

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Fifth
Legislature***

OF THE

STATE OF MAINE

Volume III

June 16, 1971 to June 24, 1971

Index

1st Special Session

January 24, 1972 to March 10, 1972

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**KENNEBEC JOURNAL
AUGUSTA, MAINE**

HOUSE

Friday, February 18, 1972

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

Prayer by the Rev. Mr. Peter Voorthuyzen of Sabattus.

The journal of yesterday was read and approved.

Papers from the Senate

From the Senate: The following Order:

ORDERED, the House concurring, that Trooper Roger E. Drake, Security Officer of the Senate, be and hereby is authorized to attend the Legislative Security Training Seminar; and be it further

ORDERED, that the said Roger E. Drake be allowed his necessary expenses including seminar fees, if any (S. P. 761)

Came from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

Tabled and Assigned

From the Senate: The following Joint Resolution: (S. P. 757)

We, your Memorialists, the Senate and House of Representatives of the State of Maine now assembled in the First Special Session of the One Hundred and Fifth Legislature, most respectfully present and petition your Honorable Body as follows:

WHEREAS, Article V of the Constitution of the United States grants to the states the right to initiate constitutional change by applications from the legislatures of two-thirds of the several states to the Congress, calling for a constitutional convention; and

WHEREAS, the Congress of the United States is required under the Constitution to call such a convention upon receipt of applications from the legislatures of two-thirds of the several states; now, therefore, be it

RESOLVED: That we, your Memorialists, in accordance with the provisions of Article V of the United States Constitution, do hereby make application to the Congress of the United States to call a convention for the purpose

of proposing an amendment to the Constitution of the United States, which shall provide the offering of voluntary prayer in the public school system; and be it further

RESOLVED: If the Congress shall have proposed an amendment to the Constitution, to the same effect as the foregoing, prior to January 1, 1973, this application for a convention shall no longer be of any force or effect; and be it further

RESOLVED: That certified copies of this memorial be transmitted forthwith by the Secretary of State to the Secretary of the Senate, Clerk of the House of Representatives and the Members of the Ninety-second Congress of the United States elected from the State of Maine and the secretary of the state of each of the several states for transmittal by him to the legislature of his respective state.

Came from the Senate adopted as amended by Senate Amendment "A".

In the House, the Joint Resolution was read. Senate Amendment "A" (S-347) was read by the Clerk and adopted in concurrence.

The **SPEAKER**: The **Chair** recognizes the gentleman from Casco, Mr. Hancock.

Mr. HANCOCK: Mr. Speaker and Ladies and Gentlemen of the House: This is an order I think that concerns all of us a very great deal. I have not had time to read the Senate Amendment. I would hope that someone would be kind enough to table this for one legislative day.

Whereupon, on motion of Mr. Martin of Eagle Lake, tabled pending adoption in concurrence and specially assigned for Tuesday, February 22.

Report of Committee Ought to Pass with Committee Amendment

Report of the Committee on Judiciary on Bill "An Act relating to the Board of Registration in Medicine" (S. P. 720) (L. D. 1993) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Came from the Senate with the Report read and accepted and the

Bill passed to be engrossed as amended by Committee Amendment "A".

In the House, the Report was read and accepted in concurrence and the Bill read twice. Committee Amendment "A" (S-345) was read by the Clerk and adopted in concurrence, and the Bill assigned for third reading the next legislative day.

Orders

Mr. Hewes of Cape Elizabeth presented the following Joint Order and moved its passage:

ORDERED, that the Senate concurring, that the Legislative Research Committee is directed to study the subject matter of the Bill, "An Act Creating the Maine Motor Vehicle Certificate of Title and Anti-theft Act," House Paper 1481, Legislative Document 1924 introduced at the First Special Session of the 105th Legislature, to determine whether the best interests of the State would be served by the enactment of such legislation; and be it further

ORDERED, that the Committee is authorized to accept, to the extent possible, such information and services as the Maine Municipal Association may be willing to provide in the conduct of this study; and be it further

ORDERED, that the State Police, State Highway Commission, Attorney General and Division of Motor Vehicles are respectfully requested to provide the Committee with technical advice and other needed assistance; and be it further

ORDERED, that the Committee report its findings, together with any necessary recommendations or implementing legislation, at the next regular session of the Legislature; and be it further

ORDERED, upon passage of this Order, in concurrence, that each association and agency specified herein be notified accordingly of the pending study. (H. P. 1578)

The Joint Order received passage and was sent up for concurrence.

House Reports of Committees Leave to Withdraw

Mrs. Cummings from the Committee on Health and Institu-

tional Services on Bill "An Act relating to the Administration of State Funds Appropriated to Charitable and Benevolent Institutions" (H. P. 1528) (L. D. 1971) reported Leave to Withdraw.

Mr. Bernier from the Committee on County Government on Bill "An Act relating to Charges for Keeping Certain Prisoners" (H. P. 1462) (L. D. 1905) reported Leave to Withdraw, as covered by other legislation.

Reports were read and accepted and sent up for concurrence.

Referred to Next Legislature

Mrs. Wheeler from the Committee on Judiciary on Bill "An Act Creating the Maine Motor Vehicle Certificate of Title and Anti-theft Act" (H. P. 1481) (L. D. 1924) reported that it be referred to the 106th Legislature.

Report was read and accepted, the Bill referred to the 106th Legislature, and sent up for concurrence.

Ought to Pass with Committee Amendment Tabled and Assigned

Mr. Gill from the Committee on Appropriations and Financial Affairs on Bill "An Act Providing Funds to Town of Mattawamkeag to Construct Municipal Buildings Destroyed by Fire" (H. P. 1525) (L. D. 1968) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice. Committee Amendment "A" (H-552) was read by the Clerk.

(On motion of Mr. Bragdon of Perham, tabled pending adoption of Committee Amendment "A" and specially assigned for Tuesday, February 22.)

Divided Report

Majority Report of the Committee on Taxation on Bill "An Act Establishing a Forest Lands Taxation Policy Using a Productivity Approach" (H. P. 1557) (L. D. 2018) reporting same in a new draft (H. P. 1577) (L. D. 2034) under same title and that it "Ought to pass"

Report was signed by the following members:

Messrs. HICHENS of York
 FORTIER of Oxford
 WYMAN of Washington
 — of the Senate.
 Messrs. ROSS of Bath
 FINEMORE
 of Bridgewater
 COLLINS of Caribou
 MORRELL of Brunswick
 DAM of Skowhegan
 CYR of Madawaska
 TRASK of Milo
 COTTRELL of Portland
 — of the House.

Minority Report of same Committee on same Bill reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following member:

Mr. McCLOSKEY of Bangor
 —of the House.

Reports were read.

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

Mr. ROSS: Mr. Speaker, I move the acceptance of the Majority "Ought to pass" Report and would speak to my motion.

The SPEAKER: The gentleman from Bath, Mr. Ross moves the acceptance of the Majority "Ought to pass" Report. The gentleman may proceed.

Mr. ROSS: Mr. Speaker and Members of the House: This is an extremely complicated bill, but it has received a very thorough study during the past many months. The last session we passed a bill taxing our forests according to productivity. But the Governor wasn't quite satisfied with this and so he appointed a committee to make a thorough study of this and come up with a better law.

This is the results of that with a few changes in the redraft. The Minority Report, which was signed by one gentleman, incorporates all the changes that the Majority Report does except one. But there are still several amendments to be offered in the House or the Senate, and I would suggest that we have our first two readings of this bill and discuss it thoroughly at third reading and present amendments at that time.

The SPEAKER: The Chair recognizes the gentleman from Bangor, Mr. McCloskey.

Mr. McCLOSKEY: Mr. Speaker and Ladies and Gentlemen of the House: I would like to explain to you a little bit why my name is on the Minority Report and perhaps explain to you what the difference in the bills are.

As Mr. Ross has said, the main difference is one section of the bill, but that section of the bill happens to be the most important section. The Forest Taxation Task Force set up by the Governor was composed generally of three landowners, three large landowners, six public figures — two economists included in that number, and the Task Force recommended essentially my report. The report of that Task Force Committee was six to three in favor of the bill that I signed.

As Mr. Ross said, this is a complicated bill and it is a bill that has extreme and long-term implications for taxation in the State of Maine. I think that all of us should consider very seriously what we are doing here, because we are talking about a tax policy that will affect this State for the next two hundred years in all likelihood. I think that since we as a legislature oftentimes cannot spend a great deal of time studying such things as forest taxation, that we abuse this method of a Task Force study committee to study the problems. This Task Force study committee, as I say, came up with a recommendation six to three to implement the bill that I have signed.

If you are going along with this type of use of a tax committee, a special tax committee to recommend legislation, and then come in and make what I would consider somewhat major changes in it, let me explain to you a little bit what the major change is.

The Task Force study committee recommended that the forest lands in this state be taxed in the unorganized on a hundred per cent valuation at a mill rate of 16½ mills to increase the rate of one and a half mills per year up until it

reaches the average weighted mill rate of the municipalities. This rate at this time is 33. So if we assume a standard rate of 33 it would take ten years to implement this.

The Taxation Committee of this Legislature decided that ten years was a time too long in the future to look at it and that six years would be better. So they compromised on a figure of six years. But personally I am not too unhappy with this six-year period. It was originally five in committee but they have since amended it to six. I think that we should look at the theory behind the method of taxation.

The reason for the ten-year period is that after ten years it would reach this weighted average municipal mill rate, which is 33 at the present time. If you do not go on that theory, and the theory behind this is that there should be some equality between the unorganized and organized territories in terms of taxation of forest lands, if you do not go along with this theory, then there really isn't any reason for, say, a six-year period versus a five-year period versus a seven-year period. It is all quite arbitrary. And really there is no way to justify that six is the right year, or seven or five.

So I felt somewhat strongly that since this tax committee had spent a great deal of time studying this proposal, and I had talked at length with a number of these people concerning their proposal, that the mill rate should perhaps reach the weighted average municipal mill rate. And we have to realize that this average weighted mill rate may well go down in the next few years, especially if the State takes over the cost of elementary and secondary education. So we are not saying that this mill rate will go up or that it will stay at 33; it may well go down.

Finally I would like to point out — I am not going to object to the motion of Mr. Ross because I have no illusions that my motion, whatever it would be, could carry with a committee report such as this. But let me say, that even after ten years the tax on this

forest land would be 84 cents an acre. It is now presently 42, when this goes into effect, 16½ mills at one hundred per cent valuation; and after ten years if it did go to that figure of 33, the weighted average municipal mill rate would be 84 cents an acre. The people that I have talked to on this committee, and other people who have dealt for a long time in forest taxation, feel that this 84 cents is not an overly burdensome figure. And that is why I signed the Minority Report and the reason I am standing up here to explain this is that again I think this is a bill that has long term results for the State of Maine in terms of forest taxation, and we should be aware of what we are doing.

Thereupon, the Majority "Ought to pass" Report was accepted, the New Draft read twice and assigned the next legislative day.

Passed to Be Engrossed

Bill "An Act Implementing the Reorganization of the Department of Transportation" (H. P. 1541) (L. D. 2013)

Was reported by the Committee on Bills in the Third Reading and read the third time.

The SPEAKER: The Chair recognizes the gentleman from Lincoln, Mr. Porter.

Mr. PORTER: Mr. Speaker, Ladies and Gentlemen: I am not speaking as an occupant of seat number two this morning, simply a legislator who is opposed to this method of reorganizing our State Government. I think there must be a better way.

First of all, I see this reorganization as a plan to strengthen the seat of the Governor. I know it is a difference of opinion. Some states and some people in this room feel we should have a strong executive. I happen to disagree and it is nothing against the present incumbent, it is simply a philosophy. I think Maine has gotten along with a weak executive position, and I see no harm in continuing it.

Another objection, back on January 24, His Excellency stood before us and tried to sell us the idea of reorganization, stating that there would be a savings of state

funds of \$412,000 and federal funds of \$184,000, with a total of \$597,000. Later, that was raised to over a million.

That is the very same process that was used in the special session of the 103rd. I happen to have been on the Interim Committee to study the Super University system. We were given instructions by the Legislature to try to find a method of coordinating the State colleges and the University. That was our job, trying to coordinate. We came in with a report after working all summer and up until Christmas. There was a feeling that it wouldn't go through in that state, so then it began to be a great saving for the State of Maine. We were told that this was going to be a saving of many many millions of dollars.

The gentleman from Enfield, Mr. Dudley, the gentleman from Stonington, Mr. Richardson, and I opposed that, we told the Legislature that it would be fantastically expensive. And of course, Mr. Dudley, in his humorous way, said it much better and cuter than I could. But it was sold to the people and to the Legislature as a method of saving huge amounts of money. I will agree that the Chancellor and his staff has done a good job of coordinating. I hope he will go even further, but that was the main reason for our interim study committee. But if that was a method of saving money, God save us from any more of that type!

And I picture this as a super structure over and above what we have at present. It will be expensive, in spite of the bulletin we received the other day saying it would save a million dollars. I fear it for several reasons. Not only will it be expensive, but these commissioners will be over and above what we have now, and will be very difficult to reach. I am convinced there must be a better way.

I would suggest that this Legislature secure sufficient staff to go into these departments, study them thoroughly and keep the Legislature informed, and I think we could have better results than we could

under the present plan of reorganizing.

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

Mr. McNALLY: Mr. Speaker, Members of the Legislature: Ever since the Constitution of the United States was drafted carefully to prevent centralization of government and to take away from the common people a chance to more nearly govern themselves, politicians have worked constantly to wear away their ability to govern themselves.

This reorganization in its entirety is simply to prevent the big body of the common people in this state from being able to govern themselves as this Constitution of the United States permitted them to. Let's look at this bill, which reads in part, "There is created and established the Department of Transportation to consist of a Commissioner of Transportation, appointed by the Governor, with the advice and consent of the Council, who shall serve a term coterminous with that of the Governor and until his successor is appointed and qualified subject to approval for cause by the Governor and Council."

The above opens the way — please notice I did not say the word "door," for a possible political boondoggle in some future time. I am a firm believer in the pay as you go plan and you will pay as you ride.

Now, the present proposed Commissioner publicly stated in the hearing that he never would use the dedicated Highway funds for other than highways. Since he is a man of firm conviction, under his management these funds would possibly be safe. However, what about his successor? At the hearing it was stated by Mr. Stevens that probably no savings would come to some of the people for some time.

In the Bangor Daily News yesterday, there was an article which stated that a million or more money would be saved by reorganization, as estimated by Sam Hinds. And in his tabulation, a saving of \$15,000, which comes from a report which I got from

Mr. Garside this morning, says is by the elimination of two Highway Commissioners. People who voted for me say don't create any more Super Universities.

The only one that has given me information along what other states have had occur to them, is Mr. McMann down in Franklin, Maine, one of Maine's largest blueberry growers, and he came in my office and spent nearly an hour trying to tell me, don't get caught the way the people in Massachusetts have been caught. He said, "We were told that we would save a lot of money, mainly by eliminating state employees." He said, "Do you know what has happened to us? We have nearly doubled our state employees."

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

Mr. JALBERT: Mr. Speaker and Members of the House: The two speakers, in mentioning this bill, have mentioned the State of Maine University. I was one of the leading opponents of the State University. I was finally talked into it at the last moments of the special session, and I have stated time and time again that I don't think I have committed a more colossal error in my entire legislative life than when I voted for that program.

I don't think — I don't think, I know, there is nobody in the State of Maine that has been more critical of some of the actions of the program because I thought it was vastly over-exaggerated in so far as administrative cost is concerned. So that naturally, having heard probably, not as often as the gentleman from Ellsworth, Mr. McNally, I did hear the comment that we hoped through reorganizational programs that we do not create monstrosities, is what the word that was used.

It is startling to me in a way or revealing that two of the measures have already been signed into law without one word having been said. I mean, the third one of course has my name on it, so possibly that is one of the reasons for the target. But I can assure you, the gentleman from Lincoln,

Mr. Porter, and the gentleman from Ellsworth, Mr. McNally, that before I affix my name to this measure I made very certain that we were not building ourselves into more money.

I think that I know that before Mr. Stevens leaves that the organization is solid enough and it will not build itself into another high and expensive program, or else I too would join them and I would oppose it. I think as a bill that was drafted, it is a sound piece of legislation, possibly not perfect. If it doesn't work out to perfection, it can be amended. I can assure the membership that there is nothing in here that will triple or quadruple or more the administrative costs of government. And if there are any savings to be made, and to be found, the newly formed heads of the Department of Transportation will do just that.

Is it my understanding, Mr. Speaker, that there has been no motion made?

The SPEAKER: The answer is in the affirmative.

Mr. JALBERT: I certainly hope that the bill has its third reading and is passed to be engrossed.

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

Mr. DUDLEY: Mr. Speaker, Members of the House: I expect to accomplish almost nothing by standing before you this morning. I am opposed to this piece of legislation which Mr. McNally of Ellsworth has covered so very well and Mr. Porter has quite well pointed out.

I want to go a little further than they did, I would like to move for indefinite postponement of this bill. They haven't shown me reasons enough for changing this. For instance, they say it won't cost any more money. This isn't enough for me. They haven't shown me where it will cost any less either; this is what they would have to show me.

It tends to me, to try to make a long story short as possible so as not to bore you too long, it tends to me to put these fellows higher up in their castle without any stairway to get up there. Now

you people that have been here for some time know that it is hard enough to see some of these department heads now and it is almost impossible for the public to get to see them. So the higher we put these people, the higher it is for our constituents to get to see them and the harder it is for you people to get to see them. So every time we elevate one of these fellows, it just makes us that much harder to deal with, as I see it.

Now if there is no saving of money, no less money involved, I can't see why we want to put government farther out of reach of the people. Why, if you want to talk to this Super University now, you have to subpoena them into court practically to talk with them, I just had that experience. Now if you create another one of these monstrosities, you are going to do the same thing to talk to him, probably, you will have to subpoena him into Court and talk to him. Now, this could very well be the case, I have had that experience.

Now, I know that I am not going to accomplish much here this morning, but I am going to accomplish this — some day I am going to be able to come back as I have on many other occasions and say, anyway, I told you so. I hope the motion carries.

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

Mr. JALBERT: Mr. Speaker, Members of the House: Wherein it comes to saving money I think that the gentleman from Enfield, Mr. Dudley, and I become first cousins. And I already know of some areas where there are going to be more savings made when this bill is passed out, and I can promise you one thing. If this bill would ever turn wrong, if this bill would even begin to come itself into a spending agency, and we would come back here in ten months from now, I would hope that someone would present a bill repealing this situation.

I can assure the gentleman from Enfield, Mr. Dudley, the gentleman from Porter, Mr. Lincoln, and the

gentleman from Ellsworth, Mr. McNally that such is not the case. Because if it were the case I would not have presented the bill in the first place, secondly, I would be standing shoulder to shoulder with them and kill the bill. I think as it stands, it is a good bill. It would be properly administered by a man who is heading this department and the man who has the proper help that would be underneath him to properly administer the affairs or the charges which exist under this measure.

I certainly hope the motion of my friend from Enfield does not prevail, and when the vote is taken, I move it be taken by the yeas and nays.

The SPEAKER: The Chair recognizes the gentleman from Webster, Mr. Cooney.

Mr. COONEY: Mr. Speaker and Ladies and Gentlemen of the House: I also hope we defeat this motion this morning. I think probably one of the things that we are overlooking here is that the greatest single purpose of reorganization is efficiency and this department, at least as much as any other department, creates a more efficient structure for us to operate under in the field of transportation.

Now let's just look at the different departments that are operating separately, at the present time, with no coordination. The State Highway Commission, the Department of Aeronautics, the Maine Port Authority, the Advisory Committee on Ferry Services, the Scenic Highway Board, Highway Safety Committee and others. Now, this bill brings all these different departments together under a single department so that they can coordinate and plan for the future, all phases of transportation, whether it be in the air, on the water, or on the land; and I certainly think that this is important and I think we ought to give this bill passage.

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

Mr. DONAGHY: It seems odd to get up in between the gentleman from Lincoln, who did get a bridge and the gentleman from Howland

who didn't get a bridge; I have got it in the wrong place. To just have a bill such as this with all the work that has gone into it assassinated by generalizations, there does not seem to be any specifics. I would concur with the gentleman from Webster that if you look over these papers that were passed out to you a little earlier in the week, it does give a very good breakdown of what the bill attempts to do and what it hopes to accomplish.

They were honest, which sometime we find refreshing in this type of thing. They have not said that there will be any money savings but they certainly appear to be able to do a better job for us, and I think we should give this further consideration and not just dump it down the drain because we don't like the idea of doing something new.

The SPEAKER: The Chair recognizes the gentleman from Rockland, Mr. Emery.

Mr. EMERY: Mr. Speaker and Ladies and Gentlemen of the House: I think I have a reasonably good attitude toward reorganization. I am in favor of it in principle but I do have some particular questions and some qualms on this particular bill.

For example, I am a little concerned that this reorganization will stack the deck in favor of the Highway Commission. For example, on page 7 of the L.D., there are seven departments or agencies that would be combined into this, the Department of Aeronautics, State Highway Commission, Economic Advisory Board, Maine Port Authority, Advisory Committee on Ferry Service, Scenic Highway Board and the Highway Safety Committee. And I am a little bit concerned that for the example the Department of Aeronautics is going to be sort of left out on the wing someplace, and will be de-emphasized, and I do think that the Department of Aeronautics deserves a little bit better break than to be smothered by Highway interests.

I would also pose a question through the Chair to anyone that might answer as to the purpose of inclusion of the Economic

Advisory Board in this legislation. I don't see that it directly relates to transportation. If I am wrong, I would like this pointed out please.

I am not certain that the motion to be made at this time should be indefinite postponement. I am sure that some of these problems could be worked out or maybe they could be explained to my satisfaction. But I think unless such an amendment comes along, I will oppose this reorganization plan.

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

Mr. DONAGHY: Mr. Speaker and Members of the House: I will try to answer the gentleman from Rockland. In the first place, I think that he has missed one very vital thing and that is this is no longer the Highway Commission, this is a Transportation Commission. And one of the very vital things in transportation is the aircraft portion of it. Aeronautics is important. But certainly it should be coordinated and this has been one of our problems in the past, there has been no coordination between the various parts of the transportation area in our State Government. Just as water-borne transportation is part of the thing.

We have done away with the Highway Commission as such; the bill proposes to at least. The man at the head will be responsible to the Governor and to the Council to see that each of these areas get a fair shake. This has not been done in the past and this is what we are attempting to do here.

Now, as to the Economic Advisory Board, I think that the answer to this is — I could stand corrected, but I think this has to do with bond retirement. This is an Advisory Board to what has been the Highway Commission on setting up the retirement of bonds.

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

Mr. MARTIN: Mr. Speaker Ladies and Gentlemen of the House: First of all, let me say a few things about the Committee on Government Reorganization. I suspect that many of you think that I don't say anything nice from this end of the corner very often. I

thought I would use this opportunity, I think, to congratulate that committee for what I think is an outstanding job and also for having worked so hard and for so long. I think if any committee from this Legislature have ever put as much time into any topic such as this, we would not have had to worry about what the gentleman from Enfield, Mr. Dudley, refers to as that Super University creature which we can't do anything with in Orono.

I think one of the problems that we faced during this session and other sessions has been the failure on our own part to really review the things that we have done. And I hope that before we go home during this special session, we might accomplish two things. One, we might continue the select Committee on Governmental Reorganization; and I made the suggestion to them the other day so that they would be in a position to watch the development of these new departments, be able to follow them through, make sure that what we wanted would be done.

And secondly, I would suggest one other avenue that we might take and that is that the Legislature continue or consider seriously, the possibility of staffing the committees sufficiently to make sure that each committee is sufficiently staffed to go into detailed work into finding out how various departments work and how money can be saved. Basically this is referred to as legislative review and I think that it is not a problem of creating stronger departments or creating a stronger Governor, as the gentleman from Lincoln would tell us.

But it is more, really, in creating a stronger Legislature, and that we can do if we take it by the horns, we are willing to do the job, we are willing to go out, staff ourselves, and at the same time that the Governor gets the information, that we get it too and then it gets back to us. And I think if we accomplish that, we will do more for State Government than anyone else has ever done before, in any amount of time. And I think governmental reorganiza-

tion, a stronger Governor and I repeat, a stronger Legislature, are all part of making it a better Government for all of us.

And I certainly hope that you vote against the motion to indefinitely postpone the bill.

The SPEAKER: The Chair recognizes the gentlewoman from Falmouth, Mrs. Payson.

Mrs. PAYSON: Mr. Speaker and Ladies and Gentlemen of the House: I agree with the statement made by the gentleman from Lincoln, Mr. Porter. This bill is part of a new super structure in state government which will prove to be too expensive in relation to the potential benefits.

I would further like to pose a question through the Chair to the gentleman from Lewiston, Mr. Jalbert. He has stated that he will return in ten months to repeal this bill if there are no savings. I would like to ask him if he feels that he can now repeal the action forming the University of Maine super structure which he states he regrets at this time.

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

Mr. MARSTALLER: Mr. Speaker, Ladies and Gentlemen of the House: As a member of the committee that worked on this and the other proposals, I would like to say that it was news to me to hear the debate this morning that our bureaucracy is all right and doesn't need any reforming. Because I can remember coming in here before and hearing how terrible some of our departments were operated, and I think this committee is trying to look at our various branches of government, at the legislative, executive, judicial and the bureaucratic ways, if you will, to see whether or not we can get things together here so that we have a little more workable organization.

Now several things have been mentioned here, one that we are setting up a new layer of government in this department. Well this is less true of this department than many of the other proposals. So I would say to you that you should look at this bill and this proposal

again in the light of whether or not it does set up a super structure such as has been referred to in the University of Maine.

The other thing that John Martin has mentioned about a follow-through committee, this was discussed in our Reorganization Committee as being probably a necessary part of reorganization, to see if many of these bills were passed that we should have a legislative follow-up; so that we are not going to pass this in my mind and go home and say, "Well, it's going to happen."

But I do think that we have seen real need for a working together of many of our departments and this manner of giving the Governor more authority, if you will, in terms of a concurrent appointment of the commissioner really also gives the public a better access to the departments, because many have said that they didn't have access and the Governor's hands are somewhat tied because of the staggered appointments; and this, if you will, does make it more political but it does also give the public better access to our departments.

So I would hope that somebody might table this for one day so that we could at least think about it some more before we vote on this indefinite p o s t p o n e m e n t motion.

Mr. Jalbert of Lewiston was granted permission to speak a third time.

Mr. JALBERT: Mr. Speaker and Members of the House: In partial answer to the gentle lady from Falmouth, Mrs. Payson, when she mentioned that when I return ten months from now — I said those that return ten months from now. I learned that lesson of saying when I return back in 1947 when the then, my counterpart the Republican Floorleader announced in the Lewiston newspapers in broad headlines he was going to be a candidate for Speaker in the next session of the legislature. As the Democratic Floorleader I stood and congratulated him, but I reminded him that before you become floorleader of this body first you had to get elected. And

for the first time in 108 years, we elected a Democrat from Farmington and he never did have a chance to become Speaker of the House.

The other part of the answer is this. If Mrs. Payson would prepare a piece of legislation that would get by the leadership that will bring back the University of Maine system to where it was before, I will be more than happy to stand shoulder to shoulder with her and support it because it would save some money. This bill will save some money.

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

Mr. DONAGHY: Mr. Speaker, I move tabling.

Whereupon, Mr. Jalbert of Lewiston requested a division.

The SPEAKER: The pending question is on the motion of the gentleman from Lubec, Mr. Donaghy, that this matter be tabled and specially assigned for Tuesday, February 22, pending passage to be engrossed. All in favor of tabling for one legislative day will vote yes; those opposed will vote no.

A vote of the House was taken.

35 having voted in the affirmative and 89 having voted in the negative, the motion to table did not prevail.

The SPEAKER: The pending question is on the motion of the gentleman from Enfield, Mr. Dudley, that this Bill be indefinitely postponed. 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 and voting. All members desiring a roll call vote will vote yes; those opposed will vote no.

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

The SPEAKER: The Chair recognizes the gentleman from Norway, Mr. Henley.

Mr. HENLEY: Mr. Speaker, Ladies and Gentlemen of the House: Just briefly, I think you will realize that I am one of the most conservative members in the House.

I took reservations on all of these reorganization bills, but I did vote for them in concept. I feel that if we indefinitely postpone this bill now we are not giving it a chance, we are not recognizing the work put into it through the summer, and I think it should have more consideration.

I have spent quite a bit of time, not in talking to Mr. Stevens, not in talking to legislators, but in talking to the people that are doing the work in some of these departments included. And I am not saying that I am sold completely on this bill. I am saying that I think if we kill it now we are being perhaps politically impulsive, and I shall certainly not vote for indefinite postponement at this time.

The SPEAKER: The pending question is on the motion of the gentleman from Enfield, Mr. Dudley, that Bill "An Act Implementing the Reorganization of the Department of Transportation," House Paper 1541, L. D. 2013, be indefinitely postponed. If you are in favor of indefinite postponement you will vote yes; if you are opposed you will vote no.

ROLL CALL

YEA — Berry, G. W.; Bragdon, Call, Churchill, Dam, Dudley, Evans, Genest, Lee, Maddox, McCormick, McNally, Mosher, Page, Parks, Payson, Porter, Pratt, Shute, Trask, Wight, Williams, Wood, M. E.; Woodbury.

NAY — Albert, Ault, Bailey, Baker, Barnes, Bartlett, Bedard, Berube, Binnette, Birt, Bither, Boudreau, Bourgoin, Brawn, Brown, Bunker, Bustin, Carey, Carrier, Carter, Clemente, Collins, Conley, Cooney, Cottrell, Cummings, Curran, Curtis, A. P.; Curtis, T. S., Jr.; Cyr, Donaghy, Dow, Doyle, Dyar, Emery, D. F.; Emery, E. M.; Farrington, Faucher, Fecteau, Finemore, Fraser, Gagnon, Gill, Good, Goodwin, Hall, Hancock, Hardy, Haskell, Hawkens, Hayes, Henley, Herrick, Hewes, Hodgdon, Immonen, Jalbert, Jutras, Kelleher, Kelley, K. F.; Kelley, P. S.; Kelley, R. P.; Keyte, Kilroy, Lawry, Label, Lewin, Lewis, Littlefield, Lizotte, Lucas, Lund, Lynch, MacLeod, Mahany, Manchester, Marsh, Marstaller, Martin, McCloskey, McKinnon,

McTeague, Millett, Mills, Morrell, Murchison, Murray, O'Brien, Orestis, Pontbriand, Rocheleau, Rollins, Ross, Santoro, Scott, Shaw, Sheltra, Silverman, Simpson, L. E.; Simpson, T. R.; Slane, Smith, D. M.; Smith, E. H.; Stillings, Susi, Tanguay, Theriault, Vincent, Webber, Wheeler, White, Whitson, Whitzell, Wood, M. W.

ABSENT — Bernier, Berry, P. P.; Clark, Cote, Crosby, Drigotas, Gauthier, Lessard, Lincoln, Norris, Rand, Tyndale.

Yes, 24; No, 114; Absent, 12.

The SPEAKER: Twenty-four having voted in the affirmative and one hundred fourteen in the negative, with twelve being absent, the motion to indefinitely postpone does not prevail.

Thereupon, the Bill was passed to be engrossed and sent to the Senate.

Third Reader

Tabled and Assigned

Bill "An Act Reallocating Funds for Auburn-Lewiston Airport Provided by 1967 Bond Issue" (H. P. 1574) (L. D. 2031)

Was reported by the Committee on Bills in the Third Reading and read the third time.

(On motion of Mr. Henley of Norway, tabled pending passage to be engrossed and specially assigned for Tuesday, February 22.)

Third Reader

Tabled and Assigned

Bill "An Act Establishing a Tuition Equalization Fund for Maine Students Entering Maine Private Colleges" (H. P. 1575) (L. D. 2032)

Was reported by the Committee on Bills in the Third Reading and read the third time.

(On motion of Mr. Martin of Eagle Lake, tabled pending passage to be engrossed and specially assigned for Tuesday, February 22.)

Order Out of Order

From the Senate: The following Order:

ORDERED, the House concurring, that when the House and Senate adjourn, they adjourn to Tuesday, February 22, at 1 o'clock in the afternoon. (S. P. 763)

Same from the Senate read and passed.

In the House, the Order was read and passed in concurrence.

**Passed to Be Enacted
Emergency Measure**

An Act relating to Housing and Food Supplies Furnished by State Departments (H. P. 1504) (L. D. 1946)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken, 131 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

An Act to Clarify the Laws on Veterans Reemployment Rights in Public Service (H. P. 1517) (L. D. 1959)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken, 129 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

An Act relating to Educational Assistance for Certain Widows, Wives, Orphans and Children of Veterans and Wives and Children of Prisoners of War (H. P. 1519) (L. D. 1961)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken, 129 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.

**Finally Passed
Constitutional Amendment**

Resolution Proposing an Amendment to the Constitution Pledging Credit of the State for Guaranteed Loans to Resident Maine Veterans

of the Armed Forces of the United States of America (S. P. 755) (L. D. 2027)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being a Constitutional Amendment and a two-thirds vote of the House being necessary, a total was taken. 116 voted in favor of same and 5 against, and accordingly the Resolution was finally passed, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act relating to Fees for Marketing and Advertising Farm Products (H. P. 1448) (L. D. 1891)

An Act Providing Police Communications Operators for State Police (H. P. 1451) (L. D. 1894)

An Act to Promote Vocational Education (H. P. 1570) (L. D. 2026)

An Act to Distribute Funds Under the State-Municipal Revenue Sharing Act on a Monthly Basis (H. P. 1571) (L. D. 2028)

Finally Passed

Resolve to Reimburse Certain Persons for Displacement Costs Because of Property Taken by State (S. P. 691) (L. D. 1872)

Resolve in Favor of Helen G. Pearson for Injuries Sustained as a State Employee (H. P. 1540) (L. D. 1998)

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

On motion of Mr. Birt of East Millinocket,

Recessed until 10:30 A.M. in the morning.

**After Recess
10:30 A.M.**

The House was called to order by the Speaker.

Orders of the Day

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

Bill "An Act to Authorize Bond Issue in the Amount of \$8,360,000 for the Construction and Renovation of Higher Education Facilities

at the University of Maine" (H. P. 1545) (L. D. 2001)

Tabled — February 17, by Mr. Hancock of Casco.

Pending — Motion of Mr. Dudley of Enfield to indefinitely postpone.

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

Mr. BIRT: Mr. Speaker and Members of the House: This was quite adequately discussed in the general area yesterday, and as happens many times, unfortunately, the best advantages of the comments that were made will have to be taken from the legislative record.

I would certainly hope that the motion to indefinitely postpone does not prevail. I would hope this could be given its third reading and sent over to the Senate, and then we can make some decisions on it at that time. I would like to have a roll call on the motion.

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 and voting. All members desiring a roll call vote will vote yes; those opposed will vote no.

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

The SPEAKER: The pending question is on the motion of the gentleman from Enfield, Mr. Dudley, that this Bill be indefinitely postponed. If you are in favor of that motion you will vote yes; if you are opposed you will vote no.

ROLL CALL

YEA — Bunker, Dudley, Hodgdon.

NAY—Albert, Ault, Bailey, Baker, Bartlett, Bedard, Berry, G. W.; Berube, Binnette, Birt, Bither, Boudreau, Bourgoin, B r a g d o n, Brawn, Brown, Bustin, Call, Carey, Carrier, Carter, Churchill, Clemente, Collins, Conley, Cooney, Cottrell, Cummings, Curran, Curtis, A. P.; Curtis, T. S., Jr.; Cyr, Dam, Donaghy, Dow, Dyar, Emery, D. F.; Emery, E. M.; Evans, Farrington, Faucher, Fecteau, Finemore, Fraser, Gagnon, Gauthier, Genest, Gill, Good, Goodwin, Hall, Han-

cock, Hardy, Haskell, Hawkens, Hayes, Henley, Herrick, Hewes, Immonen, Jalbert, Jutras, Kelleher, Kelley, K. F.; Kelley, P. S.; Kelley, R. P.; Keyte, Kilroy, Lawry, Lebel, Lee, Lewin, Lewis, Lincoln, Littlefield, L u c a s, Lund, Lynch, MacLeod, Maddox, Mahany, Manchester, Marsh, Marstaller, Martin, McCloskey, McCormick, McNally, McTeague, Millett, Mills, Morrell, Mosher, Murchison, Murray, O'Brien, Orestis, Page, Parks, Payson, Pontbriand, Porter, Pratt, Rocheleau, Rollins, Ross, Scott, Shaw, Sheltra, Shute, Silverman, Simpson, L. E.; Simpson, T. R.; Slane, Smith, D. M.; Smith, E. H.; Stillings, Susi, Tanguay, Theriault, Trask, V i n c e n t, Webber, Wheeler, White, Whitzell, Wight, Williams, Wood, M. W.; Wood, M. E.

ABSENT — B a r n e s, Bernier, Berry, P. P.; Clark, Cote, Crosby, Doyle, Drigotas, Lessard, Lizotte, McKinnon, Norris, Rand, Santoro, Tyndale, Whitson, Woodbury.

Yes, 3; No, 130; Absent, 17.

The SPEAKER: Three having voted in the affirmative and one hundred thirty in the negative, with seventeen being absent, the motion to indefinitely postpone does not prevail.

The Chair recognizes the gentleman from Bangor, Mr. Kelleher.

Mr. KELLEHER: Mr. Speaker and Ladies and Gentlemen of the House: As you have observed this morning, I have prepared an amendment that I was going to attach to this document. And the reason why I have prepared it is because I do feel the University of Maine needs some support and I am fearful that this, when it gets to the enactment stage, isn't going to pass; I doubt that it is going to pass in this House in this size. But I am willing to wait until it does get to the enactment stage, and if it doesn't get the two-thirds that is necessary, then I intend to offer the document that is here this morning.

I would just like to explain why it is on your desks and what my reason is for not putting it on at the present time. So it is prepared, and I hope you will look it over carefully because I think perhaps I can get quite a bit of support if

I tried to offer it right now this morning, but I am going to give this \$8.3 million a chance at its go, and I know in the final analysis that we are going to either resort to my amendment or something similar to it.

Thereupon, the Bill was passed

to be engrossed and sent to the Senate.

On motion of Mr. Porter of Lincoln,

Adjourned u n t i l Tuesday, February 22, at one o'clock in the afternoon.