

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

Volume II

MARCH 7, 1974 TO MARCH 29, 1974

Index

Legislative Ethics Committee Report

Kennebec Journal
Augusta, Maine

HOUSE

Friday, March 29, 1974

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

Prayer by the Rev. Arthur Durbin of Waterville.

The journal of yesterday was read and approved.

On motion of Mr. Bither of Houlton, the House voted to reconsider its action of yesterday whereby it voted to recede and concur on Bill "An Act Creating the Post-Secondary Education Commission of Maine," House Paper 2075, L. D. 2601.

On motion of Mr. Simpson of Standish, the House voted to recede.

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

House Amendment "A" (H-835) was read by the Clerk and adopted.

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

Messages and Documents

The following Communication:

State of Maine

One Hundred and Sixth Legislature
Committee on Appropriations
and Financial Affairs

March 28, 1974

Honorable Richard D. Hewes

Speaker of the House

House of Representatives

State House

Augusta, Maine

Dear Speaker Hewes:

The Committee on Appropriations and Financial Affairs is pleased to report the completion of the business of the First Special Session, 106th Legislature, that was placed before this Committee.

Total Number of bills acted upon 56

Ought to Pass 11

Ought to Pass as Amended 7

Ought to Pass in New Draft 4

Leave to Withdraw 2

Leave to Withdraw as covered by other legislation 5

Ought Not to Pass 16

Divided, Majority OTP 3

Divided, Majority ONTP 1

Reported out Pursuant to

Joint Order 4

Reported out Pursuant to Legislative

Council Order 1

Referred to 107th Legislature 2

(Signed) Sincerely,

JOHN M. NORRIS II

House Chairman

The Communication was read and ordered placed on file.

Orders

Mr. Norris of Brewer presented the following Joint Order and moved its passage:

WHEREAS, the working conditions of state employees and the efficiency of Maine's governmental operations are enhanced by the conduct of the State's business in attractively designed buildings and structures, timely constructed on terms advantageous to the taxpayers; and

WHEREAS, Maine is fortunate in the number of exceptionally well-qualified architectural, engineering and construction firms located within its borders, which contribute substantially to the employment and economy of the State; and

WHEREAS, the Bureau of Public Improvements has, with respect to certain recent state construction projects, let contracts on the "design-build" concept, which in substance puts responsibility on one firm for both design and construction of the project; and

WHEREAS, such a policy tends to limit bidding for state construction projects to large out-of-state integrated construction firms having in-house architectural design capability; and

WHEREAS, questions have arisen regarding possible conflicts of interest between the architectural and construction functions inherent in the "design-build" concept; the impact of such a policy upon the quality of future state construction; and its ultimate cost to Maine's citizens in terms of reduced participation by Maine architects, engineers and contractors, and their employees and suppliers, in the design and construction of state buildings; now, therefore, be it

ORDERED, the Senate concurring, that the Legislative Council conduct and

supervise a study, in consultation with the Bureau of Public Improvements and the architects, engineers and contractors of Maine, of the "design-build" concept and such other policies or procedures regarding the purchases of architectural, engineering or construction projects, conducting such public hearings as may be necessary; and be it further

ORDERED, that the Council report its findings, together with any recommended legislation, to the regular session of the 107th Legislature; and be it further

ORDERED, that this order shall not be construed to impair the validity of any contracts heretofore entered into by the State on a "design-build" base. (H.P. 2098)

The Order was read.

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

Mr. NORRIS: Mr. Speaker, Ladies and Gentlemen of the House: This order is pretty much self-explanatory. It started back in the regular session, and as the Bureau of Public Improvements moved toward building a new office building and a parking garage, they have gone into a design-build concept. In using this concept — and I am in no way attacking that this morning, because that is just exactly what this order is for, to study this and see if it is the right way — but the part of the whole thing that bothered me is that they went to a firm in Montreal on the office building to go into this concept which will set up design-build teams, and my understanding is that it limits very much the architectural profession in the state and there are very few people in the state that can participate in going this way. But I am not attacking that this morning. I am not attacking the method that is being used with the office building and the parking garage. But in using this, as you have heard, there was some talk yesterday about the parking garage. The final bid has been awarded. It has been awarded, by the way, to Wright and Morressy from the State of Vermont who work in association with the Carl Walker Associates of Illinois, who are parking garage specialists. This is simply an attempt on my part, and I

have talked with some of the professional architects in the state, to get together with them and the Bureau of Public Improvements and see if there is any way that we can keep as much business in the State of Maine for Maine taxpayers as possible.

I hope you vote for passage of this order this morning.

Thereupon, the Order received passage and by unanimous consent, was ordered sent forthwith to the Senate.

Mr. Simpson of Standish presented the following Joint Order and moved its passage:

WHEREAS, the use and management of the public lands of the State continue to be a subject of legislative concern; and

WHEREAS, there is a need for effective regulation of forest practices in order to benefit and improve the forest resources of the State; and

WHEREAS, these matters require the continued attention and study of the Joint Select Committee on Public Lands; and

WHEREAS, the expertise of an additional member would greatly assist the committee in such study; now, therefore, be it

ORDERED, the Senate concurring; that the Joint Select Committee on Public Lands created pursuant to Joint Order, House Paper 84 of the regular session of the 106th Legislature, is hereby authorized and directed to continue its powers and duties in the manner authorized by said order and as directed by the Legislative Council relative to forest practices; and be it further

ORDERED, that the Speaker of the House shall appoint an additional member to the committee; and be it further

ORDERED, that the committee make its recommendations and final report to the regular session of the 107th Legislature (H. P. 2100)

The Order was read and passed and by unanimous consent, was sent up for concurrence.

Mr. Greenlaw of Stonington presented the following Joint Order and moved its passage:

WHEREAS, the 106th Legislature took positive action to reassert its legislative responsibility by creating a Legislative Council; and

WHEREAS, the actions of the Legislative Council appear to be most necessary to the reassertion of proper legislative responsibility and authority; and

WHEREAS, Members of the House of Representatives must be informed on all legislative matters even when not in session; now, therefore, be it

ORDERED, that the leadership of the House of Representatives is hereby directed to inform all members of the House of Representatives in a timely manner of the following matters:

1. Date, Time and place of all Legislative Council meetings;
2. An agenda of matters to be considered at each meeting;
3. A list of decisions made at each Legislative Council meeting and reasons therefor. (H. P. 2101)

The Order was read.

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

Mr. GREENLAW: Mr. Speaker, Ladies and Gentleman of the House: I believe that I had offered that order as a House Order. I don't know how it got put on here as a Joint Order. We will hope it will go forth and be approved in the other body.

Mr. Speaker, If I may continue for just a minute. I think the order is quite self-explanatory, but I would hope that this order would be accepted by the House and if it is the will of the other body, that body too. I think there would be more positive communications between the Legislative Council, which includes, of course, the leadership of both bodies and the entire membership of the legislature. I feel very strongly that the Legislative Council is a very positive function in the research and legislative responsibility. I feel if we can have more communication that hopefully members of the legislature would have more input and be aware of more of the things that are going on and the total membership, too, could make its contribution.

The SPEAKER: The Chair recognizes

the gentleman from Bridgewater, Mr. Finemore.

Mr. FINEMORE: Mr. Speaker and Members of the House: The way that is written — I am not opposed to the order — but the way that is written, could it go to the Senate as a joint order? It says the leadership of the House of Representatives is hereby directed to inform the House of Representatives.

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

Mr. MARTIN: Mr. Speaker, the content of the Order is obviously a House Order. I would suggest that the Clerk simply cross out Joint and put House Order.

The SPEAKER: The Chair would suggest that an amendment would have to be drawn.

Thereupon, on motion of Mr. Greenlaw of Stonington, tabled pending passage and later today assigned.

Orders of the Day

The Chair laid before the House the first item of Unfinished Business:

Bill, "An Act to Establish a Pilot Rural Housing Rehabilitation Program" (H. P. 1814) (L. D. 2303)

Tabled — March 28, by Mr. Martin of Eagle Lake.

Pending — Motion of Mr. Martin to reconsider whereby the bill was passed to be engrossed.

Thereupon, the House reconsidered its action whereby the Bill was passed to be engrossed.

Mr. Dunleavy of Presque Isle offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-830) was read by the Clerk and adopted.

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

Mr. SIMPSON: Mr. Speaker, I now move the indefinite postponement of this Bill and all accompanying papers.

The SPEAKER: The gentleman from Standish, Mr. Simpson, moves the indefinite postponement of this Bill and all accompanying papers.

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

Mr. DUNLEAVY: Mr. Speaker and Members of the House: I think we

adequately debated the merits of this bill yesterday. There is no question that the framework, the structure of this kind is needed in Maine. Most of the states in the Union have a rehabilitation loan program on a great deal more sophisticated scale than this one. It doesn't seek a lot of money. It seeks a small, seed pilot funding.

The gentleman from Standish, Mr. Simpson, is quite correct that you can't do a lot with four loans, but the biggest objection that I have heard is, how do we know this thing is going to work? At least with four loans or less, we could see if it is a workable program, as I believe it is.

About 15 percent of the housing owned by Maine's elderly is dilapidated and deteriorating. They are living on pensions. They can't afford to fix their houses up. If we had a decent rehabilitation program for housing, they might be able to do so.

It is very poor economy to pour town aid into fuel which goes up through cracks in a dilapidated house in the ceiling. A one-time rehabilitation of that home would save enormous amounts of money to the taxpayers, if that is the tact I have to take, in fuel costs on general assistance. I think this is a good program. I think it is a program that is needed by this state. I think it is necessary to the welfare of many of our senior citizens. When the vote is taken on the motion, I ask for the yeas and nays.

The SPEAKER: The Chair recognizes the gentleman from Nobleboro, Mr. Palmer.

Mr. PALMER: Mr. Speaker, Ladies and Gentlemen of the House: I think it is a well known fact here that I am a friend of anything which will do something for rural housing. As a matter of fact, I voted against the increased bonding of the Housing Authority in the bill by the gentlelady from Portland primarily because I felt not enough is being done for rural housing in Maine. I submit to you that this particular bill here will do exactly the same thing, absolutely nothing.

I want you to look, if you will, at page 2 of the document, paragraph 4794, under administration. I will read you these words, "Agreements with financial institutions. The State Housing

Authority is authorized to enter into agreements with any financial institution to guarantee and subsidize loans to persons who qualify upon income schedules and upon such other reasonable terms and conditions as the State Housing Authority shall require by rule and regulation, including, but not limited to, audits, the type and condition of housing to be rehabilitated and the nature of the rehabilitation to be done."

I submit to you that with \$20,000, basically what you are going to get is going to be a couple more desks in the State House Authority with a couple theoretical pencil pushers who will tell you in the next two years, perhaps, the thickness of the insulation which should be used and perhaps the chemical makeup of the same, and if we are lucky, two years from now or next year we may get a pamphlet about this size of the Bicycling in Maine for us all to take home or to recycle at the end of the next session.

There is not enough money here to do any good for the rural housing in Maine. I say, here is a chance for us to save \$20,000 of the taxpayer's money. At least it will, in all probability, pay for this extra day of the session which has been caused by so much rhubarb which we had yesterday. I certainly do hope that we will go along with the indefinite postponement of this bill.

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

Mr. DUNLEAVY: Mr. Speaker, and Members of the House: I think the gentleman from Nobleboro knows better than what he has just said. If he had looked closer at the bill, he would have seen that this was to guarantee and subsidize loans, not to buy pamphlets.

Now, this program is structured along the same lines that most of the states in the Union have structured their rehabilitation programs. They are successful; they are working. I am really sick and tired of hearing arguments which are specious and invalid and don't make any sense. I think it is a little late in the session to cut the baloney this thick. This program is a loan program, not a give-away program.

I have no objection to increasing the

appropriation, if Mr. Palmer assures me that we will get it passed with an increased appropriation. It is no secret that the structure is what we are debating today. Everybody agrees that we can't answer the housing rehabilitation problems of the state of Maine for \$20,000, but this framework will set in motion a program which has been successful in most of the states in this union. I hope you vote against the motion for indefinite postponement.

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

Mr. CURTIS: Mr. Speaker, Ladies and Gentlemen of the House: The State Government Committee has spent a good deal of time looking into the efforts of the State Housing Authority. We think we have corrected some legislation this year that will enable them to work effectively. We have given them \$100 million now to try to work effectively. This program, if it were funded properly, I would be happy to support, but it seems to me that \$20,000 is just enough to provide a couple more bureaucrats without any money to do anything.

Now, yesterday, we heard the gentleman from Eagle Lake, Mr. Martin, indicate that what the \$20,000 would do and he was a little confused at that time, he was talking about \$10,000—but what the \$20,000 would do would be provide a framework within which the state officials could operate and utilize federal money. Well, I inquired what federal money he was talking about and received no answer. Now, it seems to me, unless somebody can indicate where there will be some substantial money that can be administered or worked with by these people who would be handling the \$20,000—\$20,000 is just a drop in the bucket and it would be unreasonable to raise peoples expectations in this state.

I think the gentleman from Nobleboro, Mr. Palmer, is correct, I don't think we need two more bureaucrats without too much to do.

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

Mr. DONAGHY: Mr. Speaker and Members of the House: I would ask

someone on the State Government Committee, through the Chair, whether or not there was any testimony from banks that they weren't able to handle the situation. I think that you will find that this is one area that there is plenty of loan money available, as far as loan money is concerned.

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

Mrs. NAJARIAN: Mr. Speaker and Members of the House: I would first like to respond to the Representative's from Orono. There is no federal money available for this program now. This legislation is modeled after federal programs that were discontinued last January, and they were very successful. We had four rehabilitation areas in Portland, and in fact, our city manager liked them so much that he has taken federal revenue sharing funds and has asked the council to put it into housing rehabilitation in Portland.

I know this bill isn't going to get any place, but it is a good program, it could be a good program, and I think this is something that the state ought to do at another time when there is more money available, because it is far cheaper to rehabilitate a home than it is to have it condemned and then build new homes.

Originally, the bill had in that the State Housing Authority could make direct loans, but the banks came to our hearing and they were adamantly opposed to that, but they did say if we took out the direct lending provision they would cooperate with the authority in the extending of loans. I seriously doubt that, but that is what they said.

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

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: It seems to me every time a housing bill comes up we get a lot of rhetoric about everyone saying I am for housing in Maine and then they vote against every bill.

The last session we had a chance to really move ahead in the housing field. I think the gentleman from Nobleboro probably voted against every one of those bills. If there was a big appropriation on this bill so that we could really move this program, you

would hear arguments that it is too big to start with and we don't know what we are doing. Now that it has a small appropriation, you hear arguments that it is too small and it won't do any good.

Let's stop the rhetoric. If you vote for indefinite postponement, you are voting against better housing in rural Maine. I agree that it is not a great deal of better housing, but it is a start. So, right here we can see whether it is just rhetoric or whether somebody means what they are saying. If you are for housing, you will vote against this indefinite postponement motion.

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

Mr. NORRIS: Mr. Speaker, Ladies and Gentlemen of the House: Very, very briefly, but I have voted for all of the housing things up until this morning, and I will submit to you that this is a good ploy for the Housing Authority to take the \$40 million, or part of it that I voted for, and get into the direct loan business. This \$20,000 won't even staff it; they will be back here in a few months for more money to increase the staff. This \$20,000 won't do it in the Housing Authority. They will need more money to get the size of the staff they need, and you will see a bill before this House to go into direct loans for rehabilitation and direct loans and direct competition with your banks. This is exactly what is being attempted here this morning, and if you think any differently, you are mistaken.

For the gentleman from Exeter, Mr. Smith, I have voted for the housing programs. I have been one of the supporters, but I am not going to go for this sham this morning.

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

Mr. DAM: Mr. Speaker, Ladies and Gentlemen of the House: I still maintain the same position I had yesterday in this bill, and I go along with the gentleman from Brewer, Mr. Norris, when he says this is a shame, this is just what it is. It is getting us into a direct lending business in the State of Maine.

As far as rehabilitating, I think the lady from Portland, Mrs. Najarian, said has found this far better rehabilitating some old building than build new ones.

Well, I am sure that the State of Maine has never followed that theory, so I am not so sure that if the way we have been voting money down here that her statement is correct. Personally, I would say that maybe she did make a correct statement there, but I would kind of say that in some cases it is better to rehabilitate old buildings, other cases it is far cheaper to build a new one.

Now, as far as the gentleman from Exeter, Mr. Smith, goes, I am in a little different position, I am not running for any national office. I am only running from the town of Skowhegan and only 6,571 people have to vote for me. I don't have to appeal to the population of the State of Maine or anything like that, so I can really voice my feelings on the bill.

As far as upgrading the rural housing in Maine, I have seen right in my town and in my town we don't have too much rural area, but I have seen the federal housing authority or the Farm Home Administration work quite well in that area. There have been a lot of homes that have been able to be purchased by low income people and to be repaired. Again, as I said yesterday, there is still insulation material that is still begging to be given away in this state. I would ask anybody if they were interested in this program for their area to contact their town manager or city manager or their first selectman and each one of these people have a letter saying where this material can be picked up for the low income people to get.

The only thing different with this is that in this business of giving away the free insulation, they have to install it themselves, where maybe with a direct loan they could hire a carpenter to get it installed and there wouldn't have to be any work done at all. I am sure that as long as we have this free material available that we should use that first before we start building another program to be funded the next session and building it in with merely a \$20,000 appropriation when we know that this is all it is doing and it is the only thing it is doing is starting another program for the next legislature to face.

Now, this is not good legislation and the bill should be indefinitely postponed. Personally, this is my feeling and If I

have got people in my town that feel differently then I am sure that when it comes November that I will know that they felt differently.

Mr. Birt of East Millinocket 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 question, the motion for the previous question was entertained.

The SPEAKER: The question no before the House is, shall the main question be put now? This is debatable with a time limit of five minutes by any one member.

The Chair recognizes the gentleman from Nobleboro, Mr. Palmer.

Mr. PALMER: Mr. Speaker and Members of the House: I oppose that motion for one reason. In this debate thus far, my integrity has been questioned by one Representative in this House, and I would like to have two minutes to answer him.

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.

29 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 Nobleboro, Mr. Palmer.

Mr. PALMER: Mr. Speaker, Ladies and Gentlemen of the House: I will take just one minute. Words like baloney have been passed out here, and also my integrity has been questioned by a member of this House from Exeter. I want to say this right now. It is not baloney to know that there never has been a new program in this state that has ever been instituted, which goes to the department, but the department doesn't say, fine, it is a good program but we need extra money for personnel

to take care of it. \$20,000, I submit, will do nothing more than create a couple of positions to start a program which will be back here to you in Part I next time for many, many more dollars. I wouldn't object to this program this time if there were enough dollars or enough control to do something good for rural housing in the State of Maine.

Now, to go to my friend from Exeter, Mr. Smith, I want to say to you Mr. Smith, the next time you say I voted against every housing bill, you had better check the record. The last time I voted for increasing the bonding capacity of the Maine Housing Authority, but I did not this time because it has done nothing for rural housing in Maine. That is why I oppose this motion, and I would have you please check the record the next time before speaking.

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I can't let my good friend from Nobleboro get away with all that. I think the Maine Housing Authority has done a great deal in rural areas. It has made an attempt and I think if the legislature had attempted to give it a little bit more support, it would have done much better.

The SPEAKER: The Chair recognizes the Gentleman from Presque Isle, Mr. Dunleavy.

Mr. DUNLEAVY: Mr. Speaker, Ladies and Gentlemen of the House: Mr. Palmer is dead wrong. The \$20,000 is specifically earmarked to guarantee and subsidize loans, not jobs or anything else.

In the State of Maine in 1972, we lost over 9,000 units of housing, that is dwellings, due to changes in physical conditions and deterioration. We can't afford to build new houses, so our only alternative is to set up a program which will slow down the rate of deterioration and dilapidation until the housing gained yearly equals to or surpasses the housing loss. That is no baloney; that is plain, old, common sense. This bill would set up the structure that would allow us to begin to do just that.

Mr. Jackson of Yarmouth 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 question, 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 is debatable with a time limit of five minutes by any one member. 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.

84 having voted in the affirmative and 10 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 Standish, Mr. Simpson, that L. D. 2303 and all accompanying papers be indefinitely postponed. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Ault, Baker, Berry, G. W.; Binnette, Birt, Bragdon, Brawn, Bunker, Cameron, Carey, Chick, Churchill, Conley, Curtis, T. S.; Jr.; Dam, Davis, Donaghy, Dudley, Dunn, Dyar, Evans, Farnham, Farrington, Ferris, Finemore, Flynn, Garsoe, Hamblen, Hoffses, Huber, Hunter, Immonen, Jackson, Jalbert, Kauffman, Kelleher, Kelley, Kelley, R. P.; Knight, Lawry, Lewis, E.; Lewis, J.; Lynch, MacLeod, Maddox, McCormick, McMahon, McNally, Merrill, Morton, Murchison, Norris, Palmer, Parks,

Rollins, Ross, Shaw, Shute, Simpson, L. E.; Snowe, Sproul, Stillings, Susi, Theriault, Trask, Trumbull, Tyndale, Walker, White, Willard, The Speaker.

NAYS — Albert, Berry, P. P.; Berube, Boudreau, Bustin, Carrier, Carter, Chonko, Clark, Connolly, Cooney, Crommett, Curran, Deshaies, Dow, Drigotas, Dunleavy, Emery, D. F.; Farley, Fraser, Gahagan, Genest, Goodwin, K.; Greenlaw, Hancock, Hobbins, Keyte, Kilroy, LaPointe, LeBlanc, Martin, Maxwell, McHenry, Mills, Mulkern, Murray, Najarian, O'Brien, Peterson, Ricker, Rolde, Sheltra, Smith, D. M.; Smith, S.; Talbot, Tanguay, Tierney, Twitchell, Wheeler, Whitzell, Wood, M. E.

ABSENT — Bither, Briggs, Brown, Cote, Cottrell, Cressey, Faucher, Fecteau, Gauthier, Good, Goodwin, H.; Herrick, Jacques, LaCharite, Littlefield, Mahany, McKernan, McTeague, Morin, L.; Morin, V.; Perkins, Pontbriand, Pratt, Santoro, Silverman, Soulas, Strout, Webber.

Yes, 71; No, 51; Absent, 28.

The SPEAKER: Seventy-one having voted in the affirmative and fifty-one in the negative, with twenty-eight being absent, the motion does prevail.

The Chair recognizes the gentleman from East Millinocket, Mr. Birt.

Mr. BIRT: Mr. Speaker, I move we reconsider our action whereby this bill was indefinitely postponed and hope you vote against me.

The SPEAKER: The gentleman from East Millinocket, Mr. Birt, moves that the House reconsider its action whereby this bill was indefinitely postponed. All in favor of reconsideration will say yes; those opposed will say no.

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

By unanimous consent, ordered sent forthwith to the Senate.

The Chair laid before the House the second item of Unfinished Business:

Bill, "An Act Relating to Consent to or Surrender and Release for Adoption" (H. P. 2051) (L. D. 2585) emergency.

Tabled — March 28, by Mr. McMahon of Kennebunk.

Pending — Motion of Mrs. Boudreau of Portland to recede and concur. (The

Senate passed the bill to be engrossed as amended by Senate Amendment "A" (S-451) in non-concurrence.)

Thereupon, on motion of Mrs. Boudreau of Portland, the House voted to recede.

Senate Amendment "A" (S-451) was read by the Clerk.

On motion of Mrs. Boudreau of Portland, the Amendment was indefinitely postponed in non-concurrence.

Mr. McMahon of Kennebunk offered House Amendment "B" and moved its adoption.

House Amendment "B" (H-837) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Kennebunk, Mr. McMahon.

Mr. McMAHON: Mr. Speaker, Ladies and Gentlemen of the House: This amendment protects the original intent of this bill. It guarantees the rights of the father who may wish to adopt his own illegitimate child in the event that the mother wishes to surrender that child for adoption. The judge will be required to inform the father, if his whereabouts are known, but when his whereabouts are known, notification by publication will not be necessary.

Thereupon, House Amendment "B" was adopted.

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

By unanimous consent, ordered sent forthwith to the Senate.

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

Bill "An Act Clarifying the Functions of and Reconstituting the Office of Maine's Elderly and the Office of Resource Development" (H. P. 2088) (L. D. 2610) emergency

Tabled — March 28, by Mr. Birt of East Millinocket

Pending — Passage to be enacted.

Mr. LaPointe of Portland requested a roll call vote.

The SPEAKER: 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 passage to be enacted. This being an emergency measure, it requires a two-thirds vote of the entire elected membership of the House. All those in favor of this Bill being passed to be enacted as an emergency measure will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Ault, Baker, Berry, G.W.; Berry, P.P.; Berube, Binnette, Birt, Bither, Boudreau, Bragdon, Brawn, Bunker, Bustin, Cameron, Carey, Carrier, Carter, Chick, Chonko, Churchill, Clark, Conley, Cooney, Cottrell, Crommett, Curran, Curtis, T.S., Jr.; Dam, Davis, Deshaies, Dow, Drigotas, Dudley, Dunleavy, Emery, D.F.; Evans, Farley, Farnham, Ferris, Finemore, Flynn, Fraser, Gahagan, Garsoe, Genest, Goodwin, K.; Greenlaw, Hamblen, Hancock, Hobbins, Hoffses, Huber, Hunter, Immonen, Jackson, Jalbert, Kauffman, Kelleher, Kelley, Kelley, R.P.; Keyte, Kilroy, Knight, Lawry, LeBlanc, Lewis, E.; Lewis, J.; Littlefield, Lynch, MacLeod, Maddox, Martin, Maxwell, McCormick, McHenry, McKernan, McMahon, McNally, Merrill, Mills, Morton, Mulkern, Murchison, Murray, Najarian, Norris, O'Brien, Palmer, Parks, Peterson, Ricker, Rolde, Rollins, Ross, Shaw, Shute, Simpson, L.E.; Smith, D.M.; Smith, S.; Snowe, Sproul, Stillings, Susi, Talbot, Tanguay, Theriault, Tierney, Trumbull, Twitchell, Tyndale, Wheeler, White, Whitzell, Willard, Wood, M.E.; The Speaker.

NAY — Connolly, Dunn, LaPointe.

ABSENT — Briggs, Brown, Cote, Cressey, Donaghy, Dyar, Farrington, Faucher, Fecteau, Gauthier, Good, Goodwin, H.; Herrick, Jacques, LaCharite, Mahany, McTeague, Morin, L.; Morin, V.; Perkins, Pontbriand, Pratt, Santoro, Sheltra, Silverman, Soulas, Strout, Trask, Walker, Webber.

Yes, 117; No, 3; Absent, 30.

The SPEAKER: One hundred seventeen having voted in the affirmative and three in the negative, with thirty being absent, the motion does prevail.

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

By unanimous consent, ordered sent forthwith to the Senate.

The following Enactors appearing on Supplement No. 1 were taken up out of order by unanimous consent:

**Passed to Be Enacted
Emergency Measure**

An Act Making Additional Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1974 and June 30, 1975 and Changing Certain Provisions of the Law Necessary to the Proper Operation of State Government (S. P. 966) (L. D. 2609)

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

By unanimous consent, ordered sent forthwith.

Passed to Be Enacted

An Act Relating to Mandatory Sentences for Persons Convicted of Second Offense Breaking, Entering and Larceny or Burglary. (S. P. 957) (L. D. 2607) (H. "B" H-831)

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

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

Mr. TALBOT: Mr. Speaker, I move that this Bill and all accompanying papers be indefinitely postponed, and I would ask for a roll call.

The SPEAKER: The Gentleman from Portland, Mr. Talbot, moves the indefinite postponement of this Bill and all accompanying papers and requests a roll call vote.

For the Chair to order a roll call, it must have the expressed desire of one fifth of the members present and voting. All those desiring a roll call vote will

vote yes; those opposed will vote no.

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

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

Mr. FARRINGTON: Mr. Speaker and Members of the House: I do hope that you decide to indefinitely postpone this measure and let's see what good it will do. Actually, this is only on second offenders, and I feel sure that after the first offense they would be heard, rehabilitated and these people will be informed of what will happen if they make the offense the second time. I hope we give this a try to help some in this area.

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

Mr. MILLS: Mr. Speaker, Ladies and Gentlemen of the House: I feel that this is a very necessary thing. This is, in fact, a directive to the judges that the people want some more action than what they are giving them.

The SPEAKER: The pending question is on the motion of the gentleman from Portland, Mr. Talbot, that this Bill and all accompanying papers be indefinitely postponed in non-concurrence. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Berube, Brown, Bustin, Connolly, Cooney, Curran, Curtis, T.S., Jr.; Dow, Farnham, Flynn, Gagahan, Hobbins, Huber, Kelleher, LaPointe, Martin, McKernan, Mulkern, Murray, Najarian, O'Brien, Rollins, Simpson, L.E.; Smith, D.M.; Smith, S.; Susi, Talbot, Wheeler, Whitzell.

NAY — Albert, Ault, Baker, Berry, G.W.; Berry, P.P.; Binnette, Birt, Boudreau, Bragdon, Brawn, Bunker, Cameron, Carey, Carrier, Carter, Chick, Chonko, Churchill, Clark, Cottrell, Crommett, Dam, Davis, Deshaies, Drigotas, Dudley, Dunleavy, Dunn, Dyar, Emery, D.F.; Evans, Farley, Farrington, Ferris, Finemore, Fraser, Garsoe, Genest, Goodwin, H.; Goodwin, K.; Greenlaw, Hamblen, Hanocck, Herrick, Hoffses, Hunter, Immonen, Jackson, Kauffman, Kelley, Kelley,

R.P.; Keyte, Kilroy, Knight, Lawry, LeBlanc, Lewis, E.; Lewis, J.; Littlefield, Lynch, MacLeod, Maddox, Maxwell, McCormick, McHenry, McMahon, McNally, Merrill, Mills, Morton, Murchison, Palmer, Parks, Peterson, Ricker, Rolde, Ross, Shaw, Sheltra, Shute, Snowe, Sproul, Stillings, Tanguay, Theriault, Trumbull, Tyndale, Walker, White, Willard, Wood, M.E.

ABSENT — Bither, Briggs, Conley, Cote, Cressey, Donaghy, Faucher, Fecteau, Gauthier, Good, Jacques, Albert, LaCharite, Mahany, McTeague, Morin, L.; Morin, V.; Norris, Perkins, Pronsbriand, Pratt, Santoro, Silverman, Soulas, Strout, Tierney, Trask, Webber.

Yes, 29; No, 92; Absent, 28.

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

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

An Act to Change Weights and Related Provisions for Commercial Vehicles (H. P. 2060) (L. D. 2592) (S. "B" S-452) (H. "B" H-791) (H. "D" H-800)

An Act Changing the Membership of the Legislative Ethics Committee (H. P. 2069) (L. D. 2599)

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

By unanimous consent, the foregoing Enactors were ordered sent forthwith to the Senate.

(Off Records Remarks)

Mr. Carey of Waterville was granted unanimous consent to address the House.

Mr. CAREY: Mr. Speaker, Ladies and Gentlemen of the House: Today brings to a close the public life of some of our members. We have members who are retiring voluntarily, and we have members who the voters will retire. In any event, they have, as have the members that will be returning, have served their state and given of their service to the state. I know that we all

join in wishing them well in their future endeavors.

Many words have been spoken here and I am guilty of some of the words that were spoken in anger during the heat of debate. I don't know if it is because the longer you sit here the madder you get, but most have been useful and have been of extreme help to some of the members here who have not made up their minds on which way they were going to vote.

The famous decorum of this House on only rare occasions was upset. As many of you know, we have the best decorum of any House in the country, and that is a credit to all of us, I think.

But mostly this day, I ask those who hope to return to give a rising vote of thanks to our members who will not be coming back, because they have shared with us a time in their lives and have given for their state. So, if you would rise and give these people a vote of thanks, I would appreciate it. (Applause, the members rising)

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I think as we now see the end of the special session that it is possible we will be able to get out of here sometime this afternoon if everything goes well. I certainly don't want to let the time go by to thank a number of people, in particular the Clerk and Clerk's office who have been extremely helpful to members of the minority party and have extremely been fair in providing us with information and material that we need. I think this is one of the considerations that every member of my party wishes to express, and I do so with their best wishes. To Louise, I say thank you. To the Speaker and to the Majority Floor Leader and the Assistant Majority Floor Leader, I thank them for having kept me on my feet (in more ways than one) and I think it has been an enjoyable session, even though at times it got a little bit upsetting.

I do want to point out that for the first time, to my knowledge, in the ten years that I have been here, we have the largest number of democrats running for reelection than we have ever had. We have over 73 members of this body that

are democrats. To my knowledge only 7 are not candidates for reelection to either the House or the Senate. Some of them are espousing to go to the other body, a few of them. I feel a little bit sorry for them but I am sure they will enjoy it once they get over there. We do have two members of those seven who are running for county commissioner positions. The gentleman from Fairfield, Mr. Lawry, and the gentleman from Millinocket, Mr. Crommett, are espousing to take care of county government and also a third, the gentleman from Auburn, Mr. Pontbriand is also espousing to go to a county commissioner position. The rest are planning to retire, and that is really very few, as you stop and think about it. Of the eleven Democrats from Portland, only two will not be candidates for reelection, the gentlewoman from Portland, Mrs. Wheeler, and the great doctor from Portland, Dr. Santoro. The rest are going to be back with us, I guess, next year, unless we have something we don't expect occurring to us in the Democrat party in the City of Portland.

We do have two people who are not running for reelection in Biddeford, the gentleman from Biddeford, Mr. Fecteau and the gentleman from Biddeford, Mr. Sheltra. I guess Mr. Sheltra has probably decided to go for a county office, too, County Treasurer, so he will be back in politics in some manner, shape or form.

Yesterday, we honored a man who had been with us for ten years, the gentleman from Dexter, Mr. Keyte, and I can't add any more than was said, because I think he has done a tremendous job in serving the people of Maine and serving the people of Dexter.

There is one member who is not going to be returning, at least voluntarily, from the City of Lewiston, the gentleman from Lewiston, Mr. Ricker, is not a candidate for reelection. For what I know at this point, of course, there may be others who may not be running or running for something else, but those are the only ones to my knowledge within my party that are not running.

There are a number of people who are running for that other body. I am not sure that I know all of them, but I know

that the gentlewoman from Portland, Mrs. Kilroy, the gentleman from Brunswick, Mr. LaCharite, the gentleman from Bangor, Mr. Murray, and we are going to kind of miss him in the back row here, because we are always getting at him in some manner, shape or form. I think he is going to serve the people of Bangor extremely well in the other body. I don't have any doubts as to whether or not he will be elected, of course.

I think in my own area the gentleman from Presque Isle, Mr. Dunleavy, will be the next Senator from that Senate District Seat. I think that is basically it though.

I have a point that I want to make, and I am sure this is true of both members of the Democratic Party and the Republican Party, is that many, many people are candidates for reelection to this body and to the other body, but much more to this body. We may well see the smallest turnover in this body than we have seen in a number of years, and to me, that will be a great step forward for the legislative process of Maine. I think all of us ought to feel very proud of it.

Off Record Remarks

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

Mr. GREENLAW: Mr. Speaker, I move that we take from the table House Paper 2101 and request that it be withdrawn, please.

The SPEAKER: Joint Order, House Paper 2101, which was tabled earlier in the day and later today assigned, the gentleman from Stonington, Mr. Greenlaw, withdraws this Joint Order. Is this the pleasure of the House?

It is a vote.

Mr. Greenlaw of Stonington presented the following House Order and moved its adoption:

WHEREAS, the 106th Legislature took positive action to reassert its legislative responsibility by creating a Legislative Council; and

WHEREAS, the actions of the Legislative Council appear to be most

necessary to the reassertion of proper legislative responsibility and authority; and

WHEREAS, Members of the House of Representatives must be informed on all legislative matters even when not in session; now, therefore, be it

ORDERED, that the leadership of the House of Representatives is hereby directed to inform all members of the House of Representatives in a timely manner of the following matters:

1. Date, time and place of all Legislative Council meetings;

2. An agenda of matters to be considered at each meeting;

3. A list of decisions made at each Legislative Council meeting and reasons therefor.

The Order was read.

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

Mr. SIMPSON: Mr. Speaker, Ladies and Gentlemen of the House: I know that the gentleman from Stonington, Mr. Greenlaw's intentions here, I think we have had some correspondence here back and forth during the course of the summer months from the gentleman, and I congratulate him on being very much interested in what the Legislative Council is doing and so forth. I guess my only concern with this order is that, first of all, the date, time and place of our council meetings are a matter of record. We meet on the third Wednesday of every month at 10:00 a.m. in the Legislative Council chamber. The agenda of those meetings is on file at the Legislative Research Office through Louise Giroux, our clerk, as well as all the minutes of the particular meetings.

I am going to ask for a division. And very independently, my point being, if you want us to spend the money and the time to prepare all this information and send it out to you each month, okay, fine, but if you don't, then I would like to have you vote against it and just request this information from us and we would certainly put anybody on the mailing list that wants to do it. I believe there are a lot of times when people may not want the information, and I would like to leave it on a voluntary basis.

The activities of the Council,

primarily, what we have tried to do—in fact, the statutes, state right now that we shall, at our discretion, report to the legislature and all the study orders that we submit to the different committees, we request from the committees a written report to us each month and especially that report is to contain the minutes of their particular meetings, including the attendance and any other pertinent information. When their reports are completely done, they are to submit a written report to us, and at that time, we will then determine whether the report should be put in a better form or reprinted such as it would be distributed around the country relative to the studies, as we are on a good reciprocal agreement with the other Legislative Councils in the country on studies.

Most of these studies have not been entirely completed yet. Therefore, the reports have not come before us. It doesn't matter whether we print them in mass quantities or not, they will be given to you at the time that they come out.

I put out one general mailing of a significant amount of work just prior to us coming in here, giving you a complete breakdown of what we had done to date that we felt that you should be interested in, and I think most of you who serve on committees know exactly what is being done there.

We also ride herd pretty well on our staff members and they have to submit to us a weekly work report relative to their activities, especially on the committees. Therefore, with all the correspondence or the reports that are part of the regular minutes of the Council, many times they run into fifteen, twenty or better pages. I think that is a pretty heavy workload for somebody to produce, and I just question whether we really want to go to all that type of work or whether we would rather leave it to you to have us report to you on a periodical basis or if you want the information, certainly we will give it to you, anyone that wishes it. We have some people in the press who have asked for it, and we have them on a mailing list now, so we would just as soon put anyone else on it.

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

Mr. GREENLAW: Mr. Speaker, Ladies and Gentlemen of the House: I would just take a minute of your time, if I may. I would like to thank the gentleman from Standish, Mr. Simpson, for his previous explanation. I certainly had some of my questions answered.

I would hope that I might clarify this just a bit. I don't think it is my intent or it is the intent of the order to have the Council send out to us verbatim a transcript of the minutes, just the basic decisions that would be made and just perhaps a brief explanation and the reasons for them.

I know that the Council has worked — and I have seen their actions — worked very hard towards legislative reform. It is my feeling that many of you in this body also share their concern, and I think if we might have a little more communication in terms of some of the decisions that the Council is faced with, we might have a little more legislative input and might be able to assist the Council with some of their work. This is why I introduced the order, and although I think some of the questions that the order directs have been answered, I would still ask that you support the order this morning.

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

Mr. MILLS: Mr. Speaker Ladies and Gentlemen of the House: I think that this House Order is one of the best things I have seen since I have been coming here to the legislature. This will, in fact, keep the legislative committee in touch with the different Representatives, and any question that arises in the area where a Representative has his district, with this report coming to him, he can answer those questions down there and take partly the burden off the legislative committee and it will also keep the Representative informed on what the action is up here.

The SPEAKER: The pending question is on the motion of the gentleman from Stonington, Mr. Greenlaw, that this House Order receive passage. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

60 having voted in the affirmative and 33 having voted in the negative, the

motion did prevail.

(Off Record Remarks)

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

Mr. TALBOT: Mr. Speaker and Members of the House: I have got sort of a cold. My party leader or my floor leader in this corner from Eagle Lake, Mr. Martin, has gotten up and down so much that I have caught a draft, and I have caught a cold, but I don't mind, if I am lucky enough to come back next session I am going to ask for a different seat. I am being corrupted something terrible over here between smoking cigars and listening to which way I should go I don't know as I should move, but there goes the neighborhood.

I would like to say that I was lucky enough to come up here just on my sheer knowledge and my experience and background, because I don't have any sheepskins or AD or MD's or BA's to hang up on the wall, all I have is my experience and I can't hang that on the wall. But I was lucky enough to come up here and to participate in this process and it is something that I will never forget in my life, neither will my wife and family.

I have tried to do what I could do for the people that I best represent, which is the people of Portland and the State of Maine. I know some of the things that like the gentleman from Skowhegan, Mr. Dam, like some of the things that I have said on the floor I really meant, and I ask no apologies. I think if I had to, and I don't want anybody to get out their handkerchiefs because I am going to sit down in a minute, but I think if I had to pick the two most effective people on this floor, I think they would have to be Larry Choate and Kirk Damborg. I would like to thank also The Speaker, and the women and girls who work in the offices, I would like to thank them for enriching my life somewhat, because the experience that I have had here is something that I will always cherish.

The SPEAKER: The Chair would like to thank the gentleman from Standish, Mr. Simpson and the gentleman from

Eagle Lake, Mr. Martin. They are two tremendous people, two dedicated Mainers, and I would like to thank them for their cooperation for the entire year and a quarter, so far, and we thank you. You have done a grand job.

(Off Record Remarks)

Mr. Bragdon of Perham was granted unanimous consent to address the House.

Mr. BRAGDON: Mr. Speaker and Members of the House: I assure you that this is not on a humorous matter. I did listen with a great deal of interest to the remarks of the gentleman from Livermore Falls, Mr. Lynch. If I understood him correctly, he was suggesting to leadership or someone else that there might be the possibility of making a savings with regard to printing the Record. I think I would like to submit that obviously I think it is imperative that a certain number of copies of the Record be printed. While I rarely look at the copy that I receive, it does seem to me that probably some members would definitely continue to desire copies of the complete Record in the bound form. Possibly I might have misunderstood Mr. Lynch, but I suggest that leadership look very carefully into this and do not restrict too greatly, if this is what he was suggesting. I would like to save all the money I can, but it seems to me this is an area in which I would question the wisdom.

The following paper from the Senate appearing on Supplement No. 2 was taken up out of order by unanimous consent:

**Report of Committee
Ought to Pass**

Committee on Judiciary on Bill "An Act to Ratify the Actions of the Trustees of the Cumberland County Recreation Center" (S. P. 970) (L. D. 2611) reporting pursuant to Joint Order (S. P. 967) that it "Ought to pass"

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

In the House, the Report was read.

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

Mr. PETERSON: Mr. Speaker and Members of the House: I am not opposing this particular piece of legislation which is a correction of technicality in the law, I am going to support it. But I would like to just insert a few brief remarks on the record in regards to the trustees of the Cumberland County Recreation Center. I think that in the future they should open up lines of communication with all legislators from Cumberland County, not only in the House but in the Senate. I think there has been a dismal lack of communication in the past with the local municipalities involved.

I personally favor this civic center, I voted for it, but my community was one of those that narrowly passed the civic center. There has been a terrific amount of consternation caused in my community by this thing, and I think it would all be resolved if these intelligent businessmen would just open up some public relations with the communities involved, and that is all that I would say.

Thereupon, the Report was accepted in concurrence, and the Bill read once. Under suspension of the rules, the Bill was read the second time, passed to be engrossed and sent to the Senate.

By unanimous consent, ordered sent forthwith.

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

Mr. TALBOT: Mr. Speaker and Members of the House: I will be very brief. I have been in hot water all session, and I am in hot water again. I mentioned that the two most effective people on this floor have been Kirk Damborg and Larry Choate and didn't mean to, but I left out another page that I think has also done a fine, fine job, and that is Mark Fenderson. I didn't mean to leave him out, because I think he, with the other two, has done a fine job and I wanted that put on the record.

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

Mr. SIMPSON: Mr. Speaker, Ladies and Gentlemen of the House: I would like to thank every single one of you who

stayed here last evening until eight o'clock. It put us into a position where we could definitely get out of here today. Quite frankly, about five o'clock I was considering about noontime Saturday, for the simple reason if we didn't get the bills through up to the point of engrossment so that they could be done overnight or early this morning, then we were in serious trouble. So for those of you that stayed, I really and sincerely appreciate it.

I was always told that this corner is the hot box, or in baseball language, third base. I only played third base a couple of times in my life, I never completely enjoyed it. I always consider this kind of the right-hand side of the aisle and more or less first base, and I would rather let the gentleman on the other side consider that the hot box and third base.

I think the thing of it is that this time I am going to call him by John, not the gentleman from Eagle Lake, although I agree with that term, but I would like to call him John because this is the thing about this body. I guess it is like any legislative body, it is a fraternity that people don't understand. I would like to especially address my remarks to the kids in the balcony.

You know one of the things, when we go out of here that we are the weakest in is the fact that we don't sell out ourselves. We sit and listen to the press and let the press cut us up. But, you know, we fail, I think, in many respects to go out and go to the schools and address ourselves to the young people in this country, especially in this state, and tell them just exactly what the legislative process is about and just exactly what it means to a democracy, because if they don't have that understanding, they too will grow up maybe with the same ideas that great big bad things happen in Augusta and that legislators are people that you won't want to particularly associate with.

I have been probably more critical of the press during this special session than any other time, and I guess all of us like to have good press relations. But we do, I think, very often fail to communicate with them too such that they understand the real basics of what is going on here and why we have to do certain things. I

think one of the things that they and maybe some of the other people don't realize is that just because John can stand in the other corner and I in this corner or any one of us on this floor and it can get pretty hot and heavy and brutal, that can understand it when we leave here that we are the best of friends and we respect that part of it and that is the fact that this is where differences of opinion have to exist, because it is those differences of opinions that make this democracy work. It would be an awful bad place to live in in this world if all of us agreed all the time.

I would like to publicly thank every single one of you. I would like to publicly thank all the staff and all the different clerks in the Clerk's Office and especially the Speaker for what I believe has been a very trying regular session and probably an even more trying special session.

There will be times when people will say, what did we accomplish. Well, within a very few days we will have a computer printout in your hand when you get home, which can be run off within hours after we leave here this afternoon, relative to the action of every single bill. This will replace the printing of the register. Sometimes it is not what we pass that counts, it is what we don't pass, and don't ever forget that, because there is nothing wrong with killing legislation. It is not always right just to pass legislation, because many times we pass it and we come back and do something different.

I think that there are a lot of people who are retiring and I congratulate them. I know that this is a body that they hate to leave. It is something, I guess, that gets in your blood and you are going to feel sorry afterwards that maybe you didn't run again. For those of you who run that are successful, I personally will be glad to see you all back here again in the 107th. For those of you who don't make it, there are going to be some that I will feel sorry for, others I won't quite frankly. Just so the gentleman from Eagle Lake doesn't get too far gone, I am looking forward to coming back here and seeing him in seat number 22, and I am sure that will become a reality. Maybe for a change the Republicans can come

in here and will control the House and the Senate and will also have a governor that will take and back us up and maybe we can start doing a few things that we would like to have done for a long time that we haven't been able to do the last eight years. Thank you very much, ladies and gentlemen. I have certainly enjoyed it and am looking forward to another session myself.

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

MR. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I thank the gentleman from Standish for his kind remarks about me and then his not so kind remarks about some other people at the end.

I was really thinking that we were going to come back to a Democratic House and a Democratic Senate and a Democratic Governor next time, so I was kind of shocked to hear his comments. That is the prediction, anyway, from this corner, and of course we are going to make predictions now from this time until November, until the election, and at that point we are going to have to live with whomever is elected in this body and in the other body as well and the so-called corner office, which is now on the second floor.

I do think though that gentleman has made excellent points in terms of what we attempted to do and what we tried to do, and even though the press at times gives us a hard time, I don't consider that all that bad because it does make us think. It does make us react at times, and I think when we do that, it gives us an opportunity to give it a second look. Even though we really get upset when it takes place, I think it is something we have to expect.

One point that I would just like to point out to you in terms of what has happened. The few people that are leaving this body to either run for the other body or are retiring, those few legislators will have devoted their time 84 years of public service, 84 years of public service to the State of Maine in the legislature in this body. That is a real high amount. I would point out that a good portion of that has been devoted by

one person, the gentlelady from Portland, Mrs. Kilroy, who has given of her time 18 years to this body and is now a candidate for the other body. I think of the other people that are running for the other office or retiring, that of course is the highest. As a matter of fact, it is a good percentage of the total of 84 years, and I think the gentlelady really deserves our thanks for having come here where there were very few Democrats, and now she herself inundated with us young things, so I think she deserves a real hand of applause. (Applause, the members rising)

Mrs. Kilroy of Portland was granted unanimous consent to address the House.

Mrs. KILLROY: Mr. Speaker and Members of the House: I was the first Democrat to come from Cumberland County in 1935. I have been a member of this House for 18 years. I would like to try and be a member of the Senate for the next two years. I am not going to try, I am going to win. I hope that when I go over there that I will be able to help all my buddies, both Democrats and Republicans. I am a Democrat, but the State of Maine and the City of Portland come first to me.

(Off Record Remarks)

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

MR. LaCHARITE: Mr. Speaker, Ladies and Gentlemen of the House: As a freshman legislator and one who won't be coming back to this body, at least this body, I hope to be coming back anyway, but I would like to say that working with everyone here has been a tremendous pleasure and a great experience, and I wish to thank especially the Clerk of the House, Mrs. Lincoln, for helping me out at times on parliamentary procedures and also to thank the Speaker of the House and the leaders from both ends and just everyone. It has been a great experience, and I hope it is a lasting friendship with everybody.

(Off Record Remarks)

Mr. Bragdon of Perham was granted unanimous consent to address the House.

Mr. BRAGDON: Mr. Speaker, Ladies and Gentlemen of the House: Obviously, I did misunderstand the gentleman from Livermore Falls, Mr. Lynch. I didn't get all of his previous remarks and, as usual, he and I are in complete agreement. I thought he was suggesting some way economize on the printing of the Record. However, obviously that was not his intent, and I do agree in remarks with regard to us attempting to discipline ourselves a little bit in regard to the amount of debate we have to put in on many of these bills. I feel we could perhaps very judiciously do this.

On motion of Mr. Simpson of Standish,
Recessed until the sounding of the gong.

**After Recess
11:00 A.M.**

The House was called to order by the Speaker.

The following paper from the Senate appearing on Supplement No. 3 was taken up out of order by unanimous consent:

**Non-Concurrent Matter
Later Today Assigned**

Bill "An Act Authorizing a Study of Maine's Forest Resources and of Opportunities for their Better Utilization" (H. P. 2026) (L. D. 2567) which was enacted in the House on March 18.

Came from the Senate with the Bill indefinitely postponed in non-concurrence.

In the House:

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: There is some confusion in the other body as to whether or not there was enough money for this, basically, is what we have in front of us now. I think we have worked it out so that there won't be any problems. Certainly there is no way that we intend to leave the State in a situation where we have no funds, but I think we are all set

and I would now move that we insist.

Thereupon, on motion of Mr. Simpson of Standish, tabled pending the motion of Mr. Martin of Eagle Lake to insist and later today assigned.

(Off Record Remarks)

The following Enactors appearing on Supplement No. 4 were taken up out of order by unanimous consent:

**Passed to Be Enacted
Emergency Measure**

An Act Relating to Supplemental Security Income (H. P. 2084) (L. D. 2608) (H. "C" H-833)

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. 104 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.

(Off Record Remarks)

Passed to Be Enacted

An Act to Ratify the Actions of the Trustees of the Cumberland County Recreation Center. (S. P. 970) (L. D. 2611)

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

By unanimous consent, the foregoing two Enactors were ordered sent forthwith to the Senate.

Order Out of Order

Mrs. White of Guilford presented the following Joint Order and moved its passage:

WHEREAS, special tribute is in order upon retirement of the Honorable Ethel B. Baker of Orrington, a distinguished and highly respected member of the House of Representatives; and

WHEREAS, Mrs. Baker has applied herself to the responsibilities of public office with tireless determination through most of her adult life, including 21 years as Town Clerk of Orrington, and over 14 years in the Legislature; and

WHEREAS, by her long and dedicated public service, which is highlighted by her chairmanship of the Legal Affairs Committee and membership on the Legislative Research and Judiciary Committees, she has contributed immeasurably to the constructive progress of the State of Maine; and

WHEREAS, she was a devoted wife until the death of her fine husband and is a wonderful mother and grandmother who still remains active in many worthy charitable, religious and community causes and above all, she is a lady of great love and compassion for her fellow man; now, therefore, be it

ORDERED, the Senate concurring, that We, the Members of the Senate and House of Representatives, now assembled in this first special session of the 106th Legislature, pause to extend to our friend and colleague, the Honorable Ethel B. Baker, our sincere thanks for her many years of fine service in the Maine Legislature, and extend every best wish for enjoyable travels in the years to come; and be it further

ORDERED, that a suitable copy of this Order be prepared and presented to Representative Baker as an expression of lasting tribute from the Members of the Legislature of the State of Maine. (H. P. 2102)

(Applause, the members rising)

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

(Off Record Remarks)

On motion of Mr. Birt of East Millinocket,

Recessed until the sounding of the gong.

After Recess

11:45 A.M.

The House was called to order by the Speaker.

The following paper from the Senate appearing on Supplement No. 5 was taken up out of order by unanimous consent:

Non-Concurrent Matter

Bill "An Act Changing the Membership of the Legislative Ethics

Committee" (H. P. 2069) (L. D. 2599) which was enacted in the House on March 29.

Came from the Senate with the Bill indefinitely postponed in non-concurrence.

In the House: On the motion of Mr. Simpson of Standish, the House voted to recede and concur.

The following paper from the Senate appearing on Supplement No. 6 was taken up out of order by unanimous consent:

Non-Concurrent Matter

Joint Order: (H. P. 2098) Relative to Legislative Council conduct and supervise Study of the "design build" concept which was read and passed in the House on March 29.

Comes from the Senate read and passed as amended by Senate Amendment "A" (S-453) in non-concurrence.

In the House: On motion of Mr. Simpson of Standish, the House voted to recede and concur.

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

Bill "An Act Authorizing a Study of Maine's Forest Resources and of Opportunities for their Better Utilization" (H. P. 2026) (L. D. 2567) which was enacted in the House on March 18.

Pending — Motion of Mr. Martin of Eagle Lake that the House insist.

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

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

The SPEAKER: The gentleman from Standish, Mr. Simpson, moves the House recede and concur.

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

Mr. MARTIN: Mr. Speaker, I request a division. I think I explained what happened earlier, and I would ask you to vote against the pending motion.

The SPEAKER: The pending question is on the motion of the gentleman from Standish, Mr. Simpson, that the House recede and concur with the Senate. All in

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

A vote of the House was taken.

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

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

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

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

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: The bill that you are presently considering is the study of the forest products industry which I sponsored and which came out of the Natural Resources Committee with a 12 to 1 "ought not to pass" report. I hope today, knowing the need, as it was explained in previous debate on the floor of this House, knowing that many segments of the forest products industry, excluding the paper companies, have asked for this report in addition to a number of groups throughout the State, throughout the country, knowing the need for this report in terms of the many individuals that appeared at the public hearing from all over the State of Maine in support of this thing. I hope you will keep this alive and send it back to the Senate. I can assure you that this work can be done. It is much needed, and I hope that you will keep it alive.

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

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: I would explain that actually all those on the committee were in favor of the study. I was the only one who signed the minority report, but it was because I wanted the study to go further than what this bill did, so actually everyone on the committee did want a study. It is almost essential study. Everyone who testified before our committee, with the exception of the paper industry, wanted this study. I think we should not let the paper industry kill this. The rest of the forest

products industry people want it, it is needed, and I urge you to go along with the bill.

The SPEAKER: The Chair recognizes the gentleman from Nobleboro, Mr. Palmer.

Mr. PALMER: Mr. Speaker, Ladies and Gentlemen of the House. Just for a big surprise on closing day, I would like to go on record on one roll call as being on the same side as the Smith boys, also to alleviate some feelings that the paper boys and I sleep together all the time, which I am sure we do not.

This order did receive a great deal of consideration from the Committee on Natural Resources. The original order I opposed. A great deal of time was spent on a redraft. I believe it is good, it is needed, and most all of the forest products people who appeared before the committee that day wanted this. I think it would be a great benefit to the people of the State of Maine, and I am certainly happy to join the Smith brothers this morning in the passage of this very vital, needed piece of legislation.

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

Mr. DUDLEY: Mr. Speaker, Ladies and Gentlemen of the House: I arise with one small question. How do they propose to finance this and when?

The SPEAKER: Mr. Dudley of Enfield poses a question through the Chair to anyone who may answer if he or she wishes.

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

Mr. SIMPSON: Mr. Speaker, Ladies and Gentlemen of the House: That is a very good question and that is just exactly the reason for the motion to recede and concur.

I would like to correct one statement that Mr. Smith made. This is a fact that this is one time when he is totally erroneous, and that is that the paper companies are very much in favor of this particular piece of legislation, as I think a lot of us are. We have got \$7,000 left in the kitty to take and come up with \$50,000 to pay for this. The money is not there, it is a measure that is off the Appropriations Table. Sometimes I guess all of us realize that we have to

reluctantly recede and concur on money issues and this happens to be one of them. I can guarantee you that the money is not around to fund it.

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I would like to first answer the question posed by the gentleman from Enfield, Mr. Dudley. This bill carries with it a \$50,000 appropriation. The rest of the money would come from the industry or from other individuals and grants that would go to into the implementation of the study. There is a great deal of interest, a great deal of feeling that this is the way to take a look as to what we can do with Maine's chief product, wood and fiber, and what do we do with it once we have it and an attempt is to be made to find out whether or not we can use more of that in the second manufacturing process rather than that going out-of-state. This type of thing is what is intended. The rest of the money would come from grants and donations from a number of groups that have already indicated that they would support this particular structure of a system to do that study.

In reference to money, the gentleman from Standish referred to how much money we have left. About 10:30 or so, the figures that he gave you were accurate. The figure that I just heard coming in here is now \$16,000 as a solid figure. We now have, as I understand it, a few more thousand laying around, but I will be even more specific than that. I have a commitment from the Governor that the money is available, because all we have to do to take care of it in order to make sure that the books balance is not to go into one program, and I would be more happy, off the Floor, to divulge what that is, to simply delay implementation and what would then transpire, of course, is that the money would then lapse and there would be no problem and the monies would, in fact, be available. I think this is so important an issue, I went down and discussed it with the Governor and he feels and agrees with this, that it is so important an issue that it is important that we enact it if we can find the money at all

available for us. That is why I would ask you to vote no on the motion to recede and concur.

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

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: Section 5 of the bill allows the commission which is going to be established here to do this study to accept contributions from the federal government from foundations and other charitable institutions. We have known all along that this is going to have to be a fairly considerable fund drive to fund this anyway, and we will just go as far as we can and then the rest of the money will have to be found from charitable and foundation sources. I hope that with this explanation under Section 6 of the bill, that you will pass this to be enacted today.

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

Mr. LYNCH: Mr. Speaker, Ladies and Gentlemen of the House: I support the order but I would like to point out that there is one very important ingredient missing, and that is the forest practices act. We are now cutting more wood in the State of Maine than is being grown, and in order to make a successful study and make better use of our forest resources, we are going to have to adopt, and adopt very soon, a forests practices act.

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

Mr. ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: There has been some discussion this morning as to the position of the paper companies in vis-a-vis this bill. It is true that when the original bill came before the committee, there was some opposition from the paper companies. However, following that, myself and the gentleman from Harmony, Mr. Herrick, worked on a redraft of the bill, and the initial paper that we worked from, the initial draft or redraft, was from Mr. Perkins, who is a lobbyist for one of the large paper companies. So this was the redrafted bill. I think it fits in with the feelings of the paper companies, and I don't really believe that they oppose this study.

The SPEAKER: The Chair recognizes

the gentleman from East Millinocket, Mr. Birt.

Mr. BIRT: Mr. Speaker, Ladies and Gentlemen of the House: I think this bill actually came out of an order that I introduced last year in the regular session. I don't know that there is opposition to it from any of the large timber owners. In fact, my understanding is that most of them support it. I am bothered by the simple fact that this legislature is required to go out with a fully funded program.

At the present time, the information I have from the Chairman of the Appropriations Committee, there is \$7,000 left. There is on this bill an appropriation of \$50,000. If we are going to find money from other places to fund this, this may be done, but that appropriation, in my opinion, has got to be taken off the bill, or we have got to find another \$43,000 before this bill can pass. If we don't do that, then it appears that something else is going to have to be cut back in order to find this money, and I guess probably, if I were going to ask one question, it is from a legislative standpoint and the legislative program that we are enacting, I would ask the gentleman from Eagle Lake, Mr. Martin, what programs are going to be eliminated to make up the \$43,000?

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: As I have already indicated, the figure, according to Legislative Finance Office, is now \$16,000. They were originally wrong in the figure, so it is \$16,000 and not the \$7,000, unless that has changed since I just walked on the floor. The rest of it can be acquired very simply, because what we would do, and this is true all the time, the lapsed balances will take care of it and we will, in fact, have a balanced budget.

The SPEAKER: The Chair recognizes the gentleman from East Millinocket, Mr. Birt.

Mr. BIRT: Mr. Speaker, Ladies and Gentlemen of the House: To my knowledge, I have never known of this action to be taken. If the present balance is \$16,000, there is still \$34,000

unaccounted for. I am fully aware that the last balances the 30th of June and would take care of funding it, but we have never gone into projecting the use of the lapsed balances, at least to my knowledge, in funding bills. When we leave here, we have to be accountable fully dollarwise for the amount of legislation we have passed.

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

Mr. BRAGDON: Mr. Speaker, Ladies and Gentlemen of the House: Naturally, I am interested in this bill, the study. I think perhaps I am ignorant of some of the — what we are really proposing here, I am hopeful that either one of the Smith brothers or the gentleman from Eagle Lake, Mr. Martin, will put me straight. I might assume, I think in the beginning we have talked about of maybe finding new markets and things like that for forest products, and obviously this is one of the things. I assume there are many others. I think I would have to assume, probably the forest industry people who are presently operating it are true businessmen and they are probably doing a very, very extensive study in regard to new products that can be made out of the forest and so forth. Of course, if it involves such things as good cutting practices, naturally I am not against that either. I guess I would like, if I might have that few minutes, to have you give me a little more explanation, if you would, and I would suggest that the gentleman from Dover-Foxcroft might be willing to furnish me with it.

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

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

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: This bill has several things that have been written into it. All of them have been subjects that have from time to time been raised on the floor of this House and in other areas of the State of Maine as something that needs study. For instance, the bill would call for a reevaluation and analysis of the tree growth tracts and how that could be improved. There is a

part of this that would deal with the bonded labor program and future needs of the labor force and the forest products industry in the State of Maine in regard to labor. There are also provisions in here for marketing and other aspects of the forest products industry. I am just trying to read down through quickly, here some of the things in that first paragraph.

Also, they would be studying whether or not incentive programs in the forest products industry would be necessary or desirable. I think, basically, it is that four or five areas and there is also a rather broad charge in here to study other things as they come up.

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

Mr. DONAGHY: Mr. Speaker, Ladies and Gentlemen of the House: I am sure that some of you folks are aware that the Department of Commerce, back when it was the DED and long afterwards, did a great deal of studying along this line and part of it was called Project Woodchip. They had economists and the determination of where the most money would come from and how wood could best be utilized here in Maine to help both the industry and the laborers in the industry. On top of this, I would like — I wonder where Mr. Lynch got the idea that we were overcutting the wood in the State of Maine. I am quite sure that there is only one species that is being overcut. Some of it is being undercut from the last figures I saw from the industry. I am sure that we do have a very dynamic forest products industry in the State of Maine, including the paper companies, who by the very nature of their way of operating are trying to make a profit, and believe me, part of this making profits is the good forest practices. I don't think a bureaucracy setting up a study is necessarily going to help anything, and I don't think it is anything we need to go into deficit financing for. I think if the industry wanted this, they would have come and asked for it rather than us trying to force it down their throats.

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

Mr. SMITH: Mr. Speaker, Ladies and

Gentlemen of the House: In answer to the gentleman from Perham, some of the problems that this study can address itself to is the fact that although we do employ some 12,000 in the woods products industry in this State, we are still shipping out over 40 per cent of our saw logs to be processed somewhere else. If we could discover a market program or a marketing program, an industrial development program which would allow us to increase our long processing facilities in the State of Maine, we could slow down this rate of export of our saw logs and add another up to 10,000 jobs in the State of Maine. This is a big problem.

Another thing this study is going to look at is a bonded labor program. Although generally this program may be working all right, we definitely know there are areas in the State of Maine, especially in northern Maine, where American workers are being replaced by Canadian workers. This study is going to look into that area. These are just some of the areas that the study can get into. It will, I am sure, pay back more to the state more than the study costs, because it can, if we solve some of the problems that it addresses itself to, it can create jobs and employment here in the State of Maine. I urge you to pass it.

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

Mr. PETERSON: Mr. Speaker, Ladies and Gentlemen of the House: This hearing was held before my committee, and you say, what do I know about the paper industry or Aroostook County area where most of the logging industry occurs in this state. I would like to give a brief rundown of the people who were there as proponents of this bill. The Attorney General's Office endorses the legislation heartily and hoped that it would pass in its original form, because it would have investigated the commercial practices of the logging industry, but that has been somewhat watered down.

A gentleman from the other body, Senator Cyr, endorsed the study, Ray MacDonald, President of the Maine Forest Products Council, favored the study and it was an executive committee

endorsement. William Butler, Selectman and logger, — let me touch on one thing here that I don't think has been covered. This is a highly emotional tax issue in that end of the state. There was a number of loggers there. There was a lot of tension at this hearing, and these people questioned the credibility of the state government. I think they would hope that from this study, if we can just, somehow finance this study, I think it would go a long ways towards easing the tensions between the loggers and the bonded labor program and the corporations up there.

Really, the credibility thing is an important question. John Sinclair from Seven Islands Land Company said he supported the study, even in its original form. He said that his company might wish to contribute monies to this study if it was not a witch hunt, and the bill has been rewritten so that it will not be a witch hunt. It was specifically asked of Mr. Sinclair if we were cutting more than we were growing and he said, "Not sure generally, but they weren't on their lands." Of course, John Martin was there speaking for the people of the Allagash area and they were wondering whether there were any competitive practices that this study might touch on. So I think there was only one opponent, Mr. Maurice Wing, who was opposed because, I think, of the subpoena powers in the original draft, which have been taken away. I think we would be in favor of this legislation now. Actually, we have unanimous committee report and we had everybody at the hearing representing the largest land interests in the state supporting this legislation, and I would hope that we could fund this piece of legislation.

Mr. Ault of Wayne 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 question, 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.

A roll call has been ordered.

The pending question is on the motion of the gentleman from Standish, Mr. Simpson, that the House recede and concur. All in favor of that motion will vote yes; those opposed will vot no.

ROLL CALL

YEA — Ault, Berry, G. W.; Birt, Bither, Bragdon, Brawn, Cameron, Chick, Churchill, Conley, Dam, Davis, Donaghy, Dudley, Dunn, Emery, D.F.; Evans, Farrington, Faucher, Ferris, Finemore, Flynn, Fraser, Garsoe, Hamblen, Hancock, Hunter, Jacques, Jalbert, Kauffman, Kelley, Kelley, R.P.; Knight, Lewis, E.; Lewis, J.; MacLeod, McCormick, McKernan, McMahon, McNally, Morton, Rollins, Shaw, Shute, Simpson, L.E.; Snowe, Sproul, Stillings, Susi, Trask, Walker, White, Willard, Wood, M.E.; The Speaker.

NAY — Albert, Berry, P.P.; Berube, Binnette, Boudreau, Brown, Bustin, Carrier, Carter, Chonko, Clark, Connolly, Cooney, Cottrell, Crommett, Curan, Curtis, T.S., Jr.; Deshaies, Dow, Drigotas, Dunleavy, Dyar, Farnham, Gahagan, Gauthier, Genest, Goodwin, H.; Goodwin, K.; Greenlaw, Herrick, Hobbins, Huber, Jackson, Kelleher, Keyte, Kilroy, LaCharite, LaPointe, Lawry, LeBlanc, Lynch, Maddox, Mahany, Martin, Maxwell, McHenry, Merrill, Mills, Mulkern, Murchison, Murray, Najarian, Norris, O'Brien, Palmer, Peterson, Pontbriand, Ricker, Rolde, Smith, D.M.; Smith, S.; Strout, Talbot, Tanguay, Theriault, Tierney, Tyndale, Wheeler, Whitzell.

ABSENT — Baker, Briggs, Bunker, Carey, Cote, Cressey, Farley, Fecteau, Good, Hoffses, Immonen, Littlefield, McTeague, Morin, L.; Morin, V.; Parks, Perkins, Pratt, Ross, Santoro, Sheltra, Silverman, Soulas, Trumbull, Webber.

Yes, 55; No, 70; Absent, 25.

The SPEAKER: Fifty-five having voted in the affirmative and seventy in

the negative, with twenty-five being absent, the motion does not prevail.

Thereupon, on motion of Mr. Martin of Eagle Lake, the House voted to insist.

Orders Out of Order Joint Order

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

WHEREAS, the operation and organization of the Bureau of Social Welfare within the Department of Health and Welfare affects all taxpayers and thousands of citizens who need help available through the bureau; and

WHEREAS, the proper organization and conduct of the Bureau of Social Welfare requires assurance that principles of public administration and human services are followed in management of the bureau; and

WHEREAS, the bureau annually expends in excess of \$61,100,000 and has 984 employees out of the department's annual expenditures of over \$120,000,000 and 1482 employees; and

WHEREAS, the bureau offers a wide variety of income supplementation programs including aid to families with dependent children, general relief, food stamps, state supplemental income for blind, disabled and elderly people; and social services including foster care, adoption, day care and other child welfare services; protective services for adults, education counseling and referral, employment services and transportation services; and

WHEREAS, these activities affect the lives and quality of living of all Maine people and organizations including the public at large, recipients of income supplementation and private social agencies; now, therefore, be it

ORDERED, the Senate concurring, that the Legislative Council shall authorize a study and present its findings and recommendations to the regular session of the 107th Legislature relating to the organization and administration of activities now conducted by the Bureau of Social Welfare within the Department of Health and Welfare; and be it further

ORDERED, that the study shall be conducted with the advice of

representatives from citizen groups related to human services including representatives of private social agencies; and be it further

ORDERED, that the Department of Health and Welfare is respectfully directed to cooperate with the Legislative Council and to provide such technical and other assistance as the council deems necessary to carry out the purposes of this Order, including, but not limited to, personnel and staff as part of their regular employment and the study of any subject or matter relevant or germane to the subject or helpful to the council in carrying out this Order, shall be deemed within the scope of said study hereunder; and be it further

ORDERED, that upon final passage, a copy of this Order be transmitted forthwith to the Department of Health and Welfare as notice of this directive. (H. P. 2103)

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

Mrs. McCormick of Union presented the following Joint Order and moved its passage:

WHEREAS, the year 1974 marks the 200th birthday of the Town of Union; and

WHEREAS, contributions by its inhabitants over these 200 years have contributed greatly to the historical greatness of the State of Maine; and

WHEREAS, the residents of Union have planned a gala occasion to celebrate its 200th birthday; and

WHEREAS, a committee has been appointed by the town to promote such a celebrated occasion; and

WHEREAS, the history of the town is being written, "200 years in Union," special events planned starting July 19th, which are but a few of the highlights of this celebration; now, therefore, be it

ORDERED, the Senate concurring, that the Members of the 106th Legislature recognize and congratulate the inhabitants of Union for the prominent place they occupy in history of this great State and wish them well on the celebration of their 200th anniversary of their birthday; and be it further

ORDERED, that a copy of this Order

be forwarded to the office of the selectmen of Union and the Bicentennial Committee of the Town of Union. (H. P. 2104)

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

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

Order Out of Order

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

ORDERED, the Senate concurring, that it is the intent of the Legislature that the Maine Port Authority, if possible, include in any contract, document or legal commitment required for the construction or operation of oil refinery facilities, a provision requiring the distribution and sale of its products which recognizes the need of Maine people for a guaranteed share of the refinery's production. (H. P. 2097)

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

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

Mr. MULKERN: Mr. Speaker and Members of the House: The order is very brief. We had an order that came into the House very similar to this a few days ago and it was properly definitely postponed because there was a problem with the language.

This order pertains to the Maine Port Authority, and I will read the order because it is very brief. It says, "The Senate concurring, that it is the intent of the Legislature that the Maine Port Authority, if possible, include in any contract, document or legal commitment required for the construction or operation of oil refinery facilities a provision requiring the distribution of sale of its products which recognizes the need of Maine people for a guaranteed share of the refinery's production."

Now, I understand some of the objections that might be made to this order. I checked down in the Attorney

General's Office, and they told me that there may be some question of federal law involving interference of the Port Authority interstate commerce. However, this has not been definitely resolved. We currently have a law on the books about gasoline allocations, and we may get involved in this, but all this order does is to direct the Maine Port Authority to investigate this possibility, and if they could do it legally, that they would do ahead and recognize this. I think this is a concern of people of the State of Maine. If we are going to have a refinery in Maine we want to benefit from it, and I wish the House would pass this order and show that the legislature intends this to be the case.

Thereupon, the Order received passage and was sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

On motion of Mr. Birt of East Millinocket,

Recessed until one forty-five in the afternoon.

After Recess

1:45 P.M.

The House was called to order by the Speaker.

Orders Out of Order

Mr. Stillings of Berwick presented the following Joint Order and moved its passage.

WHEREAS: on February 3, 1972, the 105th Legislature established the Maine Management and Cost Survey and authorized it to study and analyze State Government; and

WHEREAS, a team of 42 executives from the Maine business community served over a period of 12 weeks in the conduct of the study; and

WHEREAS, after donations of over \$180,000 and more than 22,000 manhours from private sources, a comprehensive report recommending 807 changes in State Government functions was produced; and

WHEREAS, the Maine Management and Cost Survey has done its work conscientiously and demonstrated an unprecedented example of cooperation

between public and private interests; and

WHEREAS, this important work will be continued by the Legislative Council as authorized by House Paper 2068; and

WHEREAS, the Legislature will continue to review the recommendations of the Maine Management and Cost Survey for further implementation; now, therefore, be it

ORDERED, the Senate concurring, that We, the Members of the Senate and House of Representatives of the 106th Legislature, take this opportunity while assembled in special session to commend the chairman and the several members of the Maine Management and Cost Survey Commission and its study teams for the conscientious and diligent effort with which they have fulfilled their responsibilities, and to express our thanks for the valuable aid and contributions so generously provided by them and the interests they represent; and be it further

ORDERED, that suitable copies of this Order be prepared and presented to each commission and study team member with this expression of gratitude and hope that this will be the beginning of a working partnership of lasting consequences which will serve as a valuable guide to the Legislature in its efforts to maintain an efficient, economical and productive governmental process for the State of Maine. (H. P. 2106)

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

Mr. Susi of Pittsfield presented the following Joint Order and moved its passage:

WHEREAS, present statutory provisions authorize municipalities to retain all or a portion of the State tax levy to offset local appropriations; and

WHEREAS, the proceeds of the State tax levy which are to be so retained exceed in some instances the amount of local appropriations; and

WHEREAS, existing legislation makes no provisions for the manner in which such excess proceeds of the state tax levy are to be handled; now, therefore, be it

ORDERED, the Senate concurring, that the Legislative Council be authorized and directed to study the manner in which the State tax in municipalities is handled under the Revised Statutes, Title 36, sections 451, 452 and 453 to determine how such excess proceeds of the state tax levy should be treated; and be it further

ORDERED, that the Bureau of Taxation and of Property Taxation be directed to provide the council with such technical information and other assistance as the Council deems necessary or desirable to carry out the purposes of this Order; and be it further

ORDERED, that the Council report its findings and recommendations to the next regular session of the Legislature. (H. P. 2105)

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

By unanimous consent, the two foregoing Joint Orders were ordered sent forthwith to the Senate.

The following matters appearing on Supplement No. 7 were taken up out of order by unanimous consent:

Passed to Be Enacted

An Act Exempting Machinery and Equipment Used for Manufacturing from Sales and Use Tax (S. P. 746) (L. D. 2158) (H. "B" H-834)

An Act Relating to Income from the Public Reserved Lands (H. P. 1739) (L. D. 2185) (H. "A" H-832 thereto)

An Act Creating the Post-secondary Education Commission of Maine (H. P. 2075) (L. D. 2601) (H. "A" H-835)

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

By unanimous consent, were ordered sent forthwith.

Messages and Documents

The Senate of Maine

Augusta

March 29, 1974

Hon. E. Louise Lincoln
Clerk of the House
First Special Session
106th Legislature

Dear Madam Clerk:

The Senate voted to Adhere to its action whereby it Indefinitely Postponed, Bill, "An Act Authorizing a Study of Maine's Forest Resources and of Opportunities for their Better Utilization," (H. P. 2026) (L. D. 2567).

Respectfully

(Signed)

HARRY N. STARBRANCH

Secretary of the Senate

The Communication was read and ordered placed on file.

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

Mr. CONNOLLY: Mr. Speaker, I present a House Order out of order.

The SPEAKER: The gentleman from Portland, Mr. Connolly, presents an Order out of order. Is there objection?

The Chair hears objection. The Chair would state that in order to suspend the rules it requires a two-thirds vote. The Chair will order a vote. All in favor of the rules being suspended for the purpose of presenting an order out of order will vote yes; those opposed will vote no.

A vote of the House was taken.

Thereupon, Mr. Connolly of Portland 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 Portland, Mr. Connolly, that the rules be suspended for the purpose of introducing an Order out of order. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Ault, Boudreau, Bustin, Carey, Clark, Connolly, Cooney, Cottrell, Dow, Dunleavy, Goodwin, K.; Greenlaw, Hobbins, Kelleher, LaCharite, LaPointe, Martin, Maxwell, McKernan, Morton, Mulkern, Murray, Najarian, O'Brien, Peterson, Rolde,

Smith, D. M.; Smith, S.; Talbot, Wheeler, Whitzell.

NAY — Albert, Berry, G. W.; Berry, P. P.; Berube, Binnette, Birt, Bragdon, Brawn, Brown, Bunker, Cameron, Carrier, Carter, Chick, Churchill, Curran, Curtis, T. S., Jr.; Dam, Davis, Drigotas, Dudley, Dunn, Dyar, Farnham, Farrington, Faucher, Ferris, Finemore, Flynn, Fraser, Gahagan, Gauthier, Genest, Goodwin, H.; Hamblen, Hancock, Herrick, Huber, Hunter, Jackson, Kauffman, Kelley, Kelley, R. P.; Kilroy, Knight, Lawry, Lewis, E.; Lynch, MacLeod, Maddox, Mahany, McCormick, McHenry, McMahon, Mills, Morin, L.; Norris, Palmer, Pontbriand, Rollins, Ross, Shaw, Shute, Simpson, L. E.; Snowe, Sproul, Stillings, Strout, Susi, Theriault, Trask, Twitchell, Walker, Willard, Wood, M. E.: The Speaker.

ABSENT — Baker, Bither, Briggs, Chonko, Conley, Cote, Cressey, Crommett, Deshaies, Donaghy, Emery, D.F.; Evans, Farley, Fecteau, Garsoe, Good, Hoffses, Immonen, Jacques, Jalbert, Keyte, LeBlanc, Lewis, J.; Littlefield, McNally, McTeague, Merrill, Morin, V.; Murchison, Parks, Perkins, Pratt, Ricker, Santoro, Sheltra, Silverman, Soulas, Tanguay, Tierney, Trumbull, Tyndale, Webber, White.

Yes, 31; No, 76; Absent, 43.

The SPEAKER: Thrity-one having voted in the affirmative and seventy-six in the negative, with forty-three being absent, the motion does not prevail.

The following Enactor appearing on Supplement No. 8 was taken up out of order by unanimous consent:

Passed to Be Enacted Emergency Measure

An Act Relating to Consent to or Surrender and Release for Adoption (H. P. 2051) (L. D. 2585) (H. "B" H-837)

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

By unanimous consent, ordered sent forthwith.

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

Mr. TALBOT: Mr. Speaker and Members of the House: Just a couple of points of information that I would like to give out to the House. I won't take up too much of your time, but when the gentleman from Portland Mr. Connolly presented his order, I have never seen so many people move so fast in all my life, probably without even knowing what the order was all about. I won't talk on the order, because evidently that has been settled. It says here under item 2 in the Preamble of National Affairs Amnesty; immediately after we have withdrawn from Southeast Asia and after the return of our prisoners of war we will"

The SPEAKER: For what purpose does the gentleman arise?

Mr. DYAR: Personal privilege.

The SPEAKER: The gentleman may make his point.

Mr. DYAR: I have many constituents or parents who have lost sons in the Viet Nam war, and I don't feel that this is pertinent to this body.

The SPEAKER: The Chair would inform the House that the gentleman from Portland, Mr. Talbot, has received unanimous consent to address the House on the record and the gentleman may proceed, as long as he doesn't become personal with the members of the legislature. He has received that permission.

The gentleman from Portland, Mr. Talbot, may continue.

Mr. TALBOT: Thank you, Mr. Speaker. I will start again. It says 'Amnesty—immediately after we have withdrawn from Southeast Asia, and after the return of our prisoners of war, we will consider amnesty for those who refuse to fight.' I got that out of the Democratic Platform of this year. We stood for that in the Democratic Platform.

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

Mr. CONNOLLY: Mr., Speaker, Ladies and Gentlemen of the House: I

don't really know where to begin. I guess this has been the hardest thing for me to do in the year and a half that I have been here, or the year and a quarter that I have been here in the legislature.

I had an order that I really wanted to introduce, and I really thought that the members of this body would allow me to introduce an order. I realized that when I put the order before the House, if there were ever a vote taken on its adoption or rejection, it would never pass. I know that: I did not intend to ask for a roll call. I didn't want to make it a political kind of discussion, but I feel in my heart and I feel it really deeply that the whole question of amnesty has to begin to be discussed the public and forums like this and in other forms, because I think some form of amnesty is going to occur within the next few years. The kind of amnesty that results is only going to happen after the feeling of the people in this country has been expressed.

When this order was drawn up yesterday, a number of people in this body came to me and spoke to me about it and shared their feelings about the war and about the question of amnesty. I understand how most of the people here feel, and I think they indeed represent most of the people from the cities and towns that they come from. I think it is important that the people who now, at least, vehemently oppose amnesty, or at least vehemently oppose unconditional amnesty, would allow me the opportunity to speak and listen to what I have to say. So, I want to talk about amnesty for a few minutes. The way I understand things is that we have another bill or two that are still coming over from the Kennebec Journal, so we have a little bit of time. It is not my intention to prolong the debate.

It has been estimated that there are at least 500,000 and possibly as many as two million young American men and women who in some form or other, because of a type of resistance to the war in Viet Nam are now in need of amnesty. To break this figure down, it includes approximately 70,000 people who refused induction into the Armed Services. Some of those people went to court and consequently went to jail and are either still in jail or are out but have a criminal record for failing to go into the Armed

Services. This 70,000 figure also includes people who in refusing the draft have gone underground in this country or who have fled to Canada or fled to other countries so they wouldn't have to suffer the injustice that they feel would happen to them if they were to go to jail.

This 500,000 figure that I put before you also includes approximately 32,000 young men who served in the Armed Services who are now on the rolls or on the record as being absent without leave. These are people who went AWOL during the course of the Viet Nam war and who have not been caught by the military police or who have not turned themselves in. The majority of these people are now living either underground in the United States or are in exile in Sweden or in Canada. The 500,000 figure also includes at least 400,000 young Americans who received a less than honorable discharge from the Armed Services during the course of the war in Viet Nam.

I just want you to understand who the people are that we are talking about and the different classifications of people, who they are, when we talk about the question of amnesty.

There is also the figure of an unknown number of men and women in this country who have come into conflict with the law in one way or another because of their active opposition to the war in Viet Nam through demonstrations or through marches or through burning of draft cards or through destroying of draft records and so on. This number can not be estimated, but again, these are the kinds of people who are included in the whole question of amnesty.

It is really difficult, I think, for a lot of people, when talking about amnesty, to say that we shouldn't have unconditional, universal amnesty, because we don't know the motives of everybody who opposed the war. The inclinations seem to be on a part of a lot of people that if an individual opposed the war because it was against his conscience or against his moral or religious beliefs, then that individual has legitimate grounds for asking for amnesty, but anybody else, and particularly people who fled from the Armed Services or who went into Canada, should not receive amnesty. So

those people have proposed that some type of a board be established to review all the cases of those individuals who want amnesty and that a decision should be made on a case to case basis.

When I consider the question of amnesty, I would oppose that kind of a situation, because I think the people that have opposed the war and are now seeking amnesty have already suffered a great deal of punishment by either having to go to another country or by being forced into jail or by being forced to live underground in this country.

I used the same kind of an argument when some of the people talked to me yesterday, if amnesty is granted, there should be an alternative kind of service that these individuals could perform and then their record would be abolished. I don't agree with that either, and I would use the example of Lieutenant Calley the officer who was charged as being responsible for the massacres in Mai Lai in Viet Nam. That gentleman is now seeking release from his sentence. I agree with him, and I believe that it would be important that the courts find that that man no longer has to be incarcerated and that man can go free.

The last two days when we were talking about the mandatory sentencing bill, we got into the question about punishment and vindictiveness and excessive punishment. I think that has happened to all the people in this country in one way or another, and now the time is beginning to come when we have to try to heal the wounds.

I guess the final argument that was used on me yesterday to try to talk me out of presenting this order was, what about people for example, at Togus, the people who have come back from the war and are missing an arm and are missing a leg, and what about the people who gave their lives in defense of this country in Viet Nam? I just say that I understand that feeling, and I think that it is a shame it is a horrible thing that individuals and families had to suffer and make that kind of sacrifice for a war that I believe to be not only unconstitutional but immoral. But everybody, everybody in this country, in one way or another is a victim of the war in Viet Nam.

One final point that I would like to

make before I sit down is that I think you should understand exactly what the word amnesty means. Amnesty doesn't mean that somebody would be acquitted for a crime or that somebody would be pardoned for a crime or for a criminal charge. What amnesty means is that we forget about it. I guess the term in the lawbooks that I was looking through when I was trying to get an adequate definition to define amnesty as in oblivion or a forgetting of an offense and that is what it is saying I would like all of you to consider that if you had a son or you had a daughter or a brother or a sister who opposed the war in Viet Nam in such a way that for them to come back here and be a part of our society now amnesty would be required, what would your feelings be?

There really are a lot more things that I would like to say on this subject. I am really disappointed that a large number of the members of this House walked out and didn't allow me the courtesy at least to present the subject, but I think that is because it represents the deep feeling one way or the other that people have about this particular subject. I think all of us have the responsibility to examine our own hearts and our minds and our consciences to see how we feel about it, to see how it affects the men and women who need amnesty.

In closing, I would just like to leave you with the words of a wife of a former prisoner of war. She said, "We have had our time of killing, and now is the time to begin the healing."

At this point, the Speaker appointed the following House member to the Joint Select Committee on Public Lands:

Mr. HERRICK of Harmony

(Off Record Remarks)

Mr. Curtis of Orono was granted unanimous consent to address the House.

Mr. CURTIS: Mr. Speaker, Ladies and Gentlemen of the House: The State Government Committee Chairman, the Senate Chairman and myself, have distributed a report to you which summarizes action of the State Government Committee. We did

consider many bills, and a number of these that finally ended up with enactment were quite important. If I can list four or five of them for you, please. First of all, we ended up ratifying the Equal Rights Amendment. Secondly, we have enacted finally a comprehensive legislative ethics and disclosure law. We have revised the State Housing law so that some \$30 million can be put onto the bond market, and we have revised the bond capacity of the Maine Housing Authority. We have created the Office of Energy Resources. We have required public members of the Public Utilities Commission to serve full time and we have strengthened the Office of Maine's Elderly. All these pieces of legislation, as well as some others, came out of our committee and we are quite proud of the work we did. I would like to publicly thank the members of the committee who have worked so hard. I believe we were the busiest committee, with some 73 pieces of legislation.

I think it is important that as we get ready to go home and face what probably will be a barrage of criticism in the press as a "do-nothing legislature" that some of us remember some of the important pieces of legislation which we did enact.

On a slightly different topic, Mr. Speaker, I guess that I am the only — there are two of us now, I guess — who are Viet Nam veterans in this legislature, and today is a very important day. In the first place, of course, in the minds of many of us, we are probably going to adjourn in a few minutes, and secondly, this is Viet Nam Veterans Day. A few minutes ago when the proposal was made by the gentleman from Portland, and I see he is missing from his seat, and I am sure he didn't walk out on my statement, but this is an important day which we in the legislature have decreed and which the Governor has issued a proclamation about.

It is also a time when some of us who spent time in Viet Nam in the service of our country, over there because the governmental bodies in Washington and supported by the rest of the country decided that millions of Americans should go to Southeast Asia, I think back

on our service and what it meant to us and what happened to some of our buddies. I had some friends who were, in the vernacular, at the time blown away, and it is very difficult, I suppose, to listen to someone suggest that now is the time to consider talking about amnesty. Yet, I think much of what the gentleman from Portland said was correct. I voted against admitting his proposal just now, and I guess I am sorry I did that. The reason I voted against it was because I thought we were about ready to adjourn and I didn't know we had time for any discussion. But it probably is time to consider the entire question of amnesty, and those of us who have served and those of us who have lost friends must also remember that there were people, on an individual basis, that their decisions, perhaps deep moral decisions, perhaps decisions made for other reasons, for cowardice or whatever, ought to be considered on an individual basis and perhaps it really is indeed time that this country be brought back together again.

Mr. MacLeod of Bar Harbor was granted unanimous consent to address the House.

Mr. MacLEOD: Mr. Speaker, Ladies and Gentlemen of the House: If I may change the vein here for just a minute, there is a fellow very quietly slipping away from the legislative scene after having served four terms in the Maine House. This gentleman is from Hancock County. I have been privileged to serve with him on behalf of our delegation, and I know his fellow legislators would also. I would like to wish him well. He is going down on the county level and do a little fishing in Hancock County, which I think he has neglected, in the Spring of the year. I am referring to my good friend, Representative Walter Bunker. I have one more note I would like to make. This gentleman has worked up here for an industry in our state very hard, the lobster and fishing industry on the old Sea and Shore Fish and Game Committee and the newly created Marine Resources Committee of which he is House Chairman now. I would like this written in the record on behalf of Hancock County and the Marine Industry of the State of Maine. This man,

in his own, quiet amenable way, has done a tremendous job, and I want him recognized here today. Would you all please stand? (Applause, the members rising)

(Off Record Remarks)

The SPEAKER: The Chair recognizes the gentleman from Gardiner, Mr. Whitzell.

Mr. WHITZELL: Mr. Speaker, I would like to present an Order out of order and move its passage.

The SPEAKER: The gentleman from Gardiner, Mr. Whitzell, presents an Order out of order and moves its passage. Is there objection?

The Chair hears objection. To suspend the rules to present an Order out of order, it requires a two-thirds vote.

Thereupon, Mr. Whitzell of Gardiner withdrew his request to present his Order.

On motion of Mr. Birt of East Millinocket,

Recessed until the sounding of the gong.

After Recess

4:30 P.M.

The House was called to order by the Speaker.

At this point, a message came from Harry N. Starbranch, Secretary of the Senate, informing the House that the Senate had transacted all business before it and was ready to meet in Joint Convention.

Mr. Simpson of Standish was charged with and conveyed a message to the Senate informing that body that the House had acted on all matters before it and was ready to adjourn without day.

(Off Record Remarks)

At this point, the Senate entered the Hall of the House and a Joint Convention was formed.

In Convention

The President of the Senate, the Honorable Kenneth P. MacLeod, in the Chair.

The Convention was called to order by the Chairman.

On motion of Senator Sewall of Penobscot, it was

ORDERED that a Committee be appointed to wait upon the Honorable Kenneth M. Curtis, Governor, and to inform him that the two branches of the Legislature are in Convention assembled in the Hall of the House of Representatives, and extend to him an invitation to attend the convention and present such communication as he may be pleased to make.

The President appointed on the part of the Senate—

Senator Greeley of Waldo

Senator Wyman of Washington

Senator Cianchette of Somerset

on the part of the House—

The Gentleman from Freedom, Mr. Evans

The Gentleman from Bath, Mr. Ross

The Gentleman from Bristol, Mr. Lewis

The Gentleman from Poland, Mr. Dunn

The Gentl lady from Portland, Mrs. Kilroy

The Gentl lady from Portland, Mrs. Wheeler

The Gentleman from Biddeford, Mr. Fecteau

The Gentleman from Vinalhaven, Mr. Maddox

Subsequently, Senator Greeley for the Committee reported that the Committee had discharged the duties assigned to it, and the Governor was pleased to say he would forthwith attend the Convention.

PRESIDENT MacLEOD: The Chair recognizes the two distinguished visitors at the rear of the chamber. The Sergeant-at-Arms will escort Mrs. Curtis and Angel to the rostrum.

Thereupon, Mrs. Curtis and Angel Curtis were escorted to the rostrum, amid prolonged applause, the audience rising.

At this point, the Honorable Kenneth M. Curtis, Governor, escorted by the Executive Council, entered the Hall of the House amid prolonged applause, the Members rising.

PRESIDENT MacLEOD: Your Excellency, Mrs. Curtis, Angel: This is a little unusual occasion, I realize, for the closing day of a special or a regular session, but we felt the occasion merits it.

We want to express to you, Governor Curtis, on behalf of members of both parties, members of both branches of this Legislature, now that you have served longer than any other man in Maine's history, and unlike what Sam Slosberg said at his roasting a couple of weeks ago, the predictions that you made seven years ago that if anyone served longer than seven years what would happen to the State of Maine? You have served longer than anyone else in Maine's history. I don't believe the State of Maine has gone to hell.

Governor, you have earned our respect, our esteem and our affection. We have not always agreed on many issues within your own party, and certainly people in my party have not, but I don't think anyone here could quarrel with the objectives that you have had, and that is a better life for the people of this state. You have worked long and hard trying to achieve that objective, making a better life for the people of this state.

Myself, I have been in leadership now for six years. The first two years, my first term in the Senate, I must admit we both had a lot to learn; those were two fairly rocky years. I think the last six years have been fruitful ones, progressive ones, and good overall for the State of Maine.

During the past seven years, we have had quite a considerable discussion about one of the appendages of the Executive Branch and as to whether this should be continued or not. We all know your long-standing affection for not only the institution of the Executive Council, which you have demonstrated and articulated many times, but also for the persons themselves and we want to present to you, sir, a memento to take with you forever. (Applause)

(Thereupon, Governor Curtis was presented with a portrait of the Executive Council)

Some of us thought at one time that this would be the last Executive Council,

but my understanding is, that is not to be the case. We will have this delivered to you, sir, in the Executive Branch shortly after we adjourn.

I would now ask the pages if they would bring to the rostrum another little expression of our affection, esteem and respect to you, sir, and to Mrs. Curtis and Angel.

This was contributed, a few bucks from each member of the Legislature of both branches, a watercolor, a very beautiful watercolor, by a young Maine artist, an engineer who went out of State to make a living and decided he wanted to come back to Maine and is now painting full time. I am sure the members of this legislature join me in hoping that you enjoy this watercolor in the years ahead in your home, you and your family. (Applause)

GOVERNOR CURTIS: Mr. President, Mr. Speaker, Distinguished Members of the Legislature: I am afraid that perhaps I am going to be a little more speechless this time than I am when I come in and present my budget to you at each legislative session. I am certainly very grateful, President MacLeod, for not only your kind words today but your kindness throughout our association the past four years. Speaker Hewes, the leadership, let me say also that this past two years has been really a great experience in attempting to work closely together for what we hope is the best interest of the people of Maine. I think we have reached some successes in this regard, and I know it has been a very pleasant experience for all of us at the same time. I know that Mrs. Curtis and Angel join me in thanking all of you for your many kindnesses you have given us over the time that we have been here in Augusta and at the Blaine House.

As your Senate President has said, we haven't always agreed on all the issues and we have had our problems, but I can't think of any meeting with any member of the legislature or any time we are together here in the Capitol or at the Blaine House or anywhere in the State where that association, the meeting, hasn't been a most pleasant one, and I think this is what really makes all of this worthwhile.

I had just one or two very brief closing

remarks which I would like to make to you. It has been tradition for Maine Governors to appear at the closing of the regular and special sessions. I think we welcome this. We know it is just tradition, but it does give us that opportunity to express our appreciation to you for your considerable efforts.

This year, I would like to take the opportunity to not only extend my appreciation to you for this session, but to all of the legislatures, the 103rd, the 104th, the 105th, with which I have shared my time in office.

I was kind of looking up how many of you have been here for that entire time. I find that I had the pleasure of serving that entire eight years with nine Senators and thirty-four Representatives. Not that statistics are entirely meaningful, but I think in the framework of what we have done, we have been together in these four regular sessions a total of 558 days in session. During that time, 7,384 pieces of legislation have been introduced. You know, we read about those that don't make it, but quite a few did become law. Our research indicates that more than 3,700 bills became law during that period.

I think of all these years that have passed and the considerable progress that has been made, and we have to remind ourselves that this was all done with a Governor of one political party and a legislative majority of the other. I guess outside of perhaps making life interesting, perhaps at times frustrating, really, the many accomplishments that have been recorded are a tribute to the ability of Maine people to lay aside political differences and to work together in the true spirit that our Constitution intends.

Today, I am not going to try to list the accomplishments, because I think only history and time can distinguish what has been a success and what may be labeled as a failure. But I would like to say that throughout the good days and the trying days, I have always been impressed with the concern and the sincerity with which each legislator has approached his responsibility. I realize very well the time and the money and the sacrifices that legislators have had to make in order to serve.

So as part of the ceremonial end of this session, let me say that I think you can take great pride in the health of Maine's political system. Laws are not passed in this State simply because the Governor recommends them nor because the legislative leadership wants them, nor because any special agency or special interest group wants them. And while the political parties remain strong and numerous special interest groups influential, I firmly believe the balance of power clearly rests with the people. So while we have many imperfections and much more work to do, I think the diagnosis of the health of our political system in Maine is good. Consequently, the prognosis of our State is good. And in these particular times, I think that you can be justly proud of Maine State Government and of your contribution and your service to the State that we all love.

I want to thank you all very, very sincerely for all that you have done and your friendship and to wish you all the very best of luck. (Prolonged applause, the audience rising)

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

The purpose for which the Convention was assembled having been accomplished, the Chairman declared the same dissolved.

The Senate then retired to its Chamber, amid applause of the House, the members rising.

In the House

The House was called to order by the Speaker.

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

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

Mr. BRAGDON: Mr. Speaker, Ladies and Gentlemen of the House: If there is any satisfaction to be gathered from being the oldest member in the House, it is that for once I have the privilege of having the last word. To one who has spent 13 sessions in the Maine House and been married to the same woman for 56 years, it is a great satisfaction to have the last word.

I categorize this session of the Legislature as the most interesting that I have been privileged to be a member of in my long legislative experience. I regret very much that many of you do not plan to return. But as for myself, I have chosen again to accept the challenge and run for the legislature in a somewhat new district where the odds of my winning are at best no more than fifty-fifty. I have vigorous opposition in the primaries. And while I have not seen the announcement of any Democrat I am not that naive that I believe I will not encounter the same kind of opposition in November. I look upon this as the biggest challenge I have so far encountered in my legislative service, and if I go down to defeat, you may rest assured, it will be with my boots on.

In closing, let me say that I wish only the best for each and every one of you and yours. I include Louise and all the girls and all the other helpers who have assisted us in this 106th Legislature, also, those honorable gentlemen down at the other end of the hall who sometimes get us into trouble and sometimes bail us out. I hope you may all have a pleasant summer and wonderful vacation. I hope you get all the gas you need, go where you want and return when you wish.

Now, ladies and gentlemen, I guess I have come to the point you are all waiting for. Mr. Speaker, I do now move that this special session of the 106th Legislature stand adjourned sine die.

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

The motion prevailed, and at 5:09 p.m., Eastern Daylight Saving Time, Friday, March 29, 1974 the Speaker declared the House adjourned without day.