

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

1st Special Session

OF THE

*One Hundred and Sixth
Legislature*

OF THE

STATE OF MAINE

1974

Kennebec Journal
Augusta, Maine

HOUSE

Thursday, February 7, 1974

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

Prayer by the Rev. Donald W. Henderson of Camden.

The journal of yesterday was read and approved.

**Papers from the Senate
Reports of Committees
Leave to Withdraw**

Report of the Committee on Judiciary on Bill "An Act Relating to Supervised Practice by Third-year Law Students Pursuant to Court Rules" (S. P. 814) (L. D. 2310) reporting Leave to Withdraw

Came from the Senate with the Report read and accepted.

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

Divided Report

Majority Report of the Committee on Judiciary on Bill "An Act to Prohibit Executive Sessions in Public Proceedings" (S. P. 790) (L. D. 2273) reporting "Ought to pass" in New Draft (S. P. 891) (L. D. 2486) under new title "An Act Relating to Executive Sessions"

Report was signed by the following members:

Mr. TANOUS of Penobscot
— of the Senate.

Mrs. WHITE of Guilford
WHEELER of Portland
KILROY of Portland

Messrs. PERKINS of South Portland
McKERNAN of Bangor
— of the House.

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

Report was signed by the following members:

Mrs. BAKER of Orrington
Messrs. CARRIER of Westbrook
GAUTHIER of Sanford
— of the House.

Came from the Senate with the Minority "Ought not to pass" Report read and accepted.

In the House: Reports were read.

On motion of Mrs. Baker of Orrington, the Minority "Ought not to pass" Report was accepted in concurrence.

Order Out of Order

Mr. Farley of Biddeford presented the following Order and moved its passage:

ORDERED, that Ann Marie Letourneau and Nancy Trottier of Biddeford be appointed Honorary Pages for today.

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

Divided Report

Later Today Assigned

Report "A" of Committee on State Government on Resolution Proposing an Amendment to the Constitution Broadening the Limitation for Revenues Derived from Taxation of Vehicles Used on Public Highways and Fuels Used by Such Vehicles (S. P. 756) (L. D. 2166) reporting "Ought not to pass"

Report was signed by the following members:

Messrs. WYMAN of Washington
SPEERS of Kennebec
— of the Senate.

Messrs. STILLINGS of Berwick
SILVERMAN of Calais
FARNHAM of Hampden
CROMMETT of Millinocket
— of the House.

Report "B" of same Committee on same Resolution reporting "Ought to pass"

Report was signed by the following members:

Mr. CLIFFORD of Androscoggin
— of the Senate.

Mrs. GOODWIN of Bath
Messrs. BUSTIN of Augusta
GAHAGAN of Caribou
CURTIS of Orono
— of the House.

Report "C" of same Committee on same Resolution reporting "Ought to pass" with Committee Amendment "A" (S-332)

Report was signed by the following members:

Mrs. NAJARIAN of Portland
Mr. COONEY of Sabattus
— of the House.

Came from the Senate with the Resolution indefinitely postponed.

In the House: Reports were read.

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

Mr. SIMPSON: Mr. Speaker, I move

this Resolution and all its accompanying papers be indefinitely postponed.

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I may or may not agree, but I wish the gentleman would explain the reasons.

Thereupon, on motion of Mr. McTeague of Brunswick, tabled pending the motion of Mr. Simpson of Standish to indefinitely postpone in concurrence and later today assigned.

Non-Concurrent Matter Tabled and Assigned

Bill "An Act Relating to Municipal Fire Protection" (H. P. 1707) (L. D. 2100) which was enacted in the House on February 1.

Came from the Senate with the Bill passed to be engrossed as amended by Committee Amendment "A" (H-652) and Senate Amendment "A" (S-338) in non-concurrence.

In the House: On motion of Mr. Simpson of Standish, tabled pending further consideration and tomorrow assigned.

Non-Concurrent Matter

Bill "An Act to Register Recreation Professionals" (H. P. 1943) (L. D. 2483) which was referred to the Committee on Legal Affairs in the House on February 4.

Came from the Senate with the Bill referred to the Committee on State Government in non-concurrence.

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

Non-Concurrent Matter

Resolve Authorizing the Commissioner of Educational and Cultural Services to Convey Certain Easement Rights at Southern Maine Vocational-Technical Institute in South Portland (S. P. 886) (L. D. 2473) Emergency which was referred to the Committee on Legal Affairs in the House on February 5.

Came from the Senate with that body insisting on its action whereby the Bill was referred to the Committee on Education in non-concurrence.

In the House:

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

Mr. SIMPSON: Mr. Speaker, Ladies and Gentlemen of the House: Since this Resolve, I believe very unwisely, has already been advertised for public hearing, I will reluctantly recede and concur.

Thereupon, the House voted to recede and concur.

Petitions, Bills and Resolves Requiring Reference

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

Judiciary

Bill "An Act Providing Professional Immunity to Red Cross First Aid Personnel in Emergency Cases" (H. P. 1951) (Presented by Mr. Emery of Rockland)

(Ordered Printed)

Sent up for concurrence.

Natural Resources

Bill "An Act Authorizing a Study of Maine's Forest Products Industry" (H. P. 1952) (Presented by Mr. Smith of Dover-Foxcroft)

(Ordered Printed)

Sent up for concurrence.

Public Lands

Bill "An Act Creating the Maine Forest Resources Regulation Act" (H. P. 1953) (Presented by Mr. Lynch of Livermore Falls)

(Ordered Printed)

Sent up for concurrence.

Orders

Mr. Haskell of Houlton was granted unanimous consent to address the House.

Mr. HASKELL: Mr. Speaker, Ladies and Gentlemen of the House: I had hoped to be able to spare the House the remarks I am about to make.

I think most of you are aware that in my recent election I was subjected to a very vicious smear campaign. I had hoped that this line of attack would cease after the election was over, but such has not been the case. This week, Mrs. Pease, Chairman of the Democratic

State Committee, was on the radio on a talk show in Portland indicating that in her judgment the facts regarding my voting record were substantially true and the product of careful research by the Democratic Party.

In this week's Bangor Daily News, former Senator Harding of Presque Isle had a letter to the editor in which he indicated that the research done by the Democratic Party was true. So I want to take this opportunity to at least touch on four of the items which were very damaging to me in the election and to set the record straight here on the floor among my peers who are well aware of the facts surrounding these votes.

Now, the most sensitive issue that was charged against me involves roll calls 288 and 289, and I would appreciate if it you would get your roll calls and look at those two roll call votes, because the discussion for the next few minutes is going to revolve around 288 and 289 roll calls.

It was alleged that I voted for the legalization of marijuana. I think all of you here know that the facts of the matter are that this bill came out of the committee with an unfavorable report. Prior to any vote on this, the sponsor discussed it with me and indicated that he understood that the decriminalization for use in the home had no prospects of passage but that he wanted to keep the bill alive through the second reader where an amendment could be offered. The effect of the amendment was to reduce the penalty from a felony to a misdemeanor. This reduction in penalty was a part of the Republican platform. I have no qualms about saying that I supported it, but it does strike me as very strange that the Democratic Party would accuse me of voting for the legalization of marijuana, when the leadership of the party in this House, namely, Mr. Martin and Mr. McTeague, voted exactly the way I did on both roll calls.

In attempting to defend my voting record, I made the statement that Mr. Dunleavy voted opposite to my vote on the first roll call No. 288, but I said that on roll call 289 he reversed his position and, in effect, voted for the bill on 289. The roll calls are in front of you, and you can examine them for yourself. The

facts of the matter are that at no time have I ever indicated by a statement or otherwise that I would favor the legalization of marijuana. The opposite is the truth of the matter, and the reason for my vote on these two items is exactly as I have stated it here. The media has examined the records and they arrived at the conclusion that you find in the various sheets that have been distributed by my colleagues in Aroostook that are on your desks this morning.

Another thing that was alleged during the campaign was that I voted against giving the teachers the right to bargain — Teachers Bargaining Under the Maine Municipal Employees Labor Relations Act which was passed in the 104th. If anybody cares to examine the Legislative Record of the 104th, you will find that I carried the debate in this House for the Labor Committee when this act went on the books. So it would be a little strange to portray my voting record as being against giving teachers the right to bargain when the facts of the matter are that I carried the debate in the House for the adoption of the act.

Another part of my voting record that was completely distorted, it was alleged that I voted against permitting farmers to bargain. This was the farm bargaining bill that was in the last session. The facts of the matter are, I voted initially against the bill because in its first state, before amendment, there was no way that potato farmers could have bargained under their terms of the act. Several of us from Aroostook County voted against it for the same reason.

I have established in the media that I did work constructively when this bill was between the House and the Senate in trying to get a decent bill for the potato farmers of Aroostook County. I have a statement from the Maine Potato Council, from their Executive Vice-president who was on the scene lobbying for the bill, and I worked constructively with him. I have in my hand, if anybody would care to examine it, a letter from the Attorney General who indicated that I checked out the constitutional provisions of several aspects of this bill. So the facts of the matter are that I worked very hard and very constructively to get a bill that

would benefit our Aroostook County farmers.

Another part of the record that has been completely distorted, it was indicated that I voted for abortion on demand, and it indicated that this took place on roll call 274. Any of you that would care to look up roll call 274 will understand that this is the Huber bill which was offered as an amendment to Representative Jalbert's bill. It is a direct antithesis of abortion on demand.

We do have existing in the state now, for all practical purposes, abortion on demand following the Supreme Court ruling of last March. The Huber bill was an attempt to regulate therapeutic abortion and it was defeated in the House. The facts of the matter are, this was an attempt to get away from abortion on demand, which is the situation that exists in the state currently. So this allegation is completely distorted and does not represent my viewpoint. Abortion on demand, this is abhorrent to me, as I am sure it is to most people in this House.

Another allegation that was made in a letter which was mailed to all the teachers in the district which I was campaigning alleges that I voted against L. D. 1994, which was the tax equalization bill. I think those of you who have knowledge of the background of L. D. 1994 know that in fact I was the sponsor of 1994. I sponsored 1617, which was the bill that was amended in the Education Committee and came out of it as 1994. Ninety-five percent of the text of 1994 was contained in the bill that I sponsored. So you have a situation where material was distributed alleging I voted against my own bill. This letter was sent to the teachers.

A great many people in Aroostook County have called me and have blamed this on the Maine Teachers Association, and unfortunately John Marvin was in Aroostook County over the weekend when this smear campaign was going on.

The first day I was in Augusta after the election, I went to Representative Bustin, I went to Representative Clark, and I talked to Mr. Mersereau and told them I thought it was unfortunate that the Maine Teachers Association was being associated with this because, in

my view, this was not the fact of the case. I think that this letter to the teachers was a part of the same campaign. I think it came from the same source. I have no way to prove who furnished the material to the teachers who mailed this letter out, but in any case, I think it is unfortunate that the Maine Teachers' Association is being linked to it because I don't feel that this is the case.

I do want to point out that every single person sitting in this House is just as vulnerable in a campaign as I was. If material is taken out of context, if individual roll call votes are used, you are just exactly as vulnerable to a last minute smear campaign as I was. This is the type of politics that has been completely foreign to at least Aroostook County politics, and I deplore its introduction. A person, in my view, who would distribute material of this sort, knowing it to be false, lacks the personal integrity that a person should, have to hold public office.

Mr. Simpson of Standish was granted unanimous consent to address the House.

Mr. SIMPSON: Mr. Speaker, Ladies and Gentlemen of the House: I think it is very, very, very unfortunate that probably the integrity of politics and elections in the State of Maine has been brought to the front that it has been brought to in the last month, especially in a year when I think we are all aware of what is taking place, whether we like it or whether we don't, on the national scene.

I believe that over the course of the years the State of Maine has always had a reputation whereby candidates could differ and differ respectfully and still have good, open and clean campaigns. Unfortunately, maybe we are witnessing today the beginning of what I hope not to be true, but what might just start a campaign in the fall like we have never seen before.

I had the opportunity to have an invitation some three or four months ago to be a keynote speaker at a luncheon in Caribou on the Sunday preceding the election. Little did I know that when I went to Aroostook County that suddenly I was going to find myself embroiled in a

political campaign up there that was really smear if I ever saw it.

When I left here on a Friday, just as I was leaving here anyway, a phone call came. And the phone call came to the Clerk's Office, and the Clerk's Office was asked to document all the roll calls in the entire — all the material relative to Representative Haskell's voting record. This was being asked by a gentleman from the news media. The Clerk's Office that afternoon researched every single roll call that had ever been issued on these subjects. The Clerk's Office also came through with the original bill with all the amendments and also with the journal that had the debate on the particular items. This was then forwarded to Aroostook County.

I drove into the County and I was well aware of some of the advertising that was coming on the radio. At eleven o'clock at night, on a Saturday night, I received a phone call and was asked if I could give some assistance and I did, I hope. Since that time, the Democratic chairman feels that I had no business being in Aroostook County.

On Sunday, I had the same opportunity to talk with some people up there relative to this same situation, primarily newsmen. The thing that I think disturbs me the most about this whole thing is when on Monday former Senator Harding, present Senator Kelley and now the Chairman of the Democratic Party, Mrs. Pease, accused the Clerk of this House for being partisan and not being honest and fair in representing the views of this body. I think that we know and we know full well the integrity of the Clerk of this House and her staff, and I think it is something that should not go unchallenged or unnoticed by the people in this state.

I am also led to believe that there are some good Democrats in this body that went to her defense in this issue, but I think it should be aired and aired out right here and now that the material that she sent up there was factual and that was it. How other people want to take voting records and use them to their best advantage without giving the full details, that is their prerogative if they want to suffer the consequences in the interim. If anybody wants to know what some of the tapes are, some of the news

releases, what the ads were that were put on the radio and then subsequently withdrawn because of their viciousness, and if somebody wants to know a few of the other incidents, I have got the whole thing right here, including letters and other memorandums.

I also would like to point out that there was a little news conference that was held in Presque Isle after the other day's motion to indefinitely postpone three bills, when a gentleman in this body went to the news media and stated that because of this motion, because of his actions and his debate that that issue was killed, when the records show very vividly that he did not participate in that type of action, and that is also here. Ladies and gentlemen, I think we have just begun on something that I hope we don't continue on, and I hope that when we go into the primaries and when we go into the fall, that we can go into the elections in this state with open candidness and frankness, but in a responsive way and not like we have had in the last month.

Mr. Smith of Dover-Foxcroft was granted unanimous consent to address the House.

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: I arrived a little bit late this morning, and I came in in the middle of this. I was a little bit chagrined to hear some of the discussion that was going on this morning, because it isn't the first time it has happened in the State of Maine that a man's voting record is held up in public and he is asked to explain it. It happened to me in the last campaign on some of the very same issues that it happened to Mr. Haskell on, abortion and other matters. I must say that I find it a little bit unbecoming to all of us to stand here and flare with each other in public, be it a Democrat flaring at a Republican, or a Republican flaring at a Democrat. It doesn't represent really the kind of government that I think people in the State of Maine want to hear on this floor this morning, and it certainly isn't the kind of government that I want to hear on this floor this morning.

I do want to put you on notice that this happened both ways. I happen to dislike it very much when my record was

thrown up and what I thought was distorted, but I always found out that there was always an opportunity to explain yourself, the way the system works. I think we should all be held responsible to explain our votes, and I am certainly willing to do that. I didn't come down here the week after the election and tell you all about it on the floor of the House, and I am not going to detail it all here now. But I can assure you that the campaign I went through in the last general election was a very rough one, and I suspect it has happened here to many of you on the floor of the House in this campaign, the last campaign and in previous campaigns. I think it is a very inappropriate matter to stand here today and to flare with each other when it is unnecessary.

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I can't help but sort of grin and laugh a little bit about some of the discussion, things that have been said by the gentleman from Standish, Mr. Simpson, and the gentleman from Houlton, Mr. Haskell.

First of all, I was deeply interested in the fact that throughout the part of the campaign in Aroostook, I was quoted as having voted with the gentleman from Houlton, Mr. Haskell, on a number of issues. I was pleased to hear that. It is just unfortunate that he doesn't vote with me more often, and he might not have been in the trouble he was in.

As far as the gentleman from Standish is concerned, I am sure he is fully aware that many of the things that are discussed involving one's voting records are a matter for interpretation, are a matter for also attempting to tell the public how and why we voted the way we did. I don't believe that this is true of Maine or typical of any other state. Certainly, if he wants to talk about things being removed from television, for example, he might recall the little battleship episode that the President of the United States campaign used the last time. This type of thing has been going on for a long time, and I can assure you that we didn't participate in it in Aroostook, even though some people

might think so. I am pleased to know that the Republicans indicate they are not going to do it. I am sure that we are not going to do it.

I have a paper which I prepared on the four or five points the gentleman from Houlton has made. I prepared it a long time ago after I read an article in the Bangor Daily News. I am not about to discuss that on the floor here today. It is available if anyone wants to see it. I maintain that we have been here 30 minutes this morning, and we haven't done a thing. We weren't elected to start throwing things at one another's faces in the legislative body. We are supposedly in emergency session. We have been here five weeks and we haven't done anything. I think the people of Maine deserve more than what they are getting. We have dragged our feet. We have not had legislative sessions that have been of any value in any length, and yesterday, for example, we were here 15 minutes, then we adjourned. Executive sessions are not being held and we are going to spend 30 minutes throwing stuff in one another's face.

We have got to be more than that. I hope when we are through this today, that we will go on to do the duty that we have been elected to do. We are spending \$15,000 a day of state taxpayers' money and they deserve better than that. If they don't, let's adjourn and go home and be honest about it.

I have every issue researched. I would be happy to give it to anyone if they want to read it, and you decide for yourselves what took place in Aroostook County. Make your valued judgments based on that, but keep one thought in mind, that we have roll calls and we have roll calls for the purpose of telling the people back home how we voted. And if we cannot defend how we voted, then we do not deserve to be here to represent the people of Maine. It is really that simple. That is why we have a roll call machine.

I am sure that if you take a roll call and you mail it to my own constituency that they may disagree. And unless I can explain to them why I voted that way, I may be under the same form of attack as the gentleman from Houlton. But if I can't defend that record and why I voted that way, then something is wrong.

The Democratic Party does not intend

to attack the Clerk of the Maine House of Representatives, nor did it. One person in the Clerk's Office was accused of being political; that is all. That is not the Clerk. I don't even know if that is a fact or fiction. I haven't bothered to investigate because I didn't think it was worth it. But as we get through this today, and hopefully we will, let's do what we are here to do.

In November and December the Governor was attacked in the press media by the gentleman from Standish, Mr. Simpson and other members of the Republican leadership for not calling a special session to handle the emergency legislation. The Speaker went to see the Governor and the decision was finally arrived at that there were to be no special session, but we went through three or four days of attacking one another, and now we are here and the gentleman from Standish appeared before the Judiciary Committee and opposed the emergency bill dealing with the energy crisis, for apparently there is no emergency anymore. That is why we are here. Let's deal with those issues. If people are not in committee to sign out the bills, then let's get the bills out of committee without their signatures, and therefore we won't have to attack one another — Democrats vs. Republicans. One committee has already started that, Judiciary, and I congratulate them, to get bills moving. That is great, and other committees ought to do the same. But let's do what we are here for instead of attacking one another. There is much more that has got to be done.

Mr. McMahan of Kennebunk was granted unanimous consent to address the House.

Mr. McMAHON: Mr. Speaker, Ladies and Gentlemen of the House: I really hadn't intended to say anything, but I wish to simply state that Mr. Martin has presented a very eloquent rebuttal that will undoubtedly confuse the readers of the newspapers in this state. But I wish to state that I believe we weren't elected to come up here to overlook violations of matters of principle.

I like to think I have a pretty independent voting record, and I think the members of this House whom I have supported on issues perhaps will agree.

But I believe what we have heard discussed here is important, and I believe it does concern the people of this state. I really suggest that all concerned members of this body, regardless of party, should take the time to publish their votes on controversial issues before next fall's election so we don't have a repeat of this unfortunate situation.

Mr. Bither of Houlton was granted unanimous consent to address the House.

Mr. BITHER: Mr. Speaker, Ladies and Gentlemen of the House: I sort of got squeezed out of this, this morning. And I have entirely different — I'm sorry Mr. Martin has left, because I agree with him wholeheartedly. I think we have got to stand by the record. If you have got these roll calls, they tell a story and that's it. But he did neglect to say to you people and I hope the press realizes this — that the interpretation of those roll calls is a different matter.

Now I have found, finally, something true in this whole picture. There is a good deal of truth here. I read in yesterday's Bangor Daily paper a very long letter from Mr. Harding of Presque Isle, and I think for the first time we are getting at the truth. He says, and I quote: "I personally did not research whatsoever, and neither did Senator Kelley, any of this material." They did not research it at all. And yet we heard over the radio, the TV and so forth, they did not research this once; they did not research it twice; by golly, they researched it three times. And any time you research anything three times, it is just like the Holy Bible, it is the truth.

I want to refer to this letter — Mr. Haskell has referred to the letter — that was sent out to the teachers. This bothered me terribly the Friday night that I got home, and it came on a Friday night before the election. And through the President of the Houlton Teachers' Club I indirectly got hold of the good Dr. Marvin. And he said he admitted that night the second one of the three here was wrong. And you notice that Haskell voted "No" on revenue bonds for schools on equalization financial support and "No" on the Maine Student Incentive Program. He admitted the second one was wrong, but he wasn't sure about the

others until he got back to Augusta and checked his records.

So when he got back to Augusta and checked his records, I made a point to call him the next week a few days afterwards. I called Dr. Marvin and I said, "Look, any time if I have to explain to anyone the position of the M.T.A., I want to get your answer right now. Did you or did you not have anything to do in those four days you spent in Aroostook with this letter?" And he said, "Roy," — we are on a first-term basis, incidentally — he said, "Roy, I had nothing to do with it. What happened," he says — and I quote him almost verbatim — "was that these roll calls were sent from the State Democratic Office to Chub Clark in Fort Fairfield." and I questioned him a couple of times on this, because I didn't want to get this Clark confused with our own Nancy Clark. And I didn't know whether she was called Chub now or not. (Laughter) But I discovered finally that, no, he meant Chub Clark of Fort Fairfield. And he said Chub Clark misinterpreted, misread.

Now I wish you would look with me, and I will try not to bore you too long. I wish you would look with me at the first one that was not mentioned. The first one in the list is Floyd Haskell voted "No" on Revenue Bonds for schools. The roll call, and there was only one roll call, was roll call 55. I have it before me; you will have to take my word for it because I know you haven't got it. But the roll call says, "Regarding a Bond Issue, regarding an amendment to the Constitution pledging credit — pledging credit — of the State for revenue bonds for schools." And that doesn't tell the whole story. You have got to read the whole bill, because this proposed pledging the credit for revenue bonds to be issued by the Maine School Building Authority for public and private institutions of higher learning. This would include all kinds of institutions of higher learning, and you may be surprised to find that it was introduced by Mr. Bither of Houlton. We got clobbered on it; we got clobbered but good.

I remember several of the gentlemen spoke at great length and very heatedly against this bill, and the vote was 104 to 38. We got 38 votes. Now, did Mr. Haskell vote against this? Yes, he did. But what

was the motion? The motion was for indefinite postponement. He voted to save the bill. So did I; so did 36 others. And, of course, if you will read the rest of your report, if Mr. Tweedie had been here, he would have voted with us, too. And this says so. He would have voted "Yes" on this bill. Well, if he had voted "Yes" I don't know. Now that takes care of this amendment.

Did Mr. Clark misinterpret this whole thing? Did he read it? Maybe Mr. Clark can't read too good; I don't know. Mr. Haskell has already told you about an Act Equalizing Financial Support of School Units. I recommend that for your perusal some time. It is roll call 354. And this is the bill, this is 1994; it came out of committee unanimous. It was a composite of four gentlemen in the House, Mr. Carter, Mr. Ferris, Mr. Smith of Dover-Foxcroft also had a bill in there and Mr. Haskell. And out of Committee came a composite bill and it was given Mr. Haskell's name and number. And all of these gentlemen I mentioned voted the same as he did because the amendment, again, or the motion, again, gentlemen, the Motion was indefinite postponement. And when you vote "No" on that, you are voting to save the bill.

I would just like to say very briefly, the third item was that he voted "No" on was Establishing the Maine State Student Incentive Grants Program. Now, we haven't got the Register printed. But I have done all the researching, not once, and not twice, but at least three times on this, and I have the bill before me. It is 1778. It was introduced by one of the members of the other body, and the only roll call that I can find was on July 3, just before we left, the day before we left, exactly, and the Motion was to reconsider adhering. And exactly what that means, I can't tell you. And apparently Mr. Clark knows exactly, because he said Mr. Haskell voted against it, and apparently he did. Mr. Tweedie, of course, would have voted for all four of these, or all three of these.

This document was signed by three people who are teachers, two of them in Fort Fairfield and one in Easton. Unfortunately, one of those teachers sent some literature home by the children,

and I think she is sorry for it now. But she did send some literature, Mr. Tweedie's literature, home with the children that night. She was told it was all right to do so.

Who is Chub Clark? Chub Clark I find is a school teacher teaching in the schools of Fort Fairfield. I got a letter the other day called, "On The Hill With Bill." This is Bill Hathaway's letter. Bill and I correspond quite regularly. And one of the representatives, the Aroostook County representative of Congressman Hathaway, is Chub Clark. Now, Mr. Speaker, I am not going to make any charges on this, but it would seem to me that somebody should look into this because Chub Clark, apparently, is on the federal payroll. And if he is on the federal payroll he sure as heck has broken the law, The Hatch Act, right all to smithereens, because if he is on the federal payroll and sending out literature like this, and he was Tweedie's campaign manager, I think that is the sort of thing we have to bring before the attention of the people of the State of Maine.

Now, Mr. Martin made a very impassioned speech, and I agreed with him all the way through, but he unfortunately left, but I do think we do owe it to the people of Central Aroostook, and I think the people of Central Aroostook are catching on to what happened up there. And I certainly hope that it never happens again.

(Off Record Remarks)

Mr. Ross of Bath was granted unanimous consent to address the House.

Mr. ROSS: Mr. Speaker, Ladies and Gentlemen of the House: I am not here this morning to discuss elections, ethics, dirty politics or anything else. This is the business that we are in; it is used by both parties and we all know it.

But I did listen with interest to the vituperative remarks of the gentleman from Eagle Lake, Mr. Martin, criticizing the lack of action of this special session. He stated that it was a waste of time and money for the taxpayers of Maine. I agree, as far as the whole session goes, but I played absolutely no part in calling it. Our Governor called it for an emergency session, but in his call he

presented a great many bills, and most of them were not emergency. Leadership then went on to let in hundreds of others which had absolutely no emergency nature to them, and Mr. Martin was part of that leadership.

Now I believe, although I have no proof in this, that the underlying purpose for calling us together in what I call a legislative fiasco was really to prove to us and to the people of this state that annual sessions are necessary.

Now, this one is one of the form bills that they keep talking about which, by the way, I oppose. But the Governor is in favor of it, Mr. Martin is in favor of it, other legislative leaders on both sides of the political spectrum are in favor of it, and they support it vigorously.

Now, my opposition to annual sessions really contains only two points — one is the quality of candidates that we are getting now, and how I believe that this quality would not be as good in annual sessions. The other is the increased expense that they would cause every year. And I note that this is one of the items that Mr. Martin talked about today — the expense we are causing the taxpayers.

This little discussion in the House today is not costing the taxpayers any more expense. We are here, called here to do something. I don't know exactly what the something is, but we are called here, we are here, if we want to listen for a half an hour more, it is not costing the taxpayers one nickle more, but the whole session is costing them more, and I want them to realize that there are many of us who do not approve of wasting their money with annual sessions.

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

Mr. DAM: I move the House stand adjourned until Tuesday May 7, 1974 at 10 a.m.

The SPEAKER: The Chair would inform the gentleman that we may not stand adjourned for more than two days without the consent of the other body, and therefore the motion is not in order.

Order Out of Order

Mr. Walker of Island Falls presented

the following Order and moved its passage:

ORDERED, that Randall and Scott Edwards of South Carolina be appointed Honorary Pages for today.

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

Mr. LaCharite of Brunswick was granted unanimous consent to address the House.

Mr. LaCHARITE: Mr. Speaker and Ladies and Gentlemen of the House: As a freshman legislator I may be a little naive, but it is 11:30 and I think that the debate that has gone on this morning has been a little irrelevant to what we are here for, and I don't believe that this should be in the record.

At this time I move that all that has been said other than the orders and the pages be stricken from the record.

(House at Ease)

The SPEAKER: After discussion, the parliamentarians, rule the motion is out of order.

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

Mr. TALBOT: Mr. Speaker and Members of the House: I guess I feel like everybody else here, that some of this shouldn't have been discussed on the floor of the House. That isn't why I am here.

I have just gotten another piece of the Haskell-Tweedie fiasco, insofar as literature is concerned, and I don't mean to use Mr. Haskell's name in vain, but I think he is in limbo now between the two Houses so I didn't use the gentleman.

I just find it kind of hard to believe that...

The SPEAKER: The gentleman from Houlton, Mr. Haskell, is a member of this body, and he is elected for two years, until next new legislature is sworn in next year. If he chooses to resign, he may resign at some point, but he is still a member of this body.

Mr. TALBOT: Then I will address him as the gentleman from Houlton, Mr. Haskell.

I guess I speak here because one of the main reasons why I am here is to do

something as a legislator for the people back home insofar as the energy crisis is concerned. As a legislator from Portland, I come up here every day, and no matter how much time I spend here, I feel very useless, as if I can't do a thing. We have got people back home, in your home town and my home town, that are buying gas for 50, 55, and 60 cents a gallon. Milk is so high, the cow jumped over the moon! Fuel is so high people can't seem to get it. Unemployment is at a critical moment, and now the truck drivers are really going to cause problems in this state. This state is really hurting as far as the energy crisis is concerned.

We had the Commissioner of Civil Defense speak in this body last week. It was publicized well in advance; it was in the papers and this body knew about it. When the Commissioner for Civil Defense started speaking on the energy crisis, which is supposed to be the most important issue to come before this body in a special session, 85 people were absent — 85 people in this house were absent on the most important issue to come before this body. And we are going to spend a half an hour or an hour discussing a political campaign that some say was dirty and some say that wasn't that has already gone by the boards. And you know as well as I do that there have been political campaigns that have been dirty in the past and they are going to continue to be to some extent in the future. I am sure that you will agree with me that there is not much we can do about it.

I want to know what I can tell my people back home. Do I go back and tell them, "Look, we met for 15 minutes today, we met for a half an hour today, we met for an hour today." What can I tell them on the energy crisis? What can I tell them that is going to mean something to them of the struggles that they are going through every day of their lives, especially right now? I can't tell them about the fiasco that is going on this morning. They will either think I am crazy or again they are being ripped off.

I think, Mr. Chairman, that we have got to put our House in order, myself included — to get down to the basic facts of what we are going to do for the citizens

of this state. I agree with the gentleman from Bath, Mr. Ross, insofar as bills we have in this session. I think the entire leadership has done a lousy job in screening the bills that come before us. I have gone through the bills as you have gone through the bills, and I am sure you will agree with me that 50 percent of those bills shouldn't even be here — they shouldn't even be here.

And for the Republican leadership, for the gentleman from Standish to publicly say that the Governor has opened up his call so therefore we opened up ours and let these bills in, I think is ridiculous. The screening committee, the Reference of Bills Committee had a responsibility not only to us but to the citizens of this state, and I think they should have screened those bills, regardless of what the Governor let in to only let certain bills in pertaining to an emergency session, because at this rate, we will be here until June. I agree with the gentleman from Eagle Lake, Mr. Martin, we will be here until June if we don't get down to the real nitty-gritty.

Mr. Speaker, I would ask of you and I would ask of leadership to publicly state what we have done, what we have done so far in the special session of the legislature, what we have done for the people of this state insofar as the energy crisis is concerned. I would ask you to do that for the people of this state.

Mr. Simpson of Standish was granted unanimous consent to address the House.

Mr. SIMPSON: Mr. Speaker, Ladies and Gentlemen of the House: I will address myself to some of the points that were just made. I think as the Majority Floor Leader in this House I represent a party on this floor. I also represent myself, just as the gentleman from Portland represents himself. But when he stands on this floor and says we haven't accomplished anything or that we have got to sit here as a party and take a Governor's call that was so filled with material that we didn't need to have it here, I say it is ridiculous. And I think I have the right to stand here and put on this floor or introduce on this floor or support the people of my party who have bills that they want back home too.

Now we went to the Governor of this

state and we told him just exactly what this session was going to be involved with if he didn't cooperate; but what did he do, take a look at his call. Then some of the bills that he didn't put in his call when the Reference of Bills did turn them down, they just conveniently came up from the second floor with a little note, "I want to put them in."

I think on this floor one day I stood up and said the Reference of Bills Committee could have not considered his bills as a courtesy and could have done the people in this state a great justice by saying no. Because the Reference of Bills Committee could have pocketed them right then and there or we could have indefinitely postponed every one of them and we could have gone home.

I haven't seen a bill come in here yet that is going to do anything for the people back home in the energy crisis, except give the Governor all the powers that he wants to make the decisions and not the legislature, and that is the reason why I oppose the bill upstairs. I want the legislative body to do what is their responsibility. They are answerable to the people in this state. And I think when we have got issues before us right now, we have got candidates in both parties out around this state talking about ethics and talking about disclosure and everything else, those bills are also here too, but when we get ready to discuss those, we want to make sure the facts are known and the facts are known about an election in the northern part of this state that just reeks of smear campaign practice. I despise it, and I am going to put it here right here on this floor, and I don't care if I stay here until twelve-thirty or one o'clock doing it, and I will handle the rest of the calendar while we are here too.

The SPEAKER: The Chair recognizes the gentleman from Corinth, Mr. Strout.

Mr. STROUT: Mr. Speaker, I make a motion we stand adjourned until nine o'clock tomorrow morning.

Thereupon, Mr. Simpson of Standish requested a vote.

Mr. Binnette of Old Town 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 Corinth, Mr. Strout, that the House stand adjourned until nine o'clock tomorrow morning. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Binnette, Boudreau, Curran, Dam, Dow, Faucher, Ferris, Garsoe, Genest, Goodwin, H.; Goodwin, K.; Greenlaw, Hobbins, Jackson, Kelleher, Keyte, LaCharite, Merrill, Morin, L.; Mulkern, Murray, Peterson, Smith, D. M.; Strout, Talbot, Trumbull, Webber.

NAY — Ault, Baker, Berry, G. W.; Berube, Birt, Bither, Bragdon, Brawn, Briggs, Brown, Bustin, Cameron, Carey, Carrier, Carter, Chick, Churchill, Clark, Connolly, Cooney, Cote, Cottrell, Cresseay, Crommett, Curtis, T.S., Jr.; Davis, Deshaies, Donaghy, Drigotas, Dudley, Dunleavy, Dunn, Dyar, Farley, Farnham, Farrington, Fecteau, Finemore, Flynn, Gahagan, Gauthier, Good, Hamblen, Haskell, Herrick, Hoffses, Hunter, Immonen, Jacques, Jalbert, Kauffman, Kelley, Kelley, R. P.; Kilroy, LaPointe, Lawry, LeBlanc, Lewis, E.; Lewis, J.; Littlefield, Lynch, MacLeod, Maddox, Mahany, Martin, Maxwell, McCormick, McHenry, McKernan, McMahan, McNally, McTeague, Mills, Morin, V.; Morton, Murchison, Najarian, Norris, O'Brien, Palmer, Parks, Perkins, Pontbriand, Ricker, Rolde, Rollins, Ross, Shaw, Sheltra, Shute, Silverman, Simpson, L. E.; Snowe, Soulas, Stillings, Susi, Tanguay, Theriault, Tierney, Trask, Twitchell, Tyndale, Walker, Wheeler, White, Whitzell, Willard, Wood, M. E.; The Speaker.

ABSENT — Berry, P. P.; Bunker, Chonko, Conley, Emery, D. F.; Evans, Fraser, Hancock, Huber, Knight, Pratt, Santoro, Smith, S.; Sproul.

Yes, 28; No, 109; Absent, 14.

The SPEAKER: Twenty-eight having voted in the affirmative and one hundred

nine in the negative, with fourteen being absent, the motion does not prevail.

Mr. Dunleavy of Presque Isle was granted unanimous consent to address the House.

Mr. DUNLEAVY: Mr. Speaker and Members of the House: I am one of those who is torn between the idea that we are doing a disservice to the people of the state by discussing this local matter, and the desire to respond to some of the accusations which have been levied against me.

I am going to take just a few seconds to respond to some of the things that have been appearing on the desks here, and I would like to say first that I didn't want to get personally involved in this campaign which occurred in southern Aroostook, and I told a Tweedie supporter just that when I received a call from him asking that I make a radio statement for Mr. Tweedie. Mr. Haskell had voted against the "Ought not to pass" Report on the bill decriminalizing marijuana, but I figured that was his business, and he would have to answer to Tweedie supporters and allegations for having so voted and to the voters of his district.

I want to also say that several very able, courageous and prominent members of this legislature got to their feet during that debate and argued for decriminalization of marijuana. I am not faulting them for doing that. This was their honest belief that it was the right thing to do and they voted that way. Several other people also got to their feet and spoke in favor of amending this bill and therefore also voted with the "ought to pass" side on that issue.

Mr. Haskell did not get to his feet, did not advise the House as to why he was going along with the "ought to pass" side of that report. And I think it was perfectly legitimate of Mr. Tweedie and his supporters to call him to account for the reason why he took that position on that particular vote. But when Mr. Haskell's supporters cried foul at Tweedie for reporting this vote to the people of District 33, who had a perfect right to know of it, and accused Mr. Tweedie of distorting the record and gutter politics for so doing, I agreed to make a radio statement on Mr.

Tweedie's behalf to attempt to let both sides in this controversy be heard. Mr. Haskell had an opportunity to offer an explanation for this vote, and I don't think it was the right thing to do to start with cries of distortion, gutter-campaign tactics and deception against Tweedie with the obvious effect of confusing the voting public on this issue.

Jim Tweedie is a Blaine farmer, and he is a very, very decent man. He made inquiries of, I believe, Maine State Democratic Headquarters as to the certain roll call vote that Mr. Haskell had issued. He was given information tending to show a consistent pattern on Mr. Haskell's part of voting against legislation of benefit to Maine's workers, Maine's teachers, and Maine's farmers.

With respect to the question of abortion on demand, I agree that is a volatile issue, it is also a very vituperative phrase, and maybe the actual use of the phrase itself is unfair, because I recognize the fact that many good and decent people in this body stood up on both sides of that issue. I happen to be one of those who stood in the forefront of the Right to Life position, the anti-abortion position, and if you will reach back into your memory, I think you will all remember that I also sponsored a bill entitled "An Act to Prevent Criminal Abortion Practices". I don't think that leaves any doubt as to where I stood on the question of abortion.

Now as far as the expertise on any of these questions, I think that we could check with the Maine Right to Life Committee to make an accurate determination of where anybody in this body stood on any given issue respecting the abortion question. I am sure that their files contain numerous indications respecting what they intend to do during the coming primaries and during the November elections as far as defeating people they feel did not support the pro-life position and as far as helping people who did support it to get elected.

I am not going to cast aspersions at anybody for his voting record. Every single person in this body is entitled to vote any way he sees fit, but he should own up to it. And when he is called on an issue, he should explain it, and his actions shouldn't be to attack the

individual who is trying to get the thing out in the open so that the people can make up their mind.

Now I think we should get on with the business of the state. I hope we are not going to continue too much longer with this.

Mr. Drigotas of Auburn was granted unanimous consent to address the House.

Mr. DRIGOTAS: Mr. Speaker and Members of the House: I hope the pleasantries of the day are over. Are we still under orders?

Mr. Speaker, is the House in possession of H. P. 1847, L. D. 2340, titled a Resolve reimbursing Southern Aroostook Community School District for Loss by Fire?

The SPEAKER: The Chair would answer in the affirmative.

Mr. DRIGOTAS: Mr. Speaker, I move we now reconsider our action whereby this bill was passed to be engrossed on February 6.

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

Mr. FINEMORE: Mr. Speaker and Members of the House: Is it in order to ask the gentleman from Auburn, Mr. Drigotas, why he is requesting reconsideration?

The SPEAKER: The gentleman may pose a question, but the gentleman from Auburn need not answer if he does not so desire.

Mr. FINEMORE: Would the gentleman from Auburn, Mr. Drigotas, explain to us why he would like to reconsider this matter.

The SPEAKER: The gentleman of Bridgewater, Mr. Finemore, poses a question through the Chair to the gentleman from Auburn, Mr. Drigotas who may answer if he wishes.

The Chair recognizes the gentleman from Auburn, Mr. Drigotas.

Mr. DRIGOTAS: Mr. Speaker and Members of the House: I was asked to do this, and I think the gentleman who asked me is in a better position to explain it than I. I defer to that gentleman.

The SPEAKER: The Chair recognizes the gentleman from Stonington, Mr. Greenlaw.

Mr. GREENLAW: Mr. Speaker and Members of the House: I am the one who asked Mr. Drigotas to make the motion, inasmuch as he was on the prevailing side and I wasn't. I am the culprit and I will own up to it. If the motion prevails, I have some statements that I would like to make.

The other day during debate on this bill I was critical of the Appropriations Committee or perhaps of the Legislature, of funding a bill which provides funds for, I believe, the Town of Mattawamkeag to help replace the town hall that was gutted by fire. The gentleman from Camden, Mr. Farnham, informed me yesterday that this perhaps was a particular circumstance where there were three buildings that were gutted by fire in this town, and it was felt perhaps an arsonist was at work here, although it was never proved. Perhaps I was unduly critical of this situation. Perhaps I didn't realize the truly emergency situation it was.

Yesterday, I had prepared an amendment which I have right here in my hand, which I did not have printed, which would have amended the bill to include reimbursing the Town of Deer Isle the sum of \$10,000 to aid the town in construction of their new town hall which was gutted by fire. But I honestly believe that this is not the right course of action to take. And the reason that I initially thought this was that I might take this, was because I have an Executive Council Order in my hand which has already provided the sum of \$8,500 from the contingent account to the Department of Education Cultural Services to permit payment of emergency grants to the southern Aroostook Community School District.

I am well aware of the strong feeling of the Aroostook County Delegation, of some members of the delegation, for this bill. But I do think that inasmuch as \$8,500 has been already approved for this school situation, that we really are setting a bad precedent. And I would hope that this House would reconsider our action of yesterday whereby this bill was passed to be engrossed.

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

Mr. FINEMORE: Mr. Speaker, I

move this be tabled for one legislative day.

The SPEAKER: The gentleman from Bridgewater, Mr. Finemore, moves that this matter lay on the legislative table one legislative day. The Chair will order a division. All in favor of tabling one legislative day will vote yes; those opposed will vote no.

A vote of the House was taken, 27 having voted in the affirmative and 63 having voted in the negative, the motion did not prevail.

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

Mr. HASKELL: Mr. Speaker, Ladies and Gentlemen of the House: I oppose a reconsideration of the motion. The situation that we have involved here I attempted to explain. Unfortunately, the precedent of bailing out a school system in a disastrous fire loss has already been established. The Appropriations Committee, on a split Report, the majority felt that we should give this amount of money in this situation, because the people in these communities are very well aware that a very few years ago, in a very similar situation, the Town of Danforth, where they lost their high school, emergency funds were forthcoming.

Now, this is always the very dangerous thing that happens when we establish a precedent, then we are hung with it. Now, if you want to stop this precedent now, it is the prerogative of the House to do so. My reason for supporting the bill very simply was that I know the people in this community are well aware of the fact that in a similar situation a very few years ago we did give the inhabitants of the Town of Danforth this type of emergency aid.

Now, if you want to stop the precedent here, it is within your prerogative. From my view, I will vote against the reconsideration motion because I feel that simple justice to these people would involve following the precedent we established in Danforth.

The SPEAKER: The Chair recognizes the gentleman from Dover-Foxcroft, Mr. Smith.

Mr. SMITH: Mr. Speaker, I would like to pose a question to the gentleman from Houlton, Mr. Haskell.

The SPEAKER: The gentleman may pose his question.

Mr. SMITH: When we discussed this matter in Executive Session, I can't remember a single word being said about this school district having received this amount of money through the Council Order that Mr. Greenlaw has brought up. Now, it seems to me if the Appropriations Committee was not aware of this very vital fact, that this bill at least ought to be recommitted and reconsidered on the basis of new facts of which I was not aware of as a member of the Appropriations Committee.

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

Mr. BRIGGS: Mr. Speaker, Ladies and Gentlemen of the House: I regret, indeed, that it seems necessary for me to rise this morning to favor the motion to reconsider. The gentleman from Houlton, Mr. Haskell, has just said to us that an unfortunate precedent was established whereby money was made available to the Danforth School District for the purpose of reconstructing a burned-out building. Now, if this is, as the gentleman from Houlton, Mr. Haskell, states, an unfortunate precedent, I suggest the proper time to stop any further unfortunate precedent is right this moment, not later on. And the mere fact that there has been a precedent established by giving money to some individual school district before, if we are not going to give funds to all such deserving occupants, I don't understand, sympathetic as I may be with the certainly dire needs of this school district, but if we are not going to treat every such occasion equally, I am not in favor of contributing to this one either. And if it is, as the gentleman from Houlton, Mr. Haskell, states, an unfortunate precedent, and I think it is an unfortunate precedent, I think this is a good time to stop it right now.

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

Mr. HASKELL: Mr. Speaker and Ladies and Gentlemen of the House: In response to Representative Smith, I don't recall, since the members of the Appropriations Committee are in and out of the hearings on a fairly rapid rate,

whether he was in attendance when the hearing on this particular bill was had or not. I, at least, was well aware of the fact that there had been an emergency appropriation from the Executive Council. Now, where this particular piece of information came to me, I simply don't recall, but I believe it was divulged at the hearing.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: I think my only comment on this is that the Legislature over the years has considered individually cases that were emergencies such as this. Now, I recognize that it is perhaps a somewhat dangerous precedent. However, it has been done for a long time. I think before you vote to make the decision that you are going to now and say you have abandoned this precedent forever, I think you ought to look forward and imagine what may happen to you on future occasions when in your own area arises what you do consider such an emergency. It is a precedent you may attempt and think you want to establish today, but you may live to regret it tomorrow.

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

Mr. MILLS: Mr. Speaker, Ladies and Gentlemen of the House: We are talking about the fire that occurred in a school building up in Danforth. It was several sessions back that I presented the bill here to give some help to the Town of Danforth. That fire up there was total on leveling that building. There were around 688 people, residents of that town, and over 60 percent were out of work. There was no question but if this legislature here didn't take affirmative action to replace the school building up there, that S.A.D. District in that area was going to be in very serious trouble.

People came in from that area from 100-150 miles around. The hearing was down in 105, and you couldn't get in the place for the people that were favoring to replace that building with money from the State Legislature. And if this same condition exists on this bill here, I am in favor of passing that money through and building that building for them.

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

Mr. NORRIS: Mr. Speaker, Ladies and Gentlemen of the House: I have very little to say. I had my say on this matter the other day. But as to this money from the Executive Council, to answer the gentleman from Dover-Foxcroft, Mr. Smith, this fact was, indeed, brought forth in the public hearing. When the bill was presented there was testimony to the fact that the Executive Council had provided money, so it was not a hidden fact. It was a public fact and so stated at the hearing. I don't know as it was considered or discussed in the executive session. As I look back, I guess it wasn't, but knowledge was given to the committee.

As I said before, you all know how I feel about this measure, and you know that I signed the Minority "Ought not to pass" Report. So I hope you reconsider.

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

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: Very, very briefly; I appreciate this morning the testimony of the gentleman from Eastport, Mr. Mills, for the simple fact that Oakfield's population is 836. In other words, this right here leaves about \$11 extra tax on each person, each citizen in that town, and that town has between 35 and 40 percent senior citizens.

The SPEAKER: The pending question is on the motion of the gentleman from Auburn, Mr. Drigotas, that the House reconsider its action whereby we passed to be engrossed L. D. 2340, Resolve Reimbursing the Southern Aroostook School District for Loss by Fire. The Chair will order a division. All in favor of reconsideration will vote yes; those opposing will vote no.

A vote of the House was taken.

40 having voted in the affirmative and 71 having voted in the negative, the motion did not prevail.

House Reports of Committees Leave to Withdraw

Mr. Bustin from the Committee on State Government on Bill "An Act to Transfer the Coastal Planning Unit of the State Planning Office to the

Department of Environmental Protection" (H. P. 1864) (L. D. 2358) reporting Leave to Withdraw

Report was read and accepted and sent up for concurrence.

Divided Reports Tabled and Assigned

Majority Report of the Committee on Judiciary on Bill "An Act Relating to Deductions from Sentences of Inmates in County Jails" (H. P. 1839) (L. D. 2331) reporting "ought to pass"

Report was signed by the following members:

Mr. TANOUS of Penobscot
—of the Senate.
Mrs. WHEELER of Portland
KILROY of Portland
BAKER of Orrington
WHITE of Guilford

Messrs. McKERNAN of Bangor
PERKINS of South 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:

Messrs. CARRIER of Westbrook
GAUTHIER of Sanford
—of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentlewoman from Orrington, Mrs. Baker.

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

Thereupon, 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 tomorrow assigned.

Divided Report Tabled and Assigned

Report "A" of the Committee on State Government on Bill "An Act Relating to Certain Bureaus in the Department of Finance and Administration" (H. P. 1865) (L. D. 2359) reporting "Ought to pass" as Amended by Committee Amendment "A" (H-670)

Report was signed by the following members:

Mr. CLIFFORD of Androscoggin
 —of the Senate.
 Mrs. NAJARIAN of Portland
 GOODWIN of Bath
 Messrs. CURTIS of Orono
 COONEY of Sabattus
 FARNHAM of Hampden
 GAHAGAN of Caribou
 —of the House.

Report "B" of the same Committee on same Bill reporting "Ought to pass" as amended by Committee Amendment "B" (H-671).

Report was signed by the following members:

Messrs. SPEERS of Kennebec
 WYMAN of Washington
 —of the Senate.
 Messrs. STILLINGS of Berwick
 CROMMETT of Millinocket
 BUSTIN of Augusta
 —of the House.

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

Report was signed by the following member:

Mr. SILVERMAN of Calais
 —of the House.

Reports were read.

(On motion of Mr. Simpson of Standish, tabled pending acceptance of any Report and specially assigned for Monday, February 11.)

**Consent Calendar
 First Day**

(H. P. 1886) (L. D. 2396) Bill "An Act Relating to Organizational Change in Department of Transportation" — Committee on State Government reporting "Ought to pass"

(H. P. 1887) (L. D. 2397) Bill "An Act Relating to the Land Damage Board" — Committee on State Government reporting "Ought to Pass"

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

(H. P. 1941) (L. D. 2478) Bill "An Act Simplifying Variance Procedures Due to the Energy Crisis" Emergency — Committee on Natural Resources reporting "Ought to pass"

On the request of Mr. Martin of Eagle Lake, was removed from the Consent Calendar.

Thereupon, the Report was accepted and the Bill read once.

On motion of Mr. Martin of Eagle Lake, under suspension of the rules, the Bill was read the second time, passed to be engrossed and sent to the Senate.

(H. P. 1880) (L. D. 2390) Bill "An Act Relating to Jurisdiction of the Boxing Commission" — Committee on Business Legislation reporting "Ought to pass"

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

**Consent Calendar
 Second Day**

(H. P. 1818) (L. D. 2305) Bill "An Act to Increase the Indebtedness of the Ogunquit Sewer District" Emergency (C. "A" H-669)

(S. P. 827) (L. D. 2361) Bill "An Act to Provide for Continuation of Service by Cable Television Systems, to Facilitate Compliance with Federal Communications Commission Regulations and to Fix Liability for Cable Television Programming"

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

**Second Reader
 Tabled and Assigned**

Bill "An Act Exempting Machinery and Equipment Used for Manufacturing and Research from Sales and Use Tax" (S. P. 746) (L. D. 2158)

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

(On motion of Mr. Simpson of Standish, tabled pending passage to be engrossed and specially assigned for Monday, February 11.)

**Second Reader
 Recommended**

Bill "An Act Providing for a Credit in Maine Income Tax Law for Investment in Pollution Control Facilities" (S. P. 737) (L. D. 2149) (C. "A" S-335)

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

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

Mr. McTEAGUE: Mr. Speaker and Members of the House: Item two is L. D. 2149 with Committee Amendment "A" on it. As I understand the purpose of the bill, as I read it over with the amendment, it provides for an income tax credit subject to certain limitations for the investment by industries in pollution control equipment. Mr. Speaker, I would ask the Chair to review that L. D. and the Committee Amendment on it. I would inquire if there has been compliance with Joint Rule 12 in regard to fiscal notes in regard to that bill and amendment.

The SPEAKER: The Chair feels that Joint Rule 12 has not been complied with. This matter will be sent back to committee.

Thereupon, the Bill was recommitted to the Committee on Taxation in non-concurrence and sent up for concurrence.

Passed to Be Engrossed

Resolve to Reimburse Edgar W. Tupper of Madison for Loss of Beehives by Bear (H. P. 1900) (L. D. 2408)

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

Second Reader

Tabled and Assigned

Bill "An Act to Prevent Physically Handicapped Discrimination under Human Rights Act" (H. P. 1665) (L. D. 2058)

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

Mr. Bither of Houlton offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-668) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Houlton, Mr. Bither.

Mr. BITHER: Mr. Speaker and Members of the House: This amendment is the exact same amendment that we indefinitely postponed the other day, the committee amendment, but it corrects the grammar, and that is the only thing it does.

Thereupon, House Amendment "A" was adopted.

On motion of Mr. Ault of Wayne, tabled pending passage to be engrossed as amended and specially assigned for Monday, February 11.

Passed to Be Enacted Emergency Measure

An Act Relating to Name of Maine Ambulance and Rescue Association (H. P. 1852) (L. D. 2345) (H. "A" H-659)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 121 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act to Clarify the Powers of the Cobbossee Watershed District and Providing Funds for the Acquisition of Dams (S. P. 781) (L. D. 2237) (C. "A" S-326)

An Act to Authorize County Commissioners of Aroostook County to Use 1974 Federal Revenue Sharing Funds for Court System and Jail (H. P. 1769) (L. D. 2241)

An Act Permitting the Supreme Judicial Court to Modify the Rules of Evidence (H. P. 1800) (L. D. 2281)

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.

Enactor

Indefinitely Postponed

An Act to Specifically Include Sundays in the Seasonal Date Limitations for Hunting in Commercial Shooting Areas (H. P. 1836) (L. D. 2327) (S. "A" S-329)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed.

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

Mr. KAUFFMAN: Mr. Speaker, I move that item five be indefinitely postponed.

The SPEAKER: The gentleman from Kittery, Mr. Kauffman, moves the

indefinite postponement of this Bill and all accompanying papers.

Thereupon, Mr. Mills of Eastport requested a roll call vote.

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

Mr. DYAR: Mr. Speaker and Members of the House: This morning I would like to go along with the gentleman from Kittery on the indefinite postponement of this piece of legislation which, in my mind, is strictly class legislation which would allow those who could afford the privilege to go on a private game preserve for a fee to hunt game on Sunday.

At the present time in the State of Maine we do license private ponds under 10 acres to allow people to fish for a fee. In this case, the fish in these private ponds are purchased by the owner.

Now this piece of legislation allows the preserve to be set aside two to four hundred acres. It seems to me that it would be practically impossible for any owner of this land to keep wild game off this two to four hundred acres. I certainly feel that a rabbit or a partridge or a deer is the property of the people of the State of Maine and not the property of an individual who wants to commercialize a hunting area.

In the past, we have had legislation before this body to allow rabbit hunting on Sunday. It has always been turned down. In my mind, if the taxpayer of the State of Maine cannot hunt the lowly rabbit on Sunday, certainly no individual, whether it be in the State-of-Maine or an out-of-stater should be able to hunt on a private game preserve for a fee.

If you wish to check with the Fish and Game Department on the areas where you can fish for a fee, I would suggest that my friends are involved, and if you wish to fish those particular waters, the phone number is listed in the Eustis telephone directory.

I certainly don't want to see any area in my district set up for a private hunting preserve, because I know these friends I speak about own considerable land and under this bill they could have 1,200 contiguous acres as a private preserve owned by three separate corporations.

I understand it has been brought to my

attention that the Maine State Fish and Game Association, which supposedly represents a majority of the Fish and Game Clubs in the State of Maine, are opposed to this bill.

I feel that I must represent my constituents this morning, the person who cannot afford a high membership fee, possibly, or a high fee for shooting a game animal, and is disallowed the right to hunt on their own on Sunday, and I don't think anybody else should have.

When the vote is taken this morning I certainly hope that you will vote along with the gentleman from Kittery for the indefinite postponement of this piece of legislation.

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

Mr. KELLEY: Mr. Speaker, Ladies and Gentlemen of the House: This bill has been discussed in the House before and there has been certain misconceptions that have just been brought out.

In the first place, it is not a game preserve, it is a commercial shooting area. Our law provides that there can be no more than two of these in any county, that they must be at least five miles apart, that the acreage involved shall be not less than two hundred nor more than four hundred. Furthermore, you will not allow the people that pay for a license to the State of Maine to hunt there; they are not allowed to shoot rabbits; they are not allowed to shoot deer, according to or by virtue of this license.

It is specifically limited to the shooting of the birds that the operation has stocked. We only have one of these in the state at the present time. They buy their birds or raise their birds. Every bird that goes from there is tagged. Over 40 percent of the birds that they liberate for the men to hunt with their dogs are lost from the game preserve and go into the surrounding areas.

There are over 4,000 of these areas in the United States. We now have people driving from the State of Maine to New Hampshire where they have several of these areas that are much more liberal in the game that can be shot, and also they have a season that runs year round. We are limited by law. These areas are

to the first day of July through the end of November.

It was understood by the Fish and Game Department, by the Fish and Game Committee, when the original legislation was passed, that this would include Sunday as it does practically nationwide. The literature this group put out was okayed by the Fish and Game Department and called for Sunday operation. And then a ruling from the Attorney General ruled that this type of operation would be considered hunting. It is not very different from the field trials that are run all over the state and all over the country for bird dogs, retrieving dogs, and I hope that you people that voted 98 to 36 before will stick with this and defeat the motion for indefinite postponement, particularly if you would like to keep Maine green and have some money brought into the state.

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

Mr. BRAUN: Mr. Speaker, Ladies and Gentlemen of the House: This is the first time that I have ever spoken to be on the side of Mr. Kelley from Southport. It was stated by one gentleman that this was private game preserve. You notice my record when it came up for private, I voted against it. I am against Sunday hunting; I always have been.

There was an amendment put on this bill to make it a commercial area. There is only one commercial area in the state. It was stated here that this was out-of-staters. This is far from the truth. My mother delivered this young lady into the world. She was my next door neighbor, her name was Rachel Turner, before she married Vaughan Kale who owned this game preserve in the Town of Palermo. I went to school with Vaughan Kale; we grew up side by side. They are good citizens; they have purchased all their birds; they have fenced this area. They were told by the Fish and Game Department that if they met all the requirements that they would be allowed to hunt on Sunday, which was far from the truth. They invested a lot of money there. They buy all their birds. They told me that these birds run them over \$3 apiece. Many of these birds fly over the wire; they are out for others to hunt on

private land when the season is open. To go there you must buy a \$5 license. You must have a guide. Every bird must be banded and stamped before you can leave with that bird. They must report every one of these killings to the state.

Now I hope today, after someone has brought a clean industry, which this is, into our state, it is going to bring a lot of people in here to hunt, to leave their money here, and they do not have a drunken brawl there, they run a very clean place, I hope that you will go along and pass this bill this morning.

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

Mr. NORRIS: Mr. Speaker and Members of the House: A question to the gentleman from Oakland, Mr. Brawn, with all he says would this still not in fact be hunting on Sunday and killing on Sunday?

The SPEAKER: The gentleman from Brewer, Mr. Norris, poses a question through the Chair to anyone who may answer if he wishes.

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

Mr. McNALLY: Mr. Speaker and Members of the House: This is, back when I started in the 103rd, known as one of those little gems. This bill is very innocuous in its printing and let me read it to you because it is so short. And it says, "An Act to Specifically Include Sundays in the Seasonal Date Limitations for Hunting in Commercial Shooting Areas." Please notice there is no birds flying near. And then it goes on down and says "hunting season." The annual season for commercial shooting areas shall extend from July 1, to November 30, including Sundays."

Statement of Fact; "The purpose of this bill is to make clear that hunting is permitted on Sundays during the hunting season."

Now let's see what the amendment says. The amendment says, "Amend said bill in the Statement of Fact by inserting at the end before the period in same L.D. the following commercial shooting areas only." But I don't see a single bird flying through that one either. And the purpose of this amendment is to clarify the Statement of Fact.

Now I know that the minute that this

thing is passed this has got the door a little bit open, and the people here in Augusta, the people up in Bangor, Lewiston and Auburn that are avid hunters they are going to say, "If the fat cats can go down here in Palermo and hunt from commercial areas, why can't we be allowed to hunt on Sunday when it is the only time that we can hunt? Everytime we have a hunting season you see pieces in the paper, people writing letters saying, "Why can't we hunt on Sundays, its all the day we have?"

I perhaps would go along with this bill if it had specified birds, but there are no birds in this, this is all kinds of things to hunt.

The SPEAKER: The Chair recognizes the gentleman from York, Mr. Rolde.

Mr. ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: It seems to me that this legislation is discriminatory, and I know there are many hunters in this state who would like Sunday hunting, and I think that is a whole other argument. But I agree with the gentleman from Ellsworth, I think it would be very hard to explain to the hunters of the state why they can't hunt on Sunday and why hunting, even in a restricted fashion, would be allowed in commercial hunting areas on Sunday. So I urge you to go along with the motion of the gentleman from Kittery for indefinite postponement.

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

Mr. BRAWN: Mr. Speaker, Ladies and Gentlemen of the House: Right now we are allowing field trials in the State of Maine. Birds can be shot during that period. Now I am not a fat cat, I am just a little fellow, but these people purchase all this game that they have there; they cannot hunt wild game which is on the outside. And if there was a bill up here to open it up on the outside of the commercial area, I will vote against it, because if you opened up here on Sunday, we are so near to the big cities of Boston, New York, we wouldn't have any game left on the outside.

Now they have to pay for this, and this is an industry in all sense of the word, and I hope you will go along with it this morning.

The SPEAKER: The Chair recognizes

the gentleman from Eagle Lake, Mr. Martin.

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: It is my understanding that Fish and Game Clubs also purchase pheasants for example, and help to pay for the keep. And in effect, as I understand it, half of the cost is paid by the state but the rest of it is all borne by the local clubs. Would we in effect or would the gentleman care to give them the right to shoot on Sunday as well.

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

The Chair recognizes that gentleman.

Mr. BRAWN: Mr. Speaker and Members of the House: I think, in the first place, that some wrong information has been given here. I belong to the Messalonskee Fish and Game Club. These birds are furnished by the State of Maine, and you do not have to pay for them. You build your own pen, you furnish your own feed, and I raised 200 the last time. And when the time came for them to liberate these birds, I was not even home. They came and got them; I did not know where they were, and I did not get a one of them. I did not hunt pheasant until one of my good friends here put a dollar on me, and I am as tight as they come, and I made up my mind I was going to get my money back. Now, if they were \$3.50, I got eight of them, so I think the state would have been better off if they hadn't charged me the dolllar.

These people have to purchase these birds, every one of them. They have to all be within this fence. They can't go outside on private property and hunt. And as I told you before, they have to be tagged. So I see nothing wrong with this.

Mr. Jalbert of Lewiston moved the previous question.

The SPEAKER: For the Chair to entertain a motion for the previous question, it must have the expressed desire of one third of the members present and voting. All those in favor of the Chair entertaining the motion for the previous question will vote yes; those opposed will vote no.

A vote of the House was taken, and

obviously more than one third of the members present having expressed a desire for the previous, the motion for the previous question was entertained.

The SPEAKER: The question now before the House is, shall the main question be put now? This question is debatable with a time limit of five minutes by any one member.

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

Mr. McNALLY: Mr. Speaker and Members of the House: I think it is too bad to have the previous question right now. My seatmate here has been trying to get up ever since I sat down.

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

Mr. NORRIS: Mr. Speaker and Members of the House: I had a chance to ask a question on this, and as you all know, I am notorious for moving the previous question, but I did have a chance to speak and perhaps I have learned some of the errors of my ways. I hope that if there is anyone here this morning that would like to add to this debate, we certainly should give them the opportunity.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I think my record of 30 years here will show that it has been very very seldom that I have moved the previous question. I sat here this morning for an hour and ten minutes, and I will bet that anybody that does take a gamble would have laid 50 to 1 that I would have got up and got into this charade. I think you are included in that field, Mr. Speaker, and I did.

I am going to tell you one thing right here and now. Any more of this morning's repetition, and unanimous consent will get a "No" from me. I am not going to remove my motion for the previous question. We have debated this chestnut for hours. We didn't come here for this. Let's put up. I am asking the leaders to put up now. I am asking to get up and practice what they preach.

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

Mr. MILLS: Mr. Speaker, Ladies and Gentlemen of the House: I heard this

before committee, went into a lot of detail both in the hearing and in executive session—

The SPEAKER: The Chair would inform the gentleman that he can't discuss the merits of the bill. You can just discuss whether or not you want to have the opportunity to debate the bill or that no one should have the opportunity to debate the bill.

Mr. MILLS: Mr. Speaker, what I simply say, we are dealing with a commercial industry here.

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

Mr. ROSS: Mr. Speaker and Members of the House: I was one of those who was going to get up and talk on this, since it is hunting and I am interested in fishing and hunting, but I think we have heard enough of this, and I don't believe anybody, including myself, or maybe I should say especially myself, can add anything at this point. I go along with moving the previous question.

The SPEAKER: All those in favor of the main question being put now will vote yes; those opposed will vote no.

A vote of the House was taken.

72 having voted in the affirmative and 35 having voted in the negative, the motion did prevail.

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 Kittery, Mr. Kauffman, that Bill "An Act to Specifically Include Sundays in the Seasonal Date Limitations for Hunting in Commercial Shooting Areas," House Paper 1836, L. D. 2327, be indefinitely postponed in non-concurrence. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Berry, G. W.; Berube, Binnette, Birt, Bither, Boudreau, Bragdon, Bustin, Cameron, Carey,

Carter, Churchill, Clark, Connolly, Cooney, Cressey, Dam, Davis, Donaghy, Dow, Drigotas, Dudley, Dunleavy, Dyar, Farley, Farnham, Faucher, Finemore, Flynn, Gahagan, Genest, Goodwin, H.; Goodwin, K.; Greenlaw, Hamblen, Haskell, Hobbins, Hoffses, Hunter, Jacques, Jalbert, Kauffman, Kelleher, Kelley, LaCharite, LaPointe, Lawry, LeBlanc, Lynch, MacLeod, Mahany, Martin, McCormick, McHenry, McMahan, McNally, McTeague, Mulken, Murchison, Murray, Norris, O'Brien, Perkins, Peterson, Pontbriand, Ricker, Rolde, Rollins, Sheltra, Silverman, Smith, D. M.; Smith, S.; Soulas, Stillings, Strout, Talbot, Tanguay, Theriault, Tierney, Trask, Twitchell, Tyndale, Wheeler, Whitzell, Willard.

NAY — Ault, Brawn, Briggs, Brown, Chick, Cote, Cottrell, Curran, Curtis, T. S., Jr.; Evans, Farrington, Ferris, Garsoe, Good, Herrick, Huber, Immonen, Jackson, Kelley, R. P.; Keyte, Lewis, E.; Littlefield, Maddox, Maxwell, McKernan, Merrill, Mills, Morin, V.; Morton, Najarian, Palmer, Parks, Ross, Shaw, Shute, Simpson, L. E.; Snowe, Susi, Trumbull, Walker, Webber, Wood, M. E.

ABSENT — Baker, Berry, P. P.; Bunker, Carrier, Chonko, Conley, Crommett, Deshaies, Dunn, Emery, D. F.; Fecteau, Fraser, Gauthier, Hancock, Kilroy, Knight, Lewis, J.; Morin, L.; Pratt, Santoro, Sproul, White.

Yes, 86; No, 42; Absent, 22.

The **SPEAKER**: Eighty-six having voted in the affirmative and forty-two in the negative, with twenty-two being absent, the motion to indefinitely postpone does prevail.

The Chair recognizes the gentleman from Kittery, Mr. Kauffman.

Mr. KAUFFMAN: Mr. Speaker, having voted in the affirmative, I now move for reconsideration and hope you will vote against me.

The **SPEAKER**: The gentleman from Kittery, Mr. Kauffman, having voted on the prevailing side, moves that the House reconsider its action whereby this Bill was indefinitely postponed. All in favor of that motion will say yes; those opposed will say no.

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

Sent up for concurrence.

Orders of the Day

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

Bill "An Act to Make Public Utilities Commissioners Full Time" (S. P. 879) (L. D. 2455)

Tabled — February 5, by Mr. Martin of Eagle Lake

Pending — Passage to be enacted.

On motion of Mr. Martin of Eagle Lake, retabled pending passage to be enacted and specially assigned for Monday, February 11.

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

Bill "An Act to Authorize a Solid Waste Collection and Disposal System in Kennebec County" (H. P. 1687) (L. D. 2080) Emergency

Tabled — February 5, by Mr. Carter of Winslow

Pending — Motion of Mr. Carter of Winslow to reconsider action whereby the Bill was indefinitely postponed

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

Mr. BROWN: Mr. Speaker, Ladies and Gentlemen of the House: I hope you will go along with the motion to reconsider our action whereby we indefinitely postponed this measure, because I would like to add an amendment to this bill.

The **SPEAKER**: The Chair recognizes the gentleman from Winslow, Mr. Carter.

Mr. CARTER: Mr. Speaker, Ladies and Gentlemen of the House: I was the one that made the motion to reconsider this item, and I had asked you to vote against my motion, but since I have made that motion I have done some research on this, and I hope you will go along with reconsideration so I may offer an amendment.

Thereupon, the House reconsidered its action whereby this Bill was indefinitely postponed.

The **SPEAKER**: The pending question is the motion to indefinitely postpone this

bill. This Chair will order a vote. All in favor of indefinite postponement will vote yes; those opposed will vote no.

A vote of the House was taken.

6 having voted in the affirmative and 93 having voted in the negative, the motion did not prevail.

Mr. Brown of Augusta offered House Amendment "B" and moved its adoption.

House Amendment "B" (H-667) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Winslow, Mr. Carter.

Mr. CARTER: Mr. Speaker, Ladies and Gentlemen of the House: At this time I would like to make the motion for indefinite postponement of this amendment, and I would like to tell you briefly why.

The SPEAKER: The gentleman from Winslow, Mr. Carter, moves the indefinite postponement of House Amendment "B".

The gentleman may proceed.

Mr. CARTER: Mr. Speaker, Ladies and Gentlemen of the House: If you will recall, when I previously spoke against this bill, I stated at the time that the bill was premature, and I still hold to that position in the form that the bill was written. The amendment makes a slight attempt to change that, but it does not really alter it that much.

Apparently this whole misunderstanding arose from a problem in communication — or I should say a breakdown in communication. I told you that we in the northern part of the county, through our Regional Planning Commission, have been working on this problem. Our director, when he became aware that the county commissioners were interested in entering into this field, wrote a letter and asked to meet with them. This letter, unfortunately, was never answered. On the day that they were holding a meeting, their regular meeting, he took it upon himself to come down to visit with the commissioners, and that happened to be the last day available to enter a bill to get under cloture. Apparently, all that was done that day was, a title was put in, and that was the last he heard about the bill.

The way Mr. Brown's amendment reads, it would read that the county commissioners are authorized to operate a solid waste collection system. I say this is putting the cart before the horse.

We don't know at this point whether it is feasible for one reason or for the whole county or the the county of Kennebec and Somerset to join together and operate such a system. Amongst this turmoil, it was decided by some of the more level heads in the group that the delegation ought to meet and discuss this, and we did. And at the delegation meeting, one of the county commissioners was present, and we reached an agreement on three points.

Point number one was that we should first study the problem to know where we are heading. Point number two was that the communities involved should be consulted. I am not in favor of anybody in the county telling the community of Winslow that they are committed to a million dollar expenditure without being consulted. And as a member of the delegation, I don't feel qualified to vote on any such issue, and I believe it should be up to the community and the council and the people.

Point number three, it was pointed out that if a bond issue was needed, for example, to operate such an operation—and I assure you that it is an expensive one, it runs anywhere from five to seven dollars a head—it was suggested and agreed upon that if communities decided not to join into this system, they would be reimbursed on a per head basis.

Now Mr. Brown went ahead and had an amendment drawn up. And for those of you who have been following this, I am sure that you are aware that none of the points are contained in here except that Somerset County will be consulted. And for these three reasons that I have pointed out, I would hope that you would go along with indefinite postponement and allow me to introduce House Amendment "C" which not only authorizes the two counties to study and plan in which direction they ought to go, but it also authorizes them to expend funds for the purpose of this study, and my amendment may institute the emergency clause which Mr. Brown's amendment does away with.

Now when we first started on this thing it was supposed to be an emergency, but apparently it no longer is as far as he is concerned. And I might add that apparently it is mostly Mr. Brown's understanding, because I have consulted with the commissioners and although one of them is not available today, and I have talked to two of them, at the beginning they agreed that if there was going to be any conflict on this thing, the best thing was to withdraw the whole bill. But after I read my amendment to one of the commissioners, he agreed that there was no harm in doing it and this was the way they ought to go, and this was the way they understood they were going. They had no intention of getting into a situation where they would have to operate a solid waste system. so I would hope that you would go along with the motion to indefinitely postpone.

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

Mr. BROWN: Mr. Speaker, Ladies and Gentlemen of the House: I think you will find in our statutes that we are required to abolish open burning by July 1 of 1975; this is February 7. Locating one or several solid waste facilities is no easy task. Not only will it require planning, but it will require implementation. And I think if they can well use—any group of county commissioners or any group of communities can well use the entire amount of time that is available between now and July 1, 1975.

The county commissioners came to the county delegation and asked us to put in and present this type of legislation. We have had two meetings on this by the delegation. We have met with the various regional planning officials, and as far as I know this has generally met approval practically by all of these members of the delegation and the county commissioners.

At the last meeting, and we have a little problem in the north end of Kennebec County — incidentally, we are some distance from one end of Kennebec County to the other and then you can take Somerset county, it is a considerable greater distance from Fairfield up to Jackman and so on, but

one of our principal problems seems to be in the area of Waterville, Winslow, and Fairfield, primarily because Fairfield, adjacent to Waterville and Winslow, is nevertheless, in Somerset County, and so we were asked by some of the northern Kennebec regional planners if we would bring in Somerset County.

Now in back of all this is a possibility to acquire revenue sharing funds which Kennebec County has for this purpose and I assume also the County Commissioners of Somerset County also have it, which would then be provided to any community who is participating in this program, and which would in theory enlighten and reduce their burdens of taxation. Now many of our communities in Kennebec as well as Somerset can darn well use a reduction in the taxes they have assessed the people.

This type of legislation and the amendment which would be proposed, House Amendment "B", enables the County Commissioners of both Somerset and Kennebec to get together and to work out a program or a system for the disposal of solid waste. they may also communicate or negotiate with adjacent communities. We have tried to provide as much freedom as possible and give them at the same time some authority to operate.

I can personally visualize in Kennebec County that you might have four or five of these facilities. You may have one on the border of Somerset and Kennebec Counties. You may have two or three in Somerset County; I do not know how this system will work. But I do think when you start to work with a group of communities such as you are going to have to do here, you will need all the time you have to comply with the statutes.

I urge you to vote against the motion of indefinite postponement and to support House Amendment "B".

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

Mr. DAM: Mr. Speaker, Ladies and Gentlemen of the House: This amendment that Mr. Brown of Augusta has presented, the commissioners of Somerset County fully support, and I

would hope that we would vote against the indefinite postponement.

Now maybe Somerset County, the county I reside in is, I won't say a little different, but I will say a lot different from some of the other counties, because I think that the people in Somerset County put a lot of trust in their commissioners, and I stand here this morning just the opposite what started out the session because two of the commissioners we have in Somerset belong to the opposition party from what I am. But we do have three good county commissioners, and I would not be afraid or have any fears of them doing anything to hurt the town involved in this or the towns in Somerset County. I would hope today that we would go along with this amendment and not indefinitely postpone it, because this is something we do need and the two counties could work together because we are becoming more involved with each other with every day that passes.

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

Mr. DYAR: Mr. Speaker and Members of the House: I apologize for entering this debate. I think if these parties involved would check Title 36 and 414 of the present Maine Statutes, they would find the County Commissioners under several counties of the State of Maine do have the authority at the present time to set up dumps, to contract for rubbish removal and so forth. In my mind, a sanitary land fill form of dump would be a plain old dump no matter how you take it and possibly a modernized one.

The county commissioners at the present time also have the right to assess by taxation municipalities and unorganized townships using these facilities. So possibly this bill isn't necessary, and I hope it doesn't get cluttered up too much to destroy the intent of the original legislation which would possibly give the county commissioners some problem in carrying out their present statutory duties.

I certainly feel if the county commissioners of Kennebec County wish to enter a project with the commissioners of Somerset, as there is

no provisional law at the present time to prohibit it. In fact, other titles give the county commissioners the right to obtain land by eminent domain; it allows them to buy land; it allows them to carry out construction up to a certain point; and beyond that point there would have to be a bond issue. Now on the question of a bond issue for a county on a sanitary land fill type dump, I am quite sure the county commissioners, by law, could not tax a town that was not receiving its services, that the payment for the bond issue would be assessed to the member municipalities.

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

Mr. BROWN: Mr. Speaker, Ladies and Gentlemen of the House: I hesitate to rise a second time, but the gentleman from Strong has brought out a point in which he suggested that the county commissioners already have this power. He may be correct; I do not want to argue that point, but I think if I was an attorney advising the county commissioners of Kennebec County, I would be a little hesitant, and I would much prefer to have this legislation go through. The reason for that is that I think the bill or the law that he is referring to pertained to Washington County as passed in the regular session in 1971. In that particular bill or L. D. there were two sections, one authorizing the county commissioners of Washington County to go ahead and form this kind of a district and secondly, to make assessment or prorating taxes and so on and so forth.

But if you look at this, as I read it, it appeared to me that it pertained to only Washington County. I realize it is also in the general statute referring to all powers of all county commissioners, but if I were advising the Kennebec County Commissioners, I would suggest that they get this legislation through before they proceed.

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

Mr. CAREY: Mr. Speaker and Members of the House: Several questions have been brought up which are very pertinent to this whole matter.

Mr. Dyar of Strong says that they can do it now. The very capable attorney, Mr. Brown from Augusta, says that if he were advising the county commissioners that he would not go along with this. The amendments now read Somerset County is included as well as Kennebec.

I am concerned that one paragraph in his amendment, Section 423, says that each town or county served may be assessed for the cost of the operation, and I am a little worried that we in the upper part of the county would be, in effect, put in a position to be double taxed for the simple reason that we could if the dump were in Somerset County, we could be assessed a figure—we are now paying about \$2.25 per ton for our garbage and rubbish, and under this plan that we have been talking about and that the City of Waterville is very interested in going along with, we would be charged about \$8.50 per ton.

The word "may" is the word that scares me, because in effect what they are saying is that they could set up these dumps and they don't have to tax or they don't have to charge those municipalities, they could in effect assess the county tax and tax everyone whether they were served or not. I am a little worried about this and I would move, Mr. Speaker, that this be recommitted to the Committee on County Government.

Thereupon, the Bill was recommitted to the Committee on County Government in non-concurrence and sent up for concurrence.

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

Joint Order (H. P. 1950)
Establishment of Joint Select
Committee on Energy

Tabled — February 6, by Mr. Simpson
of Standish

Pending — Passage

Mr. Greenlaw of Stonington offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-672) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Stonington, Mr. Greenlaw.

Mr. GREENLAW: Mr. Speaker,

Ladies and Gentlemen of the House: This order provides that if this order is adopted the committee will serve with compensation, as would be normally directed by the Legislative Council.

Thereupon, House Amendment "A" was adopted.

The SPEAKER: The Chair recognizes the gentleman from Stonington, Mr. Greenlaw.

Mr. GREENLAW: Mr. Speaker, Ladies and Gentlemen of the House: I would just like to make a couple of points in addition to what I said on this matter yesterday. Again, I would like to reiterate the fact that my concern on the impact of the gas shortage deals primarily with the health of Maine's economy.

I listened to the late news last night and heard a report from a Federal Energy Office, a statement that Maine during this month will receive 74 percent of the February, 1972, gas allocation. It puts me at the bottom of the list of all the states for the amount of percentage of gasoline that we are receiving this month.

The objectives that this order sets forth will not be easy to achieve. I think it should be crystal clear to the members of this House that it will require the members of the community to work hard, to dig facts and provide some substantial recommendations in which we can deal with this energy crisis. But I think the people of this state should expect that type of effort from us; I hope we can do it.

A legislator the other day made a statement to me that we don't act until emergency situations happen in this legislature. As unfortunate as I think that comment may be true, perhaps there may be a lot of truth in it, I do think we have a critical emergency before us. I really would be interested to hear from other members of this body what reaction they have from gasoline station owners and oil distributors in their area, because I know I have had all kinds of requests, particularly in the past two days, from gas station owners and distributors in my home area.

I think finally I would close and hope that you would support this measure and that we perhaps could have some exchange of ideas on it. I think it is incredible that we have been here for

five weeks in this House and we have had almost no discussion and no talk about the energy crisis that faces this country or the energy crisis that faces this state. I think it is incumbent upon us as representatives of the people of the State of Maine to do all we can to minimize the effect the gas shortage we will have on this country.

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

Mr. SIMPSON: Mr. Speaker, Ladies and Gentlemen of the House: I move the indefinite postponement of this order, and I would like to speak to it.

The SPEAKER: The gentleman from Standish moves the indefinite postponement of this Order, H. P. 1950.

The gentleman may proceed.

Mr. SIMPSON: Mr. Speaker and Ladies and Gentlemen of the House: I don't think anybody is going to deny the fact that the gasoline situation in the state right now, or in the country right now, is not probably one that could affect the economy of the State, has its effect on a lot of people. It also has its effect on a lot of people who are in business in those filling stations, and I think we all well recognize that. In fact, I think my own area has been without gas in the stations down there since the last week in January, also the first week in February. And this seems to be because some allocation slips that are supposed to be coming out of the bureau up here just have not been printed and got out to the individual dealers at the stations so that they can give them to their distributors so that the gas could be delivered to them. I guess I would have to ask where that blame lies.

I believe that we have committees in this legislature which are thoroughly capable of handling just exactly what we have before us right now in this particular order. This order has a \$5,000 price tag. Unless it goes up to the other body and they decide to take it off the table and fund it, it will sit on the table until the last days when we decide what we will do with it so far as the appropriation goes.

I don't see that any committee in this Legislature could be appointed right now that could report back to us in this particular session relative to the matters outlined in this particular order.

Yesterday, I mentioned the meeting that is going to be held in Boston relative to this of the joint leadership of all the New England States, as well as any other people who would like to attend that particular meeting. But in it they had probably 15 or 18 areas that all are areas that should deal or have some type of effect on the energy crisis, all long-range type of items. I could take probably every one of them and take any one particular one and give it to a particular committee in this legislature and they could spend a considerable amount of time just dealing with that one issue. To now try to take the whole subject of an energy crisis and give it to a select committee, I think we are trying to look for maybe some P.R. with the people in this state without really recognizing the fact. I say that we are doing the people of the State a favor when we take the issues we have got and we keep them right within the committees that we have expertise with right now. If we have any bills in the legislature or any items in this legislature or any concerns in the state relative to this, I think we have the opportunity, the vehicle, to give it to the particular committees for study. I think we have done that in some areas already.

I also would remind you that we did have Mr. Wilson in here one day. I think we listened to him. We have watched the papers. We have listened to the Governor and also watched his statements in the paper. I think most of us agree that there is darn little we can do in some areas, especially in the gasoline situation in this state at this time. Most of these items, the problems that have got to be solved at the federal level, and I believe that is where they should be. Therefore, I hope that you will indefinitely postpone this particular measure. If there is any particular measures that come forth later that we think we can study within the committees, that is the place for them and not in a select committee.

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

Mr. MACLEOD: I would like to second the motion that we postpone this order. And out of deference to my good friend from Stonington, Mr. Greenlaw, I would

like to allay his fears that I feel very strongly that you have already set up within the office of Civil Defense a very capable administrator. He has been in here and talked to you. I have had occasion personally to appear before his group of people. They are doing a very admirable job over there. Your Appropriations and Finance Committee has seen it in their wisdom to fund this department further. I notice that there is an amendment to their original request for roughly forty or forty-five thousand dollars to extend them through June. It has been cut back by about \$8,000. I see no necessity at this time to set up another committee and another overlay with more funding.

Let this department work. They are communicating well, I think, with all of our legislators who have been there. They have been in touch with several of my gasoline stations. I think these gentlemen are doing a real good job, and I don't see any further time needed at this time to spend on this.

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

Mr. KELLEHER: Mr. Speaker and Ladies and Gentlemen of the House: I oppose the motion made by the gentleman from Standish for some of the very reasons that he was trying to state that you should support it.

First of all, the energy situation is going to be with us for quite a while. We have been told this by the federal government; we have been told this by business industry. Mr. Good and I attended a conference in Boston in November. We were given a number of facts that we related back to some of the leadership.

Some states in this Union have already committees on energy. Others are considering them such as we are here today. And in California, there is an Assemblyman out there by the name of Charles Warren who was able, because of his study of the Committee on Energy that they had in California three years ago was predicting the situation that we was going to be in at this time; they were trying to present alternate plans as far as electrical plants was concerned, refineries, etc. The Legislature, the 106th Legislature — and over the many years I believe we started with probably

four or five committees, and as departments and situations arise, we have created other special committees. I see no wrong, nothing wrong with this. I think we would be doing ourselves a favor and the people of Maine a favor by approving and coordinating a select committee on energy.

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: The gentleman from Standish, Mr. Simpson, is chairman of a special committee, the Select Committee on Public Lands, which is created in an attempt to try to resolve the problems with Maine's public lands, public lots. This is an identical situation, a problem which we hope will not have to continue.

I would just like to quote from this morning's Boston Globe and tell you how bad we are and just to make you feel that maybe we better start thinking about doing something ourselves. It is great to say we can do it; let the federal government do it. That is abrogation of our own power. We say let's let the Civil Defense Department do it; that is abrogation of legislative power.

Let me just tell you a couple of things in this morning's paper. First of all, it is obvious that New England is going to suffer more than any other area of the United States. And would you believe that the state that is going to suffer the most is the State of Maine. Let me just read the percentages: Massachusetts, and Connecticut will get 81.2 percent of what they had last year for the month of February; Rhode Island, 83.7; New Hampshire, 83.2; Vermont, 82.2; Maine, 74 percent.

We are being cut 26 percent from the allocations of two years ago. We are the hardest hit in the nation. The paper is carrying an article saying that William Simon, the Director of Federal Energy Office, promises that we will be no worse off than any area in the nation. That is the front page. But you turn to Page 12 and you find that Maine is at the bottom of the list of gasoline that will be received in February. And not only that; might I also point that there are some states that are getting 97.4 percent. Minnesota, for example, 97.4. That is the

highest in the nation. We will only get 74 percent.

Now, let me ask you — the Governor can ask and the Governor can demand that we be treated fairly. How much more effective and more help would it be if we were to also add our voices to the voices in Washington so we can be treated more fairly? I know someone is going to get up and say, "Well, there are three Democrats in Washington and one Republican; and surely these three Democrats have an awful lot of power, and all that." And someone can argue that we have a Democratic Governor and he ought to have some power. Let's not argue that point. Let's debate that point when it's over. Let's try to resolve the problem and try to find out what we can do. We really don't know. Should we impose rationing in Maine? Should we attempt to legislate gasoline being sold to odd-number license plates on one day and even-number plates on another? Should we contemplate setting up a system whereby commercial people be treated first? If we have too many of these snowstorms, you know, we may not have any gas to plow. We had better start thinking about how we are going to use the gas that Maine is allocated. We are only getting 74 percent, okay? That is all we are getting. Now we are to determine how we are to use that 74 percent. If we don't do it, is it going to be dictated to us by Washington? Washington has already indicated that they will accept what the state is set up as criteria. Aren't we in a better position to determine priorities as to what industries get what first, as to what people get what first or second, than Washington? And I think this is the type of thing that has got to be handled. And I do not believe that we have a committee structure now which can properly handle that. That is the type of thing which I believe that this committee could possibly do.

I am pleased to hear that we are going to be able to send whatever members of the Legislature that want to go to Boston in two weeks. I think that is an excellent idea. I am happy that the gentleman from Standish said that. We ought to consider taking buses in order to save energy, and we ought to go and find out. But that still does not do what we must

do. And that is, we have 74 per cent of the gasoline that we are going to get for February, what we had two years ago. Let's now set a basis under which we will allocate that gas.

And I would certainly hope that you would not favor indefinite postponement.

The SPEAKER: The Chair recognizes the gentleman from Exeter, Mr. Smith.

Mr. SMITH: Mr. Speaker and Ladies and Gentlemen of the House: I concur with the gentleman from Eagle Lake, but he only is looking at the immediate problem. And there is a much longer range and much more severe problem ahead of us. Indeed, we have just seen a glimpse of the future. Now, this present gasoline shortage may be contrived by the oil companies or may not. I don't think that is relevant. The important thing is we have got some real adjustments to do in the years ahead.

Now, I want to read to you a few figures from the Bureau of Mines. Out of 455 million barrels of oil, if we keep on using them as increasingly as we are using them now, increasing at 3.9 percent per year, those known reserves will only last 20 years. If we assume we have five times those known reserves, and we keep on using, consuming that oil like we have been, that will only last 50 years. And I submit to you that 50 years is not very far ahead.

Likewise, if we look at our natural gas reserves, the known reserves of natural gas, 1,140 trillion cubic feet, a lot of natural gas, yes. But if we continue to use natural gas as we have been using it, those reserves will only last 22 years. And again, if we assume that there is five times as much known reserve as we actually know about, then that supply will only last 49 years.

And, likewise, when you look at the figures on coal, five trillion tons, but used at the rate we are using them now, increasing at 4.1 percent per year, that reserve will only last 111 years. And if you assume that five times as much coal as we actually know about, we are only talking about coal lasting 150 years.

Now, I think that that is a problem we must start addressing ourselves to now. We can do nothing about it and in 50 to 100 years run out of reserves. We can start changing our consumption

patterns, or we can start looking for some other means of producing energy.

I do think that this legislature needs now to create a committee which will get the expertise it needs to handle these questions, not only the gas shortage we have now, but the real resource scarcities we are going to have in the future. We have had a glimpse of the future. Let's take advantage of it.

I do hope you will go against the indefinite postponement, adopt this committee, get some expertise on energy and then solve some of the problems that are going to be with us for 10, 25 or 50 years.

The SPEAKER: The Chair recognizes the gentleman from Dover-Foxcroft, Mr. Smith.

Mr. SMITH: Mr. Speaker and Members of the House: Just a couple of thoughts. Between the 105th and 106th Legislature, we had a continuing committee whose duties it was to consider ways in which the legislative branch could reform itself and to reassert itself as a co-equal branch of government. This order is designed to take head-on one of the major problems facing this state, the long-range and short-range energy problem.

I got a memo the other day that indicated that fuel prices for No. 6 fuel oil for heating of the State of Maine's institutions was rising from 6.6 dollars to 10.6 dollars in two months. We are at the end of that two-month period. It is now 10.6 dollars per barrel, that is going to cost us about \$2 million that we didn't anticipate. I don't know what is going to happen in the future. I don't even know if it is feasible for us to continue using No. 6 oil.

Mr. MacLeod tells us that it ought to be up to the Appropriations committee to consider these matters. I am telling you that the Appropriations Committee is really burdened with what it has got to consider now. There ought to be a separate group in this legislature willing to assert itself to consider the long-range problems that we are going to face on energy. I think patently ridiculous to think the Appropriations Committee is going to handle every problem that comes along, particularly a problem of this major type. We can hardly see beyond the end of our nose we are so overburdened with work now.

So I hope, consistent with the reform effort that we started back in the 105th Legislature, consistent with the needs to consider the problems like the one that I brought up on this increase in the cost of No. 6 fuel, and considering the burdens of the committees that are already operating in this Legislature, we will approve this order and consider this problem over time.

Mr. LeBlanc of Van Buren 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 Standish, Mr. Simpson, that House Paper 1950, Joint Order Establishing a Joint Select Committee on Energy, be indefinitely postponed. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Ault, Birt, Bither, Bragdon, Brawn, Brown, Cameron, Chick, Churchill, Cressey, Davis, Donaghy, Evans, Farnham, Farrington, Flynn, Garsoe, Hamblen, Haskell, Hoffses, Huber, Hunter, Immonen, Kauffman, Kelley, Kelley, R. P.; Lewis, E.; Littlefield, MacLeod, Maddox, Merrill, Morton, Murchison, Palmer, Parks, Rollins, Shaw, Simpson, L. E.; Snowe, Susi, Trask, Walker, Willard.

NAY — Albert, Berube, Binnette, Boudreau, Briggs, Bustin, Carey, Carter, Clark, Connolly, Cooney, Cote, Crommett, Curran, Curtis, T. S., Jr.; Dam, Deshaies, Drigotas, Dunleavy, Dyar, Farley, Faucher, Finemore, Gahagan, Genest, Good, Goodwin, H.; Goodwin, K.; Greenlaw, Herrick, Hobbins, Jacques, Jalbert, Kelleher, Keyte, LaCharite, LaPointe, Lawry, LeBlanc, Lynch, Mahany, Martin, Maxwell, McHenry, McKernan, McMahon, McTeague, Mills, Morin, V.; Mulkern, Murray, Najarian, Norris, O'Brien, Peterson, Pontbriand, Rolde, Sheltra, Shute, Silverman, Smith, D. M.;

Smith, S.; Soulas, Strout, Talbot, Theriault, Tierney, Trumbull, Twitchell, Tyndale, Wheeler, Whitzell.

ABSENT — Baker, Berry, G. W.; Berry, P. P.; Bunker, Carrier, Chonko, Conley, Cottrell, Dow, Dudley, Dunn, Emery, D. F.; Fecteau, Ferris, Fraser, Gauthier, Hancock, Jackson, Kilroy, Knight, Lewis, J.; McCormick, McNally, Morin, L.; Perkins, Pratt, Ricker, Ross, Santoro, Sproul, Stillings, Tanguay, Webber, White, Wood, M. E.

Yes, 43; No, 72; Absent, 35.

The SPEAKER: Forty-three having voted in the affirmative and seventy-two in the negative, with thirty-five being absent, the motion does not prevail.

Thereupon, the Joint Order received

passage and was sent up for concurrence.

On motion of Mr. Birt of East Millinocket, the House reconsidered its action of yesterday whereby Bill "An Act to Make the Term of Office of the State Planning Director Coterminous with that of the Governor," Senate Paper 775, L. D. 2222, was passed to be engrossed.

On further motion of the same gentleman, tabled pending passage to be engrossed and tomorrow assigned.

On motion of Mr. Birt of Esst Millinocket,

Adjourned until nine o'clock tomorrow morning.