

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Seventh
Legislature*

OF THE

STATE OF MAINE

1975

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

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

Prayer by the Rev. Nicholas Dufault of Biddeford.

The journal of yesterday was read and approved.

Papers from the Senate

From the Senate: The following Joint Order: (S. P. 313)

ORDERED, the House concurring, that the Joint Standing Committee on Fisheries and Wildlife of the 107th Legislature report out a bill to make allocations from the Department of Inland Fisheries and Game for the fiscal years ending June 30, 1976 and June 30, 1977.

Came from the Senate read and passed.

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

From the Senate: The following Communication:

The Senate of Maine

Augusta

March 19, 1975

Honorable Edwin H. Pert

Clerk of the House

107th Legislature

Augusta, Maine

Dear Mr. Pert:

The Senate voted to Join in a Committee of Conference on Bill, "An Act Relating to the Authority of Bail Commissioners" (H. P. 263) (L. D. 310).

The President appointed the following members of the Senate to the Committee:

Senators:

COLLINS of Knox

CLIFFORD of Androscoggin

ROBERTS of York

Respectfully,

/s/ MAY M. ROSS

Ass't. Secretary of the Senate

The Communication was read and ordered placed on file.

Bills from the Senate requiring reference were disposed of in concurrence, with the following exceptions:

Bill "An Act Relating to Leasing and Selling of Property Taken or Acquired for Highway Purposes" (S. P. 310) (L. D. 1058)

Came from the Senate referred to the Committee on Transportation and ordered printed.

The SPEAKER: The Chair recognizes the gentleman from Mexico, Mr. Fraser.

Mr. FRASER: Mr. Speaker and Members of the House: These two items are just the opposite to what we had here a few days ago. At that time, they were referred to Legal Affairs and we asked for them to be sent to transportation. This is just the opposite.

I am not going to make any motion on it; I merely call it to your attention. I believe this should go to Legal Affairs.

Thereupon, on motion of Mr. Fraser of Mexico, was referred to the Committee on Legal Affairs in non-concurrence and sent up for concurrence.

RESOLVE, to Reimburse Norman Salisbury of Amherst for Economic Loss to his Business Caused by Highway Repair" (S. P. 312) (L. D. 1060)

Came from the Senate referred to the Committee on Transportation and ordered printed.

On motion of Mr. Fraser of Mexico, was referred to the Committee on Legal Affairs in non-concurrence and sent up for concurrence.

**Report of Committee
Leave to Withdraw**

Report of the Committee on Local and County Government reporting Leave to Withdraw on Bill "An Act Relating to Payments to the Law Library of Androscoggin County" (S. P. 122) (L. D. 408)

Came from the Senate read and accepted.

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

**Non-Concurrent Matter
Tabled and Assigned**

Bill "An Act Relating to the Liability of Physicians and Surgeons Rendering Emergency Care" (H. P. 336) (L. D. 419) which was recommended to the Committee on Judiciary in the House on March 18.

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

In the House:

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

Mr. CURRAN: Mr. Speaker, Ladies and Gentlemen of the House: As you can see by the report, the Senate did not act with the same wisdom as this body acted with, and I would request some time to go back and talk with the Senator from the Judiciary Committee about the compromise in other legislation. Therefore, I would ask that this item be tabled.

Whereupon, on motion of Mr. Rolde of York, tabled pending further consideration and specially assigned for Monday, March 24.

Non-Concurrent Matter

Bill "An Act Concerning the Registration and Operation of Snowmobiles" (H. P. 845) (L. D. 1030) which was referred to the Committee on Fisheries and Wildlife in the House on March 12.

Came from the Senate referred to the Committee on Legal Affairs in non-concurrence.

In the House: On motion of Mr. MacEachern of Lincoln, the House voted to insist.

**Petitions, Bills and Resolves
Requiring Reference**

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

Agriculture

Bill "An Act to Allow the Seed Potato Board to Test Foundation Seed Potatoes and to Sell Potatoes Grown on Land Owned by that Board" (H. P. 1016) (Presented by Mr. Mahany of Easton)

(Ordered Printed)

Sent up for concurrence.

Appropriations and Financial Affairs

Bill "An Act Providing for Incoming WATS Lines to State Offices" (H. P. 957) (Presented by Mr. Sprowl of Hope)

Bill "An Act Creating the Office of Dental Health" (H. P. 972) (Presented by Mrs. Najarian of Portland) (Cosponsors: Mr. Theriault of Rumford, Mr. Garsoe of Cumberland, Mr. Davies of Orono)

Bill "An Act Relating to Compliance with Federal Fair Labor Standards Act as to Working Patients of Mental Health Institutes and the Pineland Center and Appropriating Funds Therefor" (H. P. 1011) (Presented by Mr. Goodwin of South Berwick)

(Ordered Printed)
Sent up for concurrence.

Business Legislation

Bill "An Act Regarding Late Payment of Insurance Claims" (H. P. 930) (Presented by Mrs. Clark of Freeport)

Bill "An Act to Clarify the Law Regarding Late Payment on Insurance Claims" (H. P. 950) (Presented by Mrs. Clark of Freeport)

Bill "An Act Requiring Used Car Dealers to Give a 60-Day Warranty for all Cars Less than 7 Years Old on the Engine, Transmission, Front End and Rear Axle" (H. P. 968) (Presented by Mr. Faucher of Solon)

Bill "An Act Relating to Expenses for Examination of Insurers" (H. P. 982) (Presented by Mr. Tierney of Durham)

Bill "An Act Relating to Minimum Group Life Insurance Premiums" (H. P. 983) (Presented by Mr. Tierney of Durham)

Bill "An Act Relating to the Registration of Accountants" (H. P. 989) (Presented by Mr. Rideout of Mapleton)

(Ordered Printed)
Sent up for concurrence.

Taxation

Bill "An Act Relating to Trade-in Credit on All Sales or Exchanges of Personal Property" (H. P. 1008) (Presented by Mr. Burns of Anson)

Committee on Reference of Bills suggested the Committee on Business Legislation.

On motion of Mrs. Boudreau of Portland, referred to the Committee on Taxation, ordered printed and sent up for concurrence.

Business Legislation cont'd.

Bill "An Act Relating to the Freedom of Subscribers to Hospital, Medical Service or Health Care Plans to Choose a Psychologist to Provide Mental Health Services" (H. P. 1023) (Presented by Mrs. Clark of Freeport)

Bill "An Act Relating to the Freedom of Individual Health Insurance Policyholders to Choose a Psychologist to Provide Mental Health Services" (H. P. 1024) (Presented by Mrs. Clark of Freeport)

Bill "An Act Relating to the Freedom of Group Health Insurance Policyholders to Choose a Psychologist to Provide Mental Health Services" (H. P. 1025) (Presented by Mrs. Clark of Freeport)

(Ordered Printed)
Sent up for concurrence.

Education

Bill "An Act Relating to Construction Requirements for Sanitary Facilities in School Buildings" (H. P. 942) (Presented by Mrs. Lewis of Auburn)

Bill "An Act Relating to Access to Written Records Concerning Elementary and Secondary School Pupils" (H. P. 975) (Presented by Mr. Lynch of Livermore Falls)

Bill "An Act Concerning School Entrance Age Requirements" (H. P. 993) (Presented by Mrs. Mitchell of Vassalboro)

Bill "An Act Relating to Conferring Degrees by Beal Business School" (H. P. 995) (Presented by Mr. McKernan of Bangor)

(Ordered Printed)
Sent up for concurrence.

Election Laws

Bill "An Act to Create a Presidential and Vice-presidential Primary Election" (H.

P. 971) (Presented by Mr. Cooney of Sabattus)

Bill "An Act Concerning Candidates for Public Office who are Running as Independents" (H. P. 953) (Presented by Mr. Faucher of Solon)

Bill "An Act Concerning the Furnishing of Updated Voting Lists by Registrars" (H. P. 1020) (Presented by Mr. Jensen of Portland)

(Ordered Printed)
Sent up for concurrence.

Fisheries and Wildlife

Bill "An Act Concerning the Possession of Firearms During the Open Season on Deer" (H. P. 952) (Presented by Mr. Tozier of Unity)

Bill "An Act to Increase the Penalties for Night Hunting" (H. P. 998) (Presented by Mr. Connors of Franklin) (Cosponsor: Mrs. Hutchings of Lincolnville)

Bill "An Act to Establish Fish and Game Stations for Registration of Skins and Furs" (H. P. 979) (Presented by Mr. Birt of East Millinocket)

Bill "An Act to Permit the Disposal of Moose Killed in Motor Vehicle Accidents" (H. P. 977) (Presented by Mr. Birt of East Millinocket)

(Ordered Printed)
Sent up for concurrence.

Health and Institutional Services

Bill "An Act Relating to the Furnishing of Family Planning Services to Minors" (H. P. 988) (Presented by Mrs. Laverty of Millinocket)

Bill "An Act Relating to the Transfer of Prisoners when a Jail is Unfit or Insecure" (H. P. 961) (Presented by Mrs. Snowe of Auburn)

Bill "An Act Concerning the Sale of Certain Drugs" (H. P. 986) (Presented by Mr. Norris of Brewer)

(Ordered Printed)
Sent up for concurrence.

Human Resources

Bill "An Act Concerning Reports to Municipal Overseers of the Poor by State Agencies Delivering Human Services" (H. P. 938) (Presented by Mr. Cooney of Sabattus)

(Ordered Printed)
Sent up for concurrence.

Judiciary

Bill "An Act to Provide for the Identification of Past Offenders" (H. P. 947) (Presented by Mr. Joyce of Portland)

Bill "An Act to Clarify the Jurisdiction of the Juvenile Court in Matters Arising under the Boating Laws" (H. P. 948) (Presented by Mr. Joyce of Portland)

Bill "An Act to Make Attendance at a Rehabilitation Program Mandatory for the First Offender Convicted of Operating under the Influence" (H. P. 964) (Presented by Mrs. Boudreau of Portland)

Bill "An Act Concerning Continuing Jurisdiction over Juvenile Offenses" (Emergency) (H. P. 939) (Presented by Mr. Joyce of Portland)

Bill "An Act to Establish the Maine Uniform Residential Landlord and Tenant Act" (H. P. 996) (Presented by Mrs. Najarian of Portland) (Cosponsors: Mr. Henderson of Bangor, Mr. Mulkern of Portland)

Bill "An Act Relating to Property Rights upon Dissolution of Marriage" (Emergency) (H. P. 1012) (Presented by Mr. Ingegneri of Bangor) (Approved for introduction by a majority of the Committee on Reference of Bills pursuant to Joint Rule 10)

(Ordered Printed)
Sent up for concurrence.

Labor

Bill "An Act to Clarify the Mandatory Provisions of the Workmen's Compensation Act with Respect to Farm Laborers" (H. P. 936) (Presented by Mr. Garsoe of Cumberland) (Cosponsor: Mr. Albert of Limestone)

Bill "An Act Relating to Applicability of Workmen's Compensation to Certain Employees and to Repeal the Penalty Provision" (H. P. 934) (Presented by Mr. Finemore of Bridgewater)

Bill "An Act to Extend Collective Bargaining Rights to Employees of the University of Maine" (H. P. 960) (Presented by Mr. Snow of Falmouth)

Bill "An Act Concerning Weekly Benefits Paid to Persons who are Partially Unemployed" (H. P. 984) (Presented by Mr. Higgins of Scarborough)

Bill "An Act Relating to Benefits under the Employment Security Law" (H. P. 1017) (Presented by Mr. Hughes of Auburn)

(Ordered Printed)
Sent up for concurrence.

Legal Affairs

Bill "An Act to Revise Certain Provisions of the Act Creating Hospital Administrative District No. 4 in Piscataquis, Somerset and Penobscot Counties" (Emergency) (H. P. 933) (Presented by Mr. Smith of Dover-Foxcroft) (Approved for introduction by a majority of the Committee on Reference of Bills pursuant to Joint Rule 10)

(Ordered Printed)
Sent up for concurrence.

Local and County Government

Bill "An Act Concerning the Purchase of Tax Delinquent Land by Municipal Officials" (H. P. 941) (Presented by Mrs. Hutchings of Lincolnville)

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

On motion of Mr. Dam of Skowhegan, referred to the Committee on Local and County Government, ordered printed and sent up for concurrence.

Legal Affairs cont'd.

Resolve, to Reimburse Norman Call of Levant for Loss of Cattle Destroyed by Bear (H. P. 959) (Presented by Mr. Strout of Corinth)

Bill "An Act Relating to Throwing Objects at Emergency Vehicles under the Malignant Mischiefs Law" (H. P. 969) (Presented by Mr. Laffin of Westbrook) (Cosponsors: Mr. Joyce of Portland and Mr. Cote of Lewiston)

(Ordered Printed)
Sent up for concurrence.

Local and County Government

Bill "An Act to Incorporate the Town of Rockwood" (H. P. 966) (Presented by Mr. Faucher of Solon)

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

On motion of Mr. Faucher of Solon, referred to the Committee on Local and County Government, ordered printed and sent up for concurrence.

Legal Affairs cont'd.

Bill "An Act to Dissolve Hospital Administrative District No. 3 in Aroostook and Penobscot Counties" (H. P. 932) (Presented by Mr. Walker of Island Falls)

(Approved for introduction by a majority of the Committee on Reference of Bills pursuant to Joint Rule 10)

(Ordered Printed)
Sent up for concurrence.

Tabled and Assigned

Bill "An Act to Include Village Corporations under the Provisions for Home Rule" (H. P. 974) (Presented by Mr. Mackel of Wells)

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

On motion of Mr. Dam of Skowhegan, tabled pending reference and tomorrow assigned.

Legal Affairs cont'd.

Resolve, to Reimburse Lawrence H. Roberts of South Portland for Damage to his Automobile Caused by State Ward (H. P. 973) (Presented by Mr. Perkins of South Portland)

(Ordered Printed)
Sent up for concurrence.

Tabled and Assigned

Bill "An Act Requiring Secondhand Retail Dealers to be Licensed" (H. P. 1009) (Presented by Mr. Burns of Anson)

Committee on Reference of Bills suggested the Committee on Legal Affairs. Mrs. Clark of Freeport moved that the Bill be referred to the Committee on Business Legislation and ordered printed.

On motion of Mr. Burns of Anson, tabled pending the motion of Mrs. Clark of Freeport to refer to the Committee on Business Legislation and tomorrow assigned.

Tabled and Assigned

Bill "An Act to Expand the Right-to-Know Law to Cover the Boards of Trustees of the University of Maine and of the Maine Maritime Academy" (H. P. 1018) (Presented by Mr. Hughes of Auburn)

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

On motion of Mr. Faucher of Solon, tabled pending reference and tomorrow assigned.

Liquor Control

Bill "An Act to Prohibit Certain Liquor Advertising Signs on the Premises of Retail Liquor Licensees" (H. P. 955) (Presented by Mr. Jensen of Portland)

Bill "An Act to Restrict Liquor Control Commission Records of Liquor Violations to Violations which are Less than 5 Years Old" (H. P. 981) (Presented by Mr. Jensen of Portland)

Bill "An Act to Permit Uniform Reduction of Liquor Prices in Four Stores in the State" (H. P. 987) (Presented by Mr. Pierce of Waterville)

Bill "An Act to Require Licenses for Employees of Malt Liquor Wholesalers" (H. P. 1021) (Presented by Mr. Jensen of Portland)

Bill "An Act Concerning the Time Period after the Last Permitted Sale of Liquor During which a Licensee May Permit the Consumption of Liquor on his Premises" (H. P. 1022) (Presented by Mr. Jensen of Portland)

(Ordered Printed)
Sent up for concurrence.

Local and County Government

Bill "An Act to Establish 2-year Terms for County Commissioners." (H. P. 937) (Presented by Mr. Cooney of Sabattus)

Bill "An Act Creating Kennebec County Commissioner Districts" (H. P. 929)

(Presented by Mr. Carter of Winslow)

Bill "An Act to Establish County Commissioner Districts in Lincoln County" (H. P. 997) (Presented by Mr. Blodgett of Waldoboro)

Bill "An Act to Authorize all Counties to Operate Solid Waste Collection and Disposal Systems" (H. P. 999) (Presented by Mr. Morton of Farmington)

Bill "An Act Creating Franklin County Commissioner Districts" (H. P. 1002) (Presented by Mr. Morton of Farmington) (Cosponsor: Mr. Maxwell of Jay)

Bill "An Act Relating to the Powers of County Government" (H. P. 980) (Presented by Mr. Burns of Anson)

Bill "An Act Increasing Salaries of County Officers of Kennebec County" (H. P. 949) (Presented by Mr. Stubbs of Hallowell)

(Ordered Printed)

Sent up for concurrence.

Marine Resources

Bill "An Act Prohibiting Municipalities from Excluding Nonresident Maine Citizens from Obtaining Local Shellfish Digging Licenses and Authorizing Municipalities to Charge Higher Fees to Nonresident Maine Citizens for those Licenses" (H. P. 1026) (Presented by Mr. Goodwin of South Berwick)

(Ordered Printed)

Sent up for concurrence.

Natural Resources

Bill "An Act to Authorize the Delegation by the Board of Environmental Protection of Certain Actions to the Department of Environmental Protection" (H. P. 958) (Presented by Mr. Wilfong of Stow)

Bill "An Act Concerning the Approval of Repairs to Existing Septic Systems" (H. P. 1007) (Presented by Mr. Rolde of York)

Bill "An Act to Amend the Subdivision Law to Provide for More Housing in the State" (H. P. 1006) (Presented by Mr. Rolde of York)

Bill "An Act to Establish the Salmon Falls River Watershed Advisory Committee" (H. P. 1014) (Presented by Mr. Goodwin of South Berwick)

(Ordered Printed)

Sent up for concurrence.

Public Utilities

Bill "An Act Relating to Railroad Crossings" (H. P. 1013) (Presented by Mr. Kelleher of Bangor)

Bill "An Act Establishing a Consumer Complaint Office within the Public Utilities Commission" (H. P. 1019) (Presented by Mr. Goodwin of South Berwick) (Cosponsor: Mr. Hobbins of Saco)

(Ordered Printed)

Sent up for concurrence.

Business Legislation

Bill "An Act Regulating Water Well Construction" (H. P. 956) (Presented by Mr. MacLeod of Bar Harbor) (Cosponsor: Mr. Blodgett of Waldoboro)

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

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

Mr. MacLEOD: Mr. Speaker, Ladies and Gentlemen of the House: I very rarely question the wisdom of the Reference of Bills Committee. However, in the case of this item, An Act Regulating Water Well Construction, I feel that although it does set up what might look like a new

department, it is setting up within an already existing department, the Department of Geology, a regulating mechanism whereby we would be trying to set up some guidelines for well drilling associations in the state. Therefore, I feel it is affecting many small business people in the state and therefore should be heard by the Business Legislation Committee. Therefore, I would move that item 70 be referred to the Committee on Business Legislation, ordered printed and sent up for concurrence.

Thereupon, on motion of Mr. MacLeod, referred to the Committee on Business Legislation, ordered printed and sent up for concurrence.

State Government

Bill "An Act to Clarify the Powers of Regional Planning Commissions" (H. P. 992) (Presented by Mr. Ault of Wayne)

Bill "An Act to Permit Municipalities to Authorize the Department of Finance and Administration to Make Certain Purchases on their Behalf" (H. P. 1000) (Presented by Mr. Conners of Franklin)

Bill "An Act to Create a Full-time Board of Environmental Protection" (H. P. 931) (Presented by Mr. Peterson of Windham)

Bill "An Act to Authorize Community and Rural Development Districts" (H. P. 970) (Presented by Mr. Cooney of Sabattus)

Bill "An Act to Limit the State Agencies which May Own Automobiles" (H. P. 976) (Presented by Mr. Norris of Brewer)

Resolve, Authorizing the Bureau of Public Lands to Convey the State's Interest in a Lot in Trescott, Washington County, to Clarify Title (H. P. 954) (Presented by Mr. Kelleher of Bangor)

Bill "An Act to Facilitate Operation of the Coastal Island Registry and to Establish Criteria for State Title in Coastal Islands" (H. P. 965) (Presented by Mrs. Najarian of Portland)

Resolution, Proposing an Amendment to the Constitution to Provide an Additional Means for Removal of Judges and Justices of the Several Courts (H. P. 1005) (Presented by Mr. Rolde of York)

Bill "An Act to Revise Certain Provisions of the Maine Health Facilities Authority Act" (Emergency) (H. P. 1027) (Presented by Mr. Martin of Eagle Lake) (Approved for introduction by a majority of the Committee on Reference of Bills pursuant to Joint Rule 10)

(Ordered Printed)

Sent up for concurrence.

Taxation

Bill "An Act to Provide Income Tax Credits for Eligible Businesses" (H. P. 935) (Presented by Mr. Finemore of Bridgewater)

(Ordered Printed)

Sent up for concurrence.

Tabled and Assigned

Bill "An Act Concerning Municipal Property Tax Bills" (H. P. 940) (Presented by Mr. Cooney of Sabattus)

Committee on Reference of Bills suggested the Committee on Taxation.

Mr. Dam of Skowhegan moved the Bill be referred to the Committee on Local and County Government.

On motion of Mr. Finemore of Bridgewater, tabled pending the motion of Mr. Dam of Skowhegan to refer to the Committee on Local and County Government and tomorrow assigned.

State Government cont'd.

Bill "An Act to Increase the Tax on Real

Estate Transfers" (H. P. 944) (Presented by Mr. Hall of Sangerville)

Bill "An Act Concerning Taxes on Alcoholic Beverages" (H. P. 1001) (Presented by Mr. Farnham of Hampden)

Bill "An Act to Establish Minimum Assessment Standards for Single-unit Municipal Assessing Areas" (H. P. 967) (Presented by Mr. Peterson of Caribou)

Bill "An Act to Create a Maine State Income Tax Credit for the Creation of Additional Jobs" (H. P. 1010) (Presented by Mrs. Kany of Waterville)

(Ordered Printed)

Sent up for concurrence.

Tabled and Assigned

Bill "An Act Concerning the Municipal Valuation Appeals Board and Procedures for Municipal Appeals" (H. P. 1015) (Presented by Mr. Goodwin of South Berwick)

Committee on Reference of Bills suggested the Committee on Taxation.

Mr. Dam of Skowhegan moved that the Bill be referred to the Committee on State Government.

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

Mr. ROLDE: Mr. Speaker and Members of the House: The sponsor of this bill is not here today, so I would ask somebody to table this for two legislative days.

Whereupon, on motion of Mr. Finemore of Bridgewater, tabled pending the motion of Mr. Dam of Skowhegan to refer to the Committee on State Government and specially assigned for Monday, March 24.

Taxation cont'd.

Bill "An Act to Increase the Portion of Tax Stamp Revenues Derived from the Tax on Real Estate Transfers which is Paid to the Counties" (H. P. 943) (Presented by Mr. Hall of Sangerville)

(Ordered Printed)

Sent up for concurrence.

Tabled and Assigned

Bill "An Act Concerning the Mounting of Red Lights on Vehicles Operated by Volunteer Firemen" (H. P. 990) (Presented by Mr. Usher of Westbrook) (Cosponsor: Mr. Laffin of Westbrook)

Committee on Reference of Bills suggested the Committee on Transportation.

Mr. Laffin of Westbrook moved that the Bill be referred to the Committee on Legal Affairs.

On motion of Mr. Binnette of Old Town, tabled pending the motion of Mr. Laffin of Westbrook to refer to the Committee on Legal Affairs and specially assigned for Monday, March 24.

Transportation

Bill "An Act to Authorize the Construction of a Bridge Across the Penobscot River Between the Cities of Brewer and Bangor" (H. P. 994) (Presented by Mr. Norris of Brewer) (Cosponsors: Mr. Cox of Brewer, Mr. McKernan of Bangor, Mr. Kelleher of Bangor)

Resolve, Proposing a Study to Investigate the Feasibility of Developing Foreign Trade Zones in this State (H. P. 985) (Presented by Mr. Talbot of Portland) (Cosponsor: Mr. Mulkern of Portland)

Bill "An Act Concerning Certain Allocations from the General Highway Fund for the Repair of Certain Bridges in Baxter State Park" (Emergency) (H. P. 978) (Presented by Mr. Birt of East Millinocket)

Bill "An Act Relating to the General Penalty Provision in the Motor Vehicle Statutes" (H. P. 945) (Presented by Mr. Joyce of Portland)

Bill "An Act Relating to Motor Vehicle Inspection Mechanic Licenses" (H. P. 951) (Presented by Mrs. Clark of Freeport)

(Ordered Printed)

Sent up for concurrence.

Veterans and Retirement

Bill "An Act Providing for Increased Survivor Benefits under the Maine State Retirement System" (H. P. 946) (Presented by Mr. Theriault of Rumford)

Bill "An Act Relating to the Payments of Retirement Pay of State Police Officers" (H. P. 962) (Presented by Mrs. Snowe of Auburn)

Bill "An Act Providing Minimum Retirement Benefits for Certain Teachers" (Emergency) (H. P. 991) (Presented by Mrs. Lavery of Millinocket)

Bill "An Act Pertaining to the Granting of Extensions in State Service to State Employees of 70 Years of Age or Older by the Retirement Board of Trustees" (H. P. 963) (Presented by Mrs. Kelley of Machias) (By request)

(Ordered Printed)

Sent up for concurrence.

Orders

Later Today Assigned

Mr. Rolde of York presented the following Joint Order and moved its passage: (H. P. 1004)

WHEREAS, a deepening recession, pushed the jobless rolls of the nation to 6.5 million or 7.1 percent of the work force during the month of January; and

WHEREAS, with this development, the citizens in certain areas of this State are experiencing extreme hardship; and

WHEREAS, there is an urgent need for the government to provide the means to combat this problem with greater force; now, therefore, be it

ORDERED, the Senate concurring, that the Legislative Council be authorized, through the Joint Standing Committee on Labor, to review the Employment Security Laws of this State for the purpose of providing more appropriate funding, benefits and other means to adequately deal with current unemployment levels; and be it further

ORDERED, that the committee report the results of its findings, including any recommended legislation, at the next special session of the Legislature; and be it further

ORDERED, that the Department of Manpower Affairs be authorized and directed to provide the committee with such technical advice and other needed assistance as the committee deems necessary to carry out the purposes of this Order.

The Order was read.

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

Mr. ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: This Order that I am presenting today is being presented at the request of the Commissioner of the Department of Manpower Affairs. I think we are all very well aware of the terrible problem of unemployment that we are experiencing, not only through the entire country but particularly in our state here.

I have noted that the latest figures that were published in the paper the other day was 11.3 percent unemployment, and there are others that said the unemployment rate is as high as 12 percent.

I know that this Order is a very small step in dealing with this very immense and difficult problem, but I hope that we will at least take this small step, and I urge your passage of the Order.

Thereupon, on motion of Mr. Connolly of Portland, tabled pending passage and later today assigned.

On motion of Mr. Binnette of Old Town, it was

ORDERED, that Harland Goodwin of South Berwick be excused March 20 and 21 for legislative business; and be it further

ORDERED, that James Wilfong of Stow be excused March 20 and 21 for personal reasons.

House Reports of Committees

Leave to Withdraw

Mr. Hunter from the Committee on Legal Affairs on Bill "An Act Prohibiting Sale or Lease of Property Acquired by Eminent Domain to Elected Officials" (H. P. 93) (L. D. 113) reporting Leave to Withdraw (Senator Danton of York abstained)

Report was read and accepted and sent up for concurrence.

Divided Report

Majority Report of the Committee on Legal Affairs reporting "Ought Not to Pass" on Bill "An Act to Deem the Municipality of Jay to Be Part of the Northern Androscoggin District of the District Court" (H. P. 60) (L. D. 72)

Report was signed by the following members:

Messrs. CORSON of Somerset
CIANCHETTE of Somerset
DANTON of York

— of the Senate.

Messrs. HUNTER of Benton
DUDLEY of Enfield
SHUTE of Stockton Springs
JOYCE of Portland
BURNS of Anson

— of the House.

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

Report was signed by the following members:

Messrs. COTE of Lewiston
PERKINS of Blue Hill
GOULD of Old Town
FAUCHER of Solon
CAREY of Waterville

— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Jay, Mr. Maxwell.

Mr. MAXWELL: Mr. Speaker, Ladies and Gentlemen of the House: I move that we accept the Minority Report of the Committee, "Ought to pass" and I would like to speak very briefly about this.

The district court in Livermore Falls is located less than two miles away from the Jay Police Station, and the Farmington Court, which is served by the same judge, the same people, is located a distance of a 25-mile round trip. So with the price of gasoline, the price of labor, the economy of the state and the towns and counties situation that they are in, it is only a fair and just thing to do.

The SPEAKER: The gentleman from Jay, Mr. Maxwell, moves that the House accept the Minority "Ought to pass" Report.

The Chair recognizes the gentleman from Farmington, Mr. Morton.

Mr. MORTON: Mr. Speaker, Ladies and Gentlemen of the House: I hate to disagree with my colleague, the gentleman from Jay, whom I respect highly. The round trip

is — I don't know if it is exactly 25 miles, but if you want to talk about round trips, it is two miles from Jay to the Livermore Falls Court and that is a four-mile trip, so the contrast isn't quite so great. Naturally, it depends on where you live in Jay as to how far you have to go to court.

However, this particular jurisdictional dispute has been going on now for 10 years or so in Franklin County. It has been back and forth several times. The court has been aiding Jay in Livermore Falls at times, perhaps just for civil cases, criminal cases, they have mixed it up. It has been this way now for the last four years the way it is. It seems to be working very well. And speaking of travel, of course, it is just as important to concern yourself with the travel of court officers and officials who have to travel from the county seat or other parts of the county to take care of prisoners who may be going to court in Livermore Falls, the southern part of the county, as it is to consider the travel of the people themselves. So it is a pretty "iffy" question: I don't see any particular need for this.

I think you will note that the majority of the committee signed it that it wasn't a good idea, and I hope you will defeat the motion of the gentleman from Jay so that we can move to accept the majority report.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I was a member of the Legal Affairs Committee that signed the majority report, "ought not to pass," and I thought we were using good judgment. This has been changed back and forth, and I couldn't see anything good that could come out of changing it, as well as the majority of the committee. The only reason it has been changed, like you have been told by the former speaker, back and forth on several occasions, but it would be an inconvenience for the court, which is crowded to some extent, very busy, in other words, they would be bothered every time there was a court session. The people going to court, hopefully they don't have to go to the court every month or every week or every day.

The people I was concerned about was the people holding the court that have to go there many times. The thought in my mind was that the constituents that have to go to court wouldn't have to go there too often. For that reason, it was one of my reasons that I couldn't see any great cry for changing it. I think the majority of the committee felt quite strongly that it should be left as it is.

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

Mr. JOYCE: Mr. Speaker, Ladies and Gentlemen of the House: I voted to oppose this move after we contacted Judge Ross of the District Court system, and apparently we were getting into many legal problems. I think it is strictly an administrative matter and that Judge Ross is the one who should handle it. Apparently, he feels right now that it is in its proper place.

The SPEAKER: The Chair recognizes the gentleman from Blue Hill, Mr. Perkins.

Mr. PERKINS: Mr. Speaker and Members of the House: Being one who signed the minority report as "ought to pass" I would like to speak to that briefly.

Our thoughts were that the police department of Jay came to us in force and asked that we support their going to court in Livermore rather than Farmington because it was depleting their enforcement.

Now, I am not in favor of working to help those who are going to court, because if they are going to court there is a problem. But I do feel that law enforcement is a problem within the state, and if we are depleting the law enforcement area within the Town of Jay then we should support the Minority "Ought to Pass" Report.

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

Mr. CAREY: Mr. Speaker, Ladies and Gentlemen of the House: I would like to address a question through the Chair to the gentleman from Farmington, Mr. Morton, who said that it is only a short distance from Jay to Farmington. How far is it from the Police Station in Jay to the Courtroom in Farmington, if the gentleman could answer?

The SPEAKER: The gentleman from Waterville, Mr. Carey, poses a question through the Chair to the gentleman from Farmington, Mr. Morton, who may answer if he so desires.

The Chair recognizes the gentleman from Farmington, Mr. Morton.

Mr. MORTON: Mr. Speaker and Members of the House: I am not sure where the police station is in Jay, so I really can't put my finger on it. If it is downtown in Chisholm, then the answer is approximately 10 miles, maybe 11 miles, and if it is a little further up the road, then it is a couple of miles closer, I am not sure.

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

Mr. LYNCH: Mr. Speaker and Members of the House: The police station is located in the old Jay High School building. I would say it was approximately 13 miles, give or take a little, from there to the court house in Farmington, and there from the court house in Livermore Falls it is approximately one and a half to two miles.

The SPEAKER: The Chair recognizes the gentleman from Anson, Mr. Burns.

Mr. BURNS: Mr. Speaker and Members of the House: I rise as an opponent to the bill. I hope you will vote against the "ought to pass" motion.

In reply to reference to the police in the uncovered town where they are in court in Farmington; they have a mutual pact with Livermore Falls and the Livermore Falls police are available to come up and cover the Town of Jay.

If we go back to the way this was before, there is a problem in the divorce proceedings. The people in Jay would have only one place to go and that would be to the Superior Court in Franklin County. There is also another problem with bound over hearings. The bound over hearings would be conducted in Livermore Falls and then have to be transferred to Franklin County. If this same rationale was applied throughout the state, there would be many many towns splitting up from the current districts to the other area.

The SPEAKER: The pending question is on the motion of the gentleman from Jay, Mr. Maxwell, that the House accept the Minority "Ought to Pass" Report. All in favor of accepting the "Ought to Pass" Report will vote yes; those opposed will vote no.

A vote of the House was taken.
Mr. Morton of Farmington 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 Jay, Mr. Maxwell, that the House accept the Minority "Ought to Pass" Report on Bill "An Act to Deem the Municipality of Jay to be Part of the Northern Androscoggin District of the District Court," House Paper 60, L. D. 72. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Ault, Bachrach, Bagley, Bennett, Berry, G. W.; Berry, P.; Berube, Binnette, Byers, Carey, Carpenter, Carroll, Carter, Chonko, Churchill, Clark, Conners, Connolly, Cooney, Cote, Curran, P.; Curran, R.; Dam, Davies, DeVane, Doak, Dow, Drigotas, Durgin, Dyer, Farley, Faucher, Fenlason, Finemore, Fraser, Gauthier, Goodwin, K.; Gould, Greenlaw, Hall, Hendersson, Hennessey, Hewes, Hinds, Hobbins, Hutchings, Ingenneri, Jackson, Jacques, Jalbert, Jensen, Joyce, Kany, Kauffman, Kelleher, Kelley, Kennedy, Laffin, LaPointe, LeBlanc, Leonard, Lewin, Lewis, Lunt, Lynch, MacEachern, MacLeod, Mahany, Martin, R.; Maxwell, McBreairty, McMahon, Miskavage, Mitchell, Morin, Mulkern, Najarian, Norris, Peakes, Pelosi, Perkins, T.; Peterson, P.; Peterson, T.; Pierce, Quinn, Raymond, Rideout, Rolde, Rollins, Saunders, Smith, Snow, Snowe, Spencer, Strout, Talbot, Theriault, Truman, Twitchell, Tyndale, Usher, Wagner, Walker, Winship, The Speaker.

NAY — Birt, Blodgett, Boudreau, Bowie, Burns, Call, Cox, Curtis, Dudley, Farnham, Flanagan, Gray, Higgins, Hunter, Immonen, Lizotte, Lovell, Martin, A.; McKernan, Morton, Nadeau, Palmer, Perkins, S.; Powell, Shute, Silverman, Sprowl, Stubbs, Susi, Tarr, Teague, Torrey.

ABSENT — Bustin, Garsoe, Hughes, Laverly, Littlefield, Mackel, Mills, Post, Tierney, Tozier, Webber, Wilfong.

Yes, 106; No, 32; Absent, 13.

The SPEAKER: One hundred six having voted in the affirmative and thirty-two in the negative, with thirteen being absent, the motion does prevail.

Thereupon, the Bill was read once and assigned for second reading tomorrow.

**Divided Report
Tabled and Assigned**

Majority Report of the Committee on Legal Affairs reporting "Ought Not to Pass" on Resolve, to Reimburse Kenneth I. Coombs for Legal Fees Caused by Unwarranted Action of the State Board of Education (H. P. 186) (L. D. 227)

Report was signed by the following members:

Messrs. CORSON of Somerset
CIANCHETTE of Somerset
DANTON of York
— of the Senate.

Messrs. COTE of Lewiston
DUDLEY of Enfield
FAUCHER of Solon
BURNS of Anson
SHUTE of Stockton Springs
HUNTER of Benton
CAREY of Waterville
— of the House.

Minority Report of the same Committee

reporting "Ought to Pass" on same Resolve Messrs. JOYCE of Portland
PERKINS of Blue Hill
GOULD of Old Town

— of the House.

Reports were read.

On motion of Mr. Faucher of Solon, tabled pending acceptance of either Report and tomorrow assigned.

Passed to Be Engrossed

Bill "An Act Relating to Payments to the County Law Libraries in the Several Counties of the State" (H. P. 1003) (L. D. 1066)

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

Orders of the Day

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

Bill "An Act to Protect Families with Children and Recipients of Certain Benefits Against Discrimination in Rental Housing" (H. P. 273) (L. D. 327) (C. "A" H-58) (H. "A" H-76)

Tabled — March 18, by Mr. Perkins of Blue Hill.

Pending — Motion of Mr. Ault of Wayne to Indefinitely Postpone Bill and Accompanying Papers.

On motion of Mr. Perkins of Blue Hill, tabled pending the motion of Mr. Ault of Wayne to indefinitely postpone Bill and all accompanying papers and specially assigned for Monday, March 24.

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

Bill "An Act Relating to Dealers in Used Personal Property" (H. P. 502) (L. D. 618)

Tabled — March 19, by Mr. Sprowl of Hope.

Pending — Passage to be Engrossed.

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

House Amendment "A" (H-97) 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: First, I wish to thank the appropriate people for allowing me to present this amendment today.

This amendment does not change the intent of the bill which received a unanimous "ought to pass" report from the Committee on Business Legislation.

It is offered at the suggestion of a constituent of mine who operates a large antique and used furniture business. The amendment, if adopted, would allow a dealer in used furniture to retain a signed receipt or record in a book the name and address of the conveyor of the property. It does drop the requirement to record the name of the conveyor when an item is sold by the dealer, since the name of the conveyor in that case would be the name of the dealer himself. The book or the signed receipt would then serve as a record of transaction.

I would hope you would support the amendment.

Thereupon, House Amendment "A" was adopted.

The SPEAKER: The Chair recognizes the gentlewoman from Freeport, Mrs. Clark.

Mrs. CLARK: Mr. Speaker, Ladies and Gentlemen of the House: It is my

understanding that there is still another amendment in preparation and I would request that someone might table this for still another legislative day.

Thereupon, on motion of Mr. Palmer of Nobleboro, tabled pending passage to be engrossed as amended and tomorrow assigned.

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

Bill "An Act to Reduce the Annual District Tax on Maine Forestry District Property Due to Increased Valuation" (H. P. 833) (L. D. 960) (Emergency)

Tabled — March 19, by Mr. Smith of Dover-Foxcroft.

Pending — Passage to be enacted.

On motion of Mr. Finemore of Bridgewater, under suspension of the rules, the House reconsidered its action whereby the Bill was passed to be engrossed.

The same gentleman offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-96) was read by the Clerk and adopted.

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

MR. PERKINS: Mr. Speaker and Members of the House: I wonder if somebody could explain this particular bill to us.

The SPEAKER: The gentleman from South Portland, Mr. Perkins, poses a question through the Chair to any member who cares to answer.

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

MR. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: Thank you Mr. Perkins; this bill should be explained.

In years gone by we have taxed all wildlands and all unorganized towns on a tax rate of 8½ mills at 50 percent valuation. This year we made the change in the tax division to tax everything 100 percent valuation, so therefore with 4¼ against 8½, we are getting the same amount of tax; the tax isn't being changed. As I think all the members of the House know, the state is trying to bring everything, even all municipalities, up to 100 percent valuation. Therefore, the tax hasn't changed one bit.

The reason for this amendment, there were two places in it that had 8½ that when the department gave me this bill they left them out, so we had to have an amendment to change it all through the whole law in order to make it 4¼. There is no change what so ever in the amount of tax.

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

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

Bill "An Act to Eliminate Certain Sales Taxes to Patients in Hospitals." (H. P. 378) (L. D. 471)

Tabled — March 19, by Mr. Dam of Skowhegan.

Pending — Motion of Mr. LaPointe of Portland to Indefinitely Postpone Bill and Accompanying Papers.

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

MR. PERKINS: Mr. Speaker and Members of the House: Could I have this, somebody, table this for two days? I am preparing an amendment for this bill.

Thereupon, on motion of Mr. Palmer of Nobleboro, retabled pending the motion of

Mr. LaPointe of Portland to indefinitely postpone the Bill and all accompany papers and specially assigned for Monday, March 24.

On motion of Mr. Rolde of York,
Recessed until the sounding of the gong.

After Recess

The House was called to order by the Speaker.

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

Resolution, Proposing Amendments to the Constitution to Provide Single Member Districts for the House of Representatives, to Provide for Apportionment of the House and Senate and to Establish an Apportionment Commission to Plan for all Apportionments of the House and Senate" (H. P. 19) (L. D. 27)

Tabled — March 19, by Mrs. Najarian of Portland.

Pending — Final Passage.

The SPEAKER: The Chair recognizes the gentleman from Old Orchard Beach, Mrs. Morin.

Mrs. MORIN: Mr. Speaker, Ladies and Gentlemen of the House: I would like to have somebody table this. I am getting a resolution, they are getting it ready now, for a court decision as to whether this is legal or not. I would like to have it tabled if possible.

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

MR. ROLDE: Mr. Speaker and Members of the House: I think it is a point of clarification. I believe that an opinion from the Attorney General has already been issued.

The SPEAKER: The Chair recognizes the gentleman from Old Orchard Beach, Mrs. Morin.

Mrs. MORIN: Mr. Speaker, my questions were not answered. It wasn't done as I asked them to do, and I don't intend to have my questions answered through leadership.

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

MR. CONNOLLY: Mr. Speaker, could I have this tabled for one day?

MR. ROLDE of York requested a vote on the tabling motion.

The SPEAKER: The pending question is on the motion of the gentleman from Portland, Mr. Connolly, that this matter be tabled pending final passage and tomorrow assigned. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

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

MR. TALBOT of Portland requested a roll call vote on final passage.

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 Gorham, Mr. Quinn.

MR. QUINN: Mr. Speaker, Ladies and Gentlemen of the House: This bill proposes to amend the Constitution of Maine to require that all representative districts in

the state are equal. Its first effect will be to reapportion the 15 existing multi-member districts in the state. It will also establish a constitutional procedure by which this initial division will be made, as well as future reapportionments. Originally, we had hoped to accomplish the change within the life of this legislature, but two circumstances mitigate against our plan.

First, there is some human consideration for the effects this change may have upon long established political arrangements, and perhaps on some senior incumbents. Since we have come this far for this many years, and since the redistricting will cross some wardlines, we have agreed that a transition of two years was not too much to yield.

Second, and more important, if you add the number of days allowed under the reapportionment procedure for commission action, then add the time permitted for legislative approval, and perhaps time for a court ruling, over seven months could elapse. Beginning from January, we could therefore, find ourselves in trouble with primary elections, and therefore we have moved it back to be effective.

A commission of the 108th Legislature will make the division of multi-member districts in 1977 which will be in effect for the 1978 elections, and the 109th Legislature will convene in 1979 with these new alignments.

We should all remember that this first redistricting procedure in 1977 will affect only the 15 current multi-member districts. In fact, we included language to prevent any encroachment on neighboring areas or presently existing single-member districts.

For the 15 multi-members concerned, the census bureau assures us they can provide a block by block population count for our major cities, and experience in past redistricting has shown that any geographical or population problems, while perhaps frustrating, certainly are surmountable. The next reapportionment will then be for the entire legislature in 1983 to take effect in the 1984 elections after the 1980 census.

As I have noted, what we really have here today is two major reforms, one to eliminate the inequities of 20 people on one ballot, and one to permanently establish a fair, unbiased reapportionment procedure.

Relative to the first of these reforms, the single-member concept, it seems superfluous to again address the pros and cons of this idea. We have plowed this ground many times, we have all given it thought — some as to how it will apply to Maine, some as to how it will apply to a political party, and some as to how it will affect their personal circumstance. It seems reasonable to say that the arguments can be broadly summarized on the one side as the advantages or disadvantages accruing to the people and to government, and on the other side as the maintenance of a political status quo.

But no matter how we feel, thought, certainly has been given, and debate it has certainly had. It seems unlikely that any oratory today is going to persuade or to change any minds. So, since minds are largely made up on that aspect of this bill, let me just take a minute to explain my reasoning for entering the bill in the manner which I did and let me briefly review the overall thrust of the measure.

Under the present arrangement, the legislature by itself can abolish the

multi-member districts. If that were the only objective I had had, it would have been an easier course to follow. To submit an ordinary bill would certainly be less complicated than attempting a constitutional amendment. But I felt it would be unfair to make such a change in such a manner. There can be little doubt that this proposed reorganization is politically significant, and I do not feel that such change should be made by any majority, even a two-thirds majority, without good reason and without all the deliberation that changes of this type should be entitled to. I believe that if this change is not only approved by two thirds of the legislature, but by the voters of Maine in referendum, there could be no complaint from those affected. No one would have been railroaded. If the idea has no merit and it is not in fact what the voters of Maine want, then let the voters correct us on the ballot.

And this leads me to the second stage of my short explanation. Please let me try and put this whole bill into perspective and let's see just what it will accomplish.

For the first time it will guarantee security for legislative minorities. No longer will a minority be hostage to the manipulations or abuse of a determined majority. The bill will set into constitutional concrete the method by which future appointments must be accomplished, a method as fair, as open, and as proven as any method yet devised.

The procedures established in the amendment will be used for all future legislative reapportionments. Henceforth, the methods and techniques of reapportionment will be a constitutional procedure, not to be tinkered with lightly, one which will protect any future minority parties, and one which will insure that any redistricting changes of this type will be done in a fair, non-partisan manner. The commission procedure itself guarantees political balance, regardless of who enjoys power. It is a step toward balanced, fair government that will mark the wisdom and foresight of this legislature. It will show the State of Maine that the 107th is willing to address one of the broad, long-range aspects of government, that we are willing to provide for the future, and that we are willing to take the initiative in establishing fairness for all parties and all factions at all times. We not only redress inefficiency and imbalance in existing multi-member districts of our state, we guarantee freedom from future partisan gerrymandering within this body.

The SPEAKER: The Chair recognizes the gentleman from Biddeford, Mr. Lizotte.

Mr. LIZOTTE: Mr. Speaker, Ladies and Gentlemen of the House: I certainly feel that I should get up here this morning to voice my opinion against single-member districts. I am sure that a good percentage of this House are from single-member districts as it now stands.

I always understood the reasoning for wards in a city such as mine — we have seven wards so we have seven councilmen, each representing their own ward. But I am a state representative from Biddeford, I am not here to represent the south end of Biddeford or the west end of Biddeford, I am here to represent the whole City of Biddeford, and for that reason, I firmly believe that all of the people of Biddeford should have the right to elect the three representatives as a whole and not as a part.

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

Mr. MULKERN: Mr. Speaker, Ladies and Gentlemen of the House: I stand here today knowing full well this morning that it isn't very likely that I am going to change the outcome of the vote on this crucial issue of single-member districts. But for the record, I would like to state my reasons for opposing this bill today.

I have done some reading on this subject and, like the rest of you, have considered the issue long and hard. My reading, I must also admit, has generally supported the idea of single-member districts as more closely embodying the ideal of one man one vote, an ideal which, to say the least, if accurate, should appeal to all Americans concerned with better representation for their people.

The courts of our nation have also pointed out that in some areas of our nation that multi-member districts have been abused, but other areas of the nation are of no concern to me today. It is Maine that is my concern, and what concerns me, ladies and gentlemen of this House, is that exclusive use of single-member districts may have exactly the opposite effect of what its advocates intend and, specifically, I am referring to the true representation of all people in this legislature.

Our founding fathers, while recognizing the importance of government that would represent the will of a majority of our people cautioned, however, against the potential power of a majority that could effectively thwart the rights of a minority. Such illustrious men of this period as Alexander Hamilton, John Adams and George Washington shared this viewpoint. This is essentially the reason that the bicameral congress came about, so that small states would have the power equal to large states in one body, namely the Senate, and that population would be fairly represented as well in the House of Representatives.

If you will bear with me, ladies and gentlemen, I would like to project the same concept back to the single-member district. The single-member district, ladies and gentlemen of the House, I believe could very possibly become a tool to entrench majority rule in a district to the total exclusion or near exclusion of a minority.

This House, as I see it at present, ladies and gentlemen, represents a fairly good cross-section of the viewpoints of all Maine citizens. We have students, farmers, doctors, lawyers, fishermen, wealthy, middle income, low income, and minority representation here, and I for one don't want to see this change.

I look over to my left, for instance, at the gentleman from Portland, Representative Talbot, a member of a minority group, the sole representative of his people in this House. I believe it will be a sad day for this House if they could not benefit from his views when voting on important issues that affect those he represents. Whether you agree or disagree with what he has to say or how he says it, he has a right to be heard. If we vote for single-member districts today, ladies and gentlemen, I believe that voices such as his and others which speak for the rights of the less fortunate minorities could very well be eliminated from this House.

The City of Portland, for instance, might be districted in such a way that many legislators would not be able to support

such issues as increased AFDC, discrimination in rental housing, corrections reform and other controversial issues without insuring their defeat in the next election. This is why I am concerned, ladies and gentlemen. Broadly the philosophy of one man one vote sounds great, but single-member districts should not be supported exclusively.

The SPEAKER: The Chair recognizes the gentleman from Mexico, Mr. Fraser.

Mr. FRASER: Mr. Speaker, I move 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.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: I do not intend to speak on the issue that is before us, but I do believe that there are others in here who have some expression that they would like to put into the record concerning their position.

I have stood in this House many times before, and I have never supported the previous question for any issue, even though I may have wanted it as quickly as possible.

I can understand the gentleman from Mexico in offering it, but I do wish that this House would vote against it, whether you like the remarks you are going to hear or whether you don't like the remarks you are going to hear. Let each and every member of this House, under the democratic principles we were elected to come here to do, to serve the people that we represent and to express their opinions as well as our own.

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

Mr. BINNETTE: Mr. Speaker, Ladies and Gentlemen of the House: After hearing my good friend Representative Kelleher expound in his manner, I can't follow it like that, but I am with him a hundred percent. What behooves me is whenever there is a job to be presented they always write in it "equal opportunity for all." I really believe that anybody who has anything to say on this measure, whether I like it or not, I am willing to sit here and listen to them, and I don't agree with this previous question business. Let's let everybody have an opportunity to express themselves.

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

Mr. GAUTHIER: Mr. Speaker, Ladies and Gentlemen of the House: I don't think we have been discussing this bill very long, and I am very very surprised that this was brought up. We are all here, those in multi-member districts as well as single-member districts, we have been voted in by the people to represent them

over here. If we have anything to say or to present, I think we should have that opportunity to defend our people.

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

Mr. McKERNAN: Mr. Speaker, Ladies and Gentlemen of the House: I want to echo the comments of the three previous speakers. I think it would be unfortunate, regardless of how we feel on the merits of this bill, to limit debate. This is probably the most important question that at least has faced us so far and perhaps that will face us during the whole session. I think that both sides should be able to give their views.

The SPEAKER: The pending question before the House now is shall the main question be put now? If you are in favor, you will vote yes; if you are opposed, you will vote no.

A vote of the House was taken.

14 having voted in the affirmative and 122, in the negative, the main question was not ordered.

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

Mr. TALBOT: Mr. Speaker, Ladies and Gentlemen of the House: I thank the body for having voted against the previous question. There is a couple of things that I would like to say for the record.

I come from a multi-member district, which is Portland. I concur wholeheartedly with my colleague from Portland, Mr. Mulkern. He has said it very ably. He has said most of what I want to say, but I would like to say a couple of things.

During the 106th, I voted against single-member districts, mainly because when I came to the House here, I came as a minority and I mean a minority insofar as race is concerned, and in the hometown of Portland, what I did is, I went all the way across the city and joined myself in a coalition with low-income people, mainly the gentlemen from Portland, Mr. Connolly. Through that coalition, both of us are here in the House of Representatives—supposedly representing the entire city of Portland and representing our constituents that usually don't have a voice within this House. I think that single-member districts would do away with that, just as my colleague from Portland, Mr. Mulkern, has said. It will work just the opposite in this state as it does in any other state.

In other words, if a Black or an Indian, Chicano or a Mexican-Mexican-American was to run from a single-member district in the City of Portland or Bangor, he would run behind himself from that particular district. He would not have the opportunity to go across the city to get help from his other brothers and sisters from low income; he would have no opportunity for a coalition; he would run by himself.

I have problems with that because I have been in this state all my life and I think coalitions are good. I think they are healthy. I think they are good for us. Also, the argument that if we break up the City of Portland into single-member districts, we always have a representative from the low-income group here with us. That is not necessarily so. It can also work in the reverse, because as you know, over the years a community, any part of a community, will change neighborhoods. They will change either from high income to low income or middle class to high — it changes. And in the single-member districts in the City of Portland, you have

low income but you also have middle-income within that neighborhood. I don't think you will always have a representative from the low-income group here, mainly because you have single-member districts. I think that also is a crucial question. I also think it would weaken the overall vote from the multi-member districts.

We have multi-member districts here in the state plus single member districts. I think we do very well. I think the representation in the House is very good and I think we do a very good job at it. The people of the City of Portland, as far as I am concerned, are very well satisfied.

I have no call on single-member districts. I think we have to take that into consideration also. We also have to take into consideration that as it stands now, somebody from one part of town or another part of town can give me a piece of legislation that I can sponsor or I don't have to sponsor it. Usually, the way it stands now, we can and do sponsor it. But coming from a single-member district in the City of Portland, somebody from one part of town can give me a bill to sponsor and I can say, "wait a minute, hold the phone, go see your representative," and that representative from his area, from his particular district, could say no, this part of town doesn't want to support AFDC; this part of town doesn't want to support discrimination in housing, this part of town doesn't want to do this or this part of town doesn't want to do that — you are locked in. That single-member district representative is locked in. If that particular district says to me, you do this, then I do that. I have no other choice. I don't think that that is good.

Last of all, whether we like it or not, no matter how rosy one paints the picture, this is a political question. There is no doubt about it. It is a political question and I am proud that I am a Democrat coming out of the City of Portland and I will stand here and say that I hope that 10 Democrats come out of the City of Portland the next time around, the next time around and the next time around. I don't feel like going behind the barn and saying I am ashamed to be a Democrat because I am from a multi-member district. I want Democrats to come out. I am proud to be a Democrat.

I guess all I have had to say has been said by the gentleman from Portland, Mr. Mulkern and myself.

I am going to vote against this and I am going to vote against this because I feel that that is my duty. I am not going to take a walk. In all sincerity, in fairness, I was asked to pair with somebody else that wasn't going to be here and I did that and I did that with sincerity and fairness until later when I found out that I had been had. There was a lot of controversy insofar as that pairing was concerned, and I was under the impression that I asked my majority leader, who is sitting in the right hand corner, if I couldn't get out of that commitment and as far as I knew, I was out of that commitment, but I am not out of that commitment. I am going to have to break that commitment because I am not going to take a walk. I can't take a walk because I am locked in anyway.

I am going to vote on this issue because I strongly believe in it. I have been reading for the last two years on our voting rights act, on districting, on multi-member districts through the efforts of the U.S.

Commission of Civil Rights and the exact opposite works in this state as in other states.

I would sincerely hope that you will give these things thought — no, that is the wrong word, don't think about it — but mull these over in your mind and give it some thought and I would hope that you would defeat this particular bill.

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

Mr. CALL: Mr. Speaker, Ladies and Gentlemen of the House: There must have been some very good sound reasoning for the creation of multi-member districts in the first place. I don't know what they were but whatever they were, I say they are still significant. We should not be making changes just for the sake of changes alone.

I am one of six Lewiston Representatives and I am also one of seven city aldermen. In Lewiston, I represent one ward, but it is not uncommon for a voter in another ward to call me regarding a problem because he doesn't know who his alderman is or for some other reason. An alderman actually represents the whole city as well as his ward. The situation is even more true when it comes to state representatives. A voter in District 6 in Lewiston has the opportunity to contact one or more of six representatives when he has a problem.

Let me finish by saying what somebody who was in this house several years ago, a good friend of mine, used to say on occasion: "This is a bad bill; let's kill it."

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

Mr. FLANAGAN: Mr. Speaker, Ladies and Gentlemen of the House: It is against my principles to arise before this august body and speak in opposition to L.D. 27, single-district bills.

The real purpose of my being here is to speak for the people in Portland and to represent them in a sane and sensible manner. My particular interests are in people's bills; yet in more than 1,100 L.D.'s collected on my desk here, very, very few of them will meet the criteria of a people's bill.

First, let me give you a little history of districting. During the last 25 years, the issue of districting has surfaced in Portland many times. I voted for districting at every referendum that they had. However, the idea was soundly defeated in every attempt. A recent move was made to try it again last fall. Our city council, after three hearings, refused to let it go to referendum and again killed the request. Presently, a people's petition is being circulated in Portland and if the required signatures are presented once again, districting will go to the voters of Portland for a determination.

I came here to represent the City of Portland, the people of Portland and the people of Portland have been telling me over the years that they don't want districting, so I find it easy for myself to stand here and go on record in opposition to this particular bill. Yet, at the same time, I do feel that it is a terrible waste of our hard energy here talking about these issues when we have so many problems of the people. These problems need to be solved, but they will only be solved if we here will get down to work and be willing to do something about it instead of wasting our time on a proposition that so many of us realize is not what our people want.

The SPEAKER: The Chair recognizes

the gentlewoman from Portland, Mrs. Najarian.

Mrs. NAJARIAN: Mr. Speaker, Ladies and Gentlemen of the House: As another representative from the state's largest multi-member district, I have found widespread dissatisfaction among the voters with the present method of districting.

Regardless of the amount of effort or desire on the part of the voter, it is virtually impossible for even the most conscientious voter to assess the qualifications of 20 or more candidates competing for the same office. The voters inability to really know the candidate is not due to any lack of effort or campaigning on the part of any candidate.

For example, in the last general election, the candidate who placed 11th remained mostly a mystery throughout the campaign. His picture and name were thoroughly advertised. He had radio, news spots, ads, etc., but even we, who were competing against him, could never seem to remember just what he did or what he stood for.

In a district with approximately 30,000 households, there just isn't enough time for any one of us to undertake a personal door-to-door campaign, which I think is highly desirable. If I had tried to spend a half hour in every kitchen in Portland, as did the gentleman from Standish, Mr. Spencer, I would be right home in my kitchen right now known as a former representative.

In Portland, we vote for as many as ten representatives and because most of the names are just that, names, interesting voting patterns have developed. Some vote for one candidate, others for two or three, those they know and like. Far too many simply check off the first ten and some skip over that rate and don't vote at all. Some go ceny, meeny, miney, mo and of course, a great many intelligent people vote strictly on part identification and may their tribe increase, that is not a method I object to.

But for the majority in Portland, the present method of selecting representatives is a discouraging, frustrating, haphazard and guilt producing procedure. No one exercising a constitutional right or duty should have to leave the voting booth, blaming themselves for voting irresponsibly when the system is at fault. That is the main reason I support the single member districts.

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

Mr. ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: I feel that I must comment on the legislation that is before us today.

As a Democratic leader, the prospect of a Constitutional Amendment to divide what are now multi-member House of Representatives districts to single districts, presents a difficult challenge. One of the most obvious aspects of this difficulty is a matter of politics. Of some 41 multi-member district seats in the state, the Democrats now hold 33. Therefore, the argument goes, why should we want to give up this advantage? Why should any Democrat, never mind the members of the Democratic leadership, support the change that is being proposed here today?

Aren't we cutting our own throats? On the other side of the aisle, there may be presumably a quiet sense of glee behind the somber, we're for good government fronts, that our friendly opposition members have put on for today, there are, I have no doubt, the hidden smirks of some Republicans who may be whispering to themselves — those foolish Democrats are really going to be playing our game.

I noted a news story a number of weeks ago where the Assistant Minority Leader was quoted as saying, when the vote came on single-member districts that he hoped there would be 59 Republican buttons pressed in its support. I would bet that he would have most of those votes today.

Why then should any Democrat go along with the opposition? This question has been asked in genuine anguish at our caucuses by those who may be affected by this legislation and also by those who have sincere worries about the future strength of our party. And it has been an equally agonizing experience for at least this Democratic leader to find reasons to go along with such legislation, knowing that it represents potential risks to our party while to the opposition, it seems to represent a potential advantage. Yet, appearances are often deceiving.

Legislative history in this or any other state is full of examples of what appears to be political expediency on how it backfired, when they only mentioned the big box as far as Maine is concerned, and we all lived through the days when the Republicans licked their chops in anticipation of the great political rewards that that supposed reform would bring, only to see their dream turned to ashes. It is wise not to gloat too soon.

For the Democrats then, the passage of a single-member district bill represents a real danger. It could be a difficult political problem for us and I will admit that and in admitting it, I will paraphrase William Faulkner somewhat and say that a victory is not much of a victory in which nothing has been ventured. From my counterparts on the GOP side, there is no effort here. No matter what window dressing they place on their efforts, their solid feather ranks of lights on our tote board may well be a tribute to a collective sense the Republicans have that they are going to gain something but for the Democrats to vote for this bill, particularly the Democrats in leadership, the choice is difficult. One's selfishness rebels against one's sense of duty. There is really no doubt that the system of single member districts can theoretically provide a fuller measure of representation than currently exists. Good government against party advantage, that is the simplistic way of stating the case.

I hope today that we will pass this Constitutional Amendment to create single-member districts. These words do not come easily to my lips, for I know that in saying them, I am going against many of my friends. It is not easy to make this decision, but what sustains me is a feeling that the Democratic Party will emerge stronger for having taking a position that is not entirely in its self interest, that in doing so, we will have exhibited qualities of leadership that are in the same tradition of the bold stands of the public interest that have characterized the rebirth of our party since 1954 and have led in 1975 to our position as the majority party in the 107th Legislature. Faint heart n'er won fair maiden, and some of our friends in the opposite party, they harbor secret or not so

secret convictions that we are acting like naive fools in passing single-member districts, but I have a firm belief that the forward, progressive and courageous stances taken by the Democratic Party in the past two decades have not hurt us but have been underlying reasons for our current success.

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

Mr. McMAHON: Mr. Speaker and Members of the House: Very briefly, the gentleman from York is a prime example of a person who won his seat in an area dominated by the other party. Mr. Rolde won his seat by hard work and he has kept it by good service. Anyone in this House will be able to do the same thing.

The SPEAKER: The Chair recognizes the gentleman from Westbrook, Mr. Laffin.

Mr. LAFFIN: Mr. Speaker and Members of the House: I hadn't planned on speaking today on this issue. I usually get excited on some things but some things have been said here today and if they hadn't been said I wouldn't have gotten up.

First of all, when I vote on an issue it is not because I am a Republican or Democrat. I was elected by Democrats and I come from a Democratic city. A Republican hasn't been elected to this House in 22 years from Westbrook. I don't vote for the party and if you don't believe me, you can ask Mr. Palmer. I vote for the issues that come before this House. The issue that is before us today is the issue of the people who is going to decide and any time there is an issue that the majority of the people would rule on, I would be in favor of because I feel it is far better to have 16,000 people in Westbrook vote on an issue and take their advice than my own vote here in the Legislature. I have also been on the Westbrook City Council, I represented a Democratic Ward. It is now Mr. Usher's ward. When I was elected, I was elected from that ward but I represented the people of Westbrook not Ward 3. Westbrook has been divided, we now have one section of Westbrook that is represented by my good colleague, Mr. Quinn from Gorham. The people of Westbrook didn't like to be represented by someone that they didn't know. That is the issue here today. If you have a single-member district you will know the people in that ward. I have never judged a man by the color of his skin or by what church he goes to and I don't believe in minorities. We are all Americans and I vote accordingly and I take exception to people saying that the minorities are hurt or this one and that one because those kind of people don't get elected to this House. I vote for the man and his principles.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: Very briefly, I have continuously down through the years voted to keep multi-member districts but after what I have seen in the last couple years in this House and I feel as though the people that represent these cities in a lot of areas and my own personal feeling is that the way they vote that they are not close enough in contact with the people they represent and today I am going to vote for single-member districts. I think it will put the legislator from that area in closer contact with the people that he represents. I know an awful large percentage, probably 80 percent of the people in my area or 70 percent for sure by their first

name, and I feel that these people in the cities know very few of their constituents by their first name and I think that if we have single-member districts it will tend to make these people closer to the people they represent. They will actually know some of them where they don't today so for this reason I am going to change my stand that I have had for years and I am doing it just based on what I see here how far out of touch they are with the people, in my opinion.

The SPEAKER: The Chair recognizes the gentlewoman from Auburn, Mrs. Snowe.

Mrs. SNOWE: Mr. Speaker, Ladies and Gentlemen of the House: I am speaking today not only as a member of the State Government Committee but also as a member of the multi-member district. I am also speaking today in the interests of good government because this is exactly what it is, good government. Isn't that why we are here? No other issues should misconstrue the very essence of this proposal. The establishment of single-member districts would be a significant legislative reform for this state. Single-member districts in the urban areas would undoubtedly bring about more effective, equitable and democratic representation. Single-member districts would most certainly heighten a legislators responsiveness to his constituents. I also believe that a legislator would experience the highest sense of identification with constituents than he or she has previously known, not only in the course of campaigning but also while serving in the Legislature. At the same time representing a single-member district would mean that the people in the district would develop a greater degree of familiarity with their legislator. Certainly they would be much more aware of his or her job performance. In contrast, voters in a multi-member district are handicapped by long and cumbersome ballots, more often than not voters will not vote for as many legislators as they are allowed to for their districts simply because they aren't familiar with all the candidates. Consequently they don't feel justified in voting for them. The same reasons constituents are less able to communicate their needs, ideas and problems to their representative in these heavily populated districts. Campaigning in a district such as mine can be quite costly, just one first class mailing costs many hundreds of dollars, yet is probably one of the only ways you can effectively reach a large portion of the people in my district.

In the Supreme Court case of Whitcomb vs. Jarvis the question on constitutional validity of multi-member districts has focused not on population based apportionment but on the quality of representation afforded by the multi-member districts compared with single-member districts. Thus, even the Supreme Court has recognized the inherent weaknesses in the schemes of multi-member districts which makes it undesirable to voters residing in these districts. Therefore, ladies and gentlemen, I strongly urge the passage of a very important proposal.

The SPEAKER: A roll call has been ordered. The pending question is on final passage of Resolution Proposing Amendments to the Constitution to Provide Single Member Districts, House Paper 19, L.D. 27. This being a constitutional amendment, in accordance

with the provisions of Section 14 of Article IX of the Constitution, a two-thirds vote of the House is necessary. All in favor of this Resolution being finally passed will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Ault, Bachrach, Bagley, Bennett, Berry, G. W.; Berry P. P.; Berube, Binnette, Birt, Blodgett, Bowie, Burns, Byers, Carpenter, Carroll, Carter, Chonko, Churchill, Clark, Conners, Connolly, Cooney, Cox, Curran, P.; Curtis, Dam, Davies, DeVane, Doak, Dow, Dudley, Durgin, Dyer, Farley, Farnham, Faucher, Fenlason, Finemore, Goodwin, K.; Gould, Gray, Greenlaw, Hall, Henderson, Hennessey, Hewes, Higgins, Hinds, Hobbins, Hughes, Hunter, Hutchings, Immonen, Ingegneri, Jackson, Jacques, Jensen, Kany, Kauffman, Kelleher, Kelley, Kennedy, Laffin, LaPointe, LeBlanc, Leonard, Lewin, Lewis, Littlefield, Lovell, Lunt, Lynch, MacEachern, Maekel, MacLeod, Martin, R.; Maxwell, McBreaarty, McKernan, McMahan, Miskavage, Mitchell, Morton, Nadeau, Najarian, Norris, Palmer, Peakes, Pelosi, Perkins, S.; Perkins, T.; Peterson, P.; Peterson, T.; Pierce, Post, Powell, Quinn, Rideout, Rolde, Rollins, Saunders, Shute, Silverman, Smith, Snow, Snowe, Spencer, Sprowl, Strout, Stubbs, Susi, Tarr, Teague, Torrey, Tozier, Twitchell, Tyndale, Usher, Wagner, Walker, Winship, The Speaker.

NAY — Boudreau, Call, Carey, Cote, Curran, R.; Drigotas, Flanagan, Fraser, Gauthier, Jalbert, Joyce, Lizotte, Mahany, Martin, A.; Mills, Morin, Mulkern, Raymond, Talbot, Theriault, Truman.

ABSENT — Bustin, Garsoe, Goodwin, H.; Laverty, Tierney, Webber, Wilfong.

Yes, 123; No, 21; Absent 7.

The SPEAKER: One hundred twenty-three having voted in the affirmative and twenty-one in the negative, with seven being absent, the motion does prevail.

Thereupon, the Resolution was finally passed, signed by the Speaker and sent to the Senate.

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

Joint Order relative to Review of the Employment Security Laws, House Paper 1004.

On motion of Mr. Connolly of Portland, retabled pending passage and tomorrow assigned.

(Off Record Remarks)

Mr. Carroll of Limerick was granted unanimous consent to address the House.

Mr. CARROLL: Mr. Speaker and Members of the House: I would like to point out to this legislative body that I don't feel you have always used the wisdom you have been credited with, that when you redistricted the districts that I just went through this last election, that some of the school districts that I represent as one state representative whereas other school districts I represent has three state representatives representing them. In School Administrative District No. 6 has three state representatives down here which they can turn to, whereas School Administrative District No. 55 only has one. I want you to know that even though you are a body of great wisdom that at times you do give more representation to some people and less to others and I also

want to thank you for your courtesy in listening because I know you are all in a hurry.

On motion of Mr. Palmer of Nobleboro, Adjourned until twelve o'clock tomorrow noon.