly defeated, and we hope that they can get some federal loans at one per cent. I think it would do them more good.

Now this is the bill that talks about guaranteeing state money, and that is very difficult to do. We have had very poor luck doing it, and a good example would be the sugar beet industry.

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

Mr. STARBIRD: Mr. Speaker and Members of the House: I rise to oppose the motion of Mr. Dudley. I rise because, as you know, this bill, once defeated in this House, is now back before us with an amendment, an amendment that would set the referendum date

ahead one year, to November of 1972. Therefore it would have to be the 106th Legislature that would pass the legislation that would implement this constitutional amendment.

In that implementing legislation, the 106th Legislature could write any type of safeguards that they chose. That legislation could not become effective until 90 days after the legislature adjourns. So we are talking about guaranteed loans — not in the near future, but if this passes, somewhere around — the very earliest date, the fall of 1973. In the meantime bad housing conditions will probably still exist.

This bill, this constitutional amendment, would give a chance for Indians, because of the condition of their tribal lands, to get loans to build or repair housing on the reservations. And it will be a long step toward that self sufficiency, that responsibility, that I feel we all want our Indian tribes to have.

I urge you, I urge you very earnestly to vote for this bill. This is one of the biggest helps that you could possibly give our Indian tribes. And remember, this bill, this constitutional amendment must be ratified by the people of Maine. Are we going to prevent them from having a voice in this? I hope not. Let's pass it.

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

Mr. DYAR: Mr. Speaker and Members of the House: I would like to read one short paragraph from the Report on Public Reserve Lots. It states, "Although not part of the public domain, Indian Township, with 17,000 acres" and I repeat, "17,000 acres, is administered by the State Forestry Department in cooperation with the University of Maine's School of Forestry and Georgia Pacific, St. Croix Paper Company, for the benefit of the Indians, the income going to the Department of Health and Welfare for their support. A small sum is withheld for a resident state caretaker, plus the fire warden during the winter months."

I would like to repeat — "for the benefit of the Indians." It doesn't

say for the use of the Indians — for their benefit.

Now I believe that if your blood was 100 per cent white, this 17,000 acres could be put up for collateral, but being Indians it is being used on behalf of the State Forestry Department, study by the University of Maine and for the use of Georgia Pacific.

The SPEAKER: The pending question is final passage. This being a Constitutional Amendment a two-thirds affirmative vote of the House is required for its final passage. All in favor of its final passage will vote yes; those opposed will vote no.

A vote of the House was taken.

77 voted in the affirmative and 46 voted in the negative.

Mr. Mills of Eastport requested a roll call vote.

The SPEAKER: The yeas and nays have been requested. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All members desiring a roll call vote will vote yes; those opposed will vote no.

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

Mr. Cooney of Webster requested that the Committee Report be read.

Thereupon, the Report was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Solon, Mr. Faucher.

Mr. FAUCHER: Mr. Speaker and Ladies and Gentlemen of the House: I am not an Indian but I am in favor of them having equal rights. We hear about helping our poor black brothers but not a word in support of our red brothers. I hope you go along with this bill.

The SPEAKER: The Chair recognizes the gentleman from Livermore Falls, Mr. Lynch.

Mr. LYNCH: Mr. Speaker and Ladies and Gentlemen of the House: I spoke at some length the other day with regard to this. I would simply like to say now, I sometimes wonder how accurately we reflect the opinion of the people that we represent. I think the only