

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Sixth
Legislature*

OF THE

STATE OF MAINE

Volume III

June 6, 1973 to July 3, 1973

Index

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Friday, June 22, 1973

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

Prayer by the Rev. Mr. Linwood Welch of Hallowell.

The journal of yesterday was read and approved.

Order Out of Order

Mr. Willard of Bethel presented the following Order and moved its passage:

ORDERED, that Kim Mason, Jill O'Donnell, Carry Fiske and Mary Beth Feeney of Bethel be appointed Honorary Pages for today.

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

Conference Committee Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act to Provide a Maine Citizen's Preference on State Civil Service" (H. P. 678) (L. D. 885) reporting that the House recede from passing the Bill to be engrossed as amended by House Amendment "A" (H-418), recede from adopting House Amendment "A", indefinitely postpone House Amendment "A", adopt Conference Committee Amendment "A" (H-602) submitted herewith, pass the Bill to be engrossed as amended by Conference Committee Amendment "A"; that the Senate recede and concur with the House.

Signed

Messrs. BERRY of Madison
 GOOD of Westfield
 KELLEHER of Bangor
 —Committee on part of the House.
 Messrs. CLIFFORD

of Androscoggin
 RICHARDSON

of Cumberland
 SPEERS of Kennebec
 —Committee on part of the Senate.

The Report was read and accepted. The House voted to recede from its action whereby the Bill was passed to be engrossed as amended by House Amendment "A", receded from its action whereby House Amendment "A" was adopted and the Amendment

was indefinitely postponed. Conference Committee Amendment "A" was read by the Clerk and adopted.

The SPEAKER: The Chair recognizes the gentleman from Yarmouth, Mr. Jackson.

Mr. JACKSON: Mr. Speaker, I move we reconsider our action whereby Conference Committee Amendment "A" was adopted.

The SPEAKER: The gentleman from Yarmouth, Mr. Jackson, moves the House reconsider its action whereby Conference Committee Amendment "A" was adopted.

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

Mr. ROSS: Mr. Speaker and Members of the House: Once again I would request that some member of the Conference Committee explain exactly what they have done.

The SPEAKER: The gentleman from Bath, Mr. Ross, poses a question through the Chair to anyone who may care to answer if he or she wishes.

The Chair recognizes the gentleman from Madison, Mrs. Berry.

Mrs. BERRY: Mr. Speaker and Members of the House: The Conference Committee, in the report here, we have taken away the five point preference which this House voted upon, and instead, the Personnel Department would like to have a certification of state employees, those applying for a job, in which the names of the people within the state would be put to the top of the list when considering a job.

The other phrase in it is somewhat like we had in the original amendment that we voted on, except in referring to qualifications of education substituting experience when the department "may" do this, it says, instead of "shall," as our other amendment did.

This is about all that it does.

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

Mr. JALBERT: Mr. Speaker and Members of the House: When I heard the good lady from Madison, Mrs. Berry, speaking about giving Maine people preference, that sold me. I think we ought to

give a vote of confidence by accepting this thing and not vote to reconsider. We ought to give our Committee of Conference a vote of confidence. I think they have done an excellent job.

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

Mrs. NAJARIAN: Mr. Speaker and Members of the House: I am entirely in agreement with giving Maine citizens preference, but there is one sentence in this amendment that is in the original bill, it has been in every amendment ever since and it really disturbs me. It says that no application for a position in state government shall be rejected solely because the applicant lacks educational qualifications.

We just passed another bill not too long ago saying that employees may be educated at state expense. There seems to me to be some inconsistency here in our thinking. In this bill we say education isn't all that important, and in the other bill we say it is, even to the extent that we will educate employees at state expense. So I just don't see how we can vote against education in one bill and support it in the next. Either it is important or it isn't, and what would if we are going to approve both make more sense to me, it seems, these bills, is to remove entrance requirements at our state university or adopt an open admissions policy and appropriate several million dollars to support this project.

The SPEAKER: The Chair recognizes the gentleman from Yarmouth, Mr. Jackson.

Mr. JACKSON: Mr. Speaker and Members of the House: My specific objection in this is that this whole bill is centered around the questioning of the policy whereby the state residents are not considered. And yet here again we are turning around and we are saying that the whole decision of educational requirements will be left up to this same group again. Personally, and I hear maverick in this, but as a taxpayer in this state, I don't really care where they come from. I want the best possible person working for the

state and receiving good pay from the state, and I think it is fine when we can turn out as well qualified people in this state, but I don't think they should have preference. I think they should be able to compete. I think we can turn out people who can compete. I very much object to taking and saying that we will possibly take someone just because they are in the state and not compete on the open market with all the states and for that matter, the whole world.

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

Mrs. BERRY: Mr. Speaker and Members of the House: I think the objection from the Representative Najarian is taken care of, because if she would look down further, it explains the sentence which she objects to. It says it may be substituted for normal educational qualifications, except where such educational qualifications reflect it. I think her objections would come under the exception, and it says, such as, it doesn't limit it to the one or two things that are noted here. I am sure her objections would come under the exception or the such as. So I think that I would ask you not to vote for reconsideration and pass this along.

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

Mr. ROSS: Mr. Speaker and Members of the House: Like many of you who have been here before, I get mail to my home every week, all the applications and job openings and the qualifications contained therein. I looked them over to see if there was a job that I might qualify for. When I came to the educational qualifications, although I graduated from college, I find that I would not qualify for a great many of these because you have to have a master's degree or a PhD Degree.

It has been mentioned we should get the best possible person. I agree with that, but the best possible person is not necessarily the one with more degrees after his name. Experience means a great deal, and I think it counts just

exactly as much as these degrees.

The SPEAKER: The pending question is on the motion of the gentleman from Yarmouth, Mr. Jackson, that the House reconsider its action whereby it adopted Conference Committee Amendment "A". All in favor of reconsideration will vote yes; those opposed will vote no.

A vote of the House was taken, 11 having voted in the affirmative and 95 having voted in the negative, the motion did not prevail.

Thereupon, the Bill was passed to be engrossed as amended by Conference Committee Amendment "A" in non-concurrence and sent up for concurrence.

Non-Concurrent Matter

Bill "An Act Relating to County Estimates" (H. P. 1549) (L. D. 1983) (S. "C" S-247), which the House indefinitely postponed on June 21.

Came from the Senate with the bill enacted in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentlewoman from Guilford, Mrs. White.

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

The SPEAKER: The gentleman from Guilford, Mrs. White, moves the House recede and concur.

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

Mr. FINEMORE: Mr. Speaker and Members of the House: I hope you won't recede and concur. I will explain a few reasons why. In Androscoggin this will give them 20 members on this committee to figure county estimates. In Aroostook County there will be 69, 69 members on this committee. We never could get a budget out of Aroostook County in the world. Cumberland county would get 36. I won't read them all, but Penobscot County gets 65. This is unreasonable. This is under Senate Amendment 247, and I would call this very unreasonable.

Last evening after I was in bed, the Representative from Lewiston, Mr. Jalbert, called me, and after

he called me I received a call from John Hoyt who is our resident county commissioner in Aroostook County. He is very much against this bill. He said the original bill would be all right with seven or even 10 or 11 members, but 69 was unworkable, it couldn't be done. So I hope you will defeat the motion to recede and concur so we can get some other motion.

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

Mr. FARRINGTON: Mr. Speaker, Ladies and Gentlemen of the House: I can readily see why there would be objections to so many on a committee of this sort. However, bear in mind that this does not come into effect for two years. We certainly will be back here in January, if not before, so I hope the House goes along and recedes and concurs with the Senate because this is a good bill. It is long overdue. They have home rule in county government. If this is the only objection, we have ample time to straighten it out before it is in effect.

A great deal of work has gone into this, a great deal of money, and I hope that we don't waste it and we go along, and certainly we can straighten it out later.

The SPEAKER: The Chair recognizes the gentleman from Windham, Mr. Peterson.

Mr. PETERSON: Mr. Speaker, Ladies and Gentlemen of the House: I appreciate the work that the gentleman from Strong, Mr. Dyar has put into this bill, and I hate to oppose the motion to recede and concur. But I have had very firm communications with the representatives in my municipality who definitely do not want this bill on the books even for two years. And I really can't agree with the argument that this isn't going into effect for two years so it is going to be harmless and we can change it in special session. I think it is much easier to keep the law off the books and when we come up with a decent law, we can put it on the books.

I am certainly not pleased with the present county budget system, but I don't think this is any improvement, and I really don't think

that communities in my particular county, the smaller ones, have adequate representation.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: I should think that we would take the suggestion of Representative Farrington this morning and definitely straighten this bill out. And by straightening it out, I suggest that we do not recede and concur and adhere. I can just imagine what 65 people would be like in Penobscot County trying to work out a finance budget as it would be in your own respective counties.

I think this is a very poor bill and I hope the House does not recede and concur.

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

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: There is just one thing that I left out on this. This rewrite here that I was reading, this amendment 247 is an amendment by John Salisbury of the Maine Municipal Association, and none in our county—and I am just speaking for Aroostook County—they never were contacted, they never were asked whether this satisfied them, whether they could work with it or anything, which I don't think anyone likes John Salisbury's amendment. I hope someone else might have their county the same way.

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

Mr. BINNETTE: Mr. Speaker, Ladies and Gentlemen of the House: I think that my good friend from Aroostook County, Mr. Finemore, has really placed the thing right on the line the way it should be. And when you stop and think that you can't get but a very few people together to do something, you stop and realize that up in Penobscot County we have 65, I don't know how in the name of heaven they could get in one room anyway. I can tell you that much. To get together to try to agree on something, it would be impossible, and I really hope

that we do not recede and concur.

The SPEAKER: The pending question is on the motion of the gentlewoman from Guilford, Mrs. White, that the House recede and concur with the Senate. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken. 38 having voted in the affirmative and 78 having voted in the negative, the motion did not prevail.

Thereupon, on motion of Mr. Simpson of Standish, the House voted to adhere.

Non-Concurrent Matter

Bill "An Act to Provide for the Reduction of Speed Limits to Conserve Fuel During Energy Crisis" (H. P. 1627) (L. D. 2043) The House accepted the Majority "Ought not to pass" Report on June 21.

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

In the House:

The SPEAKER: The Chair recognizes the gentleman from Belfast, Mr. Webber.

Mr. WEBBER: Mr. Speaker, I move we recede and concur.

The SPEAKER: The gentleman from Belfast, Mr. Webber, moves the House recede and concur.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: I hope we do recede and concur. I think this bill has a whole lot of merit, and I hope we go along with the action of the other body.

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

Mr. FINEMORE: Mr. Speaker and Members of the House: I am surprised this morning that someone hasn't brought up the cost of this. If we do this for three or four months or six months, then we find that the gasoline supply is sufficient, we have to go right over the same thing here, go over all these roads take all the signs up, the minimum and the maximum signs and put up new ones. I think this is ridiculous. Having defeated this once, I think it should be defeated again. I hope this

morning you will not recede and concur.

I have been told by the Transportation Department that everything would have to come down on all these roads if it was put down to 50. There are very few roads in this state that are 50 miles an hour; they are anywhere from 60 to 70.

And I hope you will vote against recede and concur.

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

Mr. MILLS: Mr. Speaker, Ladies and Gentlemen of the House: I have had a lot of thinking and I have asked a lot of questions on this thing and I can't get an answer, and what I have been asking for a question is, with all the gas and oil and everything else that was shipped by tankers in unlimited amounts over to Viet Nam, now that crisis is over over there of supplying fuel out of the country, where is the backlog piling up on this stuff, and what is becoming of it now?

I think this thing is a lesson in futility, what you are asking us to do. I do not believe I can find any facts to sustain the fact that there is any such thing as energy crisis in this country.

The SPEAKER: The Chair recognizes the gentleman from Standish, Mr. Simpson.

Mr. SIMPSON: Mr. Speaker, Ladies and Gentlemen of the House: Since this order came in I have been kind of concerned about it, and looking at the statutes there is no doubt about it that if no matter what speed you regulate it to or what have you, every sign in the state would have to be changed or there would be no convictions in the courts pertaining to present statutes.

As I look at this, I agree with the intent of it. I know that there is a possibility if not a reality of oil shortage and the problems that might be caused by it, but I believe that if there is such a shortage and there is such an emergency, then we are in a state of emergency, the Governor has the full power now by executive order to order these things, the speed

limits to be changed, and I just feel as though he has the power and that the bill is costly and it would be something that could create havoc, and I would not support the motion to recede and concur.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: I disagree with our floor leader. I would put it the other way, I don't think if we pass this that the Governor has got to act. He can act if an emergency arises. I think we are giving him the authority. If we go along with the Senate, we are expressing our thinking that they have expressed there, and that I believe this is all we are doing. If the Executive feels that the emergency is not sufficient to act, then he doesn't have to act. But we have removed every barrier to his taking such action. We haven't got to meet again to do it, his tool is there, and I don't think we are taking any chances to put this responsibility in his hands along with the Department of Transportation.

Again, I say, I hope you do recede and concur with the Senate because I think this is a desirable piece of legislation at this time. It doesn't have to go into effect even though we act, bear that in mind, but it does give the Governor the power and the authority to do that if an emergency does arise that is of sufficient importance for him to go ahead and do it. I am perfectly willing that he will show good judgment if we give him this authority.

The SPEAKER: The Chair recognizes the gentleman from Bar Harbor, Mr. MacLeod.

Mr. MacLEOD: Mr. Speaker, Ladies and Gentlemen of the House: I would like to concur with the gentleman from Perham, Mr. Bragdon, and I would like to shed a few facts this morning which I have picked up from the petroleum industry to try to answer Representative Mills.

The consumption and demand for gasoline is up tremendously for some reason. Now I guess you are going to have to say it is the

increased use of the automobile or more automobiles or maybe our laziness, and everybody with a two-car family today or something. But I just thought for your information this morning to shed a little light on what is happening. Maine's gasoline consumption through April totals almost 157 million gallons. Now this is an 8.1 percent increase of the same five months of 1972. The 157 million gallons costs motorists here over \$20 million in state and federal gasoline taxes at the combined rate of 13 cents a gallon.

I won't get in to the gas tax this morning, I just wanted the figures on the consumption. Total gasoline consumption for both highway and non-highway uses in Maine amounted to 525.3 million gallons in 1972, a 6 percent increase over the previous year. So everything is projecting in the petroleum industry right now with these increased amounts of gasoline being used, and I can't put my finger on it, and I don't think there is anybody in the House possibly that can or even in the petroleum industry. But this is what is happening. So I would think that with our summer season coming, that it would be reasonable to limit at least on the I-95 and on the Maine Turnpike if it is necessary. We do it in snow storms, we do it in wet weather for safety reasons. Leave the Governor in a position, or the Highway Department, that they could at least put a notice to reduce your speed by 10 miles an hour. Maybe it won't do a lot of good, but what harm is it going to do? With the way we are burning this gas up in these smog controlled automobiles it is a fantastic rate.

So I would further hope that you would go along with the gentleman from Perham.

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

Mr. McNALLY: Mr. Speaker and Members of the House: In case you are worrying about the signs, I suggest you go right up the street here and look at that sign shop they have got, and see the multitudes of signs that they

got there that could be erected by the supervisors I see riding along the road. It is not a lot of work to change anything that they have to change as far as the signs go. And as far as making them up, they are all made up anyway, period. As the good gentleman from Bar Harbor says, when we have a bad snow storm or bad weather on the turnpike, they immediately cut down the speed. They do it by radio and so forth, and I can see nothing bad about the sign deal.

I think it is a good bill, and I hope that we go along with the receding and concurring.

The SPEAKER: The pending question is on the motion of the gentleman from Belfast, Mr. Webber, that the House recede and concur with the Senate. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

Thereupon, Mr. Strout of East Corinth 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 pending question is on the motion of the gentleman from Belfast, Mr. Webber, that the House recede and concur with the Senate. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Binnette, Birt, Boudreau, Bragdon, Briggs, Brown, Bunker, Cameron, Carrier, Chonko, Churchill, Cottrell, Crommett, Curran, Curtis, T. S., Jr.; Dow, Drigotas, Dyar, Evans, Farnham, Fraser, Garsoe, Gauthier, Genest, Goodwin, H.; Goodwin, K.; Greenlaw, Hancock, Haskell, Henley, Hobbins, Huber, Jackson, Jalbert, Kauffman, Keyte, Kilroy, Knight, LaPointe, Lawry, Lewis, E.; MacLeod, Mahany, Martin, Maxwell, McKernan, McMahan, McNally,

McTeague, Morin, L.; Mulkern, Murchison, Murray, Palmer, Parks, Perkins, Rolde, Rollins, Shute, Silverman, Smith, D. M.; Smith, S.; Snowe, Sproul, Tierney, Webber, Willard, Wood, M. E.

NAY — Ault, Baker, Berry, G. W.; Berry, P. P.; Berube, Brawn, Bustin, Carey, Chick, Clark, Connolly, Cooney, Cote, Davis, Deshaies, Donaghy, Dudley, Dunleavy, Dunn, Farrington, Finemore, Flynn, Good, Hamblen, Herrick, Hoffses, Hunter, Immonen, Jacques, Kelleher, Kelley, Kelley, R. P.; LeBlanc, Lewis, J.; Littlefield, Maddox, McCormick, McHenry, Merrill, Mills, Morin, V.; Morton, Najarian, Norris, O'Brien, Peterson, Pratt, Ricker, Ross, Shaw, Simpson, L. E.; Soulas, Stillings, Strout, Talbot, Tanguay, Theriault, Trask, Wheeler, White, Whitzell

ABSENT — Bither, Carter, Conley, Cressey, Dam, Emery, D. F.; Farley, Faucher, Fecteau, Ferris, Gahagan, LaCharite, Lynch, Pontbriand, Santoro, Sheltra, Susi Trumbull, Tyndale, Walker

Yes, 69, No, 61; Absent, 20.

The **SPEAKER**: Sixty-nine having voted in the affirmative and sixty-one in the negative, with twenty being absent, the motion does prevail.

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

Mr. **FINEMORE**: Mr. Speaker, I move we reconsider our action on item 1, page 1, whereby we voted to adhere and I hope you all vote against me.

The **SPEAKER**: The gentleman from Bridgewater, Mr. Finemore, moves that the House reconsider its action of earlier in the day whereby it voted to adhere on Bill "An Act Relating to County Estimates," House Paper 1549, L. D. 1983. All in favor of reconsideration will say yes; those opposed will say no.

A viva voce vote being taken, the motion did not prevail.

Non-Concurrent Matter

Bill "An Act Revising the Reorganization of the Department of Manpower Affairs" (H. P. 1613) (L. D. 2030) which the House passed to be engrossed on June 19.

Came from the Senate with the Bill passed to be engrossed as amended by Senate Amendment "A" (S-252) in non-concurrence.

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

Orders

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

Mr. **TALBOT**: Mr. Speaker, Ladies and Gentlemen of the House: I just want to refer to a document that I found on my desk, a special Appropriation Table, and this will all be bills that are now on the Appropriations Table. As I was running through them, I came across a little goody that I didn't think was there, or that I didn't think should be there, An Act to Create a Commission to Name Public Buildings, Bridges, Highways and other Public Works.

Now this bill was killed in the House a month ago. I wondered how it got on the Appropriations Table, so I did a little investigating and found out that it was killed in the House and went to the Senate. After it got to the Senate they took no action on it, but tabled it and put it on the Appropriations Table, which they can do.

I guess this is kind of informative, so it is on the table in the Senate. It has got to come back to the House in non-concurrence. I guess my point is that as a freshman legislator I was not aware of this, and I have talked to some people that have been here for some years and they were not aware that this can happen, but it can happen. It doesn't have to be approved by both branches to be put on the Appropriations Table. It can be put on the Appropriations Table at any time. So therefore this bill isn't dead as I thought; it is very much alive and is sitting in the Senate on the Appropriations Table. Now when it comes off the Appropriations Table it will come back in here in non-concurrence. What I am saying is, in other words, I made the motion to have this bill killed in the House the last time, and I am also going to make the motion to have it killed the next time. But I was under the impression it was

already dead, so I have got to keep my eye on this bill if I want that to happen.

I just want the freshman legislators in the House to know that it doesn't have to be passed by both branches to be put on the Appropriations Table. In other words, I think, this is a good little bit of quarterbacking by Mr. Birt, and I congratulate him for trying to get his bill through, but I will be watching, and I would —

The SPEAKER: I would ask the gentleman to refrain from mentioning any names if he would.

Mr. TALBOT: Thank you, Mr. Speaker.

Mr. Birt of East Millinocket was granted unanimous consent to address the House.

Mr. BIRT: Mr. Speaker and Members of the House: To begin with, I would just clarify one little point. I think anybody who knows me, and I have been around here for a long while, knows that I have never in my life stooped to subterfuge, if one thing I have in my personality is that I have attempted to be 100 percent honest.

Now to explain the process of how bills go on the Appropriations Table, every bill when it reaches the Senate for final enactment, the Legislative Research Director consults with the appropriate department to find if there is a cost factor in the bill. If there is a cost factor of even one dollar, it automatically goes on the Appropriations Table. There is a cost factor that is put on that by I don't know whom, but it was put on by possibly somebody in the history department, that there was a \$500 cost in one year and \$1,000 cost in another year to take care of the expenses of any commission.

This was entirely unknown to me there was no cost on it and at the time I had not realized it.

This, as a result, was put on the Appropriations Table. Now the process that happens is that if this bill had been enacted in the Senate and then put on the Appropriations Table, the instant that it is enacted in the Senate, it no longer is in the possession of the Senate, it then goes to the Gov-

ernor. All bills which leave this House, and if you want to follow the step through, all bills are enacted in the House first then sent to the Senate. The bills in the Senate are then considered whether they shall be enacted and put on the Appropriations Table; that is what the proper procedure is.

Sometime next week the Appropriations Table will be reviewed by members of leadership and the Reference of Bills Committee. At that time, they will make decisions on what bills should be funded and what ones should not. All the bills that will be funded will be taken off the Appropriations Table, enacted and sent to the Governor. If they have not been enacted in the House, if they have been enacted in the House they will have to come back in non-concurrence. If they have been enacted in the House and it is decided that there is not funding to approve them, they will come back to the House in non-concurrence, being indefinitely postponed in the Senate, and we will have to take appropriate action.

I don't think that anything in the mechanics is any different than what has ever been done, and the gentleman from Portland, Mr. Talbot has been told by older legislators the process that is different to what he understands. I think he misunderstands the process. The process is no different now than it ever has been.

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

Mr. TALBOT: Mr. Speaker, Ladies and Gentlemen of the House: I in no way wanted to imply that the gentleman from Millinocket in any way was in bad taste so far as his bill is concerned. And I would in no way in any kind of manner say anything derogatory about any other member of this House or any other House, and if I did so imply, I am very sorry.

What I meant to do and what I was trying to do was to let you know that I think there is a little education here that I have learned

and maybe I could shed a little of that education on to you.

I was not aware of this particular procedure. I am aware of it now, and being a freshman legislator, I took it as a backdoor approach to get a bill through. In other words, I was of the impression that the bill had been dead and was dead, and I had forgotten about it, and now all of a sudden at the last minute the bill is very much alive. And I also realize that during the waning hours of week, and during the winding down of the legislature in the last few days everything was going under the hammer, everything was moving fast and furious, that this bill could very easily get through without realizing it. So I apologize to the gentleman from Millinocket if I have in any way said anything derogatory in his favor.

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

Mr. BROWN: Parliamentary inquiry, Mr. Speaker.

The SPEAKER: The gentleman may pose his question.

Mr. BROWN: It is my understanding that anything on that Special Appropriations Table has been enacted in this body and awaits final disposition in the other body.

The SPEAKER: The Chair would respond that I thought as Representative Talbot just indicated, that there wasn't anything on the Appropriations Table that had not been finally enacted in here, and I am surprised to learn this morning after seven years in the legislature that matters are put on the Appropriations Table before they are enacted here. That was my understanding.

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

Mr. JALBERT: Mr. Speaker, Members of the House: As long as I have been here and when I first was here, there were two appropriations — when I first got here, there was no such thing as an Appropriations Table. When we discontinued the House Appropriations Table — I have never heard of a bill not being enacted in this House. I have heard at times that

the supplemental bills, for instance, or the — the supplemental bill or the budget bill. We used to have only one budget then, was once enacted in the Senate and then brought back in here for enactment. I never have heard that any money bill was elsewhere but enacted in this House, then tabled in the other branch before. This absolutely is news to me.

While I am on my feet, may I ask an inquiry, Mr. Speaker?

The SPEAKER: The gentleman may pose his question.

Mr. JALBERT: It is Friday, it is ten minutes to ten, it is near the closing date. What I would like to ask from the leadership is this: We have, according to a supplemental that I just happened to look at, an emergency on — an enactor on a constitutional amendment and an emergency on a supplemental act. Would the leadership tell us, do they intend to table these? Do they intend to run them this morning? Do we intend to go home somewhere around the noon area, and when do we come back to finalize things next week, if I may ask?

(Off Record Remarks)

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

Mr. JALBERT: Mr. Speaker, Members of the House: I wish Mr. Simpson would stay in his seat for a moment, because he would have to answer these questions. Does that include the legislative reform and the emergency bill on the supplemental act, or does that not include those bills?

(Off Record Remarks)

Mrs. Berry of Madison was granted unanimous consent to address the House.

Mrs. BERRY: Mr. Speaker, Members of the House: Perhaps I shouldn't be talking at this time, but I am very upset that this homestead bill was put on the table under the thoughts of many of us that it would come back

when we were considering the property tax relief, I believe that we have been sold down the drain. I believe that the citizens of the state have been sold down the drain. I believe that they will soon realize the tactics that have been pushed through on the committee here, those who are trying to feather their nests and put feathers in their cap for reasons that we all understand. I have talked to many people, and they haven't had — here in this House haven't had the correspondence or the calls from the people back home on these bills. From my town, I have nothing. I understand and — I saw a copy of a letter from the superintendent of schools in our town to the committee. I didn't get a copy of it — and, by the way, the superintendent's name is Bither.

I think that probably the news media have been conned in or something. I have just read the Daily Kennebec paper which says, "The legislature enacts a compromise of property tax relief." I am sure this isn't property tax relief.

I am sure a few years from now we are all going to see what this really does, and I am rather hoping that we can say I told you so.

On motion of Mrs. White of Guilford, it was

ORDERED, that Brian Trask of Milo be appointed Honorary Page for today.

House Reports of Committees Ought to Pass Printed Bills

Mr. Ross from the Committee on Election Laws on Bill "An Act Relating to Contributions and Expenditures to Influence Direct Initiative or Referendum Legislation." (H. P. 1630) (L. D. 2045) reporting "Ought to pass" pursuant to Joint Order (H. P. 1583).

The Report was read and accepted, the Bill read once and assigned for second reading later in the day.

The **SPEAKER**: The Chair requests the Sergeant-at-Arms to escort to the rostrum the gentleman from Bath, Mr. Ross, for the purpose of presiding as Speaker pro tem.

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

(Off Record Remarks)

Mrs. Baker from the Committee on Judiciary on Bill "An Act Licensing Certain Games of Chance" (H. P. 1631) (L. D. 2046) reporting "Ought to pass" pursuant to House Order (1591).

The Report was read and accepted, the Bill read once and under suspension of the rules, the Bill was read a second time, passed to be engrossed and sent to the Senate.

By unanimous consent, sent forthwith.

Orders of the Day Joint Order

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

WHEREAS, the continued existence of the Maine Milk Commission as established by Maine Revised Statutes, Title 7, chapter 603, is being challenged; and

WHEREAS, it is questionable whether harm will result should the Commission's price supports be eliminated; and

WHEREAS, there is no adequate proof among other charges, that the current price of milk to Maine consumers is just and equitable now, therefore, be it

ORDERED, the Senate concurring, that the Legislative Research Committee is authorized and directed to examine the function and purpose of the Maine Milk Commission in the light of all facts surrounding the marketing and distributing of milk to determine whether or not the Commission is fulfilling its obligations under the law and should be permitted to continue in its present form, and more specifically the committee is directed to determine:

Why milk is shipped from Maine to Boston and sold at the rate as Boston milk, if that is the case, in view of the fact the schedule for rates should apply in prices in either direction;

Why prices out of state such as New Hampshire are as low as

98c per gallon when the producer in some of those states still gets the same price;

Whether the tax on the producer and dealer, which is approximately 12 percent is justified in that it is used to support running the Commission since without that tax the price of milk to the consumer could be considerably reduced and whether such expense for the Commission is justified or can the Commission's functions be fulfilled by other existing state departments;

Why the Maine farmer is charged the Maine milk tax on milk shipped to Boston;

How the Wisconsin-Boston-North Formula is affected by minimum retail price supports. How is this justified by costs of grain, etc?

How such formula is established. Whether it is based on solid "cost-analysis" data or simply for convenience of the milk dealers (dairies). How it is affected by price supports or does it justify same;

How controlled areas are determined. Whether such control is constitutional or justified by hard data.

Legislation setting up the Milk Commission (Maine Revised Statutes, Title 7, chapter 603, section 2953, Powers and Duties). "The commission in administering this chapter shall adopt such policies as are consistent with the promotion of marketing products which progressively eliminate those conditions in the milk indicates necessitating the present law." Has the Commission done so? If it has not specifically determined that it has, why continue with a Commission that has proven that it cannot do the job it was legislated into existence to do?

At the present time, the dairies apparently do not have to justify their rates on a "cost-effective" or reasonable profit basis. They simply have to say how much milk moved in a given time period. This allows them to shoot for any profit they feel like. Should there be an audit of the dairy books to determine whether their profit margin is acceptable and if they are operating on a "cost-effective" basis for the good of the consumer, the farmer, and others?

The milk dealer may establish whether he buys milk from the producer as "Fluid Milk" or "Class II", the latter bringing less of a price to the farmer. How is this designation justified by the dairy? Is the classification abused to give the farmer less? Is the lower rate really justified or does that Class II, when converted into high priced cheeses, butter, cream, etc., worth every bit as much, if not more, to the dairy as "Fluid?" Is there any way the dealer can take advantage of higher profits at the producer's (farmer's) expense; and be it further

ORDERED, that said Commission and the State Department of Agriculture be directed to provide the committee with such technical advice and assistance as the committee feels necessary or appropriate to carry out the purposes of this Order; and be it further

ORDERED, that the committee report its findings at the next special or regular session of the Legislature; and be it further

ORDERED, that upon passage, a copy of this Order be transmitted forthwith to said agencies as notice of the pending study.

The Order was read.

On motion of Mr. Simpson of Standish, tabled pending passage and specially assigned for Monday, June 25.

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

Bill "An Act to Provide Property Tax Reduction, Rent Relief and Equalization of Municipal Revenues" (H. P. 1620) (L. D. 2038)

Tabled—June 21, by Mr. Martin of Eagle Lake.

Pending — Passage to be engrossed.

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

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

Bill "An Act Relating to Joint Standing Committees of the Legislature" (S. P. 560) (L. D. 1731) (H. "A" H-584).

Tabled—June 21 by Mr. Simpson of Standish.

Pending — Passage to be engrossed.

On motion of Mr. Simpson of Standish, tabled pending passage to be engrossed and specially assigned for Monday, June 25.

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

Bill "An Act Reforming the Administration of the Property Tax and Replacing the Tax on Inventories with an Increased Corporate Income Tax" (H. P. 1384) (L. D. 1862)

Tabled — June 21, by Mr. Simpson of Standish.

Pending — Adoption of House Amendment "A" (H-588).

On motion of Mr. Simpson of Standish, tabled pending adoption of House Amendment "A" and later today assigned.

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

Joint Order Relative to Legislative Conference. (H. P. 1640)

Tabled — June 21, by Mr. Birt of East Millinocket.

Pending — Passage.

On motion of Mr. Birt of East Millinocket, tabled pending passage and specially assigned for Monday, June 25.

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

Bill "An Act to Amend the Benefit Financing Provisions of the Employment Security Law" (S. P. 674) (L. D. 2041).

Tabled — June 21, by Mr. Simpson of Standish.

Pending — Passage to be engrossed.

The SPEAKER pro tem: The Chair recognizes the gentleman from Standish, Mr. Simpson.

Mr. SIMPSON: Mr. Speaker, and Ladies and Gentlemen of the House: This bill was placed on the table yesterday and the amendment portion where it could be amended. Right at the present time, Mr. Schoenthaler has been asked to provide some figures for this, and the figures have not come, and we just don't seem to have too much chance of getting

them out of there, evidently. So I would like to keep this bill right where it is at the present time. There is an order being drafted right now under my name, and I am going to have the order put in, hopefully, later today that would direct him to give us the figures that we are asking; and therefore, I would like to see this bill held until these figures are due.

On motion of Mr. Birt of East Millinocket, tabled pending passage to be engrossed and specially assigned for Monday, June 25.

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

Bill "An Act to Redistribute Certain Statutory Powers Now Vested in the Executive Council, to Abolish the Legislative Research Committee, to Create a Statutory Legislative Council, to Provide for Permanent Joint Standing Committees of the Legislature, and to Provide for an Annual Rather than a Biennial State Budget" (S. P. 661) (L. D. 2021) Emergency.

Tabled — June 21, by Mr. Simpson of Standish.

Pending — Passage to be enacted.

On motion of Mr. Simpson of Standish, tabled pending passage to be enacted and later today assigned.

Supplement No. 1 was taken up out of order by unanimous consent.

From the Senate:

Bill "An Act to Provide a Subsidy to Communities with Private School Enrollments" (S. P. 685) (L. D. 2047) (Presented by Mr. Clifford of Androscoggin)

Came from the Senate referred to the Committee on Education.

The SPEAKER pro tem: The Chair recognizes the gentleman from Standish, Mr. Simpson.

Mr. SIMPSON: Mr. Speaker Ladies and Gentlemen of the House: I would ask first if the Clerk would please read the names and the signatures on the Reference of Bills Committee and if there is anybody in this body who is a representative of the Refer-

ence of Bills Committee would they please advise me as to when the Reference of Bills Committee met and what the decision was on this particular bill.

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

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: As the gentleman knows, the Reference of Bills Committee very rarely meets. The procedure that has been utilized for all but two instances during this legislative session has been the number of signatures required. I was asked to sign the reference. I agreed to sign it, which I did yesterday. That is also true, I believe, for the gentleman from Brunswick, Mr. McTeague and I don't know where the other signatures came from in order to supply the majority necessary to comply with the rules.

The SPEAKER pro tem: The Chair recognizes the gentleman from Standish, Mr. Simpson.

Mr. SIMPSON: Mr. Speaker and Ladies and Gentlemen of the House: A few minutes ago I did not walk out of this body on Representative Jalbert. I started out to meet somebody behind the hall of the House, therefore I didn't have the opportunity to address myself to the question that he asked about whether we were going to be tabling things or whether we were going to be running things. I would say this right on the record right now, that we are going to have a caucus in a few minutes.

This particular bill right here, as far as I am concerned — I guess I would address myself right now to the Representative from Madison, Mrs. Berry and her remarks too — I particularly can win and I can lose and I can take them and it doesn't bother me a bit. Yesterday I lost on L. D. 1994 and that didn't bother me. I think it is a good bill and it has been signed into law right now, if that is the wishes of the people of this legislature and they represent the people back home. But when I sit on this floor handling business in this particular body and find out the next day, or maybe last

night when I saw the calendar, that this particular bill was coming before us again today because it was part of a deal in the other body to pass L. D. 1994, I will remind the gentleman from Portland, Mr. Talbot, that there are a lot of things that go around down here that you have to kind of keep your eyes on.

I think that somebody is playing games and some dangerous games right at the time when we have some legislation on the table right here today before us involving a good many items to close this session out. I don't particularly like the way this was handled. I don't think it is necessary, and therefore I move the indefinite postponement of this bill at this time.

The SPEAKER pro tem: The question now before the House is the motion of the gentleman from Standish, Mr. Simpson that this bill and all accompanying papers be indefinitely postponed.

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

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: Contrary to what you may have heard, I do not recall a deal being made. I was asked whether I would sign the bill to allow it to be heard and discussed at this session, which I did. This is nothing unusual. This is I think probably the thirtieth that I have signed since cloture date.

One of the things that a number of people are concerned about, in particular from Biddeford and Lewiston, were the effects the passage of my bill would have on the parochial school situation in their community. It was the feeling on the part of some people that the issue could be discussed and could be debated at this session and that is why the bill was allowed in by myself.

As the gentleman well knows, a number of bills that we allowed in in the course of this session did not bear my signature but bore his. I am sure that he is not implying that at that time deals were made. I do not consider this to be part of any worked out deal or any attempt to intimidate anyone or an attempt to try to shove

anything down anyone's throat. The only purpose why this bill was to be considered was in an attempt to see whether or not some legislation could be enacted which would help those areas that would suffer under a school subsidy program, whether we call it the Sinclair Act or the bill that we enacted yesterday which has now been signed into law.

I am sure that a number of people are concerned about this problem and perhaps a number of people are concerned about the procedure, but I just want to let you know what I know of it and I want you to be aware that as far as I am concerned the passing of the reference on my part was not an attempt to dictate upon anyone what ought to happen during this legislative session.

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

Mr. JALBERT: Mr. Speaker and Ladies and Gentlemen of the House: I am delighted to hear the gentleman from Eagle Lake admit that we passed either a Sinclair Act or a subsidy program yesterday and not a tax reform or a relief program.

The SPEAKER pro tem: The Chair recognizes the gentleman from Standish, Mr. Simpson.

Mr. SIMPSON: Mr. Speaker and Ladies and Gentlemen of the House: I still would like to hear who signed the reference of bills report.

Also, I would like to call your attention to this bill. We are three days maybe or two days and a half away from adjournment. Suddenly we have a bill thrown before us with an emergency preamble on it, one and a quarter million dollars approximately on it, then hopefully you have it being referred to the Education Committee. If it was this important and that much of an emergency, it should have been in here a long time ago.

The Reference of Bills Committee earlier in the session met on the bills. After a certain time we were allowing them in as you worked on us pretty much one on to one. When it started to get

down into the closing days and most of the committees were winding up, we definitely said that no bills would come in unless the entire Reference of Bills Committee sat down as a group and decided whether they should.

Some of you have come and asked us for bills that have been allowed in and many have been refused. I have one on my desk right now from the gentleman from Eastport who has asked to have this bill put in. He started on us one on one and we told him, no, the bill would have to go before the entire committee. I promised him that it would go in. I was not going to support the bill, but I promised him it would go before the Reference of Bills Committee when we met.

Actually we can meet as the Reference of Bills Committee any time we have a leadership meeting. Therefore, I felt that his bill ought to be given the same kind of consideration as a bill such as this was given, and as a member of the leadership and my assistant being a member of the leadership and also as a member of the Reference of Bills Committee, I still say it is not right for the Reference of Bills Committee to have met over there to get votes for L. D. 1994, and that is just exactly where it was laid right on the table for this particular bill, and I still support the indefinite postponement.

I would like to ask the gentleman from Eagle Lake, Mr. Martin, if he proposes that if this is referred to the Education Committee that it be given a full public hearing?

The SPEAKER pro tem: The gentleman from Standish, Mr. Simpson poses a question to the gentleman from Eagle Lake, Mr. Martin.

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: In response to the question, let me answer it in this fashion. If the people of this body choose to allow the bill in, they can use that option of having a public hearing. That would be up to the Education Committee, I am sure. I am not willing and not trying to dictate what they ought to do.

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

Mr. DONAGHY: Mr. Speaker and Ladies and Gentlemen of the House: I hope that you will go along with the gentleman from Standish, Mr. Simpson on this indefinite postponement. For the enlightenment of those who are traveling or partying or whatever it might be, which is of course your business in the evenings, you are not supposed to be working all the time, but I happened to be listening to television when I heard about this bill. My understanding is that they don't expect you to pass, but it is to be put over to the next session of legislature. Senator Clifford, whose name is on this bill, has agreed that this will be taken up in a special session of the legislature. The Governor has agreed to it. This is public record. I assume that it could be stated on the floor of the House.

Beyond this, I think that this is a pretty good example of why one of our tabled bills should not pass.

The SPEAKER pro tem: The Chair recognizes the gentleman from Kennebunkport, Mr. Tyndale.

Mr. TYNDALE: Mr. Speaker and Ladies and Gentlemen of the House: A point of parliamentary inquiry. As I read this order, it is an Act to Provide Subsidy to Communities with Private Schools Enrollments. And the question in mind is the reference to the Education Committee. Can this motion by my esteemed friend, Mr. Simpson, is that in order?

The SPEAKER pro tem: Yes it is in order. It is always in order to indefinitely postpone a bill, no matter what the status of the bill is, even though it has not had a hearing.

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

Mr. AULT: Mr. Speaker and Ladies and Gentlemen of the House: Out of curiosity Mr. Speaker, I would still like to know who signed the report.

The SPEAKER pro tem: We do not have who signed the report of the committee but we do have the name of the person who signed

the bill. Does the gentleman want that name?

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

Mr. BRAGDON: Mr. Speaker and Ladies and Gentlemen of the House: I would suggest that the information could be obtained from the Legislative Research Office if anybody wants that.

With regard to this matter, I did not, as you well know, vote with the victorious members of the House on the bill that we voted on yesterday. I suffered defeat and I am about to — when I am out-voted I usually take it and the majority rules and I go along with it. And I feel in this instance that I want to say that I am in complete concurrence with the majority floor leader that we do kill this bill at this time.

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

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: It doesn't take too long, I think, to find out who signed it if anyone has any desire to. The five people who signed it were Senator MacLeod, Senator Berry, Senator Brennan, the gentleman from Brunswick, Mr. McTeague and myself, composing five, which means that is a majority of the Reference of Bills Committee.

The SPEAKER pro tem: The Chair thanks the gentleman from Eagle Lake, Mr. Martin, for answering the question raised by several people.

The Chair recognizes the gentleman from Camden, Mr. Hoffses.

Mr. HOFFSES: Mr. Speaker, Ladies and Gentlemen of the House: I would like to pose a question. I notice as I read this thing there is a dollar sign. It reads \$1,125,000. I would like to pose a question as to where this money is supposed to be coming from?

The SPEAKER pro tem: The gentleman from Camden, Mr. Hoffses, poses a question through the Chair to anyone who may answer if they choose.

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

Mr. JALBERT: Mr. Speaker and Members of the House: The money

would come from the General Fund. I am going to vote for this thing, contrary to the gentleman from Standish, Mr. Simpson. However, I feel very strongly that the one way that you could help private schools is by giving them income tax credit.

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

Mr. MILLS: Mr. Speaker, Ladies and Gentlemen of the House: The bill that Representative Simpson referred to which I asked for approval of to be introduced here was a matter of setting something straight that occurred last Wednesday over there to the Augusta Civic Center when I was refused a voice in the affairs going on at the time.

Since this bill was drafted over the last weekend and talked about here in the hall and so on and so forth, it now becomes apparent that it does have some effect, for the simple reason that on Monday I received a letter from John Adams, Chairman of the Environmental Control Commission urging me to attend the meeting in Eastport. I got this in my mail here at 10:30 in the morning on my desk and the meeting was scheduled for one o'clock in Eastport.

Now those who have read the paper in regard to what happened down there know very well that they had a very pleasurable time and then met for a very short period of time — I am told an hour and a half — for the purpose of postponing this thing while they directed the oil company to make a deal with Canada.

Now my bill called for the fact that no committee or commission created by the legislature could in any way prohibit a —

The SPEAKER pro tem: Would the gentleman confine his remarks to the matter before us now, not another matter that was not presented.

Mr. MILLS: Mr. Speaker, I am explaining the bill that Representative Simpson mentioned, the majority floor leader, so the people in this House would have the knowledge of what he said.

The SPEAKER pro tem: As long as the explanation is brief you may continue.

Mr. MILLS: By order of the legislature, there be set up a rule by where no committee or commission created by the legislature could bar the voice of a Senator or Representative from appearing and speaking. To do so would be a denial of the voice of the people. That was the intent of that bill which they are holding at the present time. That is so you will all have a knowledge of what it was.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Old Orchard Beach, Mrs. Morin.

Mrs. MORIN: Mr. Speaker, is it possible to recall a bill from the Governor's desk?

The SPEAKER pro tem: A two-thirds vote of both branches would recall a bill from the Governor's desk. But it is difficult to get a two-thirds vote in both branches.

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

Mr. JALBERT: Mr. Speaker and Members of the House: That monstrosity has already been signed by the Governor, and what we are trying to do now should have been done yesterday if they hadn't wheeled and dealed in another branch.

The SPEAKER pro tem: The Chair would explain that this is not an amendment to that bill, this is a separate bill to stand on its own merits.

The Chair recognizes the gentleman from Brunswick, Mr LaCharite.

Mr. LaCHARITE: Mr. Speaker and Ladies and Gentlemen of the House: I think we are debating a bill that hasn't even had a hearing yet or the Education Committee hasn't even taken. The majority of the Reference of Bills Committee has referred this bill to Education, and I think that it is only right that this body go ahead and let the Education Committee either have a hearing on this or at least take up the bill in session.

The SPEAKER pro tem: The pending question is on the motion of the gentleman from Standish, Mr. Simpson, that L.D. 2047 be in-

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

A vote of the House was taken.

Mr. Kelleher of Bangor requested a roll call vote.

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

Mr. BINNETTE: Mr. Speaker and Ladies and Gentlemen of the House: Right now I am wondering if — we are going to have a vote for indefinite postponement of this bill. What is wrong with letting it go and have a public hearing? Let's let the public decide through the Education Committee what they want to do with it.

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 Chair recognizes the gentleman from Norway, Mr. Henley.

Mr. HENLEY: Mr. Speaker and Ladies and Gentlemen of the House: Regardless of the possible merits of what this bill attempts to do, I resent having bills brought in two or three days before adjournment when several — what we believe or several of us believe were very worthy — bills have either been refused or we have been advised that it is too late to put them in.

It seems to me in my short tenure as a legislator, my other three terms and this one — it seems to me that I have never seen quite this occasion. I noticed this the first thing this morning, and I was appalled. I went to floor leadership, and they knew very little about it; and, of course, you have heard ensuing debate on it. If for no other reason, I feel that this should be voted down. It is all well and good to say to give the people a chance at public hearing. We cannot stay or we should not stay here all summer.

I refused a couple of very legitimate bills on claims, because I stated that we are past cloture. They didn't get their requests in on time. One of them means that a very small private school, because of destruction of property by a state ward, will not be able to receive that \$200 which should be rightfully theirs, because the request was too late getting in. In other words, I like a good many other legislators are playing the game. We have cloture date for a very good purpose; otherwise, we would be in session the year round.

Consequently, for no other reason, I feel that this bill should be killed before it even gets off the ground, and I urge you to all vote for the indefinite postponement of this bill three days before adjournment.

(Off Record Remarks)

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

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: In reference to the remarks made by the gentleman from Norway, Mr. Henley, in reference to legislation that was coming in and coming out, we may want to ask the gentleman at some point to take a look in terms of new bills that were coming and to the errors and inconsistency law in terms of new bills.

We are creating a new board of municipal records on page 43. It is rather long, detailed, complicated, burdensome for the communities, and lo and behold, without a public hearing, we are going to force upon municipalities a gem like this; and someone is going to say because this is three days prior or five that now we have a proper mechanism for the introduction of the bills, that this is wrong? Someone is wrong and someone better take a quick look when you go home this weekend and bring with you legislative document 2044 for your perusal and very close attention to how we do bills in the final week here without a public hearing.

The SPEAKER pro tem: The Chair recognizes the gentleman from Standish, Mr. Simpson.

Mr. SIMPSON: Mr. Speaker, I move we stand adjourned until two p.m. Monday.

Mr. Carey of Waterville 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 Chair recognizes the Speaker of the House, Mr. Hewes.

Mr. HEWES: Mr. Speaker, I would inquire of the gentleman if an adjournment of more than two days, 48 hours, is in order without the consent of the other body?

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

Mr. NORRIS: Mr. Speaker and Ladies and Gentlemen of the House: I think that the Constitution reads two days. It is not written in hours. You can adjourn for two legislative days, which would knock out the weekend I think the motion is in order.

The SPEAKER pro tem: The Chair recognizes the gentleman from Standish, Mr. Simpson.

Mr. SIMPSON: Mr. Speaker and Ladies and Gentlemen of the House: Saturday and Sunday are not legislative days; therefore, Monday is our next legislative day.

The SPEAKER pro tem: The pending question is on the motion of the gentleman from Standish, Mr. Simpson, that the House adjourn until two o'clock p.m., Monday, June 25. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEAS: Ault, Baker, Berry, G.W.; Berry, P.P.; Binnette, Birt, Bither, Bragdon, Brawn, Briggs, Brown, Bunker, Cameron, Chick, Churchill, Cottrell, Crommett, Curtis, T.S., Jr.; Dam, Davis, Donaghy, Dow, Dudley, Dunn, Evans, Farnham, Farrington, Finemore, Flynn, Good, Hamblen, Henley, Herrick, Hoffses, Huber, Hunter, Immonen, Jackson, Jalbert, Kauffman, Kelleher, Kelley, Keyte, Knight, Lawry, Lewis, E.; Lewis, J.; Littlefield, MacLeod, Mahany, Maxwell, McHenry, McKernan, McNally, Merrill, Morton, Murchison, Norris, Palmer, Parks, Pratt, Rollins, Shaw, Shute, Silverman, Simpson, L.E.; Snowe, Soulas, Stillings, Strout, Susi, Trask, Tyndale, White, Willard, Wood, M.E.

NAYS: Albert, Berube, Boudreau, Bustin, Carey, Carrier, Carter, Chonko, Clark, Conley, Connolly, Cooney, Cote, Curran, Deshaies, Drigotas, Dunleavy, Dyar, Farley, Ferris, Fraser, Garsoe, Gauthier, Genest, Goodwin, H.; Goodwin, K.; Greenlaw, Hancock, Hewes, Hobbins, Jacques, Kilroy, LaCharite, LaPointe, LeBlanc, Martin, McCormick, McMahon, McTeague, Mills, Morin, L.; Morin, V.; Mulkern, Murray, Najarian, Perkins, Peterson, Ricker, Rolde, Santoro, Smith, D.M.; Smith, S.; Sproul, Talbot, Tanguay, Theriault, Tierney, Webber, Wheeler, Whitzell.

ABSENT: Cressey, Emery, D.F.; Faucher, Fecteau, Gahagan, Haskell, Kelley, R.P.; Lynch, Maddox, O'Brien, Pontbriand, Ross, Sheltra, Trumbull, Walker.

Yes, 76; No, 60; Absent, 15.

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

Thereupon, the House stood adjourned until Monday, June 25 at two o'clock in the afternoon.