

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

One Hundred and Seventh Legislature

(First Special Session)

OF THE

STATE OF MAINE

1976

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Wednesday, April 7, 1976.

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

Prayer by the Reverend Robert Shuey of Winthrop.

The journal of yesterday was read and approved.

**Papers from the Senate
Conference Committee Report**

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature, on Bill "An Act Relating to Costs in Contested Cases and Depositions in Probate Court" (S. P. 709) (L. D. 2236) ask leave to report: that the Senate Recede from its action whereby it Passed the Bill to be Engrossed, as amended by Committee Amendment "A" (S-454); recede from its action whereby it adopted Committee Amendment "A"; indefinitely postpone Committee Amendment "A"; adopt Conference Committee Amendment "A" (S-534), submitted herewith; and Pass the Bill to be Engrossed, as amended by Conference Committee Amendment "A"; that the House recede and concur with the Senate.

Signed:

Messrs. COLLINS of Knox
CLIFFORD of Androscoggin
MERRILL of Cumberland

— of the Senate.

Messrs. BERRY of Buxton
LOVELL of Sanford
McMAHON of Kennebunk

— of the House.

Came from the Senate, with the Report read and accepted and the Bill Passed to be Engrossed as amended by Conference Committee Amendment "A" (S-534).

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

Non-Concurrent Matter

Bill "An Act to Temporarily Suspend Statutory Provisions for Constituent Service Allowance" (S. P. 750) (L. D. 2304) which was Indefinitely Postponed in the House on March 15, 1976.

Came from the Senate, with that Body having Insisted on its former action whereby the Bill was referred to the Committee on Appropriations and Financial Affairs on March 12, 1976 in non-concurrence.

In the House:

Mr. Finemore of Bridgewater moved that the House adhere.

Mr. Palmer of Nobleboro requested a roll call vote on the motion.

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

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

The SPEAKER: The pending question is on the motion of the gentleman from Bridgewater, Mr. Finemore, that the House adhere. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Bachrach, Bennett, Berry, P. P.; Boudreau, Burns, Bustin, Call, Carey, Carpenter, Chonko, Clark, Cooney, Cote, Cox, Curran, P.; Curran, R.; Dam, Davies, Dow, Drigotas, Dudley, Farley, Fenlason, Finemore, Flanagan, Fraser, Gauthier, Goodwin, K.; Greenlaw, Hall, Henderson, Hennessey, Hinds,

Hobbins, Hughes, Ingegneri, Jensen, Joyce, Kany, Kauffman, Kelleher, Kennedy, LeBlanc, Leonard, Lovell, Lynch, MacEachern, Mahany, Martin, R.; Maxwell, McMahan, Mills, Mitchell, Mulkern, Nadeau, Najarian, Norris, Pearson, Pelosi, Peterson, P.; Peterson, T.; Post, Powell, Quinn, Raymond, Rideout, Rolde, Saunders, Silverman, Smith, Snow, Spencer, Sprowl, Strout, Stubbs, Susi, Talbot, Theriault, Tierney, Tozier, Twitchell, Usher, Wagner, Walker, Wilfong, Winship. The Speaker.

NAY — Ault, Bagley, Berry, G. W.; Berube, Boudreau, Byers, Carroll, Carter, Churchill, Connors, Curtis, DeVane, Doak, Durgin, Dyer, Farnham, Goodwin, H.; Gould, Gray, Higgins, Hunter, Hutchings, Immonen, Jackson, Jalbert, Kelley, Laffin, LaPointe, Laverty, Lewin, Lewis, Littlefield, Lizotte, Mackel, Martin, A.; McBreairty, McKernan, Miskavage, Morin, Morton, Palmer, Perkins, S.; Perkins, T.; Pierce, Rollins, Shute, Snowe, Tarr, Teague, Torrey, Truman, Tyndale.

ABSENT — Connolly, Faucher, Garsoe, Hewes, Jacques, MacLeod, Peakes, Webber.

Yes, 89; No, 54; Absent, 8.

The SPEAKER: Eighty-nine having voted in the affirmative and fifty-four in the negative, with eight being absent, the motion does prevail.

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

Mr. FINEMORE: Mr. Speaker, having voted on the prevailing side, I move that we reconsider our action and hope you will vote against me.

The SPEAKER: The gentleman from Bridgewater, Mr. Finemore, moves that the House reconsider its action whereby it voted to adhere. All in favor of that motion will say yea; those opposed will say nay.

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

Non-Concurrent Matter

RESOLUTION, Proposing an Amendment to the Constitution to Assure Revenues for Bond Service and Prohibit State Bonding of Current Expenditures (S. P. 689) (L. D. 2206) which was passed to be Enacted in the House on March 8, 1976.

Came from the Senate, passed to be Engrossed as amended by Committee Amendment "A" (S-416) and Senate Amendment "B" (S-508) in non-concurrence.

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

Non-Concurrent Matter

Bill "An Act to Clarify the Fish and Game Laws" (H. P. 1933) (L. D. 2121) which was Passed to be Engrossed as amended by Committee Amendment "B" (H-1050) as amended by House Amendments "A" (H-1068), "B" (H-1163), "C" (H-1164), "D" (H-1172), "E" (H-1175) thereto and Senate Amendments "A" (S-510) and "B" (S-513) in the House on April 5, 1976.

Came from the Senate with the Bill and Papers Indefinitely Postponed in non-concurrence.

In the House:

Mr. Martin of St. Agatha moved that the House Insist and ask for a Committee of Conference.

Mr. Peterson of Caribou moved that the House recede and concur.

Mr. Strout of Corinth requested a roll call vote on the motion to recede and concur.

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

A vote of the House was taken, and more than one fifth of the members present having expres-

sed a desire for a roll call, a roll call was ordered.

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

Mr. BURNS: Mr. Speaker, Ladies and Gentlemen of the House: A question to the Fish and Game Committee. If we go ahead and recede and concur, am I correct that this will kill the reduction in the snowmobile licensing from \$12.50 — it will remain at \$12.50 is that correct?

The SPEAKER: The gentleman from Anson, Mr. Burns, has posed a question through the Chair to any member of the Committee on Fisheries and Wildlife.

The Chair recognizes the gentleman from Unity, Mr. Tozier.

Mr. TOZIER: Mr. Speaker, yes, that is correct. If we recede and concur, it will be held at \$12.50.

The SPEAKER: The Chair recognizes the gentleman from St. Agatha, Mr. Martin.

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I would ask you to vote against the recede and concur motion this morning. Some of us on the Fisheries and Wildlife Committee have spoken to some key members in the other body, and they have agreed to sit down and iron this out. It is for that one reason only that I ask you to vote against receding and concurring and then move to insist and ask for a Committee of Conference.

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

Mr. PETERSON: Mr. Speaker, Ladies and Gentlemen of the House: This dollar and a half that we are discussing with respect to the snowmobile registration is probably the difference in what they would get if we get a raise for those employees. This is one of the reasons that I hope you will recede and concur.

The SPEAKER: The Chair recognizes the gentleman from Sangerville, Mr. Hall.

Mr. HALL: Mr. Speaker, I would like to pose a question to someone in the fish and game association if I might. I would like to ask if there is any sort of an arrangement that could be made where if they run over my Christmas trees, that I could get rebate for it?

The SPEAKER: A roll call has been ordered. The pending question is on the motion of the gentleman from Caribou, Mr. Peterson, that the House recede and concur. All those in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Ault, Bagley, Boudreau, Call, Cox, Curtis, Dudley, Durgin, Dyer, Finemore, Flanagan, Fraser, Garsoe, Gauthier, Gould, Gray, Hall, Higgins, Hinds, Hughes, Kauffman, Kelley, LaPointe, Lewin, Lovell, Lunt, Mackel, Martin, A.; McBreairty, Morton, Perkins, T.; Peterson, P.; Pierce, Quinn, Sprowl, Susi, Walker.

NAY — Albert, Bachrach, Bennett, Berry, G. W.; Berry, P. P.; Birt, Blodgett, Bowie, Burns, Bustin, Byers, Carey, Carpenter, Carroll, Carter, Chonko, Churchill, Clark, Connors, Cooney, Cote, Curran, P.; Curran, R.; Dam, Davies, DeVane, Doak, Dow, Drigotas, Farley, Farnham, Fenlason, Goodwin, H.; Goodwin, K.; Greenlaw, Henderson, Hennessey, Hobbins, Hunter, Hutchings, Immonen, Ingegneri, Jackson, Jalbert, Jensen, Joyce, Kany, Kelleher, Kennedy, Laffin, Laverty, LeBlanc, Leonard, Lewis, Littlefield, Lizotte, Lynch, MacEachern, Mahany, Martin, R.; Maxwell, McKernan, McMahan, Mills, Miskavage, Mitchell, Morin, Mulkern, Nadeau, Najarian, Palmer, Pearson, Pelosi, Peterson, T.; Post, Powell, Raymond, Rideout, Rolde, Rollins, Saunders, Shute, Silverman, Smith, Snow, Snowe, Spencer, Strout, Stubbs, Talbot, Tarr,

Teague, Theriault, Tierney, Torrey, Tozier, Truman, Twitchell, Tyndale, Usher, Wagner, Wilfong, Winship, The Speaker.

ABSENT — Berube, Connolly, Faucher, Hewes, Jacques, MacLeod, Norris, Peakes, Perkins, S.; Webber.

Yes, 37; No, 104; Absent, 10.

The SPEAKER: Thirty-seven having voted in the affirmative and one hundred and four in the negative, with ten being absent, the motion does not prevail.

Thereupon, on motion of Mr. Martin of St. Agatha, the House voted to insist and ask for a Committee of Conference.

Non-Concurrent Matter

Bill "An Act Relating to the Effective Dates for School Lunch Programs and Occupational Safety and Health in Public Employment" (H. P. 2207) (L. D. 2307) which was Indefinitely Postponed in the House on April 6, 1976.

Came from the Senate, Passed to be Enacted in non-concurrence.

In the House:

Mr. LaPointe of Portland moved that the House adhere.

Mr. Lynch of Livermore Falls moved that the House recede and concur.

Whereupon, Mr. Finemore of Bridgewater requested a roll call vote.

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

Mr. LaPOINTE: Mr. Speaker, Ladies and Gentlemen of the House: Very briefly, we discussed this issue quite thoroughly yesterday. I would hope that the House would stand by its position of yesterday, and I would hope that you would vote against the motion to recede and concur and then we can get on to the motion to adhere.

The SPEAKER: The Chair recognizes the gentleman from Wells, Mr. Mackel.

Mr. MACKEL: Mr. Speaker and Members of the House: I welcome this opportunity to reconsider our action on the bill. Yesterday, I didn't speak up in support of the bill and I didn't speak up in support of the House Chairman of the Education Committee who supports this bill. So, again, I welcome this opportunity to have a second chance on this bill.

I think it is a good bill, a necessary bill. It would delay mandating the so-called hot lunch program from 1978 to 1980. Regardless of how we feel about this delay, it is necessary. There are 63 schools under waiver at this time; 16 of these are in the process of building their facilities; 47 remain without the means of building their facilities.

We have a moratorium on construction, as we all know, and these 47 schools must use local money to build kitchens and/or cafeterias to meet a state mandated program. And I must add, there is no provision for an exception after 1978. Equipment alone for kitchens to feed 125 children would cost in excess of \$20,000. That is just for equipment. If these towns are to use local money, then they should have the right to determine for themselves whether or not they should have the program.

Apparently Portland has a problem in this area. This being the case, I would say that the city officials should solve this problem, we shouldn't do it for them. If they wish and have the means, they can build their own facilities and there is no state law which prevents them from doing so.

If we mandate this program from Augusta, we may be solving Portland's problem, but we are creating problems for other communities. Even when we do lift the moratorium and start building schools again, with so many towns needing kitchen and cafeteria facilities, it may well be that we will be forced to choose between eating facilities and classrooms. So I would

suggest that we do the sensible thing and recede and concur.

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

Mr. LaPOINTE: Mr. Speaker, Men and Women of the House: Again, I repeat, we thoroughly discussed this issue yesterday. I won't go into it again. The gentleman from Wells, Mr. Mackel, has pointed out the amount and number of schools that are out of compliance. I would just point out to you that this program is already mandated under the law. Schools are supposed to have been in compliance by 1974. They have an extension until 1978. I would say that let's hold firm with the '78 deadline. If there is undue hardship, that issue can be addressed at the regular session of the 108th.

I would hope that the House would not go along with the motion to recede and concur but would adhere.

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

Mr. CARPENTER: Mr. Speaker, a question through the Chair to anybody on the Education Committee. Is there any federal legislation mandating an effective date for the school lunch program or is it strictly up to the state when they want to go to this? Is there some date down the road somewhere where the federal government tells us that we have to have this?

The SPEAKER: The gentleman from Houlton, Mr. Carpenter, has posed a question through the Chair to anyone who may care to answer.

The Chair recognizes the gentleman from Portland, Mr. LaPointe.

Mr. LaPOINTE: Mr. Speaker, Men and Women of the House: In response to the question of the good gentleman from Houlton, as I indicated in previous debate, under the Child and Nutrition Act of 1975, which was overwhelmingly supported by the entire congressional delegation from Maine, the federal funding mechanism is there. It provides money for equipment. The federal government does not mandate the program per se. The State of Maine, in the bill that it passed in the 106th, mandated the program and that is where the mandate comes from.

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

Mr. WAGNER: Mr. Speaker, Ladies and Gentlemen of the House: I was able, yesterday, to suppress any comment I felt needed to give on this but today I am unable to overcome that feeling.

I listened to the gentleman from Wells today and his statement yesterday addressing this question. The question of hot lunch was raised and I think this was countered yesterday, but I just wanted to add a brief comment of my own experience on this. I had the experience of teaching in the Calais system for a couple months last fall on a temporary basis. This is not a large system such as Portland, it is a relative small system of about 400 some-odd students in the high school and we did have a cold lunch program there, a sack lunch program. I would estimate three to five hundred lunches were packed for both the high school and some of the grade schools in one fairly small room, and that is why I felt compelled to speak on this.

It isn't necessary under the dictates of this law to have a large, expensive kitchen situation. One fairly small room with a refrigerator and small store, and throw-away plastic containers and spoons were used in this and a very nice lunch was put forth for a minimal cost for students. I think the faculty was paying 60 cents or something. I ate these lunches very happily for two months and can say it was my experience that they were very nutritional and even tasty,

maybe more so than the food we are privileged to eat downstairs in the cafeteria.

The SPEAKER: The Chair recognizes the gentleman from Woolwich, Mr. Leonard.

Mr. LEONARD: Mr. Speaker, Ladies and Gentlemen of the House: I am somewhat familiar with this because in my town the school was built and we built a kitchen and we built the cafeteria and we very quickly outgrew our classrooms and now we are using what was to be the cafeteria originally as a room for special education and for our library.

Frankly, if we are to have a lunch program, and we will have to by this statute, by state law, will have to either add on to our school or will have to take the special education and the library facilities out of that area that was originally designated for a cafeteria and will have to move them elsewhere. Frankly, I wonder, at the present time with the economy the way it is, I think maybe special education is more important, and frankly, we don't know where to put the children in special education if we are mandated to both things and we only have facilities to accommodate one.

The figures I came up with yesterday were fairly quick. Certainly they are subject to a certain amount of error, but I can assure you that they were somewhere near accurate when I said that on the average in town it would cost the taxpayers somewhere in the vicinity of a hundred dollars a year, this is each resident, a hundred dollars a year for us to come up with the facility that would be necessary to accommodate what we are trying to mandate today. Frankly, our town, we don't think, in the alternatives that we have, that this is the priority alternative, that we would rather put this particular one off.

I think it is a local issue, that each town knows what their problems are and each town has the ability to deal with these problems. So let's vote local control, let our school boards, our superintendents and our towns people in our town meetings or in our council meetings or what have you make up their mind whether this item is a priority or maybe some other thing, like in my town special education is very definitely a priority. Let's let them make up their own minds.

The SPEAKER: A roll call 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 Livermore Falls, Mr. Lynch, that the House recede and concur. All those in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEAS: Albert, Ault, Bagley, Berry, G.W.; Berry, P.P.; Birt, Blodgett, Bowie, Byers, Carey, Carroll, Carter, Conners, Curran, R.; Curtis, Dam, DeVane, Dow, Dudley, Durgin, Dyer, Farley, Farnham, Fenlason, Fraser, Garsoe, Gould, Gray, Greenlaw, Hall, Hennessy, Higgins, Hinds, Hunter, Hutchings, Immonen, Jackson, Kauffman, Kelley, Kennedy, Laffin, Laverty, Leonard, Lewin, Lewis, Littlefield, Lizotte, Lunt, Lynch, MacEachern, Mackel, Maxwell, McBreairty, McKernan, McMahon, Morin, Morton, Palmer, Pearson, Perkins, St.; Peterson, P.; Pierce, Post, Rideout, Rollins, Shute, Snow, Snowe, Sprowl, Strout, Teague, Theriault, Torrey, Tozier, Truman, Twitchell, Walker.

NAYS: Bachrach, Bennett, Berube, Boudreau, Burns, Bustin, Call, Carpenter,

Chonko, Churchill, Clark, Connolly, Cooney, Cote, Cox, Curran, P.; Davies, DeVane, Doak, Drigotas, Finemore, Flanagan, Gauthier, Goodwin, H.; Goodwin, K.; Henderson, Hobbins, Hughes, Ingegneri, Jalbert, Jensen, Joyce, Kany, Kelleher, LaPointe, LeBlanc, Lovell, Mahany, Martin, A.; Martin, R.; Mills, Miskavage, Mitchell, Mulhern, Nadeau, Najarian, Norris, Pelosi, Peterson, T.; Powell, Quinn, Raymond, Rolde, Saunders, Silverman, Smith, Spencer, Stubbs, Susi, Talbot, Tarr, Tierney, Tyndale, Usher, Wagner, Wilfong, Winship, The Speaker.

ABSENT: Faucher, Hewes, Jacques, MacLeod, Peakes, Perkins, S.; Webber.

Yes, 77; No, 67; Absent, 7.

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

Messages and Documents

The following Communication:

State of Maine

One Hundred and Seventh Legislature

Local and County Government

April 5, 1976

Honorable John L. Martin

Speaker of the House

State House

Augusta, Maine 04330

Dear Mr. Speaker:

The Committee on Local & County Government is pleased to report that it has completed all business placed before it by the Special Session of the 107th Legislature.

Total Number of Bills Received	20
Unanimous Reports	20
Ought to Pass	6
Ought to Pass as Amended	9
Ought to Pass in New Draft	3
Leave to Withdraw	2

Sincerely,

C. EVERETT DAM

House Chairman

The Communication was Read and ordered placed on file.

Orders

Mr. Usher of Westbrook presented the following Joint Order and moved its passage: (H. P. 2296)

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of Westbrook High School State Band State Champions for 1976

We the Members of the House of Representatives and Senate do hereby Order that our congratulations and acknowledgement be extended; and further

Order and direct, while duly assembled in session at the Capitol in Augusta, under the Constitution and Laws of the State of Maine, that this official expression of pride be sent forthwith on behalf of the Legislature and the people of the State of Maine.

The Order was read.

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

Mr. USHER: Mr. Speaker, Ladies and Gentlemen of the House: This is the second consecutive year that Westbrook has won this title. I wish to congratulate them for a job well done. They will play in the rotunda during our lunch break today.

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

Mr. Usher of Westbrook presented the following Joint Resolution and moved its adoption: (H. P. 2297) (Cosponsors: Messrs. Tyndale of Kennebunkport, Laffin of Westbrook, Wilfong of Stow)

Joint Resolution in support of the Pine Tree Foundation for Burn Treatment.

Whereas, a study conducted in 1973 by the State Comprehensive Health Planning Council revealed that there are an average of 400 hospitalized burn victims in Maine each year; and

Whereas, this study revealed that the quality of acute burn care in Maine ranges from excellent to poor but that there is potential for a uniformly high level of care through a coordinated state-wide program; and

Whereas, the State Health Planning Council has recommended the establishment of 4 strategically located burn units and a program of specialized training for burn officers in all acute care hospitals in Maine in order to achieve this uniform high level of care; and

Whereas, the Pine Tree Foundation for Burn Treatment has been established as the funding vehicle to implement these recommendations; and

Whereas, this foundation has received broad support and endorsement from the Maine State Federation of Firefighters, the Maine Fire Chiefs' Association, the major associations of professional and institutional healthcare providers and the major 3rd party payors; now, therefore, be it

Resolved: That We, the Members of the 107th Maine Legislature in special session assembled, hereby endorse and support the efforts of the Pine Tree Foundation for Burn Treatment to improve the quality of care rendered to burn victims in Maine; and be it further

Resolved: That suitable copies of this resolution be forwarded to the trustees of the Pine Tree Foundation for Burn Treatment.

The Resolution was read.

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

Mr. USHER: Mr. Speaker, Ladies and Gentlemen of the House: There are 400 hospitalized burn victims in Maine each year, 100 of these are seriously burned and require hospitalization and rehabilitation. No single Maine hospital has the capacity or resources to accept all major burn victims. To handle these problems, an advisory burn committee was formed and sponsored by the Maine Medical Association. It includes members of the Maine Hospital Association, Maine State Nurses Association, Maine Industrial Nurses Association, Maine State Federation of Fire Fighters, Maine Blue Cross-Blue Shield, Union Mutual Insurance Company, Maine Chapter of the Trauma Society Bureau of Health and Welfare, Bureau of Labor and Industry and Comprehensive Health Planning Agency.

One of the results of the study was to establish four burn units throughout the state according to the population. Tentatively designated are Gould Memorial Hospital in Presque Isle with one bed, Central Maine General Hospital in Lewiston with three beds, Eastern Maine Medical Center in Bangor with four beds, Maine Medical Center in Portland with four beds. I ask for your support on this order.

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

Mr. PERKINS: Mr. Speaker, Ladies and Gentlemen of the House: Having served on the Comprehensive Health Planning Council Subcommittee that studied the burn care for the State of Maine. I congratulate the gentleman from Westbrook in his order and heartily endorse it.

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

Mr. LAFFIN: Mr. Speaker, Ladies and Gentlemen of the House: I would just like to fill you in a little on this, being a member of the

Maine State Fire Federation of Fire Fighters. In early 1975, the interest of the Maine State Federation of Fire Fighters in helping with fund raising plans sparked renewed efforts culminating in a plan for major fund raising of 1976. This organization has 7,500 members which represent the majority of the active firemen in Maine of whom over 80 percent are volunteers.

The Advisory Committee, after consultation with Dr. Hanley, is in the process of establishing an accountable tax exempt vehicle for fund raising from the public, from the state and federal sources to be called the Pine Tree Foundation for Burn Treatment. The target of a half a million dollars will be used to create the four properly equipped burn units and establish the central communication office, provide support for nurses, technicians and send to burn centers for special training and to pay the cost of continuing education for all burn care personnel.

The Foundation has been chartered in Maine and application for tax exemption has been applied for. Contributions from the Medical Association, Medical Care Development, Inc., the Fire Chiefs Association, the Women's Auxiliary of South Portland Engine & Ladder No. 2, and private donors, now totaling \$18,400 have been received and will be used to fund the Central Communication Office for the first year.

A Burn Care Seminar was held in Portland December 8 to begin development of standardized emergency burn care; it was attended by 69 physicians, nurses, physical therapists, technicians, and social workers from all over Maine.

This past year, 24 seriously burned adults had to be sent to the Brooks Army Hospital at Fort Sam Houston, Texas, due to lack of space in the northeast, and this is a very serious problem. This may not seem to worry many of us who are never involved in this type of a situation, but I can assure you, a burn victim must spend many months in hospitals. How many today in Maine could afford to pack up and move their families just to be close to their loved ones?

Any fire fighter who has removed a victim from a burned building must spend many hours trying to erase the horrors from his mind that exist, and I know, because I am a fire fighter and I have traveled that road. Believe you me, it is not a very pretty sight.

As a fireman, I don't believe that there has been a more worthwhile cause that the people of this state can endorse, and on behalf of the burn victims of Maine and the State Federation of Fire Fighters, I ask your full support of the Pine Tree Foundation for Burn Treatment.

Thereupon, the Resolution was adopted and sent up for concurrence.

Mr. Goodwin of South Berwick presented the following Joint Order and moved its passage: (H. P. 2298) (Cosponsors: Mr. Tyndale of Kennebunkport, Nadeau of Sanford, Mackel of Wells)

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of Wayne Wormwood Who In Ten Years Took a Dream And Built It Into Camp Waban For The Mentally Retarded at Sanford And Who Is Now Retiring As Director Of Camp Waban

WE the Members of the House of Representatives and Senate do hereby Order that our congratulations and acknowledgement be extended; and further

ORDER and direct, while duly assembled in session at the Capitol in August, under the Constitution and Laws of the State of Maine, that this official expression of pride be sent forthwith on behalf of the Legislature and the people of the State of Maine.

The Order was read.

The SPEAKER: The Chair recognizes the gentleman from South Berwick, Mr. Goodwin.

Mr. GOODWIN: Mr. Speaker, Men and Women of the House: I ask your indulgence for a minute while I just briefly go over this order.

Wayne Wormwood is a man of many talents and someone who has devoted the last eleven years of his life in providing rec services for mentally retarded people in the York County area. He started eleven years ago in the town of South Berwick at a small recreation area with \$17 in the bank, a small group of very dedicated people to work with him and a small group of mentally retarded children. Out of this and a dream, he built Camp Waban which now has a value of close to a half a million dollars and has grown to encompass an association of about 2,000 people and provides a year-round program for mentally retarded in the summer for recreation and throughout the rest of the year for recreation and sheltered workshops and day care activities.

He has also done more than just building buildings and developing programs. He has brought the mentally retarded out into the community and got the community acceptance for the mentally retarded so that now I feel, at least in York County, a mentally retarded citizen now holds his head up high and says that he is a person and that he can be accepted.

Wayne Wormwood is not an old man, he is not of retirement age, but he is retiring, and he is retiring because of many reasons, the least of which, however, is not a sense of frustration which he feels, after getting to the point where he is now, that things have gotten a little out of hand, not at Camp Waban but in our society as a whole and how our governments deal with the mentally retarded.

I would like to read you a couple of sections of his resignation which appeared in the Smoke Signals, which is the monthly newsletter for Camp Waban. Wayne is a person who has devoted his life, as I said, to the mentally retarded and providing direct services to these people. In the last couple of years, working with him, I have noticed a sense of frustration has been building up within him and I felt that this would happen sooner or later. I think he just got to the point where he was sick and tired of having to deal with the state and federal bureaucracies and the paper work and as he said in his resignation, perhaps it was time for a younger person to step in.

I would like to just touch on a few parts of his resignation, because we in here are decision makers and people that in the future are going to have to be passing on programs that will be developed, or ideas that will be developed, and I think that we should keep some of these in mind. I was going to have this printed, but in order to save some costs, I would rather just read a couple of more salient points.

He starts out, "We are now at a time when bureaucracies, federal, state and even county based, are so concerned about their perpetuation and their own jobs that the idea of direct services is foreign to them. They have lost sight of what has to be done. There have been many recent articles in our local papers that tell of all the federal and state monies made available by grants. How many of you know" — speaking to the parents of the association — "that many, in fact most of these grants will never directly provide services for a single child? The appearance of new bureaucratic tentacles continue to confuse and mislead the taxpayers, but most of all, the parents of the mentally retarded. We tend to think that the pot of gold lies just beyond these programs which have come and gone as the federal monies come and dry up."

He continues, "The most essential a retarded individual may need is a place for him to go

each day with dignity and happiness, where he can be as productive as possible in his own community. This need will not be filled by paper programs or playing school or with more diagnostic or evaluative services or with big federal programs to find out where the retarded are and what their needs are. We know what their needs are, but where does the money come from to answer these needs? We know that most parents do not want to institutionalize their children, but what hope do they have when the dollars are being eaten up by bureaucrats and their bureaucratic decisions? Most of these decisions have been made not because the need has been felt but rather because federal dollars are available for some project which fits the needs of the bureaucracies.

"My resignation decision has not been an easy one to make nor is it one that brings satisfaction. I feel that I no longer wish to cope with the people with whom the director of Waban must cope. I feel that I should caution all members of Waban that the problems will not be solved with more complicated bureaucracy but with more effort where the effort is needed here and now for direct services for people who exist. These real people seem to have been overlooked by the bureaucrats who put the numbers on paper. I have seen at least three people hired just to find the retarded in Maine. The federal dollars disappeared and so did they. I have seen at least four or five people stop in at Camp Waban to learn the needs of the retarded. I have made enemies in the bureaus by stating that I can tell them what their needs are one side of a 3 by 5 card. I have been forced to fill out 20 to 30 pages and make 15 to 20 copies of these documents to tell them the very same thing. Thus, I have aided in helping to pollute our state, county and federal offices with paper without use or result."

He goes on and on about raising money for direct services for Waban, but I think the point is that I think it is something that we should begin to realize and look at every time we pass these, that are we just perpetuating a bureaucracy or are we actually providing a direct service?

I would like, however, to take one more minute to invite all of you, especially those of you who may not have seen Waban and see what can be done down there, to stop in at Waban on Bonnie Big Pond in Sanford on April 25, which is the Sunday after Easter, from two to five there will be an open house there which we are going to be honoring Wayne at, and I hopefully will be presenting this order to him then. I would, again, like to extend this invitation to you all and thank you very much for letting me have this minute.

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

Mr. ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: I would just very briefly like to add a few words of tribute to my friend Wayne Wormwood, whom I have known for about eight years. He is really an extraordinary person. For some 20 years, Wayne worked as a common laborer and then finally was able to put himself through college, get his degree and went into the field of teaching, particularly teaching special education, and that is when he became connected with Camp Waban.

Waban is an extraordinary place. I have often said that if anybody is feeling blue and low, they should go down to Camp Waban in Sanford and they will get the most extraordinary sense of how human beings can come together and help other human beings.

I only hope that in this action that Wayne is taking in resigning, in order to put attention on the cluttered state of our bureaucracy in dealing with the problems of the retarded, that his act in effect will be able to cut through some of this

tangle of red tape and that we can provide more direct services to those who need it.

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

Mr. NADEAU: Mr. Speaker, Ladies and Gentlemen of the House: I am now speaking for the people of Sanford who to them Wayne Wormwood and Camp Waban are synonymous.

Wayne Wormwood, to me, has been one of the most outstanding men to rouse the support of the people of Sanford and York County, as was seen last month by a local telethon held in Sanford which raised nearly \$10,000 in the area for the mentally retarded in York County. I would express my deepest feelings and best wishes to Wayne and tell him that the people of Sanford and York County will dearly miss him.

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

Mr. TYNDALE: Mr. Speaker and Members of the House: There is very little I can add to the previous speakers about Wayne. I was associated with him from the very beginning and we started with a trailer that we borrowed from the State Prison Camp, and that was the beginning of Camp Waban. If some of you people visit it now, you would be surprised that such progress could be made by the efforts of almost a single man.

I might mention also that this legislature was pretty good to Camp Waban. We appropriated over \$100,000 to the camp, having been the sponsor of two of those bills, and I think the gentleman from South Berwick sponsored the other one and we were not turned down. The legislature was pretty kind. But the bureaucracy has grown, the papers have grown and it is quite a job, and he was a great guy.

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

House Reports of Committees Ought Not to Pass

Mr. LeBlanc from the Committee on Appropriations and Financial Affairs on Bill "An Act to Provide Funds to Maine Health Systems Agency, Incorporated" (H. P. 2186) (L. D. 2300) reporting "Ought Not to Pass"

Mrs. Goodwin from the Committee on Appropriations and Financial Affairs on Bill "An Act Making Additional Appropriation for the University of Maine for the Fiscal Year Ending June 30, 1977" (Emergency) (H. P. 2129) (L. D. 2276) reporting "Ought Not to Pass"

Reports were read.

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

Mr. DAVIES: Mr. Speaker and Members of the House: I won't make any motion on this. I recognize that the bill raising funds for the university is going to go down the drain. I would just like to add a couple of comments before it does.

Since the Super University was created in 1968, the enrollment of the University, our children, our boys and girls who are attending there, have increased by 49 percent. In that same period of time, the amount of money available to the university to educate these people has only increased 37 percent. What this means is, the employees of the university, who represent 84 percent of the education in general budget, are subsidizing the education of our children. They are paying the price.

This bill that was presented was an attempt to increase the money available to pay these people a decent wage. It is unfortunate that this bill is going to go down the drain. It is also unfortunate that the appropriation measures that we have before us, only between \$700,000 to \$1 million will be available, part of which will be going to the students.

The people who live in my district, who live in the area of the university, who work there, are being very gravely hurt. We are trying to

give a pay increase to state employees and they most certainly need it. While they are being much more vocal about their needs, we can't forget the fact that the university employees, both faculty, staff and professional employees, also need a raise. The university has established a policy to try and maintain parity with state employees in the pay that they give to their employees. Unfortunately, the money just is not there and we are not putting it there.

I recognize that we are in hard economic times, but I want you to think that the education we offer in this State of Maine is the last great hope that we can pull the state out of perpetual depression and recession and give it some hope in the future of having an economy that guarantees to each individual who is willing to work an opportunity to make enough money so that they can support their families.

Pursuant to Joint Rule 17-A, the two Bills were placed in the legislative files without further action.

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

Passed to Be Enacted Emergency Measure

An Act to Revise the Maine Criminal Code as Recommended by the Criminal Law Revision Commission (S. P. 777) (L. D. 2334) (H. "C" H-1162), H. "D" H-1170, H. "E" H-1171, H. "F" H-1174, S. "A" S-488, S. "B" S-495, S. "C" S-496

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken, 118 voted in favor of same and 8 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to be Enacted

An Act to Clarify the Retirement Statutes (H. P. 1860) (L. D. 2027) (C. "A" H-1105 as Amended by H. "C" H-1154)

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

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

Mr. BUSTIN: Mr. Speaker, Ladies and Gentlemen of the House: This is the retirement bill. We have been around the horn on this measure twice. All I am going to do at this point is ask for a roll call on the enactor.

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 passage to be enacted. All in favor will vote yes; those opposed will vote no.

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

Mr. DeVANE: Mr. Speaker, Ladies and Gentlemen of the House: I would like to pair with Mr. Peakes of Dexter. I will vote yes, he votes no.

The SPEAKER: The gentleman from Ellsworth, Mr. DeVane, wishes to pair his vote with the gentleman from Dexter, Mr. Peakes, if the gentleman from Dexter, Mr. Peakes, were present, he would be voting nay and if the gentleman from Ellsworth, Mr. DeVane, were voting, he would be voting yea.

ROLL CALL

YEA — Albert, Ault, Berry, G. W.; Berry, P. P.; Birt, Burns, Carpenter, Carroll, Carter, Churchill, Connors, Cooney, Curtis, Dam, Doak,

Dow, Drigotas, Dudley, Durgin, Dyer, Farnham, Finemore, Fraser, Garsoe, Gauthier, Goodwin, H.; Gould, Gray, Greenlaw, Higgins, Hinds, Hobbins, Hughes, Hunter, Hutchings, Immonen, Jackson, Joyce, Kauffman, Kelley, Laverty, LeBlanc, Leonard, Lewin, Lizotte, Lovell, Lunt, Lynch, MacEachern, Mackel, Martin, A.; Maxwell, McBreairty, McKernan, McMahon, Morin, Morton, Nadeau, Norris, Palmer, Perkins, S.; Perkins, T.; Peterson, P.; Raymond, Rideout, Rollins, Saunders, Smith, Snow, Snowe, Spencer, Sprowl, Susi, Tarr, Teague, Theriault, Tierney, Torrey, Tozier, Truman, Twitchell, Walker, Wilfong.

NAY — Bachrach, Bagley, Bennett, Berube, Blodgett, Boudreau, Bustin, Byers, Call, Chonko, Clark, Cote, Cox, Curran, P.; Curran, R.; Davies, Farley, Fenlason, Flanagan, Goodwin, K.; Hall, Henderson, Hennessey, Ingegneri, Jalbert, Jensen, Kany, Kelleher, Kennedy, Laffin, LaPointe, Lewis, Mahany, Martin, R.; Miskavage, Mitchell, Mulhern, Najarian, Pearson, Pelosi, Peterson, T.; Pierce, Post, Powell, Quinn, Shute, Strout, Stubbs, Talbot, Tyndale, Usher, Wagner, Winship.

ABSENT — Bowhe, Carey, Connolly, Faucher, Hewes, Jacques, Littlefield, MacLeod, Mills, Rolde, Silverman, Webber. Mr. Speaker.

PAIRED — DeVane, Peakes.

Yes, 83; No, 53; Absent, 12; Paired, 2.

The SPEAKER: Eighty-three having voted in the affirmative and fifty-three in the negative, with twelve being absent and two having paired, the motion does prevail.

Signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act to Clarify the Laws Relating to Marine Resources (H. P. 2010) (L. D. 2192) (H. "A" H-1168 as Amended by H. "A" H-1179, H. "B" H-1182, H. "C" H-1201)

An Act Providing for Protective and Supportive Services for Mentally Retarded Persons (H. P. 2069) (L. D. 2239) (C. "A" H-1118 as Amended by H. "A" H-1200, S. "A" S-499 as Amended by H. "A" H-1199)

An Act to Reform the Regulation of Watch, Guard and Patrol Agencies and of Private Detectives (H. P. 2211) (L. D. 2309) (C. "A" H-1194)

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

An Act to Reorganize the Standardization Committee as the Contract Review Committee (H. P. 2278) (L. D. 2339) (H. "A" H-1202)

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

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

Mr. JENSEN: Mr. Speaker, Ladies and Gentlemen of the House: This bill is my bill, which is an act which was engrossed in the House and Senate the other day, it has gone through. After it was sent down to the Engrossing Department, I found there is a problem with the bill in two areas. It is a problem that is technical in nature, I think, and wasn't intended by me nor anyone else. Because of this and in order to prevent any further delay in the session, I allowed the bill to continue on down there. When the Errors and Inconsistencies Bill comes up, I will offer an amendment to correct the problem which I have created to this bill. It has been checked out with the chairman of that committee and I just wanted to inform you of that fact. I would move that this be passed to be enacted.

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

An Act to Revise the Statutes Concerning Alcoholic Beverages (H. P. 2223) (L. D. 2311) (H. "A" H-1048, H. "B" H-1062, H. "C" H-1066, H. "E" H-1078, H. "F" H-1086, H. "G" H-1087, H. "H" H-1094, H. "J" H-1113)

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

The SPEAKER: The Chair recognizes the gentleman from Rangeley, Mr. Doak.

Mr. DOAK: Mr. Speaker, Ladies and Gentlemen of the House: I would like to take a few moments this morning, I am not going to make any move in opposition to this bill or add any amendments. I would like to have seen an amendment on it to raise the drinking age back to the 20 that we tried last time to do and failed, but I would like to bring it to the attention of this House and put it on record that alcoholism in the State of Maine among our young people is on the rise. I think that as the provider of this product, the State of Maine has to bear that responsibility.

We are concerned about our natural resources in this state, with spruce budworm and all of the other things that we have going and I am going to say to you that we should show great concern in this state for one of our most important natural resources, and that is our young people.

All I would like to do today is to bring to your attention the fact that we are talking drugs, and when we are talking alcoholism we are talking drugs, because alcohol is a drug. I notice in the bill that it is classified as a beverage. I think this is very bad taste. I think when we are talking about alcoholic drinks, it should not be classified as a beverage because that does not really say what it is.

The State of Maine is in that business of selling that drug. The other day we had a bill come through here to provide some educational funding for education on drugs and alcoholism in this state and we had some people oppose that. I just think that we best put some money and some real money, someday in the near future, into educating our young people about this drug which we are selling them. I think that we should take a great deal of that money right out of the revenue which we receive from the sale of this drug.

I would hope that as you gentlemen and ladies who are going to be on the campaign trail this summer travel this beautiful state and see all of our young people and talk with the mothers and fathers of those young people, that you will ask them about their concern and you will ask them for some ideas on how to help in solving this problem of alcoholism. Which is on the rise and the drinking problems that we have among our younger groups in our municipalities.

Mr. Cote of Lewiston 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 yea; those opposed will vote no.

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

The SPEAKER: The pending question is on passage to be enacted. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Ault, Bachrach, Berry, P. P.; Birt, Boudreau, Burns, Byers, Carey, Carroll, Chonko, Connors, Curran, R.; Doak, Dow, Dudley, Durgin, Dyer, Farley, Farnham, Fenlason, Finemore, Flanagan, Fraser, Garsoe, Gould, Hennessey, Higgins, Hinds, Hobbins, Hunter, Hutchings, Immonen, Ingegneri, Jackson, Jensen, Joyce, Kany, Kauffman, Kennedy, Laverty, LeBlanc, Leonard, Lizotte,

Lunt, Lynch, MacEachern, Mackel, Mahany, Martin, A.; Maxwell, McBreairty, McKernan, Mills, Miskavage, Mitchell, Morin, Morton, Nadeau, Najarian, Norris, Pelosi, Perkins, S.; Perkins, T.; Peterson, P.; Pierce, Quinn, Raymond, Rolde, Rollins, Saunders, Snow, Snowe, Sprowl, Susi, Talbot, Tarr, Teague, Theriault, Torrey, Tozier, Truman, Twitchell, Usher, Walker.

YEA — Bagley, Bennett, Berry, G. W.; Berube, Blodgett, Bustin, Call, Carpenter, Carter, Churchill, Clark, Cooney, Cote, Cox, Curran, P.; Dam, Davies, DeVane, Goodwin, K.; Gray, Greenlaw, Hall, Henderson, Hughes, Jalbert, Kelleher, Laffin, Lewin, Lewis, Lovell, Martin, R.; McMahon, Mulhern, Palmer, Pearson, Peterson, T.; Post, Powell, Shute, Smith, Spencer, Strout, Stubbs, Tierney, Tyndale, Wagner, Wilfong, Winship.

ABSENT — Bowie, Connolly, Drigotas, Faucher, Gauthier, Goodwin, H.; Hewes, Jacques, Kelley, LaPointe, Littlefield, MacLeod, Peakes, Rideout, Silverman, Webber.

Yes, 86; No, 48; Absent 17.

The **SPEAKER**: Eighty-six having voted in the affirmative and forty-eight in the negative, with seventeen being absent, the motion does prevail.

Signed by the Speaker and sent to the Senate.

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

Mr. **LYNCH**: Mr. Speaker, Ladies and Gentlemen of the House: On page two of the printed calendar, item four, House Paper 2207, L. D. 2307, "An Act Relating to the Effective Dates for School Lunch Programs and Occupational Safety and Health in Public Employment," I now move that we reconsider our action whereby this was passed to be enacted and I urge you to vote against me.

The **SPEAKER**: The gentleman from Livermore Falls, Mr. Lynch, moves reconsideration on Bill "An Act Relating to the Effective Dates of School Lunch Programs and Occupational Safety and Health in Public Employment," House Paper 2207, L. D. 2307, whereby the House voted to recede and concur and passed the bill to be enacted in concurrence.

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

Mr. **KELLEHER**: Mr. Speaker, Ladies and Gentlemen of the House: I notice the absence of the gentleman from Portland, Mr. LaPointe. I am sure that he would like to get another round at this forgetting the fact where any one of us particular members stand, and I would ask some member to table this out of courtesy, to let him have his day again.

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

Mr. **McKERNAN**: Mr. Speaker, Ladies and Gentlemen of the House: I am sure I know where the gentleman is. In fact, I am sure he is out trying to round up votes, so I would hope nobody would table this.

Mr. Finemore of Bridgewater moved the matter be tabled to later in the today's session.

Mr. Lynch requested a vote on the tabling motion.

The **SPEAKER**: The pending question is on the motion of the gentleman from Bridgewater, Mr. Finemore, that this matter be tabled and later today assigned pending reconsideration. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

Mr. Kelleher of Bangor requested a roll call vote.

The **SPEAKER**: 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 Bridgewater, Mr. Finemore, that this Bill be tabled and later today assigned pending reconsideration. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Bachrach, Blodgett, Boudreau, Burns, Bustin, Call, Connolly, Cooney, Cote, Cox, Curran, P.; Dam, Davies, Doak, Dow, Drigotas, Farley, Finemore, Flanagan, Gauthier, Goodwin, K.; Gray, Hall, Hennessey, Hobbins, Hughes, Ingegneri, Jensen, Joyce, Kennedy, Lovell, Lunt, MacEachern, Mahany, Martin, A.; Mulhern, Nadeau, Najarian, Norris, Pearson, Pelosi, Powell, Quinn, Raymond, Rolde, Smith, Snow, Spencer, Tarr, Tierney, Twitchell, Tyndale, Usher, Wagner, Wilfong, Winship.

YEA — Ault, Bagley, Bennett, Berry, G. W.; Berry, P. P.; Berube, Birt, Byers, Carey, Carpenter, Carroll, Carter, Churchill, Clark, Connors, Curran, R.; Curtis, DeVane, Dudley, Durgin, Dyer, Farnham, Fenlason, Fraser, Garsoe, Goodwin, H.; Gould, Greenlaw, Henderson, Higgins, Hinds, Hunter, Hutchings, Immonen, Jackson, Jalbert, Kany, Kauffman, Kelleher, Laffin, LaPointe, Laverty, LeBlanc, Leonard, Lewin, Lewis, Littlefield, Lizotte, Lynch, Mackel, Maxwell, McBreairty, McKernan, McMahon, Mills, Miskavage, Mitchell, Morin, Morton, Palmer, Perkins, S.; Perkins, T.; Peterson, P.; Pierce, Post, Rideout, Rollins, Saunders, Shute, Snowe, Sprowl, Strout, Stubbs, Susi, Talbot, Teague, Theriault, Torrey, Tozier, Walker.

ABSENT — Bowie, Chonko, Faucher, Hewes, Jacques, Kelley, MacLeod, Martin, R.; Peakes, Peterson, T.; Silverman, Truman, Webber.

Yes, 57; No, 80; Absent, 13.

The **SPEAKER**: Fifty-seven having voted in the affirmative and eighty in the negative, with thirteen being absent, the motion does not prevail.

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

Mr. **KELLEHER**: Mr. Speaker, Ladies and Gentlemen of the House: I was somewhat confused as to what the motion was. I do hope we listen to the fine gentleman from Androscoggin County, Mr. Lynch, and do reconsider this bill and then, after we reconsider it, I hope there are votes enough to kill it because it deserves a fine death. It is a beautiful day and let's do our job and kill the bill.

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

Mr. **LYNCH**: Mr. Speaker, Ladies and Gentlemen of the House: We have already resolved this problem once. The gentleman from Portland is determined that the legislature will solve a Portland problem. My response to that is, if the school committee in Portland is not responsive to the wishes of the people in Portland, then let them change the school committee. Don't use the legislature to circumvent your local school committee.

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

Mr. **LaPOINTE**: Mr. Speaker, Ladies and Gentlemen of the House I have not tried to make this a Portland issue. I think the issue is kids. The issue of whether or not children in Maine should have an opportunity to participate in the school lunch program. The bill that we have before us just extends the date from 1978 to 1980. I say leave the law the way it is.

If anyone is feeling that this is a Portland issue, it is not. I would point out that my interests

are the interest of the kids, the 11,000 kids in the State of Maine who are not able to participate in this program. That is it.

The **SPEAKER**: The pending question is on the motion of the gentleman from Livermore Falls, Mr. Lynch, that the House reconsider its action whereby it voted to recede and concur. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

Mr. Connolly of Portland requested a roll call vote.

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

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

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

Mr. **FINEMORE**: Mr. Speaker, Ladies and Gentlemen of the House: Mr. Lynch has said we had passed this bill once, we had also killed it once. I think he needs a little reminder. He also says Portland can't handle their own. This isn't only going to touch Portland. Why try to influence this House on something that is simply a bunch of junk. This isn't only going to touch Portland, it is going to cover every town in the State of Maine. I think it is ridiculous.

Also, I believe that Mr. Leonard, this morning made a statement that they needed the room where the lunch room was now and they were considering using it for something else. I wonder if that is what we think of our children in the State of Maine, to go to work and shut down the cafeteria and use it for something else, and then if someone is going to wait, it is going to be the children for their lunches.

I say this morning, let's reconsider this bill and then go along and move to adhere to our former action. We have passed this to the Senate, they have come back, now there has been a lobbying done but when you stand on this floor and say it is only for the City of Portland and when you stand here and say you are going to cut out a cafeteria and turn it into a classroom, I think that is ridiculous.

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

Mr. **CONNOLLY**: Mr. Speaker, Ladies and Gentlemen of the House: At the risk of losing votes, I asked for the roll call because it just seems that we are losing votes, every time this issue comes up we lose more votes.

I would just like to make one point. The law, as it stands now, says that schools do not have to be in compliance until 1978. That means we have all the rest of this year, all of next year and until the Fall, until September of 1978. It seems to me we should allow the law to stay on the books in an effort to try to get more schools to comply. But, if next year it is found that there still is an emergency and that there are schools that are not going to be able to comply, then this legislation can be put in and I am sure that the people who are supporting the defeat of this bill would turn around and support that legislation next time. We have almost two years in which to let the issue lie. I just hope that you vote for indefinite postponement.

The **SPEAKER**: The Chair recognizes the gentleman from Wells, Mr. Mackel.

Mr. **MACKEL**: Mr. Speaker, Ladies and Gentlemen of the House: We don't have until 1978. That is the date in which those programs must be in effect. That is the date which the facilities must be built. Those facilities should be under construction right now in order to satisfy that 1978 deadline. We don't have that

time and that is why we are asking for an additional two years.

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

Mr. MILLS: Mr. Speaker, Ladies and Gentlemen of the House: We are talking here on this program in alignment to small municipalities and so forth. I would like to have you think about the boondock country where I come from, where they travel long distances to get to school. For instance, Vanceboro goes over to Lincoln, I think it is 82 miles. If a child gets in trouble over there, they have got no way of going back, the bus is gone, they have to stay overnight. All of these things are a hardship on the children who are only trying to get an education. They have very poor circumstances at home to have funds to enable them to stay overnight to be able to get anything to eat.

Now, to me, this is a deplorable condition in a state like the State of Maine. We have got millions for everything else, whether we have got the money to buy it or not. Here we are ruling something against kids. I am not talking the finances of any municipality. I am talking of what you are doing to children. I think this should stay on the books.

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

Mr. LYNCH: Mr. Speaker, Ladies and Gentlemen of the House: In reference to the last few comments, I think you have to bear in mind there is a moratorium on construction. Now, if there is a desire and a need for a school lunch program and the construction and implementation of the program in any school unit, it will be done by local school dollars, and it is up to the local community to provide that money today and tomorrow. There is no state money prior to July 1, 1977. If there is a need, let the local communities do that. They are free to do it now.

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

Mr. BIRT: Mr. Speaker, Ladies and Gentlemen of the House: I think one of the big factors that seemingly should come into this is the ability of the local school boards to make their own decisions. I am just referring to the particular situation that the gentleman from Eastport, Mr. Mills, is talking about. If they have to travel long distances, I think the school board in that area should recognize it. If they don't, as has been pointed out, get rid of the school board and put somebody in who does recognize the local problem, but let's leave these problems back where they belong. The situation in one town is altogether different, or one community is altogether different to another. It seems that the major thrust of this bill is to leave the thing in the local community a little while longer and they can take a good look at it.

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

Mr. NORRIS: Mr. Speaker, Ladies and Gentlemen of the House: I have kept out of this, but there is one thing that is constant in this whole thing. If a kid goes to school with a pain in his stomach from being hungry, the only way you can help him is to feed him. So, whether the local school board or the legislature or whoever is concerned, the only way you can get the pain out of his stomach is to feed him.

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

Mr. HENDERSON: Mr. Speaker, Ladies and Gentlemen of the House: I have been one of those who felt that communities ought to have local control in most cases when it deals with general policy issues and I still do think so, but when it comes to child welfare, and I think special education and school lunch are exceptions in these particular cases, when it comes to

people's well being, I think there has got to be a policy set by the State of Maine.

I would also like to pose a question through the Chair to Mr. Lynch or anyone else. Since we have already established over and over again that this does not include hot lunch programs and therefore could include cold lunch, put-up type of lunches, I would like to know specifically what kind of construction he feels is necessary for these programs? It seems to me it can be done with some rearrangement and maybe some inconvenience, but I would like to have anyone specify for me this massive construction needed.

The SPEAKER: The gentleman from Bangor, Mr. Henderson, poses a question through the Chair to the gentleman from Livermore Falls, Mr. Lynch who may answer if he so desires.

The Chair recognizes that gentleman.

Mr. LYNCH: Mr. Speaker, Ladies and Gentlemen of the House: This problem is not as complicated as it seems. If you want a cold lunch program and you have the facilities, the local school committee can put this into place. If they don't put it in place, why? If there is this concern, why don't you exercise this pressure on your local community? Why do you have to bypass them and bring your problems to the legislature and have the legislature mandate that the local community must do something and not provide dollars to implement the program? These are local concerns they ought to be solved in the local area, not run to Augusta every time you have a local problem that you can't solve in your own area and ask the state legislature to bail you out.

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

Mr. ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: I don't believe that the question of the gentleman from Bangor, Mr. Henderson, was answered. Two years ago when we debated this, I opposed the original measure, basically because my school board had taken a very adamant position against having school lunches at any time.

What we are discussing today here is simply an extension, so I think that the argument that the gentleman from Livermore Falls, Mr. Lynch, just made about local control would have been valid two years ago when we were deciding whether to have this program or not. Now, is this extension just simply a way to kill what we did two years ago? I think that is the question you have to answer. And two years from now, will there be another two years and the same arguments be offered on local control? It seems to me the legislature made the decision two years ago and I think we should stick with it.

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

Mr. CURRAN: Mr. Speaker, Ladies and Gentlemen of the House: I have been following this issue very, very carefully. What I hear this House saying right now is that we will have local control up until 1980 and that it is going to be important for children to have lunch in 1980, but it is not going to be important for children in 1978.

The SPEAKER: The Chair recognizes the gentleman from Owls Head, Mrs. Post.

Mrs. POST: Mr. Speaker, Men and Women of the House: To answer the question of Representative Henderson, what it means in terms of construction is, if you don't happen to have a central kitchen from which can come sandwiches and soup to be heated on a stove or whatever, or even sandwiches, what that means is, you have to build a kitchen, that is construction, regardless, even if you are making sandwiches or even if you are just peeling cucumbers or peeling carrots or whatever. If

you are going to be preparing meals, you have to meet the sanitation regulations set up by the state. That doesn't mean somebody can do it in their homes or you can do it in the corner of a room somewhere. You have to have a kitchen, you have to have a refrigerator, you have to have sinks. Unless you are rich enough to provide plastic utensils, you have to be able to sanitize everything that is involved in preparing that food and allowing the children to eat it. That is construction money.

The other thing that is involved is staff time. Now, again, in the two communities which I happen to represent, which are isolated areas, which are islands, those sandwiches do not make themselves, you have to provide staff time for that. That is at least a half a day's time of staff. Now, if I have got one school with 19 children and there are 8 grades in that school, if that community is going to expend more money for staff time, I think that they ought to be able to decide what the priority is going to be — cold sandwiches, which maybe the parents could make at home or whether they are going to provide another teacher aide for half a day, and that is all we are asking.

I was not responsible for what action the legislature took here last session and the only thing I had before me is whether or not the deadline is going to be extended. If I happen to come back, I will either try to extend it again or make some exceptions to it. I think the question is whether or not we are going to give the towns two more years leeway.

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

Mr. JALBERT: Mr. Speaker, Ladies and Gentlemen of the House: I am not going to move the previous question. At 20 minutes past five this morning, I had a tablet, a pill, corn flakes, skim milk and that is all, and I hope we vote pretty soon.

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

Mr. DUDLEY: Mr. Speaker, Ladies and Gentlemen of the House: I will try to be very brief. I don't think we are that much more intelligent than the people back home that make these decisions, at least I don't feel that much more intelligent, but the thing that really bothers me is that we keep coming down here mandating programs without money. If you people want to buy this program and force it on these communities, we should come up with the money to pay for it. If we are not going to, I don't think we should mandate them to do things.

It is all right if we do this and furnish the money. If these people are going to furnish the money. I think they should have the say on where it is spent. It works the same way with me. I like to spend my own money and as long as I am spending it, I would like to be the one to say where I am going to spend it. I think the people back home, the local school boards are something like that, and I am sure they are going to get the very best for the children because generally the people, at least the ones where I come from who are on the school board, they are people who have children in the schools and they have an interest. These are the people who are on the school boards where I come from and I know they are going to get the very best for their children and I think this is true all over the state.

I don't think that we are more intelligent than these people that are living with the problem and going to do the best they can for their children. I am one of those that think we are just people like they are. I would like to say in closing that if we are going to mandate programs, that is all right, but let's give them the money to do it with. Let's not mandate a program and say you have got to dig up the

money somewhere and do this. This is the thing that is wrong about what we are doing.

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

Mr. GOULD: Mr. Speaker, Ladies and Gentlemen of the House: I wasn't very hungry this morning. I had a dream I was eating flannel cakes and when I awoke a piece of the blanket was gone.

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

Mr. LaPOINTE: Mr. Speaker, Ladies and Gentlemen of the House: I would point out to the good gentleman from Old Town, Mr. Gould, that this is not a Type A lunch.

The SPEAKER: A roll call has been ordered. The pending question before the House is on the motion of the gentleman from Livermore Falls, Mr. Lynch, that we reconsider our action whereby the House voted to recede and concur. Those in favor will vote yes; those opposed will vote no.

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

Mr. DeVANE: Mr. Speaker, I would like to pair with the gentleman from Dexter, Mr. Peakes. If he were here, he would be voting yes and I would be voting no.

The SPEAKER: The gentleman from Ellsworth, Mr. DeVane wishes to pair with the gentleman from Dexter, Mr. Peakes. If Mr. Peakes were here, he would be voting yes; and Mr. DeVane would be voting no.

ROLL CALL

YEA — Albert, Bachrach, Boudreau, Bowie, Burns, Bustin, Call, Carey, Carpenter, Chonko, Clark, Connolly, Cooney, Cote, Cox, Curran, P.; Davies, Doak, Dudley, Finemore, Flanagan, Goodwin, H.; Goodwin, K.; Hall, Henderson, Hobbins, Hughes, Ingegneri, Jalbert, Jensen, Joyce, Kany, Kelleher, Kennedy, Laffin, LaPointe, LeBlanc, MacEachern, Mahany, Martin, A.; Mills, Mitchell, Mulhern, Nadeau, Najarian, Norris, Pelosi, Peterson, T.; Powell, Quinn, Raymond, Rolde, Saunders, Smith, Snow, Spencer, Talbot, Tarr, Tierney, Usher, Wagner, Wilfong, Winship.

NAY — Ault, Bagley, Bennett, Berry, G. W.; Berry, P. P.; Berube, Birt, Blodgett, Byers, Carroll, Carter, Churchill, Conners, Curran, R.; Curtis, Dam, Dow, Drigotas, Durgin, Dyer, Farley, Farnham, Fenlason, Fraser, Garsoe, Gauthier, Gould, Gray, Greenlaw, Hennessey, Hewes, Higgins, Hinds, Hunter, Hutchings, Immonen, Jackson, Kauffman, Laverty, Leonard, Lewin, Lewis, Littlefield, Lizotte, Lovell, Lunt, Lynch, Mackel, Maxwell, McBreairty, McKernan, McMahon, Miskavage, Morin, Morton, Palmer, Pearson, Perkins, S.; Perkins, T.; Peterson, P.; Pierce, Post, Rideout, Rollins, Shute, Snowe, Sprowl, Strout, Stubbs, Susi, Teague, Theriault, Torrey, Tozier, Truman, Twitchell, Tyndale, Walker.

ABSENT — Faucher, Jacques, Kelley, MacLeod, Martin, R.; Silverman, Webber.

PAIRED — DeVane, Peakes.

Yes, 63; No, 78; Absent, 7; Paired, 2.

The SPEAKER: Sixty-three having voted in the affirmative and seventy-eight in the negative, with seven being absent and two paired, the motion does not prevail.

(Off Record Remarks)

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

Mr. CAREY: Mr. Speaker, Ladies and Gentlemen of the House: Over the last weekend, the Colby Institute for Management was held, it is an institute that is held annually. It was their 25th anniversary, as a matter of fact, and it is for top level management people within the state and they discussed several issues. The major address this year was delivered by Secretary of Treasury, William Simon, but that happened on a Friday night and

on Saturday morning there was a panel that was held. The President of the Senate, Senator Sewall was there and the Speaker of the House was invited to attend. Other commitments forced him to cancel out of this one, and the gentleman from Sabattus, Mr. Cooney replaced him. In my position as Mayor of the City, I have been annually invited to attend that seminar and I sit in, this was my fifth one, and I would like to point out to the House that Representative Cooney and Senator Sewall did an excellent job in representing the Legislature, and I thought the members of the House should know that. (Applause)

Mr. Burns of Anson was granted unanimous consent to address the House.

Mr. BURNS: Mr. Speaker, Ladies and Gentlemen of the House: On March 24th, I introduced a Joint Resolution commemorating the last log drive in the State of Maine. There was some confusion on this and I would like to attempt to straighten the record out now.

The last complete log drive from the head of Moosehead Lake on down to Winslow did take place last summer, so that was the last major log drive. There will be a log drive this year from Indian Pond down to Winslow and some 9,000 cord will come down.

(Off Record Remarks)

On request of Mr. Rolde of York, by unanimous consent, unless previous notice was given to the Clerk of the House by some members of his or her intention to move reconsideration, the Clerk was authorized today to send to the Senate, thirty minutes after the House recessed for lunch and also thirty minutes after the House adjourned for the day, all matters passed to be engrossed in concurrence and all matters that required Senate concurrence; and that after such matters had been so sent to the Senate by the Clerk, no motion to reconsider would be allowed.

On motion of Mr. Palmer of Nobleboro, Recessed until two o'clock in the afternoon.

After Recess

2:00 P.M.

The House was called to order by the Speaker.

Orders of the Day

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

Bill, "An Act to Clarify the Election Laws" (Emergency) (H. P. 2293) (L. D. 2344)

Tabled — April 6 by Mrs. Boudreau of Portland.

Pending — Passage to be Engrossed.

Mrs. Boudreau of Portland offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-1230) was read by the Clerk and adopted.

Mr. Call of Lewiston offered House Amendment "B" and moved its adoption.

House Amendment "B" (H-1232) was read by the Clerk.

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

Mr. KELLEHER: Mr. Speaker, would the gentleman from Lewiston, Mr. Call, please explain this amendment?

The SPEAKER: The gentleman from Bangor, Mr. Kelleher, has posed a question through the Chair to the gentleman from Lewiston, Mr. Call, who may answer if he so desires.

The Chair recognizes that gentleman.

Mr. CALL: Mr. Speaker, Ladies and Gentlemen of the House: First, I will read the Statement of Fact and then I will explain further. "This amendment adds nomination

petitions and primary petitions to the types of election documents that are not public records and that may be inspected only in accordance with procedures under the Election Laws."

First of all, this amendment, if it passes, would prohibit the publication of names of those persons who have signed nomination papers for elections on any level and then, two, it would prohibit the publication of the names of those persons who have applied for absentee ballots. I am ready to answer any further questions, would be glad to, and ready to debate my position.

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

Mr. MORTON: Mr. Speaker, I would like to ask the gentleman a question if I may. Mr. Call, under your amendment, you say they may be inspected only in accordance with this title. Under what circumstances may the petitions be inspected?

The SPEAKER: The gentleman from Farmington, Mr. Morton, has posed a question through the Chair to the gentleman from Lewiston, Mr. Call, who may respond if he so desires.

The Chair recognizes that gentleman.

Mr. CALL: Mr. Speaker, Ladies and Gentlemen of the House: In answer to the gentleman, the law is now that anybody can go to the town or city clerk and request to look at either nomination papers or absentee ballots. This, as I say, would prevent the publication in the paper, but it would not prevent people from going to the town or city clerk individually or in groups and finding out what they want to know; to wit, who had applied for absentee ballots or who voted as such and also who had signed someone's nomination papers.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: I believe that anything that is public is printable, and for that reason I move the indefinite postponement of this amendment.

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

Mr. JACQUES: Mr. Speaker, Ladies and Gentlemen of the House: I know why the gentleman from Lewiston, Mr. Call, is introducing this amendment. We had problems with our local newspaper. They were printing the names of the petitioners who had signed a petition and a lot of these people after that did not want to sign petitions at all and it was hard for awhile to get names on petitions. Actually, we had many, many candidates running, and they chose the candidates' names they were going to put in the newspaper and that, I think, is the reason for Mr. Call introducing this, and this could happen in your own areas.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: Again, I think anything that is public is printable and I hope you support my motion.

Mr. CALL: Mr. Speaker, Ladies and Gentlemen of the House: I might point out to the gentleman from Bangor that he does not live in the City of Lewiston.

In 1949, we had a city election and the newspaper, one of them, printed the names of people who had signed the nomination papers for the two candidates who were in the runoff election, and as a result of that, as has been stated by my colleague, Mr. Jacques, there are people who since that time have not signed nomination papers. They felt as I do, that it was an invasion of privacy. What happened in the instance was that they wanted to shame these

people who had signed the nomination paper of the person they were not supporting. That was in 1949 and we did not have it again until the last election.

All right, I think everybody in this chamber knows as I do, that when anybody signs a nomination paper, he is merely saying it is all right with me if this candidate seeks office. He may not vote for the candidate but he can sign his paper and endorse his candidacy, but when a name is in the paper, too many people might assume that the persons who signed the candidate's nomination paper is with him 100 percent, and that is not so. An illusion is formed that is just that, an illusion, unrealistic and misleading.

As to absentee ballots, the city clerk in Lewiston told the Elections Laws Committee, of which I am a member, during one of the sessions, just what happened in Lewiston, which I know about and which I saw in the newspaper.

There had been a lot of conversation to the effect that some people were felling people to vote absentee regardless, even if they had no infirmities whatsoever and would be perfectly mobile on election day. Whether or not there is truth to that, I don't know, but it was a pretty strong and persistent rumor. So as a result of that rumor, the newspaper printed a whole list of names of people who had made application for absentee ballots. The police department was swamped with calls, the police chief called an official of the newspaper over and he said, this is bad, people are scared to death, some of them had their suitcases all packed and were ready to go away and now they don't dare to because they had their names in the paper, both the man and his wife, absentee ballot, and the burglars will know that they are going to be away from home and it is an invitation for thieves to at least go to that residence and look around.

To return to the nomination papers, when they are published there is an ulterior motive there, strictly political, and not in the best public interest. That is all I have to say at this time.

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

Mr. MORTON: Mr. Speaker, I would like to pose a question through the Chair to the gentleman from Lewiston, Mr. Call. You mentioned municipal papers, does the same thing apply to petitions on file in the Secretary of State's Office under that title?

The SPEAKER: The gentleman from Farmington, Mr. Morton, has posed a question through the Chair to the gentleman from Lewiston, Mr. Call, who may respond if he so desires.

The Chair recognizes that gentleman.

Mr. CALL: Mr. Speaker, I think that it calls for all papers but the intent was for — if the gentleman means nomination papers that are going to end up in the Secretary of State's Office, of course, any nomination papers.

I would request a roll call.

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

Mr. BIRT: Mr. Speaker, I move that this lie on the table until later in today's session.

The SPEAKER: The Chair recognizes the gentleman from Solon, Mr. Faucher.

Mr. FAUCHER: Mr. Speaker, Ladies and Gentlemen of the House: I would ask for a vote on the tabling motion.

The SPEAKER: The pending question before the House is on the motion of Mr. Birt of East Millinocket to table until later today. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

17 having voted in the affirmative and 59 in the negative, the motion did not prevail.

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

Mr. PEARSON: Mr. Speaker, I would like to pose

a question through the Chair to the gentleman from Lewiston, Mr. Call. Does this also apply to recall petitions?

The SPEAKER: The gentleman from Old Town, Mr. Pearson, has posed a question through the Chair to the gentleman from Lewiston, Mr. Call, who may respond if he so desires.

The Chair recognizes the gentleman.

Mr. CALL: Mr. Speaker, I am pretty certain that as it stands now, it calls for all signatures.

The SPEAKER: The Chair recognizes the gentleman from Brunswick, Mrs. Martin.

Mrs. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I am not an Independent but I am all for Mr. Call because it is an invitation to burglary if you publish your name in the paper.

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. Those in favor 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 before the House is on the motion of the gentleman from Bangor, Mr. Kelleher, that House Amendment "B" be indefinitely postponed. Those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA — Bachrach, Birt, Blodgett, Burns, Carpenter, Clark, Cooney, Cox, Dam, DeVane, Doak, Dyer, Garsoe, Greenlaw, Hall, Henderson, Hennessey, Higgins, Hughes, Hunter, Ingegneri, Jackson, Kany, Kelleher, Laverty, Mackel, Mahany, McKernan, Mills, Morton, Perkins, S.; Peterson, T.; Pierce, Powell, Quinn, Rideout, Saunders, Shute, Snowe, Sprowl, Strout, Susi, Tarr, Tyndale, Wagner, Wilfong.

NAY — Albert, Ault, Bagley, Berry, P. P.; Berube, Boudreau, Byers, Call, Carey, Carroll, Carter, Chonko, Churchill, Connors, Connolly, Cote, Curran, P.; Curran, R.; Curtis, Davies, Dow, Dudley, Durgin, Farnham, Faucher, Fenlason, Finemore, Flanagan, Fraser, Gauthier, Goodwin, H.; Goodwin, K.; Gould, Gray, Hewes, Hobbins, Jacques, Jensen, Joyce, Kauffman, Kelley, Kennedy, Laffin, LaPointe, Leonard, Lewin, Lewis, Littlefield, Lizotte, Lovell, Lunt, Lynch, MacEachern, Martin, A.; Martin, R.; Maxwell, McBreairey, McMahon, Miskavage, Mitchell, Morin, Mulkern, Nadeau, Norris, Pearson, Pelosi, Peterson, P.; Post, Raymond, Rolde, Rollins, Silverman, Snow, Spencer, Stubbs, Teague, Theriault, Torrey, Tozier, Truman, Usher, Walker.

ABSENT — Bennett, Bowie, Bustin, Drigotas, Farley, Hinds, Hutchings, Immonen, Jalbert, LeBlanc, MacLeod, Najarian, Palmer, Peakes, Perkins, T.; Smith, Talbot, Tierney, Webber, Winship.

Yes, 46; No, 84; Absent 20.

The SPEAKER: Forty-six having voted in the affirmative and eighty-four in the negative, with twenty being absent, the motion does not prevail.

The pending question before the House is adoption of House Amendment "B".

The Chair recognizes the gentleman from Scarborough, Mr. Higgins.

Mr. HIGGINS: Mr. Speaker and Members of the House: I would ask for a vote on the adoption of the amendment.

First of all, it seems to me that this amendment is a local issue, similar to the one that we had this morning on Portland. But I would like to address a question or an observation, it occurred to me that the amendment seems to be a bit contradictory in the fact that you are saying that it is public for an individual to go in there and get those and yet it is not public knowledge,

and I don't quite get the distinction between myself being able to go down and inspect ballots and then maybe taking the names that are on the petitions, I might copy them down myself, and take them to a newspaper and publishing them or taking out an ad or something like that.

It is my assumption that people, at any rate in the Portland paper, it is my understanding that, people have to sign a release to have their name in the paper. We have been through this in the past and anybody who had their name endorsing a candidate in the newspaper, or at least if it appeared in print, that they had to give a waiver, or their approval; and I don't understand why it is not applicable to Lewiston, but I would pose that question or observation that this amendment does seem quite contradictory to me. It is public, it is public, and if it is not, it's not.

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

Mr. SPENCER: Mr. Speaker and Members of the House: I rise to oppose this amendment. I find it hard to conceive of this legislature passing a law which says that a signature on a candidate's petition is not public information which can be published in the newspaper. I think the first amendment problems with this bill are beyond belief. I can't imagine that we can say that the newspaper can't publish the names of the people who sign a candidate's petition. It is absolutely 'incredible' to me, to borrow a word from the Representative of Freeport who helped me out when I could not think of the word to describe it.

I can't see that you can prohibit the newspaper from publishing a public record. It is like saying that they can't publish the names of the candidates who are running for office. It just staggers my imagination that that vote would have been so overwhelming and I voted — and I would like to put this on the record — I voted against indefinite postponement so that I could stand up to move reconsideration, because I thought that the body could not have reflected fully on this subject. But I would ask you to vote against the adoption of this amendment.

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

Mr. PERKINS: Mr. Speaker, Ladies and Gentlemen of the House: I would like to inquire as to how it is possible to have a nomination petition open for signatures and it not be a public record? How is it possible that you can carry around a petition in your hands and ask me to sign it and yet it is not a matter of public record? In fact, the person who signed just before me could force you not to.

It is completely self-defeating and somebody is going to end up in court just by virtue of passing around a nomination paper. If the good gentleman, Representative Call, wishes to get the press, then I would have suggested that the amendment so state that, that any petition, ballots, or what have you, information thereon, not be disseminated by the press and I would dare say that that would have a mighty tough row to hoe.

The SPEAKER: The Chair recognizes the gentleman from Stockton Springs, Mr. Shute.

Mr. SHUTE: Mr. Speaker, Ladies and Gentlemen of the House: I would ask you to go against the passage of this amendment today. I know that many of you have said all session that I was right in the good gentleman from Lewiston, Representative Call's, pocket all year. Well, that isn't the case, because in this instance, I am going to have to leave my good friend and would hope that you would vote against the passage. We had this amendment in the Election Laws Committee and it was almost a unanimous consensus of the committee that this should not be adopted in our election laws bill this year.

We listened with great sympathy to the gentleman's remarks about the unscrupulous newspaper editors in Lewiston that were publishing the people on the nomination petitions, but we did feel that going along with our right-to-know laws, that it would be in the best interests of the people of the state to have these petitions available for public scrutiny. So, I would ask you to go against the passage of this amendment.

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

Mr. HENDERSON: Mr. Speaker, Ladies and Gentlemen of the House: I find a bit of irony in this proposal when comparing it with our expungement law which we have radically revised this session. You remember, last year or prior to this session, even if you were acquitted of a crime or even if charges were dismissed against you, at least under the previous law, that would have not been a public record and now it is or will be as we proceed. If a member of the press said it was Jim Henderson arrested for stealing chickens in Lewiston on the 28th and they said, yes, but it was just a frivolous charge on the part of the gentleman, Mr. Call, they could still have published that fact — Henderson Arrested for Stealing Chickens, yet they could not point out that I had signed Mr. Call's petition, which would also probably be illegal. It just seems so ridiculous, pardon the phrase, that now we are going to be allowing the press to publish allegations and other aspects of criminal behavior, yet they can't even publish this, it just boggles the mind.

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

Mr. JACQUES: Mr. Speaker, Ladies and Gentlemen of the House: It happened that we had a pretty good police chief in Lewiston, and naturally he approached the Board of Registration in the City Clerk's Office and told them that would be detrimental to some of these people's homes, because as you know, as they published it that this man would be away to Florida or so and so, and that was one of the reasons that our chief got together with the newspaper and told them that they shouldn't publish it and they didn't. But that doesn't mean it is not going to happen next year or the year after.

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

Mr. JACKSON: Mr. Speaker, Ladies and Gentlemen of the House: I think we should nip this problem in the bud, and amend this amendment that no candidate for any office in the State of Maine will have his name mentioned in the press.

Mr. Spencer of Standish requested a roll call vote.

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

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

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

Mr. MCKERNAN: Mr. Speaker, Ladies and Gentlemen of the House: I would pose one question to the gentleman from Lewiston or to anyone else who might have the answer. In a brief perusal of the election laws, I can't find any section which deals with inspecting absentee ballot applications, absentee envelopes, nomination petitions and primary petitions in accordance with this title. I am not sure that the statement by the gentleman from Lewiston that members of the public could take a look at it but it could not be printed in the press is correct. I would question how any in-

spection would take place under this amendment?

The SPEAKER: The Chair recognizes the gentleman from Portland, Mrs. Boudreau.

Mrs. BOUDREAU: Mr. Speaker, Men and Women of the House: This was one of the amendments that was presented to us when we were doing the omnibus bill. We rejected that for the very reason we thought it would be controversial. We told Mr. Call he could offer it on the floor and take his chances.

The way the amendment is written, the only person that would be able to look at these petitions and ballots and so on would be if you challenged a petition or for an inspection or a recount.

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

Mr. CALL: Mr. Speaker and Members of the House: I hope that you will not be swayed by what you have heard from, we will say, the opposition.

Now, let me say, like all of you, that the law is supposed to be an honorable profession, and these are honorable lawyers who have spoken against my amendment, that could be expected. I hope you have analyzed these arguments against my bill, and I certainly hope that those of you who voted against indefinite postponement will, to use an expression, stick to your guns, and I would not be unhappy if some of the others turned the other way.

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

Mr. MCKERNAN: Mr. Speaker, Ladies and Gentlemen of the House: It does seem that a few lawyers are in fact up here wondering if this is a proper amendment or not. One of the reasons may be that we have to deal with the laws that are passed here in this body and I seriously question this amendment on two grounds. The first one is that, as the gentleman from Portland suggested, the only provision in the election laws that I could find as I said, but I would defer to her as someone who has to deal with the election laws all the time, the only section I can find on inspection is the section which deals with inspections of ballots for a recount. That says, first of all, that only a candidate can inspect the ballots and, secondly, that he can only inspect the ballots. So, there is absolutely no way to review any of these additions that Mr. Call is trying to put in based on the laws and the title on the election laws.

Secondly, I would also say that we ought to really consider what we are doing here today because we have laws on the books that say that a person can sign a nomination paper only for a candidate for an office in the party to which he belongs and also for the same number of people whom that party is authorized to nominate. Therefore, I think we want to make sure we have a check on that. The best way to do it is through public inspection, people who can actually look at these nomination petitions and make sure that people have not signed more than one. I think there may have been a problem in Lewiston, and that is unfortunate, but the advantages to making sure there is public inspection of nomination petitions or absentee ballots which directly affect the public far outweighs the problems which may have occurred in Lewiston.

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

Mr. SPENCER: Mr. Speaker, Ladies and Gentlemen of the House: I would like to pose an inquiry through the Chair to the sponsor. If the petitions that are filed are not public records and cannot be inspected except when they have been challenged, would it mean that everyone who thought that there ever might be an irregularity would have to challenge the petitions before they could inspect them to in fact see if there was an irregularity and wouldn't this lead to a situation where there would really be

no public review of these petitions to see either where there would be public review or where you would have to challenge them automatically in order to see if there was any irregularity?

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

Mr. BIRT: Mr. Speaker, Ladies and Gentlemen of the House: The bill that this amendment is to, 2344, has a provision in it which covers about half of what the amendment does. Under Section 56 it says, Ballots, and then has been added absentee ballot application, and absentee ballot envelopes which is part of what this amendment is. The big debate is on whether the nomination petitions and primary petitions are or are not public records. There has been much debate as to the question of whether they are or are not.

I certainly believe that we would be in violation of a great many provisions of laws and even some of the sections of the Constitution when we forbid a nomination and primary petition from being inspected, but half of this is covered. The part that may be the area most sensitive is relative to absentee ballots and, therefore, I don't see any real need for this and I hope you do not adopt this amendment.

The SPEAKER: The Chair recognizes the gentleman from Waterville, Mrs. Kany.

Mrs. KANY: Mr. Speaker, Ladies and Gentlemen of the House: May I pose a question through the Chair to the sponsor? I would like to ask Representative Call if he considered asking the local newspaper to exercise its discretion in publishing the names of just those particular applicants who would be out of town?

The SPEAKER: The gentleman from Waterville, Mrs. Kany, poses a question through the Chair to the gentleman from Lewiston, Mr. Call, who may answer if he so desires.

The Chair recognizes that gentleman.

Mr. CALL: Mr. Speaker, Ladies and Gentlemen of the House: I might say that I don't think this whole House would be interested in the explanation that I could give to Mrs. Kany in private relative to my status with the Lewiston newspapers. Now, it is not a bad situation. In fact, last night they surprised me. For the first time in a long time, the Lewiston Sun reporter quoted what I had to say in a very important matter before the city council.

I don't feel at this point that I want to answer any questions, as I said, relative to Mrs. Kany, I would be happy to explain the situation as it exists between the Lewiston newspapers and myself and that doesn't mean that it is a poor relationship.

The SPEAKER: The Chair recognizes the gentleman from Lewiston, Mrs. Berube.

Mrs. BERUBE: Mr. Speaker, Ladies and Gentlemen of the House: Just a point of clarification please? In the Errors and Inconsistencies Bill of the Election Laws, L. D. 2344, on Page 11, under Section 56, Exceptions, as I can read it and perhaps I am incorrect, but the only thing different from paragraph one under Exceptions is that Mr. Call simply adds nomination petitions and primary petitions. Now, then, the clarifying bill of Election Laws states under Exceptions: "Ballots" then they have added, the committee, "absentee ballot application and absentee envelopes are not public records and may be inspected only in accordance." I would think that perhaps all he has added are the nomination petitions.

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

Mr. BURNS: Mr. Speaker, Ladies and Gentlemen of the House: I note there is not a fiscal note on this. Should this law be passed, it will require that each petitioner sign a separate sheet of paper. So, therefore, there would be additional cost to the Secretary of State in making up the petitions.

The SPEAKER: A roll call has been ordered.

The pending question is on the motion of the gentleman from Lewiston, Mr. Call, that House Amendment "B" be adopted. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Bagley, Berry, G. W.; Berry, P. P.; Berube, Call, Conners, Connolly, Cote, Curtis, Dow, Drigotas, Farley, Finemore, Fraser, Gould, Gray, Hall, Immonen, Jacques, Jensen, Kauffman, LaPointe, Littlefield, Lunt, MacEachern, Martin, A.; Martin, R.; Mulkern, Norris, Peterson, P.; Raymond, Rollins, Snow, Torrey, Tozier, Usher, Walker.

NAY — Albert, Ault, Bachrach, Birt, Blodgett, Boudreau, Burns, Byers, Carey, Carpenter, Carroll, Carter, Chonko, Churchill, Clark, Cooney, Cox, Curran, P.; Curran, R.; Dam, Davies, DeVane, Doak, Durgin, Dyer, Farnham, Faucher, Fenlason, Flanagan, Garsoe, Gauthier, Goodwin, H.; Goodwin, K.; Greenlaw, Henderson, Hennessey, Hewes, Higgins, Hobbins, Hughes, Hunter, Hutchings, Ingegneri, Jackson, Joyce, Kany, Kelleher, Kelley, Kennedy, Laverty, Leonard, Lewin, Lewis, Lizotte, Lovell, Lynch, Mackel, Mahany, Maxwell, McBreairty, McKernan, McMahan, Mills, Miskavage, Mitchell, Morin, Morton, Nadeau, Palmer, Peakes, Pearson, Pelosi, Perkins, S.; Pierce, Post, Powell, Quinn, Rideout, Rolde, Saunders, Shute, Silverman, Snowe, Spencer, Sprowl, Strout, Stubbs, Tarr, Theriault, Truman, Twitchell, Tyndale, Wagner, Wilfong.

ABSENT — Bennett, Bowie, Bustin, Dudley, Hinds, Jalbert, Laffin, LeBlanc, MacLeod, Najarian, Perkins, T.; Peterson, T.; Smith, Susi, Talbot, Teague, Tierney, Webber, Winship.

Yes, 37; No, 94; Absent, 19.

The SPEAKER: Thirty-seven having voted in the affirmative, and ninety-four in the negative, with nineteen being absent, the motion does not prevail.

The pending question is on passage to be enacted. The Chair will order a vote. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

Mrs. Martin of Brunswick requested a roll call vote.

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

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

The SPEAKER: The Chair recognizes the gentlewoman from Brunswick, Mrs. Martin.

Mrs. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: May I ask Mr. Call if he would put these in two amendments instead of one, like absentee ballot applications and then the petition. I go along with the absentee ballot not being published because this is a bad thing. I will tell you what. You won't believe this, there were young boys in back of my house with B-B guns and they were shooting birds and the bees, if you want to put the bees in, and I stopped them. The next night they were in my cellar opening my windows trying to get in the house. This is what I am talking about, is that printing this absentee ballot on the day before election, people would know that they were out and their homes would be robbed. I was home and my house was trying to be robbed, so you can imagine what it is when you are not home and they try to rob your house.

If Mr. Call would make two petitions instead of one on this absentee ballot application and then his petition I wouldn't go along with the

nominating petition and primary petition because I think those should be public, but as far as the absentee ballots being public, I would go along with them not being published.

The SPEAKER: A roll call has been ordered. The pending question is on passage to be engrossed as amended by House Amendment "A". 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. P.; Birt, Blodgett, Boudreau, Burns, Byers, Carey, Carpenter, Carroll, Carter, Chonko, Churchill, Clark, Conners, Cooney, Cox, Curran, P.; Curran, R.; Curtis, Davies, DeVane, Dow, Dudley, Durgin, Dyer, Farley, Farnham, Faucher, Fenlason, Finemore, Flanagan, Fraser, Garsoe, Gauthier, Goodwin, H.; Goodwin, K.; Gould, Gray, Greenlaw, Hall, Henderson, Hennessey, Hewes, Higgins, Hobbins, Hughes, Hunter, Hutchings, Immonen, Ingegneri, Jackson, Jacques, Jensen, Joyce, Kauffman, Kelley, Kennedy, Laverty, Leonard, Lewin, Lewis, Littlefield, Lizotte, Lovell, Lunt, Lynch, MacEachern, Mahany, Martin, A.; Martin, R.; McBreairty, McKernan, McMahan, Miskavage, Mitchell, Morin, Morton, Mulkern, Nadeau, Norris, Palmer, Peakes, Pearson, Pelosi, Perkins, S.; Peterson, P.; Pierce, Post, Powell, Quinn, Raymond, Rideout, Rolde, Rollins, Saunders, Shute, Silverman, Snow, Snowe, Spencer, Sprowl, Strout, Stubbs, Tarr, Theriault, Torrey, Truman, Twitchell, Tyndale, Walker, Wilfong.

NAY — Berube, Call, Connolly, Cote, Dam, Doak, Drigotas, Kany, Kelleher, LaPointe, Maxwell, Usher.

ABSENT — Bowie, Bustin, Hinds, Jalbert, Laffin, LeBlanc, Mackel, MacLeod, Mills, Najarian, Perkins, T.; Peterson, T.; Smith, Susi, Talbot, Teague, Tierney, Tozier, Wagner, Webber, Winship.

Yes, 117; No, 12; Absent 21.

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

Sent up for concurrence.

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

Bill "An Act Correcting Errors and Inconsistencies in Motor Vehicle Related Laws" (Emergency) (H. P. 2270) (L. D. 2337)

Tabled — April 6 by Mr. Palmer of Nobleboro.

Pending — Motion of Mr. Strout of Corinth to Indefinitely Postpone House Amendment "B" (H-1226) (Roll Call Ordered)

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

Mr. STROUT: Mr. Speaker, Ladies and Gentlemen of the House: I wish to withdraw my motion.

The SPEAKER: The gentleman from Corinth, Mr. Strout now withdraws his motion to indefinitely postpone House Amendment "B".

The Chair recognizes the gentleman from Limerick, Mr. Carroll.

Mr. CARROLL: Mr. Speaker, Ladies and Gentlemen of the House: I would like to withdraw House Amendment "B".

The SPEAKER: The gentleman from Limerick, Mr. Carroll, withdraws House Amendment "B".

Mrs. LEWIS: Mr. Speaker, Ladies and Gentlemen of the House: I am proposing this amendment. You may notice that I have had distributed two amendments, but this is the one that I am presenting. There have been quite a few people in this state, and I have read editorials about it so I know that it covers more

areas than just my own, who haven't registered their cars when the registration time had elapsed. With the new system that we have, this staggered system, where it depends upon the last digit of your license number, many people haven't noticed it and they have been caught driving unregistered cars, and the police officers in the various towns are very strict about this. They won't allow a person even to drive home. Sometimes I think if an inspection sticker has elapsed, they will allow people to drive the cars home and then get a new sticker, but not so with the license plate.

So, rather than put in an amendment that would have to have a fiscal note, this amendment that I am proposing would say that anybody who registers a car or reregisters a car, could pay an additional 25 cents, and that way that person would be assured of getting a card stating that the registration is due. It would be not more than 60 days and not less than 30 days before the registration is due. I have checked the figures and 25 cents will cover the cost of doing this. I do think it would help quite a few people in this state and I hope that you will pass it.

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

Mr. KAUFFMAN: Mr. Speaker, Ladies and Gentlemen of the House: I am going to move the indefinite postponement of this amendment and will speak very briefly.

The SPEAKER: The gentleman from Kittery, Mr. Kauffman, moves the indefinite postponement of House Amendment "D".

The Chair recognizes the same gentleman.

Mr. KAUFFMAN: Mr. Speaker, Ladies and Gentlemen of the House: First, everybody has an inspection sticker. You look at your district court records and I think you will see it is probably 25 to 1 of people being summoned to court for an uninspected vehicle rather than lack of registrations. They may say that the sticker is in front of you all the time. It is not in front of you, it is up in back of your mirror. They will tell you that people don't look at their registration plates. Well, I say if anybody fills up with gas, usually they get out of the car and they see their registration plate, the tag on the plate.

Another thing, you can go to your town clerk now, or city clerk, and pick up your tags. This is going to mean additional work, additional bookkeeping and accounting on the part of the city or town clerks. I don't think it is a necessary bill. Even at the 25 cents rate, I think it will cost the State of Maine in the thousands of dollars if this is implemented.

The SPEAKER: The pending question is on the motion of the gentleman from Kittery, Mr. Kauffman, that House Amendment "D" be indefinitely postponed. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

Mr. MacEachern of Lincoln requested a roll call vote.

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

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

The SPEAKER: The Chair recognizes the gentleman from Cape Elizabeth, Mr. Hewes.

Mr. HEWES: Mr. Speaker, Ladies and Gentlemen of the House: I wonder how many of you know which month your registrations expire? I see half a dozen hands, one raised twice. I think a lot of the general public do not know, and I think they are going to be asleep at the switch and their registrations are going to ex-

pire and they will be in violation of the law. These are good, law-abiding citizens, so I urge you to vote against indefinite postponement so that the Secretary of State's Office can send a notice out to all the registered owners of the State of Maine so they will know their registrations are about to expire.

Some of us are not as punctual as the gentleman from Kittery, Mr. Kauffman, indicated he is, and I am sure my wife wouldn't know when ours expires. In fact, I went to the town hall in Cape Elizabeth back in January to try to register our car and they wouldn't take it then because it didn't expire until March, they didn't have necessary papers from Augusta. The Secretary of State's office communicates with the various municipal clerks and lets them know which citizens in their towns registrations are about to expire, so I urge you to vote against indefinite postponement.

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

Mr. STROUT: Mr. Speaker, Ladies and Gentlemen of the House: First off, I would reply to the gentleman from Cape Elizabeth that if you pass this amendment, this doesn't mean that everybody in the State of Maine is going to be notified. The only people going to be notified are the people that paid the 25 cents. I think you are going to create a problem where people feel that they will be notified, but this very clearly says that they won't be notified unless they pay the 25 cents.

Furthermore, ladies and gentlemen, I think that this could be a very serious amendment to a very serious bill. I think it could create problems when it got to the second floor, and I would urge you to defeat this amendment.

We have provisions in this bill that we want to get through this legislature, and I hope that we can move this bill today without this amendment, and I would urge you to indefinitely postpone.

The SPEAKER: The Chair recognizes the gentleman from Stow, Mr. Wilfong.

Mr. WILFONG: Mr. Speaker and Members of the House: I, too, would urge you to defeat this amendment. I was the cosponsor of the motor vehicle registration law of last session that allows citizens to go to their local municipalities and reregister a vehicle. I am told that if we pass this amendment, it will create a tremendous hassle for these people. Currently, they are reregistering over 50 percent of the automobile registrations in this state, and we are saving somewhere around fifty to a hundred thousand dollars. We are also freeing up a lot of time in state government. We are instituting a program which is going to save the Taxation Department \$169,000, and if we get involved in this, it is going to cost money, it is going to be a tremendous boondoggle for the Secretary of State's Office to handle, and I think that we should put an axe to this amendment promptly.

The SPEAKER: The Chair recognizes the gentleman from Lincoln, Mr. MacEachern.

Mr. MacEACHERN: Mr. Speaker, Ladies and Gentlemen of the House: I also urge you to oppose this amendment. I think it is a monstrosity. I think it would cost much more than 25 cents for the Secretary of State's Office to keep the records. It just is not something that makes for good government. I can't imagine the gentelady putting it in. I am sure the Governor will take care of it when it gets to him, so I think we should kill this amendment.

The SPEAKER: The Chair recognizes the gentleman from Dexter, Mr. Peakes.

Mr. PEAKES: Mr. Speaker, I would like to pose a question through the Chair. If I pay the 25 cents and through some blunder in the Secretary of State's Office. I am not notified and I am summonsed for not having an updated

registration, is this a complete defense, that I was not notified and that I paid my 25 cents?

The SPEAKER: The gentleman from Dexter, Mr. Peakes, has posed a question through the Chair to anyone who may care to answer.

The Chair recognizes the gentleman from Cape Elizabeth, Mr. Hewes.

Mr. HEWES: Mr. Speaker and Members of the House: In answer to the gentleman's question, I would say no, it is not a defense. If his car is not properly registered, whether he depended on the Secretary of State's Office or his secretary or his wife or anybody.

I would say, in response to the gentleman from Lincoln, it is my understanding that the Secretary of State's Office does keep lists and does send all the municipal clerks a list each month of the registrations of residents of that community that are about to expire. So the records are kept anyway.

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

Mr. FINEMORE: Mr. Speaker, to clarify what the gentleman just said, they don't send a notice, they send the actual application of all the cars and trucks 30 days prior to the time of registration.

I notice on this notification, it says "This notification shall be sent no more than 60 and no less than 30 days before registration." Well, you send me one in 30 days and I would forget it anyway. I think if they are going to send them, they should be sent five days before. And I think there should be a fiscal note on here on the cost of this, because if you send it out to everyone in the state, it would be 500,000-plus cars and it would be \$65,000 postage. If you send them that 25 cents, it would cost them another 25 cents to handle that 25, let alone the postage.

I hate to work against the lady who presented the amendment, but I think if this gets to the Governor's desk, he will sign it because I think he is behind the amendment.

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mrs. Lewis.

Mrs. LEWIS: Mr. Speaker, Ladies and Gentlemen of the House: Secretary of State, Mark Gartley, is here, at least he was a second ago, and he has a letter that he would like to have distributed. I wonder if we could table this for just a short time, until his letter can be distributed.

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

Mr. WAGNER: Mr. Speaker, I move that this item be tabled until later in today's session.

The SPEAKER: The Chair recognizes the gentleman from Lincoln, Mr. MacEachern.

Mr. MacEACHERN: Mr. Speaker, I ask for a vote on the tabling motion.

The SPEAKER: Those in favor of tabling until later today will vote yes; those opposed will vote no.

A vote of the House was taken.

80 having voted in the affirmative and 25 in the negative, the motion did prevail.

The following papers from the Senate appearing on Supplement No. 3 were taken up out of order by unanimous consent.

Committee of Conference Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act to Establish the Dates of Legislative Sessions and to Clarify Laws Relating to Expenses of Legislators" (S. P. 663) (L. D. 2087) ask leave to report: that the Senate recede from its action whereby it Passed the Bill to be Engrossed as amended by Committee Amendment "A" (S-435), as amended by Senate Amendment "A" thereto (S-440); recede from its action whereby it adopted Committee Amendment "A", as amended by Senate Amendment "A" thereto;

recede from its action whereby it adopted Senate Amendment "A" to Committee Amendment "A" and indefinitely postpone same; indefinitely postpone Committee Amendment "A"; adopt Conference Committee Amendment "A" (S-539), submitted herewith; and Pass the Bill to be Engrossed, as amended by Conference Committee Amendment "A";

that the House recede from its action whereby it Passed the Bill to be Engrossed as amended by Committee Amendment "B", as amended by House Amendment "C" (H-1036) thereto; recede from its action whereby it adopted Committee Amendment "B" (S-436), as amended by House Amendment "C" thereto; recede from its action whereby it adopted House Amendment "C" to Committee Amendment "B" and indefinitely postpone same; indefinitely postpone Committee Amendment "B"; adopt Conference Committee Amendment "A", submitted herewith; and Pass the Bill to be Engrossed as amended by Conference Committee Amendment "A", in concurrence.

Signed

Messrs. CURTIS of Penobscot
GRAHAM of Cumberland
KATZ of Kennebec

- of the Senate.

Messrs. CAREY of Waterville
GREENLAW of Stonington
FINEMORE of Bridgewater

- of the House.

Came from the Senate with the Report read and accepted and the Bill Passed to be Engrossed as amended by Conference Committee Amendment "A" (S-539).

In the House, the Report was read.

The SPEAKER: The Chair recognizes the gentleman from Hampden, Mr. Farnham.

Mr. FARNHAM: Mr. Speaker, Ladies and Gentlemen of the House: I am going to ask you not to accept the Committee of Conference Report, that we insist and ask for another Committee of Conference.

In the first place, I am going to go through this so you will know what is going on. A bill had to be put in because the constitutional amendment passed last year stated that we had to set limits to the length of the sessions. We also found that the pay bill as passed by the 106th Legislature did not cover a second regular session but covered a regular session and a special session.

The bill was heard and drafted by the State Government Committee and there were two reports, an A Report, which said that in the first regular session you would be paid \$5,000; in the second regular session, you would be paid \$1,000, plus \$25 a day, what I call under the table money, in addition to the \$1,000.

The B Report that was signed by the gentleman from Houlton, Mr. Carpenter and myself and the Senator from Washington County, Mr. Wyman, set the pay at \$4,000 for the first session; \$2,000 for the second session; no \$25 a day, unless you were called into a special session. The A Report also said that for expense money you would get what we have always gotten in the last two years, \$25 a day, and the B Report said you would get \$30 a day.

Well, the Senate passed the A Report and the House passed the B Report by a very substantial margin, so we were at loggerheads, a Committee of Conference is appointed.

In the Senate, two members of the State Government Committee who were for the A Report were appointed and one other member who was not on State Government but who favored the A Report was appointed. The House Committee of Conference completely ignored the two members of the State Government Committee who had signed the B Report and who, I presume, might have stood for the vote of this body which was 93 to 48 for the B Report.

I don't know when the committee met, but before it met I saw the proposal that the House Conferees were going to have and it was \$4,400 for the first year and \$2,400 for the second year, the usual \$25 a day if we were called into special session and \$25 a day for an expense account. It did not seem to me, at that time, that they reflected the overwhelming vote of this body, so the Committee of Conference, I presume, met at some time and came up with the bill you now have before you, which says that you will get \$4,500 the first year as against the \$4,000 that we did vote. It says you will get \$2,500 the second year, as against the \$2,000 that this body voted for. It continues on and agrees in every other respect, except for the expenses. We voted for \$30; the Committee of Conference stayed with the original A Report of \$25 a day.

I think that a compromise can still be worked out. I would point out to you, with a 184 members at a \$1,000 increase for the two year period is a total sum of \$184,000 increase. This, of course, the \$1,000 is taxable wages and most of you pay at least 14 percent federal and many of you go more, I don't know how the percentages are above the 14, that is as high as I can get on that federal tax table, so you know I have a pretty low income.

My proposal that would increase your expense account allowance, I think, was an honest one, because I know many people have difficulty now getting by on \$25. What is it going to be in 1977, when you come back here, or those of us who might come back? What is it going to be in 1978? Motels increased their rates between the end of the regular session and this session approximately \$5 a room and I think you can look for another \$2 or \$3 in 1977; you can look for another \$2 or \$3 in 1978. All of your meals have gone up and I would say in 1978, those who are here might well wish this were \$35 a day instead of \$30 a day.

So technically, if 184 members got the \$1,000 increase that is on this bill, that is \$184,000 extra costs. The \$30 a day for a 184 people would cost a \$158,000, but let me point out to you that there are a great many commuters. They do not get \$30 a day, they get up to, on the B proposal, \$15 a day for mileage and that would mean they would have to be commuting over 100 miles and they would get the \$15 a day meal allowance.

The people who are from Augusta who live here, their mileage allowance is probably around \$5 or \$6 a week. The gentleman from Waterville, Mr. Carey, I think it is about 45 miles round trip, so he only gets the 45 miles times the states rate of 12 cents a mile plus his daily food allowance, so my \$158,000 figure on the \$5 a day for your living expenses is an inflated figure, but I was not going to go around this House and find out who commuted and how much they got each day, it is none of my business what they get each day and I am not that nosy. My figure is too high, but even with this high figure, the costs still represent a \$26,000 a day savings.

If you will look on the Statement of Fact on the Committee of Compromise amendment, they come up with a savings of \$93,250. I don't think anyone can explain where that savings came from, and at one time, they had in their savings what we are saving for the abolition of the Governor's Council. Well, if it is a savings on one bill, it is a savings on another but it has nothing to do with our pay at all, that is the councilors down here, not us, I mean the Governor's Council. No matter what the savings is there, it would apply to both bills and I just don't see where it has anything to do with the legislature.

All in all, if you want to vote yourself a \$1,000 increase, not accept Report B which would make an honest savings, I urge you not to accept this bill and that you insist and ask for another Committee of Conference.

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

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: The gentleman who just spoke and I are friends and I hope we leave here friends, but he hands out figures like a lot of other people, not in this House, of course, because none of us do it, that are hard to understand. He just said if you wanted to increase your salary \$1,000 over and above his bill, his so-called B, that was okay. But you just take your pencil and paper and write it down and let me explain something to you.

His bill called for \$6,000 plus \$30 expenses; this bill calls for \$7,000 and \$25 a day expenses, if you serve here a 160 days in the 100th Legislature, at \$5 a day, that is \$800. In other words, his bill would be \$6,800 and ours would still be \$7,000. That allows you \$200 to pay the income tax on that \$800 if you want to pay it.

We did a lot of work on this, we met single, we met with the Senate, we all signed the bill and we had it figured, not by ourselves, we had it figured that there would be a savings of \$93,250 over and above what you folks would receive in the next legislature if you used the old system and there had been no extra regular session. In other words, you are saving \$93,250. I believe that is quite a savings, and I believe that anyone who serves in this House, I won't be here, so I am not speaking for myself, deserves a salary of \$4,500 for the first regular and \$2,500 for the second regular, plus expenses.

This bill also includes your constituent services of \$200 which I believe every member of this House deserves if they are in a rural district and probably in a city district. I think it is ridiculous to ask people to serve in this House, and go out and serve your constituents, especially in Aroostook County and I imagine there are other counties the same, in fact, I heard a man tell me that the other day from another district that his district was 58 miles long, and I believe that man or any other person in this House deserves it. Of course, we get our free telephone calls.

I think this is a good bill. I think Mr. Carey and Mr. Greenlaw and the Senate members, including Mr. Katz and Mr. Merrill and Mr. Graham did a good job on it. We took a lot of time one day, I did with them, and later we all met, we all signed it, we all agreed upon it and I think it is the way out. It is only \$200 more than the bill that Mr. Farnham is speaking of as a whole. The only thing is, you would be paying on the \$800 expenses, as he figures it, you would not be paying an income tax and this way you would, which is probably the wrong way to do it.

I will admit that probably the next time your expenses will be higher unless we get something different than now, but I do hope you will go along with this Amendment A to what the Committee of Conference asked for and pass this bill and give everyone that is coming back here next time, the young, the rich and the ones who are only paying 14 percent — of course, some of these fellows who would only go to 14 percent on the income tax should read a little further on, but they are wondering whether they should or not, but I hope you do this and I hope that everyone enjoys at the next session, even if I am not here. Probably you would enjoy it a little more.

The SPEAKER: The Chair recognizes the gentleman from Scarborough Mr. Higgins.

Mr. HIGGINS: Mr. Speaker, Ladies and Gentlemen of the House: First of all, is the motion to indefinitely postpone the Conference Committee Report in order?

The SPEAKER: The Chair would answer in the negative.

Mr. HIGGINS: Okay, that settles that. I would like to go against this Conference Committee Report. I would like to state my reasons

why I went along with Mr. Farnham in the beginning.

His bill called for \$4,000 in the first year and I felt, after talking with some of the members on the Appropriations Committee that the extra \$1,000 that would be cut back was money that was needed in the second year of the biennium. I was in hopes that we could amend out the \$30 to \$25 for the expenses. We did not do that and so I was forced to live with Committee Report B, and now I am going to have to live with something that I think is even worse, because an increase is an increase. Despite the fact that it is only \$200 more than what we had before, it is still at least \$184,000 more than what this legislature is getting at this time, at a time when we are telling state employees, the University of Maine and everybody else that we don't have any money and that we want to hold the line on spending, that if you are good, if you will hold on for another year or two and we will make it worth your while. Well, I think it is time we faced the music and did the same thing ourselves.

I realize at this time that this bill is not in a position to put it back, but maybe if we can defeat this Conference Committee Report, we could at least stay where we are.

The Conference Committee Report, in essence what it has done, it has made the other body give up \$1,250 in per diem expenses. That is figuring \$25 a day for 50 days, and they are taking a \$1,000 salary increase on top. The House is giving up \$750 in expense money and getting \$1,000 in taxable income.

The point is that we are still talking about raising the salary of the 108th Legislature \$1,000 apiece, and I just don't think that it is absolutely necessary.

I happen to be one of those people who believes that money does not induce people to run for this body or the other body. You could not pay people enough, at least sometimes, like the last two weeks that we have had, to serve in this body. People run for this office, hopefully, out of a dedication to serve and I don't think anybody here would run on the basis of what they are getting paid, as long as it is enough that they can get by on. I would submit to you that \$4,500 over five months is \$900, and if we limit the sessions to 100 days, it is \$45 a day and I would call that above subsistence.

If we go along with this Conference Committee Report and leave the salary at \$7,000 and the expenses at \$25 a day, I would guess that the next session of this legislature we would be back here asking for increased meal and housing allowances that they can get by on, and rightfully so, for those who happen to stay here over the session. I commute and I stay over sometimes but those of you who have to stay here and pay \$15 a night and buy 3 meals a day probably cannot get by on \$25 a day, so I would say that there is another \$5 a day that we are going to be looking at in the next session for those members of the 109th, which means another \$800 apiece times 184 legislators or another \$125,000 that this might precipitate in the future.

I think, in essence, I was against the whole thing from the start. My only reason for going along with B, as I said, is because it cut \$1,000 out of this second year of the biennium that we needed desperately and I was in hopes that we could amend the \$30 back to \$25 and that would, in essence, have left it essentially where it is today. Then, in the next session of this legislature, the 108th, we could have addressed the problem head on as to could we in fact at that time afford the extra \$5 a day?

I just think it is very hypocritical of this body to be considering \$1,000 over a biennium when we cannot afford \$15 a week or \$11 a week for the state employees raises. I would hope that you would go along with the gentleman from

Hampden, Mr. Farnham, and call for another Conference Committee Report.

The SPEAKER: The Chair recognizes the gentleman from Buxton, Mr. Berry.

Mr. BERRY: Mr. Speaker, Ladies and Gentlemen of the House: I am not going to ask anybody to support or not support the Conference Report. The thing that I am going to do is tell you that I probably was a little bit confused when this pay issue first came up, and I think some of the confusion that I was going through was created by what I was reading in the newspapers when everybody said that we were getting a pay raise.

I don't know how Mr. Farnham figures things and I don't know how Mr. Higgins figures things, but I think I had better try and find out, because I was here when we adopted the original pay scale, in an election year I might add, and I had a few remarks to say at that time. I was in favor of that proposal. If you adopt the Conference Report, I don't care how you figure it or how you cut it, you are taking \$250 less than you would have taken had we not gone to annual sessions. I can't see how on earth you can call that a pay increase, there is just no way.

I had a good many reasons for not favoring annual sessions. This was one of them. I was asked many times to support annual sessions. Some of the reasons that I had for not supporting annual sessions were greater than possible pay that was involved, but every time I was assured, the details will be worked out later, just vote for annual sessions now, we will work the details out later. Okay, I am not too gullible, so I didn't vote for annual sessions anyway.

Here are the details. A pay increase, it is \$250 less than you would have gotten but it is still a pay increase. Maybe some of the mathematicians in the House can take me aside a little later on, buy me a cup of coffee with the extra money they got, and explain to me how \$250 less than I would have gotten if I were here is a pay increase.

Thereupon, Mr. Pierce of Waterville requested a roll call vote.

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

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: I would like to remind the young gentleman, Mr. Higgins, that he is very unfamiliar with the methods of the legislature because you cannot raise your salary and your own expenses. So when you once pick whatever you get now, you are going to go through the 108th with this.

The SPEAKER: The Chair recognizes the gentleman from Scarborough, Mr. Higgins.

Mr. HIGGINS: Mr. Speaker, Ladies and Gentlemen of the House: In reference to Mr. Finemore, I am not unfamiliar with the fact that we cannot raise our own salaries. That is the reason why I, in answer to Mr. Berry, would say that when you get \$4,750 this year and you raise it to \$7,000 next year or \$6,000 next year, even though it was done by a previous legislature, it is a raise, and even though it was passed before our time, we still have the duty and an obligation, I feel, to address ourselves to that problem, to that legislation that was passed two years ago. It is brought to our attention now and I think we would be shirking our duties if we did not vote one way or the other.

The SPEAKER: The Chair recognizes the gentleman from Hampden, Mr. Farnham.

Mr. FARNHAM: Mr. Speaker, Ladies and Gentlemen of the House: I am happy that the gentleman from Bridgewater and I are not in disagreement. In figuring the savings that I have, it is a very minimum savings because I computed everybody for the maximum days, which is a 172 days, that is \$5 a day, and all will not get that. Furthermore, every day that you

shorten the session because we have set a maximum, it doesn't mean you have to stay a maximum number of days, you can get to work on the thing and get it over with in shorter days and every day you cut off the length of the session, you are saving a 184 times \$5 or \$920 a day. In all probability, the savings could well be up into the \$40,000 figure, but I have taken the very least to be as fair as possible. Of course, these are the savings over and above the A Amendment.

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

Mr. GREENLAW: Mr. Speaker, Ladies and Gentlemen of the House: I would like to make three very brief comments about the Conference Committee Report and some of the remarks that have been made here this afternoon.

I don't want to deal in figures because I think you can talk about figures, whether it is going to cost more or less, I think depending from the perspective and the type of words you use, a number of people can be correct.

It seems to me that the purpose of a Conference Committee is an attempt to arrive at a compromise. I think that this is exactly what the Conferees from this body and the other body did, was arrive at a compromise between the positions of Committee Report A and Committee Report B. If we do nothing with the legislative salary and expenses during the remainder of this session, then, in fact, there will be a substantial increase in the salaries for the members of the 108th Legislature.

This Conference Committee Report, it seems to me, would bring about a reduction in the salary of the legislators for the 108th session, for two reasons, one, in a sense, of the actual reduction in salary and, two, in a sense because we have placed a limitation on the number of days that the legislature can be in session, there will be less expenses involved than we have in this present legislature.

My very good friend from Scarborough, Mr. Higgins, I think, stated that he does not believe that the salary for this legislature is an inducement for people to run, and I would agree, but I would suggest to the members of this House that the present salary structure is, in fact, a deterrent for people from running.

The very fact of the matter is, the working people of the State of Maine cannot financially afford to give up their jobs and to come to Augusta, have to pay the expenses and maintain a family and a home while the legislature is in session. I think I do know this for a fact because I have talked to many people about running for the legislature and after talking about the pros and cons of whether or not they would like to run for the legislature, the question ultimately has to be asked, what is the salary? When they find out what the salary is, I think more often than not, working people of Maine find they cannot financially afford to run for the legislature.

I do think that this is a reasonable compromise. I plan to support it. If the members of the House don't see it as being a reasonable compromise, then I certainly would support the motion for a second Committee of Conference.

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

Mr. NORRIS: Mr. Speaker, Ladies and Gentlemen of the House: To answer my dear friend from Hampden, Mr. Farnham, who claims that he is really going to give you an increase by giving you a decrease because the session will be shortened, I would remind him and remind you that in the Norfolk & Virginian Pilot here a few days here was a full page

spread of the Virginia House of Assembly. They have a limited session and it showed the Speaker and the Majority Floor Leader asleep, they had been in session for 36 hours trying to wind up within the 100 days, so I think we should perish the thought of coming in here and getting out any earlier because we do have a limited session. I would say that that would almost be tantamount to reducing some of the state employees' pay and then telling them that you are giving them an increase.

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. Those in favor 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 before the House is acceptance of the Conference Committee Report. Those in favor will vote yes; those opposed will vote no.

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

Mr. KELLEHER: Mr. Speaker, I would like to pair with the gentleman from Sanford, Mr. Lovell. If he were here, he would be voting yes and I would be voting no.

The SPEAKER: The gentleman from Bangor, Mr. Kelleher, wishes to pair with the gentleman from Sanford, Mr. Lovell. If Mr. Lovell were here, he would be voting yes; and Mr. Kelleher would be no.

ROLL CALL

YEA — Albert, Ault, Bachrach, Bagley, Berry, P. P.; Boudreau, Bustin, Call, Carey, Carroll, Chonko, Clark, Connolly, Cooney, Cote, Cox, Curran, P.; Curran, R.; Curtis, Davies, Dow, Drigotas, Farley, Faucher, Fenlason, Finemore, Flanagan, Fraser, Gauthier, Goodwin, H.; Goodwin, K.; Greenlaw, Hall, Henderson, Hennessey, Hughes, Ingegneri, Jackson, Jacques, Jensen, Joyce, Kany, Kaufman, LaPointe, Lizotte, Lunt, MacEachern, Mahany, Maxwell, Mills, Mitchell, Morin, Mulhern, Nadeau, Najarian, Norris, Peakes, Pearson, Pelosi, Peterson, P.; Post, Powell, Quinn, Saunders Silverman, Smith, Snow, Stubbs, Theriault, Tierney, Truman, Twitchell, Usher, Wagner, Wilfong, The Speaker.

NAY — Bennett, Berry, G. W.; Berube, Birt, Blodgett, Burns, Byers, Carpenter, Carter, Churchill, Connors, Dam, DeVane, Doak, Durgin, Dyer; Farnham, Garsoe, Gould, Gray, Hewes, Higgins, Hunter, Hutchings, Immonen, Jalbert, Kennedy, Lavery, Leonard, Lewin, Lewis, Littlefield, Lynch, Mackel, Martin, A.; Martin, R.; McBreairey, McMahon, Miskavage, Morton, Palmer, Perkins, S.; Perkins, T.; Peterson, T.; Pierce, Raymond, Rideout, Rollins, Shute, Snowe, Spencer, Sprowl, Strout, Tarr, Teague, Torrey, Tozier, Tyndale, Walker.

ABSENT — Bowie, Dudley, Hinds, Hobbins, Kelley, Laffin, LeBlanc, MacLeod, McKernan, Rolde, Susi, Talbot, Webber, Winship.

PAIRED — Kelleher, Lovell.

Yes, 76; No, 59; Absent, 14; Paired, 2.

The SPEAKER: Seventy-six having voted in the affirmative and fifty-nine in the negative, with fourteen being absent and two paired, the motion does prevail.

The House voted to recede from its action whereby the Bill was passed to be engrossed as amended by Committee Amendment "B" as amended by House Amendment "C" thereto; receded from its action whereby Committee Amendment "B" as amended by House Amendment "C" thereto was adopted; receded from its action whereby House Amendment "C" to Committee Amendment "B" was adopted and the Amendment was indefinitely postponed; Committee Amendment "B" as amended by

House Amendment "C" thereto was indefinitely postponed.

Conference Committee Amendment "A" (S-539) was read by the Clerk and adopted in concurrence.

The Bill was passed to be engrossed as amended by Conference Committee Amendment "B" in concurrence.

Mr. Farnham of Hampden was granted unanimous consent to address the House.

Mr. FARNHAM: Mr. Speaker, Ladies and Gentlemen of the House: I do thank you for what votes I got. There are no hard feelings on my part. I do feel that I accomplished two objectives, two things that bothered me, the \$1,000 one-shot check and what I considered to be an under the table payment of \$25; they are all on top of the table and though I lost the vote, my conscience is a lot cleaner.

The following Joint Order: (S. P. 797)

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of the Androscoggin Valley CB'ers Who Are Dedicated Towards Assisting Maine Citizens in Distress

We the Members of the Senate and House of Representatives do hereby Order that our congratulations and acknowledgement be extended; and further

Order and direct, while duly assembled in session at the Capitol in Augusta, under the Constitution and Laws of the State of Maine, that this official expression of pride be sent forthwith on behalf of the Legislature and the people of the State of Maine.

Came from the Senate read and passed.

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

The following Joint Order: (S. P. 798)

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of The Rifle Team of The University of Maine at Orono 1976 New England College Rifle League Champions

We the Members of the Senate and House of Representatives do hereby Order that our congratulations and acknowledgment be extended; and further

Order and direct, while duly assembled in session at the Capitol in Augusta, under the Constitution and Laws of the State of Maine, that this official expression of pride be sent forthwith on behalf of the Legislature and the people of the State of Maine.

Came from the Senate read and passed.

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

Leave to Withdraw

Committee on Appropriations and Financial Affairs reporting "Leave to Withdraw" on Bill "An Act Making Additional Appropriations for the Expenditures of State Government and for other Purposes for the Fiscal Year Ending June 30, 1977" (Emergency) (S. P. 703) (L. D. 2224)

Came from the Senate with the Report read and accepted.

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

Non-Concurrent Matter

Bill "An Act Repealing the Expungement Law and Providing for the Control of Access to and Disclosure of Criminal History Record Information" (S. P. 773) (L. D. 2326) which was Passed to be Engrossed as amended by House Amendments "A" (H-1208) and "B" (H-1213) in the House on April 6, 1976.

Came from the Senate with that body having insisted on its former action whereby the Bill was Passed to be Engrossed on March 29, 1976,

in non-concurrence and ask for a Committee of Conference.

In the House: On motion of Mr. Spencer of Standish, the House voted to insist and join in the Committee of Conference.

At this point, the Speaker appointed the following Conferees on the part of the House.
Messrs. SPENCER of Standish
HUGHES of Auburn
HEWES of Cape Elizabeth

Non-Concurrent Matter

Bill "An Act Relating to Campaign Reports and Finances" (Emergency) (H. P. 2281) (L. D. 2340) which was passed to be Engrossed in the House on April 5, 1976.

Came from the Senate, Passed to be engrossed as amended by Senate Amendment "B" (S-541) in non-concurrence.

In the House: On motion of Mrs. Boudreau of Portland, the House voted to recede and concur.

The Chair laid before the House the following matter:

Bill "An Act Correcting Errors and Inconsistencies in Motor Vehicle Related Laws" (Emergency) (H. P. 2270) (L. D. 2337) which was tabled earlier in the day and later today assigned, pending indefinite postponement of House Amendment "D".

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

Mr. FRASER: Mr. Speaker, Ladies and Gentlemen of the House: I have read this letter that was circulated by the Secretary of State at the request of Mr. Jensen, and I don't see how it helps the cause of this amendment one single bit, so I would go along with the indefinite postponement of the amendment.

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

Mrs. LEWIS: Mr. Speaker, Ladies and Gentlemen of the House: I think it does help the cause of the amendment, because it does recognize that there is a problem. If you notice, in the opening paragraph, it was stated that this was exactly the method that was used for four months, that this was the intention when we had the staggered registration. It was in order to alleviate some of the burden on the Secretary of State's Department to free up a little money so that such a program could be implemented. It was until the cost of postage went up more than 7 cents a card.

If you will notice in the amendment that I have put in, I have said that a person could pay 25 cents, so that more than covers the cost of sending these cards. I believe it was Mr. Strout of Corinth who said that it was a tax. Well, it isn't a tax. If 25 cents was imposed on every single person, then you would have to consider it a tax, but this is a voluntary thing. If you want notification, you can pay the 25 cents, and if you don't want the notification, you don't have to pay the 25 cents.

There is no question but what we have a problem. I think the Secretary of State realizes we have. He is going on television to inform people. He is also suggesting that there could be a sticker on the dashboard; another one of his ideas is that maybe it is being enforced too strictly, that maybe we should treat this just the way we treat the inspection stickers. Then he says the other is to mandate the postcard. The only method we have before us here is this postcard.

I recognize the fact that perhaps there are too many people in this body who are opposed to it. I still think it is something that we ought to do. We ought to recognize it. It is about time, I think, that we do something to help the average person in this state, and I hope that you will not defeat this amendment.

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

Mr. JENSEN: Mr. Speaker, could I ask if this amendment is germane?

The SPEAKER: In reviewing the provisions of the pending bill, L. D. 2337, and the proposed amendment, I am unable to find anything in the bill which deals with motor vehicle registrations; therefore, the Chair would rule that the amendment is not germane.

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

Mrs. LEWIS: Mr. Speaker, what about the very first section, the registration year will be from March 1 to the last day of February?

The SPEAKER: The Chair would advise the gentlewoman that the Statement of Fact says that the purpose of Section 1 is to achieve consistency between the time aircraft registration fees and excise taxes are due and does not relate to car registration. Therefore, the Chair will rule that House Amendment "D" is not germane.

Thereupon, the Bill was passed to be engrossed as amended by House Amendment "A".

The SPEAKER: The pending question now before the House is on passage to be enacted. This being an emergency measure, it requires a two-thirds vote of all the members elected to the House. All those in favor of this Bill being passed to be enacted as an emergency measure will vote yes; those opposed will vote no.

A vote of the House was taken.

113 having voted in the affirmative and 3 having voted in the negative, the motion did prevail.

Signed by the Speaker and sent to the Senate.

On motion of Mr. Rolde of York, the House voted to take from the table the first tabled and unassigned matter:

House Divided Report — Majority (7) "Ought Not to Pass" — Minority (3) "Ought to Pass" — Committee on Appropriations and Financial Affairs on Bill, "An Act Providing Funds for Young Women's Christian Association Fair Harbor Emergency Shelter in Portland, Maine, an Emergency Shelter for Girls" (H. P. 1876) (L. D. 2051)

Tabled — February 24 by Mr. Rolde of York. Pending — Acceptance of either report.

Mrs. Boudreau of Portland moved that the House accept the Minority "Ought to pass" Report.

Whereupon, Mr. Kauffman of Kittery requested a roll call vote.

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

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

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

Mrs. BOUDREAU: Mr. Speaker, Men and Women of the House: I don't hold out any great hope for this bill, but I would like to see it at least get as far as the appropriations table. At this time, we have no idea which budget is going to be passed. There is a possibility there might be some money there.

This is a shelter for girls that is in the YWCA in Portland, Maine. It is the only place they have to go, it is the only place the police bring them to when they pick them up on the street. It has helped about 80 percent of the girls to return to their homes and get them off the streets where they get in all kinds of trouble.

I do hope you will accept the minority report and at least let it get over there and see what happens.

The SPEAKER: The Chair recognizes the gentleman from Falmouth, Mr. Snow.

Mr. SNOW: Mr. Speaker, Ladies and Gentlemen of the House: I would also testify in the hope that you will pass this. The shelter is partly funded from the Cumberland County budget, and in the process of making this decision, a public hearing was held on it which bore out everything the gentlewoman from Portland, Mrs. Boudreau, has said and also brought out the fact that the shelter program is highly regarded throughout the state. Not one person testified in opposition to it.

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

Mrs. NAJARIAN: Mr. Speaker, Men and Women of the House: I would also like to point out something that I think the gentlewoman from Portland overlooked, that most of the girls in this center are not from Portland, they come from all other areas of the state, a very high percentage are not from Portland.

The SPEAKER: A roll call has been ordered. The pending question is on the motion of the gentleman from Portland, Mrs. Boudreau, that the House accept the Minority "Ought to pass" Report. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Bachrach, Bagley, Bennett, Berry, G. W.; Berry, P. P.; Berube, Birt, Blodgett, Boudreau, Burns, Bustin, Byers, Carey, Carroll, Churchill, Clark, Connolly, Cooney, Cox, Curran, R.; Curtis, Dam, Davies, DeVane, Doak, Drigotas, Durgin, Dyer, Faucher, Fenlason, Flanagan, Fraser, Gauthier, Goodwin, K.; Gould, Gray, Greenlaw, Henderson, Hewes, Higgins, Hobbins, Hughes, Hutchings, Immonen, Ingegneri, Jackson, Jacques, Jalbert, Jensen, Joyce, Kany, Kelleher, Kelley, Leonard, Lewin, Lewis, Lizotte, Lunt, Lynch, MacEachern, Mackel, Mahany, Martin, A.; Martin, R.; Maxwell, McBreairty, Mills, Miskavage, Mitchell, Morton, Mulkern, Nadeau, Najarian, Norris, Palmer, Peakes, Pearson, Pelosi, Perkins, T.; Peterson, T.; Pierce, Powell, Quinn, Rideout, Rolde, Rollins, Saunders, Silverman, Snow, Snowe, Spencer, Strout, Talbot, Tarr, Teague, Theriault, Tierney, Twitchell, Usher, Wagner, Walker, Wilfong.

NAY — Ault, Call, Carpenter, Carter, Connors, Cote, Dow, Farnham, Finemore, Garsoe, Hall, Hunter, Kauffman, McMahon, Peterson, P.; Raymond, Shute, Sprowl, Stubbs, Tozier, Truman, Tyndale.

ABSENT — Bowie, Chonko, Curran, P.; Dudley, Farley, Goodwin, H.; Hennessey, Hinds, Kennedy, Laffin, LaPointe, Laverty, LeBlanc, Littlefield, Lovell, MacLeod, McKernan, Morin, Perkins, S.; Post, Smith, Susi, Torrey, Webber, Winship.

Yes, 103; No, 22; Absent, 25.

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

Thereupon, the Bill was read once. Under suspension of the rules, the Bill was read the second time, passed to be engrossed and sent up for concurrence.

On motion of Mr. Rolde of York, the House voted to take from the table the second tabled and unassigned matter:

Bill "An Act to Change the Statutory Qualifications and Salary Limit for Director of Personnel" (Emergency) (H. P. 1937) (L. D. 2125) — In House, Passed to be Engrossed as Amended by House Amendment "A" (H-938) — In Senate, Passed to be Engrossed as Amended by House Amendment "A" (H-938) and Senate Amendment "A" (S-420) in non-concurrence.

Tabled — March 5 by Mr. Rolde of York.

Pending — Further Consideration.

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

Mr. BUSTIN: Mr. Speaker, Ladies and Gentlemen of the House: You will recall that this measure is the one that I asked to be tabled unassigned, pending the results of another bill that was flying through the legislature that dealt with the singular issue of who will appoint the personnel director in state government. This bill, and the reason that I wanted it tabled unassigned, said that the Governor, with the advice and consent of the Council, would do that. That is not something I think should happen.

To put this in perspective, the gentleman from Hampden, Mr. Farnham, is ready to put on an amendment which would allow, under an emergency provision, right now for the Governor to appoint the personnel director.

The current law is this, that the Personnel Board elects the personnel director. The fact of the matter is, the Personnel Board has been interviewing and are on the verge of selecting an individual to be personnel director, and it appears to me that the Executive Office wants to stop that by getting the kind of amendment that Mr. Farnham is going to put on.

Now, we are at the passage to be engrossed stage. I am not sure what the best thing to do is, but I think that what we need to do in order to keep the transition from the current situation, which is that the Personnel Board elects the director, to the bill that we passed earlier which says that when the law becomes effective, the personnel director will be appointed by the Governor and ratified by the State Government Committee, so I think we ought to keep that situation, and I move that this bill and all its accompanying papers be indefinitely postponed.

The SPEAKER: The Chair would advise the gentleman that the motion to indefinitely postpone is not in order, this being a non-concurrent matter.

The Chair recognizes the gentleman from Hampden, Mr. Farnham.

Mr. FARNHAM: Mr. Speaker and Members of the House: House Amendment "A", which I am offering to this bill, proposes this. What we passed and has been signed by the Governor, and the bill which we passed was L. D. 2166, I hold here an engrossed copy of it, it has been signed by the Governor and it states that the director of personnel shall be, at the time of his appointment, so and so, serve a term coterminous with the governor or until his successor has been appointed, and as of now would have to be cleared through the governor and council. After January 1 of next year it would go through the State Government Committee and what-not.

My amendment copies exactly word for word the specifications that will be law 90 days after we adjourn. Well, what am I up to? They would like to appoint a personnel director now. By putting an emergency on exactly the same definition that will be law 90 days from now, which has been passed by both bodies, it has been signed by the Governor, and except for the 90 day thing, it would be the law as of this minute. I have got an emergency clause on with this full definition. That means that if this emergency bill should pass and the governor, or the board or whoever it is, has somebody available now, and remind you, there has been no personnel director since last summer. They have gone without anyone. Part of your trouble in classification and everything — no personnel direc-

tor. We have got an acting fellow, but I have been in that position, you don't dare act very far when you're acting.

So what I am going to do is make it possible for an action to take place now, this same action that could be taken 90 days from now if you want to wait 90 days. But why wait 90 days?

I am sure that the gentleman from Augusta, Mr. Bustin, will assure you that the definition that is in this amendment has been passed by both houses, signed by the Governor and will be the law of the State of Maine 90 days from now, but 90 days of waiting, waiting and lost time without a personnel director.

Thereupon, on motion of Mr. Farnham of Hampden, the House voted to recede from its action whereby the Bill was passed to be engrossed as amended by House Amendment "A".

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

House Amendment "B" (H-1234) was read by the Clerk and adopted.

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

Mr. BUSTIN: Mr. Speaker, I want to indicate again what the issue is here, and that is, should the governor, in this interim period, right now, be able to appoint a personnel director when in fact that Personnel Board is on the verge of making their final selection. I say they should not, and I would ask the House to vote against passage to be engrossed.

The SPEAKER: The Chair recognizes the gentleman from Hampden, Mr. Farnham.

Mr. FARNHAM: I move that the rules be suspended for the purpose of reconsideration.

The SPEAKER: The gentleman from Hampden, Mr. Farnham, moves that the rules be suspended for the purpose of reconsideration. Is there objection?

The Chair hears objection and the Chair will order a vote. All those in favor of the rules being suspended will vote yes; those opposed will vote no. This requires a two-thirds vote of those present and voting.

Thereupon, Mr. Jalbert of Lewiston requested a roll call vote.

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

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

The SPEAKER: The pending question is on the motion of the gentleman from Hampden, Mr. Farnham, that the rules be suspended for the purpose of reconsideration. This requires a two-thirds vote of those present and voting. All those in favor of the rules being suspended will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Ault, Bagley, Berry, G. W.; Berube, Birt, Burns, Byers, Carey, Carpenter, Churchill, Connors, Cooney, Curtis, Dam, Davies, Doak, Durgin, Dyer, Farnham, Garsoe, Gauthier, Gould, Gray, Greenlaw, Henderson, Hewes, Hunter, Immonen, Ingegneri, Jackson, Joyce, Kany, Kauffman, Kelley, Lewin, Lewis, Lunt, Lynch, MacEachern, Mackel, Mahany, Martin, A.; McBreairty, McKernan, McMahon, Miskavage, Morton, Palmer, Pelosi, Perkins, S.; Perkins, T.; Peterson, P.; Peterson, T.; Pierce, Quinn, Raymond, Rideout, Rollins, Saunders, Shute, Snow, Snowe, Spencer, Sprowl, Stubbs, Tarr, Teague, Twitchell, Tyndale, Walker.

NAY — Bachrach, Bennett, Berry, P. P.; Blodgett, Boudreau, Bustin, Byers, Carroll, Carter, Chonko, Clark, Connolly, Cote, Cox, Curran, R.; DeVane, Dow, Drigotas, Farley, Faucher, Fenlason, Finemore, Flanagan,

Fraser, Goodwin, K.; Hall, Hobbins, Hughes, Jacques, Jalbert, Jensen, Kelleher, Martin, R.; Mills, Mitchell, Mulhern, Nadeau, Najarian, Norris, Peakes, Pearson, Powell, Rolde, Talbot, Theriault, Tierney, Tozier, Truman, Usher, Wagner, Wilfong.

ABSENT — Bowie, Curran, P.; Dudley, Goodwin, H.; Hennessey, Higgins, Hinds, Hutchings, Kennedy, Laffin, LaPointe, Laverty, LeBlanc, Leonard, Littlefield, Lizotte, Lovell, MacLeod, Morin, Post, Silverman, Smith, Strout, Susi, Torrey, Webber, Winship.

Yes, 71; No, 52; Absent, 27.

The SPEAKER: Seventy-one having voted in the affirmative and fifty-two in the negative, with twenty-seven being absent, the motion does not prevail.

The SPEAKER: The pending question is on passage to be engrossed as amended by House Amendment "A" and House Amendment "B". All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

15 having voted in the affirmative and 104 having voted in the negative, the motion did not prevail.

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

Mr. BUSTIN: Mr. Speaker, having voted on the prevailing side, I move that we reconsider our action whereby we failed to engross this bill and I hope you all vote against me.

The SPEAKER: The gentleman from Augusta, Mr. Bustin, moves that the House reconsider its action whereby the Bill failed of passage to be engrossed. All those in favor will say yea; those opposed will say nay.

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

Sent to the Senate.

On motion of Mrs. Boudreau of Portland, under suspension of the rules, the House reconsidered its action whereby Bill "An Act Relating to the Formation of Political Parties and to Political Designations," House Paper 1960, L. D. 2140, was passed to be enacted.

On further motion of the same gentleman, under suspension of the rules, the House reconsidered its action whereby the Bill was passed to be engrossed as amended by Committee Amendment "A" and House Amendment "A".

On further motion of the same gentleman, under suspension of the rules, the House reconsidered its action whereby Committee Amendment "A" was adopted.

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

House Amendment "B" to Committee Amendment "A" (H-1233) was ready by the Clerk.

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

Mr. HENDERSON: Mr. Speaker, could we have this explained?

The SPEAKER: The gentleman from Bangor, Mr. Henderson, has posed a question through the Chair to anyone who may care to answer.

The Chair recognizes the gentleman from Portland, Mrs. Boudreau.

Mrs. BOUDREAU: Mr. Speaker, Men and Women of the House: As you remember, this is the bill I had to recall from the Governor's Office. He had some objections to it. The Senate Chairman and I met with him. We came to an agreement and these amendments will satisfy all concerned.

One thing, in the original bill, we said new parties must hold three caucuses in each county. We have changed that to at least one caucus in each county. To organize around a candidate, we originally had that you must have,

received 2 percent of the vote in the last gubernatorial election. The Governor did not think that was high enough, he wanted 5 percent and we were glad to compromise.

The other compromise is the petition route. The petitions may be signed by anyone.

The SPEAKER: The Chair recognizes the gentleman from Stockton Springs, Mr. Shute.

Mr. SHUTE: Mr. Speaker, Ladies and Gentlemen of the House: This is the first time I have seen this amendment. It reduces the number of caucuses that a new party shall hold from three down to one for each county, so I would move the indefinite postponement of this amendment.

The SPEAKER: The gentleman from Stockton Springs, Mr. Shute, moves the indefinite postponement of House Amendment "B" to Committee Amendment "A".

The Chair recognizes the gentleman from Portland, Mrs. Boudreau.

Mrs. BOUDREAU: Mr. Speaker, Men and Women of the House: We held a meeting on this the other morning and I am sorry Mr. Shute couldn't attend. This does not say that you can only hold one, you can hold one in every town if you like, but it says you 'must' at least hold one in each county.

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mrs. Lewis.

Mrs. LEWIS: Mr. Speaker, Ladies and Gentlemen of the House: I wonder if I may ask a question through the Chair, please, since I don't have the statute to refer to? I am looking on page two and it says such petitions shall be filed in the office of the Secretary of State. Then it says the legal addresses, and I don't understand exactly what kind of petitions these are. If these are the kind of petitions that a regular candidate files, that you file for a referendum, and what the legal address is. Does that mean your street address as well as your town? Because in order to run for office, you don't have to put your street address. I am wondering what that means.

The SPEAKER: The gentleman from Auburn, Mrs. Lewis, poses a question through the Chair to anyone who cares to answer.

The Chair recognizes the gentleman from Portland, Mrs. Boudreau.

Mrs. BOUDREAU: Mr. Speaker, Ladies and Gentlemen of the House: I am sorry, I do not know what section the gentleman is looking at. Is it in L. D. 2140 or the amendment?

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mrs. Lewis.

Mrs. LEWIS: Mr. Speaker, Ladies and Gentlemen of the House: I am talking about page two, it is underlined, it says "such petitions shall be filed in the office of the Secretary of State on or before 5:00 p.m. Then read on, it says "legal address." Does that mean — I mean, I don't know what kind of a petition this is?

The SPEAKER: The gentleman from Auburn, Mrs. Lewis, poses a question through the Chair to anyone who cares to answer.

The Chair recognizes the gentleman from Portland, Mrs. Boudreau.

Mrs. BOUDREAU: Mr. Speaker, Ladies and Gentlemen of the House: This is a petition that they would circulate to organize a new party and you would have to put your legal address, whether it was Portland, Lewiston, Bangor or whatever, because those would be circulated throughout the whole state.

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mrs. Lewis.

Mrs. LEWIS: Mr. Speaker, Ladies and Gentlemen of the House: Then it doesn't mean the street address too?

The SPEAKER: The gentleman from Auburn, Mrs. Lewis, poses a question through

the Chair to the gentleman from Portland, Mrs. Boudreau.

The Chair recognizes that gentleman.

Mrs. BOUDREAU: Mr. Speaker, Ladies and Gentlemen of the House: No, it doesn't say residence, just legal address.

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

Mr. BUSTIN: Mr. Speaker, Ladies and Gentlemen of the House: The gentleman from Stockton Springs and myself have been allies on this particular idea and we are splitting away now in terms of this particular amendment. The reason for that, and I guess that I am in a position where I am willing to compromise this far if the Governor is willing to accept this bill. What you have to think about now is not really whether you want at least three caucuses in each county as a fundamental underpinning for the formation of a new political party or one. The real issue is, are we going to leave the situation the way it is now where all you have to have is a very small percentage of the vote in order to qualify for a major political party?

That question has been hanging in the air around here for quite a while, you know it and I know it. So, if the way to correct the whole situation is to pass this bill with this amendment, then let's pass this amendment and vote against the motion to indefinitely postpone.

The SPEAKER: The Chair recognizes the gentleman from Stockton Springs, Mr. Shute.

Mr. SHUTE: Mr. Speaker, Ladies and Gentlemen of the House: I agreed with the original bill that we had, L. D. 2140, on the formation of third parties or fourth parties or whatever we have. In that bill it required three caucuses in each county. I agree with making it a little easier than what it was to form third parties because before there was no provision whatsoever to form a third party. But I won't go as far as to say a third party or a major party coming into the political scene should only have to have one caucus in each county in the state. I think three caucuses is not an unusually high number to have in each county to be qualified.

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

Mr. BUSTIN: Mr. Speaker, Ladies and Gentlemen of the House: I do hesitate to speak again, but I am sure that most of the people in the House are not familiar with this measure, so let me explain one other part of this and Mrs. Boudreau can help me if I get a couple of details wrong. That is not all they have to do. The issue of how many caucuses in each county is only part of it. They must also hold a state convention just like the Republican Party and the Democratic Party, they must enroll members in this new party and the rest of the things that we have to do, they have to do as well. So, it is much more restrictive than it is now, which is just to get a certain percentage of the vote for governor. I think we ought to indefinitely postpone the amendment and adopt the bill.

The SPEAKER: The pending question is on the motion of the gentleman from Stockton Springs, Mr. Shute, that House Amendment "B" to Committee Amendment "A" be indefinitely postponed. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

Mr. Shute of Stockton Springs, 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 Stockton Springs, Mr. Shute, that House Amendment "B" to Committee Amendment "A" be indefinitely postponed. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Curtis, Gould, Gray, Hutchings, McBreairty, Mills, Palmer, Pearson, Perkins, T.; Peterson, P.; Rollins, Shute, Sprowl, Stubbs, Tozier.

NAY — Albert, Ault, Bachrach, Bagley, Bennett, Berry, G. W.; Berry, P. P.; Berube, Birt, Blodgett, Boudreau, Burns, Bustin, Byers, Call, Carey, Carpenter, Carroll, Carter, Chonko, Clark, Connors, Connolly, Cooney, Cote, Cox, Curran, R.; Dam, Davies, Doak, Dow, Drigotas, Durgin, Dyer, Farley, Faucher, Fenlason, Finemore, Flanagan, Fraser, Garsoe, Gauthier, Goodwin, K.; Greenlaw, Hall, Henderson, Hewes, Higgins, Hobbins, Hughes, Hunter, Immonen, Ingegneri, Jackson, Jacques, Jalbert, Jensen, Joyce, Kany, Kauffman, Kelleher, Kelley, Leonard, Lewin, Lewis, Lizotte, Lunt, Lynch, MacEachern, Mackel, Mahany, Martin, A.; Martin, R.; Maxwell, McMahon, Miskavage, Mitchell, Morton, Mulkern, Nadeau, Najarian, Norris, Peakes, Pelosi, Perkins, S.; Pierce, Powell, Quinn, Raymond Rideout, Rolde, Saunders, Silverman, Snow, Snowe, Spencer, Strout, Talbot, Tarr, Teague, Theriault, Tierney, Truman, Twitchell, Tyndale, Usher, Wagner, Walker, Wilfong, The Speaker.

ABSENT — Bowie, Churchill, Curran, P.; DeVane, Dudley, Farnham, Goodwin, H.; Hennessey, Hinds, Kennedy, Laffin, LaPointe, Laverty, LeBlanc, Littlefield, Lovell, MacLeod, McKernan, Morin, Peterson, T.; Post, Smith, Susi, Torrey, Weber, Winship.

Yes, 15; No, 110; Absent, 26.

The SPEAKER: Fifteen having voted in the affirmative and one hundred and ten in the negative, with twenty-six being absent, the motion does not prevail.

Thereupon House Amendment "B" to Committee Amendment "A" was adopted. Committee Amendment "A" as amended by House Amendment "A" and House Amendment "B" thereto was adopted.

The Bill passed to be engrossed as amended by Committee Amendment "A" as amended by House Amendment "A" and House Amendment "B" thereto in nonconcurrence and sent up for concurrence.

On motion of Mr. Jensen of Portland the House reconsidered its action of earlier in the day whereby Bill "An Act to Reorganize the Standardization Committee as the Contract Review Committee" (H. P. 2278) (L. D. 2339) (H. "A" H-1202) was passed to be enacted.

On further motion of the same gentleman, under suspension of the rules, the House reconsidered its action whereby the Bill was passed to be engrossed as amended by House Amendment "A."

On further motion of the same gentleman, under suspension of the rules, the House reconsidered its action whereby House Amendment "A" was adopted.

Mr. Jensen of Portland offered House Amendment "A" to House Amendment "A" and moved its adoption.

House Amendment "A" to House Amendment "A" (H-1238) was read by the Clerk.

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

Mr. JENSEN: Mr. Speaker, Ladies and Gentlemen of the House: In the way of information, this amendment is merely to correct some technical errors that I made in an amendment that I offered some days ago in this House.

Thereupon House Amendment "A" to House Amendment "A" was adopted.

House Amendment "A" as amended by House Amendment "A" thereto was adopted.

The Bill passed to be engrossed as amended by House Amendment "A" as amended by House Amendment "A" thereto in nonconcurrence and sent up for concurrence.

(Off Record Remarks)

House at Ease

The House was called to order by the Speaker

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

Committee of Conference Report

Report of the Committee of Conference on Bill "An Act to Regulate Drinking Water" (S. P. 687) (L. D. 2198) ask leave to report: that the Senate recede from its action whereby it Passed the Bill to be Engrossed; recede from its action whereby it adopted Committee Amendment "A" (S-431); adopt Conference Committee Amendment "A" (S-542) to Committee Amendment "A"; adopt Committee Amendment "A", as amended by Conference Committee Amendment "A" thereto; and Pass the Bill to be Engrossed, as amended by Committee Amendment "A", as amended by Conference Committee Amendment "A" thereto;

that the House recede and concur with the Senate.

Signed:

Mrs. CUMMINGS of Penobscot

Messrs. CYR of Aroostook

GREELEY of Waldo

— of the Senate.

Messrs. LEONARD of Woolwich

GARSOE of Cumberland

CAREY of Waterville

— of the House.

Came from the Senate, with the Report read and accepted and the Bill Passed to be Engrossed as amended by Committee Amendment "A" (S-431) as amended by Conference Committee Amendment "A" (S-542) thereto.

In the House, the Report was read and accepted in concurrence, and the House voted to recede and concur with the Senate.

Committee of Conference Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act to Permit Local Plumbing Inspectors to Approve Repairs to Existing Septic Systems" (H. P. 2206) (L. D. 2306) ask leave to report: that the Senate recede from its action whereby it Indefinitely Postponed the Bill and accompanying papers; accept the Minority Ought to Pass Report; read the Bill twice; adopt Conference Committee Amendment "A" (S-540), submitted herewith; and Pass the Bill to be Engrossed, as amended by Conference Committee Amendment "A";

That the House recede from its action whereby it Passed the Bill to be Engrossed, as amended by House Amendment "B" (H-1127); recede from its action whereby it adopted House Amendment "B" and indefinitely postpone same; adopt Conference Committee Amendment "A", submitted herewith; and Pass the Bill to be Engrossed, as amended by Conference Committee Amendment "A", in concurrence.

Signed:

Mr. TROTZKY of Penobscot

BERRY of Cumberland

CARBONNEAU of Androscoggin

— of the Senate.

Messrs. BLODGETT of Waldoboro

CHURCHILL of Orland

PETERSON of Windham

— of the House.

Came from the Senate Report Read and Accepted and the Bill passed to be Engrossed as

Amended by Conference Committee Amendment "A" (S-540).

In the House, the Report was read and accepted.

The House receded from its action whereby the Bill was passed to be engrossed as amended by House Amendment "B"; receded from its action whereby House Amendment "B" was adopted and indefinitely postponed the same; adopted Conference Committee Amendment "A" (S-540) in concurrence.

The Bill was passed to be engrossed as amended by Conference Committee Amendment "A" in concurrence.

Non-Concurrent Matter

Bill "An Act Redistributing the Powers of the Executive Council" (H. P. 1997) (L. D. 2197) which was Passed to be Engrossed as Amended by Committee Amendment "A" (H-1115) as Amended by Senate Amendment "A" (S-519) thereto, and House Amendments "A" (H-1166), "B" (H-1177), "C" (H-1183), "E" (H-1191), "F" (H-1196); and Senate Amendments "B" (S-524) and "C" (S-526) as Amended by Senate Amendment "A" (S-532) thereto in the House on April 6, 1976.

Came from the Senate, with that Body having Adhered to its former action whereby the Bill was Passed to be Engrossed as Amended by Committee Amendment "A" as Amended by Senate Amendment "A" thereto, and House Amendments "A", "C", "E," and Senate Amendments "B", "D," and "C" as Amended by Senate Amendment "A" thereto in non-concurrence.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: Well, I know I don't want the Senate dictating to this body, so I move that the House adhere.

The SPEAKER: The gentleman from Bangor, Mr. Kelleher, moves the House adhere.

The Chair recognizes the gentleman from Sabattus, Mr. Cooney.

Mr. COONEY: Mr. Speaker, Ladies and Gentlemen of the House: I understand the feelings of the good gentleman from Bangor, Mr. Kelleher, and I think we all, to some extent, share those feelings that we don't want the Senate dictating to us on things that we feel are good and reasonable ideas. However, it is essential that we do pass this bill, and with the exception of the two House Amendments that we have debated, this bill is a very excellent piece of work and I therefore move that we recede and concur and would ask you all to vote for that motion.

The SPEAKER: The gentleman from Sabattus, Mr. Cooney, moves that the House recede and concur.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: I do concur with the gentleman that this bill is not entirely bad. But I think that this House should reflect itself again by standing by its vote in accepting the two amendments that we put on here. If the Senate feels as strongly as the gentleman does that is on State Government, who is our House Chairman, as well as the other members that are on the State Government Committee, then perhaps they may concede a little, but I am a little tired and I would hope and pray that this House would be somewhat tired of that other unmentionable body sending back to us legislation that we want to alter or change.

I would request a roll call simply because I don't want them telling this body, which I have the greatest respect for and there happens to be 151 of us in here, only 33 of those kind gentlemen over there, and lady, so I would hope that we would oppose the motion to recede and concur.

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

Mr. CARPENTER: Mr. Speaker, Ladies and Gentlemen of the House: While I certainly respect the opinions of the gentleman from Bangor, and I cannot help but agree with him, in principle at least, let's not allow our principles or our hurt feelings or whatever to stand in the way of this piece of legislation. If we vote to adhere, this bill dies, January 1st, the gentleman on the second floor has more power than I am willing to think about.

This bill is a good bill, as the gentleman from Sabattus, Mr. Cooney, has mentioned, based on the vote in here, then the House has got to consider there are several small flaws in it in its current posture; however, these small flaws, you know, usually when you buy a new car, if you have a small flaw or something wrong with the car, you don't junk the whole thing just on principle. I would appreciate it if we would recede and concur.

The SPEAKER: The Chair recognizes the gentleman from Durham, Mr. Tierney.

Mr. TIERNEY: Mr. Speaker, Ladies and Gentlemen of the House: The point just made by my good friend from Houlton, Mr. Carpenter, is a good one as far as it goes, that is, you don't junk the whole car for a small problem. That is exactly what this House did when we asked for a Committee of Conference. Yet, it seems to me that the other body doesn't seem to worry about our needs and doesn't seem to worry about our desires, they have an idea what is right and they think that the plebeians down here in the House don't seem to know what they are doing.

Well, I had something to do with putting the compromise together that made the abolition of the Executive Council possible, as did my good friend from Houlton. But I think the House has voted by overwhelming majority to adopt certain amendments and I think if the Senate doesn't want to talk about it, I think they ought to learn there are two branches, two co-equal branches of government and I am going to vote with Mr. Kelleher.

The SPEAKER: The Chair recognizes the gentleman from Hampden, Mr. Farnham.

Mr. FARNHAM: Mr. Speaker, Ladies and Gentlemen of the House: I certainly understand the concern of this House. I have been just as mad as they are, but if we adhere, the gentleman on the second floor, come January 1st, can make any and every appointment that has previously had to be confirmed by the council, he can make it and you can go whistle in the dark. There are hundreds of other things that says Governor and Council, so there was some check and balance in there. They are all out the window. You have made a king out of a man. Do we want to do that?

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

Mr. COTE: Mr. Speaker, Ladies and Gentlemen of the House: I would rather make a king out of the man on the second floor than a bunch of flops in this House. I think we have been abdicating our powers here little by little to that other body and I think it is time we stopped. This is not the first time it has happened, it has happened in other sessions of the legislature I have been in. It happened on these two orders we just got a minute ago that we passed, it is happening all the time. They want both ends and the middle and they want us to look like queens. Well, I would rather see a king on the second floor than a bunch of queens in here.

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

Mr. JENSEN: Mr. Speaker, Ladies and Gentlemen of the House: I would pose a question through the Chair to any member that cares to answer. My impression is of the constitutional

amendment that we passed, it said that until we have enacted such legislation to implement this constitutional amendment, it does not go into effect. Is that correct or is that wrong?

The SPEAKER: The gentleman from Portland, Mr. Jensen, has posed a question through the Chair to anyone who cares to answer.

The Chair recognizes the gentleman from Gorham, Mr. Quinn.

Mr. QUINN: Mr. Speaker, Ladies and Gentlemen of the House: It is incorrect. On the fourth day of January 1977, this constitutional amendment becomes law. Any changes we make will have to be made prior to that time over the existing statutes that exist.

For example, the Commissioner of Agriculture is currently confirmed by the Executive Council because of statute and we are in the process of changing that statute, but on the fourth day of January 1977, if we had not changed it, then the entire statute is wiped out.

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

Mrs. NAJARIAN: Mr. Speaker, Ladies and Gentlemen of the House: It seems to me that there is a time to be obstinate and a time to be reasonable. We have got to assess whether we have got more to lose by adhering on this issue than we would by receding and concurring. I personally think, and it is my feeling that we should not be giving the governor unlimited power in his appointments. I do hope that we will recede and concur and fight the battle another time.

The SPEAKER: The Chair recognizes the gentleman from Sabattus, Mr. Cooney.

Mr. COONEY: Mr. Speaker, Ladies and Gentlemen of the House: I would address this especially to Mr. Kelleher from Bangor, because he seems to be the leader of the move to adhere, that we can still add to the list of those people who would be confirmed by joint legislative committees. It could be done on the fourth of January next year in an emergency measure in a separate bill, he can put anything in that he wishes at that time. And since all of the people who are on the two committees that are in question here are not coterminous but are staggered appointments, it is reasonable to believe that very few would be coming up immediately as coterminous appointments and there is all good, prudent time in which to pass an act to provide for the legislative confirmation of those duties. So, to throw the baby out with the bathwater this afternoon here I think is not prudent and I would ask you to recede and concur.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: I might reassure my fine friend from Sabattus, I am not trying to lead anybody in here, but I do respect the chair that I hold and I do respect this body. If I were sitting down in the corner, I would be somewhat different in the position than my assistant floor leader is in allowing the other body to dictate to this membership here.

I think Mr. Cote expressed himself well as far as we are concerned. I think we are very able men and women in this body. I think we were able to spell our position very clearly to the other body, what it is. If you people want to lay down and let the Senate dictate to you, that is fine with me, Mr. Cooney, but I never was one that was willing to do that. We have co-equal branches of government I think we have got a very good instrument to demonstrate it.

You know, that is just exactly why they sent it over here, because they think we are willing and weak enough to lay down and bow to their wishes. Twice or three times there were attempts to remove both these amendments, and

this House sustained its position each and every time. To turn around and worry about the threat, as my good friend from Hampden said, that we will make a king out of the gentleman on the second floor, so be it. I am not worried about the gentleman on the second floor, whether it is James Longley or who it is. I do think that there is some integrity in this House that we should uphold, and I don't think that we should be bending to the Senate anytime and every time that they want.

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

Mr. PALMER: Mr. Speaker, Ladies and Gentlemen of the House: I think that the argument being delivered now by the good gentleman from Bangor really is not too valid, and I don't feel as though we are always being in a position of being told by the other body what we are going to do. I believe it was only three or four days ago, and I would remind him of that, that we adhered on the Criminal Code and told them we didn't want to talk any more, and I believe they receded and concurred.

The SPEAKER: The Chair recognizes the gentleman from Waterville, Mrs. Kany.

Mrs. KANY: Mr. Speaker and Members of the House: I did not go along with the amendments which the House decided to keep on the executive council bill, but I understand how strongly you do feel, and I am trying to be helpful when I point out the constitutional resolution which we did pass.

It appears to me that we would not be making a king of the Governor if we did adhere but, perhaps, indeed what we would be doing, we would have to be confirming every appointment which now would need the assistance of the council to be passed. Just for your own benefit, if you all would like to look into this and ask for an opinion, perhaps somebody would like to table this so you can find out exactly what it would mean to adhere versus receding and concurring or doing what you prefer after you have found out exactly what would evolve from such an action.

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

Mr. DAM: Mr. Speaker, Ladies and Gentlemen of the House: I have to disagree with the gentleman down in the far left-hand corner when he says that the Representative from Bangor, Mr. Kelleher's arguments are not valid. I think Mr. Kelleher has made a fine argument today and I think his argument has been quite valid.

Now, the good gentleman down in the far left-hand corner said just the other day that the Senate backed down and went along with us on the criminal code. This is true, but this is only one of the very, very, very, very few times that I have seen this happen in the eight years I have been here. It has always been the House backing down, backing down. It also always seems that we get in a position where we can't do anything else, so the argument is, you are going to lose a good bill and all these things are going to happen if you don't back down. Well, I often thought that maybe to save the state money, and the gentleman from Solon at one time had introduced an amendment or tried to abolish the other body but maybe that was the wrong amendment. The next time around, maybe a bill should be in to abolish the House and save the state this money if we are going to let 33 people run 151 people. I would suggest to you that this case is the case of the tail wagging the dog. I think that the 151 minds in this House are equal to or greater than the 33 minds at the other end of the hall. I would hope today that we voted to adhere.

I don't see nothing wrong if the gentleman from the second floor happens to get a little more power. What is the difference whether he

gets the power, as Mr. Cote says, or we lose all ours. As it is now, we are losing our power; every day we are giving it up to the other body and pretty soon the people will say, well, if you people in the House aren't doing your job and it is the other body that is doing it for you, why don't we abolish you, and I would have to agree with them.

The SPEAKER: The Chair recognizes the gentleman from Hallowell, Mr. Stubbs.

Mr. STUBBS: Mr. Speaker, Ladies and Gentlemen of the House: When the people voted to abolish the Executive Council, they voted overwhelmingly to do so and it is now our duty to act responsibly, enact some statutes to take the place of the Executive Council. It is not our duty to act on emotionalism.

I firmly believe that we should recede and concur on this. The State Government Committee has spent many, many hours developing this bill; 98 percent of it is identical to what the Senate wants. Anything in here, as has been said before, can easily be enacted into a bill in the future. I only ask that you act in a responsible manner.

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

Mr. WAGNER: Mr. Speaker, Ladies and Gentlemen of the House: I am not going to repeat the arguments about making a king of anyone, although I must confess there is a certain ring to the sound of King James that appeals to me. We got a nice version of the Bible in 1613 from one of the previous King James, but in regard to arguments of the gentleman from Bangor and the gentleman from Skowhegan about the other body dictating to us, it puts me in mind of some of Mark Twain's Huck Finn. I believe it was Huck Finn's father who was inclined to the bottle and when he would get into an alcoholic stupor, he became rather disturbed and went around the room kicking buckets, etc., and his son said, but mostly he went to the government when he was in that condition. Well, I think we have a similar case here when we are a little frustrated and mostly we are going for the Senate.

I think that that may be unfortunate and I share that frustration but I think that prudence and common sense here dictates that we do observe the will of the people in referendum, people did not ask us to give the Governor all these powers. They expected us to provide for an orderly and responsible confirming policy and I think this bill does that, although it may not be perfect. I urge you to recede and concur.

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

Mr. DeVANE: Mr. Speaker, Ladies and Gentlemen of the House: I would point out to the members of the State Government Committee, who worked equally as hard on a lobbyist disclosure bill, that that came out 12 to 1 and it seems to me that a body other than this got its way.

The SPEAKER: The Chair recognizes the gentleman from Cape Elizabeth, Mr. Hewes.

Mr. HEWES: Mr. Speaker, Ladies and Gentlemen of the House: As I look at this, what we are fighting over is actually three, I would say, relatively little amendments. I know the gentledady from Bath is very upset with the fact that the Governor had the power to appoint the Maine Committee on the Aging. That is one of the bills that is involved. The other two are not that important, it seems to me. We are talking about a bill, an L. D. which had 81 pages and there are several amendments to it also, so in all, it may reach 100 pages and apparently we are just fighting over three pages. So I think we have the responsibility to enact some legislation and I certainly hope that you will go along and recede and concur.

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

Mr. JALBERT: Mr. Speaker, Ladies and Gentlemen of the House: It is not only that the hour is late but it is probably because the hour is late that maybe we are not properly giving the good thinking that the gentleman from Skowhegan, Mr. Dam, thinks we can give.

There is nothing wrong with receding and concurring on this bill. We can get at the thing later on if we want to very easily. Something else is going to roll along here and I am waiting for it and believe me, when it comes along, I am going to have my nickel's worth to say, but now is not the hour to do it. The thing to do now is to recede and concur and just wait until a little later and we will be back in business if we want to be.

I sure hope we recede and concur without too much further ado. There is an old saying, I will be seeing you at the Fair.

The SPEAKER: The Chair recognizes the gentleman from Island Falls, Mr. Walker.

Mr. WALKER: Mr. Speaker, Ladies and Gentlemen of the House: I am asking for a point of information. Doesn't the other body stand to lose as much as we do?

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

Mrs. SNOWE: Mr. Speaker, Ladies and Gentlemen of the House: I would urge you to recede and concur. I think to adhere would not be a responsible action.

The State Government Committee did spend many hours this summer and fall in this session working on this bill to avoid what we are facing here tonight.

Last June, we sent out a questionnaire to every member of both bodies listing all the appointments that you felt should be confirmed, we got little response, perhaps maybe five or ten at the most.

We sent out a report this fall showing the progress of the State Government Committee on what we were doing with the Executive Council and is powers, we had little input from anybody. We put a report on your desks in February telling you what the committee did and we had little input from anybody who felt contrary to it. I think at this point in time we have a bill of great magnitude and I think it would be a great disservice not only the legislature but to the people of this state if we do not recede and concur.

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

Mr. LAPOINTE: Mr. Speaker, Men and Women of the House: I apologize for getting into this debate at this late hour. I have been downstairs on the second floor discussing a corrections bill, but I think it is important for me to try to respond to the remarks of the good gentledady from Auburn, concerning her outlining of the simple fact that there has not been input to the various stages of the process, that the State Government Committee has been studying the whole issue of redistribution of the powers of the Executive Council.

I think that this House said yesterday and they said on last Friday what their input was. We offered two little amendments. One of those amendments was on the Maine Human Services Council and one of those amendments was on the Maine Committee on the Elderly and the other one had to deal with the Criminal Justice Planning Administration, and this House input at that point because this House felt that that is where that input should take place. They amended the bill and those amendments have stayed on. They went on on Friday and they stayed on yesterday, and I think that those amendments should stay on, because we are talking about 20 to 25 millions of dollars in the distribution of human service money around the State of Maine. I don't consider those amendments were baubles. I don't consider those

amendments little trifling things, I consider those amendments very important, because we are putting people on those committees and the legislature is ratifying who will go on those committees if these amendments stay on, because we feel it is important that the legislature have some input in the makeup of those particular committees.

The gentleman from Lewiston, Mr. Jalbert, has indicated that we will have another shot at this, well, I know that I haven't been around here as many semesters as the good gentleman from Lewiston has been, but mark my word, if we recede and concur on these two amendments this afternoon, just wave your little hand bye-bye dearie, because you won't see this bill again and that is the issue. I think that we should adhere because I think that those amendments are important and I think that this House has gone on record on two occasions.

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

Mr. CARPENTER: Mr. Speaker, Ladies and Gentlemen of the House: I would just point out that if you are concerned about the three amendments, you also lose them if you adhere. You lose the entire package if you adhere.

The SPEAKER: The Chair recognizes the gentleman from Durham, Mr. Tierney.

Mr. TIERNEY: Mr. Speaker, Men and Women of the House: Regardless of how you are going to vote on this provision, I would hope that you would listen to what I am going to read, because I think that the members of the State Government Committee inadvertently, I am sure, have been putting forward some information which is not factually true.

When those of us got together to draft this particular section of the Constitution, we provided two paragraphs which, contrary to popular belief, provide that if no legislation is passed, then all appointments have to go through the legislature, not the contrary, if no legislation is passed, the Governor has carte blanche and I would like to read this section to you. Section 8 — to appoint officers, he, meaning the Governor, shall nominate and, subject to confirmation as provided herein, appoint all judicial officers except judges of probate and justices of the peace and all other civil and military officers whose appointment is not by this Constitution or shall not by law be otherwise provided for. If this bill fails then, we will not have created a more powerful executive branch, we will have created a much, much weaker executive branch.

I suggest that we adhere and I think we will see another bill before us by tomorrow morning.

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

Mr. NORRIS: Mr. Speaker, Ladies and Gentlemen of the House: I am a little overwhelmed this afternoon with what seems to be taking place and I guess I like to be a maverick as much as anyone else does, but I can see the headlines now, that we repeal the Executive Council that does the confirming and then the legislature cannot agree on the guidelines to lay down as to who is going to confirm to what. Can't you imagine what the public is going to think? Can't you imagine what they are going to think when they look at this legislature and they realize that we cannot work out a set of guidelines to confirm, to take over the duties of the Executive Council. How in the world are we ever going to be able to confirm if we can't agree enough or get together close enough to work out the guidelines?

This is going to be the greatest thing to hit the headlines that has happened since I have been in the legislature when this little thing breaks loose if we adhere this afternoon. The people, the public, the press and everybody else is going to have a real chuckle at this legislature because

we have been talking for years to do away with the council, we can do it, and apparently we are almost at the point this afternoon, where we are going to drop the whole thing back because we refuse to give a little bit. It is a question of compromise, it always has been and believe me, it always will be. Give a little today and get a little tomorrow, that is my theory.

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

Mr. KELLEHER: Mr. Speaker, I would like to pose a question to the State Government Committee. If in fact this becomes law, am I not wrong that after January 4, it would take two thirds of each branch to change the law, somewhat different than we have today, Mr. Cooney? Am I not right in my reading of the bill?

The SPEAKER: The gentleman from Bangor, Mr. Kelleher, has posed a question through the Chair to anyone on the State Government Committee, who may answer if they so desire.

The Chair recognizes the gentleman from Sabattus, Mr. Cooney.

Mr. COONEY: Mr. Speaker, Ladies and Gentlemen of the House: In response to the question, which I only heard the last part of from Mr. Kelleher, and also to the gentleman from Durham, Mr. Tierney, who read to you one paragraph of the amendment but not all of it, that we must by law establish an appropriate Joint Standing Committee and we must do that after next January 4 by a two-thirds vote of this legislature. So what we will have to do next time is pass a law, not by a majority vote which is the situation today, but by a two-thirds vote and I think it might be a great deal more difficult for us to establish an appropriate committee than it is today.

The SPEAKER: The Chair recognizes the gentleman from Gorham, Mr. Quinn.

Mr. QUINN: Mr. Speaker, Ladies and Gentlemen of the House: I think we should attempt to keep our eye on what we have before us and what we have before us is essentially responsibility. My people, with whom I talk say to me, when are you going to get done in Augusta? And the question is getting more petulant every day. If I have to go back to them and say that I was mad at those 33 men at the end of the hall and I was not going to let them dictate to me so I am going to stay there for another week or I am not going to accept the responsibility for which I took an oath for office, would shame me to go to them.

We are hearing techniques of debate which are skilled and able. The gentleman from Durham, Mr. Tierney, gave us a fighting lawyer's argument by reading part of what the law has to say, whereupon the gentleman from Bangor took a tangential approach and raised another issue which confused the first one.

The fact of the matter is, if we let this bill die by adhering today, on the 4th of January next year, it is true, every appointment that the Governor makes will have to be confirmed by the legislature — all right — but in order for us to get into that confirmation process and the other 81 pages of law that are involved, everything from pardons and paroles to small claims, will require two-thirds action of this legislature and I would submit that we pose an unbearable burden on the organization of a new legislature to irresponsibly throw them this entire bucket of worms when we can't even agree by a simple majority.

We are all signers of the Joint Rules by which this body runs. We all agreed to the system by which the Senate adherence has us against the wall today, and I think to yield to simple emotionalism is to abandon entirely our oath of office and our responsibility as legislators. We must recede and concur and then if the provision of the gentleman from Portland that those

people who spend \$3 million in the health and welfare business and the position of the lady from Bath that these people on the aging are very important, I will be very glad to be one of the two thirds who votes to install that requirement.

It is a simple issue which we can address, and if their positions are good and if they are this vital to the conduct of state government that causes all this emotion and excitement, then for goodness sake, we will have no trouble getting two-thirds and passing a simple bill, come next January. But in the meantime, let's stick to the issue of what we have to do here today unclouded by various kinds of confusing or tangential or emotional arguments.

Mr. Kelleher was granted permission to speak a third time.

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: First, I want to commend my good friend from Gorham, Mr. Quinn, it is very easy for him to get up and address someone's position by saying, if it is in opposition to his, "to be very simple." Sometimes I think he is a bubbling fountain of misinformation, but that again is only my opinion and maybe not acceptable to the rest of you people.

I think there is a very strong position that we should take here today. I don't think that any one of us wants to see this bill die. I don't think any one of us wants to pass what some people think to be exorbitant powers down on the second floor. I am one that does not want to do that, nor do I think that this House wants to, but I do think that this House has a position that we should hold fast to. What seems to be simple and unrealistic and unsupportive to the members of the State Government Committee, they should have their eyes opened just by the vote that was expressed here last Friday and again earlier this week.

For 13 members of a committee or 10 members of a committee to sign out a report and feel that it happens to be the handwritten scroll passed on down to Moses and that no one should even touch them or open it or amend it is rather ridiculous. I don't think any one of us here that serve on other committees are willing to accept amendments or suggestions, but to turn around and have someone say that they feel our position is simple and unrealistic and unfavorable and unwanted and hope that the House would accept that is not acceptable to me.

I hope that we do reject it. We may be up against the wall, but I can't think for the life of me that the other 33 members in the other body would want us to turn around and pass what everyone fears to be unruly authority down on the second floor. I think the realities of life will come very quickly to them if we do reject the motion to recede.

The SPEAKER: The Chair recognizes the gentleman from South Berwick, Mr. Goodwin.

Mr. GOODWIN: Mr. Speaker, Men and Women of the House: We have heard during this debate about how the State Government Committee members seem to be opposed to the amendment on the Human Service Council. I would like to point out, I am not sure if it has been mentioned here because I will confess I haven't heard the whole debate, but in a Joint Order directing the Health and Institutional Services Committee to study the social service programs throughout the state, at one of our meetings during the fall, our committee, and I will admit that the full committee was not there, but there were at least 10 members of the committee who voted to recommend to the State Government Committee that the Human Services Council be put into the Executive Council bill and confirmed by the Health and Institutional Services Committee. Now, I don't know if they got that communication or not, but we did direct our staff to provide such a communication.

So I think that what we have here is the fact that another committee working in this general area has recommended that this Human Service Council be put on the Executive Council bill, so we are not talking just 10 members recommending that it not be, but you are talking another committee recommending that it does be.

The Human Services Council, in our overview of the social service program in the state, have a tremendous amount of input on how the funds are going to be handled. I can't stand here and give you a total amount because I don't know and I don't think that the Department of Human Services knows how much is handled. All your Title 20 money and almost every other federal money that comes into this state is, in one way or another, affected by what the Human Service Council does or says in their plans and in their recommendations. It is in the magnitude of many, many, many millions of dollars, not two or three or even five or six, I would say it was up in the 15 or 20's. Mr. LaPointe has mentioned it and he may have a better handle on it but I do know that our committee in a session dealing with this voted to recommend to the State Government Committee that the Human Services Council be put and that the members be confirmed by the legislature.

The SPEAKER: The Chair recognizes the gentlewoman from Bath, Mrs. Goodwin.

Mrs. GOODWIN: Mr. Speaker, Members of the House: Very briefly, I don't mind compromising but I do resent it a little when I am the one being compromised.

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

Mrs. SNOWE: Mr. Speaker, Ladies and Gentlemen of the House: Just a brief point. Presently the Executive Council confirms 617 appointments. I don't think you want to put the legislature in a position of confirming that number of appointments. Secondly, we are talking about 143 different agencies. If we adhere and wait until next January, we will be required to vote on a two-thirds vote to require these different agencies to go to different committees, and I don't think we want to be in that position.

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

Mr. GOULD: Mr. Speaker, Ladies and Gentlemen of the House: I will be very serious this time. I am not very excited about what the Senate wants us to do or if they try to dictate to us. It seems to me that life is a game of give and take; if it wasn't, there wouldn't be a married person in this House today.

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

Mr. BUSTIN: Mr. Speaker, Ladies and Gentlemen of the House: I would like to pose a question to the Chair. I have heard discussion as to whether or not we should recede and concur or whether we should adhere. It occurs to me, and you can tell me if I am wrong, that the people who want to have these other appointments ratified by the legislature also have another motion available to them, is that not correct, since the Senate's motion to adhere was not a positive action? If the recede and concur motion were defeated, would not the motion to further insist be in order and then put the burden about the responsibility at the other end?

The SPEAKER: The Chair would answer in the negative. The motion to adhere having been made by the other body implies that no further talk is presumed to occur. If the other body had wished to take the posture as expressed by the gentleman from Augusta, Mr. Bustin, they would have moved to insist.

If the sentiment of this body is so overwhelming, there is one other available option that will become available if the motion to recede and concur were to prevail, and that would be, of course, to suspend the rules and then to amend

it again. That would be entirely proper and within the rules.

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

Mr. MORTON: Mr. Speaker, Ladies and Gentlemen of the House: I have listened to this debate with some interest and I particularly noted the remarks of the gentleman from Island Falls a while back, and it is true, I think, we, as individuals, who are here in Augusta and are participating in this legislative process tend to take a proprietary interest in the bills, the amendments that go through and we feel very deeply involved in them. But I think we should remember that we are here also to serve all the people, not just ourselves, and the interests of all the people and if this legislature in either body were to take action as the result of a pique that it had against the action of the other body, I can't help but feel that that is an irresponsible way to look at things, that we should be looking at the merits. We looked at the merits of this the other day and, as I recall, and I don't have the roll call in front of me, but I don't recall that they were tremendously overwhelming in either direction. There was good honest opinion on both sides of the question. I am sure there was down in the other body, but it has gone through the process and we do have this bill before us. I agree with the gentleman from Brewer that if we don't take reasonable action, we would justifiably be subject to great criticism.

I urge you all to hear what the Speaker just said. We have been called politicians a great many times and I think that is what we are. So let's not act like non-politicians, let's be willing to compromise.

I would like to ask a question. If in fact the house fails to recede and concur and does adhere, is this bill dead except for the two-thirds vote on suspension of the rules?

The SPEAKER: If this body were to vote to adhere, the bill is dead.

Mr. GOODWIN: What if this body receded and changed their posture on the bill and let's say we kept on only one of the amendments in question and sent it back again?

The SPEAKER: The Chair would advise the gentleman that the Senate has made its position known, the motion to adhere having been made. The option is still available, as was pointed out earlier by the Speaker, that if this body were to recede and concur, when the bill comes back for final enactment, the rules could be suspended and an amendment then could be reimposed on the bill.

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

Mr. KELLEHER: If the House failed to recede with the other body, would the motion then to recommit still be in order?

The SPEAKER: The Chair would answer in the negative. The motion to recommit at this time cannot be made.

The Chair recognizes the gentleman from Sabattus, Mr. Cooney.

Mr. COONEY: Mr. Speaker, a parliamentary inquiry? Could you give us an idea of how long it would take to engross this bill and prepare for enactment?

The SPEAKER: The Chair is not in a position to determine because he would have to check with the Engrossing Department and it probably would be 24 hours or so. However, it would be possible to pre-engross it both ways.

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

Mr. HENDERSON: Just to consider all of the options, I thought I recalled earlier in the session that this House reconsidered its action whereby it had adhered and is that an option that would be available to the other body, if we adhere?

The SPEAKER: The Chair would answer in the negative.

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

Mr. JALBERT: Mr. Speaker, I really am enjoying this because when I voted against this entire thing, I predicted that we were giving our powers to the other body and so it is great to say I told you so, but I don't want to say, I want to say I want to go home.

Isn't this here a possibility, Mr. Speaker, that we could refuse to adhere and then when we did refuse to adhere, could we then make a motion to insist and ask for a Committee of Conference?

The SPEAKER: The Chair would answer in the negative.

Mr. JALBERT: Then I look at it this way here. I say that we have two shots at it, one of the shots I am not going to mention. I note that the gentleman from Portland, Mr. LaPointe, is not in his seat, but one of the other methods you mentioned, that we could recede and concur and then we could reconsider and we could then plank amendments up against this thing before it went into the other body.

The SPEAKER: The Chair will restate the three positions that are available to this body. There are in fact two at this point in time, one is the motion to adhere; two, the motion to recede and concur; the third possibility would occur if this body were to recede and concur and when the bill came back as an enactor, the rules could at that time be suspended and the amendments then could be reinserted on the bill and sent back in non-concurrence.

Mr. JALBERT: And fourth, couldn't we take another shot at it through the Errors and Inconsistencies Bill?

The SPEAKER: The answer would be yes, assuming that the amendments were, in fact, germane. The Chair will not rule on that until it should come in front of us.

Mr. JALBERT: Could I ask you, Mr. Speaker, if the amendments that we are debating now would be attempted to be introduced in the Errors and Inconsistencies Bill?

The SPEAKER: The Chair would have to rule on it depending on what he would find in the Errors and Inconsistencies Bill that would deal with the proposed amendment that might in fact be proposed by members of this body and is not in a position of preruling.

Mr. JALBERT: If we adhere, it would kill the bill dead right here?

The SPEAKER: The Chair would answer in the affirmative.

Mr. JALBERT: Then is there any doubt in your mind, Mr. Speaker, that if we did that, tomorrow morning there would be another bill that would reappear here?

The SPEAKER: The Chair is not in a position to presuppose as to what might happen.

Mr. JALBERT: If you were in a position?

The SPEAKER: My answer remains the same.

Mr. JALBERT: Mr. Speaker, let me make this statement then and I will sit down.

The SPEAKER: The gentleman may continue debating if he so desires.

Mr. JALBERT: Mr. Speaker, what I really am trying to do is have the gentleman in the right-hand corner say that we quit until ninety-three tomorrow morning, that is really what I am trying to accomplish, because we are getting nowhere. We did it last fall so let's forget all about it, it is all over now.

The situation is this, that if we go along with the adhering motion which kills the bill, I can assure you that there will be another bill that will appear here sometime tomorrow and also, it will cost us at least 24 hours.

The SPEAKER: A roll call has been requested. In order for the Chair to order a roll call, it must have the expressed desire of one fifth of the members present and voting. Those

in favor will vote yes; those opposed will vote no.

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

The SPEAKER: The pending question before the House is on the motion of the gentleman from Sabattus, Mr. Cooney, that the House recede and concur. Those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Ault, Bachrach, Bagley, Bennett, Berry, G.W., Berry, P.P., Berube, Birt, Blodgett, Boudreau, Burns, Bustin, Byers, Call, Carey, Carpenter, Carter, Chonko, Churchill, Clark, Conners, Cooney, Cox, Curran, P., Curtis, Doak, Dow, Drigotas, Durgin, Dyer, Farnham, Faucher, Fenlason, Garsoe, Gould, Gray, Greenlaw, Hall, Henderson, Hewes, Higgins, Hutchings, Immonen, Jalbert, Joyce, Kany, Kelley, Kennedy, Laverty, Lewin, Lewis, Lynch, MacEachern, Mackel, Martin, R., Maxwell, McBreairty, Mills, Miskavage, Mitchell, Morin, Morton, Nadeau, Najarian, Norris, Palmer, Pelosi, Perkins, S., Perkins, T., Peterson, P., Pierce, Powell, Quinn, Raymond, Rideout, Rolde, Shute, Silverman, Smith, Snow, Snowe, Sprowl, Strout, Stubbs, Tarr, Teague, Tozier, Usher, Wagner, Walker, The Speaker.

NAY — Carroll, Connolly, Cote, Dam, Davies, DeVane, Flanagan, Goodwin, H., Goodwin, K., Hennessey, Hobbins, Hughes, Ingegneri, Jensen, Kelleher, LaPointe, Leonard, Mahany, Pearson, Post, Saunders, Tierney, Wilfong.

ABSENT — Bowie, Curran, R., Dudley, Farley, Finmore, Fraser, Gauthier, Hinds, Hunter, Jackson, Jacques, Kauffman, Laffin, LeBlanc, Littlefield, Lizotte, Lovell, Lunt, MacLeod, Martin, A.; McKernan, McMahon, Mulhern, Peakes, Peterson, T., Rollins, Spencer, Susi, Talbot, Theriault, Torrey, Truman, Twitchell, Tyndale, Webber, Winship.

Yes, 92; No, 23; Absent, 36.

The SPEAKER: Ninety-two having voted in the affirmative and twenty-three in the negative with thirty-six being absent, the motion does prevail.

The Chair recognizes the gentleman from Sabattus, Mr. Cooney.

Mr. COONEY: Mr. Speaker, having voted on the prevailing side, I now move we reconsider and ask that you vote against me.

The SPEAKER: The gentleman from Sabattus, Mr. Cooney, having voted on the prevailing side, now moves that we reconsider our action whereby this House voted to recede and concur.

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

On the disagreeing action of the two branches of the Legislature on Bill "An Act to Clarify the Fish and Game Laws" (H. P. 1933) (L. D. 2121) the Speaker appointed the following Conferees on the part of the House:

Messrs. USHER of Westbrook
MARTIN of St. Agatha
STROUT of Corinth.

On motion of Mrs. Bachrach of Brunswick, Adjourned until ten o'clock tomorrow morning.