

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Second
Legislature*

OF THE

STATE OF MAINE

1965

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

quire a Roll Call Vote Upon all Bills on Final Passage (H. P. 377) (L. D. 479)

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

(On motion of Mr. Kennedy of Milbridge, tabled pending final passage and specially assigned for Friday, May 21.)

Passed to Be Enacted

An Act relating to Governor, Lieutenant Governor and Tribal Committee of the Passamaquoddy Tribe (S. P. 402) (L. D. 1222)

An Act relating to Costs and Attorney's Fees under Workmen's Compensation Law (S. P. 417) (L. D. 1312)

An Act relating to Qualifications for Practice of Hairdressing and Beauty Culture (S. P. 491) (L. D. 1456)

An Act relating to Sterilization of Bedding and Upholstered Furniture (H. P. 343) (L. D. 446)

An Act to Revise the Laws Relating to the Support of Persons in State Institutions (H. P. 691) (L. D. 928)

An Act relating to Legal Fees in Court Proceeding for Benefits under Employment Security Law (H. P. 825) (L. D. 1258)

An Act Providing for a Fair Employment Practice Act (H. P. 896) (L. D. 1206)

An Act relating to Records of Tests of Water Samples (H. P. 1113) (L. D. 1520)

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

An Act relating to Sunday Sale of Liquor (H. P. 1118) (L. D. 1525)

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

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

Mr. LENT: Mr. Speaker, Ladies and Gentlemen: Only two days ago this item was debated at great length. I don't feel at this time, that additional debate is necessary. In the interest of expediting the calendar I now move that

this measure move on to enactment.

The SPEAKER: The Chair recognizes the gentleman from South Thomaston, Mr. Kittredge.

Mr. KITTEDGE: Mr. Speaker, Members of the House: I realize that much of my thinking is not in keeping with the thinking of this House.

I'm rather disturbed that this bill is going to change our traditional Sunday in this State. And perhaps the fact that some 19 years of the last 25 years I've spent either overseas or on the sea, visiting foreign countries, all of whom I might say had one day of the week which they set aside, perhaps influenced my thinking.

For three years of my life I was forced to travel through Mohammedan countries, Afghanistan, Pakistan, Saudi Arabia, Jordan. The holy day of the Mohammedans was Friday and on Friday the noon day prayer was said in the mosque and all business stopped. While I was in those countries I respected the desires of the people. For two years of my life I lived in Benei Beraq which is the most orthodox part of Israel. The holy day of the Jews is Shebat, which occurs on Saturday, and on Shebat in Benei Beraq everything stops, the orthodox will not even permit an automobile to go down the streets. And while I was there I respected the desires of the people.

Now I think that the leaders of the three great monotheistic religions of the world could do the world no greater service than to establish a common day of worship but I know this is not germane to our problem, nor is it within the province of this legislature.

Nevertheless, traditionally in the State of Maine, this has been a day which has been available to all the people. And because I think that I could be wrong in this, because perhaps I have not judged the temper of our people, because perhaps this not of the great emotional significance which I think it is, I would like to see a little less haste on this particular bill. And I would like to have these people be able to make their wishes known. I therefore would

request somebody in this House to table this bill until next Tuesday.

The SPEAKER: The Chair recognizes the gentleman from Paris, Mr. Hammond.

Mr. HAMMOND: Mr. Speaker, I move that this item be tabled until Tuesday, May 18.

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

Mr. FAUCHER: I move for a division.

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

Mr. MEISNER: Mr. Speaker, I request a roll call.

The SPEAKER: A roll call has been requested by the gentleman from Dover-Foxcroft, Mr. Meisner, on the tabling motion. For the Chair to order a roll call it must have the express desire of one-fifth of the members present. All those in favor of a roll call will kindly rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

The SPEAKER: Obviously, more than one-fifth having arisen, a roll call is in order.

House at Ease

Called to order by the Speaker.

The question before the House is whether this bill shall lie upon the table assigned for May 18 pending its passage to be enacted. If you are in favor of this bill lying upon the table assigned for May 18, you will answer yea or yes when your name is called; if you are opposed to this matter being tabled, you will answer nay or no when your name is called. The Clerk will call the roll.

ROLL CALL

YEA — Avery, Baker, Orrington; Berman, Birt, Brewer, Carter, Crommett, Davis, Dickinson, Dudley, Dunn, Eustis, Evans, Graham, Hammond, Hanson, Lebanon; Harriman, Haynes, Hunter, Clinton; Jewell, Kennedy, Kittredge, Lewis, Lincoln, Littlefield, Lycette, Meisner, Millay, Mitchell, Mosher, Payson, Pike, Prince, Rackliff, Roberts,

Ross, Brownville; Sawyer, Starbird, Storm, Susi, Waltz, Ward, Watts, Wight, Presque Isle; Wood, Young.

NAY — Anderson, Orono, Beane, Bedard, Benson, Mechanic Falls; Benson, Southwest Harbor; Bernard, Berry, Binnette, Bishop, Boissonneau, Bourgoin, Bradstreet, Brennan, Buck, Burwell, Bussiere, Carroll, Champagne, Conley, Cote, Cressey, Curran, Cushing, Danton, Dostie, Drigotas, Drouin, Dumont, Edwards, Farrington, Faucher, Fecteau, Fortier, Fraser, Mexico; Fraser, Rumford; Gaudreau, Gauthier, Gifford, Gilbert, Gillan, Glazier, Hanson, Gardiner; Harvey, Bangor; Harvey, Woolwich; Haugen, Healy, Huber, Hunter Durham; Jalbert, Jordan, Katz, Keyte, Kilroy, Knight, Laberge, Lang, Lebel, Lent, Levesque, Libhart, Lowery, Lund, Martin, McKinnon, Mills, Nadeau, Palmer, Peaslee, Pitts, Poulin, Richardson, Cumberland; Ross, Bath; Roy, Ruby, Scott, Searles, Stoutamyer, Sullivan, Truman, Wheeler, Wuori.

ABSENT — Anderson, Ellsworth; Baker, Winthrop; Baldic, Blouin, Bragdon, Carswell, Cookson, Cottrell, Crosby, D'Alfonso, Doyle, Erwin, Harvey, Windham; Hawes, Hawkes, Hoy, Lane, Norton, Pendergast, Richardson, Stonington; Sahagian, White, Guilford; Whittier.

Yes, 46; No, 81; Absent, 23.

The SPEAKER: The Chair will announce the vote. Forty-six having voted in the affirmative, eighty-one having voted in the negative with twenty-three being absent, the motion does not prevail.

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

Mr. MEISNER: Mr. Speaker and Members of the House: I move the indefinite postponement of this bill and its accompanying papers.

I don't plan to make any speech. I made my speech the other day, but there are things about this bill that very many in this House are not satisfied with. I had hoped that you might give us the courtesy of tabling this until the first of the week until perhaps some of these objections to the bill, objections which are voiced by people on

both sides of this question. But since you saw fit not to grant that courtesy, I have made this motion.

Today, there are many people away, people who will vote on both sides. There seems to be a great rush on getting this bill through this House, and a great many people in this State are not satisfied with the voting. We have had many telephone calls and letters that have come in already. A person in this House visited some beer dealers on the way here this morning. They feel that they are being sold down the road by the lobbyists in this House; that if this goes before the referendum, the people of this state, and they vote against beer, they will lose their license to sell it six days in the week that they now have, and they will be deprived from selling it the whole seven days of the week.

The big objection of all of us to this bill is the selling of beer on the Sabbath day to take out, and the serious objection is the effect it will have on our young people and our teenagers.

As was brought out here the other day, the Attorney General has indicated that at least fifty percent of the time, the officer's time is taken up with minors, and we feel that this is going to cause more trouble by this bill if it passes on Sunday. I would hope that you would go along with indefinite postponement of this bill. Thank you.

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

Mr. LENT: Mr. Speaker, I ask for a division on the motion.

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

Mr. PIKE: Mr. Speaker, I take a somewhat different view from the others. I have to confess on this one I'm voting dry and drinking wet. But our communities, the ones I represent and I suspect some others are in the same fix. The beer has been handled very well by and large and the votes to keep beer to take out have been fairly narrow in my principal community. I represent 10 of which 3 are dis-

organized townships, 1 is an unorganized plantation, 1 is an organized plantation, and there are several towns. The disorganized ones, the State law prevails and the folks there have no votes on liquor or beer. But my community of Lubec, will probably vote beer right out if it's on sale on Sunday. I have a great deal of sympathy with the hotels and class A restaurants. I find it very difficult to see why this beer to take out thing with over 2,000 outlets should have been brought in here along with the vacation business, the people going to New Hampshire and not staying over the week-end because they couldn't get a drink on Sunday, so I am continuing to object to this beer to take out being coupled in here. It is in here so I will go ahead and vote dry.

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

Mr. MEISNER: Mr. Speaker, I ask for a roll call.

The SPEAKER: The Chair recognizes the gentleman from Dixfield, Mr. Eustis.

Mr. EUSTIS: Mr. Speaker, I feel this issue has been confused ever since it was brought into this House by two things, fog and dust of trivia that really have no important bearing on this overall question. I feel that it is, and I don't believe any of you here can deny it, a moral question. We have looked to the churches for inspiration always, even though we don't do it too regularly, I think we still owe to them the respect they deserve. We have in substance here, placed on the line, the question in this form, which shall it be, money and expediency or principle. I say that principle should be the governing matter of decision here. I would remind every member of this House, and I think you will have to agree, that you have taken at some time in your life, the oath of allegiance. And I believe that you will recall the phrase under that oath, One Nation under God. I believe further than that that anybody who has ever seen military service at home, ashore, afloat, or abroad will remember also that there is just one flag that ever

flies over our national colors and that flag is the church flag. I ask you to consider these things seriously. I ask you to take them into your own mind and let your conscience work on it a little. I know it will whisper and I hope it will be loud enough so you'll hear it. Thank you very much.

The SPEAKER: The Chair recognizes the gentleman from Gouldsboro, Mr. Young.

Mr. YOUNG: Mr. Speaker, I want to stand this morning and concur with the good gentleman from Dover-Foxcroft, Mr. Meisner that this bill be indefinitely postponed. This morning in the Portland paper you will note that the opinion of 6 different people was asked on this Sunday sale of liquor bill. Two were against any Sunday sales whatever, so we'll take the other four. Three of the other four were against the selling of beer. I represent 16 small towns and I am sure that if the Sunday provision is left in this thing that they will, I would say, fourteen of the sixteen would vote dry. And I hope the motion of Mr. Meisner prevails.

The SPEAKER: The Chair recognizes the gentleman from Southport, Mr. Buck.

Mr. BUCK: Mr. Speaker, Ladies and Gentlemen: As I said the other day I am for a certain portion of this bill, that portion having to do with the serving of liquor to hotels and restaurants, and when I spoke the other day I asked that it be tabled in order that somebody could bring in an amendment to that effect. I still am of the same opinion and if no change is made in it I shall vote again with the gentleman on my right for indefinite postponement.

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

Mr. HUNTER: Mr. Speaker, out of courtesy I'd like to ask to have this matter tabled to the next legislative day.

The SPEAKER: The gentleman from Clinton, Mr. Hunter, moves this matter be tabled until the next legislative day. The Chair recognizes the gentleman from Lewiston, Mr. Jalbert.

Mr. JALBERT: Mr. Speaker, I ask for a division.

The SPEAKER: A division has been requested. All those in favor that this bill will lie upon the table assigned for the next legislative day will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Forty-five having voted in the affirmative and seventy-six having voted in the negative, the motion did not prevail.

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

Mr. BERNARD: Mr. Speaker, Members of the House: I think we've debated this bill long enough. I don't think anybody in this House is going to change his mind this morning so I move the previous question.

The SPEAKER: The gentleman from Sanford, Mr. Bernard, now moves the previous question. For the Chair to order the previous question, it must have the consent of one-third of the members present. All those in favor of entertaining the previous question now will kindly rise and remain standing until the monitors have made and returned the count.

A sufficient number did not arise.

The SPEAKER: A sufficient number not having arisen, the previous question is not in order.

The Chair recognizes the gentleman from Dixfield, Mr. Eustis.

Mr. EUSTIS: Mr. Speaker, Members of the House: I don't mean to be impertinent or egotistical about this thing, but I would like to say this much and I would like to ask you all to consider it. I think this is a sad reflection on this House and the individuals present here today, when you consider the number of people absent and the roll call as it goes out to the public, it is by no means an accurate reflection of the real opinion of the entire House. I think when this thing was cold and that one hour leeway into Sunday was voted upon, I think it became very evident at that time what the temper of the people was in regards to the question in general as to liquor on Sunday. Thank you.

Mr. Levesque of Madawaska was granted permission to approach the rostrum.

House at Ease

The SPEAKER: The question before the House is on the motion of the gentleman from Dover-Foxcroft, Mr. Meisner, that this bill and its accompanying papers be indefinitely postponed. And the gentleman from Dover-Foxcroft, Mr. Meisner, has requested that when the vote is taken that it be taken by the yeas and nays. For the Chair to order the yeas and nays, it must have the expressed desire of one-fifth of the members present. All those in favor of the vote being taken by the yeas and nays, will kindly rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

The SPEAKER: Obviously more than one-fifth having arisen the yeas and nays are in order.

Mr. Dumont of Augusta, who would have voted "no" had he voted, was excused from voting as he paired his vote with Mrs. White of Guilford, who was absent but would have voted "yes" were she present.

Mr. Ross of Bath, who would have voted "no" had he voted, was excused from voting as he paired his vote with Mr. Cookson of Glenburn, who was absent but would have voted "yes" were he present.

Mr. Cottrell of Portland, who would have voted "yes" had he voted, was excused from voting as he paired his vote with Mrs. Carswell of Portland, who was absent but would have voted "no" were she present.

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

Mr. LITTLEFIELD: Mr. Speaker, I would like to question, how are we to know how Mrs. Carswell will vote? She has voted dry on some of the bills and wet on others.

The SPEAKER: The gentlewoman has communicated, I assume, with the gentleman from Portland, Mr. Cottrell, and has made that

desire. We are in assumption that this is an honorable body and no person would get up and pair his vote unless he has been so instructed.

Mr. Lebel of Van Buren, who would have voted "no" had he voted, was excused from voting as he paired his vote with Mr. Anderson of Ellsworth, who was absent but would have voted "yes" were he present.

Mr. Gifford of Manchester, who would have voted "yes" had he voted, was excused from voting as he paired his vote with Mr. Blouin of Sanford, who was absent but would have voted "no" were he present.

Mrs. Ruby of Bangor, who would have voted "no" had she voted, was excused from voting as she paired her vote with Mr. Whittier of Farmington, who was absent but would have voted "yes" were he present.

The SPEAKER: The question before the House is on the motion of the gentleman from Dover-Foxcroft, Mr. Meisner, that this Bill, "An Act relating to Sunday Sale of Liquor," House Paper 1118, L. D. 1525 and its accompanying papers be indefinitely postponed. If you are in favor of indefinitely postponing this bill and its accompanying papers, when your name is called you will answer either yea or yes; if you are opposed, when your name is called you will answer either no or nay. The Clerk will call the roll.

ROLL CALL

YEA — Baker, Orrington; Berman, Birt, Bishop, Brewer, Buck, Carter, Crommett, Davis, Dickinson, Dudley, Dunn, Eustis, Gilbert, Graham, Hammond, Hanson, Gardiner; Hanson, Lebanon; Harriman, Haugen, Haynes, Huber, Hunter, Clinton; Hunter, Durham; Jewell, Kennedy, Kittredge, Lewis, Lincoln, Littlefield, Lycette, Meisner, Millay, Mitchell, Mosher, Pike, Prince, Rackliff, Roberts, Ross, Brownville; Sawyer, Scott, Starbird, Storm, Susi, Waltz, Ward, Watts, Wight, Presque Isle; Wood, Young.

NAY—Anderson, Orono; Avery, Beane, Bedard, Benson, Mech-

anic Falls; Benson, Southwest Hbr.; Bernard, Berry, Binnette, Boissonneau, Bradstreet, Bragdon, Brennan, Burwell, Bussiere, Carroll, Champagne, Conley, Cote, Cressey, Curran, Cushing, Danton, Dostie, Drigotas, Drouin, Edwards, Farrington, Faucher, Fecteau, Fortier, Fraser, Mexico; Fraser, Rumford; Gaudreau, Gauvin, Gillan, Glazier, Harvey, Bangor; Harvey, Woolwich; Healy, Jalbert, Jordan, Katz, Keyte, Kilroy, Knight, Laberge, Lang, Lent, Levesque, Libhart, Lowery, Lund, Martin, McKinnon, Mills, Nadeau, Palmer, Payson, Peaslee, Pitts, Poulin, Richardson, Cumberland; Roy, Searles, Stoutamyer, Sullivan, Truman, Wheeler, Wuori.

ABSENT — Baker, Winthrop; Baldie, Bragdon, Crosby, D'Alfonso, Doyle, Erwin, Evans, Harvey, Windham; Hawes, Hawkes, Hoy, Lane, Norton, Pendergast, Richardson, Stonington; Sahagian.

Yes, 51; No, 70; Paired, 12; Absent, 17.

The **SPEAKER**: Fifty-one having voted in the affirmative seventy in the negative, twelve paired and seventeen being absent, the motion does not prevail.

Thereupon, the Bill was passed to be enacted and signed by the speaker.

The motion of Mr. Jalbert of Lewiston for reconsideration on enactment failed on a viva voce vote.

Sent to the Senate.

Finally Passed

Resolve Designating Certain Bridges of the Interstate System as "Veterans Memorial Bridges" (H. P. 680) (L. D. 907)

Resolve Authorizing Construction of Bridge to Quigg Island in Stevens Pond, Waldo County (H. P. 1095) (L. D. 1495)

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

Recess

Called to order by the Speaker.

Order out of Order

Mr. Cote of Lewiston presented the following Order and moved its passage:

WHEREAS, the members of the House have learned that today is the 67th birthday of the gentleman from Portland, Mr. Cottrell;

BE IT ORDERED, that the members of the House extend to Mr. Cottrell their congratulations and their best wishes not only for today but for the entire year.

The Order received passage. (Applause)

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

Mr. Cottrell of Portland requested unanimous consent to briefly address the House.

MR. COTTRELL: Mr. Speaker and Friends and Members of the House: It made me feel a great deal happier than I was a few minutes ago, but I have really gotten to the point when I don't like to be reminded about my birthday. I am trying to go the other way fast. But I certainly thank you very, very much.

Orders of the Day

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

HOUSE REPORT—"Ought not to pass"—Committee on Appropriations and Financial Affairs on Resolve, to Provide Funds for Additional Personnel for the Southern Maine Vocational-Technical Institute at South Portland. (H. P. 390) (L. D. 502)

Tabled—May 5, by Mr. Haugen of South Portland.

Pending—Acceptance. (Specially assigned for Wednesday, May 12th)

On motion of Mr. Haugen of South Portland, retabled pending acceptance of the Committee Report and specially assigned for Tuesday, May 18.

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

HOUSE REPORT—"Ought not to pass"—Committee on Appropriations and Financial Affairs on