

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred and Sixth

Legislature

OF THE

STATE OF MAINE

1973

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Wednesday, March 28, 1973

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

Prayer by Father Arthur Cloutier of Mexico.

The journal of yesterday was read and approved.

The **SPEAKER**: Will the Sergeant-at-Arms kindly escort the gentleman from Camden, Mr. Hoffses, to the rostrum?

Thereupon, Mr. Hoffses assumed the Chair as Speaker pro tem and Speaker Hewes retired from the Hall.

Orders Out of Order

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

ORDERED, that Andrea Cayford of Gardiner be appointed Honorary Page for today.

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

Mr. Maddox of Vinalhaven presented the following Joint Order and moved its passage:

WHEREAS, Miss Marilyn Lash, daughter of Mr. and Mrs. Robert Lash of Friendship, is attending the Maine Legislature today; and

WHEREAS, the attractive and talented Miss Lash proudly holds the coveted Miss Maine crown for the year 1972; and

WHEREAS, she graduated from Medomak Valley High School in 1971 and presently is a sophomore at the University of Maine, PG; and

WHEREAS, the Legislature is proud of her special charm and appreciates the honor and recognition she has brought to the State; now, therefore, be it

ORDERED, the Senate concurring, that the House of Representatives and Senate of the One Hundred and Sixth Legislature of the State of Maine join to comment Miss Marilyn Lash for her many activities as Miss Maine and as an ambassador of good will for the State and trust she will always carry with her the very warmest admiration and best wishes of

the Legislature; and be it further

ORDERED, that a suitable copy of this Order be prepared and presented to Miss Lash in honor of this occasion. (H. P. 1307)

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

By unanimous consent, ordered sent forthwith to the Senate.

The **SPEAKER** pro tem: Would the gentleman from Vinalhaven, Mr. Maddox, escort our distinguished visitor to the rostrum, please?

Thereupon, Miss Marilyn Lash was escorted to the rostrum by Mr. Maddox of Vinalhaven, amid the applause of the House, the members rising.

Mr. **HOFFSES**: Ladies and Gentlemen of the House: It is indeed an honor for me to preside over this body this morning and it is a special honor and privilege for me to present to this body our distinguished visitor today.

It has been my privilege and pleasure of knowing this young lady and her family for quite a number of years, and I assure you that it was a proud moment when we learned that she was named Miss Maine. She went to Atlantic City to represent the State of Maine, and I am sure that she was a great credit to this state.

As she went to Atlantic City to represent the State of Maine, those of us who knew this young lady were very proud and we felt that she certainly would come home with all of the honors. And as we watched her on TV, we felt more firmly that she would come home with the honors. The judges did not see as we of Maine saw this young lady. However, they did recognize her for her talents and she received one of the awards in Atlantic City.

I am sure as you witness this young lady and hear her today, and especially if you were privileged to hear her sing, you would agree with those of us who have known her this long time, that in our hearts we knew we were right when we sent her to Atlantic City. It is indeed a great honor, a privi-

lege, and a personal pleasure for me to present to the members of this House this morning Miss Marilyn Lash, Miss Maine 1972-73. (Applause, the members rising)

Miss MARILYN LASH: When Representative Hoffses told me that I should come a half hour early just to find a parking space, I thought he must be pulling my leg, but when I got here this morning and looked at the visitor's parking lot and saw the only empty section was for paraplegic's I decided it was time I went out and bought a wheel chair. It was really quite a time finding a parking place but, nevertheless, I am very happy to be here this morning. It is no doubt one of the greatest honors that has ever been bestowed upon me, to be asked to speak here.

My reign as Miss Maine only lasts one year. You people, however, have the opportunity of representing the state for a number of years. And although my reign is coming to a close, I can sincerely and honestly say that this is one of the greatest honors I have had this year and in my lifetime. I thank you very much for having me here.

I would like to tell you a little bit about what my year has entailed. It all started when Delta Chi Fraternity from the University of Maine at Portland-Gorham that I attend asked me if I would run in the campus queen contest. Well, I was thrilled to think a fraternity would want me to be in their contest and have enough confidence in me, so of course, like any true-blooded American girl, I said, "Sure I will," not knowing what I was getting into. But when I won the contest I found out. It meant that I was now registered in the Miss Maine Contest. Of course, I didn't expect to have a chance in the contest but, however, much to my surprise and not through my own help but through the grace of God, I won.

I will tell you, I am a first-class cluck, and if you don't believe it, I will tell you a little story about what happened to me in Atlantic City. I was walking off the runway during evening gown competition. In front of the judges,

Eileen Farrell and Vivian Della Chiesa, Art Flemming and many many more famous people, and I was getting so shook that I walked the wrong way off the world's largest stage. I was supposed to go off to my left and instead I turned and went all the way across the stage to my right.

Now Convention Hall, for those of you who have been there, I don't have to tell you this, but for those who haven't been, the place is so big that they play football in there and they have flown a helicopter around in there before. I walked in and I say this runway, which was half the length of the building, and to think that I had to walk that runway in my swimsuit was enough to make my knees shake.

But you know, I have had some wonderful experiences, not only scary ones. One of my greatest experiences was when I had the opportunity to go down to the Red Sox game on Maine Day with the Governor and sing the National Anthem. I have always been a huge Red Sox fan. I have always watched Carl Yastrzemski and Ricco Petricelli so closely and I finally got the opportunity to meet them. But I am telling you, it excited me so that when I got out on the field to sing, my voice almost gave out on me. I would sing along and all of a sudden it would be gone. And I would say, "Oh no, what am I going to do?" But I lived through it and I had a wonderful time down there.

One other very wonderful experience I had was visiting the Veterans Administration Hospital here at Togus. And you know, it was such a rewarding experience to go into the hospital and to see all the patients there. I would walk into a room where they would be lounging and so many of them wouldn't even look up. I would think that they felt that I really didn't care about meeting them, that I really was just there because I had been asked there, that I was going to walk through and perhaps say, hi, on the way through. But as I walked up to them and put my hand out to shake their hands, I saw some of the most beautiful smiles and warmest expressions come over some of those faces, and

it just made me feel so good. I was hoping that I had done something wonderful for them, as they had made me feel wonderful too.

Very shortly, if I have the opportunity, I will be going to Hawaii. Miss Hawaii in Atlantic City was one of my favorite friends and we have been writing back and forth. Through the Miss Maine Pageant and a travel agency in Portland, they are trying to arrange it so I will be able to go to Hawaii. Now there is one young man who works for this travel agency who has been going back and forth almost killing himself trying to make the arrangements, and if I do have the opportunity to go, I assure you I will try to represent the state in the best way I know how.

There is one more thing I would like to add before I close, and that is, I would like to say thank you to the state for the financial support they gave me in Atlantic City. Many of the contestants receive a great amount of money from their states, but they are the larger ones, and I felt very honored that the State of Maine had enough confidence in me to give me their support. I want to thank you all so very much for doing this for me and I would like to thank you all very much for having me here this morning. Thank you.

Thereupon, Miss Lash was escorted from the Hall by Mr. Mad-dox of Vinalhaven. (Applause)

The SPEAKER pro tem: Now you see why we in Knox County are so proud of Marilyn.

Papers from the Senate

From the Senate: The following Joint Order: (S. P. 513)

ORDERED, the House concurring, that notwithstanding Joint Rule 8, bills and resolves now in the office of the Director of Legislative Research shall be introduced in complete final form in the appropriate house not later than 5 p.m. on Friday, March 30, 1973.

Came from the Senate read and passed.

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

Bills and Resolve from the Senate requiring reference were disposed of in concurrence.

Report of Committee Leave to Withdraw

Covered by Other Legislation

Report of the Committee on Education on Bill "An Act Providing Funds for Creating Regional Library Systems" (S. P. 271) (L. D. 796) reporting Leave to Withdraw as covered by other legislation.

Came from the Senate read and accepted.

In the House the Report was read and accepted in concurrence.

Non-Concurrent Matter

Bill "An Act Restricting the Use of the Name Accountant Unless Registered as a Public Accountant" (H. P. 1171) (L. D. 1410) which was indefinitely postponed in the House on March 22.

Came from the Senate passed to be engrossed in non-concurrence.

In the House:

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

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

The SPEAKER pro tem: The Chair recognizes the gentleman from Milo, Mr. Trask:

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

The SPEAKER pro tem: The gentleman from Milo, Mr. Trask, moves that the House recede and concur.

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

Mr. DONAGHY: Mr. Speaker and Ladies and Gentlemen of the House: May we have a division and I would speak briefly to the motion.

The SPEAKER pro tem: The gentleman from Lubec, Mr. Donaghy requests a division. The gentleman may proceed.

Mr. DONAGHY: Mr. Speaker and Ladies and Gentlemen of the House: In the good judgment of this House the other day, we turned down this bill on the basis of the fact that CPA's are becoming over protective of their name. At least this is one of the reasons the word "accountant" would be taken out of the dictionary and not be allowed

to be used except on a job within a corporation. In other words, if a person had been working for years as accountant, he would no longer be able to say that he was an accountant, simply because he was not registered as a public accountant.

As a matter of fact, if you will recall, we had another bill the other day that actually phases out the term "public accountant". After a certain date there will be no more public accountants. And this would mean that you not only couldn't be an accountant if you were not registered as a public accountant, but you just couldn't be an accountant period, because there are not going to be any public accountants.

The SPEAKER pro tem: The Chair recognizes the gentleman from Milo, Mr. Trask.

Mr. TRASK: Mr. Speaker and Ladies and Gentlemen of the House: If we accept the concept of the state licensing people, which is an indication that they have passed an examination, or at least have some qualifications to work in the field in which they are licensed, I think we should recede and concur with the Senate on this bill. We do not permit lawyers to practice without having passed the bar examination. We do not permit anyone to go out on the streets and set themselves up as a lawyer unless they have passed these requirements. We even license real estate agents, insurance agents and other people just simply cannot set themselves up in this business without having been licensed.

I urge you to support the motion to recede and concur.

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

Mr. DUDLEY: Mr. Speaker and Ladies and Gentlemen of the House: The other day I had some serious reservations about this bill and I thought we acted wisely in indefinitely postponing it. I do not want to recede and concur this morning. I think there is a very distinguished difference between an accountant and a certified public accountant. And when I have had the occasion on many occas-

ions to hire accountants, and I hire some very good accountants, two of the best ones in our end of the state work for me quite frequently and they are accountants. They are what I consider some of the best accountants in Penobscot County.

Now they are not certified and I know that. I am not looking for a certified public accountant. I am looking for an intelligent man that can do the job. One of these fellows has worked at accounting—both of them have worked for about twenty years and prior to that one of them worked for the Internal Revenue for ten years and the other one worked for the Post Office Department for many years. I think these people know what they are doing and many accountants do. I think the public has the chance to hire right now a certified public accountant if they want one. They are available and also an accountant is available.

I hope that we do not recede and concur. I think it is a mistake because there are a lot of very good accountants who have been practicing this all their lives and are not anxious to be certified.

The SPEAKER pro tem: The Chair recognizes the gentle lady from Freeport, Mrs. Clark.

Mrs. CLARK: Mr. Speaker and Men and Women of the House: I would urge you this morning not to support the motion to recede and concur with the Senate. For what we are doing here is again removing or restricting the word "accountant" from the free use of society. Granted there are certified public accountants and they, by the special use of their initials, do so designate themselves as certified public accountants. We have effectively placed a time limit on the availability of public accountant licensing in the state, and what we would be doing if we were to follow the action of the other body would be to place the word "accountant" and those who have earned the initials CPA after their names into a very exclusive, elite group.

Teachers are certified and licensed by the state and teachers do not say to other teachers,

whether they be teachers of real estate courses or nursery school teachers or Sunday school teachers, teachers do not say you cannot use my word any more. I would suggest that accountants employ that same philosophy.

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

Mr. CARRIER: Mr. Speaker and Ladies and Gentlemen of the House: As I said before, this is my bill. I do some accounting work, directly or indirectly, and I am not a certified public accountant. But I can say to you that if this were the limit of what I am to do, I definitely would not have proposed this bill. All this bill suggests is that those who are qualified — all they have to do is take their test. If they take their test and they pass then they can use a certain designation.

Now I have talked with some people right here in the state office in charge of all the accountants here who are classified as accountants. They do not use that particular name, they do not have to. But under the payroll and personnel law, they are accountants. And this will not affect them whatsoever.

As far as outside goes, any person who is doing accounting work right now can use any other name but the name of accountant. There are many many names that they can use and I believe that this in no way discriminates against anybody. All they must do is do what they are supposed to do if they want to use the name.

We have heard mentioned about teachers. I do not want to talk much about teachers because my love is very limited in certain places. But I can say to you that if a teacher has a Master's Degree he uses his Master's Degree and he designates himself as such.

And so with people in any line of business, the insurance business and the CLU's, the doctor, the M.D. and the pharmacists, if they have degrees or if they have any qualifications, certified and licensed by the state, they should be allowed to use them.

Now I believe this is a good step to help the public and not

to be subjected to misrepresentation by certain individuals who could misrepresent their abilities. I suggest to you that we recede and concur. I think it is a good bill and if I didn't, I wouldn't have put it in, I can tell you that.

The SPEAKER pro tem: The Chair recognizes the gentleman from Portland, Mrs. Boudreau.

Mrs. BOUDREAU: Mr. Speaker and Members of the House: I can truthfully say I wasn't going to speak on this, but I will have to say that I hope you will recede and concur with the other body.

This bill originated from advertising by certain firms using the words "accounting" and "auditing." I have here in my hand a copy of one of the ads. This particular firm at this time has either nine or eleven indictments against them pending in court. The people that they did the work for — these were tax returns — are the ones who are going to suffer. They are the ones who are going to have to pay the penalty, no matter who was the guilty party. I am sure many of these people probably would not have employed this firm if they had realized advertising accounting did not mean they were a PA or a CPA.

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

Mr. DONAGHY: Mr. Speaker and Members of the House: I don't want to to prolong this any more, but I would once more read to you what this bill says, regardless of what my good friends Mr. Carrier and Mrs. Boudreau have told you.

This bill says, "No person shall sign or affix his name or any trade or assumed name used by him in his profession or business, with any wording indicating that he is an accountant." But what has been crossed out of here — this is an amendment to our present law. They have crossed out "a public" and they are now saying "he is an accountant." Now if we start doing that, we have changed the whole meaning of the thing. It has nothing to do with certification or anything else. It just says the man can't say he is an accountant.

I think Mrs. Boudreau has answered the question quite well in saying that there is already a certain individual in Portland who is under indictment or ten indictments, or something like this. It would seem as though the law is pretty well taking care of this already. I don't see how we want to go any further with it.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Portland, Mrs. Boudreau.

Mrs. BOUDREAU: Mr. Speaker and Members of the House: We have problems enough in Portland. This gentleman is not from Portland, not even from Cumberland County.

The SPEAKER pro tem: The pending question is on the motion of the gentleman from Milo, Mr. Trask, that the House recede and concur. A vote has been requested. All in favor of receding and concurring will vote yes; those opposed will vote no.

A vote of the House was taken.

62 having voted in the affirmative and 70 having voted in the negative, the motion did not prevail.

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

Mr. DONAGHY: Mr. Speaker, I now move that we adhere.

The SPEAKER pro tem: The pending question is on the motion of the gentleman from Lubec, Mr. Donaghy, that the House adhere. All in favor will say yes; those opposed will say no.

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

Non-Concurrent Matter

Bill "An Act Appropriating Funds for a Local Government Center" (H. P. 766) (L. D. 999) which was recommitted to the Committee on Appropriations and Financial Affairs in the House on March 22.

Came from the Senate passed to be engrossed in non-concurrence.

In the House:

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

Mr. HASKELL: Mr. Speaker, I move that the House recede and concur.

The SPEAKER pro tem: The gentleman from Houlton, Mr. Haskell, moves that the House recede and concur.

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

Mr. CAREY: Mr. Speaker and Members of the House: I would certainly hope that the House does not recede and concur. We are being more or less taken for a ride by the Maine Municipal Association of which I am a member, of which I served on the board of directors in one of the Maine Conferences of Mayors. On the legislative bulletin that they hand out, I would like to point out to you some greed that this particular organization is operating with right now.

They have condemned the passage of an act which exempts fuel used to heat commercial broilers, and they tell you that the revenue loss will be \$50,000. But they don't stop there, they continue and say that 4 percent of that loss would be \$2,000. The only people who would be concerned with the 4 percent would be the municipal officials because the 4 percent happens to be that part of the tax which would be going back to the municipalities. So for \$2,000, they are coming out against the bill.

There is another one in 1465, which is An Act relating to Sales Tax on Farm Machinery and Equipment. The Maine Municipal Association is death against that bill because it just so happens that 4 percent of the money that would be lost from that bill comes to \$5,200. And it seems a shame that some of these bills—and we don't have any farms in the City of Waterville, so the passage or the killing off of these bills could concern my community very little. But what does concern me is that they can, for a few measly thousands of dollars, they can try to steal the State of Maine, so to speak, with a hundred thousand dollars.

I told you the last time that we were on this bill that they had \$7.7 million for the last biennium.

And in checking with the Finance Office and the Maine Municipal Association debated the figures so we made a trip to the Finance Office with the people from Maine Municipal, and they stand to give this biennium \$14,700,000, which is almost a 100 percent increase over what they had the last time.

It is unfortunate they have placed themselves in a position of condemning some bills because the entire state is going to lose, at least at the municipal level, some \$2,000 or some \$4,000 when they stand to divide a pot of some \$14 million.

I would certainly hope that you do not recede and concur and that we can insist on our action and hopefully the Appropriations Committee then can rewrite this bill so that everyone will get some justice out of it.

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

Mr. HASKELL: Mr. Speaker, Ladies and Gentlemen of the House: The gentleman from Waterville I think perhaps is confusing the issue a little bit this morning. He offered an amendment last week proposing that we take from the revenue sharing monies that go back to the municipalities the money that is involved here. At the time I indicated I felt this was not possible and a subsequent investigation both by Mr. Carey and myself established that this is the case. Now there is no way that we can appropriate money for this purpose.

Now as I also indicated at the time of the debate last week, this is another bill that is a marginal bill from the point of view that its funding in the final days of the session is going to depend a great deal on the availability of funds, and in the last analysis, this bill may or may not be funded off the Appropriations Table.

However, we did feel in hearing the presentation before the committee that building a suitable headquarters for Maine Municipal Association, and the building would also be used by the Maine School Management, was a worthwhile project and a project in which it

probably was legitimate for the state to make some contribution. And that is the reason the bill was passed out of the Appropriations Committee with a unanimous "ought to pass" report.

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

Mr. CAREY: Mr. Speaker and Members of the House: The gentleman from Houlton, Mr. Haskell, is a little bit incorrect when he says that it is impossible to make that change by amendment. The amendment that I offered would have provided a change. There was a question as to whether or not it could have been done that way, so that the fight on that amendment was not probably as sufficient as it could have been. The motion to recommit, which was made by the gentleman from Lewiston, Mr. Jalbert, was indeed probably the better way to handle it. The bill could go back to committee and be rewritten.

I have checked, after Mr. Haskell informed me that it was impossible to take \$100,000 from that fund which was dedicated to the community, I have checked it out and it is certainly possible to do it. They are not funded through a constitutional amendment. We funded that thing while I was on the Appropriations Committee and we funded it by statute, and the reason we funded it by statute, so that if it didn't work or if it needed clarification, then it could be done by this body, it wouldn't have to go back out to the people. They don't have dedicated revenues as such, as would be given to either Fish and Game or to the Highway Commission. So the recomittal motion would be the one which hopefully would come out of the Appropriations Committee with the new draft, which would handle the technicality of getting the \$100,000 funded by those people who would be using that facility, the Maine municipalities.

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

Mr. JALBERT: Mr. Speaker and Members of the House: Last week I went into a long dissertation as

to the history of the Maine Municipal Association. Since then, I have checked in further for more facts. For instance, in Waterville, since the present Mayor of Waterville, the gentleman from Waterville, Mr. Carey, has been Mayor, the dues have gone up from \$2,100 to \$4,000 a year. It is my knowledge that the dues in Lewiston have gone up double and triple in the last few years. It is also my knowledge, and for proof of the pudding I would refer you to the gentleman from Lewiston, Mr. Jacques, that one year when he was Mayor of Lewiston, we withdrew ourselves from paying any dues and we lived just the same.

It is also my understanding from a member of this body, who is also a member of the aldermen from the City of Lewiston, that we are contributing \$4,000 towards this building that the Maine Municipal Association wants.

Now it is not my habit, and I make it not my habit, to go against my own committee reports. I objected to this in committee. I did not like it then and I do not like it now. I moved that this thing would be recommitted. I still want this measure to be recommitted. Now as far as the Maine Municipal Association is concerned, what this means is a grab from wherever they can grab at the expense of the elderly or child care or other programs.

Now I have a bill that is coming before the Education Committee tomorrow. It is my only money bill. And I am going before that committee to withdraw it, which means that from that day on I am going to be like nails to get money out of. Later on I hope that I will be granted unanimous consent to address this body to prove to you at the hearing yesterday before the Appropriations Committee what made up my mind. And I will not be as soft in my remarks in that area as I am now. Power grabs I dislike. Power bosses I abhor. I do not tell people, I ask them.

We gave the cities of Maine \$5 million in instigating our own revenue sharing program from the state. The cities and towns are getting \$20 million from the federal government. It is more than

possible that through tax reforms and the monies we enjoy we will have more money to give them. But if you will look at your Senate Calendar today, you will see all these items calling for money on this calendar and we haven't even started to talk about Part I yet, let alone discussing the operational cost of Part II. You can well imagine what this is going to look like. We are going to have to have a special calendar printed for special items on the special appropriations table.

And somewhere along the line, I think that if the Maine Municipal Association want to build themselves an empire, they should not come up here for double grabs. And that is why I wanted this bill recommitted. And I still make, and I suggest Mr. Speaker, that we insist. This bill should be recommitted. I will be honest with you. If this bill is not recommitted, I have got to keep my word because I voted for this bill with my Appropriations Committee. I want this bill recommitted because I want to get up there and if I am the only one who signs it to clobber it, so be it. I do not want to put myself in a position of going upstairs "ought to pass," and down here "ought not to pass." I do not operate that way. You voted three to one to recommit this bill last week. I hope you hold to your action.

I want an opportunity to tell my colleagues on the Appropriations Committee, two jackets, please if I am alone and I will pick it up from there.

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

MR. KELLEHER: Mr. Speaker and Ladies and Gentlemen of the House: I am not particularly fond of this bill and I am not particularly fond of sending it back to the Appropriations Committee because I do not believe that they can do anything for it. I am surprised that it came out in the committee report as it did. I think that we should do justice to the bill this morning and kill it. There is no way that they are going to be able to rearrange this bill if

they get it back in their committee and if it was the MTA people in here or any other organization asking for a \$100,000 handout, I do not believe we would be so acceptable to the idea. So I move with the gentleman from Waterville's motion, Mr. Speaker and ladies and gentlemen.

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

Mr. BRAGDON: Mr. Speaker and Ladies and Gentlemen of the House: I am somewhat surprised this morning that this bill seems to have developed into accusations against the Maine Municipal Association. Certainly this is a development that I did not look to. I have always looked upon them as an organization that was doing a good job for the people they represent, namely municipal government. And I, as well as the gentleman from Waterville and the gentleman from Lewiston, I, too, was a member of that legislature that instigated state revenue sharing for the municipalities.

When we considered that, what we had in mind was that municipal taxes, taxes if you will on real estate, were way in excess of what they should be and that we should do something at the state level where the money would come out of the income tax and the sales tax, all the broader base taxes, that we should give some relief to the real estate tax, I think that that was a sound decision then and I think it is still a sound decision. Because we made that step in that session of the legislature, we were all set up to take advantage of revenue sharing at the national level when it was instigated by the present administration in Washington.

I know from talking with our municipal officials that this federal and state revenue sharing money comes as a very welcome contribution to their excessive costs of local government where they have no means of finding the money except on the somewhat overused method of real estate taxation. I am really surprised that this attack came on what I have always looked upon as a

very honorable and very efficient organization for the municipal governments in our state.

I will say this, that in presenting this bill — and I have got to say that I am the father of the bill, if you will — I offered to present it for the Maine Municipal Association because I felt that it was just another little nudge in that same direction, if you will, recognizing the services that they have served, that they have given to the municipalities in the state. I felt that they were entitled to a building more in keeping with the important position that they hold in our state government. I felt that if we do not do anything any worse in this session than pass this bill and let it hinge on what the municipalities themselves finally do with regard to coming up with sufficient money which they are now being asked for from the municipalities to get this building built this summer, if we do not do anything worse than this in this session of the legislature, I have got to say that in my opinion we will have acquired an enviable record.

I do not think in the light of some legislation that is likely to come out of this session, in my opinion this is not bad legislation. I think that it is a good gesture to a very efficient and effective organization and I hope you will go along with the motion of the gentleman from Houlton, Mr. Haskell and recede and concur with the Senate.

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

Mr. JALBERT: Mr. Speaker and Ladies and Gentlemen of the House: I know that the gentleman from Perham, Mr. Bragdon, knows that I did not attack. I will comment, however, that he just put the words right in my mouth and yours: "just a little nudge." Our contribution towards the dues in Lewiston are \$4,900. Our contribution towards the building is \$4,600. Now they want another "just a little nudge" with a price tag of \$100,000. And I want this bill recommitted so I can tell my committee upstairs I was wrong. I am

a human being, I can say that I was wrong. I cannot break my word. I never have. I have never signed a report one way and gone the other. I want this bill back upstairs so I can take my name off it. If it is killed here, so be it. But I am telling you the procedure that I want to use; and as far as I am concerned, I do not want to give the Maine Municipal Association \$4,900 along with all of you people giving in your local area and then giving them a double dose of fudge here by giving them \$100,000 in dough that can go to other worthy places.

The SPEAKER pro tem: The Chair recognizes the gentleman from Oakland, Mr. Brawn.

Mr. BRAWN: Mr. Speaker and Ladies and Gentlemen of the House: This morning I must go along with my good friend Mr. Carey. The little town which I represent, which I happen to have been chairman of the council at the time, we belong to the Maine Municipal Association. We received much advice from them which was not true. They gave us advice and they advised us to go to court. We went to court, we lost that case and then I went to them and said, "Why did you give us this information, it was wrong." He said, "This is just our opinion."

So now we do not have the Maine Municipal any more. We hire our own lawyer who does give us the right information, and we have not lost any cases; and I hope that they will not be granted an empire, because if you go to court, whether you belong to the Maine Municipal or not, they will not defend you. They will not appear there for you as witnesses. Theirs is just opinions they are giving you.

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

Mr. JACQUES: Mr. Speaker and Ladies and Gentlemen of the House: Being in city government for 14 years and maybe more, in 1961 or 1960 it was, I asked the council not to donate to the Maine Municipal Association because I felt that all the years that I had been up here in the legislature or in the city government, that I do

not ever remember of the Maine Municipal Association doing anything for Lewiston. And I still feel that way. And if I had been on the city council, I will guarantee you that that \$4,000 they would never have had, if that is what we gave.

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

Mr. DUDLEY: Mr. Speaker and Ladies and Gentlemen of the House: I would like to urge you this morning to insist on our former action and not recede and concur with the Senate and not send it back to committee because this could be taken care of here, now and this morning. And stop fooling around and get to work on something that is more important, because this is costing money when you recommit these bills. It is costing the taxpayer money and isn't a worthwhile thing. I do not need to have it recommitted. I know it is no good and I want to see it taken care of this morning.

So I hope that we insist on our former action and this will be the end of the line and this will be the end of this and we can get on with something else.

Mr. Haskell of Houlton was granted permission to speak for a third time.

Mr. HASKELL: Mr. Speaker and Ladies and Gentlemen of the House: The issue here this morning is not a trial of the Maine Municipal Association, it is whether or not we should send this bill back to committee. Now in my view it would be an exercise in futility to send this bill back to committee because any legislation that we could devise in committee that would allow us to take this money out of the revenue sharing money of the towns would leave the door wide open so that any bill from then on that had to do with the municipalities in the state could be rated by the legislature for funding. So in effect, the challenge that you put to the Appropriations Committee, if you refer this back, is to devise some kind of legislation that would allow us to make a one-shot grab into the revenue sharing money of the

municipalities and then close the door so that we can't do it again.

Now that is rather tricky legislation to devise, and frankly, we don't have the time to devise that kind of legislation. So in my view, recede and concur and the bill goes along to the Appropriation Table. Certainly between now and June you have got every opportunity to register your dissatisfaction with the operation of the Maine Municipal and attempt to kill it on the Appropriation Table.

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

Mr. JALBERT: Mr. Speaker and Members of the House: The discussion here with me is asking that it be recommitted so that I can change my vote on this measure from yes to no, having signed out a report "ought to pass." That is my personal issue.

The issue is not whether or not this should be taken out of the municipalities on Maine Municipal, as far as Maine Municipal funds are concerned. The issue with me is that I, after looking the bill over and discussing it even in the Appropriations room didn't like then and do not like now to have them raid the communities, my own for instance for \$4,600 to build themselves a building and then turn around and come here for \$100,000.

So the points are these: If you vote to insist, you are right back telling the unmentionable branch that we do want this referred back to committee. If the motion to recede and concur does not prevail, then anyone can get up and move the indefinite postponement of the bill and all of its papers and I hope it wins by more than one vote.

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

Mr. KELLEHER: Mr. Speaker and Members of the House: I don't want to sound like I am confused but I am, but does an indefinite postponement motion have priority right at the moment?

The SPEAKER pro tem: The Chair would inform the gentleman that the motion to recede and concur has precedence.

Mr. KELLEHER: Mr. Speaker and Ladies and Gentlemen of the House: I am not here trying to try the Maine Municipal Association, but my argument is, and other arguments of some of the people who have spoken here this morning, that this is not good financing. It doesn't benefit the people of the State of Maine one little bit. We shouldn't be getting involved in the bill in this position to begin with. I am very much disturbed that it had to come from the Appropriations Committee in the light that it did. I hope we don't insist. I would like to see us kill it and we have got to kill the recede and concur motion to begin with and then try to kill the bill.

Mr. Bragdon of Perham requested a roll call vote.

The SPEAKER pro tem: A roll call has been requested. For the Chair to order a roll call, it must have the expressed desire of one fifth of the members present and voting. All those 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 pro tem: The pending question is on the motion of the gentleman from Houlton, Mr. Haskell, that the House recede and concur on Bill "An Act Appropriating Funds for a Local Government Center" (H. P. 766) (L. D. 999). All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Baker, Birt, Bither, Bragdon, Briggs, Bunker, Cameron, Carter, Churchill, Cottrell, Cressey, Curtis, T. S., Jr.; Dam, Dow, Evans, Ferris, Flynn, Gahagan, Good, Hamblen, Haskell, Immonen, Knight, Lewis, J.; Littlefield, MacLeod, Maddox, Mills, Morton, Norris, Perkins, Shaw, Silverman, Simpson, L. E.; Smith, D. M.; Smith, S.; Snowe, Soulas, Sproul, Trask, Tyndale, White.

NAY — Albert, Ault, Berry, G. W.; Berry, P. P.; Berube, Binnette, Boudreau, Brawn, Brown,

Carey, Carrier, Chick, Chonko, Clark, Conley, Connolly, Cooney, Cote, Crommett, Curran, Davis, Deshaies, Donaghy, Drigotas, Dudley, Dunleavy, Dunn, Dyar, Emery, D. F.; Farley, Farnham, Faucher, Fecteau, Finemore, Fraser, Garsoe, Gauthier, Genest, Goodwin, H.; Goodwin, K.; Hancock, Henley, Herrick, Hobbins, Huber, Hunter, Jackson, Jacques, Jalbert, Kelleher, Kelley, Kelley, R. P.; Keyte, Kilroy, LaCharite, LaPointe, Lawry, LeBlanc, Lewis, E.; Lynch, Mahany, Martin, Maxwell, McCormick, McHenry, McKernan, McMahan, McNally, Merrill, Morin, L.; Morin, V.; Murchison, Najarian, O'Brien, Palmer, Parks, Peterson, Pontbriand, Pratt, Ricker, Rolde, Rollins, Ross, Santoro, Stillings, Talbot, Tanguay, Theriault, Tierney, Trumbull, Walker, Webber, Wheeler, Whitzell, Willard, Wood, M. E.

ABSENT — Bustin, Farrington, Greenlaw, Hodgdon, Hoffses, McTeague, Mulkern, Sheltra, Shute, Susi.

Yes, 42; No, 97; Absent, 10.

The SPEAKER pro tem: Forty-two having voted in the affirmative and ninety-seven in the negative, with ten being absent, the motion to recede and concur does not prevail.

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

Mr. DUDLEY: Mr. Speaker and Ladies and Gentlemen of the House: I now move that this bill be indefinitely postponed just to expedite matters.

The SPEAKER pro tem: The Chair recognizes the gentleman from Brewer, Mr. Norris.

Mr. NORRIS: Mr. Speaker, a point of order. I think that you will find that the only action that can be taken at this time is to recede and concur, to insist or to adhere on matters from the other body.

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

Mr. ROSS: Mr. Speaker, I move that we adhere.

The SPEAKER pro tem: The gentleman from Bath, Mr. Ross, moves that the House adhere. The Chair will order a vote. All those

in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

114 having voted in the affirmative and 25 having voted in the negative, the motion did prevail.

At this point, Speaker Hewes returned to the rostrum.

SPEAKER HEWES: The Chair thanks the gentleman and commends him for an excellent performance.

Thereupon, the Sergeant-at-Arms escorted Mr. Hoffses to his seat on the floor, amid the applause of the House, and Speaker Hewes resumed the Chair.

Order Out of Order

Mr. Hobbins of Saco presented the following Order out of order and moved its passage:

ORDERED, that Judith Anderson and Kathleen Steward of Saco be appointed Honorary Pages for today.

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

Non-Concurrent Matter

Bill "An Act to Impose a Fee for Waiving the Waiting Period before Marriage" (H. P. 646) (L. D. 862) which was passed to be engrossed as amended by Committee Amendment "A" in the House on March 26.

Came from the Senate with the Minority Report "Ought Not to Pass" read and accepted in non-concurrence.

In the House: On motion of Mrs. Baker of Orrington, the House voted to insist.

Non-Concurrent Matter

Bill "An Act Relating to Due Date for Payment of Inheritance Taxes" (H. P. 1144) (L. D. 1337) which was passed to be engrossed in the House on March 14; Bill and accompanying papers indefinitely postponed in the Senate on March 22 in non-concurrence; and the House insisting on its former action on March 26.

Came from the Senate with that Body insisting on its action of March 22 and asking for a Committee of Conference.

In the House: On motion of Mr. Finmore of Bridgewater, the House voted to further insist and join in a Committee of Conference.

**Divided Report
Tabled and Assigned**

Majority Senate Report of the Committee on Judiciary reporting "Ought to pass" on Bill "An Act Relating to Penalty for Operation of Motor Vehicle under the Influence of Intoxicating Liquor" (S. P. 251) (L. D. 702)

Report was signed by the following members:

Messrs. TANOUS of Penobscot
BRENNAN

of Cumberland
SPEERS of Kennebec
— of the Senate.

Messrs. DUNLEAVY
of Presque Isle
GAUTHIER of Sanford
PERKINS

of South Portland
McKERNAN of Bangor
HENLEY of Norway
Mrs. BAKER of Orrington
Mrs. WHEELER of Portland
Mrs. WHITE of Guilford
Mrs. KILROY of Portland
— of the House

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

Report was signed by the following members:

Mr. CARRIER of Westbrook
— of the House

Came from the Senate with the Majority Report accepted and the Bill passed to be engrossed.

In the House: Reports were read.
The SPEAKER: The Chair recognizes the gentlewoman from Orrington, Mrs. Baker.

Mrs. BAKER: Mr. Speaker, I move the acceptance of the Majority "Ought to pass" Report.

(On motion of Mr. Carrier of Westbrook, tabled pending the motion of Mrs. Baker of Orrington to accept the Majority "Ought to pass" Report and specially assigned for Monday, April 2.)

Divided Report

Majority Senate Report of the Committee on Natural Resources reporting "Ought to pass" as amended by Committee Amend-

ment "A" (S-41) on Bill "An Act to Specify the Date for Closing of Open Burning Dumps in Maine" (S. P. 288) (L. D. 835)

Report was signed by the following members:

Messrs. MARCOTTE

of Androscoggin
SCHULTEN of Sagadahoc
Mrs. CUMMINGS of Penobscot
— of the Senate.

Messrs. MacLEOD of Bar Harbor
PALMER of Nobleboro
CURRAN of Bangor
HERRICK of Harmony
Mrs. BERUBE of Lewiston
— of the House.

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

Report was signed by the following members:

Messrs. PETERSON of Windham
SMITH of Exeter
BRIGGS of Caribou
HUBER of Falmouth
ROLDE of York
— of the House.

Comes from the Senate with the Majority Report accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (S-41).

In the House: Reports were read.

On motion of Mr. Palmer of Nobleboro, the Majority Report was accepted and the Bill read once.

Committee Amendment "A" (S-41) was read by the Clerk and adopted.

The Bill was assigned for second reading tomorrow.

Order Out of Order

Mr. Dyar of Strong presented the following Order and moved its passage.

ORDERED, that Cathy Penney and Will Mitchell of Strong be appointed Honorary Pages for today.

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

Messages and Documents

The following Communication:
The Senate of Maine

Augusta

March 27, 1973

Mrs. E. Louise Lincoln

Clerk of the House

106th Legislature

Dear Madam Clerk:

The Senate voted to Adhere to its action whereby it accepted the Majority Ought Not to Pass report in non-concurrence on Bill, "An Act Relating to Fees for Forest Lands and Wild Lands Posted Against Trespass." (H. P. 58) (L. D. 70)

Respectfully,
(Signed)

HARRY N. STARBRANCH

Secretary of the Senate

The Communication was read and ordered placed on file.

**Petitions, Bills and Resolves
Requiring Reference**

The following Bills and Resolutions were received and, upon recommendation of the Committee on Reference of Bills, were referred to the following Committees:

Health and Institutional Services

Bill "An Act to Require Certain Adjustments in the Fluoride Content of Some Public Water Supplies" (H. P. 1282) (Presented by Mrs. Najarian of Portland)

(Ordered Printed)
Sent up for concurrence.

Judiciary

Bill "An Act Relating to Valuation of Shares of Joint Owners of Property and to the Disposition of Joint Property on Death of a Joint Owner" (H. P. 1277) (Presented by Mr. Shute of Stockton Springs)

(Ordered Printed)
Sent up for concurrence.

Health and Institutional Services

Bill "An Act Relating to the Registration of Osteopathic Physicians and Surgeons" (H. P. 1274) (Presented by Mr. LaCharite of Brunswick)

The Committee on Reference of Bills suggested the Committee on Legal Affairs.

On motion of Mr. Dyar of Strong, referred to the Committee

on Health and Institutional Services, ordered printed and sent up for concurrence.

Legal Affairs

Bill "An Act Establishing the Aroostook-Prestile Treatment District" (H. P. 1276) (Presented by Mr. Gahagan of Caribou)

(Ordered Printed)
Sent up for concurrence.

Liquor Control

Bill "An Act Prohibiting Liquor Advertising" (H. P. 1284) (Presented by Mr. Farnham of Hampden)

(Ordered Printed)
Sent up for concurrence.

Natural Resources

Bill "An Act Relating to Maine Coastal Protection" (H. P. 1271) (Presented by Mr. Rolde of York)

(Ordered Printed)
Sent up for concurrence.

Tabled and Assigned

Resolution Proposing an Amendment to the Constitution to Provide for an Environmental Bill of Rights (H. P. 1279) (Presented by Mr. Dunleavy of Presque Isle)

The Committee on Reference of Bills suggested the Committee on Natural Resources.

(On motion of Mr. MacLeod of Bar Harbor, tabled pending reference and tomorrow assigned)

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

Mr. MILLS: Mr. Speaker, this item that we have just tabled here, proposing an amendment to the constitution to provide for an environmental bill of rights, on the next page there is a committee report of "ought not to pass" under practically the same title. Can somebody explain what this is?

The SPEAKER: The Chair would inform the gentleman that there is a question as to whether or not the second bill is allowable under the rules, in view of the fact that the first bill has been reported out "ought not to pass" and that was one of the reasons for tabling, I am so informed. We thank the gentleman.

Tabled and Assigned

Bill "An Act to Create the Maine Coastal Development Corporation as a Body Corporate and Politic" (H. P. 1267) (Presented by Mr. Rolde of York)

The Committee on Reference of Bills suggested the Committee on State Government.

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: This bill is a companion bill to item six, which we have just referred to the Natural Resources Committee. They deal with the same topic and they both ought to go to the same committee. I would suggest that we table it for one day, if the gentleman from East Millinocket wishes to.

(On motion of Mr. Birt of East Millinocket, tabled pending reference and tomorrow assigned.)

State Government

Resolution Proposing an Amendment to the Constitution Abolishing the Executive Council and Changing the Legislature to a One Body System (H. P. 1275) (Presented by Mrs. Najarian of Portland)

Resolution Proposing an Amendment to the Constitution Reducing the Size of the House of Representatives and Establishing Single Member Districts (H. P. 1285) (Presented by Mrs. Najarian of Portland)

(Ordered Printed)

Sent up for concurrence.

Bill "An Act Relating to Municipal Excise Taxes on Boats and Motors" (H. P. 1278) (Presented by Mr. Kelley of Southport)

Bill "On Act Creating a Homestead Tax Exemption for Totally Disabled Veterans Who are Residents of Maine" (H. P. 1280) (Presented by Mr. Dunleavy of Presque Isle)

Bill "An Act Creating a Homestead Tax Exemption for Maine Residents 62 Years of Age or Older" (H. P. 1283) (Presented by Mr. Dunleavy of Presque Isle)

(Ordered Printed)

Sent up for concurrence.

Transportation

Bill "An Act Authorizing Use of Maine Turnpike by Legislators" (Emergency) (H. P. 1281) (Presented by Mrs. Najarian of Portland)

(Ordered Printed)

Sent up for concurrence.

Orders

At this point, the Speaker appointed the following House members to the Committee of Conference on Bill "An Act Relating to Due Date for Payment of Inheritance Taxes" (H. P. 1144) (L. D. 1337):

Messrs. FINEMORE

of Bridgewater

KELLEHER of Bangor

ROLLINS of Dixfield

Mr. Jalbert of Lewiston was granted unanimous consent to address the House.

Mr. JALBERT: Mr. Speaker, Ladies and Gentlemen of the House: Yesterday afternoon, the Appropriations and Financial Affairs Committee started hearing measures wherein it concerned themselves with capital expenditures of state government. At the time of the hearing, because of other pressing business, the chairman of the full committee was unable to be there, the affable and very patient gentleman from Houlton, the House Chairman was chairing the meeting.

The department that we were hearing concerned itself with Mental Health and Corrections. Among the items that they wanted was money amounting to about \$79,000 for a new boiler, a smaller boiler, based upon the fact that the present boiler that they had was too big for the work that they did and during certain periods they could only lower the steam down to a percentage where it would still be too hot for the patients and personnel in the compound.

The conversation went on—the discussion by me went on where the different individuals at the Augusta State Hospital and also a member of the department in the Senate office building got into the discussion. My point was,

why not have a centralized point for a laundry, as I would like to see a central point for purchasing of food and several other things that would eventually save us a great deal of money. I was told that the Mental Health and Corrections Department practically finalized negotiations to do the laundry.

The SPEAKER: For what purpose does the gentleman rise?

Mr. BRAGDON: Mr. Speaker, for a point of order. My point is that the gentleman from Lewiston is discussing a matter which was considered before a committee yesterday afternoon, and I don't know where he is heading, but it seems to me it should well be considered by the committee previous to having a hearing before the House. I, myself, was not able to be there and I really don't know where he is heading, but I wonder whether he is in order.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert asked the unanimous consent to address the House and was granted that. I assume he is not divulging any confidences of the committee.

Mr. JALBERT: Mr. Speaker, when I am not present at a meeting, I either pick it up by ear from some other member of the committee or I keep quiet. The hearing was advertised. It was public. Anybody could be there from the State of Maine or anybody could be there from the legislature. And I am in order. I asked for unanimous consent to address the House. If it will please the gentleman, I will sit down and get up again and ask for unanimous consent to address the House and the gentleman may say no if he wants to, but in the meanwhile I will proceed, and he will get my point before I sit down.

So then when I asked them what happened to the negotiations, I was told that the negotiations as to doing the laundry for the Augusta General Hospital and the Gardiner General Hospital, my point was, of course, that they could do the laundry for Bangor and for Pineland. But my first question was answered that the controller had informed them that this could not be done because he

would not let them go into the program of net expenditures, which means that money could not be shown as money collected.

Of course that was wrong, and it is wrong. And that is one of the reasons I am on my feet, to say that he is wrong. And if the department says I am wrong, they will have every privilege they can send a communication to this House. The reason it is wrong is because the money that they were to have collected for doing this service for these two hospitals could have been put into a special account and then at the end of the biennium, at the end of the year, could have been put into the General Fund.

I proceeded and asked them why we couldn't do the laundry for the Bangor State Hospital and the laundry for Pineland. Well, that would be an expensive matter; although in the next breath they did tell us that besides doing the laundry for the Augusta State Hospital, they also did the laundry for the Skowhegan Women's Correctional Center and also the center at Hallowell. I was so disturbed and disgusted that I left the hearing and went home to stew in my own juice.

Mr. Speaker, I would suggest to the members of this House that they read the report, both majority and minority, concerning the Department of Mental Health and Corrections. I have been told by members of the department themselves. I have visited every institution during the night, in the morning and in the afternoon, and I charge that the administrative head of the Mental Health and Corrections Department is completely incompetent, out of line and out of order. That was my point, if the gentleman from Perham, Mr. Bragdon, had the patience to listen to me. That is my point.

I repeat — the Committee on Mental Health and Corrections is completely incompetent. How could a department be declared anything else when a few years ago the population at Pineland, at Augusta, at Bangor, was sixteen or seventeen hundred as compared now at Pineland at six or seven hundred

and it goes on at Bangor and Augusta, yet the administrative costs have gone up tenfold. I think this should stop. I think this department should be looked into on an investigatory basis from beginning to end. Thank you very kindly.

Mr. Dyar of Strong was granted unanimous consent to address the House.

Mr. DYAR: Mr. Speaker and Members of the House: The gentleman from Lewiston has brought up a very tender point with the Committee on Health and Institutional Services. Last week this report was put on your desks and I understand there are very few of you who have had the time to look at it, but I would suggest that this weekend that you do go through it.

We have made definite recommendations, hoping to clean up some of the mess that he has described here this morning. And when I use the word mess, this is with a capital M.

The minority report Mr. Jalbert referred to has not come out. We are having a few problems with it. It should be out Monday.

The committee the 105th saw fit to have investigate the Department of Mental Health and Corrections in my mind did a good job. We were in every institution in this state with the exception of Bangor State Hospital, inasmuch as they had a committee appointed to investigate that facility independently. We were in these buildings at every hour of the day, every nook and cranny. The superintendents many times did not know we were in the buildings and they didn't know that we had been there and when we left. If the taxpayers of the State of Maine could see the conditions their sons and daughters, mothers, aunts and so forth are going through in our state institutions, you would have a small rebellion in this state.

The accounting methods used by this department in my mind are atrocious. The gentleman mentioned the net account. They are on a line budget supposedly. For the first time in history they used the

depreciation last year and showed a \$16,000 loss through depreciation which gave them the incentive to close the farm because it was not profitable.

If you will take time this weekend, or when you have spare time, and go through this yellow document, and I hope next week go through the brown-covered document and see the committee recommendations and when some of these bills come in to be acted upon, I think you will be able to act upon them with some confidence. Thank you.

Mr. Gauthier of Sanford was granted unanimous consent to address the House.

Mr. GAUTHIER: Mr. Speaker and Members of the House: I would like to mention a report that was put on your desk with reference to Community Investment Buildings. This report was put out by the Maine Department of Commerce and Industry and it was on your desks a few days ago. I urge everyone to read it thoroughly and especially I would urge you to read pages 21 through 24.

Having had something to do with this section of the report, and as you know, Sanford and Springvale lost its main industry in 1954, which was Goodell-Sanford, which put some 3,600 people out of work; and the report will show you why the people of Sanford and Springvale were proudly named the town that refused to die. And we were so acclaimed and honored by national television who recognized this and made a complete report on television how Sanford refused to die and came back on its feet. Therefore, I again urge you to read the report. I think you will find it very interesting.

Mr. Dam of Skowhegan was granted unanimous consent to address the House.

Mr. DAM: Mr. Speaker and Ladies and Gentlemen of the House: Since the subject of the Department of Mental Health and Corrections was brought up this morning, I would like to support Mr. Dyar when he spoke about accounts because I know for a definite fact that the accounts are mishandled and the accounts are be-

ing juggled by the Department of Mental Health and Corrections. And some of the information we have received here is not accurate information. It is the information that the administration wants to give. And I think maybe if there was a closer scrutiny of the expenditures, that maybe we could reduce the appropriation and not let them have so much fat to play around with.

And the other thing I would like to bring out to you this morning, that maybe we could eliminate some of the cost of operating our institutions if the Department of Mental Health and Corrections would let the inmates, or if you want to call them residents, do their own personal laundry and not make the taxpayers hire someone to do the personal laundry and that is the intimate laundry of the inmates. Now, they are not even allowed to do this, they are not allowed to clean their rooms. The taxpayers are paying for people to do this work. And I think there is a time to call a screeching halt to it and I think it should be done in this session.

(Off Record Remarks)

Mr. Jalbert of Lewiston was granted unanimous consent to address the House.

Mr. JALBERT: Mr. Speaker and Members of the House: I will answer the good lady from Madison, Mrs. Berry by telling her that very obviously I was speaking about the Department of Mental Health and Corrections. It is a matter of record that I went to the Appropriations Committee and asked and urged them to give funds to Mental Health and Corrections Committee last summer so that they could continue their work. That is a matter of record in the minutes of the meeting of the Legislative Research Committee. I have nothing but respect for the members of the Mental Health and Corrections Committee in the work that they have done.

Now while I am on my feet I might assure the gentleman from Skowhegan, Mr. Dam, that I have one of these books termed "On Mental Health and Corrections"

here on my desk. I have one in Room 228 and I have one under my pillow at home in my bedroom.

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

Mr. MARTIN: Mr. Speaker, I would ask if the Clerk is in possession of L. D. 764?

The SPEAKER: The Chair would answer in the affirmative. The House is in possession of Senate Paper 276, L. D. 764 "An Act to Increase Outdoor Advertising License and Permit Fees and Extend Controls."

Mr. MARTIN: Mr. Speaker, I would move we reconsider our action whereby this bill was passed to be engrossed and would speak briefly.

The SPEAKER: The gentleman from Eagle Lake, Mr. Martin moves that the House reconsider our action whereby the House passed this bill to be engrossed. The gentleman may proceed.

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: After yesterday's debate on this particular item during the course of the session and after I was the recipient of a number of phone calls both pro and con and in between making suggestions and making comments about what we had done. I think that the procedure through which this was handled can be properly discussed and properly disposed of. I do think it is important that we make sure that the reputation of the legislature and of the Legislative Committee not be questionable and so I think in the meantime I would suggest that this item be tabled for two legislative days.

On motion of Mr. Simpson of Standish, tabled pending the motion of Mr. Martin of Eagle Lake to reconsider and specially assigned for Monday, April 2.

Joint Order

Mr. McKernan of Bangor presented the following Joint Order and moved its passage:

WHEREAS, the Maine Legislature acknowledges the current surge in meat prices; and

WHEREAS, the Legislature also

acknowledges that this situation is expected to worsen in the future; and

WHEREAS, the Federal Government has stated that it will put no controls on the prices of meat at the present time; and

WHEREAS, President Nixon has stated that the burden is on the consumer to reduce the cost of meat by purchasing less; now, therefore, be it

ORDERED, that the Members of the 106th Maine Legislature applaud the consumer meat boycott being planned across this State and the Nation as a means of reducing the cost of meat to the customer and urge all employees of the State to join consumer forces to lower meat prices; and be it further

ORDERED, that the Legislature endorses and supports the week of April 1st through 7th as Meat Boycott Week and urges all citizens of the State to join their fellow Americans in taking appropriate action. (H. P. 1308)

The Joint Order was read.

The SPEAKER: The Chair recognizes the gentle lady from Madison, Mrs. Berry.

Mrs. BERRY: Mr. Speaker and Members of the House: I would like to go on record as opposed to this.

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

Mr. HENLEY: Mr. Speaker and Ladies and Gentlemen of the House: Briefly, I applaud the action of the housewives in this activity. I feel that we, the purchasing public, can have a lot to do with the control of prices. I have always thought that. I think that perhaps this order will have served its purpose in having been read and brought to the forefront; but I, as my friend from Madison stated, do not feel that we in the legislature should officially put a stamp of approval on this item which is merely a citizen's activity. Let's leave that up to the citizens to take care of it as they see fit.

I know it is being done all over the country and probably I shall take part in it but I do not feel that it should be a matter of record that we will approve officially and

urge this sort of an action on the part of the citizenship and I would move for indefinite postponement.

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

Mr. MCKERNAN: Mr. Speaker and Ladies and Gentlemen of the House: I agree with my good friend, Mr. Henley, that this order will have no substantive effect. I think that the psychological effect that an order of this type will serve is that it will show the people in the State of Maine that politicians, as well as their constituents, are concerned about the prices of meat and of other consumer goods.

I think it is also good to note that politicians at the present time are not held in the highest esteem, unfortunately; yet, that this is a good way to show to the people that we realize that there are problems that they have and that we do applaud efforts such as this, the meat boycott that is being conducted around the state and the country. And we applaud not only their efforts but that we are willing to go along with them and go on record as supporting them.

I noticed in the paper this morning an article where Senator Hathaway is on record as supporting meat boycotts. I disagree with the reason that he is on record as supporting meat boycotts. He claims that it will force the Nixon administration to start putting some controls on the price of meat. I think just the opposite. I think, as I said in the order, that by supporting something like this, like a meat boycott that is conducted at the consumer level by the people and it is exactly what the President meant by the individual consumer taking the bull by the horns, as you have it; that this will be good consumer action which will force the prices to come down and that is the way that the present administration in Washington feels that it should be handled and I heartily agree.

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

Mr. KELLEY: Mr. Speaker and Ladies and Gentlemen of the House: The price of meat as well as many other foodstuffs that we

buy are set by supply and demand and cost of production and things far beyond the control of this House. For example, our national policy of shipping grain out of the country, the lack of supplies for our farmers and their costs all have to do with the price of meat.

Now, I would also like to suggest to the former speaker that the best way to handle a bull is to put a staff in the ring in his nose.

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

Mr. FINEMORE: Mr. Speaker and Members of the House: I feel qualified to speak on this order, which I am not very often qualified what I speak on. But after operating a slaughterhouse some 20 years, wholesale; and after operating an outlet, cutting meat for over 20 years, I think I understand it. And I am in favor of this order for one reason and one reason alone. I don't think the gentleman from Southport, Mr. Kelley, understands that one reason and I will explain it to him.

Right now there is too much difference between wholesale and retail. It used to be that if we paid 30 cents for something, we made 10 cents a pound, we were satisfied. But today you can buy a side of beef for less than \$1.00 a pound but you go in to buy any part of that side of beef, it is \$2.00, \$2.65 a pound. Once in awhile they run a sale down to \$1.19.

So I am very much in favor of this order. I appreciate the women, seeing them refuse to buy this meat. And I think if we would continue to do it for a couple or three weeks it will come down. If we can leave it in the warehouses, in the refrigerators it will come down. So I am very much in favor of this order.

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

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: I am not sure whether I even ought to get involved in this particular thing because it will probably end up looking like something it is not meant to be.

I do have a few comments that I think are rather interesting. You

know, we very often criticize one another for doing things. We criticize one administration for doing something and not all the blame obviously can be laid at anyone's door steps. But, you know, a lot of the blame has been aimed at the farmer and so I made some attempt to try to find out whether or not the farmer was indeed to blame for all of this. As I look at it and according to the records supplied by the Marketing and Transportation situation of the U.S. Department of Agriculture, it is interesting to note that the cost of meat that is being paid the producer has actually gone down since 1968. I am sorry, the total cost of the market basket which includes meat, dairy, poultry, eggs and bakery and cereal. Eggs have gone down 1.9 cents. Poultry has gone up but .5 cents and meat has gone up but .6. So the farmer is getting very little more than what he was getting four years ago and the problem obviously is the middleman, or someone in between. And obviously it is not a question of which administration happens to be in power as to what the middleman is doing in the process.

Another interesting thing, of course is that part of the problem has been created by the so-called grain deal with Russia and China and I agree with the gentleman from Southport that these things do create a problem from time to time. The additional problem that has created this situation as far as we are concerned in Maine which is doubling the problem is that boxcars are not available to haul the grain for Maine people, Maine dairy growers and producers. So that we do end up in a real situation where Maine is suffering on the end of the line.

I do think it is rather interesting that maybe the gentleman from Bangor should have waited a day to present this order because tomorrow is the 30th anniversary of the official start of the food rationing program which we had in 1943. And, you know, it is rather interesting that we are one day away where we may have to do

the same thing that was done in 1943.

I do think that the way we are proceeding in this country in terms of food prices that whether we want to talk about it or not, the situation is here. It is a critical one and I don't know about your constituents but I know that when I went home this weekend, food was the major item discussed, excluding the municipal elections. And, you know, it was interesting to note that every housewife, whether they be Republican, Independent, or Democrat, were all saying the same thing: What is wrong and what is going on? And maybe this order isn't going to solve it but I do think that it is going to help to demonstrate to people of Maine that we are willing to take a part in it and I am going to vote against the motion of indefinite postponement. I am sure the gentleman from Norway, Mr. Henley, expected that anyway.

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

Mr. KELLEHER: Mr. Speaker and Ladies and Gentlemen of the House: Very seldom do I ever ask for a roll call on an order such as this but I do ask for one this morning. It think it is an important order. I think it is a good gesture of the legislature to go on record and let your constituents know how you feel although you do tell them personally. There are many of them you are never able to reach. I would like to have a roll call on this order please.

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

Mr. LaCHARITE: Mr. Speaker and Members of the House: I too am in favor of this order and many of you may have heard on WBZ radio an interview with the owner of Purity Supreme Supermarkets. And the owner says that he is in favor of the boycott and he is reducing his meat supply for next week and feels that this boycott will reduce prices. For that reason, I support this order.

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

Mr. GAUTHIER: Mr. Speaker and Members of the House: I too am in favor of this order and I was surprised a few minutes ago when I heard Mr. Martin mention that we couldn't get any grain here in Maine, or transportation of wheat, but we are shipping plenty to Russia. I don't see why we can't get it here in Maine.

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

Mr. BINNETTE: Mr. Speaker and Ladies and Gentlemen of the House: I do not see anything wrong with that order. Everyone, as Representative Martin said, is talking about the high price of meat and other food. I really believe that we are not doing ourselves any injustice if we do accept this and I certainly for one vote to accept it.

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

Mr. HENLEY: Mr. Speaker and Ladies and Gentlemen of the House: Possibly there was a caucus on this. I don't know. It looks to me as though it is political; but if it is, I wonder why our Democratically controlled Congress did not pass such an order. All I am saying is that in spite of the fact that I am in agreement with this citizen's order, I might also agree with a lot of demonstrations being made but I do not agree that this legislative body should go out and make those demonstrations.

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

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: I do want to comment on that. I don't propose to speak for the Democratic Congress and I don't think anyone here would propose to speak for the Republican President and I do think, though, that we do have to keep in mind that we were elected by the citizenry; that if we feel that they have a valid protest, I think it is up to us to take a legitimate approach to protest and that this not end up in the street; that if we want to protest, we can

do it legitimately, we can do it constructively, we can do it to hopefully arrive at a solution rather than attempting to recommend or to suggest or to condone or anything else someone going in the streets. And that is the thing which I think we ought to avoid.

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

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

The SPEAKER: The pending question is on the motion of the gentleman from Norway, Mr. Henley, that Joint Order, House Paper 1308 Relating to Meat Prices be indefinitely postponed. All in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Ault, Berry, G.W.; Bither, Bragdon, Briggs, Chick, Cottrell, Donaghy, Dunn, Dyar, Garsoe, Hamblen, Haskell, Henley, Hunter, Lewis, J.; McCormick, Morton, Pratt, Rollins, Shaw, Snowe, Sproul, Walker, Willard, Wood, M.E.

NAY — Baker, Berry, P.P.; Berrube, Binnette, Birt, Boudreau, Brawn, Brown, Bunker, Cameron, Carey, Carrier, Carter, Chonko, Churchill, Clark, Conley, Connolly, Cote, Cressey, Crommett, Curran, Curtis, T.S., Jr.; Dam, Davis, Drigotas, Dudley, Dunleavy, Emery, D.F., Evans, Farley, Farnham, Farrington, Faucher, Fecteau, Ferris, Finemore, Flynn, Fraser, Gahagan, Gauthier, Good, Goodwin, H.; Goodwin, K.; Hancock, Herrick, Hobbins, Huber, Jackson, Jacques, Jalbert, Kelleher, Kelley, Kelley, R.P.; Keyte, Kilroy, Knight, LaCharite, LaPointe, Lawry, Lewis, E.; Littlefield, Lynch, MacLeod, Martin, Maxwell, McHenry, McKernan, McMahon, McNally, McTeague, Merrill, Mills, Morin, L.; Morin, V.; Murchison, Murray, Najarian, Norris, O'Brien, Palmer, Parks, Perkins, Peterson, Pontbriand, Ricker, Rolde, Ross,

Santoro, Sheltra, Shute, Silverman, Simpson, L. E.; Smith, D. M.; Smith, S., Talbot, Tanguay, Theriault, Tierney, Trask, Trumbull, Tyndale, Webber, Wheeler, White, Whitzell.

ABSENT — Bustin, Cooney, Deshaies, Dow, Genest, Greenlaw, Hodgdon, Hoffses, Immonen, LeBlanc, Mahany, Mulkern, Soulas, Stillings, Susi.

Yes, 27; No, 108; Absent, 15.

The SPEAKER: Twenty-seven having voted in the affirmative and one hundred eight having voted in the negative, with fifteen being absent, the motion does not prevail.

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

House Reports of Committees Ought Not to Pass

Mr. Curran from the Committee on Natural Resources reporting "Ought not to pass" on Resolution Proposing an Amendment to the Constitution to Provide for an Environmental Bill of Rights (H. P. 104) (L. D. 124)

Mr. McNally from the Committee on Labor reporting Ought not to pass on Bill "An Act to Include Full and Part-time Deputy Sheriffs and Part-time and Reserve Policemen under Workmen's Compensation" (H. P. 475) (L. D. 622)

Mr. McNally from the Committee on Labor reporting Ought not to pass on Bill "An Act Eliminating Restriction of Unemployment Benefits for Pension Payments" (H. P. 512) (L. D. 677)

Mr. McNally from the Committee on Labor reporting "Ought not to pass" on Bill "An Act Extending the Period of Entitlement to Compensation for Partial Incapacity under the Workmen's Compensation Law in Certain Cases" (H. P. 616) (L. D. 814)

In accordance with Joint Rule 17-A, were placed in the legislative files and sent to the Senate.

Leave to Withdraw

Mrs. Chonko from the Committee on Labor reporting Leave to Withdraw on Bill "An Act Increasing Minimum Wages" (H. P. 11) (L. D. 11)

Mr. Ross from the Committee on Election Laws reporting Leave to Withdraw on Bill "An Act to Require Maintenance of Absentee Ballot Lists" (H. P. 865) (L. D. 1153)

Reports were read and accepted and sent up for concurrence.

Divided Report Tabled and Assigned

Majority Report of the Committee on Election Laws reporting "Ought to pass" on Bill "An Act to Designate One Dollar of Income Tax Refunds to Political Parties" (H. P. 321) (L. D. 439)

Report was signed by the following members:

Messrs. CIANCHETTE of Somerset
JOLY of Kennebec

—of the Senate

Messrs. SNOWE of Auburn
HANCOCK of Casco
TALBOT of Portland
DUDLEY of Enfield

Mrs. KELLEY of Machias

Mrs. BOUDREAU of Portland

—of the House.

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

Report was signed by the following members:

Mr. SHUTE of Franklin

—of the Senate

Messrs. BINNETTE of Old Town
ROSS of Bath
HOFFSES of Camden
WILLARD of Bethel

—of the House.

Reports were read.

(On motion of Mr. Birt of East Millinocket, tabled pending acceptance of either Report and specially assigned for Monday, April 2.)

Divided Report Tabled and Assigned

Majority Report of the Committee on Election Laws reporting "Ought not to pass" on Bill "An Act Relating to the Rights of a Person under Guardianship to Vote" (H. P. 723) (L. D. 929)

Report was signed by the following members:

Messrs. SHUTE of Franklin

CIANCHETTE of Somerset
JOLY of Kennebec

—of the Senate.

Messrs. BINNETTE of Old Town

ROSS of Bath

WILLARD of Bethel

HOFFSES of Camden

DUDLEY of Enfield

HANCOCK of Casco

Mrs. KELLEY of Machias

Mrs. BOUDREAU of Portland

—of the House.

Minority Report of the Same Committee reporting "Ought to pass" on same Bill.

Report was signed by the following member:

Mr. TALBOT of Portland

—of the House.

Reports were read.

(On motion of Mr. Martin of Eagle Lake, tabled pending acceptance of either Report and specially assigned for Monday, April 2.)

Divided Report

Majority Report of the Committee on Election Laws reporting "Ought not to pass" on Bill "An Act Providing for One-Half Day Legal Holiday for Elections" (H. P. 940) (L. D. 1263)

Report was signed by the following members:

Messrs. SHUTE of Franklin

CIANCHETTE of Somerset

JOLY of Kennebec

—of the Senate.

Messrs. SNOWE of Auburn
TALBOT of Portland
HOFFSES of Camden
WILLARD of Bethel
BINNETTE of Old Town
HANCOCK of Casco
DUDLEY of Enfield

Mrs. KELLEY of Machias

—of the House.

Minority Report of the same Committee reporting "Ought to pass on same Bill.

Report was signed by the following members:

Mr. ROSS of Bath

Mrs. BOUDREAU of Portland

—of the House.

Reports were read.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: I was going to send this to Judiciary, since they handle Title 4 bills or I was going to table it. However, it has had one legiti-

mate hearing and to save time, I believe we should run it today.

On the Election Laws Committee, we are not all barristers but neither are they on the Judiciary Committee. I signed the minority report because I thought I was alone and I wanted to give the sponsor a chance to either present this to another committee or to debate it on the floor. As I have said, we are not all lawyers but we do see the problems in a bill like this, I believe, as well as they. For instance, a half day off would mean loss of pay. It would hurt piece workers. It would be unfair to night shifts and it would be an excess time to fulfill your voting rights.

The idea is good to give some time off if there would be no loss of pay. But this is not the vehicle to work with and I move that we accept the majority "Ought not to pass" report.

On motion of Mr. Ross of Bath, the Majority "Ought not to pass" Report was accepted and sent up for concurrence.

Divided Report

Tabled and Assigned

Majority Report of the Committee on Election Laws reporting "Ought to pass" on Bill "An Act Permitting a Dollar Check-Off on Income Tax Returns for Election Campaign Fund" (H. P. 1010) (L. D. 1324)

Report was signed by the following members:

Mr. CIANCHETTE
of Somerset
— of the Senate.

Messrs. TALBOT of Portland
HANCOCK of Casco
SNOWE of Auburn
BINNETTE of Old Town
DUDLEY of Enfield

Mrs. BOUDREAU of Portland
— of the House.

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

Report was signed by the following members:

Messrs. SHUTE of Franklin
JOLY of Kennebec

— of the Senate.
Messrs. ROSS of Bath
HOFFSES of Camden

Mrs. WILLARD of Bethel
KELLEY of Machias
— of the House.

Reports were read.

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

Mr. ROSS: Mr. Speaker, Members of the House: Since we have already tabled a similar bill for two days, I now move that we accept the minority "Ought not to pass" report. There was only one difference, the vote was seven to six and we must work on one bill or the other, we cannot work on them both at the same time.

Any amendments you wanted to offer could be offered to the other bill.

On motion of Mr. Binnette of Old Town, tabled pending the motion of Mr. Ross of Bath to accept the Minority "Ought not to pass" Report and specially assigned for Monday, April 2.

Divided Report

Majority Report of the Committee on Election Laws reporting "Ought not to pass" on Bill "An Act Relating to Voting Machines or Electronic Voting Systems in Certain Municipalities" (H. P. 1012) (L. D. 1330)

Report was signed by the following members:

Messrs. SHUTE of Franklin
CIANCHETTE of Somerset
JOLY of Kennebec

— of the Senate.
Messrs. HANCOCK of Casco

TALBOT of Portland
HOFFSES of Camden
WILLARD of Bethel
BINNETTE of Old Town
DUDLEY of Enfield

Mrs. BOUDREAU of Portland
— of the House.

Minority Report of the Same Committee reporting "Ought to pass" on same Bill.

Report was signed by the following members:

Messrs. ROSS of Bath
SNOWE of Auburn

Mrs. KELLEY of Machias
— of the House.

Reports were read.

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

Mr. ROSS: Mr. Speaker, Members of the House: In times past, I twice sponsored voting machine bills. Mine were a little different. The state was to buy them in large quantities at a discount and sell them on a time basis to the towns. The idea, I always felt, was good but it was always a question of money.

I will not debate this bill. The sponsor has done a lot of work on it and he has several ideas and I will let him make the explanation. I move that we accept the minority "ought to pass" report.

The SPEAKER: The pending question is on the motion of the gentleman from Bath, Mr. Ross, to accept the Minority "Ought to pass" Report.

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

Mr. EMERY: Mr. Speaker and Ladies and Gentlemen of the House: I understand that a 10 to 3 "ought not to pass" report does not usually augur well with the future of a bill. Therefore, I will not spend a great deal of time debating this measure today.

I do, however, feel that the use of voting machines, especially in large municipalities, is a very important reform of our election system. Voting machines are efficient, they are easy to use and they are accurate. They also provide for quick returns on election night and will greatly expedite our election process in the State of Maine.

There are several states, including Connecticut, that use voting machines exclusively and have for a number of years. We have cities in the State of Maine that have used voting machines for a number of years including my own city of Rockland, and I can tell you from my own personal experience that they are indeed a benefit and a boon to candidates, voters and election workers as well.

Very quickly, L. D. 1330 would provide mandatory use of voting machines, one machine for every 400 registered voters in any and all municipalities having a population of 3,000 persons or more.

There was some discussion in the committee hearing the other day

as to whether or not the specified number of machines was a sufficient number. We have used six voting machines in Rockland since 1960 and augment them with paper ballots which may be used at the request of the individual voter except, of course, absentee ballots, which are always paper.

If this bill was fortunate enough to be passed this morning, when the second reader comes around, I would be perfectly willing to amend the bill to include municipalities having a population of 7,500 people or more and this would accomplish two things: It would remove the objections of several of the smaller communities which are included under the bill as it is presently written in which it might become a financial hardship for such a municipality to comply.

The timetable, as presently is written in the bill, would provide that these machines would be in use for the next general election.

The machines are to be financed on a 50-50 matching fund basis between the local government and the state which, as I have mentioned, would pick up half the tab.

I realize that this could be a rather expensive venture for many cities and towns, but I do believe that it is a very important election reform and I certainly would hope, as does the office of the Secretary of State, that the use of voting machines would increase throughout the State of Maine; and I would urge you to vote for the "Ought to pass" report this morning in the interest of more efficient elections in the future.

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

Mr. TALBOT: Mr. Speaker, Ladies and Gentlemen of the House: I signed the majority "ought not to pass" for several reasons. I guess I will try to explain some of them to you now.

In the figures that the gentleman from Rockland handed us on voting machines, Portland now has 12 voting machines in some 28 precincts. They would need 82 more voting machines according to this bill at roughly \$2,000 or \$2,500 a machine. This is quite expensive.

Aroostook County, which now has 12 voting machines, would need 180 voting machines. That to me is rather expensive, although I go along with the concept of more efficient balloting and voting. When I think to put this kind of a burden on any community or any municipality, I think it is just a little bit farfetched.

In my community, if we were to adopt this bill or in your community to adopt this bill, most of you would end up selling your houses to get voting machines. So I would hope that you would vote against the minority report so that we could accept the majority report, "ought not to pass."

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

Mr. BINNETTE: Mr. Speaker, Ladies and Gentlemen of the House: Being one of the signers of the "ought not to pass" report, my reasons were somewhat similar to the gentleman from Portland. The extra cost that we are going to put on all of these communities — those machines cost right around \$2,200 — and the number that we have to have is quite a bit.

The only thing I think that they can gain by it is the speed up of election returns, and I for one feel as though I can wait a few hours to get the election return to find out whether I won or lost. I won't lose any sleep either one way or the other.

Now, these machines are good. I am not going to say they are not good because they are. They are very accurate, very very accurate. But I still believe that the communities that already have them did not have this type of legislation to purchase them and if other communities want to purchase them, they are entirely at liberty to do so. We do not have to have a bill here making it mandatory for them. Therefore, I hope that you will accept the "ought not to pass" report.

The SPEAKER: The Chair recognizes the gentleman from Oakland, Mr. Brawn.

Mr. BRAWN: Mr. Speaker and Ladies and Gentlemen of the House: If we were to install these

in the municipality of Oakland, we would have to have six machines. This would cost us \$14,000. Under the setup we have now, it costs us \$140 a year for our elections. Do you realize it would take us 100 years to pay for this. Now I am not in favor of this at all.

The SPEAKER: The Chair recognizes the gentle lady from Portland, Mrs. Boudreau.

Mrs. BOUDREAU: Mr. Speaker and Ladies and Gentlemen of the House: I am sure that practically every member of the Election Laws Committee favored the concept as we all realized that voting machines would make voting much easier and probably more accurate. But at this time, with all the demands on the resources of municipalities, especially with the cutback from federal funding, I felt that the money could be used to better advantage at this particular time.

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mr. Snowe.

Mr. SNOWE: Mr. Speaker and Ladies and Gentlemen of the House: Voting machines can be purchased for any price from \$500 to \$2,500. And if the town of Oakland was interested, I am sure they could get by for a lot less money. The state spends over \$50,000 a year printing ballots. I would like to see this legislation made permissive with a possibility of keeping these state subsidies. I would like to see you keep it alive for an amendment to make it permissive rather than mandatory. I ask when the vote is taken it be taken by the yeas and nays.

The SPEAKER: The Chair recognizes the gentleman from Bethel, Mr. Willard.

Mr. WILLARD: Mr. Speaker and Ladies and Gentlemen of the House: I am sure if this bill passes, the gentleman from Lewiston will leave it on the table of the Appropriations Committee.

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

Mr. NORRIS: Mr. Speaker and Ladies and Gentlemen of the House: I would be remiss in my duties to my community if I didn't read this letter from my city clerk in regards to this matter. And it

says: "Gentlemen: This is a letter in opposition to H. P. 1012-L. D. 1330, "An Act Relating to Voting Machines or Electronic Voting Systems in Certain Municipalities."

"As a municipal clerk, I have been bombarded in recent years by salesmen and letters soliciting this community to purchase voting machines. I am sure that other clerks have had similar experiences. Some communities have decided to use voting machines and others have not. There has been little pressure, if any, from the State, for using these machines or systems. Now we have L. D. 1330 which, as I read it, seeks to bring about pressure from the State for communities to employ the voting machine system. I feel that in the spirit of Home Rule, the individual communities should be allowed to determine their own voting systems under the State Laws that now exist.

"Let me relate the situation in Brewer, as regards the question of voting machines. We use paper ballots and except for the general election, we have been fortunate in receiving our returns from our 6 wards in what the city council considers good time. Even at this year's general election, when our vote tabulation was completed at 1:41 a.m. - we had completed our tabulation before our sister city of Bangor, which uses an electronic voting system. By keeping our wards as equal as possible and by employing younger, alert workers, we are able to compete with the communities that use voting machines and at a far lower cost. I am young, (31) and have been the Clerk of Brewer for 6 years. I do not consider myself conservative or reactionary, as my modern office will attest. I would be willing to recommend to the city council that we use voting machines or an electronic system, if I felt that advantages of this warranted the expense. I do not feel that at this time, such a justification can be demonstrated. Very truly yours, Arthur C. Verow, City Clerk, Brewer."

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

Mr. BINNETTE: Mr. Speaker and Ladies and Gentlemen of the House: I will have to take a disagreement with the representative from Auburn because if the city of Auburn or any town or community wants to purchase a voting machine, they can. There is nobody who stops them from doing it now. It is permissive, so therefore I feel as though this bill should be dropped entirely because you will have to have paper ballots along with your voting machines. That is something you have got to have because if the machine breaks down you have got to have another alternative for the voters. So therefore I certainly do hope that you will accept the "Ought not to pass" report.

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

Mr. MILLS: Mr. Speaker and Ladies and Gentlemen of the House: As regards these voting machines we had one out here in the hall during the 102nd legislature. It was a very well tutored machine. It was supposed to be the acme of perfection in all recorded votes. Yet, I asked the salesman if he would allow me to take a quarter inch screwdriver and a quarter inch wrench and move into the backend of the machine and he knew what I meant and he would not give me that permission. The permission would have granted me the right to move four cogs in the back of the machine. So if you want to pull the handle for a Democrat, it would register Republican and vice versa.

These machines can be rigged and it was proved that in Chicago.

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

Mr. EMERY: Mr. Speaker and Ladies and Gentlemen of the House: I am not an expert about Chicago but I would not let the gentleman from Eastport take a wrench and a screwdriver to the back of my car either.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call, it must have the expressed desire of one fifth of the members present and voting. All

those 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 the House accept the Minority "Ought to pass" Report on Bill "An Act Relating to Voting Machines or Electronic Voting Systems in Certain Municipalities" House Paper 1012, L. D. 1330. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Birt, Bragdon, Cooney, Crommett, Emery, D. F.; Gahagan, Kelley, Lewis, J.; Pratt, Snowe, Sproul.

NAY — Albert, Ault, Baker, Berry, G. W.; Berry, P. P.; Berube, Binnette, Bither, Boudreau, Brawn, Briggs, Brown, Bunker, Cameron, Carey, Carrier, Carter, Chick, Chonko, Churchill, Clark, Conley, Connolly, Cote, Cottrell, Cressey, Curran, Curtis, T. S., Jr.; Dam, Davis, Deshaies, Dow, Drigotas, Dudley, Dunleavy, Dunn, Dyar, Evans, Farley, Farnham, Farrington, Faucher, Ferris, Finemore, Flynn, Garsoe, Gauthier, Genest, Good, Goodwin, H.; Goodwin, K.; Hamblen, Hancock, Haskell, Henley, Herrick, Hobbins, Huber, Hunter, Immonen, Jackson, Jacques, Jalbert, Kelleher, Kelley, R. P.; Keyte, Kilroy, Knight, LaCharite, LaPointe, Lawry, LeBlanc, Lewis, E.; Littlefield, Lynch, MacLeod, Maddox, Mahany, Martin, Maxwell, McCormick, McHenry, McKernan, McMahon, McNally, Merrill, Mills, Morin, L.; Morin, V.; Morton, Murchison, Murray, Najarian, Norris, Palmer, Parks, Perkins, Peterson, Pontbriand, Ricker, Rolde, Rollins, Shaw, Shute, Silverman, Simpson, L. E.; Smith, S.; Stillings, Talbot, Tanguay, Theriault, Tierney, Trask, Trumbull, Tyndale, Walker, Webber, Wheeler, White, Whitzell, Willard, Wood, M. E.

ABSENT—Bustin, Donaghy, Fecteau, Fraser, Greenlaw, Hodgdon, Hoffses, McTeague, Mulken,

O'Brien, Ross, Santoro, Sheltra, Smith, D. M.; Soulas, Susi.

Yes, 11; No, 122; Absent, 16.

The SPEAKER: Eleven having voted in the affirmative and one hundred twenty-two in the negative, with sixteen being absent, the motion does not prevail.

Thereupon, the Majority "Ought not to pass" Report was accepted and sent up for concurrence.

Divided Report

Majority Report of the Committee on Fisheries and Wildlife reporting "Ought to pass" as amended by Committee Amendment "A" (H-141) on Bill "An Act Establishing an Open Season on Moose" (H. P. 32) (L. D. 39)

Report was signed by the following member:

Messrs. GRAFFAM of Cumberland
ALDRICH of Oxford

— of the Senate.

Messrs. MILLS of Eastport
CHURCHILL of Orland
WALKER of Island Falls
DOW of West Gardiner
MORIN of Fort Kent
PARKS of Presque Isle
CAMERON of Lincoln
KELLEY of Southport
GOOD of Westfield

— of the House.

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

Report was signed by the following members:

Mr. ANDERSON of Hancock

— of the Senate.

On motion of Mr. Parks of Presque Isle, the Majority "Ought to pass" Report was accepted and the Bill read once.

Committee Amendment "A" (H-141) was read by the Clerk and adopted.

The Bill was assigned for second reading tomorrow.

Divided Report Tabled and Assigned

Majority Report of the Committee on Labor reporting "Ought not to pass" on Bill "An Act Relating to Certain Permanent Impairment Compensation under Workmen's Compensation Law" (H. P. 598) (L. D. 789)

Report was signed by the following members:

Messrs. TANOUS of Penobscot
HUBER of Knox
— of the Senate.
Messrs. ROLLINS of Dixfield
GARSOE of Cumberland
FLYNN of South Portland
McNALLY of Ellsworth
BROWN of Augusta
— of the House.

Minority Report of the same Committee reporting "Ought to pass" on same Bill.

Report was signed by the following members:

Messrs. KELLEY of Aroostook
— of the Senate.
Messrs. FARLEY of Biddeford
HOBBINS of Saco
BINNETTE of Old Town
McHENRY of Madawaska
Mrs. CHONKO of Topsham
— of the House.

Reports were read.

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

Mr. BROWN: Mr. Speaker, I move we accept the Majority "Ought not to pass" Report of the Committee.

(On motion of Mr. Farley of Biddeford, tabled pending the motion of Mr. Brown of Augusta to accept the Majority "Ought not to pass" Report and tomorrow assigned.)

Divided Report Tabled and Assigned

Majority Report of the Committee on Labor reporting "Ought not to pass" on Bill, "An Act Relating to Permanent Compensation for Particular Injuries under the Workmen's Compensation Law" (H. P. 748) (L. D. 961)

Report was signed by the following members:

Messrs. TANOUS of Penobscot
HUBER of Knox
— of the Senate.
Messrs. ROLLINS of Dixfield
GARSOE of Cumberland
FLYNN of South Portland
McNALLY of Ellsworth
BROWN of Augusta
— of the House.

Minority Report of the same Committee reporting "Ought to pass" on same Bill.

Report was signed by the following members:

Mr. KELLEY of Aroostook
— of the Senate.
Messrs. FARLEY of Biddeford
HOBBINS of Saco
BINNETTE of Old Town
McHENRY of Madawaska
Mrs. CHONKO of Topsham
— of the House.

Reports were read.

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

Mr. BROWN: Mr. Speaker, I move we accept the Majority "Ought not to pass" Report.

The SPEAKER: The gentleman from Augusta, Mr. Brown, moves the House accept the Majority "Ought not to pass" Report.

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

Mr. GARSOE: Mr. Speaker, I move this lay on the table for one legislative day.

Whereupon, on motion of Mr. Finemore of Bridgewater, tabled pending the motion of Mr. Brown of Augusta to accept the Majority "Ought not to pass" Report and specially assigned for Monday, April. 2.

Consent Calendar First Day

(H. P. 187) (L. D. 228) Bill "An Act Extending Open Season on Bear" — Committee on Fisheries and Wildlife reporting "Ought to pass" as amended by Committee Amendment "A" (H-137)

(H. P. 191) (L. D. 230) Bill "An Act Relating to Hunting Bear with Dogs" — Committee on Fisheries and Wildlife reporting "Ought to pass" as amended by Committee Amendment "A" (H-138)

(H. P. 509) (L. D. 674) Bill "An Act Relating to Community Based Services for the Mentally Retarded" — Committee on Health and Institutional Services reporting "Ought to pass."

(H. P. 529) (L. D. 711) "Resolve providing for a Feasibility Study of Marine Resources Development in Washington County" — Committee on Marine Resources reporting "Ought to pass" as

amended by Committee Amendment "A" (H-139)

(H. P. 631) (L. D. 845) Bill "An Act Authorizing the Department of Environmental Protection to Make Planning Grants to Municipalities for Solid Waste Disposal" — Committee on Natural Resources reporting "Ought to Pass,"

(H. P. 708) (L. D. 913) Bill "An Act Relating to the Marking of Egg-bearing Lobsters" — Committee on Marine Resources reporting "Ought to pass" as amended by Committee "A" (H-140)

(H. P. 715) (L. D. 921) Bill "An Act Relating to Use of Waters of Kezar Lake by Westways Maintenance Corporation" — Committee on Natural Resources reporting "Ought to pass,"

(S. P. 308) (L. D. 970) Bill "An Act Relating to Payments to Hospitals" — Committee on Appropriations and Financial Affairs reporting "Ought to pass"

(S. P. 345) (L. D. 1044) Bill "An Act Pertaining to Unlicensed Dogs" — Committee on Agriculture reporting "Ought to pass"

(H. P. 895) (L. D. 1182) Bill "An Act Relating to Size of Voting Places" — Committee on Election Laws reporting "Ought to pass"

(H. P. 973) (L. D. 1280) Bill "An Act Relating to Voting Checklists as Public Records" — Committee on Election Laws reporting "Ought to pass"

(S. P. 411) (L. D. 1256) "Resolve Enabling Certain Conveyances by Governor and Council to Safeguard the Mortgage Insurance Fund of the Maine Industrial Building Authority (Emergency) — Committee on Appropriations and Financial Affairs reporting "Ought to pass"

(S. P. 426) (L. D. 1286) "Resolve Providing Funds for Abilities and Goodwill, Inc — Committee on Appropriations and Financial Affairs reporting "Ought to pass"

No objection having been noted, were assigned to the Consent Calendar's Second Day list.

Consent Calendar Second Day

(H. P. 518) (L. D. 683) Bill "An Act Creating a Standardbred

Breeders and Owners Development Fund of Maine"

(S. P. 256) (L. D. 753) Bill "An Act Relating to Inspection and Licensing of Residential Facilities for the Care, Treatment or Rehabilitation of Drug or Alcohol Users" (C "A" - S-43)

(S. P. 478) (L. D. 1534) Bill "An Act to Include Operators of Industrial Wastewater Treatment Plants in the Operator Certification Program"

No objection having been noted, were passed to be engrossed and sent to the Senate.

Passed to be Engrossed

Bill "An Act Relating to Seizing Firearms Equipped with a Silencer" (H. P. 357) (L. D. 472) (C. "A" - H-101)

Bill "An Act Providing for Repair, Maintenance and Operation of State-owned Dam on Dead River, Androscoggin County" (H. P. 578) (L. D. 770)

Resolve Providing Funds for Shalom House, Inc., a Halfway House in Portland" (Emergency) (H. P. 848) (L. D. 1122)

Were reported by the Committee on Bills in the Second Reading, read the second time, passed to be engrossed and sent to the Senate.

Bill "An Act Relating to Resetting, Tampering or Disconnecting Odometers on Motor Vehicles" (H. P. 896) (L. D. 1183) (C. "A" - H-130)

Was reported by the Committee on Bills in the Second Reading and read the second time.

Mrs. Baker of Orrington offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-142) was read by the Clerk and adopted.

The Bill was passed to be engrossed as amended and sent to the Senate.

Passed to Be Enacted

An Act Changing the Names of Certain State Institutions (H. P. 362) (L. D. 477) C. "A" H-96)

An Act Increasing Number of Trustees of Belfast Water District (H. P. 410) (L. D. 559) (H. "A" H. 110)

An Act Defining Life Agent under Insurance Laws (H. P. 690) (L. D. 897)

An Act Authorizing Municipalities and School Administrative Districts to Secure Competitive Bids in the Construction of School Buildings (S. P. 306) (L. D. 969) (C. "A" S-40)

An Act to Authorize Alternate School Directors at School Administrative District No. 72 (H. P. 769) (L. D. 1003)

An Act Providing for Temporary License as Insurance Adjuster (H. P. 778) (L. D. 1010)

An Act Providing for Retirement for Teachers. (H. P. 834) (L. D. 1093) (C. "A" H-111)

An Act Regarding the Membership of School Committees and Boards of School Directors (H. P. 1163) (L. D. 1375) (H. "C" H-116)

An Act Repealing Notice Provision for Multiple Licensing of Life and Health Insurance Agents (H. P. 1198) (L. D. 1484)

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

Orders of the Day

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

Bill "An Act Eliminating Suspension of Motor Vehicle Operator's License Pending Appeal in Operating under the Influence of Intoxicating Liquors" (H. P. 841) (L. D. 1115)

Tabled - March 26, by Mr. Farley of Biddeford.

Pending - Motion of Mrs. Baker of Orrington to accept Majority Report "Ought not to pass"

The SPEAKER: The Chair recognizes the Gentleman from Biddeford, Mr. Farley.

Mr. FARLEY: Mr. Speaker, I request a division on this and request permission to speak on my motion.

The SPEAKER: The gentleman may proceed.

Mr. FARLEY: Mr. Speaker and Ladies and Gentlemen of the House: As the sponsor of this bill I feel I should say a few words on it. All this bill asks is that we treat the present law, the law

in regard to this problem here as we do every other. If our judicial process operated the same way as this one does, we would have real problems. All this bill asks is that we treat these problems the same way that we do the rest of them, and that is, a man is innocent until proven guilty.

The SPEAKER: The pending question is on the motion of the gentlewoman from Orrington, Mrs. Baker, that the House accept the Majority "Ought not to pass" Report. All in favor will vote yes; those opposed will vote no.

A vote of the House was taken. 65 having voted in the affirmative and 35 having voted in the negative, the motion did prevail.

Sent up for concurrence.

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

Resolution Proposing an Amendment to the Constitution to Implement the Administration of Justice by Permitting Eight-man Juries for Trials of Certain Criminal Cases" (H. P. 173) (L. D. 215)

Tabled - March 26, by Mr. Simpson of Standish.

Pending - Passage to be engrossed.

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

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

Bill "An Act to Place the Position of Director, Bureau of Aeronautics and Director, Bureau of Waterways in the Classified Service", (Emergency) (S. P. 162) (L. D. 417)

Tabled - March 26, by Mr. Talbot of Portland.

Pending - Acceptance of "Ought to pass" Report.

On motion of Mr. Talbot of Portland, retabled pending acceptance of the Committee Report and specially assigned for Monday, April 1.

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

Bill "An Act Increasing the Number of Superior Court Justices

and Official Court Reporters" (S. P. 61) (L. D. 187)

Tabled - March 26, by Mr. O'Brien of Portland.

Pending - Motion of Mr. Brown of Augusta to reconsider adoption of House Amendment "B".

Thereupon, the House reconsidered its action whereby House Amendment "B" was adopted.

Mr. Martin of Eagle Lake offered House Amendment "A" to House Amendment "B" and moved its adoption.

House Amendment "A" - (H-136) was read by the Clerk and adopted. House Amendment "B" as amended by House Amendment "A" thereto was adopted.

The Bill was passed to be engrossed as amended in non-concurrence and sent to the Senate.

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

Bill "An Act Eliminating Waiting Period under Employment Security Law" (H. P. 560) (L. D. 739)

Tabled - March 27, by Mr. Brown of Augusta.

Pending - Further consideration.

On motion of Mr. Brown of Augusta, the House voted to recede and concur.

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

Resolve Designating the Bridge Across the Little Androscoggin River at Mechanic Falls as "The Sawyer Memorial Bridge" (H. P. 58) (L. D. 720)

Tabled - March 27, by Mr. Dunn of Poland.

Pending—Acceptance of Committee Report.

Thereupon, the Report was accepted, the Resolve read once and assigned for second reading tomorrow.

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

Bill "An Act to Provide Funds for the Development of an Airport in the Rumford- Mexico Area" (H. P. 462) (L. D. 611)

Tabled — March 27, by Mr. Rollins of Dixfield.

Pending — Passage to be engrossed.

Mr. Rollins of Dixfield offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-143) was read by the Clerk and adopted.

The Bill was passed to be engrossed as amended and sent to the Senate.

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

Bill "An Act to Reconstitute and Place a Consumer Member on the Maine Real Estate Commission" (S. P. 459) (L. D. 1409)

Tabled — March 27, by Mr. Farley of Biddeford.

Pending — Passage to be engrossed.

The Bill was passed to be engrossed and sent to the Senate.

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

Bill "An Act Transferring Funds from Appropriations to other Departments to the Department of the Attorney General" (Emergency) (S. P. 364) (L. D. 1078)

Tabled — March 27, by Mr. Birt of East Millinocket.

Pending — Passage to be enacted.

On motion of Mr. Haskell of Houlton, recommitted to the Committee on Appropriations and Financial Affairs in non-concurrence.

Mr. Talbot of Portland was granted unanimous consent to address the House:

Mr. TALBOT: Mr. Speaker and Ladies and Gentlemen of the House: Last night I had the privilege of spending a couple of hours at home, mainly because I work at night and I am here during the day. So last night my girls and my wife got me to watch the Academy Awards, which I did watch. Now I do not know how many people watched the Academy Awards last night but if they didn't, I think they missed probably one of the greatest scenes that I have ever seen on television for quite a while.

Marlon Brando won male actor of the year. He won an Academy Award for it, but he did not accept the Academy Award. He sent, as his representative, a little — or should I say a young Indian lady to accept the award or not accept the award for him.

She told the audience that under the circumstances, because of the film industry's and the television industry's denial of the involvement of Indians, that Marlon Brando could not accept his Academy Award. She got some boos, she got some laughs and she got some hecking. But at the end, people applauded her. And I applauded her also.

My point being that in this House we are going to have some legislation coming up, mainly with minority groups and especially the Indians. And I hope that we would have as much strength as did Marlon Brando.

Just a further note, I think that a great many of you are aware of our newspapers in the State of Maine. Some of them — and I know of at least one in the Portland area, which I must say I guess is a fine newspaper — has a comic strip which runs under the heading and title of "Redeye." This is a comic strip dealing with Indians and I think it deals with them in a derogatory manner.

Mr. Whitzell of Gardiner was granted unanimous consent to address the House.

Mr. WHITZELL: Mr. Speaker and Ladies and Gentlemen of the House: The item I am going to refer to is item 5 which was an act to eliminate the waiting period under Employment Security Law, L. D. 739, on which we receded and concurred a moment ago. And I would like to speak to that bill. That bill came before this House in the last session and received passage. It went to the Senate. It was killed there, it came back to the House and we insisted.

Now, the reason I submitted this bill when I was asked by some of the labor leaders, you know, who asked me to submit this bill, and I told the labor leaders that nobody asked me to introduce the bill, the

bill was introduced because there exists in Maine a definite problem in that area.

Many of the types of industries that employ many of the Maine workers are light industries, such as shoes, textiles, clothing, food preparation, et cetera. And these industries have a habit of shutting down for one-week periods for so-called inventory shutdowns. Now, if they are allowed, under this inventory shutdown, to lay off all their employees and there is no penalty to the employer, then the only person who suffers is the employee who goes for a whole week without pay.

The reason I put this bill in was because I was called on two occasions by people in my district that were very concerned about the fact that, by being unemployed, they had to go down to general assistance funds from the municipality and ask for enough money to buy groceries.

Now if this is the advanced technological society that we sell all the other European countries on it being, then I think that we can provide unemployment compensation benefits to these people. There are no appropriations that are necessary on behalf of the state. The amount of money that we are talking about among all the Maine manufacturers — and I can give you figures of what they have paid out — amounts to about a hundred — I am sorry there are waiting weeks not paid — there are 109,122 waiting weeks not paid in 1972. Now, that could mean that 109,122 people who are employed in Maine industries were not paid when forced to take a week off work.

The expense of adding this benefit to the present unemployment compensation laws would approximate a cost to the employer of about \$953,000. Now, this \$953,000 is, in my opinion, high since the method at which they arrive at a cost is by looking at the last five years of employment in the number of weeks benefits already paid. Now, as we know, we have experienced extremely high unemployment over the last five years, particularly from the years 1969,

1970, 1971. The economy is now on an up-swing. The number of total weeks that would possibly have to be covered under this would be considerably less and the cost to the employers would be considerably less also.

This particular bill has come before a number of labor committees and, obviously, without success. Although I recognize that the elimination of the waiting period may impose an additional cost on the Unemployment Compensation Fund, I believe that the merits of this proposal far outweigh its cost.

The definition of a waiting period could be described as a non-compensated week of unemployment in which the worker may meet all the requirements of the law and have been otherwise eligible for benefits, even though no benefits can be paid for that week, because the law requires every claimant serve a waiting period.

The original theory for a waiting period was necessary to provide ample time for the agency to process the first claim for benefit has long since been eliminated. Agency procedure, since the advent of the computer in addition to immediate payroll information, can now provide ready processing of a person's first claim for benefits and he should receive those benefits no later than in the second week of his unemployment. Most claimants now have to wait three or more weeks before they receive their first benefit check. In this day of the cash requirement for those purchases essential to families particularly groceries — it places unnecessary burdens on families to require them to wait three or more weeks before receiving a benefit check.

Seven states, including our neighboring State of New Hampshire, have seen the wisdom of eliminating the waiting period, both for the economy of the state and particularly because it is unfair and inequitable to unemployed workers.

The principles provided for by this legislative document are strictly in keeping with the statement of policy of the Maine Employment Security law, which states in brief that benefits be paid

for periods of unemployment, thus maintaining purchasing power and limiting the serious social consequences of unemployment. In keeping with that philosophy, a worker is just as unemployed and as much in need the first week as he is in subsequent weeks.

I would urge you to reconsider our action on item number 5, and at least this House go on record, as it has in the past in accepting the principle that people should not be out of work without pay. I, therefore, move that we reconsider our action on item 5.

THE SPEAKER: The pending question is on the motion of the gentleman from Gardiner, Mr. Whitzell, that the House reconsider its action whereby the House voted to recede and concur with the Senate.

The gentleman from Standish, Mr. Simpson, requested a vote.

The gentleman from Portland, Mr. Connolly, requested a roll call vote.

THE SPEAKER: A roll call has been requested. For the Chair to order a roll call, it must have the expressed desire of one fifth of the members present and voting. All those 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 Augusta, Mr. Brown.

MR. BROWN: Mr. Speaker, a parliamentary inquiry.

THE SPEAKER: The gentleman may pose his question.

MR. BROWN: Mr. Speaker, can you make a motion after asking for unanimous consent to address the House?

THE SPEAKER: The Chair would answer in the affirmative. The motion is in order. The pending question is on the motion of the gentleman from Gardiner, Mr. Whitzell, that the House reconsider its action.

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

MR. BROWN: Mr. Speaker and Ladies and Gentlemen of the

House: In regard to this particular item, I think that there are some seven states out of our fifty states which have this waiting period eliminated. This would cost employers in the state approximately \$1,500,000. I don't know where these figures come from which my associate from Gardiner obtained but my figures indicate \$1,500,000.

Under our law the first week is paid when the person has been out of work for some four weeks. This is something like a collision policy or a major medical with a deductible provision in it. And others are trying to take care of the more serious unemployment situations where a person has been out of work for more than a very brief span of time.

As you know, in a major medical policy if you have got a deductible of \$50 or \$100 dollars or something of that nature or on your collision policy on an automobile, you still have a much cheaper policy and the benefits in a more serious situation are met. And this is what we are trying to do.

We have any number of bills which are proposing to attack this fund of workman's comp. or unemployment rather, and this is one which we do not feel is sufficient at this time to pass and that is the reason for the majority "ought not to pass" report.

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

Mr. McTEAGUE: Mr. Speaker and Members of the House: The situation involved is complex. There are many different positions on it. I would like to mention that the House Chairman of the Joint Standing Committee on Labor has been very cooperative in trying to work out a possible solution to this problem so that we can do something, perhaps not everything the gentleman from Gardiner desires, but at least some step in the right direction.

I think the majority party in this House and the House Chairman of the House have kept faith and acted fairly in regard to an attempt to recommit this matter to the Committee on Labor. Unfortunately, that was not the will

of the other body and although I wholeheartedly agree with and respect the sentiments expressed by the gentleman from Gardiner, I think that we would be kidding ourselves and in a sense wasting time if we kept this alive because of the attitude of the other body.

The SPEAKER: The pending question is on the motion of the Gentleman from Gardiner, Mr. Whitzell, that the House reconsider its action whereby it receded and concurred with the Senate on L. D. 739. All in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA — Berry, P.P.; Chonko, Clark, Connolly, Cooney, Cote, Curran, Dunleavy, Fecteau, Fraser, Genest, Good, Goodwin, H.; Goodwin, K.; Greenlaw, Hobbins, Jacques, Jalbert, LaPointe, McHenry, Mills, Morin, L.; Murray, Najarian, O'Brien, Perkins, Peterson, Smith, S.; Talbot, Tanguay, Tierney, Whitzell.

NAY — Albert, Ault, Baker, Berry, G.W.; Berube, Binnette, Birt, Bither, Boudreau, Bragdon, Brawn, Brown, Bunker, Cameron, Carey, Chick, Churchill, Cottrell, Cressey, Curtis, T.S., Jr.; Dam, Davis, Deshaies, Donaghy, Driogtas, Dudley, Dunn, Dyar, Emery, D.F.; Farnham, Farrington, Faucher, Ferris, Finemore, Flynn, Gahagan, Garsoe, Hamblen, Hancock, Haskell, Henley, Herrick, Huber, Hunter, Immonen, Jackson, Kelleher, Kelley, Kelley, R.P.; Keyte, Kilroy, Knight, LaCharite, Lawry, LeBlanc, Lewis, E.; Lewis, J.; Littlefield, Lynch, MacLeod, Maddox, Mahany, Martin, Maxwell, McCormick, McMahon, McNally, McTeague, Merrill, Morin, V.; Morton, Murchison, Norris, Palmer, Parks, Pratt, Ricker, Rolde, Rollins, Santoro, Shaw, Shute, Silverman, Simpson, L.E.; Smith, D.M.; Snowe, Sproul, Stillings, Theriault, Trask, Trumbull, Tyndale, Walker, Webber, Wheeler, White, Willard, Wood, M.E.

ABSENT — Berry, G.W.; Bustin, Carrier, Carter, Conley, Crommett, Dow, Evans, Farley, Gauthier, Hodgdon, Hoffses, McKernan, Mulhern, Pontbriand, Ross, Sheltra, Soulas, Susi.

Yes, 32; No, 98; Absent, 19.

The SPEAKER: Thirty-two having voted in the affirmative and ninety-eight having voted in the negative, with nineteen being absent, the motion does not prevail.

On motion by Mr. Birt of East Millinocket,

Adjourned until 1:30 o'clock tomorrow afternoon.