

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Fifth
Legislature***

OF THE

STATE OF MAINE

Volume III

June 16, 1971 to June 24, 1971

Index

1st Special Session

January 24, 1972 to March 10, 1972

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**KENNEBEC JOURNAL
AUGUSTA, MAINE**

HOUSE

Friday, March 10, 1972

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

Prayer by the Rev. Mr. Calvin Alexander of Gardiner.

The journal of yesterday was read and approved.

Papers from the Senate

From the Senate: The following Order:

ORDERED, the House concurring, that there is allocated from the Legislative Account the sum of \$5,000 to the Joint Standing Committee of the Legislature on State Government for the purpose of continuing the Governmental Reorganization Study established pursuant to House Paper 1443 of the last regular session and supervise the implementation thereof (S. P. 793)

Came from the Senate read and passed.

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

Non-Concurrent Matter

Report "A" of the Committee on State Government on Bill "An Act Implementing the Reorganization of the Department of Business Regulation" (S. P. 729) (L. D. 2011) reporting "Ought to pass" as amended by Committee Amendment "A" and Report "B" reporting "Ought not to pass" and Report "C" reporting same in a new draft (S. P. 787) (L. D. 2059) under same title and that it "Ought to pass" which Reports and Bill were indefinitely postponed in non-concurrence in the House on March 9.

Came from the Senate with that body voting to insist on its former action whereby Report "C" was accepted and the Bill passed to be engrossed.

In the House:

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

Mr. ROSS: Mr. Speaker, Ladies and Gentlemen of the House: I spoke at length on this yesterday and there certainly is no sense in repeating what I said then.

We have two well-functioning departments. They have nothing

much in common. The combination to me seems just plain silly. I don't care if we place a banker at the head or a well qualified insurance man holds the reins; neither would be experts in both fields. There would be no saving of money; there would be no more efficiency. This proposed change is just a cloak under the guise of needed government reform, and I move the House adhere.

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I suspect that the gentleman from Bath, Mr. Ross, is absolutely accurate when he says we have heard everything we can possibly hear about this bill, but I don't think that means that we have to adhere to it. I believe that there is no reason why this bill ought to be killed at this time. I would certainly hope that you would recede and concur and I would make that motion. And I would ask you to vote yes on the motion to recede and concur.

I perhaps ought not to say this, but I think I might as well. Every now and then I might say that one tends to get upset about the way certain bills are lobbied, and I guess this is one of them. Of course I am not going to tell you that I didn't do any lobbying on this bill because of course I did. But I didn't do it because I happen to work for a bank or because I happen to be a lobbyist for a bank, this had nothing to do with it. I happen to have lobbied and worked for the passage of this bill because I thought it was in the best interest of all the people of the state.

This morning and last night at the Senator Motel things were rather interesting, when you really had a tough time finding a place to sit because there were so many people representing the banks around looking for booths. And I am sure they weren't there for their health because you don't come to Augusta for your health, you go somewhere else.

And this morning in the hall, I am sure they are not in the hall this morning for their health either. I am sure they are here with a

purpose. Their purpose, of course, is to see this bill go down to defeat so that they once again will have been successful in getting what they want.

The gentleman from Strong, Mr. Dyar, yesterday spoke about the misfortunes that he has had involving insurance companies and banks. This is not, I am sorry to say, an unusual thing. I have seen it happen before and I am sure it will happen again.

If you think, members of the House, that the lobbyists are here to protect your interest today, that they are here to protect your investment in the bank, they are here to protect your interest in the life insurance companies, that is not the case, because if they were they wouldn't be lobbying. They are here because out of their own selfish, personal interests they have made a determination that reorganization might limit their power and their control over those two departments. And if for no other reason today, I would ask you to vote yes on the motion to recede and concur. And Mr. Speaker, when the vote is taken, I would ask it be taken by the yeas and nays.

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

Mr. DONAGHY: Mr. Speaker, Ladies and Gentlemen of the House: I think that you need a word of explanation about what went on at the Senator last night. As far as I am concerned, the biggest part of it was a party after the Democratic State Committee meeting. Personally, I was around there most of the evening because this is my home away from home, and the only lobbyist I talked to all evening was from the railroads, and I am not sure that they are not interested in this. At least if they were they made no indication of it.

I did have a long conversation with the Chairman of the Democratic Committee over the flub that we have made on district prosecuting attorneys, at least in his opinion and mine, but no mention was made of this business regulation except amongst some Republicans who were quite upset

by a deal that evidently was made in the unmentionable body yesterday afternoon, where assurances were given that we had changed our minds down here. The influence came from the opposite direction, the attempted influence, and I hope that you will all vote against the motion of the gentleman from Eagle Lake and continue in the good wisdom that you showed yesterday to do away with this unnecessary bill.

Of all the reorganization I worked on, this was the worst in that it did not help in any way and would cost no more. As a matter of fact, I feel quite certain that next time it would cost even more than the normal increase in our cost of living and that sort of thing, which we must anticipate, the increase in our overhead. But this certainly would not be any greater service to the public. In my opinion, as a matter of fact, it would be less service and protection for the public, plus the fact that there would be less control over two of the major industries of this state, namely, insurance and banking.

Now I hope that you again will use the good judgment that you showed yesterday and vote against the gentleman from Eagle Lake.

The SPEAKER: The Chair recognizes the gentleman from Livermore Falls, Mr. Lynch.

Mr. LYNCH: Mr. Speaker, Ladies and Gentlemen of the House: I would like to remind you first that I am connected with banking, as I explained to you yesterday. I would also like to remind you that I voted against the motion for indefinite postponement yesterday and I voted for the motion to reconsider. I think I have made every effort that it was possible for me to make for the State Government Committee and the sponsors of this bill to amend it in a fashion which I think would be suitable for the people of the State of Maine.

There has been no effort to do anything in that direction, and I am thoroughly dismayed at the utter callous disregard for the welfare of the people of this state. This is not Fish and Game that affects only the people that pay

hunting and fishing licenses; this affects every man and woman in the State of Maine. And why are we being asked the day before adjournment to consider a bill of this magnitude? Why is all the wheeling and dealing being going on overnight?

I have not asked a person in this House to vote for this bill. I have tried to explain my feelings on the floor of the House and privately when I have been asked.

I know the State Government Committee has worked hard and I appreciate the efforts that they have put in on the part of this House, but I don't believe that the bill that they have introduced in any of its three versions except "B" is suitable.

What are the benefits? Why do we have to have a shotgun marriage between banking and insurance? Is there any benefit to be accrued to the people of the State of Maine? The only thing I heard yesterday was that there would be a saving of so many thousands of dollars by the elimination of a deputy insurance commissioner. Now if they can eliminate a deputy insurance commissioner, why don't they do it? If they propose to do it under this reorganization, who is going to be the director of insurance in the vacancy? Is it the commissioner? There is no separation of his duties and the Department of Insurance if that happens. Is his secretary to take over his duties? I don't think there has been any careful consideration of what may happen down the road a few years.

I am not criticizing the Department of Banks and Banking. I am not criticizing the Department of Insurance and its personnel as it is constructed now. I am thoroughly concerned of what will happen a few years down the road, and I am dismayed that the political game as such, that an effort is being made at the last moment before adjournment to ram something down our throats in regard to reorganization, even though it affects the lives of the people of this state.

I would like to have this thing indefinitely postponed and killed right here in this House. I think

it would show great concern for the people of this state if you are able to do that.

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

Mr. HANCOCK: Mr. Speaker and Ladies and Gentlemen of the House: Anytime that someone seems to be losing a bill they blame it on the lobbyists, and I am referring to not only the leadership in my own party but also the leadership in the Republican party and also to individual legislators. I rather resent this. I am not naive enough to suppose that lobbyists do not wield their influence, but I do not think that they control this House of Representatives either.

Now the only lobbyist that approached me on this bill was yesterday afternoon, a gentleman, a member of the House who is in favor of its passage. That was possibly three o'clock, I don't know, something like that. Since that time no lobbyist has mentioned one word about this banking bill to me — banking-insurance bill.

The gentleman from Eagle Lake, Mr. Martin, mentioned the activities in the Senator Motel yesterday, last evening. I was in the dining room and lounge of the motel until about 10:30 last night. I saw no signs of this whatsoever and was not approached myself. As for what happened after 10:30, I am quite willing to leave it up to my friend Mr. Donaghy, who I will accept his word for what happened at that time.

But let's don't blame everything on the lobbyists. Let's take a little responsibility here ourselves.

I was very undetermined yesterday as to how I should vote on this bill, but this morning I know. After I had about my third cigarette and no lobbyists, I am voting against the bill.

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

Mr. ROSS: Mr. Speaker and Members of the House: I have not been lobbied once on this bill. I do not work for a bank. I am on the advisory board of a bank. My

bank has not contacted me or suggested that I take a stand.

Now of course when I made the motion to adhere I realized that that vote wouldn't come right then on that because that does not have priority; it is lowest in priority. The vote now is to recede and concur, and I urge that you vote against that. Next probably the motion will be made that we insist and request a Committee of Conference. I would request that you vote against that, so that eventually we can vote for my motion to adhere.

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 Eagle Lake, Mr. Martin, that the House recede and concur on Bill "An Act Implementing the Reorganization of the Department of Business Regulation," Senate Paper 729, L. D. 2011. If you are in favor of that motion you will vote yes; if you are opposed you will vote no.

ROLL CALL

YEAS—Albert, Bedard, Bernier, Berry, P. P.; Binnette, Bourgoin, Bunker, Bustin, Call, Carter, Clemente, Conley, Cooney, Cote, Curran, Dow, Doyle, Emery, E. M.; Farrington, Fecteau, Fraser, Gauthier, Genest, Goodwin, Jalbert, Jutras, Kelley, P. S.; Keyte, Kilroy, Lebel, Lizotte, Lucas, Lund, Mahany, Marsh, Martin, McCloskey, McKinnon, McTeague, Morrell, Murray, O'Brien, Orestis, Pontbriand, Santoro, Slane, Smith, D. M.; Susi, Tanguay, Theriault, Tyndale, Wheeler, Whitson, Whitzell.

NAYS — Albert, Bailey, Baker, Barnes, Bartlett, Berry, G. W.; Berube, Birt, Bither, Bragdon, Brawn, Brown, Carrier, Churchill, Clark, Collins, Cottrell, Cummings, Curtis, A. P.; Curtis, T. S., Jr.;

Cyr, Dam, Donaghy, Dudley, Dyar, Emery, D. F.; Evans, Faucher, Gagnon, Good, Hall, Hancock, Hardy, Haskell, Hawkens, Hayes, Henley, Herrick, Hewes, Hodgdon, Immonen, Kelleher, Kelley, K. F.; Kelley, R. P.; Lawry, Lee, Lewin, Lewis, Lincoln, Littlefield, Lynch, MacLeod, McCormick, McNally, Millett, Mosher, Murchison, Norris, Page, Parks, Payson, Porter, Pratt, Rand, Rocheleau, Rollins, Ross, Scott, Shaw, Sheltra, Shute, Silverman, Simpson, L. E.; Simpson, T. R.; Smith, E. H.; Stillings, Trask, White, Wight, Williams, Wood, M. W.; Wood, M. E.; Woodbury.

ABSENT — Boudreau, Carey, Crosby, Drigotas, Finemore, Gill, Lessard, Maddox, Manchester, Marsteller, Mills, Vincent, Webber.

Yes, 54; No, 83; Absent, 13.

The SPEAKER: Fifty-four having voted in the affirmative and eighty-three in the negative, with thirteen being absent, the motion does not prevail.

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

Mr. MARTIN: Mr. Speaker, I now move that we adhere and would speak briefly to my motion.

The SPEAKER: The gentleman from Eagle Lake, Mr. Martin, now moves that the House adhere. The gentleman may proceed.

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I had hoped this morning that we might pass this bill, and I had hoped that if the vote might have been closer it might have been sensible to try to reconsider it and see whether or not we might be able to get the votes. At this point in time at this session I don't see the sense of trying to do anything about it. I do, however, want to point out one thing to both the gentleman from Bath, Mr. Ross, and the gentleman from Casco, Mr. Hancock, that even though they themselves might not have been lobbied, I know that there were some that were. I know I wasn't because they gave up with me a long time ago.

I would hope that when we come back in either a special session or at another regular session that

perhaps what we might do is to do like someone else did and hire the Chairman of the Republican State Committee to do their lobbying for me. I wish perhaps I had done that earlier. If I had thought about it I might have. But I certainly hope at this point there is no sense pursuing the matter and I think that it is just as well off dead for the moment because it isn't getting anywhere.

The SPEAKER: The Chair recognizes the gentleman from Livermore Falls, Mr. Lynch.

Mr. LYNCH: Mr. Speaker and Ladies and Gentlemen: I think the Minority Floor Leader has made the most constructive statement yet made on this bill when he mentions the 106th Legislature. Certainly it would provide more time than has been afforded the members of this House to consider a bill of this magnitude in the last two days of this session. And I hope you are consistent and vote against the motion to insist.

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

Mr. ROSS: Mr. Speaker, the motion is the motion to adhere.

The SPEAKER: Does the gentleman from Livermore Falls, Mr. Lynch, move that the House insist?

The Chair recognizes that gentleman.

Mr. LYNCH: Mr. Speaker, I am sorry. I have been thoroughly confused at what has been going on in the last few days.

The SPEAKER: Does the gentleman withdraw his motion to insist?

Mr. LYNCH: Yes, I do.

Thereupon, the House voted to adhere.

Orders

Mr. J'albert of Lewiston presented the following Joint Order and moved its passage:

WHEREAS, the operation of our state university has drawn serious criticism for several years by both legislators and the general public; and

WHEREAS, no significant study has been made by any outside group regarding the university's operation which could alleviate such criticism if warranted; and

WHEREAS, the Legislature has appropriated general fund revenues in excess of \$55,000,000 in the present biennium to help support the operation of this higher educational system; and

WHEREAS, a study of this type would benefit both the Legislature as well as the university, particularly at this time, since the university will be requesting additional appropriations from the next regular session of the Legislature; and

WHEREAS, citizens and legislators alike feel that every effort should be made to fully restore our state university to the prestigious position that it once held; now, therefore, be it

ORDERED, the Senate concurring, that the Government Operations Committee of the Legislative Research Committee is directed to study in detail the operation of the University of Maine, such study including but not limited to administrative costs, housing, use of automobiles, personnel, both classified and unclassified, and their workloads; and be it further

ORDERED, that the Governmental Operations Committee shall report their findings to the next regular session of the Legislature; and be it further

ORDERED, that the Chancellor and all persons employed by the University of Maine through its various campuses and facilities are respectfully requested to assist the Governmental Operations Committee to carry out the purposes of this Order; and be it further

ORDERED, that each department and agency of State Government be directed to render such assistance as the Committee requests pursuant to the inquiry hereunder (H. P. 1619)

The Order was read.

The SPEAKER: The Chair recognizes the same gentleman.

Mr. JALBERT: Mr. Speaker and Members of the House: I hope you have looked over this order. It is in no way intended to be in any way whatever an investigation, nor is it in any way intended to be even a witch hunt. It is intended for the Governmental Operations Committee to look into the programming of the University of

Maine on a personnel, classified and unclassified, and on a basis of all other and also on construction.

I hope, Mr. Speaker, that the order will be taken in a manner that it is spelled out in the wording of it. It is my hope that we would have the cooperation, and I am sure that we will, of the Chancellor and the Trustees, and I never was more sincere when I make a comment that I fervently hope that through our findings the report will be such that it will restore, in my opinion, a position as stated in the order, that the University of Maine once held.

When you have something go wrong, not once but twice, three or four time in your business, why it is time any organization or system that you might be part of, it is time to look into it.

On two occasions we all know that bond issues for the University of Maine went down to sound defeat. I voted and spoke for both bond issues in the legislature and I spoke for them before the elections. On the very same ballots, both times, vocational education bond issues were before the electorate. I did the same thing on those. The electorate turned down roundly both bond issues for the University of Maine while they were passing two or three to open the vocational education programs.

At this session the programming of the Governor called for a million dollars, \$1,300,000 for the University of Maine. I voted with the remainder of the committee for \$1 million; he wanted some \$490,000 for repairs. The committee unanimously cut that to \$385,000, which is not a drastic cut. I voted for that. I spoke quite enthusiastically and firmly and made the motion for the passage of the \$8,360,000 bond issue, so my record cannot indicate my being anything but a friend of the University.

Mr. Speaker, should this order receive passage and the program be quietly done, and the study be quietly done looking into the areas where we want to look in, we would no doubt come up with a sound program of recommendation which would enhance the procedures, the position that now the

University of Maine does not enjoy, and that makes me unhappy.

Mr. Speaker and members of the House, I move passage of the order and if the order passes I move that it be sent forthwith.

The SPEAKER: The Chair recognizes the gentleman from Orono, Mr. Curtis.

Mr. CURTIS: Mr. Speaker and Members of the House: I was very interested in the comments that have been made in support of this order that is pending before us. I would like to point out, however, that the information that would be obtained from this order is not likely to be available in time to have any effect at all on the bond issue vote that is coming up in November. As a matter of fact, this legislature has already sent out the bond issue and of course that will be up to the people of the State of Maine for ratification.

I would also like to mention that this legislature has already enacted H. P. 1564 which does provide a similar study. As a matter of fact, it sets up a commission on state management costs, and that part of the order says that the commission shall appoint such agents, assistants, employees and consultants and may utilize the services of such private citizens, including persons from Maine business and industry as it deems necessary and appropriate to carry out its functions. And it is further ordered in that order that already has been passed that the commission is authorized to call upon any office, department, board, commission, or other agency of this State and so forth, to supply assistance and information.

I would like to point out to members of this body that the University of Maine has already been contacted by the group that is starting this study, and it seems to be inappropriate that we conduct two studies of one organization at the same time. I think that the University would be very happy to cooperate with the one that we have already decided to hold.

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

Mr. McCLOSKEY: Mr. Speaker and Ladies and Gentlemen of the House: I rise this morning to support the order presented by Mr. Jalbert. I think the intentions of the order are correct. I think that the motives of the gentleman are very worthy of our consideration. I think that I would just like to say a few things that are concerning my thoughts upon this order.

I have tried to tell some of you for a long time that I thought that the savings to the State in monies in terms of education would not come from cutting \$100,000 or \$200,000, or \$300,000 from this program or that program at the University, and I thought that a savings in education would come from planning of educational philosophy over a period of years and then trying to implement that philosophy and not deviating from it.

I think that I would caution, however, that when this study is done, and I hope this order receives passage, that we realize the difficulty in the largeness of the study and what type of individuals and what type of personnel will have to be employed to solve the study to carry out this order. What I am thinking of is the type of things, for instance, that we should perform a cost benefit analysis of our Super University System, for one, and discuss such things as what are the benefits and the cost of spending a million dollars in Fort Kent versus a million dollars in Orono or Portland, even given the fact that we are still trying to benefit those students from say Aroostook County or the St. John Valley? These are the things and these are the questions that I have had concerning the University.

I support the programs of the University for the most part, but I think the people of this state are concerned about the Super University. This legislature is concerned about the Super University. There have been many objections as to the cost of the administration as the result of the setting up of the Super University, and I think these things should be investigated or should be looked into, and let's find out the true facts. Are

we really benefitting from the Super University, or aren't we? If we are not, let's do away with it, let's decentralize it. But nobody knows right now. This information is not available. How much is the administrative structure costing at the University and what are we gaining from it?

I think oftentimes in the bureaucracies what happens is that they get goal displacement, that is the goals of the bureaucracy, whatever they may be, in this case the University, become displaced. We are talking about the education of our children. What happens is that over a time in bureaucracies the goals become the survival of that bureaucracy itself and the position of certain people within that bureaucracy. Now I am not saying this is happening at the University, but this tends to happen in all bureaucracies.

I think we should look, for instance, into the salaries of the administrators at the University versus the professors, because what we are talking about is educating our kids, and I think perhaps these types of things should be looked into and I think this order would do this if the right personnel were employed. But you are talking about employing people who can sit down and perform efficiency analysis on administrative costs and you are talking about personnel who know something about educational policy and what type of things have gone in other states and what are the other problems, say, in a super university system, say, in California or New York.

I think in the very near future the people of Maine and this legislature are going to have to be presented with a report like this so that we can justify increased monies or sustaining programs for the University. And I feel that this order is in the University's interest and this is why I speak on it, not only the legislator's interest but it is in the University's interest, the legislator's interest and the people's interest. Let's find out what the story is at the University of Maine; let's find out what the costs are of the administration there, and those costs versus other

costs within the system, and then if a report is given we can justify in the future appropriation requests for the University of Maine or we can say that they are not justifiable. We do not have the answers right now.

The University comes to the legislature and they say we need such and such a program, and the Appropriations Committee does a fine job in looking over these appropriations, but let's face facts, they do not have the personnel to investigate the requests of the University or any other agency as to the benefits of their specific program and whether those programs are meeting cost benefit analysis of any other programs offered and what are the costs involved.

So I would support the passage of this order because I think it is done in the right spirit. I would only caution that an order of this magnitude, if it is to be done right, involves a great deal of cost, involves hiring personnel to do these things, because it is a full-time job. So I would hope you would support the order with these certain things that I have brought up and hopefully, if the report comes back to the legislature, it will be a detailed report containing these things that I have spoken of. And then we can go to the people and say the University System at the Super University level is either justified, it is not justified; the cost of this Super University is justified in terms of the benefits they are bringing or it isn't. Then we can justify requests better. So I would hope you would support this order.

The SPEAKER: The Chair recognizes the gentleman from Caribou, Mr. Collins.

Mr. COLLINS: Mr. Speaker, Ladies and Gentlemen of the House: Mr. McCloskey has suggested a rather substantial analysis of the activities at the University and I suspect maybe this information might be useful to us. However, it appears to me that the type of a study that he is suggesting is not the type that is suggested in the order here.

The order, as I read it, there are not funds attached to it. The type

of information that Mr. McCloskey is suggesting that we need, it seems to me that it might cost as much as \$15,000 to obtain, and I am sure that we do need more information, but the order as presented, it seems to me, is not in a position to do that particular thing. And it does seem to me that we have, as Mr. Curtis has mentioned, a study that will be going on by some professional people which will include the University. So therefore, on this basis, I would oppose the order and ask for a division.

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

Mr. KELLEY: Mr. Speaker, Ladies and Gentlemen of the House: This University has a Board of Trustees. They are people of intelligence and certainly of integrity. Their job is to run this.

Most of these things that we are talking about, they have the answers to. Let's give them a vote of confidence and defeat this order.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I know most of the members of the Board of Trustees personally, some of them very intimately. When I first came to the special session I had full intention, and said so the very first day, of voting against the bond issue. I wanted to cut down the \$1,300,000 to \$500,000. I wanted to strike out all of the repair money.

I was asked if I would sit down with some members of the Board of Trustees and discuss the situation with them after the hearings at the legislature. I did; consequently, I went along practically with everything that they desired.

Now we are talking about another order that is before us that would be studied. I stated before and I state again that industry has told me, the Associated Industry has voted unanimously not to give, anyone, towards this study.

Now the good gentleman from Caribou, Mr. Collins, talks about the order does not have any price tag on it. The order does not have —another gentleman mentioned the area of \$50,000. Now as far as I am concerned, I am on the com-

mittee that would study this situation. And I have worked hard and long going into the programming of the University of Maine.

I can recall many years ago coming back on a train from New York with the then Floor Leader of the Republican party, the late Honorable Edward Chase, whom I considered then and I consider now, one of the great statesmen of this state. He doubled also as chairman of the Board of Trustees at the University of Maine. And, incidentally, he was a great friend of the father of one of the people who spoke here, the Honorable Samuel Collins, who was then chairman of the Appropriations and Financial Affairs Committee, and we had debated so loud and long that he himself came into the conversation and two of us agreed with Mr. Chase that he was right.

And if you will go down into the library, you will see comments made by the gentleman from Caribou, Mr. Collins, Sr. You will see also a speech that was made by the Republican Floor Leader on that day, making a statement then that unless the University of Maine would change their methods of programming and financing and operating that we would wind up in an absolute and complete mess as far as the program is concerned and the people would keep losing faith in that program. If there were ever prophetic statements made, it was that statement that day by the gentleman from Cape Elizabeth, Mr. Chase, who was the Republican Floor Leader of the Maine House. He resigned that day, not only as chairman of the Board of Trustees but as a member of the Board of Trustees. He knew what he was talking about.

As far as I am concerned, I know that the Clerk of the Committee on Governmental Reorganization is a former member of this House. He has been in constant contact with the University of Maine personnel. The members of the committee have been in constant contact with the personnel. I, myself, am a product of the system, my wife is a product of the system; and I know more about it than some jokers that we would hire from some other state and pay them fifty or

seventy-five thousand dollars.

I in no way want to investigate nor do I want to witch hunt. I want to turn around and come up with a knowledgeable report so that somewhere along the line we can restore some sort of confidence within the people of Maine and within ourselves for the University of Maine, or as the gentleman from Bangor, Mr. McCloskey said, "Either curb it down or cut it off." And I certainly hope the order passes. When the vote is taken, Mr. Speaker, I ask that it be taken by the yeas and nays.

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 the passage of this Joint Order relative to the study of the University of Maine. All in favor of the passage of this Order will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Berry, P. P.; Berube, Binnette, Boudreau, Bourgoin, Bunker, Carey, Carrier, Carter, Clemente, Conley, Cooney, Cote, Cottrell, Curran, Curtis, A. P.; Dam, Donaghy, Doyle, Dudley, Dyar, Emery, E. M.; Faucher, Fecteau, Finemore, Fraser, Genest, Good, Goodwin, Hancock, Henley, Herrick, Hodgdon, Jalbert, Jutras, Kelleher, Kelley, P. S.; Keyte, Kilroy, Lawry, Lebel, Lucas, Lynch, Mahany, Manchester, Marsh, Marsteller, Martin, McCloskey, McCormick, McKinnon, McTeague, Millett, Mills, Norris, Orestis, Page, Pontbriand, Rocheleau, Santoro, Sheltra, Silverman, Slane, Stillings, Tanguay, Theriault, Vincent, Wheeler, Whitson, Whitzell, Wight, Wood, M. W.

NAY — Ault, Bailey, Baker, Bartlett, Bedard, Berry, G. W.; Birt, Bither, Bragdon, Brawn, Brown, Call, Churchill, Clark,

Collins, Cummings, Curtis, T. S., Jr.; Dow, Emery, D. F.; Gagnon, Hall, Hardy, Haskell, Hawkens, Hayes, Hewes, Immonen, Kelley, K. F.; Kelley, R. P.; Lee, Lewin, Lincoln, Littlefield, Lizotte, Lund, MacLeod, McNally, Morrell, Mosher, Murchison, Murray, O'Brien, Parks, Porter, Pratt, R and, Rollins, Ross, Scott, Shaw, Shute, Simpson, L. E.; Simpson, T. R.; Smith, D. M.; Smith, E. H.; Susi, Trask, Tyndale, White, Williams, Wood, M. E.; Woodbury.

ABSENT — Barnes, Bernier, Bustin, Crosby, Cyr, Drigotas, Evans, Farrington, Gauthier, Gill, Lessard, Lewis, Maddox, Payson, Webber.

Yes, 73; No, 62; Absent, 15.

The SPEAKER: Seventy-three having voted in the affirmative and sixty-two in the negative, with fifteen being absent, the motion does prevail.

Sent up for concurrence.

Tabled Later in the Day

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

ORDERED, the Senate concurring, that the heads of prisons and correctional institutions of this State are directed to issue rules and regulations prohibiting any censorship of both legal and social outgoing mail from inmates and patients within their custody.

The Order was read.

(On motion of Mr. Lewis of Bristol, tabled pending passage and later today assigned.)

Indefinitely Postponed

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

WHEREAS, a unique program of Individualized Curricula for Educationally Handicapped Children is offered at the Winthrop Junior and Senior High Schools; and

WHEREAS, this program was realized by Jack J. Savona in response to a need to help any student who lacked the basic skills of their achieved grade level; and

WHEREAS, the number of students who were dropping out of school or otherwise failing to reach their fullest potential has been meaningfully lowered; and

WHEREAS, this program would not have been possible without the co-operation of the school board, administrators, parents, children and the citizens of Winthrop in a unified community effort; now, therefore, be it

ORDERED, the Senate concurring, that we, the members of the House and Senate of the 105th Legislature of the State of Maine now assembled in special legislative session, take this particular opportunity to acknowledge and commend the community of Winthrop for this outstanding achievement in the field of education and the inspiring example they have set; and be it further

ORDERED, that a suitable copy of this Order, duly attested by the Speaker of the House and President of the Senate, be transmitted forthwith to Superintendent Terence Crowley, principals Thomas Rudder and Lehan Edwards to convey the sentiment expressed herein.

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

Mr. AULT: Mr. Speaker, Ladies and Gentlemen of the House: Being the Representative from Winthrop, I do not oppose this order, and I do commend Mr. Savona and the Winthrop schools for their work, but I am sure that there are other schools in this state working as hard for the betterment of the educationally handicapped.

I would just suggest to Mr. Whitzell that the handicapped and retarded can be helped more by his taking an active interest in part in improving their lot than by his presenting joint orders in the State Legislature.

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

Mr. CAREY: Mr. Speaker and Members of the House: On this same order, we do much of this same work in the Waterville area. I know Winslow does a tremendous amount of work in this area and Fairfield and Skowhegan are also involved in this, and we may be starting something in here and forcing ourselves in with a flood of these particular items, and it

is for that reason I ask for indefinite postponement of the order.

The SPEAKER: The gentleman from Waterville, Mr. Carey, moves this Order be indefinitely postponed. All in favor of indefinite postponement will say aye; those opposed will say no.

A viva voce vote being taken, the motion did prevail.

Mr. Martin of Eagle Lake presented the following Joint Order and moved its passage:

ORDERED, the Senate concurring, that the State Board of Education be given authority to establish approved vocational education programs in any region of the State designated in the feasibility study of secondary and adult vocational education programs that was presented to the 105th Legislature in Special Session, provided that facilities exist and federal funds are available. (H. P. 1620)

The Order was read.

The SPEAKER: The Chair recognizes the same gentleman.

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I am not sure how many times I am going to say it, but I am going to say it one more time. This order demonstrates the fact that we don't have a large enough staff to take care of everything we have got to do. This basically is the eighth redraft, and this one is accurate.

Let me just tell you or give you a little bit of background to all of this because I don't certainly feel that the wool ought to be pulled over anyone's eyes; I think everyone is entitled to know what is going on. What basically transpired was that our particular school was in a position to receive some federal funds to operate a program. But because of the moratorium that we had imposed we were in trouble and this would probably not be allowed by the federal government.

After a consultation with a number of people, we decided what we had to do was to amend an order that we had passed in the previous session. This is basically what I intended to do with the order that I presented yesterday which I later tabled until later to-

day. In discussions this morning with the Chairman of the Education Committee in the House and also with the State Department, it was decided that that might not be the proper way to do it. And also in further discussions with the representatives from Washington County, we found that there was also a possibility in Washington of receiving federal funds for operation of a center there, and the only way to do it properly was to have an order which would say, in effect, that these centers could be operated if federal funds were utilized and no state funds are allowed.

Now the reason why it is important that we pass the order basically is because, as you know, there are many areas of the state where unemployment has reached such a level that EDA has classified certain areas as EDA redevelopment districts. And under such designation it is possible to receive a large amount of federal funds to do training, and if we are going to take advantage of this, then we have to do something about the way it is written.

Now basically I think I am right in saying that we have covered all the bases this time. This order will solve the problem that I have and at the same time will solve the problem that those people in Washington County have, and it does not open the door, which of course is what everyone was concerned about.

I am sure that the gentleman from Dixmont, Mr. Millett, is probably going to rise and tell you more about it in a better way than I can, but if there are any questions, I would be more than happy to respond to them.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: I don't know that I would oppose this order, although I seem rather reluctant to see it accepted. The reason that I would have for it, we have set up a series apparently, as I understand it, more or less guidelines to go by with regard to the expenditure of federal funds in this vocational program. And this, it

seems to me, the acceptance of federal funds, not knowing how long they may be continued, should be embarking into a dangerous area, and for that reason I would oppose this order.

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

Mr. MARTIN: Mr. Speaker and Members of the House: I want to assure the gentleman from Perham, my fellow colleague from Aroostook, that in this order we have not set up guidelines for federal funds at all. We have never done that. This order has nothing to with that, because basically we cannot set up guidelines with federal funds at the present time. What we have done, however, is to set up guidelines for future construction of vocational technical centers, and basically what we have said, in effect, is that the State should not embark on the construction of new centers because we find that they have not really brought fruit to the extent that we thought they would.

For example, I am sure he knows in his own SAD, SAD 1 in Presque Isle, that in the case of Presque Isle the State of Maine invested a million and a half dollars in a vocational center there, and to this point today, I am not one of those who is willing to say that that has been a success. This would specifically say that there is no construction involved—there is no construction involved whatsoever under this order or under existing orders, so we are not opening the door to anything like what the gentleman from Perham is concerned about, and I agree with him one hundred per cent.

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

Mr. MORRELL: Mr. Speaker and Members of the House: I have read several of these drafts and I am just not a hundred per cent clear on this latest one, and I would hope that somebody might table this until later in today's session.

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

Mr. DONAGHY: Mr. Speaker and Members of the House: Before this is tabled, may I give a little bit more explanation of what is happening or has happened down in Washington County and why we would like to have this moratorium, which actually we have been told by the Attorney General doesn't have too much effect anyway because a successive legislature was bound by the previous bill and this can't be done, as I understand it.

But the story is this. The United States Coast Guard Station in Lubec has been declared surplus, has been turned over to the Washington County Vocational School. The vocational school in Calais already has a program of boat building and that sort of thing in operation, but it is in Calais and the facilities are very limited.

At the Coast Guard Station they have a marine railway in a building specifically for the maintenance of boats. They also have a fairly good size garage for maintenance of Coast Guard trucks, bulldozers and this sort of this, as well as housing.

At the present time, high school students from Lubec and Eastport at least, and possibly other local towns, are being transported to Calais to take vocational courses that normally would be beyond the secondary level, although they are still in high school. And not to institute any new courses, but under approval of the State Board of Education, we just want to have the way left open so these new facilities may be used, and as I understand, the only use will be made through the use of federal funds, because of the high unemployment in the area there are special funds available for training and for education, especially vocational education.

So I hope that you will go along with this, which is not changing the authority of the State Board of Education. It is not changing any basic plans of the Department of Education. They will still be in the driver's seat on this point, but it gives, perhaps unties their hands a bit.

The SPEAKER: The Chair recognizes the gentleman from Dixmont, Mr. Millett.

Mr. MILLETT: Mr. Speaker and Members of the House: We are talking about a very complex and a very critical issue here when we talk about vocational education. I am sure, if I have judged the sentiment in this House right now, there is more concern and possibly support for vocationally oriented programs than there is the truly academic program. However, there are several competing programs and we sometimes get confused.

I think that this order is directed toward one specific area of high school level vocational education. In order to thoroughly understand it though, you have to recall that back about five years ago the regional technical vocational center plan was approved. We have now 13 existing centers and three more that were included under an order establishing a moratorium, issued last June by the gentleman from Portland, Mr. Lucas.

Now these regional technical centers were allowed to draw from the surrounding area students to participate in a really technical vocational program. They were subsidized at an extremely high rate, comparatively, 75 per cent of the cost of building was footed by the State and 66 2/3 of the cost of operating by the State. Now many people, myself included, feel that these programs have not really worked that well.

Now I want to assure you that the order as now drawn does not in any way jeopardize the current status of the regional technical vocational center plan. What Mr. Martin is trying to do is to allow the State Board to approve, for operating purposes, the program at the secondary level, which is entirely distinct from those existing regional centers, provided two or three things exist. First of all, provided it fits in with an overall state plan. Secondly, provided no state funds are involved, and I think that might be something that many of you are concerned about, and I would assure you that this is the case in this order.

I think the order is basically sound and I think Mr. Martin's intentions are good, and I would personally commend him for the

way that he has approached attempting to meet an unemployment situation by utilizing local resources, federal funds and a lot of local initiative I assume.

The SPEAKER: The Chair recognizes the gentleman from Caribou, Mr. Collins.

Mr. COLLINS: Mr. Speaker, I move this be tabled until later in today's session.

Mr. Mills of Eastport requested a roll call vote.

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

Mr. MARTIN: Mr. Speaker, I would request a division on the tabling motion, since I think the gentleman from Eastport wanted a roll call on final passage.

Mr. Mills of Eastport withdrew his request for a roll call vote.

Thereupon, Mr. Jalbert of Lewiston requested a vote on the tabling motion.

The SPEAKER: The pending question is on the motion of the gentleman from Caribou, Mr. Collins, that this matter be tabled until later in today's session, pending passage. All in favor of tabling will vote yes; those opposed will vote no.

A vote of the House was taken.

25 having voted in the affirmative and 90 having voted in the negative, the motion did not prevail.

The SPEAKER: The pending question is passage of this Joint Order. All in favor of this order receiving passage will vote yes; those opposed will vote no.

A vote of the House was taken.

122 having voted in the affirmative and 3 having voted in the negative, the motion did prevail.

Sent up for concurrence.

Passed to Be Enacted Emergency Measure

An Act to Provide Funds to Assist County Attorneys in the Administration of the Court System (H. P. 1613) (L. D. 2062)

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. 122 voted

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

Passed to Be Enacted

An Act relating to Inherent Managerial Functions Under the Municipal Employees Labor Relations Law (H. P. 1531) (L. D. 1974)

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

Emergency Measure

An Act to Correct Errors and Inconsistencies in the Public Laws (S. P. 715) (L. D. 2004)

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

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. Ross of Bath, Recessed until eleven o'clock in the morning.

After Recess 11:00 A.M.

The House was called to order by the Speaker.

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

Mr. FINEMORE: Mr. Speaker, I would move at this time that we reconsider our action of yesterday whereby House Joint Order 1617 was passed yesterday, and would speak briefly to my motion.

The SPEAKER: The gentleman from Bridgewater, Mr. Finemore now moves that the House reconsider its action of yesterday whereby House Joint Order relative to allowance of additional toll calls, House Paper 1617, received

passage. Is this the pleasure of the House?

(Cries of "No")

The Chair will order a vote. All in favor of reconsideration will vote yes; those opposed will vote no.

A vote of the House was taken. 55 voted in the affirmative and 57 voted in the negative.

The SPEAKER: The Chair recognizes the same gentleman.

Mr. FINEMORE: Mr. Speaker, couldn't I have spoken briefly to my motion?

The SPEAKER: The gentleman may request a roll call and then speak to his motion.

Mr. FINEMORE: All right, I will request a roll call.

The SPEAKER: The gentleman from Bridgewater, Mr. Finemore requests that a roll call be taken on his motion to reconsider. All desiring a roll call vote will vote yes; those opposed will vote no.

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

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

Mr. FINEMORE: Mr. Speaker and Members of the House: I dislike very much speaking against this. It would help me in my district. I have fourteen towns and there is only one that I can call free, but I do not use all the calls on my card. But the reason I have done this is talking yesterday, I visited Mr. Garside's office and I got a few figures. In the year ending June 30, 1971, our telephone expense was \$9,462 and the other body's for the same period of time was \$7,605. Our present Watts line is costing the State for our legislators over \$300 per month. It is a very easy system to handle and most of our calls coming into Augusta are handled perfectly well and with a small amount of cost to the State.

And also I would like to add here the figures of Mr. Garside. Our expenditures for legislature alone, it was '70 and '71 for our expense, was \$49,459, and I think it is about time we cut somewhere, and I don't think there are very few

representatives who are really interested in doing their legislative work for their constituents who are overusing their card. I think there are very few that are.

I know that I have probably as many calls, especially this year in my district, as the next one, because we are working on calls in Oakfield, Smyrna Mills and Dyar Brook and Merrill, and every call is a toll call, and I still didn't use up my card. So I hope you will go along with me and reconsider this motion, please.

The SPEAKER: The Chair recognizes the gentleman from Skowhegan, Mr. Dam.

Mr. DAM: Mr. Speaker and Members of the House: I oppose the motion of my good friend from Bridgewater, Mr. Finemore. Now this order does not affect me. It would not help me at all because I only have one town. But I do know that up in my county, and this order was not put in by anybody from my county, but in my county there are representatives that have sixteen or seventeen towns that they represent and I am sure that with the number of calls that we are allotted that they cannot call these areas to take care of their constituents.

Now I have never had my telephone privileges revoked, neither in the 104th or the 105th so far. I don't know what will happen when we are done. But I have telephone bills that run for my legislative business which the credit card wouldn't take care of, but I am not asking for the increase. But I think in these cases here where one member represents more than one area and they have to make toll calls within that area, this Watts line does not help them at all, and they should have this extended call; and I don't think 20 calls is being unreasonable to ask. I think it is very reasonable.

Because if we just think of the figures that Mr. Finemore has given in the House of 9,400 and some odd dollars, and in the other body of 7,000 some odd dollars, and you figure there are 151 of us here and 32 over there, I don't think that anybody is abusing the privilege in the House. I would look maybe the other way.

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

Mr. MILLS: Mr. Speaker and Members of the House: I rise in opposition to the request. In my district it is 88 miles long. I am one of those who use the telephone in excess of what we are allotted. I was shut off at 62 calls over the 50 which I didn't have a record of, and very kindly advised of that fact.

Now then, which is the quickest way for me to reach a constituent who has an emergency call, or sends me a letter that has to get an emergency phone call back to him? I can't do it. I am a retired person living on a pension.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: I live in one of those districts where obviously I would benefit by this order. However, I look upon it as an order that is almost impossible to administer. In other words, as I see it, it amounts to granting 20 more calls to every member of the legislature. I don't see how it can be tied down in any way to find out for sure whether you are making your call in your local district or whether you are calling the far corners of the state. I feel that it is unnecessary and I hope you will reconsider and finally defeat the order.

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

Mr. VINCENT: Mr. Speaker and Ladies and Gentlemen of the House: As the sponsor of this order I feel that I should get up and defend it. I am not one of those who would benefit from the 20 additional free phone calls under this provision of the order. I would like to inform the members that the members of the other body have an unlimited number of phone calls and it puts them in an enviable position that we do not enjoy whereby they can have an unlimited number of phone calls to get around the district for campaigning purposes or constituent complaints, and I feel that some of the members here in the House

that have extra large districts should have some of the fringe benefits to go along with these large districts that are not needed in small districts.

As I mentioned, I live in a district without toll calls. I have talked to some members here that have toll calls within the same city that they live in. The telephone companies divided the town right down the middle, so they can't even call from one side of the town to the other without a toll call.

I don't feel that this is an unreasonable request and if anything if there is a major complaint about the cost of telephone calls going too high then we can cut back on some of the members that live in single districts, who really don't have the need for the great number of 50 phone calls or 20 phone calls, and give added compensation to those members with a large district.

I would hope that you would vote against the reconsideration motion.

The SPEAKER: The Chair recognizes the gentlewoman from Bangor, Mrs. Doyle.

Mrs. DOYLE: Mr. Speaker and Members of the House: I rise in opposition to the motion by the gentleman from Bridgewater, Mr. Finemore. I think that many of us, regardless of whether we live in a metropolitan area or small towns, have to make phone calls throughout the state if we are dealing with major issues. I know that I have had to. If perhaps I had the income that the gentleman from Bridgewater has I wouldn't be concerned about the cost of phone calls. But I am very much concerned about the cost to me and my family of having served in this body, and in order to perform my job efficiently I have to make phone calls, and they are often state-wide.

I would suggest to the gentleman from Bridgewater that if he is really interested in saving money he would forego debate and a roll call on this petty issue.

The SPEAKER: The pending question is on the motion of the gentleman from Bridgewater, Mr. Finemore, that the House reconsider its action of yesterday where-

by this Joint Order, House Paper 1617, received passage. The yeas and nays have been ordered. If you are in favor of reconsideration you will vote yes; if you are opposed you will vote no.

ROLL CALL

YEA — Ault, Bailey, Bartlett, Berry, G. W.; Birt, Bither, Bragdon, Brown, Call, Carrier, Collins, Curtis, A. P.; Cyr, Dow, Dudley, Evans, Finemore, Gagnon, Good, Hall, Hardy, Haskell, Hawkens, Hayes, Hewes, Hodgdon, Immonen, Kelleher, Kelley, K. F.; Keyte, Lee, Lewin, Lincoln, Littlefield, MacLeod, McNally, Morrell, Page, Parks, Payson, Porter, R and, Rocheleau, Ross, Shaw, Shute, Silverman, Simpson, T. R.; Stilings, Trask, Whitzell, Wight, Wood, M. E.

NAY — Baker, Barnes, Bedard, Bernier, Berry, P. P.; Berube, Binnette, Boudreau, Bourgoin, Brawn, Bunker, Bustin, Carey, Carter, Churchill, Clemente, Conley, Cooney, Cote, Cottrell, Cummings, Curran, Curtis, T. S., Jr.; Dam, Donaghy, Doyle, Dyar, Emery, D. F.; Emery, E. M.; Farrington, Faucher, Fecteau, Fraser, Gauthier, Genest, Hancock, Henley, Herrick, Jalbert, Jutras, Kelley, P. S.; Kelley, R. P.; Kilroy, Lawry, Lebel, Lewis, Lizotte, Lucas, Lund, Lynch, Mahany, Marsh, Marstaller, Martin, McCloskey, McCormick, McTeague, Mills, Mosher, Murchison, Murray, Norris, O'Brien, Orestis, Pontbriand, Pratt, Rollins, Sheltra, Simpson, L. E.; Slane, Smith, D. M.; Smith, E. H.; Susi, Tanguay, Theriault, Tyndale, Vincent, Wheeler, White, Wood, M. W.; Woodbury.

ABSENT — Albert, Clark, Crosby, Drigotas, Gill, Goodwin, Lessard, Maddox, Manchester, McKinnon, Millett, Santoro, Scott, Webber, Whitson, Williams.

Yes, 53; No, 81; Absent, 16.

The SPEAKER: Fifty-three having voted in the affirmative, eighty-one in the negative, with sixteen being absent, the motion to reconsider does not prevail.

Orders Out of Order

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

WHEREAS, upon his retirement in June, 1972, Mr. Howard C. Reiche will have completed 25 years as Principal of Portland High School; and

WHEREAS, his public career as teacher, coach and administrator has spanned nearly one-half century; and

WHEREAS, his thoughtful leadership, gentle manner and friendly courteous spirit have been an inspiration to countless students and faculty alike; and

WHEREAS, his service to public education has been a great contribution to the City of Portland and the State of Maine; now, therefore, be it

ORDERED, that we, the members of the 105th Legislature assembled in our First Special Session, pause to express our sincere appreciation for the life's work of Howard C. Reiche; and be it further

ORDERED, that a duly attested copy of this Order be presented to Howard C. Reiche as a token of our esteem for his contribution to public education. (H. P. 1621)

The Joint Order was received out of order by unanimous consent, read and passed and sent up for concurrence.

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

WHEREAS, upon his retirement in June, 1971, Mr. Theodore S. Johnson had completed 24 years as submaster of Portland High School; and

WHEREAS, his public career as teacher, coach and administrator had gained him the respect and admiration of countless numbers in the field of education; and

WHEREAS, his civic endeavors and service to public education mark him as a man of exceptional character and qualities of mind and heart; and

WHEREAS, his service constitutes a great contribution to the City of Portland and the State of Maine; now, therefore, be it

ORDERED, that we, the members of the 105th Legislature assembled in our First Special Session, pause to express, upon his retirement, our sincere appreciation for

the life's work of Theodore S. Johnson; and be it further

ORDERED, that a duly attested copy of this Order be presented to Theodore S. Johnson as a token of our esteem for his contribution to public education. (H. P. 1622)

The Joint Order was received out of order by unanimous consent, read and passed and sent up for concurrence.

Tabled Later in the Day

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

ORDERED, the Senate concurring, that the Secretary of State is directed to provide the state chairman of each major political party with one photostatic copy of each petition filed in said office on February 20, 1971 or thereafter, pursuant to initiated bill relating to form of ballots in general elections.

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

(On motion of Mrs. Brown of York, tabled pending passage and later today assigned.)

Orders of the Day

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

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

Tabed — March 9, by Mr. Porter of Lincoln.

Pending — Passage in concurrence.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: This order calls for interim staff in the amount of \$20,000 for the Speaker, the President of the Senate and minority floor leader prior to the convening of the next session of the legislature. I harken back to the days when I was floor leader of this body. We had no office, let alone a clerk, even during the regular sessions.

In my opinion this is not needed. It is a waste of \$20,000 of tax-

payers' money. We have staff now that will help between sessions. I often come here between sessions. We have the Legislative Finance Office, which was set up properly by a bill, not an order. We have the Legislative Research Office. We have a library. We have one of the most capable persons, male or female, that I have ever met, presides, Miss Edith Hary.

If you need staff help you have it now. They are perfectly willing and able to help you, and I move indefinite postponement of this order.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I wholeheartedly concur with the remarks as made by the gentleman from Bath, Mr. Ross, had he not made the motion to indefinitely postpone this useless order I would have. When the vote is taken I move that it be taken by the yeas and nays.

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

Mr. SUSI: Mr. Speaker and Ladies and Gentlemen of the House: this order, which has a motion on it now to indefinitely postpone, which I hope you will oppose, would provide funds for legislative assistance in each of the three offices, the Speaker's office, the President of the Senate, and the joint minority leadership offices, to be divided one third each under amendment which I would offer to the order.

For the testimony of the occupants of each of these offices, the work load has year in and year out been increasing tremendously in these offices. The general situation is that today there are roughly 180 of us here attending to legislative business. With luck by tomorrow we will all have scattered to all parts of the state, and I think that often the work that we have accomplished while we are in session suffers for the fact that we do scatter.

There is no provision whereby he who runs for one of these leadership offices has to be in a personal situation whereby he can come

here and spend the amount of time, which according to the testimony of the present occupants of these offices involves two or three days a week in order to keep caught up.

If we had amongst us a candidate for one of these leadership offices who had extreme qualifications in here, except that he couldn't put in this sort of time, wouldn't it be too bad to deprive this Legislature in the State of Maine of that man's services because he didn't have the assistance that he needs?

Now I think you are beginning to get the idea that I am more concerned about the overall, the long range, than I am what happens here today and this next six months or so in the interim. I think this is a topic that we should air and this is the time and the place to be talking about it.

The present occupants, apparently two of the three are interested in such — they are enthusiastic to have this sort of a legislative assistance that they would be able to get under this. The third feels that there is no need for it, and that is certainly a reasonable position to take too. Now there is this, that this order would make available — it does not direct the expenditure of these funds.

But also, we have passed an order in the amount of \$5,000 to the State Government Committee, to enable them to watchdog the reorganization work, which I think was a wise move. And this to a degree does accomplish the same purpose that this order is directed at, but still I would like to proceed in the development of my thoughts on this.

There has been concern that should we adopt this order and make staffing available, that this staffing might be used for political purposes, and I would like to make a matter record here this morning that the intent of this were it to be passed would be for legislative purposes only, that whoever might be involved as a legislative assistant to any one of these offices now or in years to come would be concerned solely with legislative matters and it would not be used for political purposes.

To pursue that reservation that some have a little farther, apparently we trust ourselves to appropriate, allocate hundreds of millions of dollars, but we have a reservation that we are not up to the job of appropriating a few thousand dollars for men who have come up through the seats in the Legislature and have gained the support of this Legislature to the point that they are accepted as leadership for the Legislature. And now those who would doubt this order on the grounds that you can't trust these guys with a five thousand, six thousand dollar man — well, you think it over a little bit.

It will eventually be your judgment to support or deny this and I am not all haired out about it. I do think it warrants our consideration. Let's take some instances that have been developed right recently in this session of the Legislature. We have an MIPA bill which dealt with the subject of oil on the coast. Now my concept of a leadership position in the Legislature is that the leaders of the Legislature should be able to, through their experience and knowledge and general interest, to identify the problems of the State of Maine and address himself to these problems, work out possible solutions, and make these possible solutions available to the Legislature for consideration.

I feel that is exactly what was done on this very crucial issue of oil on the coast. However, this office did not have available to it any research personnel for this purpose. Now from what I have heard, this involved hundreds if not thousands of hours of effort on the part of highly qualified people, to work up a possible solution to what is a serious problem here in the State of Maine. It wouldn't be possible other than through having these sort of people for this period of time.

Now there has been no disclosure or denial of the fact that these men were of the industrial lobby. Now I feel that we lack respect for ourselves in this Legislature when we have to go out bumming, so to speak, to get the staff that we need to do the job

that it is our job to do. I believe that that office was performing its function exactly as it should in recognizing a serious problem of today, applying that office and all its resources to offering a possible solution for the consideration of this Legislature.

Now there is one instance. Another one is this productivity tax that we had and my counterpart in the far corner, the gentleman from Eagle Lake, Mr. Martin was concerned about it and recently he gave testimony here on the floor of the House that in order to deal with some of the problems that he was concerned about in this bill he had to use the industrial lobby again to get the answers he needed. He expressed his appreciation for their cooperation with him on this problem and he seemed rather amazed how well they did cooperate in attempting to resolve the difficulties that he had with this bill.

Now, we have the thing enacted and the story begins to come out. It turns out that there are about 60,000 landowners in the State of Maine that don't qualify under this bill. I am a landowner here in the State of Maine; I would like very much to have my land in under the concept of productivity. And it turns out, I learned from a consulting forester it is going to cost me \$2,000 to get my land typed as to productivity so that I can become eligible to be taxed under a productivity concept.

Well I am not here pleading my case, I can take care of myself. I am down here in the midst of it and I am going to survive — you can bet your boots on that. But there are thousands of people around the State of Maine who are depending on us to take care of them and we don't have anybody to help us. Who did we have to go to that we could get any idea about this other than the lobby for these people themselves?

Now we will hear this morning, we will hear again how much money \$20,000 is. This is just all the money in the world. Well my share as an individual citizen of the State of Maine of a \$100,000 a year — not twenty, but \$100,000, is ten cents. That's what it is.

But by not having someone here so that we can find out what this lobby is doing, it is going to cost me a couple of thousand dollars, and it happens all the time because we don't have people representing the public down here.

Now it has become recognized throughout the United States that money has bounded dollars invested in government at various levels, in campaigns, lobbying efforts in all sorts of directions, pays the best dividends of any investment that money can make. This is becoming well recognized, it has been recognized over a long time, and we are getting more and more concentration with an effort to develop confidence in government. Government is the only thing that is going to solve many of the problems that we in this complex society are facing and it is only through confidence in government that we can resolve these problems and make a better nation to live in.

As we have operated in the past here in the State of Maine, the wolves have volunteered to guard the sheep, and it has been argued that it is cheaper to allow the wolves to guard the sheep than to run the expenses of keeping your own dog. So we have run to the lobby and they have done all of our chores for us.

I think it is more and more becoming obvious to us that on the face of it it may be cheaper than keeping your own dog, and when you leave it to these people their first loyalty is to those who write their paychecks, and then time and time and time again they reach in and they snap off a sheep for themselves, and it seems as though they are getting more and more as time goes along.

Now basically what this order provides is to make it possible for our leadership to keep its own dog. I claim it's cheaper, it's better for the State of Maine, and that we will have more respect from the people that we represent if this is so. I hope that you will support the order and deny the vote for this indefinite postponement.

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

Mrs. BROWN: Mr. Speaker and Members of the House: In the regular session of the Legislature we passed, I believe, a bill that was to provide staff to the tune of \$60,000 for four or five of our committees that were having severe problems in getting the kind of information that they needed.

During this special session this has come back to us, to change the date when this was going to take effect, from January 1, 1973 to July 1, 1972. Now I have made several inquiries regarding this bill. I did not go to the hearing. It was not debated on the floor of the House.

I have not been able to establish who was going to use these people beginning July first, where they are going to be assigned. I think right here we have \$60,000 to use and I would like to know something more about this before I make a decision on this other 20,000.

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

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: During the session, both the special and the regular, I have spoken I guess more than my share about what I thought we ought to do during the next session about staffing. There is some concern that this may not be the proper way to do it; I am not so sure of that. I just know this, that we as legislators, as we come down here we want to do the best job we can. Whatever tools we have at our disposal will help us in the long run.

I know as a freshman legislator, and I came here for the first time in 1965, that if I had not had legislators who had been here before a number of terms to assist me, I would have known nothing about what was going on. It may be true that I know nothing today, but it was not their fault.

I just think this, that for people and legislators who get here for the first time, and perhaps even for a second term, that the assistance that perhaps these offices and these people can give will benefit all of us, and I think in the long run it will benefit the people of the state. For this reason I am going to vote against the motion of the gentle-

man from Bath and hope that in the final analysis we might enact the order as amended.

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

Mr. JALBERT: Mr. Speaker and Members of the House: In order to hire someone, this individual that would help to draft this legislation would have to be an attorney and the prevailing rates are \$35.00 an hour. Now if you take and you divide that up three ways, just figure out how many will be helped and how much help they will be giving. The answer to this thing is to really give some year round help with a proper amount of money given to them, not just a handout as this would be.

I cannot help, because as I have said so many times there has got to be some levity in everything, that the good gentleman from Pittsfield, Mr. Susi says that this would be strictly for legislation. Now even this morning I was in his office and I spoke to him about a piece of legislation for about two minutes and then for some ten minutes we exchanged pleasantries, and the same situation would exist and we would be paying for it. We would get nothing for what we paid for. And I again concur with the indefinite postponement motion.

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

Mr. ROLLINS: Mr. Speaker and Ladies and Gentlemen of the House: During the regular session the first bill that I introduced was Legislative Document number 194. It was an Act to Create the Office of Ombudsman. This bill passed the House, it went to the Senate and it was defeated there. It would have taken care of in a good measure what we are trying to do today.

If I come back again I shall reintroduce this bill, but at the present time I would be against the motion that we have on the floor.

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 Bath, Mr. Ross, that Joint Order re leadership being provided with legislative assistance prior to convening of 106th Legislature, Senate Paper 783, 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 — Ault, Bailey, Baker, Bartlett, Berry, G. W.; Berube, Binnette, Birt, Bragdon, Brawn, Brown, Bunker, Call, Carey, Carrier, Carter, Churchin, Clemente, Cooney, Cote, Cummings, Curran, Curtis, A. P.; Cyr, Donaghy, Dudley, Emery, D. F.; Emery, E. M.; Evans, Farrington, Faucher, Finemore, Gagnon, Genest, Hall, Hancock, Hardy, Hawkens, Hayes, Henley, Herrick, Hewes, Hodgdon, Immonen, Jalbert, Kelleher, Kelley, K. F.; Kelley, R. P.; Keyte, Lee, Lewin, Lewis, Lincoln, Littlefield, Lizotte, Lynch, MacLeod, Manchester, Marstaller, McCormick, McNally, McTeague, Mills, Mosher, Murchison, Norris, O'Brien, Orestis, Page, Parks, Payson, Pontbriand, Porter, Rand, Rocheleau, Rollins, Ross, Shaw, Sheltra, Shute, Silverman, Simpson, T. R.; Slane, Smith, E. H.; Stillings, Tanguay, Theriault, Trask, Tyndale, Wheeler, White, Whitzell, Wight, Wood, M. W.; Wood, M. E.

NAY — Barnes, Bedard, Bernier, Berry, P. P.; Boudreau, Bourgoin, Bustin, Collins, Conley, Cottrell, Curtis, T. S., Jr.; Dam, Dow, Doyle, Fecteau, Fraser, Gauthier, Goodwin, Kelley, P. S.; Kilroy, Lawry, Lebel, Lucas, Lund, Marsh, Martin, McCloskey, Morrell, Murray, Pratt, Scott, Smith, D. M.; Susi, Vincent.

ABSENT — Albert, Bither, Clark, Crosby, Drigotas, Dyar, Gill, Good, Haskell, Jutras, Lessard, Maddox, Mahany, McKinnon, Millett, Santoro, Simpson, L. E.; Webber, Whitson, Williams, Woodbury.

Yes, 95; No, 34; Absent, 21.

The SPEAKER: Ninety-five having voted in the affirmative, thirty-four in the negative, with twenty-one being absent, the motion to indefinitely postpone does prevail in non-concurrence.

Sent up for concurrence.

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

JOINT ORDER — re feasibility study of a Conference Center on Peaks Island be extended (S. P. 789) — In Senate, passed.

Tabled — March 9, by Mr. Porter of Lincoln.

Pending — Passage in concurrence.

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

Mrs. PAYSON: Mr. Speaker and Ladies and Gentlemen of the House: In explanation of this order I would like to go back to what happened during the regular session, when the Legislature provided \$1,000 for a feasibility study of a conference center to be built on Peaks Island in Casco Bay. Our report to you, which was distributed to your desks, is a surface study designed to define the market for such a center and determine its economic feasibility.

According to the report conference planners in Washington, D.C. who were interviewed by Mr. Edward Slick, who was hired by our committee, found that the Peaks Island plan would be feasible in their opinion on a completely commercial basis.

This order before you now requests four and a half thousand dollars to continue the study in depth. It is anticipated at this time that the operation of the center would be self-supporting. The construction costs might be paid off over a period of years from income from operations or, on further study, it may be found that it would be best to follow New Hampshire's procedure. The New Hampshire Conference Center in Durham, New Hampshire was constructed with funds primarily from a private foundation, the Kellogg Foundation.

In contrast to those slightly run-down hotels in metropolitan areas

where conferences are normally held, I believe a conference center on an easily accessible island on the beautiful coast of Maine would have a great and unique attraction. I therefore move the passage of this order to allow for an in depth study.

Thereupon, the Order received passage in concurrence.

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

JOINT ORDER — re Regional Technical Vocational Centers.

Tabled — March 9, by Mr. Martin of Eagle Lake.

Pending — Passage.

Mr. Martin of Eagle Lake withdrew his order.

Mr. Martin of Eagle Lake was granted unanimous consent to address the House.

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: This morning in a Democratic caucus we were somewhat surprised to hear the gentleman from Saco, Mr. Bedard tell us that he would not be a candidate for reelection.

As you know, the gentleman from Saco, Mr. Bedard is now serving his sixth session with us. He has been respected within the Democratic Party and is of course respected by members of the Republican Party as well.

I thought that at this time it would be proper if we congratulated the gentleman from Saco, Mr. Bedard for his many years serving in the Legislature with all of you and with me, that we wish him the best of luck in his retirement days, and I know that he is still going to keep an active role in the Democratic Party. And so in parting today I couldn't help but say that we wish him good luck and hope that he will visit us many times over. (Applause, the Members rising)

Mr. Bedard of Saco was granted unanimous consent to address the House.

Mr. BEDARD: Mr. Speaker, Ladies and Gentlemen of the House: I want to thank everyone in this House for the courtesy that has been extended to me. It has

been the greatest education of my life and I hope that I can still serve my state, and I think that I have served the best state in the country with the best people in the United States.

I hope that this continues so we can show the rest of the country that we can live in peace with our political friends. I wish everybody good luck and I will be around to see you sometime.

I have to resign on account of my physical condition on my doctor's advice. So goodbye — no I won't say goodbye, so long and I will be back to see you. (Applause, the Members rising)

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

Joint Order re censorship of outgoing mail from prisons and correctional institutions.

Pending — Passage.

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

Mr. LEWIS: Mr. Speaker, Ladies and Gentlemen of the House: As a member of the Health and Institutional Services Committee, I certainly am opposed to this order. And it causes me to wonder how much further we may go to stifle and hamstring the efforts of custodial officials who have the duty of operating our State Institutions. I could elaborate much more fully on this, but I know that our House Chairman, Mrs. Payson, has some pertinent information that she will give to this House.

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

Mrs. PAYSON: Mr. Speaker, Ladies and Gentlemen of the House: Since this order appeared on our desks this morning, I have talked with Miss Murphy and Mr. Courtland Perry in the Department of Mental Health and Corrections. I learned that the lawyers of the department are in negotiation now with the attorneys of the Pine Tree Legal Assistance and the American Civil Liberties Union on the question of censorship of outgoing mail for inmates and patients at prisons and correctional centers.

It is one of many issues being resolved at this time by the Department in cooperation with these two groups. Only three issues remain to be worked out. They started working on these late in 1970. I feel that it is inappropriate for legislative action to be taken at this time. I therefore move the indefinite postponement of this order.

The SPEAKER: The Chair recognizes the gentlewoman from Bangor, Mrs. Doyle.

Mrs. DOYLE: Mr. Speaker, I would pose a question through the Chair to my House chairwoman. I wonder if these steps are being taken for residents or patients in our State Hospitals as well as in correctional institutions.

The SPEAKER: The gentlewoman from Bangor, Mrs. Doyle, poses a question through the Chair to the gentlewoman from Falmouth, Mrs. Payson, who may answer if she chooses.

The Chair recognizes the gentlewoman.

Mrs. PAYSON: Mr. Speaker, Ladies and Gentlemen of the House: In answer to Mrs. Doyle's question, I understand that this in the correctional institutions only.

The SPEAKER: The pending question is on the motion of the gentlewoman from Falmouth, Mrs. Payson, that this Joint Order 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. 109 having voted in the affirmative and 12 having voted in the negative, the motion did prevail.

Mr. Bustin of Augusta was granted unanimous consent to address the House.

Mr. BUSTIN: Mr. Speaker, Ladies and Gentlemen of the House: It came to the attention of some members of this body this morning that there was a provision in the Omnibus Bill which seemed to go considerably beyond correcting errors and inconsistencies. Of course there was no opportunity to amend the Omnibus Bill because it would make it necessary to reengross the bill and then extend the session a couple more

days, so no attempt was made to do it.

The provision I am talking about is one which allows municipalities to impose fees on cable television companies. I want to indicate that I do not think anyone put one over on us or that it was a sneaky move. There was a law, I understand, that had been passed, the case was taken to the law court and the law court said that the intent of the legislature was not clear.

It seems to me that to pass a bill in the Omnibus Bill, which says what the legislative intent was when it was not clear to the law court, is probably a little unfortunate and a little presumptuous, particularly since there were no public hearings on this matter. The cable television people were not given the opportunity to come in and present their case. But what is of more concern to me is that the people who are really going to suffer a tax, if a fee is imposed, were not allowed to present their case, because if any fee is imposed on a cable television company, this will be passed on to the consumer.

I think that the legislative intent may have been to allow municipalities to impose some kind of reasonable fee, but the provision in the Omnibus Bill really gives a wide open authority to impose any fee that a municipality wishes. And one of the problems with this, of course, is that many systems now operating have millions of dollars worth of equipment on poles and excess fees could cause a complete halt to construction and further advancement of local origination of programming.

Now the Federal Communications Commission has expressed concern that cable television operators and local government officials do work closely together in developing this new communications industry, and the FCC has expressed the opinion that heavy taxation and excessive fees would not be conducive to good cable growth nor would it be in the public interest. So I don't think the way this measure was handled was particularly fair. I do think that the legislative process should

not have worked this way. Thank you for your consideration.

On motion of Mr. Susi of Pittsfield,

Recessed until two o'clock in the afternoon.

After Recess

2:00 p.m.

The House was called to order by the Speaker.

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

The following Communication:

THE SENATE OF MAINE

Augusta, Maine

March 10, 1972

Hon. Bertha W. Johnson

Clerk of the House

105th Legislature

First Special Session

Dear Madam Clerk:

The Governor having returned to the Senate: Bill, An Act Relating to Full-time Prosecuting Attorneys. (S. P. 774) (L. D. 2055) together with his objections to the same. The Senate proceeded to vote on the question: Shall the Bill become a law notwithstanding the objections of the Governor?

According to the provisions of the Constitution, a ye a and nay vote was taken. 15 Senators having voted in the affirmative and 12 Senators having voted in the negative, the Bill accordingly failed to become law, and the veto was sustained.

Respectfully,

HARRY N. STARBRANCH

Secretary of the Senate

The Communication was read and ordered placed on file.

From the Senate: The following Order:

WHEREAS, the United States Department of Commerce has completed a study dated June 30, 1969 of Maine Sugar Industries, Inc; and

WHEREAS, the study indicated that Maine Sugar Industries may have unjustifiably paid excessive fees or diverted assets to Vahlsing, Inc. and to other corporations owned or controlled by Fred A. Vahlsing, Jr.; and

WHEREAS, the taxpayers of the State of Maine now have the legal

duty as guarantors of the debts of MSI to pay a sum amounting to \$8,293,000 as of April 1, 1972 in principal and interest; and

WHEREAS, the Maine Industrial Building Authority as the lending authority of the State has a fiduciary duty to all the taxpayers of Maine to recover any money or assets of MSI which may have been unjustifiably paid or diverted to the benefit of corporations owned or controlled by Fred A. Vahlsing, Jr; now, therefore, be it

ORDERED, the House concurring, that the Maine Industrial Building Authority review the report of the United States Department of Commerce and conduct a further investigation to determine whether it or the taxpayers of the State of Maine have a cause of action against Vahlsing, Inc., Fred A. Vahlsing, Jr., or any other corporation owned or controlled by Fred A. Vahlsing, Jr. directly or indirectly to recover any money or property which may have been illegally paid or diverted from MSI; and be it further

ORDERED, that the Maine Industrial Building Authority report to the 106th Legislature no later than January 15, 1973 and proceed to bring any legal action deemed appropriate by the Maine Industrial Building Authority or its legal counsel before said date. (S. P. 792)

Came from the Senate read and passed.

In the House the Order was read.

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

Mr. MARTIN: Mr. Speaker, I move indefinite postponement.

The SPEAKER: The gentleman from Eagle Lake, Mr. Martin, moves the indefinite postponement of this Joint Order.

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

Mr. SUSI: Mr. Speaker, Ladies and Gentlemen of the House: I hope that you vote against the indefinite postponement of this order. This information is available to us. There may be implications in it which should be pursued. As of right now the people in the State of Maine are hung for some \$8 million dollars, so there is some chance from the information con-

tained in this report that we may be able to recover some, and I should think it would be worth pursuing. I would hope you would vote against the indefinite postponement.

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

Mr. CAREY: Mr. Speaker and Members of the House: As a minority member on the investigating committee studying Maine Sugar Industry default, this is one of the reports that we tried to get and were unable to obtain. I did read Bill Caldwell's column, I think it was last Sunday, and there are many things in that report that could be of some help to the State of Maine, maybe we can recover some monies from it. I would certainly hope you oppose the motion to indefinitely postpone.

Mr. Martin of Eagle Lake withdrew his motion to indefinitely postpone.

Thereupon, the Order received passage in concurrence.

Non-Concurrent Matter

House Joint Order re Study of the Operation of the University of Maine (H. P. 1619) which was passed in the House earlier in the day.

Came from the Senate indefinitely postponed in non-concurrence.

In the House: On motion of Mr. Susi of Pittsfield, the House voted to recede and concur.

The Chair laid before the House a matter which was tabled and later today assigned:

JOINT ORDER — re Secretary of State to provide state chairman of each major political party with one photostatic copy of each petition pursuant to initiated bill relating to form of ballots in general elections.

Pending — Passage.

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

Mr. SUSI: Mr. Speaker, I move indefinite postponement of this order.

The SPEAKER: The gentleman from Pittsfield, Mr. Susi, moves the indefinite postponement of this Joint Order.

Mr. Martin of Eagle Lake requested a vote.

The SPEAKER: The pending question is on the motion of the gentleman from Pittsfield, Mr. Susi, that this Joint Order be indefinitely postponed. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken. 73 having voted in the affirmative and 36 having voted in the negative, the motion did prevail.

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

At this point, a message came from the Senate borne by Secretary Starbranch of that body informing the House that the Senate had transacted all business before it and was ready to adjourn without day.

On motion of Mr. Susi of Pittsfield, that gentleman was charged with and conveyed a message to the Senate informing that body that the House had acted on all matters before it and was ready to adjourn without day.

The SPEAKER: The Chair will exercise the privilege of the Speaker and invite the Law Librarian to join the Speaker on the rostrum.

Thereupon, the Sergeant-At-Arms escorted Miss Edith Hary to the rostrum, amid the applause of the House.

The SPEAKER: I must confess that I feel particularly proud to see our Law Librarian in the back of the Hall of the House, because as you know, now she is an official department head and is most helpful to the members of the Legislature and renders a tremendous service to the members of the two branches.

I had the good fortune, I think perhaps it was one of the crowning things in my career, to introduce the legislation that built this department. And if you do not know Edith Hary, I now introduce the Law Librarian, Edith Hary. (Applause)

The following paper from the Senate was taken up out of order by unanimous consent:

The following Order:

ORDERED, the House concurring, that a Committee of three on the part of the Senate, with such as the House may join, be appointed to wait upon His Excellency, the Governor, and inform him that both branches of the Legislature have acted on all matters before them, and are ready to receive any further communication he may be pleased to make (S. P. 794)

Came from the Senate read and passed, and the following appointed as members of the Committee on the part of the Senate: Mrs. CARSWELL

Messrs. SEWALL of Penobscot
WYMAN of Washington

In the House, the Order was read and passed in concurrence, and the Speaker appointed the following members on the part of the House:

Mr. AULT of Wayne
Mrs. LINCOLN of Bethel
Mrs. WHITE of Guilford
Mrs. CUMMINGS of Newport
Mrs. BERUBE of Lewiston
Messrs. CYR of Madawaska
ORESTIS of Lewiston

Mr. Ault for the Committee subsequently reported that the Committee had performed the duties with which it was charged and that the Governor would be present in the House forthwith.

His Excellency, Governor Kenneth M. Curtis, accompanied by members of the Executive Council, entered the Hall of the House amid the applause of the House, the members rising, and delivered the following communication:

GOVERNOR CURTIS: Mr. Speaker and Members of the House: As I just informed the Senate, after five years of coming to the concluding exercises of the regular and special sessions of the Legislature, I always hesitate as to whether I should continue the tradition of speaking to you after you have been here so long and sat for so long and listened to so many speeches. But I think as Governor I would be very remiss

in my duties if I did not come here to both personally and in behalf of the people of Maine offer my thanks to you for the service that you have rendered to the people of our State.

Now I expect this session probably like all other sessions of the Legislature, has perhaps been a little longer than anyone had intended. However, I don't think we judge the quality of any session by the length of time; I think it has to be judged by the record that it sets.

I think that this special session of the Legislature has made a good record. I think there are many meaningful pieces of legislation that have been enacted. Certainly it was necessary that appropriations be made to continue our Health and Welfare programs, and this was done. We also have been able to increase payments for our nursing homes. Certainly the Department of Mental Health and Corrections, the University of Maine and other state departments have received more assistance than they would have had, had this special session not been convened.

You have adopted important air quality standards that are so necessary. Certainly the adoption of the 18-year-old adult right is a piece of legislation with very far-reaching effects. You removed the lien on Old Age Assistance payments and you have passed ten of the thirteen governmental reorganization measures that were before you. I think all of us who worked on government reorganization would have liked to have all thirteen, but I think a good enough start has been made so that with a lot of hard work it should be possible to complete this job at the next regular session of the Legislature.

And I think I would be very remiss if I didn't offer my congratulations to the governmental reorganization committee who worked so long and worked so hard throughout the summer and throughout this session. I would also be remiss if I didn't thank all of you for the support that you gave them.

So I guess this session is not that much different than any of the others. There are disappointments for everybody and there are points that everyone can be happy with. But I think you can all take real pride in the knowledge that you did participate in the democratic process, and out of all of it certainly the State of Maine has been advanced and the people benefited.

And lastly I am certainly aware of the fact that some of you do not intend to return to the next regular session of the Legislature. To all of you I want to express my best wishes and thanks, and to those of you who will be back I want to say that I look forward to working with you come January of next year.

Thank you very much and I hope the remainder of this year is pleasant and successful for all of you. (Prolonged applause, the Members rising.)

Thereupon, Governor Curtis and members of the Executive Council retired from the Hall of the House.

The SPEAKER: If I may be facetious for just a moment, I couldn't help think when the Governor remarked about the adjournment exercises of this Maine Legislature, that he might call for the valedictorian to come forward and get his diploma. And I would remind you that I don't want to see 150 people coming up here.

This, too, probably may be the Speaker's swan song. Some of you will be delighted to hear this news. I still have a great many friends. We might have had our differences, but I feel that all members in this House have been extremely kind to the Speaker; they have been the number of times that I have served you.

Having been Speaker as many times as I have been, I am just amazed that I have not made more enemies than I have in this tenure. It is refreshing I think to me, and I can carry this in my memories, that even though I have served you four terms or eight years, that we have enjoyed, I think, an accommodation. And I will repeat what I said to my good friend Johnny Martin when

he first came here. "We may get excited, we may have differences of opinion, but that doesn't mean that we cannot be friends." And I want to feel that I am friendly toward every member of this House, and the members that have gone, the members that I have served with through the last fourteen years.

I think this is enough of a valedictory for the Speaker, as I will not be returning to this position.

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

Mr. BRAGDON: Mr. Speaker, I now move that this House adjourn sine die.

The SPEAKER: The gentleman from Perham, Mr. Bragdon, moves that the House adjourn without day. Is this the pleasure of the House?

The motion prevailed and at 3:09 p.m., Eastern Standard Time, Friday, March 10, 1972, the Speaker declared the House adjourned without day.