

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

Wednesday, March 8, 1972

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

Prayer by the Rev. Mr. Bruce Meyer of Augusta.

The journal of yesterday was read and approved.

Order Out of Order

Mrs. Payson of Falmouth presented the following Order and moved its passage:

ORDERED, that Kathleen Randall, Steven Randall and Zelia De Olivera of Falmouth be appointed to serve as Honorary Pages for today.

The Order was received out of order by unanimous consent, read and passed.

Papers from the Senate

From the Senate: The following Communication: (S. P. 786)

Report of the Maine Legislative Committee to Study the Feasibility of a Conference Center on Peaks Island

The Committee to Study the Feasibility of a Conference Center on Peaks Island was named by the Maine Legislature in 1971 and was directed to report to the special session of the Legislature in 1972.

The Committee has held several meetings, has toured the proposed site on Peaks Island, has reviewed available material on the project and has reviewed and approved a study of the subject prepared by New England Learning and Research, Inc. The Committee is in general agreement with the broad conclusions of the study which indicates that the proposed center could reasonably anticipate meeting its operational costs but that the lack of a completed operational plan and budget at this time do not make it possible to conclude to what extent the proposed center could pay construction costs.

A brief summary of the general conclusions of the study is attached to this report. Copies of the complete study which is about twenty pages in length are available on request either from the Office of the Legislative Research

Director, from the Maine State Library or from Committee Chairman Sen. Richard Berry. Since the study is not in itself the report of the committee and in order to preserve the limited funds of the Committee, it was decided to limit distribution only to persons who have a definite interest in the material.

The Committee feels that the project is an unusual one which would yield many benefits not only to the Portland area but also to the entire state. It respectfully requests that the life of the Committee be extended for further review of the project and its total economic feasibility and that the Committee be directed to make a final report to the next regular session of the Legislature in January 1973.

(Signed)

RICHARD N. BERRY
Sen. Richard N. Berry
Committee Chairman

Came from the Senate read and with accompanying papers ordered placed on file.

In the House, the Communication was read and with accompanying papers ordered placed on file in concurrence.

Non-Concurrent Matter

Majority Report of the Committee on County Government on Bill "An Act relating to Revenue Sharing and Financial Relief to Counties for Expenses of the Superior and Supreme Judicial Courts" (S. P. 712) (L. D. 1986) reporting that it be referred to the 106th Legislature and Minority Report reporting "Ought to pass" as amended by Committee Amendment "A" which Reports and Bill were indefinitely postponed in non-concurrence in the House on March 1.

Came from the Senate with that body voting to insist on its former action whereby the Minority Report was accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" as amended by Senate Amendment "A" thereto.

In the House:

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

Mr. WIGHT: Mr. Speaker, I move we adhere to our former action.

The SPEAKER: The gentleman from Presque Isle, Mr. Wight, moves that the House adhere to its former action.

The Chair recognizes the gentleman from Cape Elizabeth, Mr. Hewes.

Mr. HEWES: Mr. Speaker, I move we insist and ask for a Committee of Conference.

The SPEAKER: The gentleman from Cape Elizabeth, Mr. Hewes, moves that the House insist on its former action and ask for a Committee of Conference.

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

Mr. WIGHT: Mr. Speaker and Members of the House: I would oppose that and hope that the bill may be adhered to. I do feel that more than a Committee of Conference will be necessary to straighten this bill out.

I would ask that later this be referred to the Research Committee and much more study put on this. I think there are advantages to the County Government that can be taken from this bill. And many of the points that the county objects to can be taken out. But this is not going to be done in a Committee of Conference in a matter of hours or days.

With the Research Committee, I think there should be a thorough study and perhaps hearings on this, so that this bill can be made satisfactory to all. So, I would ask you to oppose the Committee of Conference and adhere to our former action.

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

Mr. HEWES: Mr. Speaker, Members of the House: This particular subject has been studied and studied and studied. I don't believe a further study is going to do anything constructive.

This bill would provide for unification of the Court system and instead of having sixteen different operations, you would have one unified court system. As you know, now the Courts are operated by the counties, and the counties raise their money through real estate

taxes secured from the individual towns. This particular bill, if passed, would give some break to the real estate taxpayer.

I hope that you will vote to insist and ask for a Committee of Conference.

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

Mr. JALBERT: Mr. Speaker, Members of the House: I dislike really to oppose the thinking of the good gentleman from Cape Elizabeth, Mr. Hewes, I must, however, do so and agree with the gentleman from Presque Isle, Mr. Wight.

I would like to see us look this situation over. We have an area that we are studying now, the Subcommittee on County Government of the Research Committee, in its studies of the various fees intends to have area visitations to discuss this problem. And right at the present time, aside from the fact that this bill should it pass in its present form, has a \$7 million built-in price tag, and I think we can ill afford it right off quick.

I would suggest that we insist and not ask for a Committee of Conference.

The SPEAKER: The pending question is on the motion of the gentleman from Cape Elizabeth, Mr. Hewes, that the House insist and ask for a Committee of Conference. If you are in favor of that motion you will vote yes; if you are opposed you will vote no.

A vote of the House was taken.

39 having voted in the affirmative and 78 having voted in the negative, the motion did not prevail.

Thereupon, the House voted to adhere.

Non-Concurrent Matter Tabled Later in the Day

Report "A" of the Committee on State Government on Bill "An Act Implementing the Reorganization of the Department of Human Services" (H. P. 1551) (L. D. 2012) reporting that it be referred to the 106th Legislature and Report "B" on same Bill reporting same in a new draft (H. P. 1609) (L. D. 2060) under same title and that

it "Ought to pass" and Report "C" on same Bill reporting same in a new draft (H. P. 1610) (L. D. 2061) under same title and that it "Ought to pass" which Reports and Bill were indefinitely postponed in the House on March 7.

Came from the Senate with Report "C" accepted and the Bill passed to be engrossed in non-concurrence.

In the House: On request of Mr. Susi of Pittsfield, by unanimous consent, tabled and specially assigned for one o'clock in the afternoon, pending further consideration.

The SPEAKER: The Chair would ask the Sergeant-at-Arms to escort the gentleman from Bath, Mr. Ross, to the rostrum to serve as Speaker pro tem.

Thereupon, Mr. Ross of Bath assumed the Chair as Speaker pro tem and Speaker Kennedy returned to his seat on the floor of the House.

Orders

Tabled Later in the Day

Mrs. Goodwin of Bath presented the following Joint Resolution and moved its adoption:

WHEREAS, Steps for Maine's elderly recommended that Maine adopt a philosophy of aging because we are now confused and contradictory in our actions toward older citizens; and

WHEREAS, the elderly are caught in the maze of changes touching their family, employment and their place in society; and

WHEREAS, the Maine delegates to the White House Conference on Aging unanimously adopted the Credo of the Elderly and recommended its adoption by the One Hundred and Fifth Legislature of the State of Maine; and

WHEREAS, many national leaders of both political parties at that Conference called for a new national attitude toward aging; and

WHEREAS, the Credo of the Elderly expresses a clear, coherent philosophy of aging for Maine's 118,000 older people; now, therefore, be it

RESOLVED, the Senate concurring, that we, the members of the One Hundred and Fifth Legislature now assembled in special ses-

sion, do hereby endorse the Credo of the Elderly as a general policy statement offering basic tenets to guide the endeavors of individuals and groups throughout the State of Maine; and be it further

RESOLVED, that a duly attested copy of this Resolution be transmitted forthwith by the Secretary of State to the older citizens of Maine through the Maine Committee on Aging in token of the sentiments expressed herein.

The Joint Resolution was read.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Bath, Mrs. Goodwin.

Mrs. GOODWIN: Mr. Speaker, Ladies and Gentlemen of the House: The Credo of the Elderly which is on your desks today was adopted by the Maine delegates to the 1971 White House Conference on Aging. It has also been endorsed by the leaders of the Task Force on Aging, the Maine Committee on Aging and the State Council of Older People.

It is a statement of philosophy for the aging by the aging. If we are going to accept the challenge and moral responsibility of solving the problems of Maine's elderly, then we must agree on the direction which we are to take.

The Credo makes it clear that Maine's senior citizens do not want a dole, but rather help in a time of crisis. It expresses the desire of the elderly to live with a minimum dependence on other people and on government. It asks only that senior citizens be provided with an opportunity to obtain the basic essentials of life. It asks that senior citizens be allowed to plan and operate their own programs and to participate in the operation of programs conducted for them by others. It calls on the government of the United States and of the various states to establish programs to help the elderly care for themselves but, at the same time it recognizes that government cannot be the sole keeper of America's elderly. It asks that programs for senior citizens be distinct and visibly separate from other government services.

The Credo is a pledge by the elderly to reestablish their role in society and to resurrect their

independence by redirecting the country's resources. Finally, it recognizes that the adoption of the Credo and the translation of its objectives into reality will be too late for most of those who are now senior citizens. It concludes with the following: "We accept the Credo's challenge, not with the intent of personal gain, but rather remembering that what we achieve today will benefit those who follow, for we will soon be gone."

Mr. Speaker and Ladies and Gentlemen of the House: I ask you this morning to endorse the Credo of the Elderly by the adoption of this Joint Resolution.

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

Mr. LEWIN: Mr. Speaker, Ladies and Gentlemen: I would add a few words to what has already been said. As you know, the 1971 White House Conference on the Aging brought together about 3500 people from all walks of life throughout the United States. I had the honor and the pleasure to attend as a delegate-at-large. Many programs were discussed and recommendations were submitted for further action to assist our senior citizens.

We should not forget today that the people who supported the United States during World War I, the Depression and World War II are our senior citizens of today. I believe we should do everything we can, everything in our power, to help them. May I suggest that you write to your respective Congressmen requesting their support on the bills being presented on behalf of these, our older citizens.

And I hope today that you will go along with the resolution being presented by the lady from Bath, Mrs. Goodwin.

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

Mr. DYAR: Mr. Speaker, Members of the House: This morning I would concur with the gentlewoman from Bath on the Credo for the Elderly. I would plead with Mrs. Goodwin to be sincere and courageous in protecting the rights of the elderly as they

pertain to federal grants.

It would seem that federally subsidized agencies are taking advantage of our senior citizens by writing grants for matching funds and then possibly using these new monies for other programs.

I would also suggest that agencies such as OEO are using threats and duress against senior citizens to make them take part in programs that they find objectionable in order to receive the benefits of the federal grants that are truly beneficial to our elderly.

The SPEAKER pro tem: The Chair recognizes the gentleman from Cape Elizabeth, Mr. Hewes.

Mr. HEWES: Mr. Speaker, Members of the House: I support the Credo and I know I support the intentions of the distinguished citizens whose names are on the list that was circulated today.

However, as I look at the particular resolution itself, I question if we want to adopt a resolution which says that we are now confused and contradictory. I wonder if it wouldn't be better if we left off the first paragraph, the first Whereas, and then proceed to adopt the last seven paragraphs of this resolution.

And although I cannot move to table, I think it would be advisable if someone did move to table the pending resolution so that an amendment at least could be offered and maybe further discussion on whether or not we are confused and contradictory in our actions toward our older people.

Thereupon, on motion of Mr. Curtis of Orono, tabled pending adoption and later today assigned.

House Reports of Committees Ought to Pass Printed Bill

Mr. Bragdon from the Committee on Appropriations and Financial Affairs, acting in accordance with Joint Order (H. P. 1612), reported a Bill (H. P. 1613) (L. D. 2062) under title of "An Act to Provide Funds to Assist County Attorneys in the Administration of the Court System" and that it "Ought to pass"

Report was read and accepted, the Bill read twice and tomorrow assigned.

Divided Report

Majority Report of the Committee on State Government on Bill "An Act Creating the Maine Industrial Port Authority" (H. P. 1505) (L. D. 1947) reporting that new draft (H. P. 1592) (L. D. 2050) under same title, which had been recommitted, "Ought to pass"

Report was signed by the following members:

- Mr. WYMAN of Washington
— of the Senate.
- Messrs. COONEY of Webster
CURTIS of Orono
MARSTALLER
of Freeport
SHAW of Chelsea
STILLINGS of Berwick
BUSTIN of Augusta
HODGDON of Kittery
DONAGHY of Lubec
FARRINGTON
of Old Orchard Beach
- Mrs. GOODWIN of Bath
- Mr. SILVERMAN of Calais
— of the House.

Minority Report of same Committee reporting "Ought not to pass" on same Bill.

Report was signed by the following members:

- Messrs. JOHNSON of Somerset
CLIFFORD
of Androscoggin
— of the Senate.

Reports were read.

On motion of Mr. Donaghy of Lubec, the Majority "Ought to pass" Report was accepted.

The New Draft was read twice and tomorrow assigned.

Third Reader

Tabled Later in the Day

Bill "An Act to Revise the Maine Land Use Regulation Commission Law" (S. P. 709) (L. D. 1890)

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

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Newport, Mrs. Cummings.

Mrs. CUMMINGS: Mr. Speaker and Members of the House: I am having an amendment prepared which is not ready yet, and I would appreciate it if someone would table this until later in today's session.

Whereupon, on motion of Mrs. Lincoln of Bethel, tabled pending

passage to be engrossed and later today assigned.

**Passed to Be Enacted
Emergency Measure**

An Act relating to Per Diem Allowances and Expenses for Members of the State Board of Barbers and State Board of Hairdressers (H. P. 1580) (L. D. 2037)

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. 102 voted in favor of same and 21 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

At this point, Speaker Kennedy returned to the rostrum.

SPEAKER KENNEDY: At this time the Speaker would recognize the efforts of my good colleague and thank him from the bottom of my heart for taking over for me this morning. I wish that I might have his good luck tomorrow.

Thereupon, the Sergeant-at-Arms escorted Mr. Ross to his seat on the Floor, amid the applause of the House, and Speaker Kennedy resumed the Chair.

Passed to Be Enacted

An Act to Revise the Site Location of Development Law (S. P. 767) (L. D. 2045)

An Act Reclassifying Part of the Waters of Presumpscot River, Cumberland County (S. P. 777) (L. D. 2056)

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.

By unanimous consent, all matters acted upon in concurrence and all matters requiring Senate concurrence were ordered sent forthwith to the Senate.

On motion of Mr. Susi of Pittsfield,

Recessed until one o'clock in the afternoon.

After Recess

1:00 P.M.

The House was called to order by the Speaker.

Orders of the Day

The Chair laid before the House the following Special Order of the Day:

Report "A" of the Committee on State Government on Bill "An Act Implementing the Reorganization of the Department of Human Services" (H. P. 1551) (L. D. 2012) reporting that it be referred to the 106th Legislature and Report "B" reporting same in a new draft (H. P. 1609) (L. D. 2060) under same title and that it "Ought to pass" and Report "C" reporting same in a new draft (H. P. 1610) (L. D. 2061) under same title and that it "Ought to pass" — In House Reports and Bill indefinitely postponed. In Senate, Report "C" accepted and Bill passed to be engrossed in non-concurrence.

Pending — Further consideration.

The SPEAKER: The Chair recognizes the gentleman from Pittsfield, Mr. Susi.

Mr. SUSI: Mr. Speaker, I move that we insist and ask for a Committee of Conference and would speak to my motion.

The SPEAKER: The gentleman from Pittsfield, Mr. Susi moves that the House insist and ask for a Committee of Conference.

The gentleman may proceed.

Mr. SUSI: Mr. Speaker and Ladies and Gentlemen of the House: We had rather an extensive debate on this bill here in the House one or two days ago and there were some facts that came out on this bill which concerned me. I would like to share this concern with you.

Apparently there has been a considerable effort made in producing this bill. We have, as I understand it, had a very competent attorney who worked on this over a considerable period of time, and all of the hearings and all of the work of the committees; and in the course of the debate it was pointed out by one of our members that should we adopt this that three quarters of a million dollars in federal money, in addition to what we are receiving now, would be made

available to the State of Maine. It occurred to me thinking about this afterwards that it might be a situation where perhaps a year or two from now, by the adoption of this bill or some of the features of the bill, it might be possible to pick up perhaps at that time two or three or four million dollars.

I guess what I am trying to say is that the possible impact from this bill could be considerable. The work has been done on it. The action that we have taken up to this point on this bill is to sluice the whole works into the wastebasket, forget about it, and in my opinion this would be a mistake. I think that we should at least keep a record of our work, make it available to ensuing legislatures. The field of mental health and health and welfare involves tens and hundreds of millions of dollars and the impact of our actions can be considerable.

I think it would be a mistake to kill it definitely at this point. I would hope that you would go with the insist and ask for a Committee of Conference so that we can perhaps salvage something from all the work that has gone into this bill.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: Since I made the motion yesterday to indefinitely postpone this bill, which prevailed 77 to 59, I now move that we just insist, and will speak briefly to that motion.

The SPEAKER: The pending question is on the motion of the gentleman from Bath, Mr. Ross to insist.

The gentleman may proceed.

Mr. ROSS: Mr. Speaker and Members of the House: No doubt there should be some reorganization in these areas. However, to join our two largest departments into a super branch of state government, with one top echelon head and his needed staff, to serve a term which would be just coterminous with the Governor, would neither solve the problem economically or expeditiously.

If reorganization is needed, and I am sure some is, it could be well within the present departments. I

feel certain there are many efficiencies that could be found here without creating a brand new monster whose financial appetite would be tremendous to say the least.

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

Mr. DONAGHY: Mr. Speaker and Members of the House: I now rise to concur with the gentleman from Bath. In the first place the Committee on State Government, the select committee, worked many hours on this and it is true that a very competent attorney has worked with them to a degree. This was handled in a different way than any of the other departments. There was a special fund, as I understand it, given to the Department of Health and Welfare by the Federal Government for their reorganization and they are the ones that truly worked with the attorney to bring about — I won't necessarily call it a monster, but something that we can't seem to go along with.

And I would like to remind this House that in the words of our Governor, back in January 6, 1970, he said, "It is clear that major changes in state governmental structure need to be accomplished," but then with my emphasis, "step by step rather than abruptly." I think we have taken these major steps and anything we do beyond this is going to be abrupt. We are not ready at this time to go on with this reorganization, not because the people haven't worked hard, but it was just such a major thing that we just are not in a position to go any further with it at this time.

I certainly hope that this will be continued, it will be an ongoing thing, because there are still needs for reorganization, but we have made many of these steps already — as a matter of fact some of the steps that we have taken were not even in the areas that were thought of, dreamed of by the planning office or the Governor's office. We think they are good steps, and you in your good judgment have gone along with this and passed them to this point, but at this time I would hope that you would go along with the gen-

tleman from Bath and insist on our prior action.

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: Every now and then, sitting in this corner I get a little bit excited about the steps we ought to take and every now and then the gentleman from Lubec and I tend to disagree.

Unfortunately I guess I tend to quote the Governor more than he does. I find myself this morning hearing him quote the Governor. It is one of these deals where I will quote him when he suits me and I won't quote him when he won't. So I don't think that we necessarily have to follow the logic as given to us by the gentleman from Lubec here this afternoon.

I think that we have come a long way in reorganization, but on the other hand I don't see why we have to stop right now. I don't think it is a secret that we are going to be around here for awhile, this week at least. I think if I had had my way I might have gone home last week, but you know we are here.

If we do insist and ask for a Committee of Conference, then it is possible that maybe something could be worked out to everyone's satisfaction. I don't think that if we did that we would be hurting anyone. I think that if anything worked out, then it would be much better in the long run for the citizens of the State of Maine.

And so I would ask you to vote against the motion now pending, that was made by the gentleman from Bath, Mr. Ross, and then vote for the motion that has been previously made by the gentleman from Pittsfield, Mr. Susi. If I thought for a moment that we were going to adjourn tomorrow, and there were no hopes at all of arriving at a compromise, then I might agree with the gentleman from Bath. But we are going to be here, let's see if we can't work something out. If we can't, we can't. But why can't we try that avenue today.

So I would ask that you vote against the motion of the gentleman from Bath.

The SPEAKER: The Chair would inform the gentleman and the members of the House that if the motion to insist does prevail the gentleman from Pittsfield, Mr. Susi may still request a Committee of Conference, and it will be up to the members to decide whether they want a Committee of Conference or not.

The pending question is on the motion of the gentleman from Bath, Mr. Ross that the House insist on its former action. The Chair will order a vote. All in favor of insisting will vote yes; those opposed will vote no.

A vote of the House was taken.

99 having voted in the affirmative and 18 having voted in the negative, the motion did prevail.

The SPEAKER: The Chair recognizes the gentleman from Pittsfield, Mr. Susi.

Mr. SUSI: Mr. Speaker, I move that we request a Committee of Conference and would speak to my motion.

The SPEAKER: The pending question now is on the motion of the gentleman from Pittsfield, Mr. Susi, that we ask for a Committee of Conference.

The gentleman may proceed.

Mr. SUSI: Mr. Speaker and Ladies and Gentlemen of the House: We are concerned now just with a procedural matter, that when this leaves here it goes to the other body and they can either accept or reject it. If they reject it, we are out of business. If they accept it, the only course, as I understand it, is a Committee of Conference. So we would be saving one step which would at this time be important to us, rather than having it to come back here with they asking for a Committee of Conference.

I would suggest that you support the request for a Committee of Conference and then the report from the Committee of Conference we can accept or reject. I am not trying to sell any particular provisions in the bill, but if it comes back to us with the report from the Committee of Conference recommending a course of action

we will at that time have an opportunity to accept or reject it.

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

Mr. ROSS: Mr. Speaker and Members of the House: I think that this last vote of 99 to 18 is indicative of the way this House feels, and I hope that you will reject this request for a Committee of Conference.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I would take very sharp issue with the gentleman from Bath, Mr. Ross.

I went along with his motion to insist because I wanted to go along with the motion of the gentleman from Pittsfield, Mr. Susi. Now he is absolutely correct in his explanation and there need to be no repetition of it. I think it is a time-saving motion and we can later on either accept or reject. I think that the motion of the gentleman from Pittsfield is very proper.

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

Mr. DONAGHY: Mr. Speaker, a parliamentary inquiry, please.

The SPEAKER: The gentleman may pose his inquiry.

Mr. DONAGHY: If I ask for reconsideration and you folks go against me, can it come back to us?

The SPEAKER: The Chair does not understand his parliamentary inquiry.

Mr. DONAGHY: Well, if I move for reconsideration on this, asking people to vote against me, and they do vote against me, can it come back to this body?

The SPEAKER: The answer is in the affirmative.

All members desirous of a Committee of Conference will vote yes; those opposed will vote no.

A vote of the House was taken.

72 having voted in the affirmative and 49 having voted in the negative, a Committee of Conference was ordered.

Orders of the Day

The Chair laid before the House

the first tabled and today assigned matter:

An Act Authorizing Town of Dresden to Vote on Certain Liquor Local Option Questions (H. P. 1494) (L. D. 1937)—In House, passed to be enacted. In Senate, failed passage to be enacted.

Tabled — March 7, by Mr. Mills of Eastport.

Pending — Further consideration.

The SPEAKER: The Chair recognizes the gentleman from Bristol, Mr. Lewis.

Mr. LEWIS: Mr. Speaker and Members of the House: This undoubtedly will be the swan song for this this afternoon. I am going to move that we insist on our previous action and that it be sent forthwith to the Senate.

Thereupon, the House voted to insist.

By unanimous consent, ordered sent forthwith.

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

Bill "An Act Implementing the Reorganization of the Department of Manpower Affairs" (S. P. 779) (L. D. 2058)—In Senate, passed to be engrossed.

Tabled — March 7, by Mrs. Lincoln of Bethel.

Pending — Passage to be engrossed in concurrence.

The SPEAKER: The Chair recognizes the gentlewoman from Bethel, Mrs. Lincoln.

Mrs. LINCOLN: Mr. Speaker and Members of the House: I am opposed to L. D. 2058. The Employment Security Commission's money comes from the employers in this state. One half of one percent of the employer's payroll goes to Washington and is returned to the State to pay for the administrative functions of the Employment Security Commission. The employers also put an average of 2% or more of their payroll into the State Unemployment Compensation fund. The Employment Security Commission has no general fund money.

Another branch in this reorganization will be the existing Department of Labor and Industry, which is a distinct and separate agency of the state government,

and they operate on General Fund money and some federal money.

I see no reason why these two departments can't stay as they now are but if there has to be a change then let's have the horse before the cart instead of the cart before the horse as it is written in L. D. 2058. Let's have the Commission of Manpower Affairs come from the Department of Labor and Industry and the Bureau Director from the Employment Security Commission.

Attention should be given to the relationships between the Department of Labor and Industry with the Federal Government, Canadian Provinces, and the States. It is a political fact of life that the U.S. Secretary of Labor, the Ministers of Labor of the Canadian Provinces, or the Administrators of State Labor Departments would consult and confer with a lowly Bureau Director. It has been an advantage to the State to have direct communications with the Secretary of Labor and the other agency heads and, because of this relationship they have been able to protect Maine's interest in many instances when Federal versus State control have been the issue.

In the U.S. Department, the Labor Manpower Commission is under the jurisdiction of an Under Secretary and the lines of communication would be through that channel rather than directly with the Secretary. This is not to say that such lines with the Secretary could not be established by the Commissioner of Manpower Affairs, but it would take time to establish the relationships that the Department of Labor and Industry has had during the past twenty-five years.

I see this bill as a real threat to the excellent occupational safety program in which the Department of Labor and Industry is now involved. In the field of safety, Commissioner Martin has, I believe, a smooth working team. This is not the time to change the organization. I see a real threat to Maine workers and employers both, if the safety and other worthwhile programs are to be slowed down and we lose some of our top state employees.

I would like to quote to you from a Greek philosopher, written

in 210 B.C. "I was to learn later in life that we tend to meet any new situation by reorganizing, and a wonderful method it can be for creating the illusion of progress while producing confusion, inefficiency, and demoralization."

I now move the indefinite postponement of L. D. 2058.

The SPEAKER: The Chair recognizes the gentleman from Brunswick, Mr. McTeague.

Mr. McTEAGUE: Mr. Speaker and Members of the House: I think the members of the State Government Committee and many other members of the Legislature are as conversant or more conversant than I am of the general benefits to be derived from reorganization, so I shall not bore you with that this afternoon.

But on the particular bill before you, you are combining two now existing departments as the gentle lady from Bethel, Mrs. Lincoln has stated. The Employment Security Commission, which has very roughly, if my memory serves me right, some 500 or 600 employees and the Department of Labor and Industry which has about 25 or 30 employees.

Now, if to suggest that in a consolidation between these two departments, as I understand Mrs. Lincoln to have, that the commissioner of the department which has 25 employees should be over both departments, including the one that has 500 or 600 employees, I truly think that that is putting the cart before the horse rather than the other way around.

I know that we are not engaging in personalities in this debate, we are not talking about the merits or lack of them, the current people serving in these offices, in my opinion, they are both excellent people both doing a good job. And it had been my impression, although I didn't ask for a direct statement from either of them, it had been my impression that both of these people were very happy and willing to go along with the reorganization.

I can recall conversations where they talked about the benefits in research — the consolidation of research functions between these two things. There is no problem at

all with the special federal funds that comes into the Employment Security Commission under this bill; that has been taken care of. So, again it is a question of whether you really want to do something about reorganization in a relatively important department or whether you want to leave it the way it is. But you are dealing with two departments here and I think they are logical departments to consolidate. Both are concerned with working people at their jobs.

I think if we try to coordinate certain functions regarding public relations, and particularly in a statistical area, we will be able to do a better job for, hopefully, a little less money.

Mr. Speaker, when the vote is taken on the motion for indefinite postponement, I ask that it be by the yeas and nays.

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

Mr. BUSTIN: Mr. Speaker, Ladies and Gentlemen of the House: I was thinking today that if I, as a member of the Special Select Committee on Reorganization and as a member of the State Government Committee had \$10 for every time I heard a particular phrase, I could leave this session and not have to work again for awhile.

And that phrase was issued by most bureaucrats who came before our committee, and said, "I want you to know that we are in favor of state government reorganization. However, we don't think it should apply to us." Even so, in hearing this particular bill, this was the only time that someone came in and said, "I have no opposition to it," and this is not a direct quote, it is in effect, "As long as I am the chairman of it and not the person who has been appointed in the interim."

I suggest to you this afternoon that this is just exactly where we are at in this bill. There is no threat whatsoever to occupational safety or the Maine workers. One of the chief advantages is the consolidation of the research function that Mr. McTeague has mentioned.

So, I would urge the members of

this body to vote against the pending motion.

The SPEAKER: The Chair recognizes the gentleman from Chelsea, Mr. Shaw.

Mr. SHAW: Mr. Speaker, Members of the House: I might get involved in these bills. They are not all black and white, there are an awful lot of things that enter into them that when we start in, we don't know were there. For instance, originally, when this Manpower bill was set up, the Unemployment fund and the Employment Security were divided and the Employment Security was put in the Manpower and the Unemployment fund was left out.

We got a letter from the Boston office. The Labor Department took rather violent exception to this. They quoted a number of laws, a number of rules and regulations. Federal monies would be spent when we got state monies involved with these federal monies, why there was going to be a very close accounting of this

When computer time was used, we had to prove how much the value of the computer time being used for other areas that would be charged off. Now Employment Security has a computer. They were supposed to have a new one put in because the one they have isn't quite big enough. Lately, they have been hiring space on the state computer and if they, under this reorganization, should start in taking Labor Department matters and moving them back onto their computer while renting space from the state computer, I think things are going to be fairly mixed up before we are done.

I have here a listing of the Unemployment Security fund, Unemployment fund. It looks to me like it is in quite a lot of trouble. In 1969, it was \$45.5 million. In 1970, it was down to \$38.9 million; 1971 it was \$21.4 million; February 11, it was \$18 million. Now this thing is decreasing rapidly. Once it goes below \$15 million, it means that every employer in the state is going to get stuck with another increase in their Unemployment tax.

In fact, I have heard some estimates that by the end of this year, there won't be any Unemployment

fund, it will be completely wiped out. That means that we will be coming back here and raising the rates on employers to pick up the money to pay for the unemployment checks that go out.

I asked for a report from the department down there on the Employment Security Division. The Employment Security's purpose is to find jobs for people who are collecting checks from the Unemployment fund. I wanted them to find me a check on that, they sent us up three years. Every year for the past three years they have found fewer jobs for people that they were looking for jobs for. Right now, they are running somewhere in the neighborhood of 28 programs to find jobs for people; the more programs they put on, the less jobs they seem to find.

Well, I think there is quite a lot in this Division that should be looked into.

The SPEAKER: The Chair recognizes the gentleman from Brunswick, Mr. McTeague.

Mr. McTEAGUE: Mr. Speaker, Members of the House: We apparently have gone a little bit broad beyond the field of reorganization but in order, at least, that those who might tend to agree with me are not subject to any possible confusion.

Sure the fund has gone down, the fund has gone down because you have got a national recession. And certainly, Mr. Shaw, they are finding fewer jobs because there are fewer jobs to find. But all the more reason that we should make government more efficient and more responsive to the needs of the people and all the more reason that the new regulations administered by the Labor and Industry Department in the area of safety should be administered both with an eye to safety and with an eye not to costing anyone their job. All the more reason to coordinate it.

The figures have gone down, they have gone because of a national economic situation. It has happened in every state in the country. And the ability of the Employment Security Commission to find jobs measured by the number of jobs they have found, I agree has also gone down for exactly the same reason. And I

would respectfully submit that either one of those factors hasn't one whit to do with the bill before you. What you are talking about is a rather mundane area of reorganization.

You are talking about two departments that both engage in a lot of statistical studies. You are talking about saving a little bit of money and avoiding some duplication.

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

Mr. MARTIN: Mr. Speaker, I wonder if the Clerk could read us the committee report on the bill.

Thereupon, the Clerk read the Report of the Committee.

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: It is obvious to me that this was a unanimous report from the committee. And it seems to me that it had no problems, obviously, previous to this time. I am somewhat surprised to see the gentleman from Chelsea, Mr. Shaw, now opposing this since I am sure he was both a member of the Select Committee and also of the State Government Committee.

I certainly hope that you vote against the motion that was presented by the gentlewoman from Bethel, Mrs. Lincoln.

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

Mr. DYAR: Mr. Speaker, Members of the House: It seems highly irresponsible to me to take an active department that is doing its job with 25 employees, and through a shotgun wedding force it into a department with 500 employees.

I would like to point out to the gentleman from Brunswick, Mr. McTeague, that it is very hard for an employer in a small business to hire a person who is unemployed at the present time, at \$1.80 or \$2.00 an hour when they can get \$61 a week to stay home.

The SPEAKER: The yeas and nays have been requested. For the Chair to order a roll call it must have the expressed desire of one

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

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

The SPEAKER: The pending question is on the motion of the gentlewoman from Bethel, Mrs. Lincoln that Bill "An Act Implementing the Reorganization of the Department of Manpower Affairs," Senate Paper 779, L. D. 2058, 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

YEAS — Ault, Bailey, Baker, Barnes, Bartlett, Bedard, Berry, G. W.; Birt, Bragdon, Brawn, Brown, Bunker, Carey, Churchill, Clark, Cottrell, Curtis, A. P.; Donaghy, Dyar, Emery, D. F.; Evans, Finemore, Good, Hall, Hardy, Haskell, Hawkens, Henley, Hewes, Immonen, Kelley, K. F.; Kelley, R. P.; Lee, Lewin, Lewis, Lincoln, Littlefield, MacLeod, Maddox, McCormick, Millett, Mosher, Murchison, Page, Parks, Payson, Porter, Pratt, Rand, Rollins, Ross, Scott, Shaw, Sheltra, Simpson, L. E.; Stillings, White, Wight, Williams, Wood, M. W.; Wood, M. E.; Woodbury.

NAYS — Albert, Bernier, Berry, P. P.; Berube, Binnette, Bither, Boudreau, Bourgoin, Bustin, Call, Carter, Clemente, Collins, Conley, Cooney, Cote, Cummings, Curran, Curtis, T. S., Jr.; Cyr, Dam, Dow, Doyle, Dudley, Farrington, Faucher, Fecteau, Fraser, Gagnon, Gill, Goodwin, Hancock, Herrick, Hodgdon, Jalbert, Jutras, Kelleher, Kelley, P. S.; Keyte, Lawry, Lebel, Lizotte, Lucas, Lund, Lynch, Mahany, Manchester, Marsh, Marstaller, Martin, McCloskey, McKinnon, McTeague, Mills, Morrell, Murray, Norris, O'Brien, Orestis, Pontbriand, Shute, Silverman, Simpson, T. R.; Slane, Smith, D. M.; Susi, Tanguay, Theriault, Tyndale, Vincent, Wheeler, Whitson.

ABSENT — Carrier, Crosby, Drigotas, Emery, E. M.; Gauthier, Genest, Hayes, Kilroy, Lessard,

McNally, Rocheleau, Santoro, Smith, E. H.; Trask, Webber, Whitzell.

Yes, 62; No, 72; Absent, 16.

The SPEAKER: Sixty-two having voted in the affirmative, seventy-two in the negative, with sixteen being absent, the motion does not prevail.

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

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

An Act Implementing the Reorganization of the Department of Finance and Administration (H. P. 1546) (L. D. 2002)

Tabled — March 7, by Mr. Cote of Lewiston.

Pending—Passage to be enacted.

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

Mr. MARTIN: Mr. Speaker, I move that the rules be suspended for the purpose of reconsideration.

The SPEAKER: The gentleman from Eagle Lake, Mr. Martin moves that the rules be suspended for the purpose of reconsideration. Is there objection from any member that the rules be suspended?

Mr. DONAGHY of Lubec: Objection.

The SPEAKER: The Chair hears objection. The Chair will order a vote, a two-thirds affirmative vote is required for the suspension of the rules. All members in favor of the rules being suspended will vote yes; those opposed will vote no.

A vote of the House was taken.

70 voted in the affirmative and 61 voted in the negative.

Thereupon, Mr. Martin of Eagle Lake requested a roll call.

The SPEAKER: The yeas and nays have been requested on suspension of the rules. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting.

For what purpose does the gentleman arise?

Mr. JALBERT of Lewiston: Is the item debatable?

The SPEAKER: The Chair understands the gentleman, it is not debatable.

All members desiring a roll call 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 Eagle Lake, Mr. Martin, that the rules be suspended. If you are in favor of that motion you will vote yes; if you are opposed you will vote no.

ROLL CALL

YEA — Albert, Bedard, Bernier, Berry, P. P.; Berube, Binnette, Boudreau, Bourgoin, Bustin, Call, Carey, Carter, Clemente, Collins, Conley, Cooney, Cote, Cottrell, Curran, Cyr, Dam, Dow, Doyle, Dyar, Farrington, Faucher, Fecteau, Fraser, Gagnon, Good, Goodwin, Hancock, Henley, Herrick, Jalbert, Jutras, Kelleher, Kelley, P. S.; Keyte, Lawry, Lebel, Lizotte, Lucas, Lund, Lynch, Mahany, Manchester, Marsh, Martin, McCloskey, McCormick, McKinnon, McTeague, Millett, Mills, Morrell, Murray, Norris, O'Brien, Orestis, Pontbriand, Sheltra, Shute, Slane, Smith, D. M.; Susi, Tanguay, Theriault, Vincent, Wheeler, Whitson.

NAY — Ault, Bailey, Baker, Barnes, Bartlett, Berry, G. W.; Birt, Bither, Bragdon, Brawn, Brown, Bunker, Churchill, Clark, Cummings, Curtis, A. P.; Curtis, T. S., Jr.; Donaghy, Dudley, Emery, D. F.; Evans, Finemore, Gill, Hall, Hardy, Haskell, Hawkens, Hewes, Hodgdon, Immonen, Kelley, K. F.; Kelley, R. P.; Lee, Lewin, Lewis, Lincoln, Littlefield, MacLeod, Maddox, Marstaller, Mosher, Murchison, Page, Parks, Payson, Porter, Pratt, Rand, Rollins, Ross, Scott, Shaw, Silverman, Simpson, L. E.; Simpson, T. R.; Stillings, Tyndale, White, Wight, Williams, Wood, M. W.; Wood, M. E.; Woodbury.

ABSENT — Carrier, Crosby, Driogotas, Emery, E. M.; Gauthier, Genest, Hayes, Kilroy, Lessard, McNally, Rocheleau, Santoro,

Smith, E. H.; Trask, Webber, Whitzell.

Yes, 71; No, 63; Absent, 16.

The SPEAKER: Seventy-one having voted in the affirmative, sixty-three in the negative, with sixteen being absent, 71 not being two thirds, the rules are not suspended.

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

Mr. GILL: Mr. Speaker, having voted on the prevailing side, I would now move to reconsider our action whereby the rules were not suspended, and I would like to speak to my motion.

The SPEAKER: The Chair would advise the gentleman that his motion is out of order.

Mr. GILL: I thought it was a pretty good try.

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

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: I intend to support this bill with or without the amendment, but just let me tell you what I had hoped would transpire.

There has been a great deal said about keeping the three-member commission within the Liquor Commission as it presently exists. Interestingly much of that support comes from a group that never supports me. Interestingly enough — I suspect — I should say interestingly enough because I guess I always tend to vote relatively wet.

But the feeling on the part of the League and others was that the three members of the commission ought to remain on controlling whether or not items are listed or not listed, and that was done in the reorganization bill. What this amendment proposed to do was to leave the salary of the three commissioners as it is.

Now I don't have any qualms to stand up here and wave a red flag and say this is what's got to be, but I will point out only one thing to you. That if they do have salary and they do have the expenses as they have now, they are more apt to meet more often to make sure that the business of the Liquor Commission is properly handled.

That was the reason for offering or trying to offer House Amendment "H" and that was my reason for trying to get the rules suspended. If you agree with my assumption, then I would ask that you agree with me in suspending the rules. If not, then the bill ought to go and be enacted as it stands. But I do want to tell you why I was doing what I did earlier today.

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

Mr. MARTIN: Mr. Speaker, would a motion to suspend the rules be proper?

The SPEAKER: The Chair would advise the gentleman that it would not be in order.

Mr. MARTIN: Thank you, Mr. Speaker.

The SPEAKER: The pending question is passage to be enacted.

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

Mr. LUND: Mr. Speaker, if there were an intervening motion would a motion to suspend the rules then be in order?

The SPEAKER: The Chair would advise the gentleman and the House that intervening debate has not been extensive enough to entertain the motion to suspend the rules.

The Chair recognizes the gentleman from South Portland, Mr. Gill.

Mr. GILL: Mr. Speaker and Members of the House: in reference to the remarks of the gentleman from Eagle Lake, that very fine young statesman, I would like to say that we should all have listened to what this gentleman has said. He made an awful lot of sense. In my own mind I am trying to determine just how much debate is enough to permit the motion from some gentleman to suspend the rules. But I do concur with him.

The SPEAKER: The Chair would caution the members relative to debating the suspension of the rules, because this would not be in order.

Mr. GILL: Is it all right to debate the bill?

The SPEAKER: The gentleman may debate whether the bill should be passed to be enacted.

Mr. GILL: Well, I certainly feel that it should be passed to be enacted. This document possesses my name on it and if that is not enough reason there has been an extensive amount of work done on this bill by an able attorney named Jon Doyle. The State Government Committee, the reorganization committee, the planning office have all been very interested in this and I understand that the chairman of the Liquor Commission is interested in this. In fact there was a young man from Portland that presented an amendment the other day that brought the Liquor Commissioner to the halls of the House as quickly as I have ever seen him come.

But actually this overall consolidation of these departments it is a natural thing. This is one of the least controversial bills except when you try to suspend the rules on it, and I always feel that sometimes we are too suspicious and I am never suspicious of anything of this nature. I can support always suspension of the rules by the gentleman from Pittsfield as well as the gentleman from Eagle Lake. As it was stated in Manchester yesterday, the gentleman, actually a Senator, showed a certain amount of progress and ability, and for this reason I would like us all to join together and show the same amount of consideration in asking for the suspension of this rule.

However, the time arrives when you feel maybe I have said enough, but you feel that perhaps a little bit more debate as to why this good document should be enacted must be said and I would be more than glad to stop this strong endorsement of this fine bill if I could get a little bit of indication that there has been enough debate go on so that we may suspend the rules.

The SPEAKER: The Chair would interrupt to inquire if the gentleman is intending to filibuster, because under the rules you must confine yourself to the merits of the bill.

Mr. GILL: Well I was just saying how nice the bill was, but I will sit down.

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

Mr. MARTIN: Mr. Speaker, I move that the rules be suspended for the purpose of reconsideration.

The SPEAKER: The gentleman from Eagle Lake, Mr. Martin moves that the rules be suspended for the purpose of reconsideration.

Thereupon, Mr. Donaghy of Lubec requested a vote.

The SPEAKER: All in favor of suspending the rules will vote yes; those opposed will vote no.

A vote of the House was taken. 90 having voted in the affirmative and 39 having voted in the negative, 90 being more than two thirds, the motion did prevail.

On motion of Mr. Martin of Eagle Lake, the House reconsidered its action of March 3 whereby the House voted to recede and concur.

On further motion of the same gentleman, the House voted to recede.

The same gentleman then offered House Amendment "H" and moved its adoption.

House Amendment "H" (H-635) was read by the Clerk.

The SPEAKER: The gentleman may proceed.

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: I guess I stated my reasons why I was offering this amendment earlier when I was debating the merits of the bill. I don't really think there is any reason at this point to go into any further detail except to perhaps thank the gentleman from South Portland, Mr. Gill, who assisted me in arriving to a point where we could offer House Amendment "H".

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

Mr. ROSS: Mr. Speaker, I would like to pose a question through the Chair to the gentleman from Eagle Lake, Mr. Martin.

He mentioned something about increasing from two to three, the number of commissioners, again.

The SPEAKER: The gentleman from Bath, Mr. Ross, poses a question through the Chair to the gentleman from Eagle Lake, Mr.

Martin, who may answer if he chooses.

The Chair recognizes that gentleman.

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: Under the reorganization bill, the commissioners were left at three, and I am not changing that. The only thing this amendment does is to make sure that the commissioners will have the salary so that they will meet.

Under the reorganization proposal, there were many people who feared that since they were going to just meet once in awhile, that they might not meet, therefore, in effect, leaving the Director of Alcoholic Beverages or whatever he might be called, in final control, if he chose not to get the commission together. This would, in effect, bring the commission together, much to the same amount as we now have it.

It is really to continue what we presently have.

The SPEAKER: The Chair recognizes the gentleman from Kittery, Mr. Hodgdon.

Mr. HODGDON: Mr. Speaker, Ladies and Gentlemen of the House: I am somewhat surprised to see this amendment on our desks this afternoon, especially coming to us over the signature of the gentleman from Eagle Lake.

When this bill was written in committee, we put that they could meet 50 times a year and be paid. Now, it is my understanding that the present Commission does not meet daily, we have set up whereby they can meet at least once a week, and we put them on a part-time basis.

It was my assumption from the start that wherever we could save money, that was one of the things that reorganization was all about. And if we are now going to put this three-man commission back on a full salary, I fail to see where we are saving any money.

Mr. Speaker, at this time I would move for the indefinite postponement of House Amendment "H".

The SPEAKER: The Chair recognizes the gentleman from Berwick, Mr. Stillings.

Mr. STILLINGS: Mr. Speaker, Ladies and Gentlemen of the House: I am inclined to agree with the gentleman from Kittery, Mr. Hodgdon. I am not sure, after sitting on the State Government Committee for some time now whether I know what reorganization is all about or not.

We just heard some remarks made that bureaucrats came before our committee and said reorganization is wonderful as long as it doesn't affect me. If what we are talking about is saving money, then here is the perfect opportunity for you to do it. If you leave the bill as it is, the three liquor commissioners will receive \$2500 a year and may meet once a week. If you put it back under the old system, the Chairman of the Commission will be receiving almost \$18,000 and the members will be receiving around \$6000.

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

Mr. ROSS: Mr. Speaker, Members of the House: If we are thinking of saving money, I don't think it has been presented yet, but under filing H-629, there is an amendment to suggest cutting them from \$50 to \$30.

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

Mr. COTE: Mr. Speaker, Ladies and Gentlemen of the House: Probably that amendment comes out of my doing, because I felt all along that a one-man commission was not sufficient for this State of Maine, especially in the liquor industry.

Now, you are going to leave it up practically to one man, to make all the decisions which could affect many, many people in this state. This is not an area whereby you can save that much money. You probably can save it in administration costs, which there will be an administrator to run the business of the Liquor Commission but not make the decisions and also run it.

Now, it seems to me that someone must make the policy and make strong policies as far as the Liquor Commission is con-

cerned. Now you all know this is one field that most times they are sitting on a cake of dynamite that could blow up at any time because of the nature of the business which the Liquor Commission administrators.

Now, it seems to me that a policy-making group must be above the administrator who is able to work with. If we leave it loose as it is under this bill, you can rest assured that in the very near future we might be in real trouble.

I hope that you adopt this amendment and I think it is for safety of government in that field that we must have a three-man commission. Otherwise, I as an individual, will never be able to vote for the bill in its present form. What I am trying to do here or what we are trying to do, is build in a safety valve in that department, that is the only thing.

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

Mr. JALBERT: Mr. Speaker, Members of the House: I think this is possibly an area of compromise, and I certainly fail to see any politics in it and I am happy that politics have not entered into it.

Back a number of years ago, and I was here when it happened for purely political reasons, the legislature passed an Administrator for the Liquor Commission. Many of us knew who the Administrator would be before the bill even became law. The last few or possibly a year or more, this job has been vacant and I think it is in the area of \$18,000.

In my humble opinion, there are pros and cons to this. There are those, as Mr. Cote explains, who feel that the bill in its present form, without the amendment, would set up the Chairman of the Liquor Commission in a most powerful position. There are those who would say, "Well, he would run it anyway." I say if you have two substantiating — two members of the commission with him that would be strongminded, that that could not happen and I don't think it is the intention of the Chairman to do it.

Now, I think that what you might do, because this is really in the area of compromise, to pass a bill that had originally the unanimous report on it. I think, possibly, the ideal thing to do, and I am amazed that the Governmental Operations Committee did do it, the ideal thing to do would be to pass this amendment and then present another amendment that would strike out "The Administrator" out of the bill. In figures it would save some five or six thousand dollars.

As many of you here know, I was originally joining with the former fine representative from Kittery, Mr. Dennett, and this is certainly no reflection on Mr. Hodgdon, because I know how friendly both of them are. But since the thought of this move has been made, there has been a great deal of flak opposed to it, and I have acquiesced to the thinking that the commission should stay as it is. I certainly don't feel that we should leave the administrator's job in limbo for someone to come along and just move into.

Now, I don't know as that has been taken care of in the bill, I have not read the bill that thoroughly, but I think I should have. I think for peaceful reasons and for purposes of passing a measure that has a great deal of merit, I think that the difference in money is not that great, of some \$2500 versus \$6000. But I think, that for once possibly, a great many of the so-called non-drinkers or drys and the social drinkers at least, would be at ease with this amendment.

I would respectfully with due deference to the gentleman from Kittery, Mr. Hodgdon, whom I admire, and the State Government Committee, who has worked so hard on a bill — I hate to see a measure go down the drain because of a failure to pass a very minor amendment. For that reason, Mr. Speaker, I hope that we will not indefinitely postpone this amendment so that we could rearrange the bill to strike out the other position also.

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

Mr. DONAGHY: Mr. Speaker and Ladies and Gentlemen: I think it now has become obvious why I asked that this bill not be reconsidered. We have smelled more red herring dragged around here in the last five minutes than on any other bill we have had this session.

The only thing, the fact, that has been stated is that we still have the three-man commission. And I want to point out that those three commissioners have as much authority as they ever had, as far as policy, as fall as shelf space, brands, this sort of thing.

I just hope that you will go along with the indefinite postponement of this and get on with other business, because this is nothing but confusing the issue in order to give a little higher salaries to some of the faithful.

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

Mr. HENLEY: Mr. Speaker, Ladies and Gentlemen of the House: Briefly to second Mr. Hodgdon's motion and Mr. Donaghy's, it seems to me that we are arriving nowhere if we reorganize purely for the sake of reorganizing. If we are going to take and group a group of commissions together, then appoint an expensive commission over the tops of them, as an umbrella that we discussed back along, and there are no reductions in status or pay or anything else, where is it getting us?

I don't know how others feel, but I felt back along that, contrary to Mr. Cote's belief, I still think that a high paid administrator working for the commission, freely without being too hamstrung by daily interference, can do a commendable job in running the Liquor Commission. I feel that the three-man commission, whether it be called a commission or a board, can do their work of advising on a part-time basis, and I don't feel we need to spend 30 or 40 or \$50,000 for that commission in their advisory capacity.

It looks to me in this reorganizational bill that this is about the only saving that we could reflect to begin with. I don't mean an administrator for \$5000, I mean 20,

25 possibly, that is what we discussed a few years ago, someone that can produce. As far as the commission is concerned, it seems to me that they can oversee policy with a maximum of one meeting a week.

I also voted for reconsideration on this bill to open it up. I too have a couple of amendments which I imagine will receive mixed feelings, if I ever get a chance to present them. One of them would make the administrator, the director working under personnel, a career man. Possibly some of you might like that, some of you would not. The other one, as someone stated back along, would reduce the per diem of the commission to \$30.

Now, before anyone gets too uptight on this, I would like to remind all of the House members here, that we come here and instead of handling the business, perhaps of \$30 million a year, we handle in two years the purse strings of now, pretty near a half a billion dollars. And we don't get any \$50 a day if we come in here on a special session. I fail to see where the glorification of a title of commissioner entitles them to the huge pay that they seem to feel they are entitled to, especially if they are advisory.

Now if our chairman of the Commission was the sole administrator, was making all of the decisions, doing the managing work in the office full time, why \$18,000 perhaps is all right, but not as an advisory commissioner. That is why I feel it isn't so terribly out of line to object to putting this Commission right back where it was, with the cost involved, and we would be right back where we were before. The reorganizational bill would mean nothing, and I certainly cannot support it under those circumstances.

I urge you to defeat this amendment and then, if you will, you can at least discuss the two that I have got.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I am positive that no other member of

this House has gone to the State Government Committee and praised the State Government Committee for the work that they have done on these reorganizational bills. And believe me, it is quite difficult for me to remain mild mannered while I am making my remarks, and I want to remain mild mannered.

I would like to possibly — and I have been given advice through my life and I have taken it. I would like, Mr. Speaker, to possibly attempt to give the gentleman from Lubec, Mr. Donaghy, just a little piece of advice. Every time somebody takes issue with him on something, up he gets and somebody is either questioning his integrity, or else this afternoon he has got a new wrinkle, a red herring.

I just want good government in my opinion. Now I may be wrong, and I could be wrong by just the lights on that board, and if I am right, so be it; if I am wrong I am not going to holler that somebody stepped on my toes and abused my integrity, or else I am trying to wave a red herring, because I have always believed in this philosophy here — beware of the guy that calls himself honest.

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: Let me just make a few comments. First of all, whether we pass this amendment or don't pass it, we are going to stay with three commissioners. Secondly, the reason for my introduction of the amendment was to try to see if maybe there was a possible compromise that could be arrived at in the bill.

If you kill the amendment I am still going to support the bill. Sitting in this corner, I guess every now and then I have to get mild mannered because I haven't got the votes. But I think overall, the gentleman from Lubec, Mr. Donaghy, will agree with me that I have been pretty good in agreeing to amendments that have come from the State Government Committee, and I can assure him and other members of the House that

whether this amendment passes or fails, that I will stay with him. So, you know, let's vote it up or vote it down and let's proceed with final enactment of the bill.

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

Mr. TANGUAY: Mr. Speaker and Ladies and Gentlemen of the House: I feel that most of you people, of us, are not aware of what is transpiring here. Under the present law we already have a business administrator. The business administrator to the Liquor Commission is better known as the buyer. I would question most of you to name me who the buyer is today.

Fairly recently we had a buyer by the name of Sam Sansoucy. He is no longer a buyer. In other words, we do not — presently we are operating the Commission without a buyer. This business administrator in this new bill will be called a director. So if we don't hire a director, we will be right back where we originally started. Somewhere along the line we are going to end up with a one-man commission. We are supposed to be a monopoly state here and we are going to operate with a monopoly commission. It just doesn't make sense somewhere along the line here.

I feel that if you lower the salaries of the present commissioners you are asking for a weak commission. How are we going to control the flow of liquor, the flow of beer, how can the dries be satisfied with a weak commission? In order for the commission to be strong, rather than lowering the wages we should be talking about raising the wages. All this amendment is going to do is it is going to keep the wages at its present level, so that we can continue on with a strong commission.

I hope that by a little explanation it will open your eyes at what is transpiring. We definitely don't want a czar operating the Liquor Commission. So what is a man that is getting \$2,500 a year going to care about a licensee or about a dry that comes up with a complaint? It is just going to

add on a little more red tape, send you from one office to another, and you would end up with nothing and no control over the flow of liquor.

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

Mr. DONAGHY: Mr. Speaker and Ladies and Gentlemen of the House: I am not saying that my integrity has been despoiled. I do still say that there has been an awful lot of more red herring dragged around here.

The Governor and Keith Ingraham are running the Liquor Commission. If we don't have a man down there, it is no one's fault but the Governor's because there has been no name posted for it. No one was hired for the job.

I do say that this three-man commission is ample. In our opinions they would be well paid for the job that they have to do of policy making, listing of brands and this sort of thing. It is not an extensive job. It is something they should be on top of at all times. We have provided enough money for them to do it once a week, and this is all that is necessary.

The SPEAKER: The Chair recognizes the gentleman from Berwick, Mr. Stillings.

Mr. STILLINGS: Mr. Speaker, Ladies and Gentlemen of the House: I think that it might be appropriate to clarify one point that has been brought up here, and this is with regard to the position of the business administrator.

The bill which is before you eliminates the position of the business administrator, and his job is taken over by the Director of the Bureau of Alcoholic Beverages, who is, incidentally, appointed by the Commissioner of the Department, with the approval of the Liquor Commission, the three-man commission which will still remain, and its statutory duties will not change one single bit.

The SPEAKER: The Chair recognizes the gentlewoman from York, Mrs. Brown.

Mrs. BROWN: Mr. Speaker, I would like to ask a question. Having not been an authority about the Liquor Commission, I am totally confused at this point. I would like to know what they all

three are being paid now and what the present reorganization bill before us without the amendment would pay them.

The SPEAKER: The gentlewoman from York, Mrs. Brown, poses a question through the Chair to any member who may answer if they so choose.

The Chair recognizes the gentleman from Eagle Lake Mr. Martin.

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: At the present time the two extra commissioners that are not running the department, the Liquor Commission, I should say, presently receive somewhere around \$6,500. As I understand it, under the redraft of this bill, the figure that they would receive would be \$2,500 apiece.

The SPEAKER: The pending question is on the motion of the gentleman from Kittery, Mr. Hodgdon, that House Amendment "H" be indefinitely postponed. If you are in favor of that motion you will vote yes; if you are opposed you will vote no.

A vote of the House was taken. 68 having voted in the affirmative and 51 having voted in the negative, the motion did prevail.

Mr. Henley of Norway offered House Amendment "F" and moved its adoption.

House Amendment "F" (H-628) was read by the Clerk.

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

Mr. MARTIN: Mr. Speaker and Members of the House: Unless I am wrong, what this does is it changes it from \$35 to \$30 per day. If you want some good people to be — Mr. Speaker, could I ask what amendment this is?

The SPEAKER: H-628.

Mr. MARTIN: Mr. Speaker, I wonder if I could pose a question to the gentleman from Norway if he would explain the amendment.

The SPEAKER: The gentleman from Eagle Lake, Mr. Martin, poses a question through the Chair to the gentleman from Norway, who may answer if he chooses.

The Chair recognizes that gentleman.

Mr. HENLEY: Mr. Speaker and Members of the House: To ex-

plain it I have got to say that back when we were first considering reorganization I felt that a lot of these bureaus and departments that we were going to be left with after reorganization, instead of being headed and managed by one might say a political appointee, I wanted them to be career jobs under the Personnel Department, regardless of what we might have to pay them, and that is the way I feel about this one. It should be a highly skilled, well educated financial administrator, that had managed a business or something like that, with a fairly high pay scale that would be arrived at through request of the Personnel Department, various names submitted to the commissioners to choose, and they would recommend and choose, through the department, three names from which he would appoint a director. That was my idea on it.

I checked with several people on it and it is perfectly feasible. There is no reason why it should not work.

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

Mr. DONAGHY: Mr. Speaker and Members of the House: Once again I am confused. I think we are talking about two amendments here at the same time. One of them that I have in front of me here —

The SPEAKER: The pending amendment is House Amendment "F."

Mr. DONAGHY: I am sorry, I thought the number read was H-269, and we started talking about \$30 a day which is H-269. One is about the appointment under the personnel law and the other is the amount of money that the people get, the commissioners get.

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

Mr. HENLEY: Mr. Speaker and Members of the House: If any explanation is due, I only proposed the one amendment at this time, H-628, which had to do with the personnel law. The other amendment is separate.

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I have misgivings about this and I would like to express them to you and see what you think.

If I am a politician and I just happen to be, let's say, associated with someone in the Personnel Department or know anything about the Personnel law, as you know, they could choose from the top three. So that in a sense, you do not remove the politicalness of an appointment.

What worries me, however, is the continuation of that appointment. For some reason, I feel that it is easier and better to be in a position to be able to say, all right, director, you have done a lousy job, heave ho, you are gone, than having to sit there and fight the Personnel laws because you really cannot prove anything that he has really done wrong.

I think I like what the gentleman from Norway is trying to do, but I do fear the long-range results. That you get a man into the position, who might not be competent after a month or so, or whether a year, and then you are stuck with him under the personnel law. I think what I am saying, is that the amendment ought not to be adopted. If there is anyone that agrees with me, I would ask them to support my position.

The SPEAKER: The Chair recognizes the gentleman from Bridgewater, Mr. Finemore.

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: Over a period of years I have studied these personnel appointments quite a few times, looked them all over, and I never cared for some of them. I don't like this method of bringing three up and having them pick whoever they want to. I agree with the gentleman from Eagle Lake, Mr. Martin, that we should not pass this amendment because it means that if we have one there for six or seven years, which we have got enough now in those positions, we cannot get rid of them.

So I hope that you will vote against the adoption of this amendment.

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

Mr. DONAGHY: Mr. Speaker, Members of the House: It pleases me to no end to agree with the gentleman from Eagle Lake.

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

Mr. HENLEY: Mr. Speaker, Members of the House: I commend Mr. Martin of Eagle Lake on his mild opposition and I can understand it. I would just like to call the House's attention to the fact that we do have high paid directors under the Personnel law in State government, and they are procured. They are bound to do certain types of duty, they are in a position to be discharged if it can be proved that they are not doing their duty.

So I see nothing exceptional in this request. I don't quite see the reason why, if we can have a director of various other bureaus, and some of them, I still insist, are high paid, why the director of this bureau cannot also be a member, recommended and procured through the Personnel Department. That department, I believe itself is directed by a director. And we have several departments and I think those directors are fairly high paid, if I remember my figures. So that is all I have got to say about it. Of course, I have proposed the amendment, I believe in it, and I shall vote for it regardless.

If the body decides that it is unwise, why, I am perfectly agreeable to democratic rule. I hope that you will not oppose the amendment.

The SPEAKER: The Chair recognizes the gentleman from Bridgewater, Mr. Finemore.

Mr. FINEMORE: Mr. Speaker, I move the indefinite postponement of the amendment.

The SPEAKER: The gentleman from Bridgewater, Mr. Finemore, moves that House Amendment "F" be indefinitely postponed. The Chair will order a vote. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

110 having voted in the affirmative and 15 having voted in the negative, the motion did prevail.

Mr. Henley of Norway offered House Amendment "G" and moved its adoption.

House Amendment "G" (H-629) was read by the Clerk.

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

Mr. FARRINGTON: Mr. Speaker, I move that this amendment be indefinitely postponed.

The SPEAKER: The gentleman from Old Orchard Beach, Mr. Farrington, moves that House Amendment "G" be indefinitely postponed. All in favor of indefinite postponement of House Amendment "G" will vote yes; those opposed will vote no.

A vote of the House was taken.

93 having voted in the affirmative and 30 having voted in the negative, the motion did prevail.

Thereupon, the House voted to recede from the adoption of House Amendment "C" and indefinitely postponed it in concurrence.

Mr. Vincent of Portland offered House Amendment "D" and moved its adoption.

House Amendment "D" (H-600) was read by the Clerk.

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

Mr. BUSTIN: Mr. Speaker, I pose a question through the Chair to the gentleman from Portland, Mr. Vincent, if he would explain the amendment, please.

The SPEAKER: The gentleman from Augusta, Mr. Bustin, poses a question through the Chair to the gentleman from Portland, Mr. Vincent, who may answer if he chooses.

The Chair recognizes that gentleman.

Mr. VINCENT: Mr. Speaker, the amendment is self-explanatory in the Statement of Fact. If the gentleman could locate it, I am sure he would know exactly what the amendment was doing.

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

Mr. KELLEHER: Mr. Speaker, Members of the House: I wish Mr. Vincent would explain it to me be-

cause I cannot seem to find it. You can tell us what the Statement of Fact does.

The SPEAKER: The gentleman from Bangor, Mr. Kelleher, poses a question through the Chair to the gentleman from Portland, Mr. Vincent, who may answer if he chooses.

The Chair recognizes that gentleman.

Mr. VINCENT: Mr. Speaker, Members of the House: What the amendment does is eliminate the number of meetings in which they can meet at the \$50 per diem to an unlimited number of meetings.

The reason for this amendment is that I feel that with a \$2,500 compensation for being a member of this commission would warrant incompetency in the part of people that would probably take this type of a job for \$2,500. The 50 meetings at \$50 would come out to \$2,500. This would allow the Liquor Commission to meet on a necessary basis of conducting the business before that particular group.

\$2,500, I don't think, would bring enough competent people in. What you would be attracting with \$2,500 would be either a retired person who could afford to take the job, or a special interest person who could afford to take the job for obvious reasons.

I also think the low pay would possibly tempt people to approach commission members on rules and regulations. I feel that \$2,500 is too inadequate for this type of a position.

As it is presently set up, the Commission, commission members, with the \$5,000 plus the larger salary for the Commission, affords the opportunity for Commission members to be present on the premises when people have questions or drop in to visit to find out various points of interest. Under this present setup, the members would only meet the day of business, which would probably be one day a week for 50 weeks. I don't feel that enough information would be flowing out of the office or enough help or personnel would be on hand to take care of the grievances of people that want additional information.

For this reason I do offer the amendment and move its adoption.

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

Mr. PARKS: Mr. Speaker, I move the indefinite postponement of this amendment.

The SPEAKER: The gentleman from Presque Isle, Mr. Parks, moves the indefinite postponement of House Amendment "D". All in favor of this motion will vote yes; those opposed will vote no.

A vote of the House was taken. 108 having voted in the affirmative and 4 having voted in the negative, the motion did prevail.

Thereupon, the Bill was passed to be engrossed as amended by Committee Amendment "A" as amended by House Amendment "A" thereto in concurrence.

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

Mr. COTE: Mr. Speaker, I move that this bill and all accompanying papers be indefinitely postponed.

The SPEAKER: The gentleman from Lewiston, Mr. Cote, now moves the indefinite postponement of L. D. 2002.

The Chair recognizes the gentleman from South Portland, Mr. Gill.

Mr. GILL: Mr. Speaker and Members of the House: I would rise to oppose the indefinite postponement of this bill. This bill has a lot in it that is very, very good.

I realize the gentleman from Lewiston lost his favorite amendment, but I don't see this is any reason to kill the entire reorganization bill, and when the vote is taken, I request it be taken by the yeas and nays.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: I rise to support the motion of Mr. Cote this afternoon. I feel that we have got enough problems down in this particular department as it is. It is a large industry; it tags a lot of money.

We have had umpteen million amendments this afternoon that were presented. People aren't sat-

ified with it, I don't think I can buy it in its present form. My good friend, Mr. Gill, is an excellent sponsor of any instrument, but I hope he doesn't get this one passed because this is not a good document.

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I would certainly ask you to vote against indefinite postponement. Even though my amendment was not accepted, I don't think that is any reason for killing the bill. I don't believe that I can take my marbles and go home.

I certainly hope that you would vote against indefinite postponement today.

The SPEAKER: The Chair recognizes the gentleman from Kittery, Mr. Hodgdon.

Mr. HODGDON: Mr. Speaker, Ladies and Gentlemen: I rise and ask you to vote against the motion of indefinite postponement. I can assure you ladies and gentlemen that at the many hearings that the reorganization had on this bill, that every thought was given to the possibility of anything underhanded taking place within this Liquor Commission.

It is the one main reason that we retained that three-man commission. I am sure that you are all aware of proposals that were made to the committee in our hearing that we should go to a one-man commission. No one on the committee would buy it. I think that the bill, as presently presented, gives good protection. I think it is a reorganization bill that we all need. I would ask you to vote against the motion now pending.

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

Mr. GILL: Mr. Speaker and Members of the House: I would like to take this opportunity to remind that very conservative member of the legislature from that great metropolitan area of Bangor, that if we were all to take this position, that we were going to kill a perfectly good document, such as our appropriations document is,

just because there is one part in it that is no good, I am afraid I would have to vote to kill the appropriations bill.

But I feel for the most part it is very, very good, in spite of the fact of \$190,000 for the Bangor Airport. So I would appreciate it if the gentleman would reconsider his action that he has just stated on the floor of this House and join us in passing this bill.

There is no such thing as a single item in veto, but we must realize that this Bangor Airport facility is not constructed yet and it won't be until it gets some money.

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

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

The SPEAKER: The pending question is on the motion of the gentleman from Lewiston, Mr. Cote, that An Act Implementing the Reorganization of the Department of Finance and Administration, House Paper 1546, L. D. 2002, 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 — Bailey, Baker, Berube, Bragdon, Call, Carey, Clark, Cote, Evans, Hardy, Immonen, Kelleher, Lee, Lewin, Lincoln, Maddox, Mosher, Page, Parks, Payson, Porter, Rollins, Tanguay, Trask, White, Wight, Williams Wood, M.E.; Woodbury.

NAY — Albert, Ault, Barnes, Bartlett, Bedard, Bernier, Berry, G. W.; Berry, P. P.; Binnette, Birt, Bither, Boudreau, Bourgoine, Brawn, Brown, Bustin, Carter, Churchill, Clemente, Collins, Conley, Cooney, Cottrell, Cummings, Curran, Curtis, A. P.; Curtis, T. S., Jr.; Cyr, Dam, Donaghy, Dow, Doyle, Dudley, Dyar, Emery, D. F.; Farrington, Faucher, Fecteau, Finemore, Fraser, Gagnon, Gauthier, Gill, Good, Goodwin,

Hall, Hancock, Haskell, Hawkens, Hayes, Henley, Herrick, Hewes, Hodgdon, Jalbert, Jutras, Kelley, K. F.; Kelley, P.S.; Kelley, R. P.; Keyte, Lawry, Lebel, Littlefield, Lizotte, Lucas, Lund, Lynch, MacLeod, Mahany, Manchester, Marsh, Marsteller, Martin, McCloskey, McCormick, McKinnon, McTeague, Morrell, Murchison, Murray, Norris, O'Brien, Orestis, Pontbriand, Pratt, Rand, Ross, Scott, Shaw, Sheltra, Shute, Silverman, Simpson, L. E.; Simpson, T. R.; Slane, Smith, D. M.; Stillings, Susi, Theriault, Tyndale, Vincent, Wheeler, Whitson, Wood, M. W.

ABSENT — Bunker, Carrier, Crosby, Drigotas, Emery, E. M.; Genest, Kilroy, Lessard, Lewis, McNally, Millett, Mills, Rocheleau, Santora, Smith, E. H.; Webber, Whitzell.

Yes, 29; No, 104, Absent, 17.

The SPEAKER: Twenty-nine having voted in the affirmative and one hundred four in the negative, with seventeen being absent, the motion does not prevail.

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

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

SENATE JOINT ORDER — re Leadership be provided with legislative assistance prior to convening of 106th Legislature (S. P. 783) — In Senate, read and passed

Tabled — March 7, by Mr. Porter of Lincoln.

Pending — Passage in concurrence.

On motion of Mr. Porter of Lincoln, retabled pending passage in concurrence and tomorrow assigned.

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

An Act to Appropriate Moneys for the Expenditures of State Government and Other Purposes for the Fiscal Years Ending June 30, 1972 and June 30, 1973 (S. P. 768) (L. D. 2047)

Tabled — March 7, by Mr. Susi of Pittsfield.

Pending — Passage to be enacted.

The SPEAKER: The Chair recognizes the gentleman from Pittsfield, Mr. Susi.

Mr. SUSI: Mr. Speaker, Ladies and Gentlemen of the House: I would like to give just a little history of this bill. This is the one that we had before us a few days ago when we had 25 or 30 amendments that were affecting it. You remember we had the marathon session when we handled all these amendments and disposed of them and finally reached agreement in what form the appropriations bill was finally going to be in. Since then it has been laying on the table waiting for us to reach some sort of a resolution of the issues that we have been hung up on for the last few days.

It is my hope that now we have reached the accommodations that are necessary and that we can all move together in supporting this bill and take a giant step towards recessing and returning home from this session.

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I agree with the remarks made by the gentleman from Pittsfield, Mr. Susi, that this has been around for a couple of days, has been on the table in hopes that we would solve ourselves some problems if we get into a tangle. I would like very briefly to take a few minutes to express, I guess, some of the Governor's reservations and then to make a suggestion.

There has been a great deal of fear about the possibility of using all of the surplus so that when we come back we might find ourselves in the next session in a real bind. I think that has been expressed by the Governor over and over again. There have been four items that he has been particularly concerned with, and fearing that if we did all these things that we might find ourselves in a real box later on.

First of all the question of the loan guaranteed payment for Maine Sugar Industries, reaching, as you recall, the figure was anywhere from four million to eight. And as you know, in the amend-

ment that we adopted the other day in the appropriations act, we said there would be \$4 million that would be taken out of surplus to go to pay the MIBA loan guaranty.

Secondly is the question of full-time prosecuting attorney. As you recall, we passed this by rather a partisan vote the other day, but it is presently on the Governor's desk and he has not told me what he is going to do with it yet. But I can tell you this, that the cost in the next biennium is well over \$800,000 for this particular item.

The third which he had expressed some very grave misgivings was the question of the revenue sharing and financial relief to counties for expenses of the Superior and Supreme Judicial Courts, and the figures ranged anywhere from a million dollars to three million five for the cost to the State of Maine. As you recall, earlier today we did kill this and opposed the action of the other body.

And finally the fourth item that the Governor expressed some concern, if we were to pass all these together, was the question of providing for a change in the standard deduction of the income tax law, which I happen to have voted for in this body, the measure, of course, being sponsored by the gentleman from Brunswick, Mr. Morrell. But the loss of revenue in this particular item would be somewhere around \$2.5 million during '72-'73. And then of course another \$1.8 million in '73-'74.

All of these items put together, I think, the Governor feared that we were in effect raiding the surplus and we might find ourselves in a real problem when we come back.

Another point that ought to be made at this time is that I have just received a note from the Governor indicating that he has just received the revenues for the month of February that indicate that revenues are \$650,000 below estimates. This in itself is a rather startling result, or compulsion, or finding, or whatever you want to call it; it is to me, and I hope that it doesn't continue in this light. I am quite sure that it won't, but it is just interesting that if

it does we could find ourselves with a problem.

Finally, I do think, though, that at this time today we ought to pass the bill, let it go to the other body, and so I would ask you to vote for final passage of the appropriations act at this time.

The SPEAKER: The pending question is passage to be enacted. This being an emergency measure, it requires a two-thirds affirmative vote of the entire elected membership of the House. If you are in favor of this Bill being passed to be enacted you will vote yes; if you are opposed you will vote no.

A vote of the House was taken.

124 having voted in the affirmative and 5 having voted in the negative, the motion did prevail.

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

By unanimous consent, ordered sent forthwith to the Senate.

The following papers from the Senate were taken up out of order by unanimous consent.

From the Senate: The following Joint Resolution:

WHEREAS, the living resources found in the waters adjacent to the State of Maine and associated with the continental shelf and slope of the United States are essential to the seafood needs of the State of Maine and the nation; and

WHEREAS, these living marine resources are gravely endangered from unrestrained harvesting and fishing; and

WHEREAS, the United States, because it lacks adequate jurisdiction over all domestic and foreign fishing in the area in which these resources are found, is unable to provide proper protection and management for the conservation of these living marine resources; and

WHEREAS, the State of Maine has traditionally depended upon its commercial fishing industry for a major portion of its coastal income; and

WHEREAS, the State of Maine believes that, because of a further decline in the fish stocks in this area as a result of continued heavy

fishing pressures by foreign distant waters fleets, the living marine resources are in danger of critical depletion; and

WHEREAS, the State of Maine is convinced that the harvesting of these living marine resources on a sustained basis can be continued only if a greater measure of jurisdiction is given to coastal authorities; now, therefore, be it

RESOLVED: That We, the Members of the 105th Legislature of the State of Maine now assembled in special session, on record as petitioning the Honorable William P. Rogers, Secretary of State for the United States, and members of the Maine Congressional Delegation to use every effort at their command to establish a legal basis so that the United States shall become the custodian of all living marine resources on the continental shelf and its slope, including all such living resources in the water column above the continental shelf and its slope, so that these resources may be harvested in a manner which would provide proper conservation and wise utilization; and that in addition to such management, the United States would have the rights to the preferential control and use of such living marine resources on the bottom and in the water column above the continental shelf and its slope as is now provided for the non-living resources of this area; and that such fishery jurisdiction be qualified to permit controlled harvesting inside said United States fishery zone of species not fully utilized by United States vessels; and be it further

RESOLVED: That a copy of this Resolution, duly authenticated by the Secretary of State of the State of Maine, be transmitted forthwith by him to said Secretary of State of the United States and to each member of the Maine Congressional Delegation with our thanks for their prompt attention to this vitally important matter. (S. P. 788)

Came from the Senate read and adopted.

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

Tabled and Assigned

From the Senate: The following Order:

WHEREAS, the Regular Session of the 105th Legislature by Joint Order (S. P. 541) provided for a feasibility study of a Conference Center on Peaks Island by a Legislative Committee and

WHEREAS, this Committee has reported to the Special Session of the Legislature under (S. P. 786), now, therefore be it

ORDERED, the House concurring that the Committee be extended for further review of the Project and its total economic feasibility and that the Committee be directed to make a final report to the next regular session of the Legislature in January 1973 and be it further

ORDERED, that there is appropriated the sum of \$4,500 from the Legislative Account for the purpose of the study. (S. P. 789)

Came from the Senate read and passed.

In the House, the Order was read.

(On motion of Mr. Porter of Lincoln, tabled pending passage in concurrence and tomorrow assigned.)

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

JOINT RESOLUTION of the Maine Legislature Endorsing the Credo of the Elderly. (H. P. 1614)

Pending — Adoption.

Mrs. Goodwin of Bath offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-636) was read by the Clerk.

The SPEAKER: The Chair recognizes the same gentlewoman.

Mrs. GOODWIN: Mr. Speaker, Ladies and Gentlemen of the House: Very briefly, what this amendment does is take out the language which Mr. Hewes objected to, that we are now confused and contradictory. The rest of the resolution is the same.

I might also note that this amendment was filed by Mr. Goodwin of Bath. I believe very strongly in women's liberation, but this is going just a little bit too far, and

I know that Mrs. Silverman of Calais that was on the calendar this morning will agree with me.

Thereupon, House Amendment "A" was adopted.

The Joint Resolution was adopted as amended and sent up for concurrence.

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

Bill "An Act to Revise the Maine Land Use Regulation Commission Law" (S. P. 709) (L. D. 1890) — In Senate, passed to be engrossed as amended by Senate Amendment "C" (S-388)—in House, Senate Amendment "C" adopted.

Pending — Passage to be engrossed.

The SPEAKER: The Chair recognizes the gentleman from Wayne, Mr. Ault.

Mr. AULT: Mr. Speaker, Ladies and Gentlemen of the House: The Maine Land Use Regulation Commission was created by the 104th Legislature and given authority over certain portions of the wildlands. After their creation they did nothing but come back to the 105th requesting authority over all of the wildlands, which they did receive. Since gaining that authority, the only thing that they have done is to authorize a gatehouse on a road to a certain portion of these lands. They have not even provided us with their rules and regulations. And until they can justify their being by showing us something, I do not believe that it is necessary for us to give them anything more, especially as an emergency in a special session.

I therefore move for the indefinite postponement of this bill and all of its accompanying papers.

The SPEAKER: The gentleman from Wayne, Mr Ault, now moves the indefinite postponement of L. D. 1890.

The Chair recognizes the gentleman from Newport, Mrs. Cummings.

Mrs. CUMMINGS: Mr. Speaker and Ladies and Gentlemen of the House: It is true that the Land Use Regulations Commission has not performed as many deeds as they would like to, but the way this new bill is presented to you

is to make the very things that have kept them from performing their duties more easy for them to do.

For instance, the commissioners, who are members of the advisory board of the commission now can send delegates. Also they are going to be able to have meetings with not the full board. They will be able to have someone there who will take recordings and take them back to the commission. The commission isn't necessarily committed to doing what their delegate says. So it isn't putting the authority under one person's terms. But what it does do is enable the committee to be much more flexible, and therefore they will be able to do the very duty they were created to perform.

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

Mr. DONAGHY: Mr. Speaker and Members of the House: I am sorry to disagree with the lady from Newport, but I must concur with the gentleman from Wayne, Mr. Ault, that all this bill does is give us more people to do nothing. I hope you all will concur with Mr. Ault.

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

Mr. MARTIN: Mr. Speaker and Members of the House: I think there is some confusion here. The amendment that was adopted that was put on in the other body wiped out the bill, for all practical purposes. So we are not talking about broadening anything. There are no members being added or anything else here.

House Amendment "C" — now the gentleman from Newport has not presented her amendment. Secondly, if this amendment that was adopted in the other body doesn't go through, under the existing law that we passed last time we are going to have to mail to every person that owns one inch of wildland a registered, certified letter every time that there is a hearing. The cost for every hearing in mail privileges alone, as I understand it, would be somewhere around \$8,000, that is all that

the amendment basically intends to do.

I think the confusion was that there was an organized drive to kill the amendment that was going to be offered by the gentlewoman from Newport. This is not going to be offered, as far as I know, so we are not debating the issue which I think you think you are. So I would ask really that the gentleman from Wayne withdraw his motion or that you vote against it, because it has nothing to do with what he says it does — and I won't use that phrase again or use my hands again. But it is important that you not kill it, not kill this bill and with it House Amendment "C".

I hope I have explained it sufficiently. But I think where the confusion arose was that people were opposed to the amendment that was going to be offered by the gentlewoman from Newport.

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

Mr. MARSTALLER: Mr. Speaker, could this item be tabled for one legislative day?

The SPEAKER: The gentleman from Freeport, Mr. Marstaller, moves that this matter be tabled for one legislative day, pending the motion of Mr. Ault of Wayne to indefinitely postpone. The Chair will order a vote. All in favor of tabling will vote yes; those opposed will vote no.

A vote of the House was taken.

36 having voted in the affirmative and 60 having voted in the negative, the motion did not prevail.

The SPEAKER: The Chair recognizes the gentleman from Albion, Mr. Lee.

Mr. LEE: Mr. Speaker, Ladies and Gentlemen of the House: I think that the gentleman down in the corner explained this right. I think probably I was against this bill originally and I think probably I am against the concept of the thing. This was a housekeeping thing that would make it possible for them to have a meeting without costing them all outdoors. It would be impossible for them to — I expect we wrote the law wrong anyway and I agree with that, but this amendment, they didn't upset it, by what he said Mr. Violette did clarify it and I think it is all right.

The SPEAKER: The pending question is on the motion of the gentleman from Wayne, Mr. Ault, that Bill "An Act to Revise the Maine Land Use Regulation Commission Law," Senate Paper 709, L. D. 1890, be indefinitely postponed. If you are in favor of that motion you will vote yes; if you are opposed you will vote no.

A vote of the House was taken.

5 having voted in the affirmative and 109 having voted in the negative, the motion did not prevail.

Thereupon, the Bill was passed to be engrossed as amended by Senate Amendment "C" in concurrence and sent to the Senate.

By unanimous consent, all matters acted upon in concurrence and all matters requiring Senate concurrence were ordered sent forthwith to the Senate.

(Off Record Remarks)

On motion of Mr. Porter of Lincoln,

Adjourned until nine o'clock tomorrow morning.