

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

Special Session

OF THE

*One Hundred and Second
Legislature*

OF THE

STATE OF MAINE

1966

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Tuesday, February 1, 1966

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

Prayer by the Rev. Mr. Jack Shankel of Augusta.

The journal of yesterday was read and approved.

Papers from the Senate

From the Senate: The following Order:

ORDERED, the House concurring, that the members of the Joint Standing Committees on Judiciary and Legal Affairs be given the 1965 pocket supplements to the Maine Revised Statutes Annotated (S. P. 723)

Came from the Senate read and passed.

In the House, the Order was read and passed 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.

From the Senate: The following Communication:

**THE SENATE OF MAINE
AUGUSTA**

January 31, 1966

Hon. Jerome G. Plante

Clerk of the House

of Representatives

102nd Legislature

State House, Augusta, Maine.

Sir:

On the disagreeing action of the two branches of Legislature on S. P. 675, L. D. 1713, Bill, An Act for Licensing Private Detectives and Watch, Guard and Patrol Agencies, the President of the Senate today appointed the following members to a Committee of Conference:

Senators: JACQUES

of Androscoggin

CAHILL of Somerset

O'LEARY of Oxford

Respectfully,

(Signed) Edwin H. Pert

Edwin H. Pert,

Secretary of the Senate.

The Communication was read and ordered placed on file.

Orders

Mr. Dumont of Augusta presented the following Order and moved its passage:

WHEREAS, the "Rams" of Cony High School, Augusta, has thus far this season been undefeated in its basketball competition, and

WHEREAS, The "Rams" are currently sporting a 15-0 record, and

WHEREAS, this team has displayed excellent sportsmanship and team co-operation under Coach Dick Hunt; now, therefore, be it

ORDERED, that the House of Representatives extend its sincere congratulations to Cony High School on the splendid record of the "Rams" this season, and be it further

ORDERED, that the Clerk of the House is directed to send an attested copy of this Order to Coach Dick Hunt and to the Principal of Cony High School.

The Order received passage.

Mr. Ross of Brownville presented the following Order and moved its passage:

WHEREAS, the gentleman from Etna, Mr. Carter, has served his constituents faithfully for seven consecutive terms in the House, and

WHEREAS, he has served as a faithful member of the Joint Standing Committee on Highways, and

WHEREAS, he does not deem it advisable to serve another term in the House; now, therefore, be it

ORDERED, that the House of Representatives extend its sincere congratulations to the gentleman from Etna, Mr. Carter, for his outstanding career in the Maine House, and be it further

ORDERED, that the Clerk of the House is directed to send an attested copy of this Order to the gentleman from Etna, Mr. Carter.

The Order received passage. (Prolonged Applause the members rising)

Mr. Carter of Etna was granted unanimous consent to address the House.

Mr. CARTER: Mr. Speaker, Ladies and Gentlemen of the House: I am deeply grateful for this generous applause for which I thank you. (Applause)

Mr. Hanson of Gardiner presented the following Order and moved its passage:

WHEREAS, the City of Gardiner has just earned a Distinguished Achievement Award in the 1965 National Cleanest Town Achievement Award Contest; and

WHEREAS, the presentation of the award will be made during a two-day National Cleanest Town Conference in Washington, D.C., February 14-15, 1966; and

WHEREAS, the award is based on Gardiner's extensive clean-up, fix-up, paint-up campaign sponsored last spring by the Citizens' Advisory Committee; and

WHEREAS, Gardiner is believed the only Maine community recognized and one of only a limited number throughout the nation selected for this top award; now, therefore, be it

ORDERED, the Senate concurring, that the congratulations and best wishes of the Legislature of the State of Maine is extended to the officials and dedicated citizens of the City of Gardiner for their accomplishments in the way of community betterment and spirit in conducting their highly successful community-wide effort to improve their city; and be it further

ORDERED, that engrossed copies of this joint order, signed by the Speaker of the House and the President of the Senate, be immediately transmitted by the Clerk of the House to the Mayor of the City of Gardiner. (H. P. 1301)

The Order received passage and was sent up for concurrence.

**House Reports of Committees
Divided Report
Tabled Until Later in
Today's Session**

Majority Report of the Committee on State Government,

acting by authority of Joint Order (H. P. 1296) reporting a bill (H. P. 1300) (L. D. 1806) under title of "An Act Creating a Senatorial Apportionment Commission" and that it "Ought to pass"

Report was signed by the following members:

Messrs. STERN of Penobscot
 MAXWELL of Franklin
 — of the Senate.

Messrs. STARBIRD
 of Kingman Township
 DOSTIE of Lewiston
 EDWARDS of Portland
 MARTIN of Eagle Lake
 — of the House.

Minority Report of same Committee reporting that the Bill which was reported by a majority of the Committee "Ought not to pass"

Report was signed by the following members:

Mr. WILLEY of Hancock
 — of the Senate.

Messrs. BERRY of Cape Elizabeth
 KATZ of Augusta
 LIBHART of Brewer
 — of the House.

Reports were read.

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

Mr. MARTIN: Mr. Speaker, I move we accept the Majority "Ought to pass" Report.

The SPEAKER: The gentleman from Eagle Lake, Mr. Martin, moves the acceptance of the Majority "Ought to pass" Report.

(On motion of Mr. Berry of Cape Elizabeth, tabled pending the motion of Mr. Martin of Eagle Lake and assigned for later in today's session.)

Passed to Be Enacted

An Act to Prevent the Loss of Educational Subsidy in Certain Towns for the Year 1967 (S. P. 635) (L. D. 1616)

An Act Establishing a State Commission on the Arts and the Humanities (S. P. 667) (L. D. 1700)

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.

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 Appropriating Funds to Construct Bridge Across Molunkus Stream, Macwahoc Plantation, Aroostook County" (H. P. 1248) (L. D. 1743) reporting that they are unable to agree.

(Signed)

STARBIRD

of Kingman Township

EDWARDS of Portland

LENT of Scarborough

—Committee on part of House.

NORRIS of Oxford

CAHILL of Somerset

CASEY of Washington

—Committee on part of Senate.

Report was read and accepted and sent up for concurrence.

The **SPEAKER**: Is there objection from any member of the House if we now turn our attention to Supplement number 1, which are Enactors? The Chair hears no objection. The Clerk will proceed.

Passed to Be Enacted Emergency Measure

An Act to Amend the Charter of the City of Ellsworth as to Nominations and Elections and to Amend the Charter of the City of Belfast as to Approval of Zoning Ordinances (S. P. 613) (L. D. 1614)

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. 132 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure Tabled Until Later in Today's Session

An Act to Correct Errors and Inconsistencies in the Public Laws (S. P. 695) (L. D. 1781)

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

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

Mr. **GILLAN**: Mr. Speaker, Ladies and Gentlemen of the House: It has just been brought to my attention that the Judges of the Maine Supreme Court have found some inconsistency in this law, and I would like to have somebody table it until an amendment can be drafted.

(Thereupon, on motion of Mr. Levesque of Madawaska, tabled pending enactment and assigned for later in today's session.)

Passed to Be Enacted

An Act relating to Retirement of Certain Employees of the City of Bangor (S. P. 651) (L. D. 1625)

Was 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.

Enactor

Indefinitely Postponed

An Act relating to a Compact for Education (S. P. 666) (L. D. 1699)

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

The **SPEAKER**: The Chair recognizes the gentleman from Bowdoinham, Mr. Millay.

Mr. **MILLAY**: Mr. Speaker, Ladies and Gentlemen of the House: I move that this bill and all its accompanying papers be indefinitely postponed. I realize that to be against education is similar to being against motherhood, but I feel my opposition in this case is not against education, but against the ever-enlarging octopus of State Government and Federal Government, and that is what I am basing my argument on today.

Now first, let's look at what this bill does. It creates a seven-man commission in each state in the United States backed up by a seven-man commission to be located in Washington, D. C. Simple arithmetic will tell you fourteen men per state, a 700 person organization. The functions of this bill are to do exactly the same as our Federal Department of Education and our State

Department of Education. Our Federal and State Departments have the same duties that come under this compact.

Now why I feel we don't want it. This appropriation of \$4,000 and the \$8,000 is to support a fourteen-man organization for each state, and you cannot make me believe that \$8,000 a year is going to do this very long; this appropriation will become larger as time goes on. To establish this Commission I say would be like hiring another hired man to do the same work as a man is already hired to do, just because the man we have now isn't doing his job properly. I say let's oil up the machine we have instead of buying another gadget to put on the machine. Now lastly, there are only three states that thus far have bought this compact principle. In order for the compact principle to be any earthly good, all fifty states will have to take part in it. Why should we in this state jump on the bandwagon this quickly? Let's wait and see what happens. Certainly one more year will not do any great damage. I say let's vote it down, at least at this time.

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

Mr. GIFFORD: Mr. Speaker and Ladies and Gentlemen of the House: I find myself this morning at somewhat of a loss to understand the persistent objection to this harmless but useful piece of legislation. All that L. D. 1699 seeks to do is to have the State of Maine, along with its sister states, enter into a voluntary association for the simple purpose of collecting information regarding educational systems and practices in the fifty states and to disseminate and make available that information to each of the participating members. In no way does this contribute to the enlargement of a Federal bureaucracy and it has nothing to do with the Federal Government. The very fact that it has nothing to do with the Federal Government I think is in support of it. This is a volun-

tary approach to educational problems in the various states, and I think it would be far better in the democratic system if we can solve our problem by voluntary methods rather than by abdicating our responsibilities by leaving the problem to be solved by a higher level of Government simply because we default at the state level.

The benefits of this compact can go far beyond the small cost to the State of Maine, and I would hope this morning that we would again overwhelmingly support L. D. 1699, first, by defeating the motion of the gentleman from Bowdoinham, Mr. Milloy, to indefinitely postpone it, and then by enacting it into law.

The SPEAKER: The Chair recognizes the gentleman from Freeport, Mr. Graham.

Mr. GRAHAM: Mr. Speaker and Ladies and Gentlemen of the House: In these last hours of the special session, many of us seem to be in a confessional mood. I, too, now would like to throw myself on the mercy of the House and clear my conscience. I want to confess that I never went to Harvard. I want to confess that I never finished the School of Hard Knocks. I was a teenage dropout. My father forbade me to sell lollipops or peddle marijuana. He insisted I go to Yale.

In other words, I have been handicapped since childhood. You must forgive me, therefore, if there is much here that I have failed to understand. I fail to understand the need for this educational compact, and the added burden, the growing burden that it will throw on the Maine taxpayer. Join me, therefore, I urge you, in voting down and voting for the indefinite postponement of this bill. I ask for a division.

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

Mr. KENNEDY: Mr. Speaker and Members of the House: I find myself standing here in support of this educational compact this morning. This is in the Chief

Executive's program. I find that this program is endorsed by such men as Dr. H. Austin Peck of the University of Maine, our own Commissioner of Education, the gentleman from Bangor, who is a member of the State Board of Education, and of course the Honorable Roger V. Snow, Jr. who is our Senator from Cumberland County.

This isn't a great sum of money and I think probably I am standing here this morning arguing the Federal versus State controls of our educational system. There are those, I know, who would rather see our educational system controlled by the Federal Government. It does seem to me that if we have an educational compact by citizens of the various states, that they could meet in this compact and be in a position to combat the continuing control of the Federal Government over our lives, our education and our pocketbooks. I will mention once more that this is in the program of the Chief Executive, and I hope that you will defeat the motion to indefinitely postpone.

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

Mr. JALBERT: Mr. Speaker, I have heard figures thrown around here and I would like to firm up a little bit more before I make up my mind as to how I'm going to vote. I would like to ask any member who may answer a two-pronged question. Is the figure of 4,000 now and 8,000 for the second year going to grow, and if so to about how much of a degree?

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, 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 and Members of the House: In answer to the gentleman from Lewiston, Mr. Jalbert, it is pretty well something that will have to be left up to your imagination.

So far we can see that for the first year of the biennium it will cost \$4,000 and for the second year of the biennium it will be \$8,000, depending upon how these people are going to be able to get together with the rest of the forty-nine states. We have no idea at this point as to how fast this is going to progress. We estimate that this is going to be the actual cost now and for years to come, but we have no way of being able to say to the gentleman from Lewiston, Mr. Jalbert, that this in the future will remain the same figure.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I would like to join with the gentleman from Bowdoinham, Mr. Millay, and defeat this motion. Our experience with compacts just recently wasn't good with the New England compact on the Dickey Dam project. Another thing is the uncertainties in the cost. I have seen things of this nature start in this House with a small price tag of only \$4,000, this I could buy; \$8,000 wouldn't be bad. But I am not so naive as to think that we can keep a delegation in Washington, I have been there and it costs a lot of money to stay there alone, the type of people we would want there. I would suspect that the cost would be more realistic if we would say \$100,000 the third year, and who knows where beyond that? And in view of the fact of the uncertainty of the cost, and admittedly by the gentleman from Madawaska, I would go along with the motion to indefinitely postpone.

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

Mr. HEALY: Mr. Speaker and Ladies and Gentlemen of the House: I am not so concerned about this compact as I am about the impact of the accumulation of spending that I am going to meet with when I go back on Main Street. However, I don't think that this \$4,000 and \$8,000 will be noticed in the totals, so I am going to vote for it.

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

Mr. SULLIVAN: Mr. Speaker and Members of the House: While I was down to Duke University who have been making a research for the last twenty years or more on extrasensory perception, they told me that I was in the upper one percent of any of those they had examined. And using that last night and this morning, which some people call mental telepathy, and also getting out my crystal ball, I came up with the figures that have just been given by Mr. Dudley. And incidentally the way, in my opinion, this Legislature and Senate have been voting money to put on the backs of the already overburdened taxpayers of this state, many of their backs are not only very well bent, I think that when some of them hear about some of these things including that \$4,800,000 Museum, there are many things in my opinion very much more important for the average citizen and taxpayer of this state than some of those things. And when we have a meeting this next weekend of the alumni of the "University of Hard Knocks" I am proposing that Representative Graham be made an honorary member. Thank you.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I don't want to sound hard-headed but I still am in the dark on this measure. I would like to have a further explanation as to whether or not the price tag will grow in leaps and bounds or remain comparatively dormant.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, requests further information to his previous question.

The Chair recognizes the gentleman from Lewiston, Mr. Hoy.

Mr. HOY: Mr. Speaker and Members of the House: In trying to answer the question of the gentleman from Lewiston, Mr. Jalbert, it is provided in the act that the finances will be apportioned among the states, taking into ac-

count their population and their per capita income. Since Maine does not stand very high in the roll of states in either regard, I cannot see it will possibly increase tremendously in the coming years. Other than that the answer would have to be the same as that given by the gentleman from Madawaska, Mr. Levesque.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I think probably this is something that you will find us in a similar situation as was found in the Thirteen Colonies in the beginning. This fabulous country of ours was founded because people banded their resources together. When the first Thirteen Colonies were first instituted, had they been by themselves they would probably have been faced with starvation and ensuing battles between each other. It was only by the joining of the Thirteen Colonies that they were able to join together and form something that we now call the United States of America.

I think probably in this area of education if we pool our resources together—and again I say that there might be some question as to the methods of doing it, certainly I feel that we can probably start in this area and if in the next few years the other states fail to join then there will be a sign that there is no need for this education compact. But I feel that somebody has got to get the ball started rolling and seeing if this is actually feasible and to see if and what benefits we can derive from it.

Mr. Jalbert of Lewiston was granted permission to address the House a third time.

Mr. JALBERT: I would like to ask a further question. Is it made up of seven members from each state or fourteen from each state?

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, 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 Lewiston, Mr. Hoy.

Mr. HOY: Mr. Speaker and Ladies and Gentlemen of the House: It is my understanding that it is made up of seven members from each state.

The SPEAKER: The Chair recognizes the gentleman from Limerick, Mr. Carroll.

Mr. CARROLL: Mr. Speaker, in view of the fact that the remarks made just recently was that this was an experiment, in view of the facts that we are a state that is very poor when it comes to finances and that we do have many many people who are employed in the lower brackets and their income is very low. I feel that if this is an experiment let the wealthy states do it and let us gain by their expenditures of their wealth and we will join it two years from now or a year from now. I don't see any need of headlong rush.

I can see a definite need for a medical school and in the field of dentistry in the State of Maine. I maintain that this is where we should be looking and I am afraid that when we do look in that direction if we become involved in a compact that they may do to us what the New England Council did to us on the Dickey Dam. They may turn to us in Maine and say, you don't need a medical school and you don't need a dental school. And I know differently because recently in a snowstorm I had to go out with a man with a heart attack and I had to go with two men and go to a doctor's house, and carry him and put him in our car and take him there, and we also have another doctor who is eighty years old and graduated from Bowdoin College, and this man is now past his years when he can do anything for us. The need is great in the field of medicine, the need is great in the field of dentistry, we have a definite lack, and I don't feel that we should spend our money on this experiment. Let us let the wealthy states develop this compact and we can always join it later.

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

Mr. ROSS: Mr. Speaker, it is my understanding that this is permissive legislation, maybe I'm wrong. But I also feel that if the price tag goes up and we want to get out we can get out. It is not mandatory that we stay in there and I think that answers Mr. Jalbert's question.

The SPEAKER: The Chair recognizes the gentleman from Limerick, Mr. Carroll.

Mr. CARROLL: Mr. Speaker, I would like to inform the gentleman if my son asks me for permission to go out on Saturday night he also always asks me for two bucks to go out on.

The SPEAKER: The Chair recognizes the gentlewoman from Portland, Mrs. Carswell.

Mrs. CARSWELL: Mr. Speaker, I would like to know if this has been one of the proposals of the New England Board of Higher Education?

The SPEAKER: The gentlewoman from Portland, Mrs. Carswell, poses a question to any member of the House and any member of the House may answer if he so desires.

Is the House ready for the question? The question before the House is on the motion of the gentleman from Bowdoinham, Mr. Millay, that this Act relating to a Compact for Education, Senate Paper 666, L. D. 1699, be indefinitely postponed. A division has been requested. 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.

The SPEAKER: Seventy-nine having voted in the affirmative and fifty-two in the negative, the motion to indefinitely postpone—

The Chair recognizes the gentleman from Lewiston, Mr. Hoy.

Mr. Hoy of Lewiston requested a roll call.

The SPEAKER: The gentleman from Lewiston, Mr. Hoy, requests that the vote be taken by the yeas and nays. For the Chair to order a roll call vote 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 did not arise.

The SPEAKER: Obviously less than one-fifth having arisen, the yeas and nays are not in order. So the Chair will declare the vote. Seventy-nine having voted in the affirmative and fifty-two in the negative, the motion to indefinitely postpone prevails.

Mr. Levesque of Madawaska moved reconsideration and it failed on a viva voce vote.

An Act relating to Erection of Causeways, Docks, etc. in Great Ponds (S. P. 717) (L. D. 1801)

An Act Creating the Maine State Museum (H. P. 1196) (L. D. 1664)

An Act Establishing a Home Repair Financing Act (H. P. 1292) (L. D. 1800)

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.

The SPEAKER: The Chair recognizes the gentleman from Mars Hill, Mr. Dickinson, and inquires for what purpose does he rise.

Mr. DICKINSON: Mr. Speaker, to inquire if Senate Paper 717, L. D. 1801, An Act relating to Erection of Causeways, Docks, etc. in Great Ponds, is in possession of the House.

The SPEAKER: The Chair will answer in the affirmative.

Mr. DICKINSON: I would now make a motion that we reconsider our action whereby this measure was passed to be enacted earlier in today's session.

The SPEAKER: The gentleman from Mars Hill, Mr. Dickinson, now moves that we reconsider our action whereby this bill was passed to be enacted, and this is item 5 on Supplement number 1. Is it the pleasure of the House that we reconsider our action

whereby this bill was passed to be enacted?

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

Mr. LEVESQUE: May I approach the rostrum, please.

The SPEAKER: The House may be at ease.

House at Ease

The SPEAKER: The question before the House is on the motion of the gentleman from Mars Hill, Mr. Dickinson, that we reconsider our action whereby this bill was passed to be enacted.

The Chair will still recognize the same gentleman. He may proceed.

Mr. DICKINSON: Mr. Speaker and Members of the House: As I understand this L. D., it could affect every camp owner who might want to build a retaining wall or permanent dock onto his camp. Being a dropout too, I have to refer to Mr. Webster's edition. Checking on "littoral" I find that it is "pertaining to, near or living on the shore, situated between high and low water mark," and as I read down further in this bill I note there is a key word "permanent" in the second line of paragraph C and that hearing would be required if anyone proposed to build any of these causeways, docks, etc. in a great pond or lake, and that the Forestry Commissioner has to consult and have the approval of the Mining Bureau, the Water Improvement Commission, the Commissioner of Inland Fisheries and Game and the State Park and Recreation Commission. And if such permit is granted there will be a fee of \$10.

I have visions of repercussions from many of my neighbors on a lake where we reside if such a measure was to be passed by this House. I only cite these for your consideration, because in my opinion much time could be required to clear through all of these different departments to ob-

tain this permit. Would I be in order to make a motion at this time?

The SPEAKER: There is a motion before the House at this time, your motion to reconsider our action whereby this bill was passed to be enacted.

Mr. DICKINSON: Thank you.

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

Mr. BERMAN: Mr. Speaker and Members of the House: This matter came before the Committee on Judiciary and in the absence temporarily of our House Chairman I will try to explain briefly to the House something of what transpired. As we understand the law, the Judiciary Committee, the great ponds of the State of Maine belong to all the people of the State of Maine. They do not belong in and of themselves to the adjoining landowners. This has been the law from time immemorial and chances are it will so continue.

Now this matter of permanent causeway, and other encroachments on the great ponds which belong to the people of the State of Maine, was thoroughly discussed in our committee and a compromise was arrived at. Our able colleague the gentleman from Cumberland, Mr. Richardson, drew a committee amendment which received the unanimous endorsement of the Committee on Judiciary. It seemed to be a very sensible amendment and that is the bill which we propose to enact today, and for that reason so we won't have to backtrack and go through all of this again and again I hope that the House at this time, at this stage of the special session, will not reconsider.

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

Mr. LEVESQUE: Mr. Speaker, Ladies and Gentlemen of the House: I think probably in all due respect to the barristers of the Judiciary Committee they have come out with what I estimate as a very good bill for the protection of the great ponds of

our state. I think the Judiciary Committee has come out and done a splendid job and I think this is for the protection of all the people of our state. So therefore I request a division on the reconsidering motion.

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

Mr. JALBERT: Mr. Speaker and Members of the House: Do I understand, and a question of any member of the Judiciary Committee, that this bill was reported out of committee unanimous ought to pass?

The SPEAKER: That is correct.

Mr. BERMAN: As amended by Committee Amendment.

The SPEAKER: The Committee Report was unanimous "ought to pass" as amended by a Committee Amendment.

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

Mr. ROSS: Mr. Speaker, Ladies and Gentlemen of the House: I didn't pay much attention to this bill, but another gentleman and myself own a pond of twenty-six acres. As long as it is over ten acres, that makes it a great pond, and we own this whole pond and the land around it. Does that mean that we have to get a permit before we can put a dock in our own pond and then pay ten bucks for it? If it is, I am in favor of reconsidering.

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

Mr. COOKSON: Mr. Speaker, Ladies and Gentlemen of the House: As I see it, this is a bill a good deal like the one that we had before us in regular session which would not allow us to dig farm ponds and all sorts of things without permission from the different departments. This bill will directly affect you when you come to put a dock or a float out in front of your cottage. It has far-reaching effects as far as I can see, and as far as I am concerned, I would like to see it killed.

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

Mr. RICHARDSON: Mr. Speaker, Ladies and Gentlemen of the House: First of all, Mr. Speaker, I want to apologize for making this speech, because I told you, Mr. Speaker, about a month before this session began that I wouldn't make any speeches if we would get out in two weeks. Now that the two weeks has gone by, I feel that I should be permitted this opportunity.

The SPEAKER: The gentleman may proceed.

Mr. RICHARDSON: The amendment to the bill requires permits for the construction of permanent causeways and marinas. It does not require them for the ordinary dock that you would find around Maine's ponds.

As the gentleman from Houlton, Mr. Berman has pointed out, under our present law you have no right whatever to put a dock of any kind on a great pond that is a permanent dock in the sense that a pier or piling goes down to the bottom. This bill is a compromise. I was against the original bill and would be again. All this bill does is require a permit when you are going to put permanent fill in to build a causeway or a marina. If any of you have any question about it, I hope you will read the amendment, because the amendment is a lot different cat than the bill, the L. D. itself. I very strongly urge you to defeat the reconsideration motion. If more debate is necessary, read the amendment first.

The SPEAKER: For the information of the members of the House, there was not a committee amendment, the bill was reported out in new draft which has the same effect as a committee amendment.

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

Mr. JALBERT: Mr. Speaker and Members of the House: Commenting on the gentleman from Brownville, Mr. Ross's remarks, he doesn't own the pond. All the people own the great ponds.

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

Mr. DICKINSON: Mr. Speaker, I would like to ask a question through the Chair of my colleague, Mr. Richardson if he cares to answer. I am wondering if this would apply to a retaining wall that might be built along the shore in front of a camp lot?

The SPEAKER: The gentleman from Mars Hill, Mr. Dickinson poses a question of the gentleman from Cumberland, Mr. Richardson, who may answer if he so desires.

Mr. RICHARDSON: I don't think so, Mr. Speaker.

Mr. Dickinson of Mars Hill was granted permission to address the House a third time.

Mr. DICKINSON: Mr. Speaker, I would elaborate just a little bit some of the factors which prompt my concern. We have a situation on a lake where my camp is located where our shore line has suffered considerable damage as a result of high water, and I and many of my neighbors have — are faced with a situation of building a retaining wall to prevent further damage. I merely want to point that out for the record.

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

Mr. LUND: Mr. Speaker, Ladies and Gentlemen of the House: Possibly in order to clarify the question of Mr. Dickinson, although the people own the great pond, I believe the person who owns the shore, owns to low water, so that so long as the causeway or the retaining walls were built on land which were exposed at low water, I think there would be no particular problem.

The SPEAKER: Is the House ready for the question? The question before the House is the motion of the gentleman from Mars Hill, Mr. Dickinson, that we reconsider our action whereby this bill, An Act relating to Erection of Causeways, Docks, etc. in Great Ponds was passed to be enacted. A division has been requested. All those in favor of reconsidering our action whereby this bill was passed to be enacted, will kindly

rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Fourteen having voted in the affirmative and ninety-eight having voted in the negative, the motion did not prevail.

The SPEAKER: Is there objection from any member of the House that all matters acted on this morning be sent forthwith to the Senate? Is there any objection? The Chair hears none. They will be sent forthwith.

The SPEAKER: The House will be in recess until the sound of the gong.

After Recess

Called to order by the Speaker.

Orders of the Day

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

An Act to Authorize General Fund Bond Issue in Amount of Two Million Nine Hundred and Fifty Thousand Dollars and to Appropriate Moneys for Construction, Extension and Improvement for Airports. (H. P. 1298) (L. D. 1804)

Tabled — January 31, by Mr. Ross of Bath.

Pending — Passage to be Enacted.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen: I tabled this yesterday for two reasons. I wanted to double check to see whether the Governor had specifically mentioned phase 2 of the Portland Airport in his message, and he had not. Secondly, there were several persons in the House that mentioned to me that they did not favor either one section or another of the bill. It did not seem equitable to me to have persons vote for the package or nothing, so I thought it might be best to split this up into either two or three separate bond issues.

However, to many persons, this seems neither practical nor feasible at the present time, and I

now move the bill be passed to be enacted.

The SPEAKER: The Chair recognizes the gentleman from Denmark, Mr. Dunn.

Mr. DUNN: Mr. Speaker and Members of the House: I have got to make one more try. I think the financing here is worth considering. I believe that it is more sound to finance as suggested in the minority report, and I hope that any of you that feel the same way will go along with me and oppose this measure.

The SPEAKER: The Chair recognizes the gentleman from China, Mr. Farrington.

Mr. FARRINGTON: Mr. Speaker, Ladies and Gentlemen of the House: During the process of hearings on this particular measure, and my concern being with the airport in central Maine, I naturally have made a strong bid to have the airport site east of the Kennebec River. I merely stand and want to make this a matter of record. I have changed within the last half hour the speech I intended to make. At this time I want to go on record as being in favor of this bond issue, and I shall so vote.

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

Mr. DUDLEY: Mr. Speaker, before this is enacted, and Members of the House, I want to be on record in this House as being opposed to this type of spending. I know there are a lot of you people here in this very House that feel just the same as I do, and I hope you won't be cowards when the vote is taken; you will stand up and vote for the constituents that you represent. Now if I was voting for my own way I feel about it, I have a lot of friends that would like to have this central airport, and I might have gone along with it, but they have added such a package to it building airports all over the State of Maine, they have made it in such a state that I just couldn't buy the bill as it is before us at this minute. And for this reason, I am going to try to represent the people that I represent, and I know very surely that they do

not want this type of money spent all over the State of Maine in airports, and I hope you will stand with your own convictions, and not be cowards. Vote as you feel this should be voted, not vote as someone tells you to do it or some other means. I hope when the vote is taken, you will use some of your own judgment.

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

Mr. LIBHART: Mr. Speaker, Ladies and Gentlemen of the House: I think that we ought to take just a moment to realize that this Report A is not the only possibility here. There are many of us, I am sure, who are in favor of spending money on this airport proposition. I think there are a lot of us who realize that because airports serve an area, it probably is a legitimate exercise of state spending, rather than local spending, to maintain, build or what have you, these airports.

Now I am opposed to Report A, but this does not mean that I am opposed to spending money on these airports. If the Transportation Commission in their good judgment feels that Sidney is the best place to build an airport, I would defer to people with a great deal more intelligence on the subject than I have got, but I do resent, as apparently my friend from Enfield, Mr. Dudley does, packaging this business up in a great big package and saying this is the only alternative. Now you are not going to spend the money that we appropriated just six months ago for Augusta. That money is still available. And it seems to me that Report B has a great deal of intelligence behind it when it eliminates that amount of money from the bond issue, and simply says we will spend the money that is available out of the general fund and bond the rest.

Now you know, for years and years in the State of Maine, we financed capital improvements by the surplus that was left over after we got through with the legislative session. We deliberately did not spend all the money that we thought we might have be-

cause there might be a recession or something like that, and we didn't like to deficit spend, so we deliberately planned so that there would be something left over, and then when the next Legislature met, that money was available to help them out with the new projects and programs that that Legislature thought would be good to do. We don't have that possibility any more. We spent beyond what we thought we would have just a year ago. Economy has been great in the State of Maine and we have gotten more income from our sales tax than we thought we were going to have and here we are, back in session six months later, everyone trying to outdo themselves to spend every last penny and more so that we would have in surplus for the next session.

Now I think that there is no sin in having a little bit of money left over, it's absolutely not sinful. Matter of fact, it makes a great deal of intelligence.

Now I take it that my colleague, Mr. Dunn's thinking is that fine, have your bond issue, do what you have to with your airports if you must in a special session, but do it intelligently, and if you can use some of your general fund which was left over from another airport project, do it. I simply say there are other alternatives besides accepting Report A.

Now I am going to vote against this bond issue; not because I am against this particular spending, I am in favor of it one hundred percent and I wish it could have come up in a regular session instead of a special session, but I am in favor of it, but I am going to vote against it because I don't like the package.

Mr. Farrington of China requested a roll call.

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

Mr. KATZ: Mr. Speaker, Ladies and Gentlemen: During the regular session, for the very first time we addressed ourselves to the problem of airports. You may recall that I supported airport construction for Rockland, Millinocket

and at that time for the Augusta project that was before us. I am going to support this bond issue today, but in supporting it I would like to take an opportunity to wave my finger under your noses and scold you just a little bit. I am going to take the opportunity to say that this state has had a shamefully poor record in aviation, and there is an opportunity today to take a step forward in the direction of progress. I am going to say that a state that has such a fine record on highway construction has paid practically no attention to the normal development of air transportation.

I would hope that somewhere along the line we would stop doing things the way we are doing them. I would hope somewhere along the line in aviation matters we will not put the oil where the wheel is squeaking the most at the same time, and develop an imaginative, comprehensive program for airport development. We don't have it. There is no indication that we are going to have it next year, and I think that the legislatures to come must address themselves to the problem of improved air transportation.

But today, despite the fact that there are within this bond issue, both as to its financing and as to individual items within it, questions that might arise in all of our minds, I am going to urge all of you to support it. The hour is late for air transportation in the State of Maine. The time to support it is now.

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

Mr. STARBIRD: Mr. Speaker and Members of the House: Originally I had quite a few reservations on this particular package, as many of you have, but I find today I am willing to support it, because I believe that air travel is the travel of the future, and as our highways get more and more clogged, more and more people will take to the air. These things will be necessary. So I urge every one of you to vote for this. Thank you.

The SPEAKER: Is the House ready for the question? This being a bond issue, under the Constitution, it requires for its enactment the affirmative vote of two-thirds of the membership. A roll call has been requested. 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, kindly rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

The SPEAKER: Obviously, more than one-fifth having arisen, a roll call is in order. The question before the House is the enactment of this bill, An Act to Authorize General Fund Bond Issue in Amount of Two Million Nine Hundred and Fifty Thousand Dollars and to Appropriate Moneys for Construction, Extension and Improvement for Airports, House Paper 1298, L. D. 1804. If you are in favor of this bill being passed to be enacted when your name is called, you will answer ye or yes. If you are opposed to this bill being passed to be enacted when your name is called you will answer nay or no.

The Clerk will call the roll.

ROLL CALL

YES — Anderson, Baker, Winthrop; Baldic, Beane, Bedford, Benson, Mechanic Falls; Benson, Southwest Harbor; Berman, Berry, Binnette, Birt, Bishop, Blouin, Boissonneau, Bourgoin, Bragdon, Brennan, Brewer, Buck, Burnham, Burwell, Carroll, Carswell, Carter, Champagne, Conley, Cookson, Cornell, Cote, Crommett, Curran, Cushing, D'Alfonso, Danton, Davis, Dickinson, Dostie, Doyle, Drigotas, Drouin, Dumont, Edwards, Erwin, Eustis, Farrington, Faucher, Fecteau, Fortier, Fraser, Mexico; Fraser, Rumford; Gaudreau, Gauthier, Gauvin, Gilbert, Gillan, Glazier, Graham, Hanson, Lebanon; Harriman, Harvey, Bangor; Harvey, Windham; Harvey, Woolwich; Haugen, Hawkes, Healy, Hunter, Clinton; Hunter, Durham; Katz, Kennedy, Keyte, Kilroy, Kittredge, Laberge, Lang, Lebel,

Lent, Levesque, Lowery, Lund, Lycette, Martin, McKinnon, Mills, Mitchell, Nadeau, Palmer, Pendergast, Pike, Poulin, Rackliff, Richardson, Cumberland; Richardson, Stonington; Ross, Bath; Ross, Brownville; Roy, Ruby, Sahagian, Searles, Starbird, Stoutamyer, Sullivan, Truman, Ward, Watts, Wheeler, White, Guilford; Whittier, Wight, Presque Isle; Wuori, Young, SPEAKER.

NO — Avery, Baker, Orrington; Cressey, Crosby, Dudley, Dunn, Evans, Gifford, Hammond, Hanson, Gardiner; Haynes, Hoy, Huber, Jewell, Lewis, Libhart, Lincoln, Littlefield, Millay, Norton, Payson, Peaslee, Prince, Susi, Wood.

ABSENT — Bradstreet, Bussiere, Cottrell, Hawes, Jalbert, Jordan, Lane, Meisner, Mosher, O'Gara, Roberts, Sawyer, Scott, Storm, Waltz.

Yes, 111; No, 25; Absent, 15.

The SPEAKER: The Chair will announce the vote. One hundred eleven having voted in the affirmative, twenty-five having voted in the negative, one hundred and eleven being more than two-thirds of one hundred and thirty-six, this bill is passed to be enacted. It will be signed by the Speaker and sent to the Senate.

Thereupon, Mr. Binnette of Old Town moved reconsideration of the enactment of the bill, which motion failed on a viva voce vote.

Orders out of Order

Mr. Fortier of Waterville presented the following Order and moved its passage:

WHEREAS, the House of Representatives of the 102nd Legislature has learned with pleasure of the recent marriage of the gentleman from Winslow, Mr. J. Richard Roy, to the former Frances Thompson, now, therefore, be it

ORDERED, that the House extend its best wishes to Representative and Mrs. Roy for a long and happy marriage, and be it further

ORDERED, that the Clerk of the House is directed to send an attested copy of this Order to

Representative and Mrs. J. Richard Roy.

The Order received passage. (Applause)

Mr. D'Alfonso of Portland presented the following Order and moved its passage:

ORDERED, the Senate concurring, that there is appropriated from the Legislative Appropriation, an additional sum of \$500 to the Special Legislative recess Committee to Study the Impact of Seasonal Employment, created by House Joint Order (H. P. 1163) during the regular session of the 102nd Legislature. Said appropriation is to defray the expenses of the committee in the continuation of its duties. (H. P. 1302)

The Order received passage and was sent up for concurrence.

Mr. Drigotas of Auburn presented the following Order and moved its passage:

WHEREAS, the members of the House have learned that Mrs. Jane Hutchison, who so ably manages the lunch and refreshment concession on the first floor of the State Capitol, is to leave us, and

WHEREAS, she has daily, for five years, served both Republicans and Democrats, office holders and school children, with the same smile and warmth and friendliness, and

WHEREAS, she will be transferred shortly to the Federal Building, to manage a similar operation, now therefore be it

ORDERED, that the House of Representatives, express unanimously, its gratitude for a job well done, and be it further

ORDERED, that the Clerk of the House is directed to send an attested copy of this Order to Mrs. Jane Hutchison.

The Order received passage.

The SPEAKER: The Chair at this time would like to recognize in the balcony of the House 45 pupils of Besse High School at Albion, accompanied by Mr. Bishop, their Principal, and Mr. Dyer and Miss Lord, teachers. They are the guests of the gentleman from Clinton, Mr. Hunter. On behalf of the House, the Chair welcomes

you and we hope that your visit will be both educational and enjoyable. (Applause)

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

Mr. DANTON: Mr. Speaker, I would inquire if the House has in its possession House Paper 1193, L. D. 1661, An Act Providing Funds for Municipal Building at Old Orchard Beach.

The SPEAKER: The answer is in the affirmative.

Thereupon, on motion of Mr. Danton of Old Orchard, the House voted to reconsider its action of yesterday whereby it receded and concurred with the Senate.

On further motion of the same gentleman, the House voted to recede. And on further motion of the same gentleman the House voted to indefinitely postpone Committee Amendment "A" in non-concurrence.

Thereupon, on a viva voce vote, the Bill was passed to be engrossed as amended by Senate Amendment "A" in non-concurrence and sent up for concurrence. Sent forthwith.

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

House Divided Report, Majority "Ought to pass" and Minority "Ought not to pass" on Bill "An Act Creating a Senatorial Apportionment Commission," (H. P. 1300) (L. D. 1806) tabled earlier in the day by Mr. Berry of Cape Elizabeth pending the motion of Mr. Martin of Eagle Lake to accept the Majority Report.

(On motion of Mr. Levesque of Madawaska, retabled and assigned for later in today's session)

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

Passed to be Enacted

Emergency Measure

An Act to Correct Errors and Inconsistencies in the Public Laws (S. P. 695) (L. D. 1781)

On motion of Mr. Levesque of Madawaska, this being an emergency measure and a two-thirds vote of all the members elected to 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 sent to the Senate.

On motion of Mr. Levesque of Madawaska,

Recessed until two-thirty o'clock in the afternoon.

After Recess 2:30 P.M.

Called to order by the Speaker.

The following papers appearing on Supplement number 2 were taken up out of order by unanimous consent:

Papers from the Senate

Joint Resolution in Support of the United States Policy in Vietnam (S. P. 725) (See Senate record February 1 for body of Resolution)

Came from the Senate having been introduced after approval by a majority of the Committee on Reference of Bills, read and adopted.

In the House, the Resolution was read and adopted in concurrence.

Non-Concurrent Matter

An Act Appropriating Moneys for the Continuing Activities of the Committee on Aging (S. P. 610) (L. D. 1624) which was passed to be enacted in the House on January 26 and passed to be engrossed as amended by Committee Amendment "A" on January 24.

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 relating to Distribution of Railroad Stock Tax to the City

of Bangor (S. P. 653) (L. D. 1621) which was passed to be enacted in the House on January 28 and passed to be engrossed as amended by Committee Amendment "A" on January 26.

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 Appropriating Funds for State of Maine's Participation in the 1967 World Exhibition in Canada (H. P. 1207) (L. D. 1675) which was passed to be enacted in the House on January 31 and passed to be engrossed as amended by Committee Amendment "A" on January 28.

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

In the House:

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

Mr. KATZ: Mr. Speaker, I move that we insist.

The SPEAKER: The gentleman from Augusta, Mr. Katz, now moves that we insist on our former action.

Mr. Lund of Augusta requested a roll call.

The SPEAKER: A roll call has been requested. 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 Chair recognizes the gentleman from Augusta, Mr. Dumont.

Mr. DUMONT: Mr. Speaker, would I be in order to ask why this — is the reason for the Senate Amendment due to the fact

that they haven't got the \$550,000? Is that the reason?

The SPEAKER: The gentleman from Augusta, Mr. Dumont, poses a question through the Chair to any member of the House who may answer if they so desire.

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

Mr. KATZ: Mr. Speaker, it would be very difficult to accept that posture that the money is not available when earlier today we passed a bill that was specifically for a local part of the state. This is a state-wide bill. The money has to be there. It is part of the Governor's program. This House debated it. This House said that it wanted it.

Thereupon, Mr. Levesque of Madawaska moved to recede and concur.

The SPEAKER: The gentleman from Madawaska, Mr. Levesque, now moves that we recede and concur.

Mr. Benson of Southwest Harbor requested a division.

The SPEAKER: A division has been requested. All those in favor of receding from our former action and concurring with the Senate will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Mr. Benson of Southwest Harbor requested a roll call.

The SPEAKER: A roll call has been requested. 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 Chair recognizes the gentleman from Augusta, Mr. Katz.

Mr. KATZ: Mr. Speaker and Ladies and Gentlemen: I find myself in an unfortunate position. A little earlier today I went along with a measure that was far more local in nature than this one in its benefits, and now I find that the method of financing the York

County issue seems to be by penalizing the entire state's participation in the World's Fair in Montreal. I think this is wrong, and it has apparently broken down into party lines and I think this is wrong. I would call upon the Democrats in a sense of fair play to go along with what apparently seems to be unanimity of opinion and support this full appropriation for our Montreal World's Fair.

The SPEAKER: The question before the House is the motion of the gentleman from Madawaska, Mr. Levesque, that we recede and concur with the Senate in the adoption of Senate Amendment "A", when your name is called you will answer yea or yes. If you are opposed to receding and concurring with the Senate when your name is called you will either answer nay or no. The Clerk will call the roll.

ROLL CALL

YES — Baldic, Beane, Benson, Mechanic Falls; Binnette, Blouin, Bourgoin, Bradstreet, Burnham, Bussiere, Carroll, Carswell, Champagne, Conley, Cottrell, Crommett, Curran, Drigotas, Dumont, Edwards, Eustis, Faucher, Fecteau, Fortier, Fraser, Rumford; Gauthier, Gillan, Glazier, Graham, Harvey, Bangor; Harvey, Windham; Haugen, Hawkes, Healy, Jewell, Jordan, Keyte, Lebel, Lent, Levesque, Lowery, Martin, McKinnon, Mills, Mitchell, Nadeau, Palmer, Pike, Poulin, Searles, Sullivan, Truman, Waltz, Ward, Wuori.

NO — Anderson, Avery, Baker, Orrington; Baker, Winthrop; Beaudard, Benson, Southwest Harbor; Berman, Berry, Birt, Bishop, Boissonneau, Bragdon, Brennan, Brewer, Buck, Burwell, Carter, Cookson, Cornell, Cote, Cressey, Crosby, Cushing, D'Alfonso, Danton, Davis, Dickinson, Dostie, Doyle, Drouin, Dunn, Erwin, Evans, Farrington, Fraser, Mexico; Gaudreau, Gauvin, Gifford, Hammond, Hanson, Gardiner; Hanson, Lebanon; Harriman, Hawes, Haynes, Hoy, Huber, Hunter, Clinton; Hunter, Durham; Katz, Kennedy, Kilroy, Kittredge, Laberge, Lang, Lewis,

Libhart, Lincoln, Littlefield, Lund, Lycette, Millay, O'Gara, Payson, Peaslee, Pendergast, Prince, Rackliff, Richardson, Cumberland; Richardson, Stonington; Ross, Bath; Ross, Brownville; Roy, Ruby, Sahagian, Scott, Starbird, Stoutamyer, Susi, Watts, Wheeler, White, Guilford; Wight, Presque Isle; Wood, Young.

ABSENT — Dudley, Gilbert, Harvey, Woolwich; Jalbert, Lane, Meisner, Mosher, Norton, Roberts, Sawyer, Storm, Whittier.

Yes, 54; No, 84, Absent, 12.

The SPEAKER: The Chair will announce the vote. Fifty-four having voted in the affirmative, eighty-four having voted in the negative with twelve being absent, the motion to recede and concur does not prevail.

The question before the House is to insist and a roll call vote has been ordered. Is there objection from any member of the House if the roll call vote is withdrawn? The Chair hears no objection. The roll call is withdrawn.

Is it now the pleasure of the House that we insist on our former action and request a Committee of Conference?

The motion prevailed.

The Speaker appointed the following Conferees on the part of the House on the disagreeing action of the two branches on an Act Appropriating Funds for State of Maine's Participation in the 1967 World Exhibition in Canada (H. P. 1207) (L. D. 1675):

Messrs. KATZ of Augusta
BISHOP of Presque Isle
COTE of Lewiston

Non-Concurrent Matter

An Act to Appropriate Moneys for Reconstruction of the McLellan House at Gorham State College (H. P. 1246) (L. D. 1741) which was passed to be enacted in the House on January 28 and passed to be engrossed as amended by Committee Amendment "A" on January 26.

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

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

The SPEAKER: The Chair will request the Secretary to the Clerk, Mrs. Bertha Johnson to proceed.

Non-Concurrent Matter

An Act relating to Tax on Harness and Running Horse Racing (H. P. 1249) (L. D. 1744) which was passed to be enacted in the House on January 28 and passed to be engrossed on January 27.

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 Portland, Mr. Conley.

Mr. CONLEY: Mr. Speaker and Members of the House: I now move that we recede from our former action whereby we passed this bill to be engrossed.

Thereupon, the House voted to recede.

Mr. Conley of Portland then offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to H. P. 1249, L. D. 1744, Bill, "An Act Relating to Tax on Harness and Running Horse Racing."

Amend said Bill by striking out everything after the enacting clause and inserting in place thereof the following:

"Sec. 1. R. S., T. 8, Sec. 274, amended. The 2nd sentence of section 274 of Title 8 of the Revised Statutes is amended to read as follows:

'Commissions on such pools shall in no event and at no track exceed 17 per cent 18 percent of each dollar wagered, plus the odd cents of all redistribution to be based on each dollar wagered exceeding a sum equal to the next lowest multiple of 10, known as "breakage," which breakage shall be retained by the licensee.'

Sec. 2. R. S., T. 8, Sec. 333, amended. The 2nd sentence of section 333 of Title 8 of the Revised

Statutes is amended to read as follows:

'Commissions on such pools shall in no event and at no track exceed 17 per cent 18 percent of each dollar wagered, plus the odd cents of all redistribution to be based on each dollar wagered exceeding a sum equal to the next lowest multiple of 10, known as "breakage," which breakage shall be retained by the licensee.'

Sec. 3. Effective date. This Act shall be effective for the full racing season of 1966 and thereafter."

House Amendment "A" was adopted.

Senate Amendment "A" was then read by the Secretary to the Clerk as follows:

SENATE AMENDMENT "A" to H. P. 1249, L. D. 1744, Bill, "An Act Relating to Tax on Harness and Running Horse Racing."

Amend said Bill by inserting after the word "association" in the 9th line (7th line of L. D. 1744) the underlined punctuation and words 'trust, partnership'

Senate Amendment "A" was adopted.

The Bill was then passed to be engrossed as amended by Senate Amendment "A" and House Amendment "A" in non-concurrence and sent up for concurrence. 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 for Licensing Private Detectives and Watch, Guard and Patrol Agencies" (S. P. 675) (L. D. 1713) reporting that they are unable to agree.

(Signed)

BISHOP of Presque Isle
DANTON

of Old Orchard Beach
LIBHART of Brewer

—Committee on part of House.

JACQUES

of Androscoggin
CAHILL of Somersett

O'LEARY of Oxford

—Committee on part of Senate.

Report was read.

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

Mr. LIBHART: Mr. Speaker and Members of the House: I now move that we reject the report and ask for another Committee of Conference, and I would speak very briefly to this if I may.

The SPEAKER: The gentleman may proceed.

Mr. LIBHART: I believe that another Committee of Conference can succeed.

Thereupon, the House voted to reject the Committee of Conference Report and to further insist and ask for another Committee of Conference.

The Speaker then appointed a new Committee of Conference:

Messrs. BISHOP of Presque Isle
DANTON
of Old Orchard Beach
LIBHART of Brewer

Indefinitely Postponed

From the Senate: The following Order:

WHEREAS, in order to assist in the industrial and commercial development of the State of Maine, thereby promoting the general welfare of the people of Maine, it is the belief of the 102nd Legislature that there should be full development of the resources of this State; and

WHEREAS, the cost of electric power in all its various forms and uses has become a major factor in commercial, industrial and residential expansion, in the use of resources, and a necessity for economic development as has been shown in the growth of the southeastern and northwestern United States; and

WHEREAS, there has been presented to the 102nd Legislature, and to prior Legislatures, various proposals calling for the creation of a Maine Power Authority, and there has also been proposed legislation to authorize a Maine Power Authority to construct, operate and maintain a thousand megawatt nuclear power facility on the Maine coast in Knox County to generate power for nonprofit distribution and sale to purchasers for resale, to rural electric power

systems, to any privately, municipally or co-operatively owned electric power systems, and to certain wholesale users under certain prescribed conditions; and

WHEREAS, there has been created a Maine corporation known as the Maine Yankee Atomic Power Company, composed of the three major electric utilities serving electric customers in Maine, together with eight companies in the other five New England States for the announced purpose of constructing a nuclear power plant of approximately 700,000 kilowatts, for the purpose of providing electric energy to users in Maine and New England; now, therefore, be it

ORDERED, the House concurring, that there is created a special committee of the 102nd Legislature, to consist of 4 Senators, to be appointed by the President of the Senate, 5 Representatives, to be appointed by the Speaker of the House, and the President of the Senate and the Speaker of the House who shall serve as ex officio members, to study the general power requirements of the State of Maine as to generation and transmission, and the possible methods of meeting those requirements, including an analysis of the concept of a Maine Power Authority or other state agency created for the generation and transmission of power, and including an analysis and evaluation of the aforementioned specific proposals for the construction, operation and maintenance of a nuclear power facility; to be given custody of all reports, documents and any other information concerning the subject presently in the files of the appropriate committees, namely, the legislative leadership screening committee, the Allagash-St. John Rivers special committee and the joint public utilities committee; to hold further hearings if deemed necessary; to appoint advisory committees, to engage professional consultant or consultants; to confer when and if deemed appropriate with staff members of the Public Utilities Commission and other state departments, with staff and mem-

bers of appropriate federal commissions, departments and agencies, and nongovernmental research sources, for specific information and to report the special committee findings, conclusions and recommendations to a special session of the 102nd Legislature or to the 103rd Legislature; and be it further

ORDERED, that the members of the committee shall serve without compensation, but shall be reimbursed for their expenses incurred in the performance of their duties under this order; and be it further

ORDERED, that there is appropriated to the committee from the Legislative Appropriation the sum of \$75,000 to carry out the purposes of this order. (S. P. 726)

The SPEAKER: Is it now the pleasure of the House that this Order receive passage in concurrence?

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

Mr. PIKE: Mr. Speaker and Members of the House: I have been reading this order quite carefully, for me, and it bothers me a great deal. It is an all inclusive, all covering order, requiring an immense study which frankly I think is beyond the powers of any committee of these joint houses to do properly. I say that with all due respect because we are not supposed to be experts in this line of work. I see that it authorizes down at the bottom a hiring of a firm of experts to advise the committee. Well the things that are in here which are supposed to be studied are so broad and so comprehensive that I have real doubt as to whether such a study could be completed satisfactorily during the period between now and the next legislature for even the sum of \$75,000 that is proposed.

I think my real objection to this order is that we have just finished quite a long struggle on Maine Power Authority, Allagash, and various items, and I have strong feeling that this matter would do well to lie until the next legislature and to take it up afresh. But to carry on this sort of generation of greater Allagash, Up-

per Falls, the Maine Power Authority, backbone transmission line, and Owl's Head, it seems to me it's a fine way of keeping interest alive but I do think one ought to have a rest, and as one who has sat on that committee all fall and winter I just have a feeling that this order ought to die a quiet and reasonably merciful death. I move its indefinite postponement.

The SPEAKER: The question before the House now is on the motion of the gentleman from Lubec, Mr. Pike, that this order be indefinitely postponed.

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

Mr. EUSTIS: Mr. Speaker and Ladies and Gentlemen of the House: I heartily concur with the sentiments expressed by the gentleman from Lubec, Mr. Pike.

Mr. Haynes of Camden requested a division.

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

Mr. LUND: Mr. Speaker and Ladies and Gentlemen of the House: I would like to point out that this study carries on it a price tag of \$75,000. This is exactly one-half of the money we said we didn't have a few minutes ago in order to carry on the exhibition at Canada. Now what are we talking about? We are talking about a study of a proposal which has been made by the Maine Power Authority. You will recall, I am sure, that the Maine Power Authority came before us at the regular session with a lavishly illustrated brochure showing all the marvelous things that were going to happen in the State of Maine if the Cross Rock project went through. It did not go through and when this House voted the first time you will recall that this House voted against any further study of the Cross Rock project. When it became apparent that the Cross Rock project was incompatible with other plans for the State of Maine, the Maine Power Authority came out with a new proposal that was first aired before the Allagash Study Committee. This was the proposal for an atomic power plant.

Somehow it escapes me why the State of Maine should have to continue spending its money studying projects that are put forth by a group that are interested essentially in promoting various projects for the purpose of making money for those who are interested in it. It seems to me that if this organization wants to pay for its own engineering costs and wants to prepare a study worthy of the name and present the same to the next legislature, it should do that, but should not request the State of Maine to foot the bill.

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

Mr. KENNEDY: Mr. Speaker and Members of the House: I can't just sit here quietly and vote to indefinitely postpone this order without going on record, because I have seen the history of such measures before us. I think from what I have seen of the proposal it is the same, almost the same proposal as has been before us many other times. I agree with the sentiments expressed by the gentleman from Augusta, Mr. Lund, that they should furnish the State of Maine with the engineering feasibility and perhaps the relief from tax revenue feasibility of such a proposal to the citizens of Maine.

I have always been concerned by this Maine Power Authority relative to how much the Treasurer of the State of Maine might lose. Now we do receive of course good sums of money from the corporations in the State of Maine and it seems to me that a public power authority would be relieved of the taxation that these other people must pay. So I am joining the opposition in voting for the indefinite postponement of this order.

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

Mr. SULLIVAN: Mr. Speaker and Members of the House: It appears to me that Representative Sumner Pike is probably one if not the ablest member of the House on this matter and I go along with him one hundred percent. Thank you.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: I hold no brief for any public utility. Like all consumers I am very concerned with their rates and monthly expenditures for the consumer and for this reason and as a member of the Legislative Research Committee I was willing to support a study now being undertaken by that group, and since this order starts out about costs I believe the House should be informed of the present study being undertaken now. Because it was not a joint order, it was a committee-instigated complete study of the rates for electric power in the State of Maine. In obtaining this information the committee is drawing on the resources of the Public Utilities Commission with cooperation of the various public utilities in the state.

This order wants another study to determine whether the Maine Power Authority should step off in another direction. Of course this was necessitated when Congress enacted Dickey Dam, thus ending the controversy over Cross Rock. This group evidently does not die easily, and the reason is apparent. The proponents for this are about the same as the proponents for Cross Rock, and that scheme would have cost the State of Maine in excess of one quarter of a billion dollars. And it was promoted primarily by big city lawyers, bankers, brokers, and engineers. The first three of these categories stood to collect five million dollars. Engineering fees alone would have cost twelve million dollars. The balance of two hundred and twenty million dollars would have been spent for contractors and others who would have built it, and if and when it had been built the state would have been permitted to operate it hopefully at not too much of a loss.

But some in this group must be very persuasive, because not only do they want the next legislature to entertain another grandiose proposal at state expense but in the meantime they would like

us to finance their preparation to the tune of \$75,000; and I wholeheartedly support the indefinite postponement.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: My opposition is short and I trust very much to the point. I oppose the passage of this order.

Here we have an order to spend public money to try to support the promoter or promoters who were defeated on their Cross Rock deal and who were denied admittance to this Special Session on their effort to get a tax-free atomic energy plant to compete with our tax-paying, investor-owned electric utilities. I don't object to any study of public vs. private power, but I do object to using State funds to finance it.

These same promoters testified at the Cross Rock hearing that all of their efforts had been financed by the bond houses and the engineering firms, speculating that if the thing passed they would profit by their commissions of the bond sales and their charges for engineering services.

Why not let them choose their own experts to prove their point and let the private utilities spend their money to prove their viewpoint, and I'm not influenced by the announcements that the private utilities are going to build a nuclear plant in Maine, anyway.

I believe these same promoters have ample financial ability, likely more dollars than the General Fund, so I say let them fund their own study — and come the next session, if they are in here again, judge the relative merits of the two arguments.

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

Mr. ANDERSON: Mr. Speaker, Ladies and Gentlemen of the House: I think this is the most absurd order that I have ever read. I am not an engineer, but I know that the State of Maine and any agency of the State of Maine cannot build or operate an atomic plant as cheaply as

established private-owned electric utilities. It seems that some of us take a great delight in sticking a knife into private enterprise. I wonder if we realize that private enterprise made this country the powerful nation that it is today. I don't think that we should spend one penny of the taxpayers' money on this study. I certainly hope and wholeheartedly hope that the motion to indefinitely postpone does prevail.

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I think everyone, or at least some members appear to be confused on what the order is. We are not promoting a private group which is supposedly known as the Maine Power Authority, nor is it my intention to do so. From what I understand in reading the order, it appears that we are going to attempt to look at two conflicting reports. I too, like the gentleman from Bath, Mr. Ross, am not affiliated with any of these groups, at least I hope not. I am not speaking for any group, any corporation. My only interest of course is in the State of Maine.

It would appear to me that \$75,000 is a little sum of money if it is going to help the people of Maine in the end. It appears that some members are saying that we are going to sponsor a certain group if we pass this. This is not so. It is my understanding that we would look at what both groups are proposing, the power plant proposed by the Maine Power Authority and the one proposed by the Maine Yankee Atomic Power Company. It would appear that some people are scared to study both proposals in the same light. Does anyone have anything to lose?

The question raised by the gentleman from Milbridge, Mr. Kennedy, that he says or it is possible that the State of Maine will lose money if this private Maine Power Authority deal is enacted. I don't know, and he admits this. Let's find out. And this of course would be the purpose

of such a study. I would think that it would be in the interests of Maine and all of us here today to vote for such a study and to find out and compare what the two are and then we can tell the people of Maine that we have done this and then they can make their own decisions.

Mr. Hammond of Paris requested a division.

The SPEAKER: A division has been requested. The Chair recognizes the gentleman from Rockland, Mr. Huber.

Mr. HUBER: Mr. Speaker and Members of the House: Just a little bit of background on the Maine Power Authority, this particular one that shows here in the order, an effort was made in December to introduce a bill to this special session. It was not accepted. Perhaps just as well, I must confess that I am in favor of this order. I must also naively confess that I am not satisfied that I have seen all the necessary information as far as both parties are concerned.

Now this may look like an immense study and it may look like an immense price, but I think that we are talking about a very vital subject when it comes to the economic growth of the State of Maine. I don't think the price is high for something like that in any way, shape or manner as long as we come up with a true answer in comparing the two particular parties who are mentioned in the order, and I think the study is very fair and I hope that it would be impartial and I fail to see any good reason not to pass this particular order.

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from Lubec, Mr. Pike that this order be indefinitely postponed. A division has been requested. All those in favor of this order 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.

One hundred and twenty-one having voted in the affirmative

and eleven having voted in the negative, the order was indefinitely postponed in non-concurrence and sent up for concurrence.

House at Ease

Called to order by the Speaker.

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

House Divided Report of the Committee on State Government, Majority Report acting by authority of Joint Order (H. P. 1296) reporting a Bill (H. P. 1300) (L. D. 1806) under title of "An Act Creating a Senatorial Apportionment Commission" reporting "ought to pass" and the Minority Report of the same Committee reporting that the Bill which was reported by a majority of the Committee "ought not to pass," tabled earlier in the day by Mr. Berry of Cape Elizabeth, pending the motion of Mr. Martin of Eagle Lake to accept the Majority "Ought to pass" Report.

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

Mr. BERRY: Mr. Speaker and Members of the House: I sincerely hope we haven't reached the end of the primrose path or had the last course in the feast of love which we have been enjoying here at the special session between the Majority and Minority Party.

However, I have a funny feeling. I was hoping that the pure light of reason, like the afternoon sunshine, would pervade some of the minds of the Majority Party and that perhaps this document would be withdrawn. However, I see that they have selected as their spokesman a gentleman—he seems to be absent—for whom I have a great deal of respect, so this means I think that the battle will be joined.

The gentleman from Houlton, Mr. Berman, used an adjective in describing this measure, extraordinary, and I think he was his usual mild self. I would use the terms bald politics, naked, raw, infighting politics. I would say to the leadership of the Majority

Party that if you want to apportion the State Senate, go out and win the 103rd Legislature and do it honestly, aboveboard, in true American political fashion. Let's not have some little thin thread connecting the 102nd and the 103rd, however tenuous, however thin, however illogical, however impractical it may be. The fourth arm of government was another term that was used to describe this piece of paper.

I wonder if we were to put ourselves in the positions of the trustees of Bowdoin College and the question were to be put to us: we are going to appoint a member of our faculty to participate in a political fiasco, who will it be? If I were a trustee of Bowdoin College I would be reluctant to allow any member of my faculty to participate in anything like this, and I think the same thing should apply to the other three institutions of higher learning; above all, to the State University, whose president and staff come before us every two years asking for money for their operating budget and we are asking them to put on this committee one member of their staff, and above all, to chairman it with the Dean of the College of Law of the University of Maine. I ask you ladies and gentlemen, what sort of a trick is this? It isn't even a subtle one.

Now I did take the extreme liberty of prejudging the actions of the Majority Party yesterday, something I find it hard to do because, boy, you have to run fast to stay ahead of them. I made two phone calls, and I'm not going to say to whom I made them, but I will say that of the four institutions here, I called two of them. Ladies and Gentlemen of the House, and Mr. Speaker, these two parties have never been contacted on their willingness, desire or their feeling on serving on such a body as this. This seems rather strange. I think you see the picture very, very clearly. Let's stand on our own feet. Previous legislatures have apportioned the House and Senate and they have done a good job, and I would be the first to admit that

the districting of both bodies always has and always will have political overtones. Let's face it, but once again, let's do it the good American way; get out and fight, and if you can convince the people of the State of Maine that you should apportion the Senate, good luck to you. We're going to do our best too.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I hesitate to get up after the distinguished gentleman from Cape Elizabeth, Mr. Berry, with his very eloquent remarks. Although I feel that in some areas I thought that it be best that we stay out of trying to draft a line between the Minority and the Majority Party at this particular stage of the game, but where the lines have already been started, I think probably we should try to tie a few knots. Although the gentleman from Cape Elizabeth, Mr. Berry wishes to use a few strings to tie his knots between the 102nd Legislature and the 103rd Legislature, I think probably we should use a change, because there is, and there will definitely be a tie between the 102nd and the 103rd Legislature, and I think probably the reason for this legislation is to strengthen this change, so that we feel sure, and I am positive that the Minority Party feels sure, that this committee suggested in this legislation will be able to suggest, and again I repeat, to suggest to the 103rd Legislature the possible way of reapportioning the Senate.

Now mind you, I have no grave feelings for the other branch of the legislature. I am still a believer that we should have a unicameral legislature, but I have tried to convince the other members of the Aroostook delegation that we should do that, and somehow or other I always end up on the losing side, which is nothing new, but in any case, we have two bodies of the legislature and I think we should look to strengthen it, and we feel in the Majority Party that this is prob-

ably something that will be studied by the 103rd and we hope that the people that are requested to serve on this commission will do it gracefully and will do a splendid job of a report to the 103rd Legislature.

I don't think that there is any question in anybody's mind nor the people of these institutions of our state that they will help to serve our state better by serving on this commission, and certainly by their wisdom, we, as Republicans and Democrats will stand to gain by it.

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

Mr. ROSS: Mr. Speaker, Ladies and Gentlemen of the House: As somebody has already shot the dove of peace, I move that this order be indefinitely postponed.

The SPEAKER: The question before the House now is the motion of the gentleman from Brownville, Mr. Ross, that this order be indefinitely postponed.

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

Mr. ROSS: Mr. Speaker, Ladies and Gentlemen of the House: From a partisan point of view I really can see no harm in this legislation. Evidently it was the intent of leadership to make it non-partisan. This is evidenced by the fact that there are two Republicans and two Democrats representing the House and Senate. I do not know the political leanings of the various professors suggested therein. Admittedly, I do not understand why the Dean of the University of Maine Law School has been designated Chairman, but surely the reason must be a valid one. I am certain that neither party would try to pack such an important Board.

However, basically I cannot see the necessity for this body as suggested. I have served on many interim committees. Only too often their reports are not really meaningful. The rare exception to this case is when a legislative fact-finding group reports to the same legislature. Sometimes even this fails, as in the specific in-

stance of this reapportionment situation.

Whenever a committee is divided between legislators and knowledgeable laymen, often theorists, the chance of committee approval by a subsequent legislature is indeed slim. As a case in point I cite the PAS Report and Citizens Advisory Committee on State Government. I had the honor of being one of the few members of the Legislature to serve with this group. The rest of the persons were educators, lawyers, members of civic groups and women's organizations. All of them were honest, conscientious and capable, but in the final analysis very few of the proposals were adopted.

At this point there are some who might raise an additional partisan question. They might well say that if the Legislature had been Democrat this would not have been the case. In answer to such a problematical query let me comment on one specific item. One of the first suggestions which was adopted was the four year term for governor. I sponsored this legislation and my chief adversary was our present very able Speaker of the House. Let us also not forget the milk control situation. Several committee studies have been made and recommendations submitted. However, notwithstanding political control, the final results have always been the same.

College professors, by their training and experience, are admittedly more knowledgeable in a great many things than most of us who have not had these advantages. Nevertheless, when it comes to State of Maine politics, just who are the experts? I often feel that no person really qualifies for this term. If any persons do, it is no other than you who are members of the Legislature. Not only do you know your towns, cities and counties, but you had the conviction and courage to place your name on the ballot. There is no other way to test actual voter preference.

It is a great honor and privilege to represent the people of the

State of Maine. This is a task which is not approached lightly. We in Maine are fortunate. Ninety-nine percent of the members of these two Bodies are honest, diligent, hardworking persons. They are incapable of fraud or even minor political shenanigans. They are elected to do a job and they are only too willing to face up to their responsibilities.

If there is any person in this House who is running for office again and can honestly say "I am not as qualified to make this decision as this suggested Commission," let him so vote. As for me, I have the faith in your ability, so therefore I strongly oppose this legislation.

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

Mr. EDWARDS: Mr. Speaker, Ladies and Gentlemen of the House: I am not as qualified as this proposed committee to make this decision, and the reason that I am not so qualified is simply because I have not done the tremendous amount of research and work that is necessary.

The gentleman from Cape Elizabeth, Mr. Berry, has referred to this as bald politics. I would suggest that his references are predicated on the assumption that the loyal opposition will be the Majority Party next time. I am not ready to buy this assumption. I think that this order combines the best in political talent in the State of Maine, along with the best in minds of government. I think that this is the only way we can possibly get an impartial report. This is not binding on any session of the Legislature. This Legislature can't bind the next, but it will be a valuable tool to the 103rd Legislature and will save the taxpayers a great deal of time.

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

Mr. BISHOP: Mr. Speaker, Ladies and Gentlemen: I think there is some confusion in the purpose of this bill. As I understand it, there is no intent here for the Legislature to abdicate its power to do the apportionment in the

final analysis, but as the gentleman from Portland, Mr. Edwards has suggested, there is a tremendous amount of groundwork to be done here, the study of populations and of town lines and of representation in order to carry out the intent of the reapportionment, and I see no reason to suggest, and I am sure that the gentleman from Cape Elizabeth, my good friend, Mr. Berry, had his tongue in his cheek when he suggested that this group would be more partisan or more political than to leave it up to, as he hopes, a Legislature controlled by the Minority Party.

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

Mr. STARBIRD: Mr. Speaker and Members of the House: I won't go out on a limb again and describe these gentlemen in this bill as experts as I did the other day, but I would like to say that probably they are the most capable of laying the groundwork which has been suggested here of any group in the state.

If one will go back over the last one hundred and forty years or forty-five years that this state has been in existence, and examine the records of the apportionments that have been made during that time as I have, they will find many, many instances of bald politics. They will find many, many instances of gerrymandering. This is the first time in the history of this state that our State Senate will be divided up into single senator districts. Always before it has been on an at large system. There have been over a hundred years ago some crossing of county lines, but the districts thus formed and the senators elected therein were still on an at large basis. Therefore, we must divide this state into between thirty and forty districts, each composed of between twenty-seven and thirty-three thousand people, and let me tell you that is a man-sized job that will require more, if it is done rightly, it will require more than the time that the next session will be in session, the next session of the Legislature will be in session, or it should, to come

up with a plan that will be equitable to all concerned.

I, myself, am in favor of plans that will avoid as much gerrymandering as possible, because every time that this House of Representatives has ever been apportioned, there has been some political gerrymandering involved, not necessarily officially, but behind the scenes. I think we all know this. Sometimes it has been to the benefit of one party and sometimes to another. The statistics of all the apportionments made, if one would go back through the Maine Registers can testify to this, and I think that this commission, this committee, will do no harm whatsoever. I think probably it will be open to anyone and everyone that wants to make suggestions as to how they would have the state divided into Senatorial Districts, and I think probably in the long run they will come up with a plan that would be fair to all, and in all likelihood with all that groundwork laid and with all that work done, it will be a far, far easier matter for the 103rd to apportion our State Senate than it ever has been for any Legislature to apportion the Maine House.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I think probably before I make a motion, that I certainly want to express the feeling of the Majority Party that in all sincerity our intent in this legislation was to assure the people of this House and the people of the State of Maine that we are sincere in getting a fair and just reapportionment.

Some member of this House a while ago has mentioned the bonds of love. Well I think probably that we have shown our sincerity with the loyal opposition or our bond of love with the opposition party, and I certainly feel that this bond should be strengthened by asking them to join us at this particular time in accepting this legislation, so for those purposes, I ask that when the vote is taken

that it be taken by the yeas and nays.

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

Mr. BERMAN: Mr. Speaker and Members of the House: When we are talking about the Constitution we are talking about a very basic document and when we are talking about a Constitution I suggest to all the members of the House of both parties that old admonition *festina lente* "let's make haste slowly."

The heart of this extraordinary document, 1806, is contained in Section 2, "Duties of the commission. The commission shall formulate plans and proposals for apportioning the Senate according to the rule of apportionment established in the Constitution of the State of Maine and submit a report no later than January 15, 1967 of such plans and proposals to the 103rd Legislature."

A great deal of groundwork does have to be laid, but according to Section 2 we are dealing with the present Maine Constitution. Now the present Maine Constitution with regard to the apportionment of the Senate, whether we like it or not, sets up a relatively simple formula. It sets up a formula based on simple arithmetic and I suggest that if Section 2 stays in Legislative Document 1806 we need neither the Speaker nor the Minority floor leader of the House, the President nor the Minority leader of the Senate, no member from the Department of History and Government at either Colby, Bates, Bowdoin or the University of Maine, nor the Dean of the Law School, but a simple arithmetician.

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

Mr. COTE: Mr. Speaker and Members of the House: This debate this afternoon raises a little chuckle in me. I remember hearing that same debate in reverse about four years ago when the Congressional districts were redistributed. The Minority Party of that time made the same argu-

ments that the Minority Party of today are making. Now it's in reverse. I think we have a chance to do something here, not only for the Majority or the Minority Party but for the people of the State of Maine. I think there comes a time that this Legislature or others need advice at some time, and this is one way of doing something of getting that advice. And I hope that this order or this bill receives passage today.

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

Mr. STARBIRD: Mr. Speaker and Members of the House: I fully concur with the remarks of the gentleman from Lewiston, Mr. Cote. I think Mr. Berman, the gentleman from Houlton, misunderstands the second section of this document somewhat. By January 15, 1967 the amendment to the Constitution which we adopted last Wednesday, reapportioning the State Senate, will have been put to the people and either accepted or rejected. If it has been accepted at that time and proclaimed by the Governor it will be a part to the Constitution and therefore the Senatorial Commission will be dealing with that as Constitutional law, not with our present system.

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

Mr. LIBHART: Mr. Speaker and Ladies and Gentlemen of the House: When the order to report this bill out came in I suggested that the order was presumptuous, in two respects. One, it was presuming upon the people of the State of Maine if they would act favorably on the request for the change in the Constitution and secondly, presuming upon the 103rd Legislature whose duty it would be to follow the Constitution after it had been amended.

Now that I have had a chance to read the bill I would like to suggest another adjective in respect to the bill itself which begins with the letter P, and that is the word "preposterous." This thing is absolutely preposterous, if there is such a thing, and I

suppose that's redundant. I agree with my brother attorney from Houlton, Mr. Berman, that the crux of this matter is in section two of the instrument. This is an act, an act of the Legislature, an act of this Legislature, the 102nd Legislature. There are all kinds of difficulties with it, many of them that have to do with Section 1, which I hope that another attorney may talk about. And so as not to confuse you I would like to limit my remarks to Section 2 only.

I am happy to have the aid of my seatmate, Mr. Starbird of Kingman. Apparently, although the document itself does not say so, this Commission — and that word I would like to have underlined, this Commission will not meet until after the November election and after the Constitutional Amendment has been approved by the people. This, he suggests, cures the difficulty of the language which says, "The commission shall formulate plans and proposals for apportioning the Senate according to the rule of apportionment established in the Constitution," the Constitution after November 1966, presuming that it will be approved by the people.

Well I suggest to you ladies and gentlemen of the House that some time ago, in 1933 to be exact, a former legislature had the opportunity to ask the Justices for an opinion as to whether that legislature could propose an amendment to the Constitution and at the same time enact legislation to further the proposed Constitutional change after it had been adopted by the people. To set this in context at that time we were proposing a Constitutional Amendment which would end prohibition and at the same time the legislature was proposing legislation which would take effect if prohibition were removed. So they asked the Justices whether or not the legislature could propose a Constitutional Amendment and at the same time enact legislation in furtherance of that Constitutional change.

In the opinion of the Justices which was handed down December 7, 1933, said these very important things and I quote them: "Whereas here the legislature is subservient to a Constitutional prohibition there may not be the enactment of legislation even conditionally." That is an exact quotation from the opinion of the Justices. It seems to me perfectly clear, under Maine law, that this Legislature cannot enact legislation in the furtherance of this Constitutional amendment. It is prevented from doing so by this very opinion of the Justices which has not been changed or overruled.

Now I will admit as an attorney that in order to buy this result I have to read the act the way my seatmate Mr. Starbird from Kingman reads it, that this Commission will not take effect until November of this year after the people have had a chance to act, and in reading it in that light you must come up with the answer I have come up with. If you don't read it that way and you say it will start immediately, then the words of my able colleague from Bath are absolutely true. There is absolutely no need for this study. If the 103rd Legislature should desire to study the Constitution it is perfectly capable to do it in any manner it desires.

There are many other things legally wrong with this bill. I will leave them to someone else. But to me the crux of the matter is this, that Section 2 clearly, in my opinion, prohibits that the Constitution of the State of Maine as interpreted by the Justices of the State of Maine in its opinion of December 7, 1933, clearly prevents this Legislature from enacting this bill.

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

Mr. DANTON: Mr. Speaker and Members of the House: Now that we have had the benefit of the pros and cons on this matter, I move the previous question.

The SPEAKER: The gentleman from Old Orchard Beach, Mr. Danton, 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. Is the House ready for the question?

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

Mr. LIBHART: Mr. Speaker and Members of the House: The words of the gentlewoman from Portland, made in the last session, are still ringing in my ears. I remember distinctly her indignation when debate over a matter she felt to be important was cut off prematurely. I have sat here and watched many microphones being raised. There are people here who feel that they have something they would like to add to this. I know there are other legal problems with the thing that have not been discussed. I take note that the leader of the Majority Party has spoken twice to the issue already when some of the folks who have raised their microphones have not had a chance to speak once. It would really put a punctuation point to what we are doing this afternoon. It is the height of presumptuousness to now terminate debate. I hope you will vote against this motion.

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

Mr. LUND: Mr. Speaker, the words of the gentlewoman Mrs. Carswell are ringing in my ears too.

The SPEAKER: The Chair recognizes the gentlewoman from Portland, Mrs. Carswell.

Mrs. CARSWELL: Mr. Speaker and Members of the House: It was

quite different. I didn't even have a chance for debate. Period.

The SPEAKER: The question is, shall the main question be put now? The Chair recognizes the gentleman from Milbridge, Mr. Kennedy.

Mr. KENNEDY: Mr. Speaker and Members of the House: As a speaker for the minority party I am disturbed that debate is to be cut off at this time. I don't think it's fair to cut us off from presenting our position relative to this matter and I hope that when the vote is taken that you will vote against really cloture.

The SPEAKER: All those in favor of the main question being put now will say aye; those opposed, say no. The nays have it.

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

Mr. LUND: Mr. Speaker and Members of the House: I would simply like to point out that one of the strengths of our system of interim study committees has lain in the fact that we have appointed members from both parties to serve on those committees and that when the next session of Legislature rolls around there is usually a good quota of returnees who are there to explain and justify the findings and the work of that study committee.

This could not be said to be the case in L. D. 1806. Of the nine members of the Commission four of them are members of the present Legislature, but two of those individuals are seeking other office. So at the maximum only two of the nine members of this Commission could return. The remaining five members are from colleges and universities here in Maine. And I think it is not doing an injustice to the integrity of the people who may be appointed if this passes, it is simply a matter of fact that many of us are aware of, that most of the members of the faculty of institutions in the fields of history and government are members of the present majority party.

Now this would not be distressing to me if in fact the purpose of this Commission were to prepare statistics and do a study

as has been suggested by some of the proponents. But that's not what this bill asks them to do. Section 2 asks that they submit a report of their plans and proposals. Not statistics, not possibilities; but plans and proposals. This means that in addition to the problems that would ordinarily exist in getting agreement among a number of people on a touchy question, the problem is going to be complicated by having the dead hand of the past Legislature setting forth still another plan which must be brought into agreement with the plan which is finally enacted.

I think this is bad legislation. I hope you will vote against it.

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

Mr. RICHARDSON: Mr. Speaker, Ladies and Gentlemen: I am virtually positive that there is not even going to be an attempt by the Majority leadership to defend the legality of this document, but I do feel that I should call to your attention what I consider to be an illegality, if you wish, or certainly a legal problem in section one where you have the delegation to heads of private institutions of the I think somewhat sticky problem of selecting from their group someone to represent the Legislature in effect.

I think in short that this is an unconstitutional delegation of legislative authority, but I am sure that since we are not going to debate this bill upon the merits apparently, I don't need to spend any more of your time on that subject.

I have two or three observations that I can't resist making since I have been quiet so long in this session. First of all, my good friend, Mr. Starbird, the gentleman from Kingman, and those others who are so enthusiastic about this order, are basing their support, in my opinion, on a false premise, and that is because somebody has a college education of at least four years and probably more, and has elected to stay in the academic environment, he is somehow by reason of that fact

wise, objective and an expert, and I tell you from my personal experience, that quite frequently college professors are neither wise nor objective. I have seen them be foolish and opinionated.

Secondly, I would remind my friends in the Majority Party that there are a great many of us in this House, and there will be in the 103rd I hope, who are lawyers, which requires seven years of education. Some of my better friends have said that I was educated beyond my understanding every step I went after third grade, but I say to you that I cannot bow to these professors as being possessed of some occult faculty that permits them to decide this important legislative matter.

Third and finally, and I would address this remark to my good friend from Portland, Mr. Edwards, this order will, if I am re-elected to this House, receive in my mind the careful—this study will, rather, receive from my hands the very careful consideration to which it is entitled.

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

Mr. EDWARDS: Mr. Speaker, Ladies and Gentlemen of the House: I wonder if it would be possible to have this distributed to the members of the Minority Party? They evidently haven't read it entirely. It is not an order, it's an act.

One other point. The gentleman from Augusta, Mr. Lund, said that only two of the legislative members could come back. I would suggest to him that one of those he has ruled out will be back in a slightly different capacity.

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

Mr. BENSON: Mr. Speaker and Ladies and Gentlemen: Actually, I haven't even two cents worth to put in, but I would like to put in possibly a cent and a half's worth, that is, that the length of time that this commission will have to operate between the time that the people of the State of Maine have to ratify this Constitutional Amend-

ment and the termination of this act would be a very negligible time and certainly would not allow them very deep concern for the issue before them.

I think that we could much better leave the reapportioning of the Senate to the 103rd and avoid this serious duplication of effort. Thank you.

Mr. Levesque of Madawaska was granted permission to speak a third time.

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: Certainly the question of constitutionality has been brought up in this area and I don't feel that it is being justified, but we will have to leave that to the legal minds to interpret as they see fit. I think I remember a few years ago, probably as far back as six years ago, to this day, if somebody can't find anything absolutely wrong with something, just say it's unconstitutional and you might get some attention.

I think probably today we see before us here in these Halls that the shoe is on the other foot, and somehow or other it just doesn't seem to fit. I think we can go back into 1961 and a few years back and the attitude is slightly different, so I don't think that the Minority Party nor the Majority Party by this action stands to gain or lose. This is only giving authority for these people to get their facts together and present it to the 103rd Legislature. Certainly it is not our intent that it is going to be made to be hurting the Minority or the Majority Party. Thank you.

The SPEAKER: The Chair recognizes the gentleman from China, Mr. Farrington.

Mr. FARRINGTON: Mr. Speaker, Ladies and Gentlemen of the House: I feel I should make the statement that I feel strongly that we have the cart before the horse in this matter, and I can see various pressures from committees as we always have, and food for thought put in the minds of the next legislative body. I can foresee some publicity on the matter. I can foresee piles of literature on my desk, I hope,

next session, and I think we are a little impromptu in trying to decide matters that truly belong to the 103rd. I hope that this order does not pass.

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

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: I have remained quiet as long as I could. I was trying not to say anything, but apparently I think I should say a few words.

I am not surprised that the opponents have said that it is unconstitutional, but let us remember that every bill, every resolve, every act that we pass can be questioned on its constitutionality. It would appear that the gentleman from Cape Elizabeth, Mr. Berry, is scared of what this distinguished group might come up with. Apparently he is scared of advice. It is no trick by the Majority Party. I have spoken to some members in the field of government and they feel that this might be the thing to do. Is the Minority Party so scared of what the results might be that they — are they worried that a good plan might be devised that might prevent gerrymandering? I am glad that the gentleman from Bath agrees that this is not a political question. I am sure that the vote will not indicate this.

The SPEAKER: The question before the House is the motion of the gentleman from Brownville, Mr. Ross, that this bill and its accompanying papers be indefinitely postponed. The gentleman from Madawaska, Mr. Levesque, has requested that the vote be taken by the yeas and nays. For the Chair to order the yeas and nays it must have the expressed consent of one-fifth of the members present. All those in favor of the vote being taken by the yeas and nays, 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 Brownville, Mr. Ross, that this Bill "An Act Creating a Senatorial Apportionment Commission," House Paper 1300, L. D. 1806, and its accompanying papers be indefinitely postponed. If you are in favor of the bill and its accompanying papers being indefinitely postponed you will answer yea or yes when your name is called. If you are opposed to this bill and its accompanying papers being indefinitely postponed you will answer nay or no when your name is called. The Assistant Clerk will call the roll.

ROLL CALL

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

NAY — Baldic, Beane, Bedard, Benson, Mechanic Falls; Binnette, Bishop, Blouin, Boissonneau, Bourgoin, Bradstreet, Brennan, Burnham, Carroll, Carswell, Champagne, Conley, Cote, Cottrell, Crommett, Curran, D'Alfonso, Danton, Doyle, Drigotas, Drouin, Dudley, Dumont, Edwards, Eustis, Faucher, Fecteau, Fortier, Fraser, Mexico; Fraser, Rumford; Gaudreau, Gauthier, Gauvin, Gillan, Glazier, Graham, Harvey, Bangor; Harvey, Windham; Haugen, Healy, Hoy, Hunter, Durham; Jordan, Keyte, Kilroy, Laberge, Lebel, Lent, Levesque, Lowery, Martin, McKinnon, Mills, Mitchell, Nadeau, O'Gara, Palmer, Poulin, Roy, Ruby, Searles, Starbird,

Stoutamyer, Sullivan, Truman, Wheeler, Whittier, Wuori, SPEAKER.

ABSENT — Bussiere, Dostie, Evans, Gilbert, Harvey, Woolwich; Jalbert, Lane, Meisner, Mosher, Norton, Roberts, Sawyer, Storm.

Yes, 65; No, 73; Absent, 13.

The SPEAKER: The Chair will declare the vote. Sixty-five having voted in the affirmative and seventy-three in the negative and thirteen being absent, the motion does not prevail.

Thereupon, the Majority "Ought to pass" Report was accepted and the Bill read twice. Under suspension of the rules, the Bill was given its third reading, passed to be engrossed and sent forthwith to the Senate.

Order out of Order

Mr. Palmer of Phillips presented the following Order and moved its passage:

WHEREAS, Strong High School, an outstanding small high school in the State of Maine, has won the Franklin County Basketball Championship under Coach Larry Dubord, and

WHEREAS, Strong High School has been undefeated thus far this season, now, therefore, be it

ORDERED, that the House of Representatives extend its sincere congratulations to Strong High School on its splendid record, and be it further

ORDERED, that the Clerk of the House is directed to send an attested copy of this Order to the Principal of Strong High School.

The Order received passage.

The SPEAKER: The Chair will inform the members of the House that we have eleven enactors we can take care of this afternoon. We have not run a supplemental on them yet and it will probably take about fifteen minutes to run the supplemental and we can dispose of the eleven enactors. We will recess for fifteen minutes.

After Recess

Called to order by the Speaker.

The SPEAKER: The members will now turn their attention to Supplement Number 3, enactors.

Passed to Be Enacted Emergency Measure

An Act relating to Contributions of State Police to State Retirement System (S. P. 608) (L. D. 1618)

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. 121 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

An Act Increasing the Number of Official Court Reporters (S. P. 654) (L. D. 1610)

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. 120 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act to Liberalize Credit for Out-of-State Service under State Retirement Law (S. P. 609) (L. D. 1611)

An Act Increasing the Salaries of State Auditor and Attorney General (S. P. 611) (L. D. 1635)

An Act Increasing the Membership of the Industrial Accident Commission (S. P. 619) (L. D. 1612)

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

An Act Providing Funds for Municipal Building at Old Orchard Beach (H. P. 1193) (L. D. 1661)

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

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

Mr. PIKE: Mr. Speaker, I am somewhat confused, which is a fairly simple matter, but this bill as I remember it came in with a \$500,000 price tag on it. It was amended to two hundred, and then to a hundred, and we ripped off a few of the onionskins this morning and I just don't know what the price tag is on it now.

The SPEAKER: The gentleman from Lubec, Mr. Pike, poses a question to any member of this House and apparently the gentleman from Old Orchard Beach, Mr. Danton, desires to answer the question.

Mr. DANTON: Mr. Speaker and Members of the House: I assure the gentleman from Lubec, Mr. Pike, that he is not alone in being confused regarding this bill. The price is the same—the reduced price is the same, sir. The series of motions I went through were only to clarify the language. There was a Senate committee amendment and a committee amendment that both said the same thing in regard to the price. It remains at \$100,000, but in order for the bill to be engrossed without having superfluous language it was necessary that I go through these motions and I think that this is probably what bothered the gentleman from Augusta, the honorable Mr. Katz.

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

Mr. KATZ: Mr. Speaker, I want to admit very honestly that I was confused. I hope I have not jeopardized this, and to the affable, capable, hard-working, and lovable gentleman from Old Orchard, Mr. Danton, my apologies.

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

Mr. Ross of Brownville was granted unanimous consent to briefly address the House.

Mr. ROSS: Mr. Speaker, now that it is obvious that the dove of peace has been brought back to life again between Mr. Danton and Mr. Katz, I would like to say

one thing. The Senate naturally is going to be reapportioned into districts and I think it would only be appropriate that we have a moment of silence for Piscataquis County's lone Senate seat. (Laughter)

Mrs. White of Guilford was granted unanimous consent to briefly address the House.

Mrs. WHITE: Mr. Speaker and Members of the House: Needless to say I concur with the gentleman from Brownville, Mr. Ross.

An Act relating to the Salary of the Commissioner of Education (H. P. 1199) (L. D. 1667)

An Act for Shrinkage Allowance on Motor Fuel for Service Stations (H. P. 1218) (L. D. 1686)

An Act Redefining Aid for Public Assistance Purposes (H. P. 1229) (L. D. 1724)

An Act Creating a Third Assistant County Attorney for Cumberland County (H. P. 1240) (L. D. 1735)

An Act to Establish the Office of Federal-State Coordinator (H. P. 1270) (L. D. 1765)

An Act relating to Limited Electrician's Licenses and Funds for State Electrical Inspection (H. P. 1277) (L. D. 1784)

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.

The SPEAKER: Is there objection to any of these matters which were just enacted being sent to the Senate forthwith? The Chair hears none, it's a vote.

Order out of Order Tabled and Assigned

Mrs. Carswell of Portland presented the following Order and moved its passage:

ORDERED, the Senate concurring, that funds appropriated or transferred to the Department of Education for the education of Indian Children and associated purposes shall not be used for the employment of persons formerly or presently employed in the Health and Welfare Department,

Division of General Assistance and Indian Affairs.

It is not the intention that persons in the Division of General Assistance and Indian Affairs who are not engaged in Indian Affairs activities be affected by this order.

Mr. Libhart of Brewer moved that the Order be tabled pending passage and specially assigned for tomorrow and Mrs. Carswell of Portland requested a division on the motion.

Thereupon, a division of the House was had.

Sixty-four having voted in the affirmative and fifty-two having voted in the negative, the tabling motion did prevail.

(Off Record Remarks)

On motion of Mr. Levesque of Madawaska,

Adjourned until ten o'clock tomorrow morning.