

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Second
Legislature*

OF THE

STATE OF MAINE

VOLUME II

MAY 17 - JUNE 4, 1965

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Thursday, June 3, 1965

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

Prayer by the Rev. Mr. Robert Martel of St. Augustine Church, Augusta.

The journal of yesterday was read and approved.

Papers from the Senate Committee of Conference Report

Report of the second Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act Approving the Course of Study in Private Schools" (S. P. 87) (L. D. 231) reporting that the House accept the new draft of the Committee of Conference submitted herewith under title of "An Act Approving the Course of Study in Private Schools" (H. P. 1155) (L. D. 1586), and pass the new draft to be engrossed as amended by Committee of Conference Amendment "A" submitted herewith: that the Senate recede from its action whereby the Bill was passed to be engrossed as amended by Committee Amendment "A" and concur with the House in the indefinite postponement of the Bill; accept the new draft of the Committee of Conference and pass the new draft to be engrossed as amended by Committee of Conference Amendment "A".

(Signed)

SNOW of Cumberland
FALOOD of Penobscot
MENDELL

of Cumberland
—Committee on part of Senate

BERRY of Cape Elizabeth
GRAHAM of Freeport
LENT of Scarborough

—Committee on part of House.

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

In the House. The Report was read.

On motion of Mr. Levesque of Madawaska, the Report was accepted in concurrence.

The House recessed from its action whereby House Amendment "A" was adopted and the Amendment was indefinitely postponed.

The Bill was passed to be engrossed as amended by Conference Committee Amendment "A" in concurrence.

By unanimous consent sent forthwith.

From the Senate: The following Order:

ORDERED, the House concurring, that there is created an Interim Joint Committee to consist of 3 Senators, to be appointed by the President of the Senate, and 3 Representatives, to be appointed by the Speaker of the House of Representatives, to study the policy, functions and activities of the Department of Inland Fisheries and Game for determining necessary and possible improvements in its operations; such study to include, but not be limited to the necessity for providing a dedicated revenue for departmental operations, a review of the administrative budget as against the functions and activities of the department, evaluation of the conservation practices of the department, the desirability of providing for the enforcement of the boating laws on inland waters by the warden service, engineering costs of the department versus contractual bidding, evaluation and determination of the sufficiency of funds spent on the hatchery program, whether funds spent for promotion and education by the department are justified or whether these activities should be handled by the Department of Economic Development and Maine Publicity Bureau, and whether, to avoid possible political implications, the warden service should be removed from the jurisdiction of the commissioner; and be it further

ORDERED, that the members of the committee shall serve without compensation, but shall be reimbursed for their actual expenses incurred in the performance of

their duties under this Order; such sums to be paid out of the Legislative Appropriation; and be it further

ORDERED, that the committee shall have the authority to employ professional and clerical assistance within the limit of funds provided; and be it further

ORDERED, that the committee shall make a written report of its findings and recommendations to a special session of the 102nd Legislature or to the 103rd Legislature; and be it further

ORDERED, that there is appropriated to the committee from the Legislative Appropriation the sum of \$5,000 to carry out the purposes of this Order. (S. P. 590)

Came from the Senate read and passed.

In the House, the Order received passage in concurrence.

The SPEAKER: The Chair recognizes the gentleman from Brewer, Mr. Libhart, who now moves that we reconsider our action whereby this order received passage in concurrence.

The gentleman may proceed.

Mr. LIBHART: Mr. Speaker and Ladies and Gentlemen of the House: This order, if you haven't had time to read it, requires an interim committee "to study the policy, functions and activities of the Department of Inland Fisheries and Game, for determining necessary and possible improvements in its operations; such study to include, but not be limited to, the necessity for providing a dedicated revenue for departmental operations, a review of the administrative budget as against the functions and activities of the department, evaluation of the conservation practices of the department, the desirability of providing for the enforcement of the boating laws on inland waters by the warden service, engineering costs of the department versus contractual bidding, evaluation and determination of the sufficiency of funds spent on the hatchery program, whether funds spent for promotion and education by the department are justified or whether these activities should be handled by the Department of Economic De-

velopment and Maine Publicity Bureau, and whether, to avoid possible political implications, the warden service should be removed from the jurisdiction of the commissioner," and so on.

I suppose that it is a mere coincidence that this order appears on our desks this morning while we are in the heat of debate over the moose bill and the omnibus bill for this department. I suppose it was also a coincidence that the other day, when we were embroiled in the debate over the fishways and dam issue, that an amendment to the pay raise for the Commissioner of Inland Fisheries and Game, reducing his indicated salary increase, was also on our desks. That one, of course, was never presented.

I would assume, without being facetious, that this order would be tabled somewhere before it was finally passed, providing the moose issue is resolved in favor of the person who, as I understand it, was responsible for this order.

Now it seems to me that in the last few days of this session, we should all retain our sensibilities, attempt to retain our tempers and finish this session off as well as we can, without getting embroiled in the petty politics of an order of this kind. There is no need for this order. It is here simply as a wedge, the same as the order the other day on the Commissioner's decrease of salary. It seems to me that we are supposedly intelligent legislators that look at ourselves square in the face and say, is this the kind of thing that we should be doing in the last hours of this session?

I think this legislature, so far, has built a good record and it distresses me to see the majority party allow this type of thing to go on. I now move for the indefinite postponement of this order.

The SPEAKER: The question before the House is on the motion of the gentleman from Brewer, Mr. Libhart, that we reconsider our action whereby this order received passage.

The Chair recognizes the gentleman from Glenburn, Mr. Cookson.

Mr. COOKSON: Mr. Speaker and Ladies and Gentlemen of the House: I think this order is quite disgraceful as far as the Fish and Game Department is concerned. I know that you all realize the problems that this department does face up with with all of their problems, and it distresses me a good deal after working on this committee the whole session and to find an order like this be put in, and to know the reason that it really was put in is what distresses me. I wholeheartedly agree with the gentleman from Brewer, Mr. Libhart, that this be indefinitely postponed.

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

Mr. LUND: Mr. Speaker and Ladies and Gentlemen of the House: It would appear to me that somebody is trying to declare open season on the Fish and Game Department and I hope that this House will have no part of it. I hope you will support the motion for reconsideration.

The SPEAKER: The Chair recognizes the gentleman from Mars Hill, Mr. Dickinson.

Mr. DICKINSON: Mr. Speaker and Members of the House: I would certainly hope that this doesn't indicate a personality clash but it is rather difficult for me to rule out the possibility. Therefore I go along with the sentiments previously expressed in this discussion. Thank you.

Mr. Levesque of Madawaska requested a division.

The SPEAKER: The question before the House is on the motion of the gentleman from Brewer, Mr. Libhart, that we reconsider our action whereby this order received passage. The gentleman from Madawaska, Mr. Levesque, has requested that when the vote is taken it be taken by a division. All those in favor of reconsidering our action whereby this order received passage will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Sixty-five having voted in the affirmative and sixty-five having

voted in the negative, the motion did not prevail.

From the Senate: The following Order:

ORDERED, the House concurring, that there is created a Joint Interim Committee to consist of 5 Senators to be appointed by the President of the Senate and 5 Representatives to be appointed by the Speaker of the House to study the advisability of calling a constitutional convention or creating a constitutional commission to revise the Constitution of this State; and be it further

ORDERED, that the Committee shall report the results of its study to a special session of the 102nd Legislature or the 103rd Legislature; and be it further

ORDERED, that the members of the Committee shall serve without compensation, but shall be reimbursed for their actual expenses incurred in the performance of their duties under this Order; such sums to be paid out of the Legislative Appropriation; and be it further

ORDERED, that the Committee shall have the authority to employ professional and clerical assistance within the limits of funds provided; and be it further

ORDERED, that there is appropriated to the Committee from the Legislative Appropriation the sum of \$2,500 to carry out the purpose of this Order (S. P. 592)

Came from the Senate read and passed.

In the House, the Order received passage in concurrence.

On motion of the gentlewoman from Windham, Mrs. Harvey, House Rule 25 was suspended for the remainder of today's session in order to permit smoking.

Tabled Until Later in Today's Session

From the Senate: the following Order:

Whereas, Legislative Document 1575, Senate Paper 563, "An Act to Appropriate Moneys for Capital Improvements, Construction, Repairs, Equipment, Supplies and Furnishings for the fiscal years ending June 30, 1966 and June 30,

1967," in section B thereof, provides an appropriation in the sum of \$791,000 for construction at the Augusta State Airport; and

Whereas, there is serious and substantial question that the expansion of the Augusta State Airport does not conform to the National Airport Plan, and is thereby not eligible for financial assistance under the Federal Airport Program; now, therefore, be it

ORDERED, the House concurring, that the Senate hereby declares its legislative intent, that the aforesaid appropriation of \$791,000 for the Augusta State Airport, not be expended if the expansion program is not eligible for financial assistance under the Federal Airport Program (S. P. 593)

Came from the Senate read and passed.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Old Town, Mr. Binnette.

Mr. BINNETTE: Mr. Speaker, I now move that we concur with the Senate.

The SPEAKER: The gentleman from Old Town, Mr. Binnette, now moves that this order receive passage.

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

Mr. KATZ: Mr. Speaker, Ladies and Gentlemen: If I ever come back to this chamber again I'm going to make it my business to get, on my team, those who have been opponents of this because they are a very very effective hard working group. I take issue with the order, I understand that it will be supported by the Majority Party but I'd like to tell you why I think it is a bad order. It delves into the question of Federal financing and it lumps together a figure of \$791,000, while in that figure of \$791,000 there are apples and pears that bear no relationship to one another, and it tries to make fish out of fowl and fowl out of fish. Now if you pass this order what you are saying is this: unless we are assured of federal assistance for the construction of this project, that we cannot spend a single solitary dollar of the \$791,000. Now I agree that anybody who undertakes runway

improvement at the Augusta Airport without federal assistance should be taken out and shot, and it would be my pleasure to pull the trigger myself.

But you go far beyond this in the development of this order. For example, you say it would be against the law for the Maine Aeronautics Commission to spend a thousand dollars, which they have programmed, for cutting down trees and clearing approaches for increased safety. Is that your intention? You say, unless we get Federal assistance it would be against the law for the State Aeronautics Commission to improve the runway lighting, something that needs to be done badly for reasons of safety to passengers and pilots alike. Is that your intention by this order?

I say that this order goes far beyond what I think the Majority Party wanted to do and I would certainly hope that someone would table this to permit me to amend this order to do what I think you want to do and that is to say to one and all that it is the intent of this legislature not to spend any money on runway improvement, and this is the big one, unless federal funds were available. So I ask if someone won't table this until later in today's session so I can prepare such amendment.

(On motion of Mr. Dumont of Augusta, tabled pending passage of the Order until later in today's session.)

Non-Concurrent Matter

Resolve Authorizing the Establishment of a Residential and Day School for the Mentally Retarded in Northern Maine (H. P. 452) (L. D. 606) which was finally passed in the House on May 20 and passed to be engrossed as amended by Committee Amendment "A" on May 14.

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

In the House: On motion of Mr. Levesque of Madawaska, the House voted to recede and concur with the Senate.

Non-Concurrent Matter

An Act for Shrinkage Allowance on Motor Fuel for Service Stations (H. P. 557) (L. D. 873) which was passed to be enacted in the House on May 18 and passed to be engrossed as amended by Committee Amendment "A" on April 27.

Came from the Senate indefinitely postponed in non-concurrence.

In the House: On motion of Mr. Nadeau of Biddeford, the House voted to recede and concur with the Senate.

Non-Concurrent Matter

An Act to Authorize the Establishment of an Area State Operated Vocational Technical High School in York County and the Issuance of Not Exceeding One Million One Hundred and Fifteen Thousand Dollar Bonds of the State of Maine for the Financing Thereof (H. P. 673) (L. D. 900) which was passed to be enacted in the House on May 28 and passed to be engrossed on May 25.

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

In the House: On motion of Mr. Bedard of Saco, the House voted to recede and concur with the Senate.

Non-Concurrent Matter

Bill "An Act for Licensing Private Detectives and Watch, Guard and Patrol Agencies" (H. P. 1130) (L. D. 1545) which was passed to be engrossed as amended by House Amendments "A", "B" and "D" and Senate Amendment "A" in non-concurrence in the House on June 1.

Came from the Senate with House Amendment "A" indefinitely postponed and the Bill passed to be engrossed as amended by House Amendments "B" and "D" and Senate Amendments "A" and "C" in non-concurrence.

In the House: On motion of Mr. Levesque of Madawaska, the House voted to recede and concur with the Senate.

Non-Concurrent Matter

An Act relating to State Retirement Benefits for Certain Teachers and Increasing Pensions for Certain Retired School Superintendents H. P. 788) (L. D. 931) which was passed to be enacted in the House on March 17 and passed to be engrossed as amended by House Amendment "B" on March 12.

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

In the House: On motion of Mr. Levesque of Madawaska, the House voted to recede and concur with the Senate. (Later Reconsidered)

Non-Concurrent Matter

An Act relating to Relocation Assistance in State Highway Projects (H. P. 1139) (L. D. 1559) which was passed to be enacted in the House on June 1 and passed to be engrossed as amended by Senate Amendment "A" on May 27.

Came from the Senate with Senate Amendment "A" indefinitely postponed and the Bill passed to be engrossed as amended by Senate Amendment "B" in non-concurrence.

In the House: On motion of Mr. Gillan of South Portland, the House voted to recede and concur with the Senate.

By unanimous consent, the preceding Non-Concurrent Matters were sent forthwith to the Senate.

The SPEAKER: The Chair at this time would like to recognize in the rear of the House a former member of the Maine Court who served faithfully for many many years on the courts of Maine. It is a great pleasure to have with us the former Justice Albert Beliveau. On behalf of the House the Chair welcomes you and we hope you will enjoy your visit. (Applause)

Messages and Documents

The following Communication:

THE SENATE OF MAINE
AUGUSTA

June 2, 1965

Hon. Jerome G. Plante

Clerk of the House

102nd Legislature

Sir:

The President of the Senate today appointed Senators to join with members of the House in Committees of Conference on the disagreeing action of the two branches on Bills as follows:

Bill, An Act Authorizing Public Utilities Commission to Require the Interchange of Electric Energy (H. P. 846) (L. D. 1147)

Senators:

VIOLETTE of Aroostook

LETOURNEAU of York

BOISVERT

of Androscoggin

Bill, An Act Clarifying the Inland Fisheries and Game Laws (S. P. 428) (L. D. 1375)

Senators:

HARDING of Aroostook

VIOLETTE of Aroostook

CHISHOLM

of Cumberland

Respectfully,

(Signed)

EDWIN H. PERT

Edwin H. Pert

Secretary of the Senate

The Communication was read and ordered placed on file.

Orders

Mr. Healy of Portland presented the following Order and moved its passage:

WHEREAS, there is a very strong likelihood that the 1966 National Legislative Conference is to be held in Maine;

BE IT ORDERED, the Senate concurring, that the President of the Senate and not exceeding 4 members of the Senate, or 5 members if the President is unable to attend, designated by him, the Speaker of the House and not exceeding 4 members of the House, or 5 members if the Speaker is unable to attend, designated by him, the Law and Legislative Reference Librarian, the Legislative Finance

Officer, the Secretary of the Senate, and the Clerk of the House be and hereby are authorized during the current biennium to attend the conferences of the National Legislative Conference; and

BE IT FURTHER ORDERED, that the necessary traveling expenses of the above Maine delegation be paid from the legislative appropriation. (H. P. 1160)

The Order received passage and was sent up for concurrence.

By unanimous consent, sent forthwith.

The SPEAKER: The Chair at this time would like to recognize in the balcony of the House sixty pupils of the third and fourth grades at Monmouth Elementary School. They are accompanied by their teachers Mrs. Cottrell, Mrs. Sparks, Miss Bradbury and Mrs. Stetson; and they are the guests of the gentlewoman from Winthrop, Mrs. Baker. On behalf of the House the Chair welcomes you and we hope that your visit will be both educational and enjoyable. (Applause)

At the same time the Chair would like to recognize in the balcony of the House twenty pupils of the eighth grade at Casco Elementary School, accompanied by their teachers Mrs. Lucille Foster, Mr. Frank, Mrs. Cram, Mrs. Tenney and Mr. Webb; and they are the guests of the gentleman from Harrison, Mr. Pitts. On behalf of the House the Chair welcomes this group and we hope that your visit will be both educational and enjoyable. (Applause)

On motion of Mr. Kennedy of Milbridge, it was

ORDERED, that the Chaplains of the House be paid in accordance with a payroll list submitted by the Clerk of the House.

Mr. Gifford of Manchester presented the following Order and moved its passage:

WHEREAS, it is in the public interest that the Maine Employment Security Law effectively provide to as many as possible of the working men and women of Maine substantial protection against loss of income due to loss of employ-

ment for reasons beyond their control; and

WHEREAS, it is likewise in the public interest that the cost to contributing employers of providing, by law, such protection be competitive with the costs of similar employers in other states; and

WHEREAS, in Maine, more so than in most of the states, a large segment of the work force is engaged in seasonal employment, and subject to regularly recurring seasonal unemployment, with consequent heavy demand upon the funds of the employment security program; and

WHEREAS, it is anticipated that within two years the U. S. Congress will enact legislation establishing Federal standards for the employment security programs of the states, which will require substantial revision by the Maine Legislature of the Maine Employment Security Law; now, therefore, be it

ORDERED, the Senate concurring, that there be created an interim joint committee to consist of 6 members of the Advisory Council of the Maine Employment Security Commission, appointed by the Employment Security Commissioners (2 representing labor, 2 representing management and 2 representing the public), 2 Senators appointed by the President of the Senate and 3 Representatives appointed by the Speaker of the House to study the impact of seasonal employment, and of such Federal standards as may be imposed upon the states by the U. S. Congress, upon the employment security program and to report to the 103rd Legislature, or to the 102nd Legislature in special session if in its judgment earlier action is necessary or desirable, its recommendations for revision of the Maine Employment Security Law; and be it further

ORDERED, that there is appropriated to the Committee from the Legislative Appropriation the sum of \$5,000 to carry out the purposes of the order. (H. P. 1161)

The Order received passage and was sent up for concurrence.

By unanimous consent, sent forthwith to the Senate.

Mr. Anderson of Orono presented the following Order and moved its passage:

ORDERED, the Senate concurring, that the Clerk of the House, in his capacity as Executive Officer of the Legislature, when the Legislature is not in session, be and hereby is authorized to employ whatever members of his staff may be necessary to complete the work and the records of the House and conduct the business of the Clerk's office and approve payment for same. (H. P. 1162)

The Order received passage and was sent up for concurrence.

By unanimous consent, sent forthwith to the Senate.

Mr. Kittredge of South Thomaston was granted unanimous consent to briefly address the House.

Mr. KITTREDGE: Mr. Speaker and Members of the House: I just learned this morning that former Representative Ralph Winchenpaw passed away at the beginning of the week. He represented my district for some seven sessions and I was wondering if it would be appropriate at this time for me to request perhaps that the House rise and we bow our heads for a moment in respect for the memory of this man.

Thereupon, the House stood for a moment of silence.

Finally Passed Emergency Measure

Resolve Providing Increases in Retirement Allowances for Certain Retired Fish and Game Wardens (H. P. 248) (L. D. 316)

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 division was had. 133 voted in favor of same and none against, and accordingly the Resolve was finally passed, signed by the Speaker and by unanimous consent, sent forthwith to the Senate.

Passed to Be Enacted Bond Issue Emergency

An Act to Authorize Bond Issue in Amount of Six Million Nine Hundred Seventy Thousand Dollars for Capital Improvements, Construction and Repairs at University of Maine (S. P. 568) (L. D. 1581)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. In accordance with the provisions of Section 14 of Article IX of the Constitution a two-thirds vote of the House being necessary, a division was had. 132 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and, by unanimous consent, sent forthwith to the Senate.

Constitutional Amendment Failed of Final Passage

Resolve Proposing an Amendment to the Constitution Affecting the Apportionment of the State Senate (S. P. 539) (L. D. 1529)

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

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

Mr. BERRY: Mr. Speaker, Members of the House: The proposed amendment having been defeated on this bill, I believe that the legislation as now before us does not represent what should be the best proposal to put before our people. Accordingly, I would urge you to vote against enactment and when the vote is taken I would request a division.

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

Mr. STARBIRD: Mr. Speaker, Members of the House: The proposed plan, constitutional amendment, we have before us today, is in effect the same plan the State of Maine operated under for some hundred and ten years. This is essentially the same apportionment plan for the Senate that was written into the Constitution of 1820. Up until the apportionment that followed the census of 1850

and including that in one instance, county lines were crossed. That was the last time. In the apportionment of the Senate that followed the census of 1860, the Legislature saw fit to divide the state into sixteen districts following strictly county lines, and this was continued until the Constitution was amended, I think, in 1931.

Strangely enough, this system that we operated under for something like a hundred and ten years would have complied with the Supreme Court mandate and we saw fit some thirty years ago to reject it. It is rather ironic. In a few spare moments of time last night, I was able to draw up—well one I had partially drawn up before, two possible plans for apportionment of the State Senate. There are many other possible ways to do it.

One that has been suggested to me, and possibly suggested to others, that is of having one senator for every thirty thousand people or a major fraction thereof. In other words, a county with thirty thousand or under would be allowed one senator and any county that had sixty thousand, we'll say, could be two but possibly if you had only fifty-five thousand there could be two, a major fraction. In this particular instance, of course, the smaller counties would still be allowed their one senator. I have grave doubts in my mind whether this would fit the Supreme Court mandate, however.

I think this plan is very workable. This is only two possible apportionment plans. There may be others that could be worked out that would be fairer to the smaller counties. It would give them possibly more representation, give them more voice. I hate to see minority groups whether they be racial, religious or county-wise, trod upon, but there may be no way we can get around it in this instance. I tried all possible ways that I could think of to combine our three smallest counties of Sagadahoc, Lincoln and Waldo and sometimes in connection with Knox also, trying to work them in-

to some of the larger counties. I worked some considerable time on it last evening. I won't say that I have exhausted all the possibilities. There may be a great many more. But I couldn't get around it; I hope this won't defeat the whole plan, I hope that their people will see reality. Somehow that area had to lose a senator.

We have reached a time when the Supreme Court, whether we like it or not, has given us a mandate to apportion our Senate. This plan will work. This plan will keep the county boundaries almost intact and there may be many, many, as I said before, other ways that can be formulated that will keep them even more intact than these two plans. These are just sample plans. They can't possibly be for the final answer of course, because I am no apportionment expert and I don't pretend to be.

So I hope that you will consider these things, knowing that if we don't apportion, the court may come and do it for us. And I am very, very sure that if they do it, we won't like the way they do it, not any of it. You may not like part of these plans. You may not like part of any other plan that someone else may think up. But I am sure that the courts when they do it, they're going to just sit right down and split the state up and they're not going to pay any attention to anybody's wishes for what they think is right.

Now, I hope that you will go along and vote for this constitutional amendment. It is very, very vital that we keep control of this apportionment system, in so far as it is possible for us to do it, within the hands of this Legislature. Thank you.

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

Mr. COTTRELL: Mr. Speaker, Ladies and Gentlemen of the House: I have on my desk yesterday's New York Times which reports the decisions handed down Tuesday by the Supreme Court. The first decision relative to reapportionment dealt with New York State. The Legislature this year failed to reapportion and so

the court has ordered them to have a special election this fall, to elect its 65 senators and its 165 representatives for one year term only. Another decision was in connection with California. California has been clinging to the idea that it might be able to reapportion its Senate other than by the basis of population. The court yesterday ordered a three panel federal court stating that California must reapportion its Senate by July first or the court would do it. In Illinois, they have given the Legislature and the courts of Illinois a little time to reapportion. That was another decision. And the last was their statement of policy which said that the Supreme Court favored the policy of having the state courts intervene in this matter of reapportionment.

Now there is no doubt that we must take action in this Legislature, either now or by a special session. As I understand this amendment, it simply wipes out the old formula under which we have been operating and which is now in our Constitution and I say if you don't want to do it today you are going to be forced to come back here and do it this year, because we have met and we have had to take action. And the writing on the wall is clear and so I certainly would appeal to you to take action in your own behalf without being forced to do it.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: Having once served in the other body, I am extremely interested in the legislation before us today. My county is the County of Sagadahoc. It is not a very populous county; however, it is a very proud one, steeped in tradition. Bath not only is one of the oldest ship building cities in the country today, at the turn of the century in the City of Bath alone and in the environs there were twenty-six shipyards. There still is one of the oldest yards in the country thriving there today. At the turn of the century, Bath was the third largest port in this coun-

try, but the suggested plan before us today may well deprive my County of Sagadahoc from future representation in the Senate. In one of the suggested plans I see that my county is linked with two other counties. In another plan it is linked with three other counties.

So for this reason, I must also urge a vote against enactment today.

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

Mr. BUSSIERE: Mr. Speaker, as I mentioned I always like to talk after Mr. Ross from Bath. Under the proposed constitutional amendment, I think that if you check the record of the United States Supreme Court under Earl Warren which has a very poor record, and I don't have to tell you, you just check; and I hope that the members of this House will vote to kill this constitutional amendment.

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

Mr. STARBIRD: Mr. Speaker, Members of the House: I would like to say to the gentleman from Bath that I have sincerely racked my brains in these two plans that I attempted to work out, to find some solution so that none of the smaller counties would lose a senator. I think his county runs around 22,000 people. There is a possibility that by 1970 that he might find his county up to the lowest figure, the lowest variation, the median figure, which in one place runs 24,900 and with the first plan is 25,500. If there is any way that he might possibly prove to us now that his county has come up to that figure, possibly when the Senate is reapportioned they might see fit to give him his senator.

He might also notice that there is room for variation here. It can vary from thirty to forty-one, so that the Senate could be increased or decreased as the case might be. So these small counties, they would be in a poor position for the simple reason that they are small in population. It is just the same as in country districts like I come from that I have to cover a vast

area, comparatively vast area of Penobscot County, to make up the amount of population for my own small representative district. The same is true here. You have to combine to get the population. It is just as simple as that.

And I hope that he will see that we do have a mandate. We can't avoid it. We have got to be realistic. I don't like it. I don't like the Supreme Court thrusting something down my throat which is essentially what I see this as, but I do recognize that this is the law of the land. This is the way that they have interpreted the Constitution. This is the way that they have said that this must be done. And until some future time when we may possibly—we may not be able to override this, we have got to do as they say. Now it is just as simple as that. Do you want to do it yourself? Or do you want the court to do it? I don't want the court to do it. I would rather do it myself. Thank you.

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

Mr. COTTRELL: Mr. Speaker, Ladies and Gentlemen of the House: I would like to make it crystal clear that we are not voting today on any plan. There is no plan. Our good representative, Mr. Starbird, has thought about this a lot and he has simply given a couple of suggestions. It has got to be done by a reapportionment committee in my opinion and all we are voting now for is to clear the decks, to clear the constitutional decks so that we can make a program in the following months. We are voting simply to do away with that unconstitutional setup in our Constitution now on the reapportioning of our Senate. So I think this is most urgent that we do clear our decks and vote with a big two-thirds vote on this issue now.

The SPEAKER: The Chair recognizes the gentleman from Kingman Township, Mr. Starbird, who requests permission to once again address the House. Is there objection? The Chair hears none. The gentleman may proceed.

Mr. STARBIRD: Mr. Speaker, Members of the House: I want to

concur with Mr. Cottrell. This is all that this amendment to the Constitution does do. It just clears the decks. These are just suggested plans. Even our present system would work under this amendment and indeed it did work under essentially this same system for a hundred and ten years. For about seventy years prior to the amendment of 1931, the present system did work. County lines were not crossed. And this present amendment just simply clears the constitutional block in the Maine Constitution, that's all it does. Any number of possible plans could be worked out for apportionment. A new one would be worked out after the census of 1970 anyway, due to the change in population. A new one would be worked out in 1980. This is just a suggestion. Any number of plans might work.

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

Mr. LIBHART: Mr. Speaker and Ladies and Gentlemen of the House: I am afraid that the way this debate is going that my party may be blamed for refusing to go along with a constitutional amendment which as has been stated here on the floor must be done. Now I take it that this is not true. If you want to study the formula which has been laid down by the Supreme Court of the United States, I think that you will find that our present apportionment comes within the mean of the requirements therein laid down. I don't think that any court is going to order us to reapportion, at least until 1970 when the next census is taken. So the great urgency is not here.

Another thing that you should realize is that there are bills before the Congress to take away the jurisdiction of the Supreme Court to act in these particular cases and, as I understand it, one of these bills has a good chance of passing. If that bill does pass, of course, we are not going to be required at any time until the jurisdiction is given back to the Supreme Court to do anything here. I think the most important thing that should be pointed out is that the other day we, this House,

had a chance to adopt House Amendment "A" which we Republicans have stated is a much better bill, a much better amendment to our Constitution. The one that we are debating now makes provision for the apportionment of the Senate and it completely ignores the apportionment of the House. I take it that House Amendment "A" does make a provision for the apportionment of this House.

Now here in the apportionment of this House an argument can be made, based on the last census, because in various instances we do not meet the requirement. I represent about ten thousand people for example. Some of you represent less than five thousand. I say there is no urgency here. I do say that there is a good constitutional amendment here that we could buy by reconsidering. And I suggest to my friends in the other party that if you want to back up, we'll buy it.

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

Mr. BERRY: Mr. Speaker, Members of the House: I would like to pay tribute to the hard work which the gentleman from Kingman, Mr. Starbird, has put into this effort. In all fairness to him, although we do not agree with the principles of his document before us, he has worked long and hard in a sincere and genuine effort to come up with a solution to the problem. There are several important reasons why the Minority Party does not favor this bill. The bill does not provide as narrow a variance as the Minority Party believes should be provided for proper representation. The amendment which was defeated allowed a tolerance of ten percent. The bill before you now allows a tolerance of fifteen percent. We think that it would be more fair to the voters of the State of Maine to have their representation confined within the ten percent limitation.

In addition, the amendment which was defeated provided for the reapportionment of the Senate based on the decennial federal census. The bill before you pro-

vides for a review every five or ten years. If it were done less than ten years it would have to be done upon the decennial census as the previous reapportionment. The amendment which was defeated provides that the State Supreme Judicial Court shall take action if the state legislature refuses or does not do so. In addition, and perhaps a most important point, is that the defeated amendment provided for the one vote-one person theory as opposed to the bill before you which provides for election of senators at large. For these reasons we feel the present legislation is not desirable.

The SPEAKER: The Chair recognizes the gentleman from Kingman Township, Mr. Starbird, who requests permission to once more address the House. Is there objection? The Chair hears none. The gentleman may proceed.

Mr. STARBIRD: Mr. Speaker, I am even more confused about Mr. Berry's amendment now than I was before. I thank him for his compliments. Many of the things that he objects to, incidentally, were suggested by Mr. West, our Attorney General. He looked over this completely. The not less than five year phrase was suggested by him. The limitation on the senators was suggested by him, the number of the senators. Mr. Berry distinctly gave the understanding to me the other day that his amendment was an at large representation. That is what he said, but I thought when reading it that it divided it into single Senator districts. As I said before, I have no personal feeling against single Senator districts, none whatsoever; but I think it is the feeling of many that if we must apportion the Senate, and indeed it seems we must, we should keep as close to the present system as we can in order to avoid stepping on people's toes if we can possibly do this.

Mr. Ross has suggested that we are already stepping on his toes and indeed we are. These two plans cannot help but do it. I hope that he can come up with a better plan for Sagadahoc, I sincerely do; but I think that this plan, this

amendment, it should be again emphasized is one that the State of Maine worked under for a hundred and ten years and it proved its worth. I think we can do so again.

Mr. Levesque of Madawaska requested a roll call.

The SPEAKER: The gentleman from Madawaska, Mr. Levesque, has requested that when the vote is taken that it be taken by the yeas and nays. For the Chair to order a roll call 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.

The question before the House is on final passage of this Resolve Proposing an Amendment to the Constitution Affecting the Apportionment of the State Senate, Senate Paper 539, L. D. 1529, which is a constitutional amendment. If you are in favor of this resolve receiving final passage, when your name is called you will either answer yea or yes; if you are opposed to this resolve receiving final passage when your name is called you will either answer nay or no. The Clerk will call the roll.

ROLL CALL

YEA — Anderson of Orono; Baldic, Beane, Bedard, Benson of Mechanic Falls; Bernard, Binnette, Bishop, Blouin, Boissonneau, Bourgoin, Bradstreet, Brennan, Carroll, Carswell, Champagne, Childs, Conley, Cote, Cottrell, Crommett, Curran, Danton, Dostie, Doyle, Drigotas, Drouin, Dudley, Dumont, Edwards, Eustis, Faucher, Fortier, Fraser of Mexico; Fraser of Rumford; Gaudreau, Gauvin, Gilbert, Gillan, Glazier, Graham, Harvey of Bangor; Harvey of Windham; Harvey of Woolwich; Haugen, Healy, Hunter of Durham; Jalbert, Jordan, Keyte, Kilroy, Knight, Laberge, Lebel, Lent, Levesque, Lowery, Martin, McKinnon, Mills, Mitchell,

Nadeau, Palmer, Pitts, Poulin, Roy, Ruby, Sawyer, Searles, Starbird, Sullivan, Truman, Wheeler, Whittier, Wuori.

NAY — Anderson of Ellsworth; Avery, Baker of Orrington; Baker of Winthrop; Benson of Southwest Harbor; Berman, Berry, Birt, Bragdon, Brewer, Buck, Burwell, Bussiere, Carter, Cookson, Cressey, Crosby, Cushing, Davis, Dickinson, Dunn, Erwin, Evans, Farrington, Gifford, Hammond, Hanson of Gardiner; Harriman, Hawes, Hawkes, Haynes, Huber, Hunter of Clinton; Jewell, Katz, Kennedy, Kittredge, Lang, Lewis, Libhart, Lincoln, Lund, Lycette, Meisner, Millay, Mosher, Norton, Payson, Peaslee, Pendergast, Pike, Prince, Rackliff, Richardson of Cumberland; Richardson of Stonington; Roberts, Ross of Bath; Ross of Brownville; Sahagian, Scott, Storm, Susi, Waltz, Ward, Watts, White of Guilford; Wight of Presque Isle; Wood, Young.

ABSENT — D'Alfonso, Fecteau, Hanson of Lebanon; Hoy, Lane, Littlefield, Stoutamyer.

Yes, 75; No, 69; Absent, 7.

The SPEAKER: The Chair will announce the vote. Seventy-five having voted in the affirmative and sixty-nine having voted in the negative and seven being absent and seventy-five being less than two-thirds, this resolve does not receive final passage.

Mr. Starbird of Kingman Township was granted unanimous consent to briefly address the House.

Mr. STARBIRD: Mr. Speaker, I would just like to extend good wishes to those people that wish to run for Senator in two years from now, wish them all the happiness in the world running at large over the entire State of Maine, which may possibly happen because we have rejected this amendment.

By unanimous consent, sent forthwith to the Senate.

Passed to Be Enacted

An Act relating to Petition for Release of Respondents Acquitted on Basis of Mental Defect (S. P. 380) (L. D. 1196)

An Act relating to Definition of Hotel under Liquor Laws (S. P. 560) (L. D. 1567)

An Act Directing Review of Governmental Immunity (S. P. 561) (L. D. 1573)

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

The SPEAKER: The Chair requests the Sergeant-at-Arms to escort the gentleman from Madawaska, Mr. Levesque, to the rostrum for the purpose of acting as Speaker pro tem.

Thereupon, Mr. Levesque assumed the Chair as Speaker pro tem and Speaker Childs retired from the Hall.

An Act relating to Comparative Negligence in Civil Actions (S. P. 565) (L. D. 1577)

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

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

Mr. RICHARDSON: Mr. Speaker, Members of the House: First of all I am very distressed that the gentleman from Portland, Mr. Childs, has decided to abandon the Chair and not listen to the words of wisdom from his old friend and courtroom adversary. However, I am sure that he knows what I am going to say, so he can be forgiven. This is the comparative negligence law that you have heard about so much and I am going to be brief, I promise you.

I simply want to make it absolutely clear what you are doing if you pass to be enacted this piece of legislation. And in doing so I want to make absolutely sure that you understand whose interests are being served and that you do not pass this legislation with any sense of great enthusiasm because I think that you are making a most serious mistake. I do not know whether this is a party issue or not. I don't know whether or not the Allagash

bill is a party issue or not, but I do know that my responsibility to you and to the people who elected me to come here is to speak out when I see something that I consider destructive of the welfare of the people of this state.

Now, the Maine Trial Lawyers' Association, which used to be called the National Association of Claimants Compensation Attorneys, has sponsored legislation such as this many, many times before. They are a national organization made up of those attorneys who represent injured parties in trials and, as you know, the customary fee that they get for services is one-third of the amount recovered. Therefore, if the jury in its wisdom determines that a man is entitled to ten thousand dollars compensation, the attorney representing him will take three thousand dollars plus right off the top. The Maine Trial Lawyers Association and its parent organization, the National Association, is staffed and its membership is made up of those attorneys who I feel have an axe to grind. I am an insurance lawyer. This bill if it passes is going to increase litigation as it has in the only state that has adopted it recently and I stand to benefit by it. Yet I say to you that this is unwise legislation.

The Maine Trial Lawyers Association calls itself an independent bar association, yet I suggest to you that it lacks one of the essential qualities of a bar association, which is to enhance the image of the bar and to insure that its members behave with fidelity to the trust which is imposed upon it. Comparative negligence bills were introduced in ten Legislatures between 1963 and 1965 and ten states refused to buy it. It has been introduced in seventeen states during 1965 and four have already rejected it. The last time this debate was on the floor, I raised the question, if you are exceeding the speed limit by five or ten miles an hour and a man who is drunk falls out of the darkness in front of you on the highway, under our present law it seems clear that he could not recover. If you pass this law he

will recover, this bill will make every case worth something.

Now why am I so opposed to it? Not only because it violates the hundreds of decisions of our law court, but primarily because Wisconsin which has a comparative negligence statute, which isn't even as liberal as this one, has insurance rates forty percent higher than those of its neighboring states and I would ask you to remember that Wisconsin borders on the State of Illinois, a highly industrialized state with a rather large population. During 1963, automobile liability insurance, bodily injury liability insurance in Maine cost the premium payers, the people, \$11,397,732. If you pass this legislation and if we have the same experience that we can be expected to have and the same experience that Wisconsin had, this will mean a payment by Maine people of an additional premium of \$7,168,750.

Now previously in this session you have removed the death limits. You have removed the thirty thousand dollar limitation on a death action. I submit to you that you have gone far enough towards liberalizing awards by juries. I suggest to you that the Maine Trial Lawyers Association is interested in one thing and I suggest to you that this legislation is contrary to the best interests of the people of Maine and I urge you to vote against the enactment of this legislation. I promise you I will accept your decision with good grace. My only motive in speaking to you today on this subject for the second time is to make absolutely sure that you know the serious step that you are taking.

Some people suggest, oh well, this is just an insurance company bill, let's stick the insurance company. My friends, the people who are paying the premiums aren't the insurance companies. The people who are going to pay for this are you, me, Joe Average citizen who has to operate an automobile on the highway, and I think it is certainly obvious to those of you who drive that it isn't always possible to be free of negligence. You know it and I know it.

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

Mr. BRENNAN: Mr. Speaker, first I would like to say that this bill had a majority support in the committee. Secondly, at the committee hearing the only opposition was from the insurance lobbyists, ten or eleven lobbyists opposed the bill. Thirdly, I would like to say that this comparative negligence is being practiced in the United States District Court here in Maine right now. In regard to insurance rates, at the hearing we asked for some evidence to show that insurance rates would increase. No evidence was forthcoming. This bill was debated in the other body about two weeks ago, again insurance rates, it was asked to show how insurance rates would increase and no evidence was forthcoming. A week ago we argued it here, we asked the opposition to show where the insurance rates would increase, again no evidence was forthcoming. Now at the eleventh hour they give us some sort of figure of forty percent. How come there aren't some sort of papers on our desks so that we can look over this? Are they afraid that it wouldn't stand up to scrutiny that insurance rates would increase?

Furthermore, I would like to say that the United States Supreme Court has discredited the doctrine of contributory negligence as harsh. This is one of the few countries in the world where it is still prevalent. Also, even if insurance rates were to increase I would like to quote Dean Roscoe Pound, former Dean of Harvard Law School, probably the greatest legal scholar this country has known. He said, "Keeping down insurance rates at the expense of justice is not in keeping with humanitarian ideals of today." Thank you.

The SPEAKER pro tem: The Chair recognizes the gentleman from Kennebunkport, Mr. Pendergast.

Mr. PENDERGAST: Mr. Speaker and Members of the House: This L. D. 1577 relating to comparative negligence in civil actions has the

most dangerous and far-reaching effects on our Maine court system. This bill would in essence make every Maine Supreme Court decision rendered over hundreds of years null and void, and it will shake our judicial system to its very roots. I urge you to vote against this bill.

The SPEAKER pro tem: The Chair recognizes the gentleman from Lewiston, Mr. Cote.

Mr. COTE: Mr. Speaker, I think we have heard all the arguments and pros and cons on this bill and I move the previous question.

The SPEAKER pro tem: The gentleman from Lewiston, Mr. Cote has moved the previous question. For the Chair to entertain the motion for the previous question, it must have the expressed desire of one-third of the members present. All those in favor of the motion for the previous question will kindly rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

The SPEAKER pro tem: Obviously, more than one-third having arisen, the previous question is in order.

The question now before the House is, shall the main question be put now? All those in favor of the main question being put now will—the Chair recognizes the gentleman from Portland, Mr. Edwards.

Mr. EDWARDS: Mr. Speaker, Ladies and Gentlemen of the House: If the main question is now put, those of us who are not attorneys yet are interested in this and who have not yet spoken on this, will not have a chance to speak. I request that you vote against the main question being put.

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

Mr. JALBERT: Mr. Speaker, my motive in getting up was certainly not to take issue with my good friend and colleague from Lewiston. The only thing is, I wanted to ask a question I think is very pertinent.

The SPEAKER pro tem: As many as are in favor of the main ques-

tion now being put will say yes; those opposed, no.

A viva voce vote being taken, the main question was not ordered.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I voted along with the good gentleman from Cumberland, Mr. Richardson, on the bill that would call for unlimited amounts, I believe, insofar as death benefits are concerned, and this morning I find myself going along with the measure as is before us.

Number one, the gentleman from Cumberland, Mr. Richardson, mentioned the fact that he doesn't know whether this is a party issue. In my humble opinion, I think it is a party issue on the basis that it is the little fellow or the ordinary individual wanting to get a fair shake and making sure that he gets a fair shake in court, versus the high powered insurance companies, and while I am at that, I don't think my word can be refuted when I state that I see very few bankruptcy cases or insolvency cases wherein it concerns insurance companies.

The second point that I listened to in the words of usual wisdom from the good gentleman from Cumberland, Mr. Richardson, is when he states in effect that the fee if you sue and get a verdict of \$10,000, the attorney's fee would be one-third. Now apparently he objects to this. I would like to ask him when he voted for the unlimited benefits for the beneficiaries of dead persons in accidents, what is the fee of the attorney in that instance?

The SPEAKER pro tem: At this time, the Chair will recognize Miss Ora Reed, R. N., a guest from the State of Virginia visiting the State of Maine, and of the family of Herb Reid.

On behalf of the House the Chair hopes that the gentlewoman will enjoy her stay in the State of Maine. (Applause, the members rising)

The SPEAKER pro tem: The Chair recognizes the gentleman

from Cumberland, Mr. Richardson.

Mr. RICHARDSON: Mr. Speaker, I should like to attempt to answer the question put by the gentleman from Lewiston, Mr. Jalbert. Perhaps naively I assumed that I could express my opinion on the bills proposed by the Maine Trial Lawyers Association without recourse to my personal interest. It was for that reason that I voted for and spoke in favor of and urged my friends to support the abolition of the \$30,000 limitation on a man's life, and I did so because I thought and think that any such restriction is ridiculous.

The fee that an attorney gets in prosecuting a death action is just like the fee he gets in prosecuting a personal injury action, subject in some cases to court approval.

I mentioned this one-third fee business only because this national organization of plaintiffs' attorneys, and incidentally not all of their members go along with them on this sort of thing, this national association has unsuccessfully attempted to foist this type of legislation off on ten states during 1963 and 1965, and they are now engaged in a nation-wide effort which is just as prevalent here in Maine to foist it off again.

I mentioned the fee business because there has been all this discussion about the little man. Perhaps I have some difficulty seeing the point, but it seems to me that the little man's interest is very seriously damaged by requiring him to pay increased insurance rates, and there is no question but that they would be increased, in order to compensate someone who by their own wrong-doing, who by their own negligence has gotten themselves injured and then turns around and says you have got to pay me. One more point if I may. A figure of forty percent appeared in an article which I have before me and which I believe was distributed to the members of the Judiciary Committee. The difficulty with figures is that you can't really draw a comparison what would comparative negligence do next year or the year after or the year after that, but there is no question but that in Wisconsin the insurance rates are forty percent

higher than those of its neighboring states. I hope that I have answered the gentleman's question.

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

Mr. BERMAN: Mr. Speaker, Members of the House: We who support this humane bill have listened with some patience to the attacks of the opponents, one opponent being my friend the gentleman from Cumberland, Mr. Richardson. He said in the first debate, on May 25th, "I say to you this is the worse piece of legislation, the most reckless and irresponsible kind of legislation that could possibly come before this Legislature." Now these are harsh words and they are cruel words from my friend from Cumberland. In reply, ladies and gentlemen, I pointed out to you that day and I point out to you again that this humane legislation is quite the opposite from what the gentleman from Cumberland has labeled it. For this legislation was carefully worked out by the law revision committee for some eight years and it was enacted into law without demur, and I emphasize without demur, by the government of Winston Churchill, June 15, 1945.

Ladies and gentlemen, this piece of legislation enacted by the Churchill government is sound, not reckless. It is of the highest calibre, it is extremely responsible. And I would like to read into the record a telegram which I received from a colleague in Camden, "Representative Malcolm Berman, House of Representatives, Augusta, Maine. I am delighted to hear of your active support of the pending bill on comparative negligence. Like you I am convinced that it will advance the administration of justice for many Maine citizens, who until they sustain personal injuries do not know the harsh rule of contributory negligence and who therefore are not heard from at the State House. Signed, David A. Nichols."

Now there has been some comment by the gentleman from Cumberland, my friend Mr. Richardson, about insurance rates, and I

took the time and went over to the insurance department of the State of Maine and showed them this document, 1577, and I asked them very forthrightly what effect this document would have on insurance rates in Maine if it were enacted. And I got a very forthright reply. I was told that the insurance rates are set on a national basis. Maine has less than one million people. At the present time there are approximately a hundred and eighty million people more or less in the United States. Our rates in Maine are based to a very high degree on the national experience, and I say with all due respect for my colleague from Cumberland that his remarks on insurance rates going way up in the State of Maine if you pass this bill really is a bugaboo, because one million people, or less than one million people, in the State of Maine are not going to significantly reflect the national experience of one hundred and eighty million people.

So, I say to you ladies and gentlemen, we should follow the example of the Churchill government and we should enact this law and I would request that when the vote is taken that we have a division.

The SPEAKER pro tem: The Chair recognizes the gentleman from Portland, Mr. Edwards.

Mr. EDWARDS: Mr. Speaker and Ladies and Gentlemen of the House: I'm not an attorney but I have become educated on this law simply because I became confused by the terms comparative negligence and contributory negligence. And we've heard them say that contributory negligence is harsh and comparative negligence is just. As I understand it, under contributory negligence if a person is one iota at fault he can collect nothing, regardless of how serious the hurt to him. Under comparative negligence, and I'm sure that we've all had occasion at one time or another to say, well, it was partly my fault, under this situation then a just and proper adjustment is made.

If a person is crippled for life while crossing on a crosswalk, under our present law if that per-

son has one foot outside of the yellow lines, as I understand it, he can't collect a thing if he's hit by a speeding automobile. However, if that person, under comparative negligence, is hit by a speeding automobile with just one foot outside of the yellow line, he at least will be able to collect something of the damages that have been done to him for the rest of his life.

The gentleman from Cumberland, Mr. Richardson, would put a price tag on this type of justice. His arguments are that even if this is just, it costs too much. I say to you there should be no price tag on justice. We can't afford to put a price tag on justice, it's much too precious.

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

Mr. BENSON: Mr. Speaker, when a man stands and tells me he is protecting my interests at a considerable cost to himself, I'm inclined to admire him and honor his judgment. Now Mr. Richardson has already admitted that he would profit considerably in dollars and cents by the passage of this legislation. There will be some who will criticize me for this but I am going to pose a question through the Chair to any member of the Judiciary Committee, other than the gentleman from Cumberland, Mr. Richardson, who may care to answer and that question is: Do you expect to profit in dollars and cents by the passage of this legislation?

The SPEAKER pro tem: The gentleman from Southwest Harbor, Mr. Benson, has posed a question through the Chair to the gentleman from Old Orchard Beach, Mr. Danton, if he chooses to answer. The Chair recognizes that gentleman.

Mr. DANTON: Mr. Speaker and Ladies and Gentlemen of the House: In answer to the gentleman from Southwest Harbor, Mr. Benson, frankly I do not expect to profit. I think that under this comparative negligence doctrine people will be able to settle their claims much more readily than they can today.

The SPEAKER pro tem: The Chair recognizes the gentleman from Skowhegan, Mr. Poulin.

Mr. POULIN: Mr. Speaker and Members of the House: I can quote you a real good example because it happened to me. My wife and I were out Christmas shopping with our little boy, four years old. We were standing on a sidewalk discussing as to who was going to go where and who was going to take him with us. While we are discussing it the boy is looking in a window of a store, Laura's got an eye on him, and he decides to cross the street. Meanwhile there is a woman coming down the street driving a car who is window shopping from her car. She does not see the boy. I ran after him and I just missed him, I ran into the car but the front wheels were over him.

Now the next morning an insurance company agent was in my office. He said I'd like to have your report on the accident. Well I said, mister, you'll have to visit and talk to my lawyer because I haven't got one just yet. I said come back later.

After I got a lawyer and after about two or three months my lawyer says to me, he says they can prove a part of negligence on your part due to the fact that your boy got away from you. Now that was my negligence, he got away from me. Therefore I had to settle out of court for a measly, lousy little sum and the lawyer got one third of that too.

The SPEAKER pro tem: The Chair recognizes the gentleman from Portland, Mr. Healy.

Mr. HEALY: Mr. Speaker and Ladies and Gentlemen of the House: I aspire to be the fastest mike in the House and I would now move the previous question.

On the motion of Mr. Healy of Portland, the motion for the previous question was entertained.

Thereupon, the main question was ordered on a viva voce vote.

The SPEAKER pro tem: The question before the House is on the enactment of this Bill, An Act relating to Comparative Negligence in Civil Actions, Senate Paper 565, L. D. 1577. The gentleman from Lewiston, Mr. Jalbert,

has requested a division. All those in favor that this bill be enacted will rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Eighty-three having voted in the affirmative and forty-two having voted in the negative, the Bill was passed to be enacted, signed by the Speaker and, by unanimous consent, sent forthwith to the Senate.

An Act relating to Appropriation for Certain Legislative Documents (S. P. 578) (L. D. 1590)

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

(Off Record Remarks)

Enactor Indefinitely Postponed

An Act relating to Jurisdiction of Municipal Police Officers in Fresh Pursuit (H. P. 589) (L. D. 781)

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

The SPEAKER pro tem: The Chair recognizes the gentleman from Sanford, Mr. Blouin.

Mr. BLOUIN: Mr. Speaker and Members of the House: On this L. D. I can't understand how come it got this far. I know where the commas are. But I don't believe that it's a good bill because, not that I have anything against any local police because I believe everybody in every town, the local police, they are doing a very good job. But this is giving them quite a bit of power to go across the line of their territory and arrest people. The only question that I've got on my mind is when you need a local police, where are they going to be? They'll say well, they're not available right now, no they are not available, they're in the other town chasing somebody else. I don't think that's a very good idea because you might have an emergency sometime, and the authority can't furnish you a policeman because they are busy

chasing somebody else in the other town, this bill don't make sense to me.

I'm not going to go into a long debate on this because I believe we have debated it long enough in this session, but now I will move for indefinite postponement of this bill and all of its accompanying papers.

The SPEAKER pro tem: The question before the House now is on the motion of the gentleman from Sanford, Mr. Blouin, that this bill be indefinitely postponed.

The Chair recognizes the gentleman from Brownville, Mr. Ross.

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: This bill has been around here with the seventy year olds who want free hunting licenses, with the moose, the only difference is this bill has never been defeated. This bill passed in both branches. Once it was enacted in this branch, then there was a move on foot to reconsider it. At that time I very foolishly offered an amendment doing away with the word misdemeanor because several members of this House didn't like that word. I was never so surprised in my life, when I wanted to ease the bill everybody was against my amendment. I've become so attached to this bill if I lose it's going to be like losing a member of my family, and I hope that you defeat the motion for indefinite postponement.

The SPEAKER pro tem: The Chair recognizes the gentleman from Sanford, Mr. Blouin.

Mr. BLOUIN: Mr. Speaker, I just want to say to the gentleman Mr. Ross, from Brownville, that I hope he doesn't lose any member of his family but I do hope he loses his bill.

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

Mr. PIKE: Mr. Speaker, this troubles me, I'm a little late bringing it up, but my town is a long way from any state police. It has a day cop and a night cop. The next town to it, our only escape hatch, is a so-called disorganized township with no police at all. The next town going toward

Machias is Whiting, which has no police. The next town going east toward Dennysville is Edmunds, which has no police. Going south you get to Cutler which has, maybe a day cop, but I don't think they have any police.

Now what is a "fellar" going to do when he's in this fresh pursuit business — doesn't this offer — unless this passes, it seems to me, it offers a complete escape hatch for any youngster, let's say youngster, there are older people, once he crosses the town line where there are no police at all, if this man has to stop. I just don't know. Can anybody tell me the answer to those things? Anybody who can — I must say I am for the bill from what I know of our locality where I think there is one state cop in Machias, one in Pembroke and one in Calais. All of them, well the nearest one is twenty-eight miles away, and there are these three unorganized townships all in my district — I am sorry, the tax people call them disorganized townships or plantations, that have no police whatsoever. I would like to know the answer to the question. You might pick up a vote. I am going to vote against indefinite postponement.

The SPEAKER pro tem: The Chair recognizes the gentleman from Portland, Mr. Gillan.

Mr. GILLAN: Mr. Speaker, Ladies and Gentlemen of the House: The gentleman from Lubec thinks he is confused, the courts are also. They are not in agreement at all as to whether a police officer in fresh pursuit where a misdemeanor only is involved has the right to cross the town line which he represents. Some courts say yes; others no. Apparently the purpose of this bill was to clarify that confusion. As a member of the Judiciary Committee who reported this out, I had mixed feelings about the bill. In the Portland area, South Portland area, it probably isn't as essential as elsewhere, but after talking with representatives from the smaller, sparsely scattered areas, it appears that there is quite a menace of hot rodders driving through those towns.

Now we don't anticipate that a police officer will chase every one. But, if this bill is on the book it might have a deterrent effect and it might result in saving lives. As I say, I had mixed emotions, but I am voting for the bill. Thank you.

The SPEAKER pro tem: The Chair recognizes the gentleman from Portland, Mr. Healy.

Mr. HEALY: Mr. Speaker, Ladies and Gentlemen of the House: I think this is a bad bill. In fact I think it is a dangerous bill. It's dangerous for the pedestrians. I can sympathize with the gentleman from Lubec, Mr. Pike. However, he hasn't too many people up there to be worried about. It certainly is more populated districts that we should be concerned about this—hot pursuit, I think would be a better name for it. Some of these cops in these small towns, they get into a uniform and they get a gun on their side and already they're a cowboy. And we have these hot rods going through the streets, they take on pursuit. The victims are probably going to be innocent people.

Now, there's enough killings on the highway without doing it by law. I urge you ladies and gentlemen to defeat this bill and when the vote is taken I ask for a division.

The SPEAKER pro tem: The Chair recognizes the gentleman from Portland, Mr. Conley.

Mr. CONLEY: Mr. Speaker and Ladies and Gentlemen of the House: I rise and concur with my colleague, the gentleman from Portland, Mr. Healy. And I too sympathize with the gentleman from Lubec, Mr. Pike. However, I would point to just one hypothetical problem that might exist and that is such as my gentleman friend from Sanford, Mr. Blouin, that a police officer could start a chase in York County and actually end up in Fort Kent. I can imagine the squealing and screeching of tires coming through the Cities of Portland and South Portland, right through to Bangor, Waterville and Bangor, Augusta and so forth and in areas of this nature, being a proud family man

as most of you know today, I would hate to think the lives of my children were going to be jeopardized by some hotrodding police officer chasing some youngster.

I think we read in the papers almost daily whereas some one who is speeding or out joyriding is soon taken after by some policeman and eventually ends into a crashup. Sometimes the police officer himself also finds this to be his final end. I happen to concur with the opposition on this bill because I think it is a dangerous bill.

The SPEAKER pro tem: The Chair recognizes the gentleman from Kennebunkport, Mr. Pendergast.

Mr. PENDERGAST: Mr. Speaker, Ladies and Gentlemen of the House: I don't see any need for this bill. Now our town is Kennebunkport. We live next to Kennebunk. And we take care of this very simply. We just trade police papers. Their police are authorized to come into our town. Our police are authorized to go into their town in a case of chase. I just don't see any necessity of this law. Thank you.

The SPEAKER pro tem: The Chair recognizes the gentleman from Portland, Mr. Sullivan.

Mr. SULLIVAN: Mr. Speaker, and Members of this House: I am forced to get up here because of the statements of two of my fellow representatives from Portland. And those two gentlemen, if you compare their judgment with the lawyer, Mr. Gillan from South Portland, and with the judgment of Mr. Pike, I can say that from my experience with both of them, on many occasions over the past ten years they have proven to me that their judgments are not very objective—

The SPEAKER pro tem: The gentleman from Portland, Mr. Sullivan, should not cast any disparaging remarks on any members of the House.

Mr. SULLIVAN: Mr. Speaker, I'm not casting anything, I'm just speaking the truth.

The SPEAKER pro tem: The gentleman is out of order.

Mr. SULLIVAN: If I may I will complete and say that this bill should go through.

The SPEAKER pro tem: The Chair recognizes the gentleman from Sanford, Mr. Blouin, who has spoken twice and requests permission to address the House a third time. Is there objection? The Chair hears none. The gentleman may proceed.

Mr. BLOUIN: Mr. Speaker, Members of the House: I do have a high respect for the gentleman, Mr. Pike. I sympathize with him, but I would also like to say to Mr. Pike that we do have state police in this state and we do have sheriffs in counties, all counties, and believe me today if anybody is racing, trying to race anybody that the local police can't get them, it don't take long with the radios. Because I have seen it done and I had the experience while I was in a police car and believe me the radio is faster than the eye when it comes to catch somebody like this and if the local police can't get them, they call ahead and the state police is right there practically every time waiting for them. So if you have enough police through the state that's patrolling and everything, then I don't think the local police should have this authority. And it is just like the gentleman from Portland, Mr. Conley, said, this is going to look very good, a Sanford policeman landing in Madawaska. This is going to be pretty nice. It won't be probably two weeks before I will see him back, in case we need an ambulance or some trouble. I don't know, my wife might decide to throw rocks at me or something, I need a policeman to save me, they are going to be in Madawaska somewheres. Does this make any sense? I hope my motion does prevail.

The SPEAKER pro tem: The Chair recognizes the gentleman from Houlton, Mr. Lycette.

Mr. LYCETTE: Mr. Speaker, Ladies and Gentlemen of the House: I don't want to belabor this bill. I spoke on it the other day and I think if you want the bill to go through I should speak the other way. Anything that I

have ever spoken on yet, they have always voted against me, and I am sure that my experience as a police officer a good many years isn't worth much anyway. There was a point the other day that I failed to elaborate on and I feel that it hasn't been touched on. It is quite important.

Now you have got for instance in that particular town some young fellow and like my colleague Mr. Pike said, some old fellows come out to a stop sign, or he's driving a little too fast, some young fellow around the town. So the police officer starts out to apprehend him and the boy gets scared and he takes off. Initially, you have got a small misdemeanor, but when you get through you have compounded it into a felony because the boy is going to go, or as say anyone, but particularly a young fellow, is going to lose his head and he is going to go sixty or seventy miles an hour through a town like my own, Houlton, it is congested, and I think that is one of the main difficulties with this bill and as far as this matter of the rural areas, you have got plenty of coverage with the state police and the radios.

We all had radios. I had twelve or fourteen in my outfit and I think it is a good deal like these fire departments that used to be in our town. Everybody that belonged to a fire department would start out and they only had a half a mile to go but they would go sixty or seventy miles an hour and they wouldn't get there more than a half a second different than if they had driven at a reasonable speed. I just wanted to bring that up in regard to compounding these cases into a really serious situation. Thank you.

The SPEAKER pro tem: The Chair recognizes the gentleman from Moscow, Mr. Beane.

Mr. BEANE: Mr. Speaker and Ladies and Gentlemen: I am currently serving the twelfth consecutive year as Chairman of the Board of Selectmen in my town and I am going to verify the statements made by Mr. Pendergast.

Those things can be taken care of very easily by the local selectmen. We don't need this law.

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

Mr. LUND: Mr. Speaker, Members of the House: I would like to remind you that the other day it was pointed out that if a town did not want to have its police officers crossing the town line they could simply instruct the officers that they were not to do that. I would like to point out that some of the arguments that have been raised against this bill really don't make very much sense. On the one hand the opponents say that you can stop the car by radio, and you can of course by radioing ahead. On the other hand, they want you to believe that somebody is going to go from Kittery to Fort Kent chasing one car.

I would suggest to you that if you have an extended chase that is the time that the radio comes into play and can be used. When you have an officer going a considerable distance then there is the opportunity to utilize communication means to intercept the man, but the place where this bill will be useful would not be these long chases, but a short chase where you have a car crossing over the line. Perhaps it isn't speeding, but perhaps it just goes over the line before the officer has a chance to stop it. This bill would allow the officer to stop the car over the town line and do what is needed to be done.

I would like to point out that in order to charge somebody it is not enough just to have the license number of the car and often times that is all the officer has when the car is going through his town. He can't charge somebody with an offense just because the car that he saw has the same license number as the car that later was stopped. The state has got to be able to prove that the person who was driving the car in the town is the same person who was driving the car when it was later stopped and the only way that you can do this is to be following the

car all the way and to show that nobody got out. Unless, in the unusual case, the local officer got a good chance to identify the face of the person who was driving the car.

This bill has been debated fully. It has been passed many times before by this House and I hope that you will pass this. I do want in closing to say that I am a little embarrassed to have Mr. Ross of Brownville say that this bill is like a member of the family, because I wrote the bill.

The SPEAKER pro tem: The Chair recognizes the gentleman from Westbrook, Mr. Knight.

Mr. KNIGHT: Mr. Speaker, I mentioned this before and I neither want to take up too much of your time to be repetitious, but I spoke to the chief of police in my home town, who is a most competent police officer, and I have spoken to him several times since, and he has mentioned many of the reasons why he is opposed to this bill that have been mentioned here this morning and as far as the statements being made by the gentleman from Augusta, Mr. Lund, I repudiate some of this as far as I am concerned to this extent. He mentioned the fact that to go out in outlying areas, the radio was capable of taking care of these things. Well, I agree with this wholeheartedly. Wherein in your own local communities your neighboring towns as the gentleman from Kennebunkport, Mr. Pendergast, has suggested, you can have mutual agreement within your own areas as to police officers crossing the lines and this is exactly what we have in my home city of Westbrook, mutual agreement with your neighboring communities. And I am sure that each and every one of us here would rather see a guilty person escape than we would an innocent person killed.

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

Mr. DUDLEY: Mr. Speaker, Members of the House: I wasn't forced up. I had to use a little force on my tired bones to get them up. I would like to say that I think that the sheriff can depu-

tize in these areas where they are having trouble and need this very hot pursuit, that the sheriff I suggest in that county can deputize these officers in these small towns when they think it becomes necessary to make this hot pursuit so to speak. And I understand in this county they have already done that, in this particular county we are now in, I understand they did deputize quite a few. I don't remember just the number but it's several. Now obviously this bill does help in some small areas, but in every city as I see it would be a menace and it is certainly a menace in the area which I represent. Now, let me say to you I represent some towns, that I can think of one that has one bank, one officer, and this in other areas must be the same.

Now we would like to have this officer on the job where we could at least reach him by telephone and we are afraid, at least these people that I have talked with in my area are afraid this just gives this officer a chance to be gone when they need him, when they want him. Now I have to get up and for the sake of these people that I represent and oppose this bill because we think there are other means that this very hot pursuit deal can be taken care of by the sheriff deputizing these officers or by some other means, by the state police, and certainly there are other means. But these people that hired these officers in these areas that I represent and pay them pretty good price, pretty good salary for what they do, and would like very much to have them on the job when they want them.

They also, in our area, they only have the one officer and he generally goes to a fire if there is one or answers any emergency, a kid swallows pills and all these other little details that he gets called on to do, but the people in the area feel that he is necessary, that's why they hire him and pay him and they want him there on the spot on the job in that town, not in some other town. And thanks for listening.

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

Mr. ROSS: Mr. Speaker and Members of the House: We hear of homicide, in one's own family we hear the terms matricide, patricide and so forth. I don't know what kind of cide it would be if I helped kill the adopted member of the family of the other Rodney Ross from Brownville, but that's the way I feel and I certainly hope the motion for indefinite postponement prevails.

The SPEAKER pro tem: The Chair recognizes the gentleman from Lewiston, Mr. Bussiere.

Mr. BUSSIERE: Mr. Speaker, as I have said before in the past, I always like to talk after Mr. Ross. And I am taking this opportunity now and I want to mention Mr. Bernard and Mr. Blouin, also the gentleman from Portland, Mr. Healy. I agree with them, that this bill should be killed. You remember not too long ago you people voted for extra uniforms for the sheriff department. Going to cost a lot of money for Androscoggin County and they knew that they had more than four full time sheriffs, it calls for eleven, and they are going to be equipped with big wide pants just like they wear in Texas, ten gallon hats, and I hope that you people vote against this bill. I don't know who introduced it but to me this bill is no good. It's a bad, bad bill.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Bangor, Mrs. Ruby.

Mrs. RUBY: Mr. Speaker, Ladies and Gentlemen of the House: I think we have got more important things to come before us today and I move the previous question.

The SPEAKER pro tem: For the Chair to entertain a motion for the previous question, it must have the consent of one-third of the members present. All those in favor for the Chair to entertain the motion for the previous question will rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

The SPEAKER pro tem: Obviously more than one-third having arisen, the motion for the

previous question is entertained. The question before the House now is, shall the main question be put now? This question is debatable for no more than five minutes by any one member and the merits of the bill may not be debated.

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

Mr. MILLS: Mr. Speaker, Ladies and Gentlemen of the House: I have nothing more to say than I said before. You have heard all the discussion —

The SPEAKER pro tem: The gentleman is debating the bill —

Mr. MILLS: I am not debating, I am simply stating. If you vote yes you are voting for law and order. If you vote —

The SPEAKER pro tem: The gentleman is debating the bill and he is out of order.

All those in favor of the main question being put now will say aye; all those opposed will say nay.

A viva voce vote being taken, the motion prevailed.

The SPEAKER pro tem: The question now before the House is the motion of the gentleman from Sanford, Mr. Blouin, that this Bill, An Act relating to Jurisdiction of Municipal Police Officers in Fresh Pursuit, House Paper 589, L. D. 781 and its accompanying papers be indefinitely postponed. The gentleman from Lewiston, Mr. Jalbert, has requested a division.

All those who are in favor of this bill being indefinitely postponed will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Sixty-three having voted in the affirmative and fifty-eight having voted in the negative, the motion prevailed.

Thereupon, by unanimous consent, sent forthwith to the Senate.

An Act Defining Nursing Home under Health and Welfare Laws (H. P. 688) (L. D. 925)

An Act to Authorize Municipalities to Finance Industrial and Recreational Projects (H. P. 1091) (L. D. 1487)

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.

At this point, Speaker Childs returned to the rostrum.

SPEAKER CHILDS: The Chair thanks the gentleman from Madawaska, Mr. Levesque, for acting as Speaker pro tem and for the excellent job that he did.

Thereupon, the Sergeant-at-Arms escorted the gentleman from Madawaska, Mr. Levesque, to his seat on the Floor, amid the applause of the House and Speaker Childs resumed the Chair.

An Act relating to Time of Payments of Benefits under Employment Security Law (H. P. 1092) (L. D. 1488)

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

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

Mr. BREWER: Mr. Speaker, Ladies and Gentlemen of the House: Yesterday, we passed the package bill pertaining to unemployment, which I consider a very good package and which I also consider necessary legislation as it pertains to some of the penalties and increased benefits. Now this bill tends to further liberalize the employment security laws and I am opposed to it at this time. It makes a radical departure from forty-six other states in the Union that have similar laws pertaining to this that we have. I am not going to debate it. I just want to point out to you that this bill takes any incentive away from an individual to go out and look for work. It is just a gimmick to pay a week's bonus if they fail to get a job within four weeks time. I would simply move indefinite postponement of this bill and ask for a division.

The **SPEAKER:** The gentleman from Bath, Mr. Brewer, now moves this bill and its accompanying papers be indefinitely postponed and the gentleman requests a division.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I hope that the House will retain its favorable action on this bill by voting against the motion of the gentleman from Bath, Mr. Brewer, to indefinitely postpone this bill. This, at a time when the economy is good and there is no need for unemployment insurance or unemployment payment of any kind, it is absolutely unnecessary. This particular part of the act is only for those cases that if they should become unemployed and are unable to find any job at the time that jobs are very scarce this will give them this extra twenty-six they say the average is twenty-six dollars a week that they draw under unemployment security in this state or somewhere in that vicinity. This will give this family unemployed the prerogative of drawing after the fourth week to be able to pick up the waiting period of one week.

Now this is not too much to ask for a person and family that has been unemployed for four weeks, that he be allowed to pick up the first week that he has been without work. So, I hope that the motion of the gentleman from Bath, Mr. Brewer, will be defeated.

The **SPEAKER:** Is the House ready for the question? The question before the House is on the motion of the gentleman from Bath, Mr. Brewer, that this bill and its accompanying papers be indefinitely postponed and he has requested a division. All those in favor of this bill and its accompanying papers being indefinitely postponed will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Sixty having voted in the affirmative and sixty-seven having voted in the negative, the motion did not prevail.

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

An Act Authorizing Qualified Licenses After Conviction for Drunken Driving if Essential to Livelihood (H. P. 1144) (L. D. 1568)

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

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

Mr. MEISNER: Mr. Speaker, Members of the House: This bill, item 13 here, L. D. 1568, I do not think that it is a very good bill. I find that there are very many people who agree with me. The original bill stated that if a drunken driver lost his license, he could apply to the Secretary of State and by paying fifty dollars could receive another license. I have before me an amendment which has struck out the fifty dollars but I still think that this is a discriminatory bill. After waiting six months, the drunken driver could go to the Secretary of State if he can prove that he needs his car to help in the making of his livelihood and he can get his license. But who is going to say whether the woodchopper needs his or whether the banker. Each has to wait six months and has to prove to the Secretary of State that he needs his license. I think this is a discriminatory bill. It doesn't seem to receive very much support from anybody that has to have anything to do with its enforcement, and for these reasons I am going to move that this bill and all its accompanying papers be indefinitely postponed.

The SPEAKER: The question before the House now is on the motion of the gentleman from Dover-Foxcroft, Mr. Meisner, that this bill and its accompanying papers be indefinitely postponed.

The Chair recognizes the gentleman from Brownville, Mr. Ross.

Mr. ROSS: Mr. Speaker, Ladies and Gentlemen of the House: I am tired out from all that fresh pursuit but I do feel that as a member of the Highway Safety Committee I should stand up in favor of the motion for indefinite postponement. In the month of April in our own state two-thirds of the drivers involved in the fatal accidents had been drinking, and in the month of May fifty percent. Surely, I don't think at this time

when the drunken driving is becoming worse all over the country, we should ease off on our penalties and I support the indefinite postponement motion.

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

Mr. STARBIRD: Mr. Speaker, when this bill was in this House before, I hesitated to speak on it because the story I have to tell involves my own family. But it was such a vital issue to me, and I thought it over, I have thought it over a good many times and I think I'll tell my story because I think it is very vital to this question.

Two years ago, sometime about the first part of June, just about two years now on the Memorial Day weekend, my oldest boy was hit by a car. The man had no license, no driver's license. He had no registration. He had no insurance. My son spent some few days in the hospital and the bills eventually devolved on my small insurance and the extra that I am still paying. The man got off. He left the scene of the accident. He went home before the state policemen got there. You people that are so compassionate for these people that have lost their license for drunken driving.

I wonder if you have ever held your little boy in your arms and his head all bleeding and cut while a neighbor rushed him to the hospital. I have. I know how I felt. Sometimes he would wake up, sometimes he would fall asleep, and not being a physician I didn't know how he was. It turned out he was all right. About a month and a half ago he had the honor of being an honorary page in this House. There are no marks left on him, fortunately. I thought there would be from the looks of his face at that time.

I can't help but go along with this. I can't help but think of all the people that have been killed, all the little children that have been killed because of drunken drivers. I wish you would go along with this indefinite postponement, because it may mean the life of your own children. It may mean the life of your own wife, your

own father, your mother, yourself. No one knows. Whatever you think about drinking, moderate or excess or whatever, we all know that no man, no man, no woman, no person has a right behind the wheel of a car if he is drinking and I think that the penalty should be doubled, not relaxed, if anything.

Mr. Meisner of Dover-Foxcroft requested a division.

The SPEAKER: The gentleman from Dover-Foxcroft, Mr. Meisner, requests that when the vote is taken that it be taken by a division.

The Chair recognizes the gentleman from Portland, Mr. D'Alfonso.

Mr. D'ALFONSO: Mr. Speaker, Members of the House: May I first point out that this is only permissive legislation. I should also like to point out that this bill would not give to the Secretary of State a perfunctory status whereby the Secretary of State would have license to freely give back to the person who has committed the first offense, his license after a six month waiting period. I want to assure you that I rise with the greatest reluctance to speak on any bill involving liquor. I have never debated one single liquor bill that has come before this 102nd Legislature.

I can sympathize with the passionate eloquence for both sides and particularly with the most acceptable eloquence of the gentleman from Kingman, Mr. Starbird. On the other hand, if this is a bill that simply gives us a little bit of permission, no guaranty, if we can agree that the Secretary of State is a profound person, a deliberate person, an understanding person, are we to fear that the Secretary of State is going to accept a free license in the case of perhaps one or two or three persons that have been convicted of a first offense? I do not plead on eloquence or with eloquence. I simply state to you that this is the type of bill that seems to fit into the society within which we live. It is a part of the times, it is a part of the world within which we live. We passed the laws that allow people to drink. We pass

many laws that allow people to do many things that many people strenuously object to. But this particular bill does not give to this state legislation which enables a person to accept a free license to do something promiscuously.

This is, and although I hate to say it, a bill almost enveloped with simplicity, in that a person who can be expected to be profound, deliberate and understanding will on maybe one isolated, singular case perhaps find it in his heart to give perhaps one person who is most deserving, because he has made a little mistake. Not because he makes this mistake continuously, but because he has made one little mistake, perhaps a second chance. Only permissive, not promiscuous. This is not anything harsh. This is pretty good. There is no need to vote against this bill. Please don't vote for indefinite postponement.

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

Mr. LIBHART: Mr. Speaker, Ladies and Gentlemen of the House: One of the greatest deterrents to people driving when they are drinking is our very stringent law as to the revocation of licenses. The statement was made in the papers the other day that this bill was a lawyer's bill, count the lawyers who vote against it. We don't want it. One of the worse things a person can do is to drink to excess and then drive. If we could stand all the folk who have been killed by drunken drivers in the back of this House, we wouldn't have room for them. I think that there is no need for this bill. I hope that you will vote for indefinite postponement. One of my clients who had his license taken away from him, after being charged with this offense, was required to have his wife drive him about the countryside on his salesman's job for a year. If you don't think that made a Christian out of him, you have got another thought coming.

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

Mr. EDWARDS: Mr. Speaker, Ladies and Gentlemen of the House: I think there is something that we might be overlooking here in this bill. Although I can sympathize with the opponents of it, it seems to me that if I were sitting on a jury and I knew that I was to take a man's license and therefore his livelihood away from him, I would not be prone to find him guilty. Whereas if I knew that there were provisions where he could get this license back, I might be more inclined to vote for a guilty verdict. Therefore, I hope that you support this bill. I think it is good legislation.

Mr. Scott of Wilton requested a roll call.

The SPEAKER: The gentleman from Wilton, Mr. Scott, requests that when the vote is taken that it be taken by the yeas and nays.

The Chair recognizes the gentleman from Glenburn, Mr. Cookson.

Mr. COOKSON: Mr. Speaker, Members of the House: I spoke a few words the other day on this bill. I still feel that it certainly isn't a bill of compassion because it costs you fifty dollars to get the Secretary of State compassionate. And I also stated that they could get their license back without this bill. Yesterday the Governor and Council pardoned two people and gave them their license back and I think I was pretty near right in what I said the other day. Thank you.

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

Mr. BRENNAN: Mr. Speaker, I hate to disagree with my good friend, the gentleman from Brewer, Mr. Libhart. He said that the lawyers are against this bill. I would say this, that the Judiciary Committee made up of ten lawyers voted for the bill in a much stronger form. It has been amended so as someone couldn't apply until after six months and this is up to the discretion of the Secretary of State after an investigation. We certainly don't want to encourage drunken driving, but there are exceptional cases

where maybe there is no necessity for this arbitrary period of a year. Thank you.

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

Mr. BUSSIERE: Mr. Speaker, Members of the House: After listening to Mr. Meisner of Dover-Foxcroft, I know he is dry. I didn't expect anything else from him.

The SPEAKER: The gentleman will kindly confine his remarks to the bill.

Mr. BUSSIERE: That's right. Thank you. But at the same time I don't think that this six months make it a bad bill. I know a lot of people have to wait nine months and I hope that you vote against the motion for indefinite postponement.

The SPEAKER: The Chair recognizes the gentleman from Presque Isle, Mr. Wight.

Mr. WIGHT: Mr. Speaker, Ladies and Gentlemen: I feel this bill is putting a considerable burden on your Secretary of State. It appears from the bill that he makes this decision, if he should have his license back. I find that in serving on the Council and with the pardons that we have that we wonder sometimes how these convictions are made. The pressures from the groups and the people and the families that wish to have the pardons, you wonder how they were convicted. In many cases, of course, we have the court record and it would seem that you are putting a burden on the Secretary of State of whether they should have this license back and it would seem that pressures will be brought that will perhaps be not right and I would favor indefinite postponement of this bill.

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

Mr. DUDLEY: Mr. Speaker, Members of the House: I will be very brief. I realize that you have listened long. It seems that there are a couple of points that I would like to make in relation to this bill. Now I have actually viewed

officers arresting these people or attempting to that have been drinking and I saw some be allowed to continue that I thought should have been arrested. So I spoke to one officer about this and he said well, I suspect I got a big heart. He said you know these people have a big family and he really wasn't awfully intoxicated. He did perhaps have a little glow on; it might have been questionable. But he said the law is so harsh and his family is so big and he works fifty-two miles away from his work, I didn't have the heart to pinch him.

Now it is like this. I believe these officers, and we do know some of them that do have a kind of a big heart, and I think that they could arrest more people and have them confined to an area of just getting to work. Now I think the intent of this legislation, I don't feel strongly for it, but I do think it has some merits, and as far as the Secretary of State goes it is my opinion that these cases eventually end up to him anyway, only just a matter of time. In other words, we are shortening the time in which they can get to the Secretary of State, so they eventually get to the Secretary of State anyway. So there is no extra trouble, in my opinion, to the Secretary of State.

The point I want to bring out. I think you will have more arrests, you will from a lot of these officers that are good officers, they have just got a good heart and these cases that are kind of questionable, well, the guy isn't awful bad or maybe it's questionable. But I think in a lot of cases they would actually run him in if the law wasn't so severe. It's so severe that they let him go. I think that if we had it a little bit milder that a lot more would be arrested and confined to a certain area, where they have to drive to get to work. I hope the motion to indefinitely postpone does not prevail.

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

Mr. BERNARD: Mr. Speaker, Members of the House: I hope that when you vote on this bill that you will vote on the merits of the bill, not vote what these people are trying to convince you of. This is not a liquor bill. This is a bill like Mr. Dudley says, you may have more arrests if this bill goes through. But I would like to point out to you the facts that Mr. Ross of Brownville said this morning, and Mr. Meisner, this conviction that we have now is a two year conviction, not a six months conviction. It is a two year conviction and you can only apply for your license after a year. I would also like to point out and I would like to ask a question from either Mr. Meisner or Mr. Ross of Brownville who is on the Governor's Safety Committee, how come that the State of New Hampshire, I am right on the border of New Hampshire and I can assure you that I work in New Hampshire. How come that the State of New Hampshire has liquor on Sunday and they have less drunken driving cases? They have less death caused by drunken drivers and the law in New Hampshire is only sixty days. I just want to know how come?

The SPEAKER: The gentleman from Sanford, Mr. Bernard, has posed a question to the gentleman from Brownville, Mr. Ross, who may answer if he so desires.

The Chair recognizes that gentleman.

Mr. ROSS: Mr. Speaker, Ladies and Gentlemen of the House: They have fresh pursuit over in New Hampshire. Also, I might add that in Sweden they have a mandatory jail sentence and their drunken driving problem is practically nil.

The SPEAKER: The Chair recognizes the gentleman from Old Orchard Beach, Mr. Danton.

Mr. DANTON: Mr. Speaker and Members of the House: First I would like to point out that the Secretary of State has been conferred with in this matter and he has assured us that he has investigators on the job and that this bill will not bring about any great burden to his office.

Secondly, I want to reiterate that this bill does not envision that a man could keep on drinking and go on driving. This bill envisions that a man may, for purposes for maintaining and sustaining his family, have a license to conduct his work within certain limitations and with certain restrictions.

The SPEAKER: The Chair recognizes the gentleman from Ellsworth, Mr. Anderson.

Mr. ANDERSON: Mr. Speaker, I move the previous question.

The SPEAKER: The gentleman from Ellsworth, Mr. Anderson, now moves the previous question. For the Chair to entertain the motion for the previous question, it must have the expressed consent of one-third of the members present. All those in favor of the previous question at this time 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-third having arisen, the previous question is in order. The question before the House now is, shall the main question be put now? Which is debatable for no more than five minutes by any one member. The merits of the bill are not debatable. Is the House ready for the question? The question is, shall the main question be put now? All those in favor of the main question being put now will say aye; all those opposed will say no.

A viva voce vote being taken, the motion prevailed.

The SPEAKER: The question before the House now is on the motion of the gentleman from Dover-Foxcroft, Mr. Meisner, that this Bill and its accompanying papers be indefinitely postponed. The gentleman from Wilton, Mr. Scott, 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. The question before the House is on the motion of the gentleman from Dover-Foxcroft, Mr. Meisner, that this Bill "An Act Authorizing Qualified Licenses After Conviction for Drunken Driving if Essential to Livelihood," House Paper 1144, L. D. 1568, and its accompanying papers be indefinitely postponed. If you are in favor of this bill and its accompanying papers being indefinitely postponed when your name is called, you will either answer yea or yes; if you are opposed to this bill and its accompanying papers being indefinitely postponed, when your name is called you will either answer nay or no. The Clerk will call the roll.

ROLL CALL

YEA: Anderson, Ellsworth; Baker, Orrington; Baker, Winthrop; Birt, Bradstreet, Bragdon, Brewer, Buck, Burwell, Carter, Cookson, Crommett, Crosby, Cushing, Dunn, Erwin, Eustis, Evans, Gifford, Gilbert, Hammond, Hanson, Gardiner; Harriman, Hawes, Hawkes, Haynes, Huber, Hunter, Clinton; Jewell, Katz, Kennedy, Kittredge, Lane, Lang, Lewis, Libhart, Lincoln, Lund, Lycette, Meisner, Millay, Mills, Mitchell, Mosher, Norton, Payson, Pendergast, Pike, Prince, Rackliff, Richardson, Stonington; Roberts, Ross, Bath; Ross, Brownville; Sahagian, Sawyer, Scott, Starbird, Storm, Susi, Waltz, Watts, White, Guilford; Wight, Presque Isle; Wood, Young.

NAY: Anderson, Orono; Avery, Baldic, Beane, Bedard, Benson, Mechanic Falls; Benson, Southwest Harbor; Berman, Bernard, Berry, Binnette, Bishop, Blouin, Boissonneau, Bourgoin, Brennan, Bussiere, Carroll, Carswell, Champagne, Conley, Cote, Cottrell, Cressey, Curran, D'Alfonso, Danton, Davis, Dostie, Doyle, Drogotas, Drouin, Dudley, Dumont, Edwards, Farrington, Faucher, Fortier, Fraser, Mexico; Fraser, Rumford; Gaudreau, Gauvin, Gillan, Glazier,

Graham, Harvey, Bangor; Harvey, Windham; Harvey, Woolwich; Haugen, Healy, Hunter, Durham; Jalbert, Jordan, Keyte, Kilroy, Knight, Laberge, Lebel, Lent, Levesque, Lowery, Martin, McKinnon, Nadeau, Palmer, Peaslee, Pitts, Poulin, Richardson, Cumberland; Roy, Ruby, Searles, Sullivan, Wheeler, Whittier, Wuori.

ABSENT: Dickinson, Fecteau, Hanson, Lebanon; Hoy, Littlefield, Stoutamyer, Truman, Ward.

Yes, 66; No, 76; Absent, 8.

The SPEAKER: The Chair will announce the vote. Sixty-six having voted in the affirmative, seventy-six having voted in the negative, and eight being absent, the motion to indefinitely postpone does not prevail.

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

Enactor Reconsidered and Amended Passed to be Engrossed

An Act Revising Certain Laws under the Workmen's Compensation Law (H. P. 1147) (L. D. 1571)

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

On motion of Mr. Levesque of Madawaska, the House voted to suspend the rules and to reconsider its action whereby this bill was passed to be engrossed as amended by House Amendment "A" on June 1.

Mr. Levesque of Madawaska offered House Amendment "B" and moved its adoption.

House Amendment "B" was read by the Clerk as follows:

HOUSE AMENDMENT "B" to H. P. 1147, L. D. 1571, Bill, "An Act Revising Certain Laws Under the Workmen's Compensation Law."

Amend said Bill by striking out all of the first sentence of that part designated "\$4." of section 1 and inserting in place thereof the following:

'Section 3 shall not apply to employers who employ 53 or less workmen or operatives regularly in the same business.'

Further amend said Bill by striking out all of the 2nd sentence of that part designated "\$4." of section 1 and inserting in place thereof the following:

'Said section shall not apply to actions to recover damages for the injuries aforesaid, or for death resulting from such injuries, sustained by employees engaged in domestic service or in agriculture by seasonal or casual farm laborers.'

The SPEAKER: The question before the House now is the adoption of House Amendment "B."

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

Mr. KITTREDGE: Mr. Speaker, I move the indefinite postponement of this amendment and I would speak briefly towards it.

The SPEAKER: The question before the House now is on the motion of the gentleman from South Thomaston, Mr. Kittredge, that House Amendment "B" be indefinitely postponed.

Mr. KITTREDGE: Mr. Speaker, Members of the House: Before I came to this House I knew little or nothing about Workmen's Compensation Laws and I am willing to admit that I don't know too much about them now. But I have studied a bit. I have sent to the Department of Labor for their bulletin 161 and I have tried to inform myself on the purpose of these laws and the history of these laws. Now I think we can all agree that when a man loses a hand or a foot or a leg in a piece of machinery this is a human tragedy and I think it's a shame when this occurs and society throws him on the junk heap.

If you will look at this amendment carefully, it puts back in a number, three employees. It exempts people who employ three or less persons. Now what would this do? This would mean that the small shop, the small milling shop, the small carpentry shop, which tries to cut corners these days by taking the guard off a saw, these shops would be exempt from this particular law, L. D. 1571. And this is the one area in this state,

if I read it correctly, that needs coverage by Workmen's Compensation Laws. All the big companies are required to carry Workmen's Compensation Laws now. But it is the small company that this should apply to. And I would submit to the Republicans in the House that since Workmen's Compensation Laws in the State of Maine are elective, since they are not compulsory, since you are not required to carry these insurance policies, that they should apply to the small company.

Now I think probably the intent behind this amendment was to exclude those people who are not in rather dangerous industries. Probably the intent is to exclude secretaries, people in doctors' offices and like that. If that is the intent, I would suggest that we have another amendment which would be more specific but, in the meanwhile, I urge that the members of this House go along with killing this particular amendment because the alternative to elective Workmen's Compensation Laws, the alternative is a program run from Washington with the withholding type tax with arbitrary levies on industry, and I am sure we do not want that sort of thing.

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

Mr. BREWER: Mr. Speaker and Ladies and Gentlemen of the House: While I may be up here debating against some of the labor laws, feeling that in some areas we have gone too far, this particular bill is not a regular compensation bill. It deals with the coverage of employees. Now the redraft bill that came before us reduced the present law from five to one and I would have hard work supporting that, covering every employer who employed one person. I think this amendment is a compromise between the one and the five which is in our present law, and I would have to support this amendment at this time.

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

Mr. BENSON: Mr. Speaker, Members of the House: This amendment was filed and offered by the gentleman from Madawaska, Mr. Levesque. Because he has had so much trouble with his labor bills this time, I would just like to stand and support him on this one.

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

Mr. ROSS: Mr. Speaker, Ladies and Gentlemen of the House: I sponsored the original bill. It has come out as a committee redraft. I would like to call to the attention of the minority that the original bill was part of the Governor's program. I am rather surprised that the majority is willing to go along with this amendment and if they are willing, I am sure that the Governor's program would be willing to go along too.

Mr. Binnette of Old Town requested a division.

The SPEAKER: The question before the House is on the motion of the gentleman from South Thomaston, Mr. Kittredge, that House Amendment "B" be indefinitely postponed. The gentleman from Old Town, Mr. Binnette, requests a division. All those in favor of House Amendment "B" being indefinitely postponed will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Two having voted in the affirmative and one hundred eighteen having voted in the negative, the motion did not prevail.

Thereupon, House Amendment "B" was adopted.

The Bill was then passed to be engrossed as amended by House Amendments "A" and "B" in non-concurrence and, by unanimous consent, sent forthwith to the Senate.

On motion of Mr. Levesque of Madawaska, the House voted to reconsider its action of earlier in the day on item 9, a Non-Concurrent Matter, whereby it receded and concurred with the Senate on passage to be engrossed

as amended by House Amendment "B" and Senate Amendment "A" of Bill "An Act relating to State Retirement Benefits for Certain Teachers and Increasing Pensions for Certain Retired School Superintendents", House Paper 788, L. D. 931.

On further motion of the same gentleman, the House voted to suspend the rules and to reconsider its action of March 2 whereby House Amendment "B" was adopted, and to indefinitely postpone House Amendment "B".

And on further motion of the same gentleman, the Bill was passed to be engrossed as amended by Senate Amendment "A" in non-concurrence and sent up for concurrence. By unanimous consent, sent forthwith to the Senate.

On motion of Mr. Levesque of Madawaska,

Recessed until three o'clock in the afternoon.

**After Recess
3:00 P.M.**

The House was called to order by the Speaker.

**Orders Out of Order
Tabled**

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

Whereas, Maine has no medical school and it appears that creation of such a school can help relieve the present shortage of physicians and insure an adequate future supply of physicians and make conveniently available to Maine citizens the increasingly complex and effective facilities of a modern Medical School Center; and

Whereas, Maine must now rely on the generosity of its sister states to educate Maine physicians; and

Whereas, it has no guarantee that such generosity will be continued; and

Whereas, the Federal Government has passed legislation to underwrite partial construction costs of medical school and hospital facilities and is currently underwriting partial operating expenses through research grants and

fellowships, and is currently discussing further subsidization of operating expenses; and

Whereas, the Federal Government is orienting its Veterans Administration Hospitals to geographic medical school affiliation and is contemplating similar affiliation of proposed cancer, heart disease and stroke centers; and, therefore, be it

ORDERED: the Senate concurring, that the Legislative Research Committee undertake a feasibility study of a medical school in Maine. Such study shall include, but not be limited to, whether a medical school in Maine is feasible; if it is feasible, where it should be located; and if it is not feasible, when will it be and what steps should be taken to make it feasible; and be it further

ORDERED: that the Committee report its findings and recommendations to the 103rd Legislature.

(On motion of Mr. Levesque of Madawaska, tabled pending passage and unassigned.)

On motion of Mr. Cottrell of Portland, it was

ORDERED, that the uniforms procured for the House Officers become their property at the end of their terms of office.

On motion of Mr. Carroll of Limerick, it was

ORDERED, that George Bourret of Rumford be appointed to serve as Honorary Page for today.

The SPEAKER: George is a freshman at Boston College and he is a nephew of the gentleman from Mexico, Mr. Fraser. On behalf of the House, George, the Chair welcomes you and we hope that you will enjoy your duties as honorary page for the day. (Applause)

The SPEAKER: The Chair would like to recognize in the rear of the House at this time, Mrs. May Chapman, a former Assistant Clerk of this House. On behalf of the House, May, the Chair welcomes you and we are most happy to have you back with us. (Applause)

The SPEAKER: We shall now return to Supplemental Calendar No. 2, item number one.

Papers from the Senate Non-Concurrent Matter

An Act Providing State Aid to Towns for Care of Poor Persons (S. P. 80) (L. D. 225) which was passed to be enacted in the House on May 13 and passed to be engrossed as amended by Committee Amendment "A" on May 11.

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

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

By unanimous consent, sent forthwith to the Senate.

Non-Concurrent Matter

An Act Entering the State of Maine into the New England State Police Compact (S. P. 179) (L. D. 765) which was passed to be enacted in the House on April 27 and passed to be engrossed as amended by Committee Amendment "A" on April 21.

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

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

Mr. BUSSIERE: Mr. Speaker, Members of the House: I have a copy here of this last amendment and it was introduced, and it said "Amend said Amendment by striking out all of the 2nd, 3rd, 4th, 5th, 6th, 7th, 9th and 10th lines." All right, they are going to do away with everything that's in the present law. No use to have this bill and I now move that this bill and all of its accompanying papers be indefinitely postponed.

The SPEAKER: The question before the House now is on the motion of the gentleman from Lewiston, Mr. Bussiere, that this bill and its accompanying papers be indefinitely postponed.

Mr. Levesque of Madawaska requested a division.

The SPEAKER: The question before the House is on the motion of the gentleman from Lewis-

ton, Mr. Bussiere, that this bill and its accompanying papers be indefinitely postponed. All those in favor of this bill and its accompanying papers being indefinitely postponed will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was started.

Mr. Lund of Augusta requested a roll call.

The SPEAKER: The gentleman from Augusta, Mr. Lund, now moves that the vote be taken by the yeas and nays. For the Chair to entertain a motion for 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.

The Chair recognizes the gentleman from Augusta, Mr. Lund, and inquires for what purpose does the gentleman rise?

Mr. LUND: Mr. Speaker, I would like to have the opportunity to speak on this motion before the vote is taken.

The SPEAKER: The vote has already been taken. If the vote for the yeas and nays is in order then the gentleman would be allowed to speak again. If not, he will not be.

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.

Off Record Remarks

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

Mr. LUND: Mr. Speaker, perhaps if somebody knows the right motion to make I would like to have them make it.

The SPEAKER: Do you withdraw your request for the yeas and nays?

Mr. LUND: I do, Mr. Speaker.

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

Mr. JALBERT: Mr. Speaker and Members of the House:

The SPEAKER: For what purpose does the gentleman rise? There is no motion before the House.

Mr. JALBERT: To make a reconsideration motion.

The SPEAKER: The House will be in order. At this time I will take the count in the third on the motion against the indefinite postponement. All those opposed to the indefinite postponement of this bill will kindly rise and remain standing until the monitors have made and returned the count.

The question before the House is the motion of the gentleman from Lewiston, Mr. Bussiere, that this bill and its accompanying papers be indefinitely postponed. At this time we are taking the count on those who are opposed to the indefinite postponement of this bill. The vote was twenty-nine in the first, twenty in the second and I am waiting for a count in the third.

The division of the House was completed.

Three having voted in the affirmative and nine-eight having voted in the negative, the motion did not prevail.

The SPEAKER: The gentleman from Augusta, Mr. Lund, now moves that we reconsider our action whereby this bill was not indefinitely postponed.

The gentleman may proceed.

Mr. LUND: Mr. Speaker, Members of the House: I am hopelessly confused. I don't know what we have just done. All I know is in a quick look at this bill, this is not a joking matter. I call your attention, if you still have your bound volumes of L.D.s with you, to No. 765. I don't think I have read this bill very carefully before but this is a serious matter, and looking at the amendment which appears here before me. It says strike out the second, third, fourth, fifth, sixth, seventh, ninth and tenth lines. Now perhaps this is an excellent idea; maybe we should do this, but I think if we are going to do it we shouldn't do it in a spirit of haste and speed and not know what we are doing.

But paragraph 2 relates to a Criminal Intelligence Bureau.

The SPEAKER: If I may, I would like to correct the gentleman. This is an amendment to the amendment and not to the bill.

Mr. LUND: Then I will sit down. Excuse me.

The SPEAKER: The question before the House now, is on the motion of the gentleman from Augusta, Mr. Lund, that we reconsider our action whereby this bill was not indefinitely postponed.

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

Mr. KITTREDGE: Mr. Speaker, I would like to table this bill until later on in the day.

The SPEAKER: The gentleman from South Thomaston, Mr. Kittredge, now moves this matter lie upon the table until later in today's session.

Mr. Levesque of Madawaska requested a division.

The SPEAKER: The gentleman from Madawaska, Mr. Levesque, requests a division.

All those in favor of this bill lying upon the table until later in today's session will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Thirty having voted in the affirmative and eighty-nine having voted in the negative, the motion did not prevail.

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

Mr. KATZ: Mr. Speaker, what this amendment does is chop the appropriation completely off the package. I would presume there is no money for it now.

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

Mr. LUND: Mr. Speaker, I now withdraw my motion.

The SPEAKER: The gentleman from Augusta, Mr. Lund, now withdraws his motion.

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

Mr. LEVESQUE: Mr. Speaker, I now move that we recede and concur with the Senate.

The SPEAKER: The gentleman from Madawaska, Mr. Levesque, now moves that we recede and concur with the Senate in the adoption of Committee Amendment "A" as amended by Senate Amendment "A". Is this the pleasure of the House?

The motion prevailed.

The SPEAKER: The Chair recognizes the gentleman from Augusta, Mr. Lund and inquires for what purpose does he rise?

Mr. LUND: Mr. Speaker, I would like to inquire, whether somebody can explain what the amendments are as to this bill and what they do?

The SPEAKER: The gentleman from Augusta, Mr. Lund, now moves that we reconsider our action whereby we receded and concurred with the Senate. He now poses a question to any member of the House and any member of the House may answer if he so desires.

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

Mr. LEVESQUE: Mr. Speaker, As it explains now in the supplemental calendar, this bill when we recede and concur with the Senate, will be with Committee Amendment S-135 and Senate Amendment "A" to Committee Amendment "A" under filing S-314 which eliminates the appropriations.

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

Mr. BUSSIÈRE: Mr. Speaker, Members of the House: I don't see it the same way. I think that if you vote for this amendment you're turning the state over to a police state. And I think it is pretty close to that now. I think they wait until the last minute to present an amendment like this to do away with the second, third, fourth, fifth, sixth, seventh, ninth and tenth. If they are going to do away with everything that is in the present law, you might as well kill the bill.

The SPEAKER: Does the gentleman from Augusta, Mr. Lund, withdraw his motion to reconsider our receding and concurring?

Mr. LUND: Yes.

The SPEAKER: Is it now the pleasure of the House that this bill be sent forthwith to the Senate? Is there objection? All those in favor of this bill being sent forthwith to the Senate will kindly rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

The SPEAKER: Obviously more than two-thirds having arisen, it is a vote.

Thereupon, the Bill was sent forthwith to the Senate.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Cote, and inquires for what purpose does he rise?

Mr. COTE: In order to ask a question of the Chair.

Thereupon, Mr. Cote of Lewiston was granted unanimous consent to briefly address the House.

Mr. COTE: Mr. Speaker, is it my understanding that all these bills were taken from the Appropriations table and they are in perfect agreement with both Majority and Minority parties as far as these amendments are concerned?

The SPEAKER: The gentleman from Lewiston, Mr. Cote, poses a question to any member of the House and any member of the House may answer if he so desires.

Thereupon, Mr. Kennedy of Milbridge was granted unanimous consent to answer the question.

Mr. KENNEDY: Mr. Speaker and Ladies and Gentlemen of the House: I am happy to answer the question of the gentleman from Lewiston, Mr. Cote. The Minority Party is never happy with what happens to the Appropriations table but it is in agreement.

The SPEAKER: The Chair recognizes the gentleman from Madawaska, Mr. Levesque, who requests unanimous consent to briefly address the House. Is there objection? The Chair hears none. The gentleman may proceed.

Mr. LEVESQUE: Mr. Speaker, Ladies and Gentlemen of the House: The Majority Leader thanks the gentleman from Mil-

bridge, Mr. Kennedy, as the Minority Leader for his fine comments.

Non-Concurrent Matter

An Act Increasing the Number of Justices of the Superior Court (S. P. 290) (L. D. 852) which was passed to be enacted in the House on April 13 and passed to be engrossed as amended by Committee Amendment "A" on April 9.

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

In the House: On motion of Mr. Levesque of Madawaska, the House voted to recede and concur with the Senate.

Non-Concurrent Matter

An Act Exempting Liquor Bottled or Manufactured in Maine from Additional Taxes (S. P. 326) (L. D. 1048) which was passed to be enacted in the House on May 20 and passed to be engrossed as amended by House Amendment "A" on May 17.

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

In the House: On motion of Mr. Bernard of Sanford, the House voted to recede and concur with the Senate.

Non-Concurrent Matter

An Act relating to Establishment and Operation of Regional Technical and Vocational Centers (H. P. 32) (L. D. 44) which was passed to be enacted in the House on May 19 and passed to be engrossed as amended by Committee Amendment "A" and Senate Amendment "A" on May 17.

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

In the House: On motion of Mr. Levesque of Madawaska, the House voted to recede and concur with the Senate.

Non-Concurrent Matter

Resolve in favor of Development of State Park on Lower Range Pond, Poland, Androscoggin County (H. P. 303) (L. D. 406) which was passed to be enacted in the House on May 18 and passed to be engrossed as amended by Committee Amendment "A" on May 12.

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

In the House: On motion of Mr. Levesque of Madawaska, the House voted to recede and concur with the Senate.

Non-Concurrent Matter

An Act Appropriating Funds to Aid in Dredging the Royal River and Basin (H. P. 389) (L. D. 501) which was passed to be enacted in the House on April 20 and passed to be engrossed on April 13.

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

In the House: On motion of Mr. Prince of Harpswell, the House voted to recede and concur with the Senate.

Non-Concurrent Matter

An Act Appropriating Funds for Classroom Building at Erskine Academy (H. P. 444) (L. D. 598) which was passed to be enacted in the House on May 26 and passed to be engrossed as amended by Committee Amendment "A" on May 20.

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

In the House: On motion of Mr. Farrington of China, the House voted to recede and concur with the Senate.

An Act Increasing Appropriation for Stipend Fund for Disbursements to Certain Agricultural Societies (H. P. 794) (L. D. 1256) which was passed to be enacted in the House on May 13 and

passed to be engrossed on May 6.

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

In the House: On motion of Mr. Bernard of Sanford, the House voted to recede and concur with the Senate.

By unanimous consent, Non-Concurrent items three, four, five, six, seven and eight were sent forthwith to the Senate.

From the Senate: The following Orders:

ORDERED, the House concurring, that the State Librarian mail to each member of the Senate and House, the Clerk and Assistant Clerk of the House, and the Secretary and Assistant Secretary of the Senate, a copy of the Laws of this session when completed. (S. P. 594)

ORDERED, the House concurring, that the Secretary of the Senate, in his capacity as Executive Officer of the Senate when the Senate is not in session, be and hereby is authorized to retain whatever members of his staff may be necessary to complete the records of the Senate, and approve payment for same (S. P. 595)

ORDERED, the House concurring, that the State Librarian mail to each member of the Senate and House the balance of the Legislative Record (S. P. 596)

ORDERED, the House concurring, that there be prepared after adjournment of the present session, under the direction of the Clerk of the House, a Register of all the Bills and Resolves considered by both branches of the Legislature, showing the history and final disposition of each Bill and Resolve, and that there be printed six hundred copies of the same.

The Clerk of the House is hereby authorized to employ the necessary clerical assistance to prepare such register.

The Clerk shall mail a copy of the Register to each member and officer of the Legislature and the

State Library shall receive such number of copies as may be required (S. P. 597)

ORDERED, the House concurring, that the State Librarian be directed to forward bound copies of the Legislative Record to members of the Senate and House and to the Clerk and Assistant Clerk of the House, and the Secretary and Assistant Secretary of the Senate, at their home addresses (S. P. 598)

Came from the Senate read and passed.

In the House, the Orders were read and passed in concurrence.

The SPEAKER: We shall now take up Supplemental Calendar No. 1, item number one.

Non-Concurrent Matter

Senate Joint Order relative to Interim Committee to Study Alagash, Cross Rock, and related proposals (S. P. 591) which was indefinitely postponed in non-concurrence in the House on June 2.

Came from the Senate with that body voting to insist on its former action whereby the Order was passed.

In the House:

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

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

The SPEAKER: The gentleman from Sanford, Mr. Bernard, now moves that we recede from our former action and concur with the Senate in the adoption of this Order.

The Chair recognizes the gentleman from Milbridge, Mr. Kennedy.

Mr. KENNEDY: Mr. Speaker, I now move indefinite postponement of further consideration of this matter.

The SPEAKER: The gentleman from Milbridge, Mr. Kennedy, now moves that this order be indefinitely postponed.

Mr. Levesque of Madawaska requested a division.

The SPEAKER: The Chair recognizes the gentleman from York, Mr. Erwin.

Mr. ERWIN: Mr. Speaker, I don't think that any of us are going to change many votes by talking and I'll try to be brief, but for reasons which escape me, it seems now that the Allagash Wilderness has become a party issue. I think this is a mistake, I am sorry it's occurring, but you people will do that which you feel in your wisdom is the right thing to do. But I feel that those of you who share with me, the love of the Maine wilderness and an impatience to see it preserved, to stand by the positions which we took yesterday after considerable debate, and after a considerably well thought out vote I thought.

I know that it is difficult at the end of the session for people to stand firm under intolerable pressure, we know what the pressure can be as well as you do, but this is something that ought not to be subject to pressure. This is not something that ought to be whimsically treated, because what it does, in effect, is simply preserve a bill which isn't worth preserving at the expense of another one which ought to be enacted.

I'm referring to the Cross Rock proposition which is tied into this joint order. Now, obviously, if the vote is taken along party lines the joint order is going to be revived and the other two matters, the Maine Power Authority Act, Cross Rocks, is going to be indefinitely postponed and so is the one on the Allagash Wilderness Waterway and this thing to be referred to a Joint Interim Study Committee.

Now this is the same ground we passed over yesterday. I've had many thoughts going through my mind and I had prepared something here to speak on and out of deference to you and your feelings and the tired situation where we are and the explosiveness of the temper at the moment, I am not even going to do it. I just simply want the record to show that if this vote goes along party lines, the majority party will be making a party issue out of the preservation of Maine's Wilderness, and I think that if the record will show that it will show that the minority party in this legislature would like

to be given the opportunity to show that it shouldn't be a party issue and isn't really a party issue. And therefore I hope you will support the motion to indefinitely postpone regardless of how much your arm has been twisted.

The SPEAKER: The Chair recognizes the gentleman from Mars Hill, Mr. Dickinson.

Mr. DICKINSON: Mr. Speaker and Members of the House: I too realize the futility of efforts if this matter now has become a party issue. However, the possibility of losing a section of such potential value and the opportunity for our state to develop and realize unlimited benefits is of more than passing concern. There is much evidence to indicate that our action will determine Department of Interior action involving the real possibility of immediate proceedings with development of plans which might not recognize interests of those who have made this area the asset it is and leave so much to be desired by comparison with state development, closing the door forever to us.

This sort of reminds me of the Nero story and in my opinion this could be one of the most important decisions faced in this session and I would only respectfully request that we consider well our situation. Thank you.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: In due respect to the remarks made by the gentleman from York, Mr. Erwin, that unfortunately or fortunately this is being made a party issue at this time, I would like to remind the members of the House that the party issue, if it is a party issue at this time, didn't start at this session of the legislature. I think originally it was made a party issue two years ago at the 101st Legislature. If the gentleman from York and his party choose to make this a party issue, I think the lines they'll probably follow will be the same as they were two years ago.

Certainly we'd like to see the development of the Allagash and to develop it as a natural resources area for the benefit of all the people of the State of Maine and I think the majority party here in this House, at this session, feel that that is exactly what they want to do, the preservation of the Allagash, the eventual possible development of the St. John River, and also joining in with the development of Passamaquoddy and the tidal project. So certainly by the vote yesterday, it was an admirable vote, and somewhere along the line the political issue that was discussed here today was not started here this week or last week or last month, it was started by the minority party two years ago.

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

Mr. LUND: Mr. Speaker and Members of the House: I cannot but comment on the timing of the handling of this matter. Public interest in this particular issue, the disposition of the Allagash, has been high. The public was wondering why the hearings were so late on these bills. The people of Maine certainly may wonder why this matter has to be disposed of in the last two or three days of the session. And I for one would want it clear that I had no hand in taking part and carrying out what apparently is going to be carried out in this matter, so I ask for a roll call.

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

Mr. KITTREDGE: Mr. Speaker, I'd like to ask a question to anyone who would care to answer it. If this study is accepted, will it keep the whole question of these power proposals open for the next session of the legislature to decide?

The SPEAKER: The gentleman from South Thomaston, Mr. Kittredge, has posed a question to any member of the House and any member of the House may answer if he so desires.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: It is the intent of the majority party to keep these issues open and to find out what further development will come out for the protection of the Allagash, the protection of the St. John, and the Passamaquoddy development project.

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

Mr. KITTREDGE: Mr. Speaker and Ladies and Gentlemen of the House: Assuming that all of the people that have assured us this afternoon that this is not a party issue and realizing that this was not taken up in our caucus, I would like to voice support for this study for numerous reasons.

First, I feel that the Federal Government has made a commitment for over thirty years in regards to Passamaquoddy. Secondly, I feel that the preservation of the Allagash is now an emotional issue, which bears very little basis in fact. The other night I was talking before a ladies' club and I asked the dozen or so ladies that were there if any of them had been up in the Allagash. None of them had been. And in refreshing today my memory of nuclear reactors, with a most respected member of this House, I realized that there are very many questions and answers in the nuclear reactor business that have to be gone into.

So I don't think that anything can be gained by hastily deciding that this area should be set aside for approximately a thousand canoeists a year to make a trip down. And I think the thing needs very careful study from all hands. So I hope that this afternoon we will support the proposal for the Interim Committee on the Allagash Study.

The SPEAKER: The Chair recognizes the gentleman from Milbridge, Mr. Kennedy.

Mr. KENNEDY: Mr. Speaker, some members of the House are aware that this has had considerable study and it was finally decided that the Allagash would be of multiple use by the citizens of Maine and this country and also by the timberland owners.

I don't feel that there is need for further study at this time, and as this has developed into a party issue I urge every Republican in this House to vote to sustain the motion to indefinitely postpone.

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

Mr. LIBHART: Mr. Speaker and Ladies and Gentlemen of the House: Some people say that the 101st Legislature was known as the Reversible 101st, and I'm not sure that that tag isn't going to be placed on this one. But I think that an even more appropriate tag, if someone's going to tag this legislature now, is the Studious 102nd.

We have ordered studies of everything imaginable. We spent twenty thousand dollars for a study, over the objection of the minority party early in the session, and now we're going to study that study. This morning we passed an order to spend five thousand dollars to study the Inland Fish and Game Department, a complete and utter waste of money based entirely on a petty feud. At the same time we ordered a study of the Constitution, which the majority party has had much in their minds during this term of the legislature, and ordered twenty-five hundred dollars to be spent for that. There seems to be some incongruity there in my mind. And now we're about to study another study, which was a study of a previous study, which was a study of other studies.

Now I say it's time that you and I started acting like responsible legislators, take the responsibility in our hands, and do what we know has got to be done. Now yesterday the vote was taken on this issue and apparently it was

taken with open consciences pretty much. And the vote is on record in the roll call for the citizens of the State of Maine to see. Now you folks that are going to roll over and change your vote today are going to have a hard time explaining this, as far as I'm concerned. Some of my friends in the other party have commented that I have been a maverick this term as far as the constitutional issues go, going against my party's stand. I've done that because I couldn't sleep with my conscience otherwise, because I think that the interests of the State of Maine come foremost before all other issues.

Now the interests of the State of Maine in this particular question should come foremost in all of our minds and I really don't care which way you vote so long as you've thought it out logically and you can sleep tonight with your conscience after that vote is taken.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: In reference to remarks made by the gentleman from Brewer, Mr. Libhart, relative to studies, I think that if the gentleman will look in the records he will find that whether it be this session or last session or ten sessions ago, he will find that there always has been and from all indications there will always be study of the study, a report of the report that has been studied by the study committee to report to another study committee. This has been historical, this is not new. This is just something that the legislature has gone through for as many years as there has been a legislative record. Now I think the reason why this possibly comes up at this time was probably the same reason why it came out two years ago at the 101st Legislature. It was toward the waning hours of the 101st that the different bills of Cross Rock, the different bills of the Allagash

Riverway were brought out, and I can remember very vividly in the last hours of the legislature that members of the then majority party were told that if they did not vote for the Allagash River Study, that they were going to elect a man into the United States Senate that was very much feared at the time.

They were instructed by the majority party then, they were instructed by the front office, that they, if they did not go along with this Allagash Riverway, that they were going to elect to the Senate of the United States and they were giving all the Republican votes to one fine gentleman in our state that has done more for the progress of this state than any other man that I can think of at the present and that is our present Senator, Edmund S. Muskie. Now this is not a new story. This is a story that started years ago. Unfortunately it's politics and as politics goes this is the great part of it. Thank you.

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

Mr. JALBERT: Mr. Speaker, so far as my conscience is concerned, although there might be those who feel that I might not have one, but if I do have one, yesterday when the Act Creating the State of Maine Power Authority was concerned I asked — when it was stated on there that it would be referred to a study committee I posed the question through the Chair what study committee. I was told that it was the study committee that was no longer before us. So that my conscience is clear now, in so far as this is concerned, because the study order is setting up the Interim Committee before us. That clears my conscience.

Now in so far as to further remarks of the gentleman from Brewer, Mr. Libhart, that we made a study a couple of years or four years ago and then we made another study upon that study and another study upon that study and other studies upon those

studies, I agree with him. Because only two years ago I had a stack of all the studies that we had made and I wanted to go against the Cross Rock project, and I still feel the same way about the Cross Rock project, so I brought into the hall of the House, or had brought, all of the studies that had been made and they stacked up this high (indicating waist high) and they were up this high set up by the then majority party. We haven't been in power here — the majority party presently has not been in power for fifty years, so they made all the studies, numbering about fourteen or fifteen, and I don't see any harm in us making a teeny-weeny one of our own. I think that the gentleman from Brewer, Mr. Libhart, is a fair-minded gentleman, he'd like to go along with that. Furthermore, if he wants to stick around for about two hours and a half of every day for the next four years I'll dig up more studies here than he's got hair on his head that's been done by the minority, by the now minority.

Now if this, and I address my point now to my very dear friend and there is no doubt about that, although we don't see eye to eye all the time although we do a great deal of the time, the gentleman from Milbridge, Mr. Kennedy, if he's made this a party issue, then I am forced to welcome the gentleman from South Thomaston, Mr. Kittredge, and others in his party a welcome aboard sign.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: As a freshman legislator I wouldn't pretend to be able to discuss politics with you and therefore I am not going to put my remarks on a political basis, although I will say I am amazed that the majority party in this instance has made a political issue out of something that I view to be one of the most important pieces of legislation in front of this legislature.

The Allagash River is not just a haven for a few nuts who like to go down in canoes. It happens to be the last great wilderness area in the East. It has been studied and restudied, it's time we acted. If the Federal Government comes in, I think that there is a very good possibility that you will have the type of national park that permits Aunt Minnie from Dubuque, Iowa, to ride up, throw a gum wrapper out in a park, stick her tootsies in the water and then go home, saying that she's been to the Allagash.

I think that the Allagash River Authority bill, which was prepared or certainly assisted in the preparation of, by the present Attorney General, is the best that can be done under the circumstances. I am amazed that we're going to delay that on any kind of political basis.

Secondly, I think that Cross Rocks, which has been quite properly described as a multi-million dollar swindle of the people of this state, should be buried now, without any further delay or any further attention to the amenities of burials.

Finally, the bills before you have nothing to do with Passamaquoddy. The thirty year old dream of the Maine people for a hydroelectric power project at Passamaquoddy is going to be very little affected by what we say or do here, and you know that and I know that. As a conservationist, as one who is interested in the preservation of the Allagash River, I urge you to act now and to forget whatever political commitment appears to be so wrongfully attached to this bill.

The SPEAKER: The Chair recognizes the gentleman from Phillips, Mr. Palmer.

Mr. PALMER: Mr. Speaker, I will not talk upon this as a political issue or anything else, but as a member of the Natural Resources Committee that studied this the answers that were given me, and now realizing that the now minority party have studied this for so many years, I am amazed that if some time along the line

that there was no study made for the negotiation in price. There still isn't, and I think there should be a definite need to know how much we're paying for what before we buy it. I think that this study is essential, that it is needed, for without it we're going to place the state in a very embarrassing position, and I want no part of it.

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

Mr. KITTREDGE: Mr. Speaker and Members of the House: I am not interested in studies and I am not interested in the politics of this particular situation. What I am interested in is the State of Maine. Now as I view the State of Maine, I see the productivity of the state going down and the wealth of the State of Maine depends on its productivity. We now have a per capita income of \$2,007 a year. We're twenty-seven percent below the national average and we're eighteen percent below the New England average. We're the lowest state in New England in terms of per capita income.

Now all over the world people are looking for power, they're looking for cheap power. The Egyptians in the case of the Aswan Dam, have not only mortgaged their entire cotton crop for about fifteen years but they're also flooding out their priceless relics of antiquity. And here in the State of Maine we have large untapped resources in natural power, power which I don't think you can question the relative cheapness of. There are many projects that could be carried through to fruition. I won't advocate any one of them but I think that we should keep the door open to all of them and we should also keep the door open to our wilderness area. We should weigh these things very carefully. Therefore I would urge you not to be stampeded into this for motives today that may not be crystal clear.

The SPEAKER: The Chair recognizes the gentleman from Old Town, Mr. Binnette.

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

House: We've heard a lot of debate on this Allagash River Authority two years ago. It's getting repetitious. We've been challenged today by the minority floor leader. I now move for the previous question.

Thereupon the motion for the previous question was entertained.

The main question was then ordered on a viva voce vote.

The SPEAKER: The question before the House now is on the motion of the gentleman from Milbridge, Mr. Kennedy, that this order be indefinitely postponed. The gentleman from Augusta, Mr. Lund has requested that when the vote be taken, 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. Pendergast of Kennebunkport was excused from voting because his private interests were in conflict with his duties as a public servant.

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

The SPEAKER: The question before the House is on the motion of the gentleman from Milbridge, Mr. Kennedy, that Senate Joint Order relative to Interim Committee to Study Allagash, Cross Rock, and related proposals, Senate Paper 591, be indefinitely postponed. If you are in favor of this order being indefinitely postponed, when your name is called you will answer either ye or yes; if you are opposed to this order being indefinitely postponed, when your name is called you will answer either nay or no. The Clerk will call the roll.

ROLL CALL

YEA — Anderson, Ellsworth; Avery, Baker, Orrington; Baker, Winthrop; Benson, Southwest Harbor; Berman, Berry, Birt, Bragdon, Brewer, Buck, Burwell, Carter, Cressey, Crosby, Cushing, Dickinson, Dudley, Dunn, Erwin, Eustis, Evans, Gifford, Hammond, Hanson, Gardiner; Harriman, Hawkes, Haynes, Huber, Hunter, Clinton; Jewell, Katz, Kennedy, Lang, Lewis, Libhart, Lincoln, Lund, Meisner, Millay, Mosher, Norton, Payson, Peaslee, Rackliff, Richardson, Cumberland; Richardson, Stonington; Roberts, Ross, Bath; Ross, Brownville; Sahagian, Sawyer, Scott, Storm, Waltz, Ward, Watts, White, Guilford; Wight, Presque Isle; Wood, Young.

NAY—Anderson, Orono; Baldic, Beane, Bedard, Benson, Mechanic Falls; Bernard, Binnette, Bishop, Blouin, Boissonneau, Bourgoin, Bradstreet, Brennan, Carroll, Carswell, Champagne, Childs, Conley, Cote, Cottrell, Crommett, Curran, D'Alfonso, Danton, Davis, Dostle, Doyle, Drigotas, Drouin, Dumont, Edwards, Faucher, Fecteau, Fortier, Fraser, Mexico; Fraser, Rumford; Gaudreau, Gauvin, Gilbert, Glazier, Graham, Harvey, Bangor; Harvey, Windham; Harvey, Woolwich; Haugen, Hawes, Healy, Hunter, Durham; Jalbert, Jordan, Keyte, Kilroy, Kittredge, Knight, Laberge, Lebel, Levesque, Lowery, Lycette, Martin, McKinnon, Mills, Mitchell, Nadeau, Palmer, Pike, Pitts, Poulin, Prince, Roy, Ruby, Searles, Starbird, Sullivan, Susi, Truman, Wheeler, Whittier, Wuori.

ABSENT — Bussiere, Cookson, Gillan, Hoy, Lane, Lent, Litchfield, Stoutamyer.

Yes, 61; No, 79; Absent, 8; Paired, 2; Excused, 1.

The SPEAKER: The Chair will announce the vote. Sixty-one having voted in the affirmative and seventy-nine having voted in the negative, two being paired and one excused, eight being absent, the motion to indefinitely postpone does not prevail.

Thereupon, the House recessed from its former action and concurred with the Senate in the adoption of the order.

By unanimous consent, sent forthwith.

Non-Concurrent Matter

Majority Report of the Committee on Public Utilities on Bill "An Act Creating the State of Maine Power Authority Act" (S. P. 321) (L. D. 1070) reporting that same be referred to a Study Committee, and Minority Report reporting "Ought not to pass" which Reports and Bill were indefinitely postponed in non-concurrence in the House on June 2.

Came from the Senate with that body voting to adhere to its action whereby the Majority Report was accepted and the Bill referred to a Study Committee.

In the House: On motion of Mr. Levesque of Madawaska, the House voted to recede and concur with the Senate.

Non-Concurrent Matter

Majority Report of the Committee on Natural Resources on Bill "An Act Creating the Allagash Wilderness Waterway" (S. P. 435) (L. D. 1376) reporting same in a new draft (S. P. 554) (L. D. 1556) under same title and that it "Ought to pass" and Minority Report reporting "Ought not to pass" on which the House accepted the Majority Report and passed the Bill to be engrossed in non-concurrence on June 2.

Came from the Senate with that body voting to adhere to its action whereby the Reports and Bill were indefinitely postponed.

In the House:

The SPEAKER: Is it the pleasure of the House to recede from our former action and now concur with the Senate in the indefinite postponement of this bill and its accompanying papers?

The Chair recognizes the gentleman from Milbridge, Mr. Kennedy.

Mr. KENNEDY: Mr. Speaker, just to get into the record, I move that we have a division on the concurring with the Senate.

Thereupon, a division of the House was had.

Seventy-three having voted in the affirmative and fifty-six hav-

ing voted in the negative, the motion prevailed and the House receded and concurred with the Senate.

Non-Concurrent Matter

An Act relating to Costs and Attorney's Fees under Workmen's Compensation Law (S. P. 417) (L. D. 1312) which was passed to be enacted in the House on May 14 and passed to be engrossed as amended by House Amendment "A" on May 11.

Came from the Senate indefinitely postponed in non-concurrence.

In the House: On motion of Mr. Benson of Southwest Harbor, the House voted to recede and concur with the Senate.

Non-Concurrent Matter

An Act Creating the Office of State Archivist (H. P. 768) (L. D. 1012) which was passed to be enacted in the House on April 30 and passed to be engrossed as amended by House Amendment "A" on April 27.

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

In the House: On motion of Mr. Birt of East Millinocket, the House voted to recede and concur with the Senate.

By unanimous consent, Non-Concurrent items 2, 3, 4 and 5 were sent forthwith.

Conference Committee Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on

Bill, "An Act relating to Employment of Minors under 16 Years of Age" (H. P. 342) (L. D. 445) reporting that they are unable to agree.

(Signed)

LEVESQUE

of Madawaska
DUMONT of Augusta

KITTREDGE

of South Thomaston
—Committee on part of House.

CHISHOLM

of Cumberland
SMITH of Cumberland
O'LEARY of Oxford

—Committee on part of Senate.

Report was read and accepted and sent up for concurrence. By unanimous consent, sent forthwith.

The SPEAKER: The Chair now lays before the House for consideration Senate Order 593, item 4 on page 3 of the regular House Calendar which was tabled until later in today's session. It was the order in reference to Legislative Document 1575, Senate Paper 563, "An Act to Appropriate Moneys for Capital Improvements, Construction, Repairs, Equipment, Supplies and Furnishings for the fiscal years ending June 30, 1966 and June 30, 1967," in section B thereof, provides an appropriation in the sum of \$791,000 for construction at the Augusta State Airport.

The question before the House is on the passage of the order.

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

Mr. KATZ: Mr. Speaker, Ladies and Gentlemen: What House Amendment "A" does, in very simple lay terms, is that it stops the Maine Aeronautics Commission from spending any money on the extension of the Augusta runway without the availability of federal funds. I think this was the intent of those who are concerned and I hope it fulfills the misgivings of those who expressed misgivings before. Let me state again, that without passing this amendment, you are jeopardizing the expenditure of any funds at the Augusta State Airport, some of which are necessary for public safety and some of which have nothing to do with federal money whatsoever. I hope that you will support the amendment.

The SPEAKER: The Clerk will read the amendment.

House Amendment "A" was read by the Clerk as follows:

HOUSE AMENDMENT "A" to
SENATE ORDER S. P. 593

Amend said Order by inserting in the 4th line from the end, before the words "the aforesaid" the

words 'no portion of'; and by striking out all of the 3rd line from the end and inserting in place thereof the following: 'of \$791,000 for the Augusta State Airport, be expended on runway extension'

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

Mr. BOURGOIN: Mr. Speaker, Members of the House: I would like to pose a question through the Chair to Mr. Katz. With this amendment would it preclude that the whole \$791,000 could be used for other purposes, the full amount could be used for other purposes than runways?

The SPEAKER: The gentleman from Fort Kent, Mr. Bourgoïn, has posed a question to the gentleman from Augusta, Mr. Katz, who may answer if he so desires.

Mr. KATZ: Mr. Speaker, if Mr. Bourgoïn would refer to his priorities as listed by BPI or look at the original bill, he will notice that there is a sum of four hundred and sixty thousand dollars earmarked for runway extension. It is that four hundred and sixty thousand dollars which this amendment would stop the Aeronautics Commission from using.

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

Mr. BERNARD: Mr. Speaker and Members of the House: Before I vote on this order, I would like a clarification by Representative Katz. The order yesterday, he came out—I think he is trying to confuse us. Now I am not trying to say anything against him, but I think he is trying to confuse us. Now he was talking yesterday about repairing the runways, putting lights in, cutting trees and everything else. I think that the House Amendment only calls for expansion. It doesn't call for maintenance and repairs and cutting trees.

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

Mr. KATZ: Mr. Speaker, to answer the gentleman's question, I am not quite sure who confused him, but he is confused. This came up this morning and not

yesterday and at first with an appropriation of \$791,000. Let me call to your attention, ladies and gentlemen, that this was part of a package agreed upon by both parties. I am sure that there is justification in trying to prohibit the Commission from spending money on the runway without federal funds. But there is no justification, there is no justification at all for trying to tie the hands of the Commission and their feet also from the expenditure of funds for projects that have nothing to do with federal aids and that is what this order will do. I call to your attention that it is part of a package. I also will call to your attention that the wording was at the suggestion of the House Chairman of the Appropriations Committee and specifically precludes spending money on the runway, period.

The SPEAKER: The Chair recognizes the gentleman from Presque Isle, Mr. Bishop.

Mr. BISHOP: Mr. Speaker, Ladies and Gentlemen of the House: When the committee finally agreed to include this proposal for the Augusta Airport in the capital improvement budget, I didn't realize that I was getting into the middle of an intercity squabble. I felt at the time that this was in the best interests of aviation and in the best interests of the state.

Now I can understand people wanting to hedge this about with restrictions to insure that the money will not be spent if the expected federal funds are not forthcoming. On the other hand, we have many, many appropriations in these various acts which are dependent on federal funds, but it isn't specifically spelled out that they are so contingent. For example, this package includes—I've forgotten—but four hundred odd thousand dollars for improving the airport at Portland. This too is contingent on federal funds, but you are not restricting that.

Now I have the greatest respect for my colleagues from Kennebec County, but I have got to back up the position that the Committee took and I feel that I have tried

to work with both parties, trying to work out an amendment that I thought would satisfy both of them. It doesn't; no compromise is ever entirely acceptable to everybody, but I feel that Representative Katz has fairly stated the proposition.

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

Mr. BOURGOIN: Mr. Speaker, Members of the House: I wish to thank Mr. Katz of Augusta for his explanation. I am thoroughly satisfied and I wish to go along with the project.

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: There is only one question that I would direct to any member of the House that might be willing to answer it. I did not realize that the Augusta State Airport did not conform to the national airport plan. I wonder if anyone would care to comment on this.

The SPEAKER: The gentleman from Eagle Lake, Mr. Martin, poses a question to any member of the House and any member of the House may answer if he so desires. The gentleman from Augusta, Mr. Katz, requests permission to answer the question. Is there objection? The Chair hears none. The gentleman may proceed.

Mr. KATZ: Mr. Speaker, if this continues much longer, one of my ambitions will be realized, We'll get some knowledgeable people in regard to aviation matters in this House, and I think we could stand some. The national airport plan is a flexible document which is responsive to the desires of the various State Aeronautics Commissions. The Augusta State Airport is not now on the plan, because for the past number of years the advocates of Sidney hopefully thought that they could get the Legislature to spend the millions of dollars necessary. The Legislature has constantly turned its back on Sidney. Now the official position of the State of Maine has changed and the Aeronautics Commission unquestionably is

seeking to get Augusta put back on the national program. There is no question in my mind but that it will succeed. The moment that it does succeed, the moment that we do get back on the national airport map, then federal funds will certainly be available. This is my best technical knowledge of this situation.

The SPEAKER: The Chair recognizes the gentleman from Winslow, Mr. Roy:

Mr. ROY: Mr. Speaker and Members of the House: In regards to the order that was passed in the other body, I think the order itself is self-explanatory. It only refers to the intent of Legislature. As I appeared before the Appropriations Committee as a proponent in regards to another measure I have heard both sides of this and this was told to the Appropriations Committee that there would be federal aid available. Now I can understand the members of the House that you are told that there is federal aid available for a project costing \$791,000. I think that the House would want to make sure that the money is not expended unless the matching funds are there. And in answer to the national airport plan, Mr. Cullinan the Chief Director out of the New York Division, sent a national airport plan which in turn I handed over to the Appropriations Committee, and this was a survey done in 1964 which is of December of 1964, which did not include Augusta on there.

I only hope that the House would see fit to support the order from the Senate and not the amendment.

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

Mr. EDWARDS: Mr. Speaker, Ladies and Gentlemen: I have been on the outside looking in on this controversy. It seems to me that what we are doing by passing this order without the amendment is basically we're jeopardizing scheduled airline flights into Augusta. Now this is the capitol of our state, good Lord, we have got to have scheduled airline flights here. I may be wrong, but it seems to me that as planes get

faster and bigger they are going to need bigger runways and eventually they will go to another airport, probably Waterville. Now I think that in this instance we had better protect our own interests here in Augusta and get this thing put through with the amendment.

The SPEAKER: The Chair recognizes the gentleman from Waterville, Mr. Fortier.

Mr. FORTIER: Mr. Speaker and Members of the House: Some of the statements that I have heard surprise me, especially my good friend from Augusta, Mr. Katz, who I know is very knowledgeable and I know that he shouldn't have made the statement because it is thoroughly irresponsible. This morning he said that to spend this money would be against the law. Now I am sure that he realizes that an order is not a law and I am sure that he realizes that if the state wants to spend this \$791,000, they have the perfect right to. This order that passed the Senate is nothing more or less than to establish the intent of both of these bodies.

Mr. Bishop made the remark that this amount of \$791,000 was an intercity squabble. Well, if \$791,000 is an intercity squabble I'm amazed at his reflections on this because to me this is a lot of money. Being a poor man, it looks like a fabulous amount of money and I am glad that this has resolved itself in his mind to being nothing but an intercity squabble. If he can satisfy his conscience and if he can go along on spending \$791,000 on this basis, then good luck to him. And as far as I am concerned, if the City of Augusta can get appropriated by this Legislature—if they can get appropriated five billion or ten billion, I am perfectly happy. If this Legislature wants to go along with this, this is fine. Now what this order is doing, what this amendment is doing, is allowing the state to spend \$791,000. Now this isn't going to do the job and this is the statement of the gentleman from Augusta himself. It would be stupid, he says, to assume that \$791,000 would do this work. So what follows?

I respect Mr. Edwards. I know that he is very sincere and I hate to upset him in this. But if the expenditure of \$791,000 by this Legislature is only going to bring on the expenditure of a million, or two or three or whatever it takes to complete the job in the next Legislature. Now we are putting the next Legislature on the hook. He says I have been abused, I have been castigated and appalled and the newspapers have been after me and a very respected member of the Republican Party has been all over my back on this thing. I think probably you all recognize the name of Russell Squire who is a former Republican State Senator from Waterville, who says in an article in the Waterville Sentinel, "Squire Blasts Augusta Airport Plan" and the subheading here is "Pure Pork Barrel Legislation." Now if both parties want to go along with this pure pork barrel legislation it is still fine with me, but I want to go on record as opposing it because I certainly don't go along with it.

It says here, an expenditure of \$791,000 for the Augusta State Airport was termed Monday by Russell M. Squire as "one of the most blatant examples of pure pork barrel legislation that I have ever seen come out of the Legislature." Let me go on to quote some more here. This is a gem. He says: "Squire, a former mayor and State Senator." Now Mr. Squire is a member of the Governor's Air Service Committee. Now this is paradoxical because here is a member of the Governor's Air Service Committee who was never even called for a meeting or never consulted as to the wisdom of spending this money. And I also question his statement that the Aeronautics Commission went along with this, because I have it from the horse's mouth, that they didn't.

At the Appropriations Committee hearing, they had a man from the Federal Government by the name of Cullinan who went on and told the people at the hearing, the Appropriations Committee, just what the cost, the actual cost of the increase at Augusta would

mean. Now this \$791,000 expenditure of course is a smoke screen. This of course is not intended to do the job here and Mr. Cullinan at that committee hearing said "The expansion of the Augusta Airport to provide a 5500 foot runway with taxiway to meet the requirements of air carrier use would cost approximately three and a third million dollars using the 1961 cost estimates." Now it's for sure that the 1965 cost estimates would be much higher. "Expansion of the runway at Augusta beyond 5500 feet would require tremendous skills and the expansion has been estimated," now listen to this, "four million dollars per 1,000 feet of expansion," and this is the kind of money that you are proposing to put this Legislature on the hook for in the future.

This \$791,000 isn't going to do it, but when they come back here two years from now and say to the 103rd Legislature, folks, you gave us \$791,000 and the federal government wouldn't go along and give us any matching funds; now, we have got the job half done at the rate of four million dollars per thousand feet of extension. This is what we are going to be on the hook for in the future. And here it is officially, "The expansion of the Augusta Airport does not conform to the national airport plan and is thereby not eligible for financial assistance under the federal airport program."

If it is eligible for federal funds, fine. Let's go along with it. If it isn't, let's tell the federal people that we as a Legislature didn't endorse this and we didn't tell the federal people that the Maine Legislature wants to have the Augusta Airport people get these federal funds unless they really want to dispense them.

I have also been taken to task by the Mayor of Waterville and I have been taken to task by my own wife, who when this was called to her attention said, well how can you possibly go along with this? Well, I said, Honey, you don't understand all the ramifications, and I certainly couldn't propose to explain it to her.

If you people feel that I am asking for too much to accept this order as it was drafted—now this order was drafted by myself and another gentleman, a well respected gentleman—if you feel that I am asking for too much, please vote against me and if you feel that I deserve this why I would appreciate it if you would go along with me.

The SPEAKER: The Chair recognizes the gentleman from Presque Isle, Me. Bishop.

Mr. BISHOP: Mr. Speaker, Ladies and Gentlemen of the House: There is one further thing that we should take into consideration here and that is that the Capital Improvement Budget, including this item, was a part of the package agreed upon with the Governor. Now regardless of what any of us might think of any particular item, I feel that we have committed ourselves and I feel compelled to defend the act, which has been enacted into law by the way, I feel compelled to defend it in its entirety because it was a part of the package. We obtained concessions. We obtained advantages to ourselves in this trade, it was worked out, and to me to pass this order without the amendment would be breaking faith with that agreement. One more thing I might mention, I am informed that the Waterville Airport, therefore, did not conform with federal standards. They were able to get federal funds for the improvements there and there is good expectation that the same holds true in Augusta, but the main thing is, I think we have an obligation here. We made an agreement and we obtained benefits by it and I for one feel bound to honor that agreement.

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

Mr. HUNTER: Mr. Speaker, Ladies and Gentlemen of the House: I just want to go on record as favoring the Sidney Airport site. That's where all the surveys showed that the money should be spent and if we are going to spend millions of dollars, I think it should be spent

where the survey shows where it would be to the best good of this area, and I want to go on record as favoring the Sidney Airport if we are going to spend this kind of money.

The SPEAKER: The Chair recognizes the gentleman from Milbridge, Mr. Kennedy.

Mr. KENNEDY: Mr. Speaker and Ladies and Gentlemen of the House: I stand once more to reiterate what I have said before and it has just been confirmed by the gentleman from Presque Isle, Mr. Bishop, that this is part of the package, we should adopt this amendment and send it through.

The SPEAKER: The Chair recognizes the gentleman from Waterville, Mr. Fortier.

Mr. FORTIER: Mr. Speaker, I don't want to take issue with a gentleman as knowledgeable as the minority leader, Mr. Kennedy, nor with my good friend, Mr. Bishop, from Presque Isle. There is nothing in this order that affects that agreement and it says that this is the legislative intent and they can spend the whole \$791,000 if they want to and you can't say any different, and I move for indefinite postponement of the amendment.

The SPEAKER: The question before the House now is on the motion of the gentleman from Waterville, Mr. Fortier, that House Amendment "A" be indefinitely postponed.

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

Mr. BERNARD: Mr. Speaker, as a member from the lower part of the State of Maine, I heard Mr. Katz say awhile ago that now we have a lot of experts. He may well remember himself. As I understand it, he was an airline pilot. Where in God's world did he fly that they were building area airports in the city? In London, it's one hour from the airport. In every major city, every airport is a long ways.

Now, Mr. Edwards says the capitol is here in Augusta, we need the airport. It's still going to be the capitol airport regardless if it's ten, fifteen or twenty

miles away from here. I think we're spending money for nothing. I'm going along with the indefinite postponement also.

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

Mr. JALBERT: Mr. Speaker, I cannot sit here and not rise for what I think is the performance of my duty as a member of the Appropriations Committee. Now as far as the \$791,000 is concerned, we might just as well forget it because it's gone. It is signed into law.

Now I've got in good conscience — I've tried for two days to get the gentleman from the upper part of Kennebec County to draft something that made, in my humble opinion, some sense that I could understand. Now I've got to be consistent. I steadfastly yesterday said that the million six was not part of the agreement, and that's a debatable point, I'd say it is and others might say it isn't, but so be it on that. But I cannot sit here and not state that this was not part of the agreement as was made, because it was.

The SPEAKER: The Chair recognizes the gentleman from Winslow, Mr. Roy.

Mr. ROY: Mr. Speaker and Ladies and Gentlemen of the House: I don't know, but as I read the order that was passed in the Senate, it only defines the intent of legislature. Actually, if you can get federal aid you can spend the whole \$791,000. Now the only thing that I can see, if you cannot get federal aid, if the opposition is afraid of this order, if they know that they can't get federal aid, that means that the 103rd is going to be hooked for another million and a half dollars because they've already started the project and we'll have to come back here and appropriate more money. And another thing, I don't see where this affects the package deal at all. And furthermore, the Governor and the Council has to approve this expenditure. I only have one thing to say, that the Aeronautics Commission was not

unanimous for this, the vote was split. The Governor's Air Council, which he appointed himself and which consists of twenty-one members, the vote was taken and they were nineteen to one against this appropriation.

The only thing I can say for the record is that if the House supports the order, then they are not liable for anything that happens after this. I will say again that those that are afraid that they are not going to have federal aid for this, then they will not go along with the order as it is.

The SPEAKER: The question before the House is on the motion of the gentleman from Waterville, Mr. Fortier, that House Amendment "A" be indefinitely postponed.

Mr. Binnette of Old Town requested a division.

The SPEAKER: All those in favor of House Amendment "A" being indefinitely postponed will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Twenty-six having voted in the affirmative and ninety-six having voted in the negative, the motion did not prevail.

Thereupon, House Amendment "A" was adopted and Senate Order 593 as amended was passed in non-concurrence and sent up for concurrence. By unanimous consent sent forthwith.

The SPEAKER: The House will be at ease a few minutes.

House at Ease

Called to order by the Speaker.

Mr. Levesque of Madawaska was granted unanimous consent to address the House briefly.

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: We have, coming from the Senate this afternoon, eight documents, that in order to save time we would like to take up before the House without the benefit of a supplemental calendar. The reason for this is that if we

can engross these eight documents this afternoon—and this has been discussed with the minority leader of the other party, if we can engross these documents this afternoon, without the benefit of the calendar, and if you can follow these documents by the amendments that have been distributed to your desks, if we can get your permission to do this, without the benefit of a calendar, there is a very good possibility that we might adjourn this legislature tomorrow. Otherwise the engrossment stage of these documents might hinder the adjournment tomorrow. So it is with your kind permission that we would like to take these eight matters before us, that have come from the Senate, that we did not have a supplemental calendar to put on your desk for these eight bills.

Mr. Kennedy of Milbridge was granted unanimous consent to address the House briefly.

Mr. KENNEDY: Mr. Speaker and Ladies and Gentlemen of the House: I want to confirm what the majority leader has just said. You will have the title of the bill before you and the amendment on the same sheet, so there is nothing here that is any attempt to put anything over on you. It is here. The only thing that you do not have is what is known as a supplemental calendar. I feel that this is just as valuable as the supplemental calendar because you do have the title of the bill and the amendment as drawn. Should you not find the correct title to the bill, then you can make objection and have the title of the bill and the proper sheet delivered to you. So I concur that this will save the State of Maine some money and the House and Senate some time, because if all of these come out in a supplemental calendar it will keep all of the clerical force busy and then they'll go to the engrossing department so late that we won't have them tomorrow. So I am in agreement with this and I hope that you will concur.

Mr. Berman of Houlton was granted unanimous consent to address the House briefly.

Mr. BERMAN: Mr. Speaker, I'm perfectly willing to go along on this. I wonder if the Speaker will spell out for us the three bills which we will be considering.

The SPEAKER: The Clerk will read them off.

Is there objection to taking up out of order papers from the Senate without the benefit of a Supplemental Calendar? The Chair hears no objection. It is so ordered. The Clerk will proceed.

Non-Concurrent Matter

An Act Providing Moneys for National Legislative Conference to be Held in Maine in 1966 which was passed to be enacted in the House on April 9 and passed to be engrossed on April 6. (S. P. 37) (L. D. 377)

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

In the House:

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

Mr. BRAGDON: Mr. Speaker, if it would not be out of order I would like to inquire if some member of the leadership would explain what is gained by striking out the emergency preamble. I somehow fail to figure out where any monetary gain is made by striking out this emergency preamble. If it wouldn't take too much time I would appreciate an explanation.

The SPEAKER: The Chair recognizes the gentleman from Milbridge, Mr. Kennedy.

Mr. KENNEDY: Mr. Speaker, I would assume the reason the emergency preamble was struck out is because it becomes effective 1966.

The SPEAKER: That is correct.

Thereupon, the House voted to recede and concur with the Senate.

Non-Concurrent Matter

An Act relating to Retirement of Justices of the Supreme Judicial Court and Superior Court (S. P. 347) (L. D. 1114) which was passed to be enacted in the House on May 11 and passed to be en-

grossed as amended by Committee Amendment "A" on May 6.

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

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

Non-Concurrent Matter

An Act Increasing Compensation of Members of the Legislature, the Governor, Court Justices and Certain Department Heads (S. P. 520) (L. D. 1497) which was passed to be enacted in the House on May 24 and passed to be engrossed as amended by House Amendment "C" and Senate Amendment "A" on May 19.

Came from the Senate with Senate Amendment "A" indefinitely postponed and the Bill passed to be engrossed as amended by House Amendment "C" and Senate Amendments "B" and "C" in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Milbridge, Mr. Kennedy.

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

The SPEAKER: The gentleman from Milbridge, Mr. Kennedy, now moves that we recede from our former action and concur with the Senate in the indefinite postponement of Senate Amendment "A" and the adoption of Senate Amendments "B" and "C".

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

Mr. RICHARDSON: Mr. Speaker, an inquiry to any member of the House who can answer it. I note that there is a reduction in our original increase of Superior Court Justices salaries. Is it the intention of leadership to effect a corresponding reduction in the increase that we gave to District Court judges?

The SPEAKER: The gentleman from Cumberland, Mr. Richardson, makes an inquiry to any member of the House and any member of the House may answer if he so

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I don't think that the remarks made by the gentleman from Cumberland, Mr. Richardson, have any relation to this before us this afternoon. The justices spoken of by the gentleman from Cumberland, Mr. Richardson, are not covered in this amendment.

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

Mr. RICHARDSON: Mr. Speaker, the third paragraph in the amendment refers to further amend said bill in section 5 by striking out the fifth line and so forth, and I believe that that is referring to Superior Court Justices, is it not?

The SPEAKER: I think the gentleman from Madawaska was speaking to the effect that the district court judges are not included in this document—

Mr. RICHARDSON: My question, Mr. Speaker, which is unanswered as yet is, is it the intention of leadership to also effect a reduction in the amount of salary that we approved for District Court judges which will be in line with this reduction proposed in this amendment? That is the question.

The SPEAKER: The Chair recognizes the gentleman from Presque Isle, Mr. Bishop.

Mr. BISHOP: Mr. Speaker and Ladies and Gentlemen of the House: In answer to the gentleman from Cumberland's question I think it might be well for the leadership to consider that, to assess the apportionment of the two salaries.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: I am certainly aware that I'm not going to be asked or even invited to sit in on the decision but I would certainly second the remarks by the gentleman from Presque Isle, Mr. Bishop. I think it's absolutely essential that if you pass this

amendment that you reconsider the action with respect to the District Court because that's been the whole basic issue that's been before us, the Judiciary and in the other Committee which heard these bills, in order to keep these salaries in line.

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

Mr. BERNARD: Mr. Speaker, I would like to know if I'm in order that we adhere to our former action and insist on a Committee of Conference.

The SPEAKER: The question before the House now is the motion to recede and concur. If this motion to recede and concur does not prevail you may then make your motion to insist.

The SPEAKER: The Chair now recognizes the gentleman from Old Town, Mr. Binnette.

Mr. BINNETTE: Mr. Speaker, do I understand this correctly, that if we accept this Senate Amendment "C" that also includes Senate Amendment "B" and in the first section it says and under Senate Amendment "B", amend said bill in section 2 by striking out in the fifth line the underlined figure \$2,500 and inserting in the place thereof the underlined figure of \$2,000. That means that you're going to cut the legislators down \$500, is that right? So if we accept this amendment we're accepting a cut.

The SPEAKER: The Chair recognizes the gentleman from Milbridge, Mr. Kennedy.

Mr. KENNEDY: Mr. Speaker and Ladies and Gentlemen of the House: Speaking to this amendment, I would say this to the members of the House that the original draft reported out by the Committee on State Government did increase the salary from \$1,600 to \$2,500. In arriving at a compromise, knowing well as we have in many many legislative sessions, that there is only so much money available, it was reduced to \$2,000, which is \$400 more than the \$1,600 we received at this session. I think this is reasonable, you may remember that I offered an amendment early in the session, reduc-

ing it to the old figure of \$1,600. This is a pretty good increase, considering we get around a \$1,000 now for travel, per diem and so forth. I feel that this amendment should be accepted by this body.

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

Mr. COTE: Mr. Speaker, hearing the words of wisdom from the gentleman from Milbridge, Mr. Kennedy, in other words he means there is more than one way to skin a cat.

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

Mr. BERNARD: Mr. Speaker, I'd like to inquire through the Chair, that if we indefinitely postpone Senate Amendment "B," does this mean we'd have nothing?

The SPEAKER: If Senate Amendment "B" was indefinitely postponed we'd go back to the original bill, it would then be going back to the Senate in non-concurrence.

Mr. BERNARD: I now move, Mr. Speaker, that we indefinitely postpone Senate Amendment "B."

Mr. Levesque of Madawaska asked for a division.

Senate Amendment "B," being Filing No. S-332, was read by the Clerk.

The SPEAKER: The question before the House now is on the motion of the gentleman from Sanford, Mr. Bernard, that Senate Amendment "B" be indefinitely postponed. The gentleman from Madawaska, Mr. Levesque, has requested a division. All those in favor of Senate Amendment "B" being indefinitely postponed will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Five having voted in the affirmative and one hundred seven having voted in the negative, the motion did not prevail.

Thereupon, the House receded and concurred with the Senate.

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

quires for what purpose does he rise?

Mr. LEVESQUE: Mr. Speaker, may I approach the rostrum?

The SPEAKER: The House may be at ease for a moment.

House at Ease

Called to order by the Speaker.

Non-Concurrent Matter

An Act to Reactivate Maine Committee on Problems of the Mentally Retarded (S. P. 527) (L. D. 1505) which was passed to be enacted in the House on May 13 and passed to be engrossed on May 7.

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

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

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mr. Cote, and inquires for what purpose does he rise?

Mr. COTE: Mr. Speaker, I would like to ask a question of the Chair. I would like to find out just how much money we are spending or how much money we are saving with each one of these amendments as we go along.

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

Mr. LEVESQUE: Mr. Speaker, Ladies and Gentlemen of the House: I ask unanimous consent to answer the gentleman from Lewiston, Mr. Cote.

The SPEAKER: The gentleman requests unanimous consent to answer the question. Is there objection? The Chair hears none. The gentleman may proceed.

Mr. LEVESQUE: Mr. Speaker, Ladies and Gentlemen of the House: The question posed by the gentleman from Lewiston, Mr. Cote, is unanswerable at this time because of all of these documents not being engrossed and finally before the leadership of both branches. So it is almost impossible at this particular point to

give any estimation of just what the amount is at this time.

The SPEAKER: Clerk will continue.

Non-Concurrent Matter

An Act to Authorize the Town of Pownal to Form a School Administrative District (H. P. 47) (L. D. 59) which was passed to be enacted in the House on March 30 and passed to be engrossed as amended by Conference Committee Amendment "A" on March 5.

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

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

Non-Concurrent Matter

An Act Providing for New Ferry Landing at Forest City Landing, Peaks Island (H. P. 113) (L. D. 137) which was passed to be enacted in the House on May 7 and passed to be engrossed as amended by Committee Amendment "A" on April 30.

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

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

Non-Concurrent Matter

An Act to Provide Funds for the Continuing of Maine's Participation in the New England Pavilion at the New York World's Fair (H. P. 616) (L. D. 825) which was passed to be enacted in the House on May 17 and passed to be engrossed on May 6.

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

In the House:

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

Mr. BIRT: Mr. Speaker, I would like to get an explanation of just

essentially what this amendment is going to do.

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

Mr. JALBERT: Mr. Speaker, it is my understanding that this strikes out the \$20,000.

The SPEAKER: Is the gentleman answering the question?

Mr. JALBERT: It is my understanding.

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

Mr. JALBERT: Mr. Speaker, this takes out the price tag on the bill, \$20,000.

The SPEAKER: The Chair recognizes the gentleman from Falmouth, Mr. Payson.

Mr. PAYSON: Mr. Speaker, does that mean that the State of Maine pulls out of the World's Fair?

The SPEAKER: The gentleman from Falmouth, Mr. Payson, poses a question through the Chair to any member and any member may answer if he so desires.

The Chair recognizes the gentleman from Milbridge, Mr. Kennedy.

Mr. KENNEDY: Mr. Speaker, I too am concerned about this, because striking out all of section 1 takes out all of the money, the appropriation, and perhaps the gentleman from Madawaska, Mr. Levesque, can explain just how we can implement this without the \$20,000. I didn't understand that it was to be taken out of the appropriation.

The SPEAKER: The Chair recognizes the gentleman from Presque Isle, Mr. Bishop.

Mr. BISHOP: Mr. Speaker, Ladies and Gentlemen: It is my understanding of the amendment that it would take out section 1 but leave section 2, by which the Governor is authorized and empowered to draw his warrant in the necessary sum and this would come out of the contingent fund.

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

Mr. BENSON: Mr. Speaker, Members of the House: This is a bit confusing because the bill now reads that if we accept this amendment the Governor is authorized and empowered to draw his war-

rant for this sum. There is no sum specified if we amend the bill as provided by this Senate Amendment. Until some one clarifies this a little further to me, I think that I would move the indefinite postponement of this amendment.

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

Mr. JALBERT: Mr. Speaker, I would like to go along with the gentleman from Southwest Harbor, Mr. Benson, for the indefinite postponement of this amendment I was against it from the very first. I think one of the worse things that I have done, one of the worse things some of us know we have done was when we threw away \$500,000 two years ago. Now let's not throw them another ten or twenty thousand dollars. I would like to go along with the motion of the gentleman from Southwest Harbor, Mr. Benson, to indefinitely postpone the amendment and then I'll make another motion.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, now moves that Senate Amendment "A" be indefinitely postponed.

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

Mr. LEVESQUE: Mr. Speaker, may I approach the Chair please?

House at Ease

The House was called to order by the Speaker.

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

Mr. JALBERT: Mr. Speaker, I would like to withdraw my motion to indefinitely postpone this amendment.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, now withdraws his motion to indefinitely postpone Senate Amendment "A."

Mr. JALBERT: Mr. Speaker, I now move that we insist, which will allow us to fulfill our obligations.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, now moves that we insist on our for-

mer action. Is this the pleasure of the House?

The motion prevailed.

Non-Concurrent Matter

An Act Continuing the Committee on Aging (H. P. 1094) (L. D. 1490) which was passed to be enacted in the House on May 4 and passed to be engrossed on April 27.

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

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

By unanimous consent, the preceding eight Non-Concurrent Matters were sent forthwith.

House at Ease

The SPEAKER: Is there objection to taking up additional papers from the Senate without the benefit of an advance journal? The Chair hears none. The Clerk will proceed.

Non-Concurrent Matter

An Act relating to Retirement Benefits for Fish and Game Wardens and Coastal Wardens under State Retirement System (H. P. 369) (L. D. 471) which was passed to be enacted in the House on May 27 and passed to be engrossed as amended by Senate Amendment "A" on May 25.

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

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

Non-Concurrent Matter

An Act relating to Advisory Committee of Health and Welfare (H. P. 1070) (L. D. 1445) which was passed to be enacted in the House on April 16 and passed to be engrossed on April 9.

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 with the Senate.

Non-Concurrent Matter

An Act Providing State Scholarships for Higher Education (H. P. 1156) (L. D. 1587) which was passed to be enacted in the House on June 1 and passed to be engrossed on May 27.

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

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

By unanimous consent, the preceding three Non-Concurrent items were sent forthwith.

Committee of Conference Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act Authorizing Public Utilities Commission to Require the Interchange of Electric Energy" (H. P. 846) (L. D. 1147) reporting that the Senate recede from its action whereby House Amendment "A" was indefinitely postponed; that the Senate adopt House Amendment "A" in concurrence; that the Bill be passed to be engrossed as amended by House Amendment "A" in concurrence.

(Signed) ERWIN of York

SAWYER of Brunswick

D'ALFONSO of Portland

— Committee on part of House

VIOLETTE of Aroostook

LETOURNEAU of York

BOISVERT

of Androscoggin

— Committee on part of Senate.

Report was read and accepted and sent up for concurrence.

The Bill was then passed to be engrossed as amended by House Amendment "A" and, by unanimous consent, sent forthwith.

(Off Record Remarks)

The SPEAKER: The House will be in recess for a few minutes.

Called to order by the Speaker.

Orders Out of Order

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

WHEREAS, the monitors of the House have done a commendable job in the performance of their duties and, consequently, walked several miles up and down our aisles

BE IT ORDERED, that the Clerk of the House be directed to purchase for each a pair of shoes not exceeding the amount of \$20 per pair.

The Order received passage.

Mr. Libhart of Brewer presented the following Order and moved its passage:

WHEREAS interim legislative studies have become increasingly numerous in recent sessions of the Maine legislature, and

WHEREAS the worth of such studies has been challenged from time to time, now

THEREFORE BE IT ORDERED, the Senate concurring; that the Legislative Research Committee study the effect of studies which have been ordered by previous legislatures, and be it further ordered that special emphasis of this study be placed on the thoroughness of the studies and their cost; and be it

ORDERED that the committee tabulate the disposition of the recommendations resulting from these previous studies, and report the findings of this study to the 103rd Legislature.

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

Mr. LIBHART: Mr. Speaker, I put this order in a somewhat humorous vein, but I also hope that it passes. I can assure you that it is nonpartisan. I think probably we are tagged with a label. I honestly feel that there is merit in this order and I think that the Legislative Research Committee is not going to have to spend too much time in reporting back to the next legislature, and I think it will be fun to find out what percentage of the reports that come of the various reports—whether they be

Legislative Research Committee or what have you.

The SPEAKER: The Chair recognizes the gentleman from Lubec, Mr. Pike, and inquires for what purpose does he rise?

Mr. PIKE: Mr. Speaker, to wonder if we could have these remarks delayed until after dinner. (Laughter and applause)

The SPEAKER: Is it the pleasure of the House that this order received passage?

(Cries of "No")

All those in favor say aye; those opposed say no.

A viva voce vote being taken, the Order did not receive passage.

The SPEAKER: Is there objection at this time to taking up papers from the Senate out of order without the benefit of an advance calendar? The Chair hears none. It is so ordered. The Clerk will proceed.

Committee of Conference Reports

Report of the Committees of Conference on the disagreeing action of the two branches of the Legislature on Bill, "An Act Increasing Reimbursement to Towns for Snow Removal" (H. P. 332) (L. D. 435) reporting that they are unable to agree.

(Signed)

HUNTER of Clinton

GRAHAM of Freeport

MITCHELL of Frankfort

—Committee on part of House.

CAHILL of Somerset

NORRIS of Oxford

CASEY of Washington

—Committee on part of Senate.

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on

Bill, "An Act Designating Androscoggin Game Preserve as a Game Management Area" (H. P. 696) (L. D. 934) reporting that they are unable to agree.

(Signed)

GILBERT of Turner

CHAMPAGNE of Fairfield

PALMER of Phillips

—Committee on part of House.

GIRARD
of Androscoggin
BOISVERT
of Androscoggin
JACQUES
of Androscoggin

—Committee on part of Senate.

Reports were read and accepted and sent up for concurrence.

Report of the second Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill, "An Act Clarifying the Inland Fisheries and Game Laws" (S. P. 428) (L. D. 1375) reporting that the House reconsider its action whereby it passed this Bill to be engrossed, adopt Committee of Conference Amendment "B" and pass the Bill to be engrossed as amended by Committee Amendment "A" as amended by House Amendment "A" thereto, and as amended by House Amendments "A", "B" and "C" and Conference Committee Amendment "B"; that the Senate reconsider its action whereby it passed this Bill to be engrossed; reconsider its action whereby it adopted Senate Amendment "A"; indefinitely postpone Senate Amendment "A"; adopt Committee of Conference Amendment "B"; and pass the Bill to be engrossed as amended.

(Signed)

HARDING of Aroostook
VIOLETTE of Aroostook
CHISHOLM

of Cumberland
—Committee on part of Senate.

RICHARDSON

of Cumberland
HUNTER of Clinton
GAUVIN of Auburn

—Committee on part of House.

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" as amended by House Amendment "A" thereto, and House Amendments "A", "B" and "C" and Conference Committee Amendment "B".

On motion of Mr. Cookson of Glenburn, the Conference Committee Report was accepted.

Thereupon, the Bill was passed to be engrossed as amended and sent to the Senate.

Non-Concurrent Matter

An Act Establishing a State Board of Pesticides Control (S. P. 420) (L. D. 1329) which was passed to be enacted in the House on March 30 and passed to be engrossed on March 5.

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 with the Senate.

The SPEAKER: Is there objection to taking up at this time an enactor out of order? The Chair hears none. The Clerk will read the enactor.

Enactor

Reconsidered and Amended Passed to Be Engrossed

An Act to Allocate Moneys for the Administrative Expenses of the State Liquor Commission for the Fiscal Years Ending June 30, 1966 and June 30, 1967 (S. P. 551) (L. D. 1550)

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

On motion of Mr. Cote of Lewiston, the House voted to reconsider its action whereby on June 2 it passed the bill to be engrossed; and on further motion of the same gentleman, the House voted to reconsider its action whereby on June 2 Senate Amendment "A" was adopted.

Mr. Cote of Lewiston then offered House Amendment "A" to Senate Amendment "A" and moved its adoption.

House Amendment "A" to Senate Amendment "A" was read by the Clerk as follows:

HOUSE AMENDMENT "A" to SENATE AMENDMENT "A" to S. P. 551, L. D. 1550, Bill, "An Act to Allocate Moneys for the Administrative Expenses of the State Liquor Commission for the Fiscal Years Ending June 30, 1966 and June 30, 1967."

Amend said Amendment by striking out all of the last 6 lines and inserting in place thereof the following:

| | | |
|-------------------|-------------------|-------------------|
| " | 1965-66 | 1966-67 |
| Personal Services | (365) \$1,772,365 | (365) \$1,858,610 |
| All Other | 893,733 | 867,831 |
| | <hr/> | <hr/> |
| | \$2,666,098 | \$2,726,441 |

Amounting to \$2,666,098 for the fiscal year ending June 30, 1966 and \$2,726,441 for the fiscal year ending June 30, 1967."

The SPEAKER: The question now before the House is on the adoption of House Amendment "A" to Senate Amendment "A".

Whereupon, the motion of Mr. Bussiere of Lewiston to table un-

assigned failed on a viva voce vote; his further motion to table until tomorrow also failed on a viva voce vote.

Thereupon, House Amendment "A" to Senate Amendment "A" was adopted.

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

On motion of Mr. Levesque of Madawaska,

Adjourned until nine-thirty o'clock tomorrow morning.