

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

1st Special Session

OF THE

*One Hundred and Sixth
Legislature*

OF THE

STATE OF MAINE

1974

Kennebec Journal
Augusta, Maine

SENATE

Thursday, January 17, 1974

Senate called to order by the President.

Prayer by the Rev. Robert E. Canfield of Gardiner.

Reading of the Journal of yesterday.

Papers From the House Non-concurrent Matter

Bill, "An Act Relating to Salary of the Administrative Assistant, Supreme Judicial Court." (S. P. 767) (L. D. 2198)

In the Senate January 15, 1974, the Bill Passed to be Engrossed as Amended by Senate Amendment "A" (S-312).

Comes from the House, the Majority Ought Not to Pass report accepted in non-concurrence.

On motion by Mr. Berry of Cumberland, the Senate voted to Insist and request a Committee of Conference.

The President appointed the following Conferees on the part of the Senate:

Sensors

BERRY of Cumberland

CONLEY of Cumberland

BRENNAN of Cumberland

Non-concurrent Matter

Bill, "An Act Providing Funds to Pine Tree Legal Assistance, Inc., for those Unable to Afford such Representation." (S. P. 754) (L. D. 2164)

In the Senate January 11, 1974, the Bill Passed to be Engrossed as Amended by Senate Amendment "A" (S-313).

Comes from the House, Bill and accompanying papers Indefinitely Postponed, in non-concurrence.

On motion by Mr. Berry of Cumberland, the Senate voted to Recede and Concur.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Conley.

Mr. CONLEY: Mr. President, I move that this item be tabled until Monday, pending the motion.

The PRESIDENT: The Chair would inform the Senator that the matter is not before the body. The Senate has voted to recede and concur with the House. Does the Senator wish to make a motion to reconsider?

Thereupon, on motion by Mr. Conley of Cumberland, the Senate voted to re-

consider its previous action whereby it voted to Recede and Concur.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Berry.

Mr. BERRY: Mr. President, I would object strenuously to a tabling motion. This matter has been thoroughly lobbied, I think positions are reasonably fixed, and everybody knows the issue. I would hope the Senate would proceed to vote on the matter this morning.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Conley.

Mr. Conley of Cumberland then moved that the matter be tabled and specially assigned for January 21, 1974, pending Consideration.

Mr. Berry of Cumberland requested a division and, subsequently, Mr. Brennan of Cumberland requested a roll call.

The PRESIDENT: A roll call has been requested. Under the Constitution, in order for the Chair to order a roll call, it requires the affirmative vote of at least one-fifth of those Senators present and voting. Will all those Senators in favor of ordering a roll call please rise and remain standing until counted.

Obviously one-fifth having arisen, a roll call is ordered.

The Chair recognizes the Senator from Cumberland, Senator Richardson.

Mr. RICHARDSON: Mr. President, if I may, an inquiry: The matter before the Senate now is the motion to table until Monday next, as I understand it. Is that correct?

The PRESIDENT: The Senator is correct.

Mr. RICHARDSON: And we may not debate that motion.

The PRESIDENT: The Senator is correct on that also. The pending motion before the Senate is the motion of the Senator from Cumberland, Senator Conley, that Bill, "An Act Providing Funds to Pine Tree Legal Assistance, Inc., for those Unable to Afford such Representation", be tabled until Monday next, pending further consideration. A "Yes" vote will be in favor of tabling; a "No" vote will be opposed.

The Secretary will call the roll.

ROLLCALL

YEAS: Senators Brennan, Cianchette,

Clifford, Conley, Danton, Kelley, Marcotte, Morrell, Richardson and Shute.

NAYS: Senators Anderson, Berry, Cox, Cyr, Fortier, Graffam, Greeley, Henley, Hichens, Huber, Joly, Minkowsky, Olfene, Roberts, Speers, Tanous, Wyman and MacLeod.

ABSENT: Senators Cummings, Katz, Schulten and Sewall.

Mr. Tanous of Penobscot was granted leave to change his vote from "Nay" to "Yea".

A roll call was had. 11 Senators having voted in the affirmative, and 17 Senators having voted in the negative, with four Senators being absent, the tabling motion did not prevail.

The PRESIDENT: Is it now the pleasure of the Senate to recede and concur with the House?

The Chair recognizes the Senator from Cumberland, Senator Conley.

Mr. CONLEY: Mr. President, I would just like to inform the members of the Senate this morning that the bill before us was a unanimous report of the Appropriations Committee, and Ought to Pass Report, and I am disturbed in the sense that the Senate was unable to table this until Monday morning; one reason being that the Chairman of the Appropriations Committee is not present. Secondly, because of the fact that I have been disturbed, since the Committee met on this bill and reported it out, that it has been lobbied very strongly in the halls of this house and also in many of the surrounding motels that the legislators reside in during their off hours.

In fact, it disturbed me to a point that on the night the bill was reported out, the evening it was reported out, I went to one of our frequented restaurants in town to find eight members of the legislature having supper, and to find an attorney who is not a member of the legislature telling these gentlemen what a poor bill this was and that it should be defeated.

I can only speak from personal experiences in my community of knowing the tremendous good that Pine Tree Legal has done for the poor people of my community. It is sad for me to see this bill come under attack because I think it has tremendous merit. There are a lot of people in the state who cannot possibly afford legal fees to be represented in the courts. There are many, many areas in

which Pine Tree has provided services for the indigent, and it just seems to me an unwarranted attack to destroy something that the federal government has not funded to the degree that it has in the past. Therefore, that is the reason why Pine Tree has come to the legislature to ask assistance for funding.

Now, I agree that the appropriation before us is a very high appropriation, and it scared me right from the beginning. The emergency preamble gave me nightmares, and that was amended off the bill. And I can assure the members of the Senate that if this bill does have any chance of passage that, obviously, the \$165,000 that is in the bill is going to be cut down considerably. I would only hope that the members of the Senate would go along with the passage of it and at least try to get it to the Appropriations Table to weigh everything in the final days, to see just how much money is around, to see if we can't provide assistance to the needy people in this state.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Richardson.

Mr. RICHARDSON: Mr. President and Members of the Senate: I reluctantly voted against the Majority Leader of the Senate in his position on the tabling matter because my equally good friend, the Senator from Penobscot, the Chairman of the Appropriations Committee and the Assistant Majority Leader of the Senate, is not present, and I think it would be most helpful and instructive to have his views on this.

But be that as it may, all of us who are familiar with the law and the courts, the people like us who have to have effective representation, feel that the Pine Tree Legal Assistance Program, while it has frankly been a source of irritation and frustration to some of us who have not agreed with all of their concepts of social engineering, but the vast majority of the work that has been done by Pine Tree, gentlemen of the Senate, the vast majority of this work has been in the nuts and bolts work of providing people with effective representation in the law. And I state to you absolutely flatly that if you deny people effective representation, you have denied them effective protection under the laws of this state and of the United States. Whether or not you

have a lawyer does have a lot to do with whether or not your legal rights are protected, and that is all we are talking about today.

Now, I know that many of you, as I say, may have some feeling that some specific area of Pine Tree has intruded into an area which you view as being one of essentially social engineering and you don't agree with it. But on balance, I think that almost every lawyer you talk with will tell you that Pine Tree is a good concept, it is one that ought not to be abandoned because it really does provide people the opportunity to be represented in the eyes of the law. I can't see any reason in this case to depart from the traditions of the Senate which have always been, it seems to me, with the unanimous ought to pass reports of the Appropriations Committee, which numbers among it the very finest members of both parties, to at least let this bill go to the Appropriations Table, and if the funding is unrealistically high, it most assuredly will be cut down.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Morrell.

Mr. MORRELL: Mr. President and Members of the Senate: I would like to concur wholeheartedly with the comments of my friend, Senator Richardson. I think it is not necessary to agree with everything that this organization has done to feel that their function is an important assignment. I can't imagine anything more frustrating in life than to possibly have a problem involving the courts, something that requires a legal remedy, and not having the wherewithal to hire competent help to represent you.

Frankly, I think that this group, operating in an admittedly difficult area, is attempting to serve a segment of the population which from time to time needs some assistance, needs some help, and frankly, I hope that we continue to support this bill.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Brennan.

Mr. BRENNAN: Mr. President and Members of the Senate: Very briefly, I think it has been pretty well said by some of the other Senators. I think I should add that the Attorney General of this state, Jon Lund, with whom I have

not always agreed, supports this measure.

To me, it is simply a case of equal justice under the law. Are the indigent or the not so well-to-do going to have a chance to redress their grievances in the courtrooms, or are the courtrooms to be closed to those who do not have sufficient funds? It is simply and purely a case of equal justice under the law, and all that is being requested now is to give a chance to this bill to get to the Appropriations Table and compete with the other demands and needs of the state at the appropriate time. So I would urge you to vote against the pending motion, which I believe to be to recede and concur.

The PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Tanous.

Mr. TANOUS: Mr. President and Members of the Senate: I hope that don't echo the sentiments of the past speakers relative to this particular bill. A couple days ago, last week I guess, when this bill first came to this body, I looked at it and I somewhat felt the same way as many of you did this morning when we voted against keeping the bill alive.

I know that the image of Pine Tree is perhaps not the best. I guess that their budget doesn't call for public relations, so as a result of this you have seen members of the Pine Tree organization here in the legislative halls lobbying bills and you have read about them in the newspapers championing the cause of the indigent areas such as rent controls, warranty matters, and class type cases. And as a result, I guess that many people resent this because they feel that the taxpayers' money is being used to fight against them in court. In essence, this is true. Assuming that I sued an indigent individual and he retained the Pine Tree organization, because of lack of funds, to defend him in court, I am, in effect, through taxes paying for the defense of this individual.

You have got to analyze the situation, I suppose, and consider what if there are no attorneys available for an indigent individual. Well, prior to the existence of Pine Tree, of course, the judges in the courts would appoint attorneys to do this. And if you refused a judge, of course, it wasn't quite kosher to be doing

this, so that as a result these individuals did receive some representation, but perhaps not the type of representation that an attorney would ordinarily undertake because of the fact that this was free.

Anyway, I have done a little research and I have got some figures on this that I would like to bring to your attention that perhaps were presented to the Appropriations Committee and probably was some of the reasoning behind reporting the bill out Ought to Pass. In the past, up to now, the federal government financed the Pine Tree organization in the State of Maine, but the funds have been reduced time and again until it has come to a point where the Pine Tree organization here in Maine has had to cut its staff from somewhere around some 30-odd attorneys down to 18 lawyers. The federal funding for this year, I understand, is somewhere around \$500,000, and in order to meet their budget they have requested another \$165,000 from the legislature.

In the past nine months of '73 they have handled some 3,000 cases, and this is quite a few cases for 18 lawyers to have been involved in, believe me, as a practicing attorney. If 18 attorneys handled 3,000 cases in a period of nine months, these individuals have really been busy. Other than the attorneys, they do have 19 secretaries and other staff members. So I, for one, would like to see this matter at least kept alive and probably be given a little more opportunity for us to do some research on our own, and then there will be another day that you will have, I am sure, to defeat this bill if you so desire.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Berry.

Mr. BERRY: Mr. President and Members of the Senate: I think that the previous speakers who, with the exception of Senator Morrell from Cumberland, have been all members of the legal profession, have given us a very good background on the problem involved here.

I would like to accent the statement of the Senator from Penobscot, Senator Tanous, that up to now the program has been federally funded, and here again we have the familiar problem that we in the legislature noticed is reoccurring

steadily, and this is the state being asked to pick up the expenses of federally expiring programs.

I think also the previous speakers have underscored the fact that legal assistance is available to everybody in the state, and I, as a layman, would like to mention that there are several other professions in the state that donate a great deal of their time to the public welfare, and it doesn't seem to be too much to ask that a modicum of this be extended by the legal profession.

I also notice that we have heard from all the gubernatorial candidates present, and I wish that I could speak for the two that are absent but I am sure that they would echo the same sentiments, therefore, I see no need of postponing the vote on the matter. The matter, as has been said, has been thoroughly lobbied, I am sure we understand the issues, and I would hope that you would vote for the motion to recede and concur.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Richardson.

Mr. RICHARDSON: Mr. President and Members of the Senate: As one who formerly devoted a majority of his time to the practice of law, I would like to indicate to the Senator from Cumberland, Senator Berry, that it is the practice of the firm of which I am a partner, as well as a number of other law firms in the state, to devote a significant amount of time to non-compensated legal services to the indigent. It is an obligation which every member of the profession undertakes at the time he is admitted to the bar, and the only reason that it isn't adequate is because of the absolutely horrendous number of people who are denied effective representation in the law because they can't afford a lawyer.

Now, we are not talking about just criminal cases. We presently have a system by which the presiding justice has authority to appoint counsel to represent indigent persons who are accused of crime. We are talking about the day to day business, about contracts, about leases, about these things that people have to have help with.

I think this is a very important issue. I am not going to rise to debate about gubernatorial politics. I think this is an

important issue, I think the people of this state are entitled to have us treat this program just like any other program, on its merits, and I again urge you members of the Senate in good conscience to permit this bill to go to the Appropriations Table and take its place in the priorities to be determined at a later time.

Mr. President, because of the seriousness of the matter, I request a roll call.

THE PRESIDENT: A roll call has been requested.

The Chair recognizes the Senator from Cumberland, Senator Morrell.

Mr. MORRELL: Mr. President and Members of the Senate: I am not involved in gubernatorial aspirations. Nothing would give me the horrors more. But I really feel this does have some merit, and I would like to correct just one misstatement, and I am sure it was not intentional. The federal government has not cut back this program. The problem is that they are living with the same funding that they have had almost from their inception and, similar to everything else, their costs have gone up. It has been impossible for them to attract and hire capable lawyers and be competitive in terms of pay. They have had to close down several offices as a result of this. So it is not a question of the federal government cutting back substantially; it is merely a question that they, like all other organizations, unfortunately, are caught up a little in inflation.

The PRESIDENT: The Chair recognizes the Senator from Oxford, Senator Henley.

Mr. HENLEY: Mr. President and Members of the Senate: It is regrettable that I have to make my initial stand on something like this. I am unalterably opposed to this bill. I might just as well state so in the beginning. I have been in opposition to anything to do with Pine Tree Legal for years. I am neither an attorney nor an aspirant for higher office.

What does LSP mean? It is not a drug — sometimes I wonder; Legal Services Program, promulgated as a part of the OEO in a previous administration. And one of the reasons that I am so opposed to it — I do not deny that there probably are individual cases where they have been of inestimable value — but they have been a part of a program which has

been riddled with corruption in Chicago, Detroit, San Francisco, Los Angeles. The Legal Services Program of California was investigated and found to be carrying on schools where they were teaching practically anarchy. Finally they were divorced from the OEO, and Pine Tree Legal is the name of the attorneys supposedly for the indigent in the State of Maine.

The concepts I have no great quarrel with, except that I have debated for years that we cannot be all things to everyone. We hear pleading about equal rights, and whether it be the so-called amendment or otherwise, that is something else, but in the equal rights as far as legal services are concerned, why should we; the taxpayers, subsidize people in that line any more than we do anything else? Why should we not, as I have stated before, say that if a person can't afford to live in a nice home on a shady street, we will buy it for them? Why should anyone be subsidized along this particular line? We don't buy them more expensive cars just because their neighbors have them. If they are defending themselves in court, they get legal counsel which is paid for, and they can in these cases if it is a serious situation.

I maintain that too much of the effort of the Pine Tree Legal in days past has been extended towards the actual searching for a cause, and in some cases it has been pretty well established that it almost reaches a point of organizing to obtain their ends. I have sat three sessions through Judiciary and I have watched and listened. If we went along with everything that our Pine Tree Legal groups have asked for, it wouldn't be \$165,000.

I felt when I saw this bill, when it first came in, that it was just another wedge toward our trend towards complete socialism, and I hate to see anything in state government to speed that process. Why is it that we cannot fall back on the pioneer instinct, the strong rugged individualism, of previous years of this our State of Maine? Why must we get and embrace so much of a socialistic trend and hunt for a cause to say "Well, you haven't got as much as I have, so we will give it to you"?

I have been poor all my life, and I never seemed to resent that fact too

greatly. I never thought that I should expect my neighbors with their tax dollars to pay a lawyer for me to go and lay claim to this, that, and the other. If I couldn't afford an attorney, I just forgot it.

I have only spoken out on this particular bill because I have always taken this same stand along these same lines in my previous experiences in the legislature. I do not intend them to be emotional, but I am opposed to this bill. I think it is right that it has been indefinitely postponed, and I hope that we will recede and concur. Thank you.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Brennan.

Mr. BRENNAN: Mr. President and Members of the Senate: First, I want to congratulate the good Senator from Oxford, Senator Henley, on his maiden speech. I frankly am baffled by the word "socialism". What we are talking about is equal justice under the law.

As to some of the other remarks made in reference to Pine Tree in regard to criminal activities, as far as representing defendants, Pine Tree is precluded, prevented, or prohibited from representing criminal defendants. They can't, under federal law.

Secondly, there were some remarks in reference to what took place in California in regard to legal assistance. The President appointed a commission to look into that very carefully, and that commission was headed by former Chief Justice Williamson of this state. That commission very carefully looked at legal assistance in that state, and legal assistance was completely vindicated by that commission headed by our own former Chief Justice.

So again, it is simply a question of opening the doors of the courtroom to those without much means, for those with limited means. It is a question as to whether or not the courtrooms are just going to be open to the well-to-do to moderately well-to-do. Are those with limited means and the indigent going to be able to go to court to redress their grievances? That is all it is about.

The PRESIDENT: The pending question before the Senate is whether the Senate should recede and concur with the House on Bill, "An Act Providing Funds

to Pine Tree Legal Assistance, Inc., for those Unable to Afford such Representation." A roll call has been requested. Under the Constitution, in order for the Chair to order a roll call, it requires the affirmative vote of one-fifth of those members present and voting. Will all those members in favor or ordering a roll call please rise and remain standing until counted.

Obviously more than one-fifth having arisen, a roll call is ordered. A "Yes" vote will be in favor of receding and concurring with the House; a "no" vote will be opposed. A "Yes" vote would mean that the bill will be dead, since the House indefinitely postponed the bill. A "yes" vote will be in favor of receding and concurring, a "no" vote will be opposed.

The Secretary will call the roll.

ROLLCALL

YEAS: Senators Anderson, Berry, Cianchette, Cox, Cyr, Fortier, Graffam, Greeley, Henley, Hichens, Huber, Joly, Minkowsky, Olfene, Roberts, Shute, Wyman, MacLeod.

NAYS: Senators Brennan, Clifford, Conley, Cummings, Danton, Kelley, Marcotte, Morrell, Richardson, Speers, Tanous.

ABSENT: Senators Katz, Schulten, Sewall.

A roll call was had. 18 Senators having voted in the affirmative, and 11 Senators having voted in the negative, with three Senators being absent, the Senate voted to Recede and Concur.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Berry.

Mr. BERRY: Mr. President and Members of the Senate: Having voted on the prevailing side, I move reconsideration, and hope you vote against me.

The PRESIDENT: The Senator from Cumberland, Senator Berry, moves that the Senate reconsider its action whereby it receded and concurred with the House.

The Chair recognizes the Senator from Cumberland, Senator Brennan.

Mr. BRENNAN: Mr. President, I move that this matter lie on the table one legislative day, pending the motion to reconsider.

The PRESIDENT: The Chair would inform the Senator from Cumberland, Senator Berry, that the motion would be

out of order because the Senate has already reconsidered receding and concurring. It has been reconsidered.

Joint Order

WHEREAS, the National Special Olympics Committee has selected Saddleback Mountain as the site for a unique recreational weekend for retarded children; and

WHEREAS, on January 19th and 20th, Saddleback Mountain Ski Area will host this, the first special winter olympics ever held in the United States; and

WHEREAS, approximately 300 children from all over New England will compete in such winter fun activities as downhill and slalom skiing, skating events, snowshoe and toboggan races; and

WHEREAS, the youngsters will also enjoy scenic rides by chairlift, snowmobile and dog sled and be entertained by Jud Strunk in genuine downeast fashion; now, therefore, be it

ORDERED, the Senate concurring, that the Senate and House of Representatives of the One Hundred and Sixth Legislature of the State of Maine take this opportunity while assembled in special session to commend the National Special Olympic Committee, members of the Saddleback Mountain Ski Area and other contributors, on their site selection and program of special olympic events for retarded children, who have made this worthy event possible for these deserving youngsters; and be it further

ORDERED, that suitable copies of this Order be prepared and presented to Mrs. Eunice Shriver, Director of the National Special Olympic Committee and Mr. John Christie, President of Saddleback Mountain Ski Area in appreciation of such efforts. (H. P. 1875)

Comes from the House, Read and Passed.

Which was Read.

The PRESIDENT: The Chair recognizes the Senator from York, Senator Hichens.

Mr. HICHENS: Mr. President and Members of the Senate: I don't want to take too much time on this order this morning, but I would like to draw the Senate's attention to this order and this National Special Olympics meet at Sad-

dleback this next weekend. I had not known about it previously and made other commitments, so I will be unable to attend, but I urge every Senator who can attend to be there at Saddleback this weekend to see these youngsters in action.

It has been my privilege the last two years to attend the summer olympics at Portland. Last year I was an honorary member of the committee. And it is a thrilling experience to see these youngsters participate in all of these athletic events, and I know that seeing them participate in these winter events will be just as exciting as seeing them run and jump and take part in all of the events as they have during the past summer months. I hope that you will avail yourself of the opportunity this weekend to take part, and I am definitely in favor of this order and wish that I could have been the sponsor of it.

The PRESIDENT: Is it now the pleasure of the Senate that this joint order receive passage in concurrence?

Thereupon, the Joint Order received Passage in concurrence.

State of Maine

In the Year of Our Lord
One Thousand Nine Hundred and
Seventy-four

Resolution In Support of
Salvage and Preservation of
Artifacts From Revolutionary War
Shipwrecks In Maine Waters

WHEREAS, Maine's coastal and tidal waters are known to contain the sunken wreckage of at least 40 American naval vessels of the Revolutionary War; and

WHEREAS, these wrecks constitute the single greatest repository of American Revolutionary artifacts known to exist anywhere in North America; and

WHEREAS, the location of several such wrecks has been found on the eve of our National Revolutionary Bicentennial Observance; and

WHEREAS, the Maine State Museum, under existing law, is responsible for the recovery and preservation of such artifacts and with the assistance of others has begun salvage operations; and

WHEREAS, broad support of this worthy project is desirable to make these artifacts available in a timely manner for research purposes, for pub-

lic exhibition, and for educational use; now, therefore, be it

RESOLVED: That We, the Members of the Senate and House of Representatives of the One Hundred and Sixth Legislature of the State of Maine, now assembled in special session, being ever mindful of our great heritage and serious obligations of our State on this, the eve of our National Revolutionary Bicentennial Observance take this opportunity to publicly endorse efforts which will lead to the timely recovery and preservation of American Revolutionary Artifacts discovered along our coast and trust the several departments and agencies of the State will assist and cooperate insofar as possible in the recovery and presentation of these artifacts to the custody of the Maine State Museum for their safekeeping and widespread display; and be it further

RESOLVED: That suitable copies of this Resolution be prepared and transmitted forthwith to all departments and agencies of the State calling this important objective to their attention. (H. P. 1867)

Comes from the House, Read and Adopted.

Which was Read and Adopted, in concurrence.

House Papers

Bills today received from the House requiring Reference to Committees were acted upon in concurrence.

Committee Reports

House

Leave to Withdraw

The Committee on Judiciary on, Bill, "An Act Relating to Personal Service of Process Outside the State under the Unfair Trade Practices Act." (H. P. 1697) (L. D. 2090)

Reported that the same be granted Leave to Withdraw.

Comes from the House, the report Read and Accepted.

Which report was Read and Accepted in concurrence.

Ought to Pass

The Committee on Judiciary on, Bill, "An Act to Amend the Law Relating to Attempted Escapes from the

Maine State Prison." (H. P. 1750) (L. D. 2209)

Reported that the same Ought to Pass.

The Committee on Judiciary on,

Bill, "An Act Relating to Place of Examination under Unfair Trade Practices Act." (H. P. 1698) (L. D. 2091)

Reported that the same Ought to Pass.

Come from the House, the Bills Passed to be Engrossed.

Which reports were Read and Accepted in concurrence, the Bills Read Once and Tomorrow Assigned for Second Reading.

Divided Report

The Majority of the Committee on Transportation on,

Bill, "An Act Requiring a Lighted Headlamp on Motorcycles Using the Highway." (H. P. 1721) (L. D. 2114)

Reported that the same Ought Not to Pass.

Signed:

Senator:

CIANCHETTE of Somerset

Representatives:

KEYTE of Dexter

WEBBER of Belfast

WOOD of Brooks

McCORMICK of Union

STROUT of Madison

BERRY of Madison

JACQUES of Lewiston

The Minority of the same Committee on the same subject matter reported that the same Ought to Pass.

Signed:

Senators:

GREELEY of Waldo

SHUTE of Franklin

Representatives:

McNALLY of Ellsworth

DUNN of Turner

FRASER of Mexico

Comes from the House, the Minority report Read and Accepted and the Bill Passed to be Engrossed.

Which reports were Read.

On motion by Mr. Greeley of Waldo, the Minority Ought to Pass Report of the Committee was Accepted in concurrence, the Bill Read Once and Tomorrow Assigned for Second Reading.

Divided Report

Eight members of the Committee on Election Laws on Bill, "An Act Relating

to Absentee Voting by Persons Serving Sentences in Jails and Penal Institutions." (H. P. 1781) (L. D. 2253)

Reported in Report "A" that the same Ought Not to Pass.

Signed:

Senators:

SHUTE of Franklin

CIANCHETTE of Somerset

JOLY of Kennebec

Representatives:

ROSS of Bath

DUDLEY of W. Enfield

BINETTE of Old Town

WILLARD of Bethel

HOFFSES of Camden

Four members of the same Committee on the same subject matter reported in Report "B" that the same Ought to Pass as Amended by Committee Amendment "A" (H-630).

Signed: Representatives:

SNOWE of Auburn

BOUDREAU of Portland

KELLEY of Machias

KAUFFMAN of Kittery

Two members of the same Committee on the same subject matter reported in report "C" that the same Ought to Pass.

Signed:

Representatives:

HANCOCK of Casco

TALBOT of Portland

Comes from the House, Bill and accompanying papers Indefinitely Postponed.

Which reports were Read.

The PRESIDENT: The Chair recognizes the Senator from Franklin, Senator Shute.

Mr. SHUTE: Mr. President and Members of the Senate: It has been called to the attention of the Senate members of the Election Laws Committee this morning that a decision by the United States Supreme Court was made yesterday on a New York case involving this type of problem. Pending a ruling from the Attorney General's office, I think it would be beneficial for all of us to have some further information on this, I would appreciate it if this could be tabled for three days.

The PRESIDENT: The Chair recognizes the Senator from Somerset, Senator Cianchette.

Thereupon, on motion by Mr. Cianchette of Somerset, tabled and

specially assigned for January 22, 1974, pending Acceptance of Either Report.

The PRESIDENT: The Chair is very pleased at this time to welcome to the Senate Chamber the 1973-1974 Potato Queen, Miss Ann Marie Dubay. Miss Dubay is the daughter of Mr., and Mrs. Alcide Dubay, Fort Fairfield, and she is a student at the University of Maine. She is here today as the guest of the Senator from Aroostook, Senator Peter Kelley. I would ask the Sergeant-at-Arms to escort Miss Dubay to the rostrum for any remarks she may care to make.

Thereupon, the Sergeant-at-Arms escorted Miss Dubay to the rostrum, where she addressed the Senate as follows:

Miss DUBAY: Mr. President, Senator Kelley, Ladies and Gentlemen of the Senate: Please accept my sincere thanks for the privilege of addressing you briefly today.

As a representative of one of Maine's most important industries, I have had an opportunity to realize that women have a great potential to offer much to the agricultural industry. The opportunities open to women today are very numerous. They offer excitement and responsibilities. By just browsing through magazines one may notice articles about women with important jobs such as an important chemist for a big industrial industry, as bankers, diplomats, engineers, executives, and even women as potential ministers. Every field of work seems to be opening up to women in the 70's.

I sincerely congratulate you for your exquisite foresight and vision for the betterment and welfare of Maine's people. Thank you.

Thereupon, the Sergeant-at-Arms escorted Miss Dubay from the rostrum to the rear of the Chamber, amid the applause of the Senate, the members rising.

Senate Ought to Pass

Mr. Sewall for the Committee on Appropriations and Financial Affairs on, Bill, "An Act Providing Emergency Funds for Staffing a Fuel Allocation Office Within the Bureau of Civil Defense

for the Fiscal Year Ending June 30, 1974." (S. P. 834)

Reported pursuant to Joint Order (S. P. 822) that the same Ought to Pass.

Which report was Read and Accepted, the Bill Read Once and Tomorrow Assigned for Second Reading.

Divided Report

The Majority of the Committee on Judiciary on, Bill, "An Act Relating to Liability of Natural Gas Distributors." (S. P. 710) (L. D. 2122)

Reported that the same Ought to Pass.

Signed:

Senator:

BRENNAN of Cumberland

Representatives:

DUNLEAVY of Presque Isle

GAUTHIER of Sanford

McKERNAN of Bangor

WHEELER of Portland

BAKER of Orrington

KILROY of Portland

The Minority of the same Committee on the same subject matter reported that the same Ought Not to Pass.

Signed:

Senators:

TANOUS of Penobscot

SPEERS of Kennebec

Representatives:

CARRIER of Westbrook

PERKINS of So. Portland

WHITE of Guilford

Which reports were Read.

Mr. Tanous of Penobscot then moved that the Senate accept the Minority Ought Not to Pass Report of the Committee.

The PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Clifford.

Mr. CLIFFORD: Mr. President and Members of the Senate: I would oppose the motion of the Senator from Penobscot, Senator Tanous, and urge the Senate to reject that motion and to accept the Majority Ought to Pass Report of the Committee.

This is a bill which pertains to the liability of natural gas distributors. In the State of Maine, Mr. President and Members of the Senate, in four or five of our larger communities we have natural gas distribution systems. It serves a useful purpose, it has many advantages

as a fuel, it is clean-burning and quite economic, but it is also uniquely dangerous, especially in the systems in which it is placed. First of all, it is a lethal and highly explosive substance. It can literally blow up total buildings.

Secondly, in the State of Maine, unfortunately, the natural gas is running through old gas distribution systems, systems which were built, some of them, in the last century, and many in the 1920's and 1930's. They were built for a different kind of gas, for manufactured gas. They have old pipes and they have old joints in them.

Thirdly, the natural gas is a dry gas and it tends to dry out the distribution systems, resulting in a great potential for leaks. So that when we combine all three of these factors, the lethal nature or the explosive nature of the gas, the fact that they are in the old distribution systems, and that the new gas dries it out, gives us a very uniquely dangerous situation where we have natural gas in the State of Maine.

In 1967 or '68 the system was changed from manufactured gas to dry gas. Manufactured gas is a wet gas, and it provided its own inner tube and kept the joints in the distribution system swelled at all times so that the leaks were very few. The new gas, the natural gas, is a dry gas and it tends to dry out those systems. Despite that fact and despite the fact that the gas company knew of the nature of natural gas and the fact that it would dry out the systems, nothing was done to change those systems. The result of that was some very unfortunate situations in my City of Lewiston. In February of 1970 there was an explosion, a house literally blew up and two people were killed. There was an investigation and a company was hired, unfortunately, which had done work for the natural gas company, and they concluded and indicated to the public that the system was all right and not dangerous.

In March of 1972, an explosion occurred again, a house was blown up, two people were killed, and three people were seriously injured. This time a different out-of-state neutral gas company was hired, and they concluded that the whole system was very dangerous and in a very bad situation. Corrective action

has been taken in that there has been some applications of a substance called Tar-o-seal throughout the system which supposedly keeps the joints wet and swelled. I think there is substantial question among many as to whether or not what is being done really is adequate enough in the sense of protection.

All this bill does, it pertains to the liability of the gas company, and it indicates that if the plaintiff in a law suit can show that the explosion or a fire is caused by natural gas, and he has that burden, then the gas company is assumed liable. But they also have the right to come in and show that the explosion was caused by an intervening factor and can get out of liability.

One of the interesting things about the two terrible explosions in which houses were blown up is that in neither case was that home a user of natural gas. The gas escaped through the system and into the sewer systems. In one instance it came into an abandoned sewer pipe, and in the other instance it came in the regular sewer pipe when a person in the flooding spring season had his cap off in his cellar, and it escaped into his cellar and blew up.

The Public Utilities Commission in setting their regulations has to take into consideration the cost to the utilities, and this is as it should be, but I feel that the person who does not choose to use natural gas should not have to assume the risk which he now assumes, the danger of this lethal substance being in the sewer systems of the city. The people in the City of Lewiston are very concerned about this matter, and I think that the net result of this would be, number one, justice to people who are injured and damaged and, number two, I think there would be an overall upgrading of the natural gas system.

Therefore, Mr. President, I would hope that you would vote against the motion to accept the Minority Report and accept the Majority Report of the Committee which heard the testimony. Thank you.

The PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Olfene.

Mr. OLFENE: Mr. President and Members of the Senate: I just want to concur with my good friend, Senator

Clifford, and assure you that this is the case. I am in the neighboring city across the river, having the same natural gas situation and the citizens of my community are very much concerned, but fortunately in my city — and let's hope it never happens — we haven't had the experience of the explosions that the City of Lewiston has had. Sometimes we are fortunate in twin city communities that we can give some problems to the other side, but we have been lucky on our side. But we are very concerned, and I stand in full support of Senator Clifford, and I hope that you will vote to accept the Majority Report.

The PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Tanous.

Mr. TANOUS: Mr. President and Members of the Senate: I feel it is incumbent upon me to explain my reason for signing Ought Not to Pass because the rhetoric in favor of this bill is wonderful. I think the accomplishments which my good friends, Senator Clifford and Senator Olfene from Androscoggin, want to accomplish is admirable, and I agree with what they are trying to accomplish.

Last year this bill was before us and I bought it one hundred percent, in fact, the whole Judiciary Committee bought this package one hundred percent unanimous. Apparently the opponents had not heard of the pending bill, or they were not able to be there and when it reached the Senate and the House, of course, they realized the vast importance of this bill and they converged upon both bodies, and the bill was ultimately killed. I remember I debated for it, and the debate went for no.

I had hoped that Senator Clifford might have explained to you the ramifications involved in changing the content of the law involved and perhaps the result of enactment of this bill. Presently in the State of Maine we have what you call the comparative negligence law. This is dealing with negligence cases, so that if an accident occurs involving two individuals, whether it is an automobile accident or an accident of this type, the plaintiff seeking to recover damages who has been hurt must show in a court of law that the defendant was 51 percent

negligent, and he is able to recover. If he shows the defendant was only 49 percent negligent and the plaintiff was 51 percent negligent, of course, he is barred from recovery. If he can show the defendant was 51 percent negligent and he only 49 percent, then he would recover, under the present law, 49 percent of what the jury might feel is a fair and equitable judgment against the defendant. So to reduce that to dollars, assuming the jury found the plaintiff 49 percent negligent and the defendant 51 percent negligent, if they would ordinarily have assessed a \$10,000 verdict, they would have only brought back a verdict of \$5,100, in even figures.

What we are doing here by changing this bill, we are saying the defendant, the gas company, is absolutely responsible, one hundred percent responsible, and I feel that we are getting away from the comparative negligence law. Also, the plaintiff would not have to show that the defendant is negligent under this bill; he would merely have to show damages, "I have been hurt as a result of the explosion and therefore you are responsible." There is no need to show negligence on the part of the defendant; it is an absolute liability type of a case. You should be aware of this before casting your vote, that it does change the concept of our negligence law here in the State of Maine.

We were told last year also by the opponents of this bill that in the event this bill was enacted that the insurance — in fact, they had their insurance agents here with them, and they informed us — now, whether this is true or not, I mean, I am just repeating what was told to me last year, that there is no insurance company that would insure a gas company if such a bill went through, or that the premiums would be so exorbitant that it would be almost financially impossible or impractical for them to buy liability insurance. Of course, if this were to occur, then a lot of people would be damaged. A lot of people that might have a reasonable case probably would not be able to recover or could against a gas company directly. They would have to pay their own judgments, and for how long they would be able to afford to do this, especially if they aren't able to get

any insurance, I don't know. I haven't looked into this. Senator Clifford would be in a much better position to tell you of the cases that have resulted and the judgments rendered to give you some idea of the financial responsibility that these gas companies would assume. And the end result might be that the gas companies would no longer be in business and nobody would have any gas.

These are just conjecture on my part, and I just want to try to impartially explain to you the concepts or possible repercussions of the enactment of this bill.

The PRESIDENT: The Chair recognizes the Senator from Androscoggin, Senator Clifford.

Mr. CLIFFORD: Mr. President and Members of the Senate: The bill in its original form did what Senator Tanous indicates, that is, absolute liability with no chance to show any intervening cause. But the bill now has been changed and really, essentially what it does is shift the burden of proof because the gas company can still come in and show an intervening cause, and if they do show an intervening cause, they are relieved of liability. The plaintiff still has to show and has the burden of proving that the fire or explosion was caused by natural gas; he has that burden initially. So if the plaintiff proves that, and the gas company comes in and shows that it was negligence and the gas explosion was the fault of a contractor who negligently tore up a pipe, then the gas company would be relieved from liability.

As far as insurance is concerned, there are many areas in this country where we do have absolute liabilities in such cases of inherently dangerous substances, and those people get along all right, they do carry insurance and, of course, if there is a safe system there is no problem of securing liability insurance. But I do think the bill is a reasonable bill, and it is a bill that we need in certain areas in our state very much. Thank you.

The PRESIDENT: The Chair recognizes the Senator from Hancock, Senator Anderson.

Mr. ANDERSON: Mr. President, I would like to pose a question to anybody who cares to answer it. Wouldn't this open the door to punishment of all the utilities? Would somebody answer that please?

The PRESIDENT: The Senator from Hancock, Senator Anderson, has posed a question through the Chair which any Senator may answer if he desires. The Chair recognizes the Senator from Androscoggin, Senator Clifford.

Mr. CLIFFORD: Mr. President and Members of the Senate: I understand the concern of the good Senator from Hancock, Senator Anderson. I don't believe that is the case because, as I tried to explain in the first part of my remarks, we have a unique situation with natural gas and an old system which is a dried out system. Natural gas is lethal and very explosive, and I don't think in electricity or water you have the same situation at all. They are not inherently dangerous like natural gas is. It is so explosive that it literally could blow up the state house. I don't think you have the same situation in the other utility areas, so I don't think that you really do have the danger of opening that door.

The PRESIDENT: The Chair recognizes the Senator from Cumberland, Senator Richardson.

Mr. RICHARDSON: Mr. President and Members of the Senate: Only because no one has mentioned it, I think it is important, Mr. President, to point out that during the last session of the legislature we adopted this concept of strict liability in tort. So it isn't, I don't think, quite correct to suggest that this legislation proposed by the Senator from Androscoggin is a radical departure from existing law; it is not. We adopted strict liability in tort. The burden of proof remains on the plaintiff. In other words, the plaintiff, the person who claims to have been injured or damaged as a result of a gas explosion, he or she has the burden to come forth and show that it was caused by the gas company, that it was caused by a leak, and that there was no intervening cause, that is, somebody doing road maintenance work, for example, and disrupted one of these lines; the gas company wouldn't be liable for that because the explosion would result from a leak occasioned by the maintenance activities of someone else.

I don't think this bill is all that radical a departure from existing law, and I really think when you are talking about

human lives, particularly the situation with which Senators Olfene and Clifford are familiar, I don't see any reason to fear that this is going to open the door to punitive legislation against utilities.

The PRESIDENT: The Chair recognizes the Senator from Penobscot, Senator Tanous.

Mr. TANOUS: Mr. President and Members of the Senate: I rise to disagree with my good friend, Senator Richardson. Even though we did pass the statute that he refers to, I still feel that this particular statute would deviate from the norms that we have established here in the State of Maine, that we have already prescribed by statute.

In answer to the question of Senator Anderson on whether it opens the door, I don't know if you can enact legislation in this area, but it is conceivable that somebody might come in next time and say that any other public utility perhaps might be subject to the same test. In fact, a member of this body this morning asked me a question relating to this bill and he gave me an example: assuming that a mother, for instance, left the gas on in a home, and somebody walked in and lighted a cigarette and there was an explosion and both of them got killed, so how would you be able to prove what happened? It would be extremely difficult if they both got killed, of course. This is the area that I feel it is going to make it extremely difficult to defend a case of this kind.

As I say, I voted for it the last time, and I know what Senator Clifford is trying to accomplish and Senator Olfene, but basically how is this going to make the situation any safer, when you boil it down? I mean, if you pass a law which says that you have got to pay if anybody gets hurt as a result of this, does it save any lives? Does it save on damages or does it prevent that accident from occurring? I don't think it does. I think it is just a matter of equitable relief that we get in dollars and cents in the courts. And I assume that these companies are using all of the care that they can. They are subject to our P.U.C. regulations, and I assume if there are any complaints on the manner in which they operate that they would be chastized by the P.U.C.

and ordered to at least mend their ways if they are operating with a shoddy method of practice.

The PRESIDENT: the Chair recognizes the Senator from Oxford, Senator Henley.

Mr. HENLEY: Mr. President and Members of the Senate: Very briefly, I sat through this hearing on nearly the same bill last year, and in all seriousness I would like to support legislation which possibly could alleviate this situation but as I said before, I am no attorney. But in sitting with the august body of Judiciary for three sessions, a little bit of the philosophy, I think, rubbed off on me. I have been told over and over and over that the burden of proof should not be dependent upon the defendant; he should not have to prove his innocence.

It seems to me the way the bill is worded right now, in spite of my good friend Senator Clifford's statement, there still must be, in case of a claim, the gas company has still got to prove that there is the intervention of a second or third factor which does not make them liable. They still have to prove that one point, and it states so. It says, "unless said explosion or fire was a result of a separate intervening cause," and as my friend Senator Tanous just stated, so many times it is going to be difficult to find that proof. It still seems to me, in spite of the seriousness of the situation, as though the decision on this bill is right, unless the bill can be so worded or amended that we are not charging the defendant with proving his own innocence. So I really have got to go along with the Minority Report, in spite of the fact that I am sorry for the way these things turned out. But I am also concerned, the same as Senator Anderson stated, that it could be establishing a precedent, if this is put through just as it is now stating for complete liability. Thank you.

The PRESIDENT: The pending motion before the Senate is the motion of the Senator from Penobscot, Senator Tanous, to accept the Minority Ought Not to Pass Report of the Committee on Bill, "An Act Relating to Liability of Natural Gas Distributors."

The Chair recognizes the Senator from Cumberland, Senator Berry.

Mr. BERRY: Mr. President and Mem-

bers of the Senate: I think it is quite obvious to us from having listened to the debate, which has been very practical and disinterested in its tenor, for a change, that we have a real serious problem here, and it is a problem, I am sure, that everybody familiar with it is very, very anxious to straighten out.

Basically the problem, as Senator Clifford said, is we have — and I might point out that this same problem applies to the area that Senator Conley, myself, and a few others come from, namely, the greater Portland area. The problem stems from the fact that these were originally coal gas designed distribution systems and, as Senator Clifford said, when the new natural gas was put in the joints of the pipes were affected and leaks occurred. I think through all this discussion and contemplation on our part we must remember that the users of the system are the people who are paying all the bills, whether they be claims for accidents or whether they be their monthly gas bills, and a point certainly to keep in mind is: if, as a result of the actions that were to be taken here, insurance were prohibited — frankly, it amazes me that they can even buy insurance today, and I say that very seriously—if insurance were prohibited, then we would presumably be adversely affecting not only the gas customers, but anybody who would be affected as a result of a gas accident. This is a very serious part of the problem.

If these systems had unlimited money, which means that they either borrowed it and are going to pay it back from their customers' bills, or from some unknown source they had it, and this is not a real situation, then they could go out and do what probably needs to be done, and that is put in a totally new distribution system. Personally I am glad I don't live anywhere near such an area, but that is not anything other than a very selfish thought. I think that the people in Auburn, Lewiston, and greater Portland have real serious problems.

When I moved into the first house I had in the greater Portland area, the first thing I did was remove the gas service from the house. This has been the source of frequent accidents I know that you have seen in the newspapers too.

I am very reluctant to see this legislation killed because I am very sympathetic with the problem, as we all are. I am a little concerned that Senator Tanous's committee in two years has not been able to solve the problem. Maybe this means it can't be solved. I do feel that the solution is back in the community, the installation of a program to replace and reinforce the systems, is really the only long-range solution to the problem. This isn't going to help the person who suffers an accident as a result of a gas explosion.

I do not consider that other utilities are going to be affected by a change such as this because, as Senator Clifford has so properly pointed out, this is a unique situation. We are only talking about a lethal gas problem. So I am not really concerned that electric, water, or sewer facilities would be affected. I am just talking, unfortunately, with no solution, but if Senator Tanous or Senator Clifford feel there is any possibility, fine, I would be delighted to keep the legislation alive.

The PRESIDENT: The pending question before the Senate is the motion of the Senator from Penobscot, Senator Tanous, that the Senate accept the Minority Ought Not to Pass Report of the Committee on Bill, "An Act Relating to Liability of Natural Gas Distributors". The Chair will order a division. As many Senators as are in favor of accepting the Minority Ought Not to Pass Report will please rise and remain standing until counted. Those opposed will please rise and remain standing until counted.

A division was had. Five Senators having voted in the affirmative, and 24 Senators having voted in the negative, the motion did not prevail.

Thereupon, the Majority Ought to Pass Report of the Committee was Accepted, the Bill Read Once and Tomorrow Assigned for Second Reading.

(Off Record Remarks)

Second Readers

The Committee on Bills in the Second Reading reported the following:

House

Resolve, Authorizing the State Tax Assessor to Convey by Sale the Interest of the State in Certain Land in the Un-

organized Territory. (H. P. 1717) (L. D. 2110)

Bill, "An Act Relating to Number of Directors of Hospital Administrative District No. 4 in Piscataquis, Somerset and Penobscot Counties." (H. P. 1735) (L. D. 2181)

Bill, "An Act Relating to Property Tax Appeals." (H. P. 1797) (L. D. 2277)

Which were Read a Second Time and Passed to be Engrossed in concurrence.

Senate

Bill, "An Act to Amend the Motor Vehicle Financial Responsibility Law." (S. P. 747) (L. D. 2159)

Which was Read a Second Time and Passed to be Engrossed.

Sent down for concurrence.

Enactors

The Committee on Engrossed Bills reported as truly and strictly engrossed the following:

An Act to Describe a Section of the Town Line between the Towns of Bristol and Bremen. (H. P. 1752) (L. D. 2211)

An Act to Amend the Charter of the Bangor Recreation Center. (H. P. 1751) (L. D. 2210)

An Act Relating to Voting Shares of Stock of Northeast Harbor Golf Club. (H. P. 1700) (L. D. 2093)

An Act to Amend the Charter of the Maine Wesleyan Board of Education. (H. P. 1670) (L. D. 2063)

An Act to Correct an Inconsistency in the District Attorney Law. (S. P. 731) (L. D. 2143)

Which were Passed to be Enacted and, having been signed by the President, were by the Secretary presented to the Governor for his approval.

Emergencies

An Act to Validate Proceedings Authorizing the Borrowing of Money and the Purchase and Transfer of Certain Real Estate to the Dover-Foxcroft Housing Development Corporation by the Town of Dover-Foxcroft. (H. P. 1706) (L. D. 2099)

An Act to Permit Town of North Berwick to Accept a Conveyance of the Friends Burying Ground and the Endowments Connected Therewith. (H. P. 1702) (L. D. 2095)

Emergency

An Act Increasing Indebtedness of Caribou Hospital District. (H. P. 1672) (L. D. 2065)

These being emergency measures and having received the affirmative votes of 23 members of the Senate, were Passed to be Enacted and, having been signed by the President, were by the Secretary presented to the Governor for his approval.

Orders of the Day

On motion by Mr. Berry of Cumberland, the Senate voted to take from the table the following tabled and unassigned matter:

JOINT ORDER — Relative to Legal Affairs Committee study of rural crime in Maine. (H. P. 1821)

Tabled — January 8, 1974 by Senator Berry of Cumberland.

Pending — Passage.

On further motion by the same Senator, the Joint Order received Passage in concurrence.

Reconsidered Matter

On motion by Mr. Berry of Cumberland, the Senate voted to reconsider its prior action whereby on Bill, "An Act to Clarify the Exemption Date in the Minimum Lot Size Law," (H. P. 1731) (L. D. 2175), was Passed to be Engrossed.

On further motion by the same

Senator, tabled and Tomorrow Assigned, pending Passage to be Engrossed.

Mr. Speers of Kennebec was granted unanimous consent to address the Senate:

Mr. SPEERS: Mr. President and Members of the Senate: You have on your desks this morning a rather lengthy volume entitled "State of Maine Administrative Directory". This volume is the result of a bill which was passed by the legislature at the last regular session, last spring, and as a result of a bill which was passed out of the Committee on State Government requesting the consolidation of reports on state government agencies. This is only the beginning of that effort, and written into the bill was the requirement that there be a report of the number of employees, on the various salaries that are contained within the various departments, and the duties of the various agencies. I think this is an admirable first effort, and I know that those responsible for it are continuing to update this administrative directory, and I commend it to your attention because it has a wealth of information within its covers on state government.

On motion by Mr. Sewall of Penobscot, Adjourned until 9:30 tomorrow morning.