

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

Tuesday, April 13, 1976

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

Prayer by the Reverend Howell K. Lind of Augusta.

The journal of yesterday was read and approved.

Order Out of Order

Mr. Bagley of Winthrop presented the following Joint Order and moved its passage: (H. P. 2330)

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of Kristin Stred Who Is A Junior at Winthrop High School Winner of the New England-New York Lincoln-Douglas Debate Championship of the Bicentennial Youth Debate Program and, Therefore, an Entrant in the National Debate Championship Contest in Washington, D. C.

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 received out of order by unanimous consent and read.

The SPEAKER: The Chair recognizes the gentleman from Winthrop, Mr. Bagley.

Mr. BAGLEY: Mr. Speaker, Ladies and Gentlemen of the House: We are pretty proud of Kris Stred who has won the New England-New York championship in this debate and who is eligible as one of eight people to go to Washington, D. C. for the national championships.

In addition to that, she has recently won the state extemporaneous speaking contest and is eligible to go to Colorado for the national championship. Her coach is with her, Joe Petroski, and I wish they had a coach of the year for debating and forensic as they do for football, I am sure if they did have, I would have a chance to have him on my order too.

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

By unanimous consent, ordered sent forthwith to the Senate.

Papers from the Senate

From the Senate: The following Communication

THE SENATE OF MAINE
AUGUSTA, MAINE

April 12, 1976

Honorable Edwin H. Pert
Clerk of the House
108th Legislature
First Special Session
Augusta, Maine

Dear Mr. Pert:

The President today appointed the following members of the Senate to the Committee of Conference on Bill, "An Act to Change the Statutory Qualifications and Salary Limit for Director of Personnel" (S. P. 1937) (L. D. 2125):

CURTIS of Penobscot
WYMAN of Washington
GRAHAM of Cumberland

Respectfully,

Signed:

HARRY N. STARBRANCH
Secretary of the Senate

The Communication was read and ordered placed on file.

From the Senate: The following Communication

THE SENATE OF MAINE
AUGUSTA, MAINE

April 12, 1976

Honorable Edwin H. Pert
Clerk of the House
108th Legislature
First Special Session
Augusta, Maine

Dear Mr. Pert:

The Senate today voted to Adhere to its action whereby it accepted the Majority Ought Not to Pass report on Bill, "An Act to Base Adjustments of Teacher and State Employee Retirement Allowances on the Consumer Price Index" (H. P. 1799) (L. D. 1958).

Respectfully,

Signed:

HARRY N. STARBRANCH
Secretary of the Senate

The Communication was read and ordered placed on file.

Reports of Committees
Ought to Pass with
Committee Amendment

Committee on Appropriations and Financial Affairs reporting "Ought to Pass" as amended by Committee Amendment "A" (S-550) on Bill, "An Act to Provide Grants and Loans for Health Education" (S. P. 760) (L. D. 2310)

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (S-550)

In the House, the Report was read.

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

Mr. GOODWIN: Mr. Speaker and Members of the House: I would like to ask some questions about this bill to anyone who perhaps could answer me. First of all, in reading this thing through, on the committee amendment it would seem to allow the Commissioner of Education to get involved in designating areas which do not have adequate health services and to allow them to designate specific health professions whose services are needed in each area. I am very curious as to whether or not this is a proper function of the Commissioner of Education.

There is another question I have in here. There are quite a few problems I see with the bill. There is another question I have in here on Page 2 of the bill under Section 2275, Appropriations, this seems to establish a fund and then it doesn't establish any money for the fund, except that it does provide — I guess they took away the one person or something that they were going to hire — but it establishes a fund and then doesn't provide any money for it and just says the legislature shall appropriate sufficient amounts of money to provide the grants and loans. I am wondering, is this some new little mechanism that the Appropriations Committee has that they can pass out a bill setting up a fund and then say we will provide sufficient funds for it? If that is the case, maybe we could do that with regular appropriation bills.

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

Mrs. NAJARIAN: Mr. Speaker and Members of the House: Having read this bill, too, I guess my problem is that the Commissioner of Education and Cultural Services is the one to designate where there are shortages of health professionals in the State of Maine.

I know many of you may not be aware that recently set up in this state has been a Health Assistance Agency, whose function is, one of its functions is to do just that, to do the health planning for the entire state, and they will receive about \$200,000 or more from the federal government to carry on this kind of work. It is going to be very costly, it is going to be very time consuming. I don't see how the Commissioner of Education, who has a \$262 million department over there to run, is going to have the time to go

around this state finding out which areas have a shortage of health professionals and what health professionals are needed.

In consultation with the Commissioner of Human Services, I am certain I wouldn't want the Commissioner of Human Services, after consultation with the Department of Education, to say where school buildings should be built in this state, and I think it is mixing up functions of the two departments which are totally unrelated. I don't think the indenture part will work on the medical students until you have a lot more planning done on the clinic. You have economic factors that come into this, the transportation of the area, and this bill did not have an adequate public hearing, even though it was introduced by title by the Reference of Bills in December, I think it was only introduced here on March 20. It was unadvertised; the committee only had about 12 or 15 minutes to hear the bill because the House went back into session at four o'clock and I know that because I had a bill before that committee just preceding this one.

I am going to vote against the passage of this for this reason and I would move the indefinite postponement.

The SPEAKER: The gentleman from Portland, Mrs. Najarian, moves that this Bill and all its accompanying papers be indefinitely postponed.

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

Mrs. LEWIS: Mr. Speaker, Ladies and Gentlemen of the House: I hope we won't indefinitely postpone this bill. This bill represents the only real incentive we have for our young people who are studying medicine to come back and practice in the State of Maine.

We have contracted the University of Vermont Medical School and the state pays for a certain number of slots for students to study medicine there. We give the money and there are no strings attached whatsoever, and this bill would allow us to ask these people who are getting money from the state to come back to practice in our state, and we are saying even in designated areas where there is a shortage of doctors, and if they don't come back to practice, then they have to repay the money, so it also would generate more money for other students.

We are also hoping to open contracts with Tufts University Medical School. We presently have Tufts University Dental School and we have the people who want to study veterinary medicine now, they are contracting with the University of Pennsylvania.

I think this is a very important bill and I certainly hope that we won't indefinitely postpone it. There is absolutely no incentive otherwise for anybody to come back and practice medicine in this state after we have put out quite a lot of money.

In answer to Mr. Goodwin, the reason that there isn't a designated amount of money is because it varies from year to year, but there has been money set aside every year to give money to help people further their medical and other professional educations, so please do not indefinitely postpone it.

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

Mr. GOODWIN: Mr. Speaker, Men and Women of the House: I am not going to stand here and be so brave as to say I would go along with the indefinite postponement of this bill right now, but I would like to hear some people, if there are some people on the Appropriations Committee who have heard this bill, could explain what it does, could tell me why they give the authority for the department to establish rules and regulations, but they don't give any standards for those. I don't know, I just have some real problems with this type of legislation just coming out at the last minute like this without a lot of talk about it, without a public hearing, without a lot of input from all those

concerned, and this type of thing bothers me because I think we could get ourselves into something a lot deeper or cause a lot more problems than what we are — instead of solving the problem that we are anticipating. I would like to hear a little more, if not discussion, a little more explanation about the bill and why the need for it and how the various professions feel about it.

I have heard a lot about the Health Systems Agency that is developing an overall plan for the state that is going to be handling federal monies and things of this nature, and I have talked with people at Tufts Medical School that are doing a complete study of the health care delivery systems, both dental and medical in the State of Maine, I just have a problem as to how this bill and how this fund is going to fit in with our existing systems, and I would like to get some of this explanation out before we pass something of this magnitude.

The SPEAKER: The Chair recognizes the gentleman from Winthrop, Mr. Bagley.

Mr. BAGLEY: Mr. Speaker and Members of the House: This is not an appropriations bill in any manner; it is simply that the money will be appropriated each year by the Appropriations Committee. There will be recommendations.

The reason the Commissioner of Education is put into this is simply because it is being handled through the New England Association for Higher Education and the commissioner and other people work on that board.

You will notice as you read the bill, there is a committee set up appointed by the Governor, except for two members who are ex officio, those members elect their own chairman and all the commissioner does is take their advice in regard to budgets or anything like that and pass it on to the budget officers, so it isn't going to be any great burden on him. It is primarily to tie in with the New England Higher Education Group, the reason why the thing was drawn up the way it is, and it seems to me that it offers some possibility because the New England Higher Education Group are the people who help us work out these deals with the different colleges in regard to our people going to Vermont or Tufts or whatever to do their particular thing.

The purpose of this committee is going to be to assist other groups, including any of these people who are working on health delivery and so forth, assist those people in picking out the spots where we need doctors or where we need dentists or whatever, with the advice and consent of those other people. That is, it is going to be a cooperative project, but there has got to be somebody to head it up; and that is the purpose of this bill.

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

Mrs. NAJARIAN: Mr. Speaker and Members of the House: I don't think that Mr. Bagley has read the committee amendment to the bill, and that filing number is S-550. That repeals the whole board. It also strikes out any reference to the New England Board of Higher Education. I think the reason for that is that the Commissioner of Human Resources has given \$50,000 of his money to the committee that the Governor appointed after the defeat of the medical school bill to decide where the State of Maine should go from here.

I have attended some of their meetings and their discussions have been, who should really administer these funds and make the contracts with Tufts and Vermont or wherever we have medical school contracts and the discussion that has come up was, perhaps this should be the Health Systems Agency which is now going to do all the health planning for the State of Maine. Maybe it should be the university, but I haven't heard much discussion that the New England Board of Higher Education should continue to do this. I think maybe that is the reason

that the sponsor of this bill has struck out all reference to the New England Board of Higher Education.

I just got off the phone with the Commissioner of Human Resources. He says there is no way that he can see that the Commissioner of Education and Cultural Services can do this without some money, and setting aside the money that is going to be needed for contracts, just the money for the commissioner to carry out the responsibility given to him in this bill is going to cost money. The sponsor originally had \$20,000 on this bill, but that has been struck out with the committee amendment also.

I know the Commissioner of Human Resources does not agree with this bill. I am sure if we pass this bill it will come back with a veto and here we are going to be five days after we recess and adjourn, so I hope you will go along with the indefinite postponement of this bill.

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

Mr. PERKINS: Mr. Speaker, Ladies and Gentlemen of the House: I, too, share the concern of the lady from Portland, Mrs. Najarian, because I feel this bill, while the health care systems in the State of Maine leave a great deal to be desired and we are in need in many areas, I feel that this bill in no way fulfills the vacuum that has been provided but perhaps in another year we could more adequately face the situation. This, to me, is a poor answer.

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

Mr. TYNDALE: Mr. Speaker, Ladies and Gentlemen of the House: For a number of years this was the function of the New England Board of Higher Education to select some 20 to 25 students to go to various medical schools where we had the contract. The University of Maine usually arranged that contract between the University of Vermont and also Tufts University in Massachusetts. This was a clear-cut program and the money was appropriated every year automatically. But the way this bill is set up, it is an entirely new instrument and requires an appropriation differently than we had in the previous years, and I am afraid that the good lady from Portland has told you that this would probably come back from the Governor's Office, number one. Number two, I think this should be rearranged so that we once and for all should take in the osteopaths, which we haven't over the previous years.

We now have an Osteopath School of Medicine in Maine at St. Francis College and I think we also ought to include them in contracts, and I think this bill should be looked at very carefully.

The SPEAKER: The Chair recognizes the gentleman from Winthrop, Mr. Bagley.

Mr. BAGLEY: Mr. Speaker and Members of the House: I want to admit that I hadn't read the amendment and that changes my attitude entirely. I thought the bill itself looked pretty good.

The SPEAKER: The Chair recognizes the gentleman from Cumberland, Mr. Garsoe.

Mr. GARSOE: Mr. Speaker and Members of the House: As one of those who signed out the bill, I feel I owe an explanation and I have to tell you that practically everything the gentle lady from Portland told you is true. The hearing wasn't that well attended. There was opposition, and I have been acting like a weather vane on this, back and forth for quite a while. But I think the reason that I finally decided that I am going with the bill is that it does offer the incentive to accomplish what I think we have all intended, as we provide these scholarships, mostly through the Department of Education, I think that makes some logic to have him involved, but what I am sure we all wanted in supplying these scholarships and aid is not necessarily so much for the individual involved as to hopefully expect that one day we are going to see the

medical needs of Maine coming back as a benefit. I think this is the significant matter that I find in this legislation.

It is too bad, in a way, that the bill is now subject to criticism because since there was some differing opinion, the opposing groups were urged to go out and bury their differences, and I am sure that the amendment that now offends some of us was entered into in good faith by the sponsor in the hope that it would make it more acceptable. I don't think that this bill deserves the indefinite postponement.

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

Mr. PIERCE: Mr. Speaker, Ladies and Gentlemen of the House: I am always a little bit suspicious when I hear arguments against a bill which include those of which have been offered by the good lady from Portland, Mrs. Najarian, and the gentleman from Kennebunkport, Mr. Tyndale, that one of the reasons we should not pass this is because it might be vetoed by the Governor. I wonder if we are supposed to decide legislation on its merit in this body and then let the Governor worry about it and then we will worry about it when it comes back from his office.

It seems to me the most amazing thing about this piece of legislation is that we did not incorporate this as a bill years ago when this program started. Next year, I understand, we are going to allocate grant, not loan but grant, approximately \$150,000 for slots at Tufts, \$64,000 for veterinarian slots at the University of Pennsylvania and then \$165,000 at the University of Vermont, and all this money is gone, we don't get it back, we just flush it right away.

Now, this bill provides, I think, a real incentive and a motivation for a medical student or veterinarian or anybody, when they have completed their education to come back to the State of Maine, and isn't this, in fact, what we want very much here in the state? If in fact they do, then the loan is forgiven, and if they don't and they go somewhere else, to Massachusetts or California and make maybe a hundred grand a year, then I say, let them pay it back. Why should the voters of the State of Maine and the residents here subsidize medical or veterinarian education for people who are going elsewhere out of the State of Maine to practice? I think this is a very fiscally responsible measure and I hope that you will not indefinitely postpone it.

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

Mr. TYNDALE: Mr. Speaker, I would like to refer to some of the remarks made by the gentleman from Waterville, some are true and some are not correct.

Number one, these were, up to this time grants, and you have got a problem facing you. You have contracted with students in previous years to go to medical school and therefore you might be in a position where you have to continue it. I didn't mean to say that I was very definitely for indefinite postponement, but I wonder why we had this change of setup and why this bill was introduced in this way? I certainly would like to have somebody answer that question for me because the other way was perfectly satisfactory for a number of years. We had no problems with it whatsoever and suddenly this very complicated bill comes up before us and frankly speaking, I don't like the way it was done.

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

Mrs. NAJARIAN: Mr. Speaker and Members of the House: I think the idea of medical students coming back to Maine and working in Maine for a number of years to forgive part of their loans is a very good idea that we all should be in favor of. I think any 50 of us could put our heads together here today and come up very quickly with 50 areas of the state where there is

a shortage of health professionals. What we could not do is determine whether that area, how large that area should be to support a doctor, whether a doctor is needed or some other kind of health professional might serve their needs, whether or not the people are still going to drive 40 miles to Bangor, Lewiston, or Augusta even if you have a doctor there. All these factors, I think, enter into this, and you can not simply require a physician to go into an area where there is no doctor perhaps without a clinic there, some support services, and all of that.

I think all of this is being done by another agency, the Governor's Committee to improve medical manpower is working on this, they are trying to write language into contracts that we have with Tufts in Vermont to provide more input from Maine physicians in the teaching of medical students and for the medical schools to offer courses that are more in line with Maine's needs. All of this is being done.

What I am saying, I don't think this bill is necessary. I don't think the Commissioner of Education and Cultural Services should get mixed up in it. I think he has got enough responsibility just running that department. That is why I don't think this, in its entirety, is a good bill.

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

Mr. NORRIS: Mr. Speaker, Ladies and Gentlemen of the House: This program did start with President Houk at the University of Maine of Orono. It was back several years ago and he traded students with the Vermont Medical School, that is, we would educate students from Vermont in our college of technology, preferably in the forestry department, and they would educate our students that wanted an education in medicine.

Now, since I have been around here, every year a bauble such as this would appear in order to make this a grant program. I think one of the reasons NEBHE is stricken from this is that they don't agree with the grant process on the thing and mainly and namely because it is uncollectible. You send a young man or a young woman to New Hampshire or to Tufts or to Pennsylvania and they end up going to Spokane, Washington and start practicing medicine and I think you would pay the dickens trying to get the money back that you had supplied for the education. As a matter of fact, if my memory serves me correctly and I could be wrong, but I think this was tried and it just didn't work. It shield more people away. Now, there are some people that are participating in this program of their own volition and their own free will and they are coming back to the State of Maine to practice, not every student that we are educating at Vermont — that has been the school that we have been going to and I know we have been talking several years about increasing it to Tufts and to Pennsylvania but these people have been coming back and practicing. So, I would feel that indefinite postponement for this hastily thought up, old idea would be in order this morning.

The SPEAKER: The Chair recognizes the gentleman from Van Buren, Mr. LeBlanc.

Mr. LeBLANC: Mr. Speaker, Ladies and Gentlemen of the House: I was one of the signers of the Appropriation Committee on this bill. The bill carried an appropriations and we were told by the sponsor to take the money out and then pass the bill to implement what it intended to do. We weren't told at the time that there is a new federal health system agency that is currently being implemented in the State of Maine. This bill would just duplicate what is going to be done anyway. So, I will support the indefinite postponement.

The SPEAKER: The pending question is on the motion of the gentleman from Portland, Mrs. Najarian, that this bill be indefinitely post-

poned. 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 and voting having expressed a desire for a roll call, a roll call was ordered.

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

Mr. GOODWIN: Mr. Speaker, Men and Women of the House: I have a hard time trying to decide on how to vote on this issue simply because I think the gentleman from Waterville, Mr. Pierce, was perhaps correct and there is a need for some sort of restrictions or guarantees on the money we send out of state to train these people, to bring them back and this type of thing, but at the same time I am not so sure that this bill and amendment is correctly worded and really accomplishes that fact. So, I am not going to vote to indefinitely postpone this even though I don't like the bill and the amendment as it is right now. I would hope the rest of the house would go along. Perhaps we can work this out in a day or two and develop the right amendments and try and work something out and if we can't, then perhaps we should kill it. I just have a feeling — if somebody wants to contradict me from the Appropriations Committee, that is fine — I have a feeling the Appropriations Committee really didn't give this much time and really don't understand what is going on with this bill. I certainly don't and I haven't really heard the explanations on the floor yet today to disprove that.

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

Mr. MCKERNAN: Mr. Speaker, Ladies and Gentlemen of the House: I agree with the reasoning of the gentleman from South Berwick, Mr. Goodwin, unfortunately, I don't agree with his conclusion.

I think there are a lot of problems in this bill and he is right. I think it was obviously, hastily thought out, especially since as I understand it, it was the next to the last bill in the Appropriations Committee the sponsor spent a great deal of time last week trying to find an amendment that could be voted out of that committee. As has already been brought out here in debate that there was great division when the bill was originally produced, whether it was a good idea or not. The amendment has come at the end of the session. I think it is about time that we decided that we are going to try to get out of here as soon as possible and if the Appropriations Committee couldn't have worked out an amendment that was satisfactory to us, I don't think we should feel that some of us could get together in the next 36 or 48 hours and try to work up an amendment. I hope that we do indefinitely postpone this bill.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: Somewhere along the line of the Representative from South Berwick, Mr. Goodwin, I think we should keep this bill alive. I might submit that the Appropriations Committee might not have had the time that was necessary to take care of this bill in the fashion that might be acceptable to this body or the other. We know that the Appropriations Committee, as well as leadership, has been involved manipulating and dealing back and forth on "A", "B", "C" and what have you, concerning the pay plan. I don't think that we are going to be unrealistic this morning to at least keep

this bill alive for second reading and see if Mr. Goodwin and other members of this house may offer acceptable amendments. The day is not going to end at twelve thirty o'clock. We are going to be back here this afternoon. I am sure we are going to have some supplements. I don't see any great harm or any real rush why we can't keep this bill alive until later on today to see what can be offered.

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

Mr. CARPENTER: Mr. Speaker, Ladies and Gentlemen of the House: In reference to the comments of the gentleman from Brewer, Mr. Norris, I don't know whether this is an old idea, a new idea, I think in concept it sounds like a pretty good idea to me. Perhaps it was tried before and was not administered properly.

I agree with the gentleman from Bangor. I am pleased to stand here and agree with him, many times, I disagree with him. I think we could try to work out whatever small flaws that may be in this bill.

As my good friend, Mr. Kelleher just said, the day is not going to end here in the next few minutes and let's give this bill a chance to see if we can't modify it. We worked very hard, some of us, last year to bring a medical school to the State of Maine, to establish a medical school in the State of Maine, because we desperately need doctors in this state. Perhaps the reason this didn't work before, maybe we didn't need the doctors quite as badly as we do now. But, let's not vote to indefinitely postpone this bill, let's take the idea, the concept of this thing and see what we can do with it in the next day or so.

The SPEAKER: The Chair recognizes the gentleman from Wallagrass, Mr. Powell.

Mr. POWELL: Mr. Speaker, Ladies and Gentlemen of the House: I happen to be a member of the New England Board of Higher Education, for some six years. Last year we adopted the policy of what one of these amendments gives us here, of the grants and loans. In case the medical graduate didn't come back, they could repay the loan. I think this bill bypasses the New England Board of Higher Education which has done a good job in the past, as Mr. Tyndale has just told you. I think this is an effort to get around that and deal directly with some of these colleges. I think we should indefinitely postpone this bill and all its accompanying papers.

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

Mrs. LEWIS: Mr. Speaker, Ladies and Gentlemen of the House: This bill is really the outcome of a study committee. I served on one part of that committee and there are other members of this body who I know served too. This is a committee to improve medical manpower in education. I think we should know that we are in the process of renegotiating our medical contracts with the University of Vermont and we are going to start negotiating with Tufts for a medical school, we have been with Tufts for dental school. So, it is particularly important that we do write into our contract that we can get some of this money back.

Really, in this state we can't afford to be just giving direct grants to these people who are going to become the highest paid members of our society. Give the money out with no incentive whatsoever for them to come back and practice here. Before we do negotiate these new contracts, we really should give this serious consideration. I think there is no question that we need more medical service in rural Maine. That is just what this bill will do, it will help us to provide the people in our rural areas with good medical services and I hope that we will not indefinitely postpone.

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

Mr. PERKINS: Mr. Speaker, Ladies and Gentlemen of the House: I was one of those last

year who fought very hard for a medical school for the State of Maine. I agreed with that concept then and I do now. My problem with this bill is, that this bill is an education bill, it was heard by the Appropriations Committee. There is no appropriation on the bill and yet it is an education bill so it came out of Appropriations. This is one of my big problems with this bill.

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mr. Hughes.

Mr. HUGHES: Mr. Speaker, Ladies and Gentlemen of the House: I have the honor to represent this House in the New England Board of Higher Education and I haven't seen anything in this bill that makes me think it is a threat to that board or the continued health of that board. I don't know a lot about this bill. I didn't know anything about it until about half an hour ago and I have just been following this debate very closely. I do know that the central concept of requiring that these doctors who are subsidized at around \$8,000 per year from our state money, the concept of requiring them to either come back to the state to practice or pay back some of that money is I think, an unsailable one. If there are technical problems with the bill or who shall make decisions about it, I at least would like to spend some time in the next day to try to rectify those problems and understand this bill more.

The concept is too valuable, I believe, to defeat at this stage and I hope we will not indefinitely postpone and at least let it go for an amendment tomorrow.

The SPEAKER: The Chair recognizes the gentleman from Vassalboro, Mrs. Mitchell.

Mrs. MITCHELL: Mr. Speaker, Ladies and Gentlemen of the House: Three other house members and I sponsored a bill very similar to this in the regular session. Unfortunately, the Appropriations Committee saw fit to give it Leave to Withdraw. So, although I totally support the concept of trying to get something back in exchange for the money we use to subsidize the education of our health service people, I think the reason it went before Appropriations is that there is money necessary to administer such a bill and until we put this price tag back on, it is very false because it does cost money to administer this bill. The Appropriations Committee must realize that because they did see that we should have Leave to Withdraw last year. To vote to keep it alive, yes; but I think if you do that, you must realize you are going to have to come back and pay for it because it does cost money.

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

Mr. PIERCE: Mr. Speaker, Ladies and Gentlemen of the House: I would like to point out that at present there is no appropriations on the bill. That has been taken out. I find it interesting that Commissioner Smith argues that Commissioner Millett can't find the time or the where-with-all to do this. I am sorry that Commissioner Millett can't speak for himself.

I think we have found perhaps in our past experiences that when these certain departments have to do things, they get them accomplished with the same manpower and money that they were originally allotted.

I think the point should be made that next year we are going to allocate something like a \$64,000 grant, for instance, for veterinarians for the State of Maine, we are going to give this money to them and they are going to be in Boston at Copley Square clipping their poodles in a few years and laughing at us. I see no reason why we shouldn't at least keep this bill alive today to see if we can't work out this concept because I think most of you will agree that the concept is a good one and certainly this bill isn't what is keeping us here.

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

Mr. BIRT: Mr. Speaker, Ladies and

Gentlemen of the House: I think there are two problems that I see with this bill that bothers me enough so that I will vote to indefinitely postpone it.

I think one thing is that at the present time there is a group of people in the State of Maine who are studying the whole concept in medical education. I think it would be interesting to at least find out what they are going to do.

I don't think anybody worked any harder than I did to see a medical school in Maine. I think probably it will still be a long range ambition of mine that there might be a medical school.

Then when we get into the second phase of it and that is as far as costs are concerned, I think if you look at the bill on Page 2, in which there will be a recommendation of how much money will be necessary to support it, then it said the legislature "shall" designate for each contract program the portion of student price which will be made available.

It also said the legislature shall annually enact legislation which will include the following: the legislature shall appropriate the professional health fund an amount which it considers sufficient to provide for the grants and loans to be provided for under this chapter.

I think there is a good deal of money that could be involved in this bill if it finally passes. I think we should take a long look at it before we do. At the present time, I think the motion to indefinitely postpone is completely correct.

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

Mrs. POST: Mr. Speaker, Men and Women of the House: I have two interests in this particular legislation. One, was as a cosponsor of some very similar legislation in the regular session and the other is as a member of the Medical Manpower Task Force is interested in how communities can help bring medical personnel into their particular areas. I have some problems with this particular bill in the way it is written. I would hope that you would vote against indefinite postponement to give some of the members of this house who were interested in this concept last year and who continue to be interested in the concept, some time to work together and maybe put it in a better form before we send it back to the other body.

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

Mr. TYNDALE: Mr. Speaker, Ladies and Gentlemen of the House: I was a little bit amused at that remark. Well, they took the appropriation off it but they want the bill to pass. Would someone answer me a very simple question? How much is this going to cost and where the money is going to come from?

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

Mrs. LEWIS: Mr. Speaker, Ladies and Gentlemen of the House: I think that I am going to answer the question for the gentleman from Kennebunkport. The money for the contracts is in the current services budget. The money that we are talking about that has been taken off is the money to administer the contract procedure and whether that money is needed or not, I don't know, I would presume it isn't needed. I would think the two commissioners who are going to do it, could do it with the manpower that they have. The vast amount of money for the contracts themselves are presently in the budget.

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

Mrs. MORIN: Mr. Speaker and Members of the House: I don't remember anybody mentioning the letter we got from Commissioner Smith, but they don't have the money, neither in Education or Human Services to follow this up. If they take it up, they will have to have appropriations to cover these expenses.

The SPEAKER: The pending question is on

the motion of the gentlewoman from Portland, Mrs. Najarian, that the House indefinitely postpone this Bill and all accompanying papers in non-concurrence. 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.; Birt, Boudreau, Burns, Call, Carey, Carroll, Cote, Cox, Curran, R.; Dam, Doak, Drigotas, Dudley, Durgin, Faucher, Finemore, Flanagan, Gauthier, Gould, Hennessey, Hunter, Immonen, Ingegneri, Jackson, Jensen, Joyce, Kelley, Kennedy, Laffin, Laverty, LeBlanc, Littlefield, Lizotte, Lunt, MacEachern, Martin, A.; Maxwell, McKernan, McMahon, Morin, Morton, Nadeau, Najarian, Norris, Palmer, Perkins, S.; Perkins, T.; Powell, Quinn, Raymond, Rideout, Strout, Tarr, Teague, Truman, Twitchell, Tyndale, The Speaker.

NAY — Ault, Berube, Blodgett, Bustin, Byers, Carpenter, Carter, Chonko, Churchill, Clark, Connors, Connolly, Cooney, Curran, P.; Curtis, Davies, Dow, Dyer, Farley, Farnham, Fenlason, Fraser, Garsoe, Goodwin, H.; Goodwin, K.; Gray, Greenlaw, Hall, Henderson, Hewes, Higgins, Hughes, Hutchings, Jacques, Jalbert, Kany, Kelleher, LaPointe, Leonard, Lewin, Lewis, Lynch, Mackel, Mahany, McBreairty, Mills, Miskavage, Mitchell, Peakes, Pearson, Pelosi, Peterson, P.; Peterson, T.; Pierce, Post, Rolde, Rollins, Saunders, Shute, Smith, Snow, Spencer, Sprowl, Stubbs, Susi, Talbot, Theriault, Tierney, Torrey, Tozier, Usher, Wagner, Walker, Wilfong, Winship.

ABSENT — Bowie, DeVane, Hinds, Hobbins, Kauffman, Lovell, MacLeod, Martin, R.; Mulkern, Silverman, Snow, Webber.

Yes, 64; No, 75; Absent, 12.

The SPEAKER: Sixty-four having voted in the affirmative and seventy-five in the negative, with twelve being absent, the motion does not prevail.

Thereupon the Report was accepted and the bill read once. Committee Amendment "A" (S-550) was read by the Clerk and adopted in concurrence.

The SPEAKER: The pending question is on suspension of the rules for the purpose of second reading. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

83 having voted in the affirmative, 29 in the negative, the motion did prevail.

Thereupon, the Bill was read a second time.

Mr. Goodwin of South Berwick moved this be tabled and tomorrow assigned.

Mr. Laffin of Westbrook requested a vote on the table motion.

The SPEAKER: The pending question is on the motion of the gentleman from South Berwick, Mr. Goodwin, that this matter be tabled one legislative day pending passage to be engrossed. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

70 having voted in the affirmative, 50 having voted in the negative the motion did prevail.

Non-Concurrent Matter

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), "C" (H-1183), "E" (H-1191), and "G" (H-1241) and Senate Amendments "B" (S-524), "D" (S-529), and "C" (S-526) as Amended by Senate Amendment "A" (S-532) thereto, in the House on April 12, 1976.

Comes from the Senate, with that Body having Adhered to its former action whereby the Bill was Passed to be Enacted in non-concurrence.

In the House:

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

Mr. COONEY: Mr. Speaker, Ladies and Gentlemen of the House: I would make the motion to recede and concur and would ask for a roll call and would speak briefly.

The SPEAKER: The gentleman may proceed.

Mr. COONEY: Mr. Speaker, Ladies and Gentlemen of the House: We have, as a legislature and as individuals in this legislature, gone through a long process of considering the abolition of the Executive Council. Perhaps it was the unusual chemistry of having a Democratic House and a Republican Senate and an Independent Governor that brought this legislature finally to report out to the people a bill to abolish that council. The people did what I think they said to us for many years they wanted to do, and that was to abolish the Executive Council, and so it came back to us to write the implementing legislation. That job fell, as it always has, to the Committee on State Government. I believe we have provided for a process that was responsible and responsive to all of us and to the public in trying to write a law that reflected the best judgments of us and the citizenry in the abolition of the council.

We have, I believe, extended every reasonable courtesy to the membership here, to the public, in arriving at the bill which is now before us. I think that enactment of this law is not only a prudent act for us to take this morning but it is a right act for us to take this morning.

The powers must be shared between the executive and the legislative branch with regard to appointments, with regard to other matters of state government. Without this bill, there will be no sharing of those powers, powers with regard to appointment in particular and some other powers will go strictly to the Governor. The power to appoint judges will lapse completely until this legislature acts with some sort of legislation.

So, I think that the time to recede and concur is upon us. We have extended every courtesy to everyone in this body who wanted to make amendments. We must pass this bill. I think the public expects us to pass this bill and I ask you now to recede and concur.

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 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 on L. D. 2197. Those in favor will vote yes; those opposed will vote no.

The Chair recognizes the gentlewoman from Bridgton, Mrs. Tarr.

Mrs. TARR: Mr. Speaker, I would like to pair my vote with Mr. DeVane of Ellsworth. If he were here, he would be voting no and I would be voting yes.

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

Mr. TALBOT: Mr. Speaker, I would like to pair with Mr. Mulkern of Portland. If he were here, he would be voting yes and I would be voting no.

ROLL CALL

YEA — Albert, Ault, Bachrach, Bagley, Bennett, Berry, G. W.; Berry, P. P.; Berube, Birt, Blodgett, Boudreau, Burns, Bustin, Byers, Carey, Carpenter, Carroll, Carter, Chonko, Churchill, Clark, Connors, Cooney, Cox, Curran, R.; Curtis, Dam, Davies, Doak, Dow, Drigotas, Durgin, Dyer, Farley, Farnham,

Faucher, Fenlason, Finemore, Flanagan, Garsoe, Gould, Gray, Greenlaw, Hall, Henderson, Hennessey, Hewes, Higgins, Hughes, Hunter, Hutchings, Immonen, Ingegneri, Jackson, Jacques, Jalbert, Jensen, Joyce, Kany, Kelley, Kennedy, Laffin, Lavery, LeBlanc, Leonard, Lewin, Lewis, Littlefield, Lizotte, Lunt, Lynch, MacEachern, Mackel, Mahany, Martin, A.; Maxwell, McBreairty, McKernan, McMahon, Mills, Miskavage, Mitchell, Morin, Morton, Nadeau, Najarian, Palmer, Peakes, Pearson, Pelosi, Perkins, S.; Perkins, T.; Peterson, P.; Peterson, T.; Pierce, Powell, Quinn, Raymond, Rideout, Rolde, Rollins, Saunders, Shute, Smith, Snowe, Spencer, Sprowl, Strout, Stubbs, Susl, Teague, Theriault, Tierney, Torrey, Tozier, Truman, Tyndale, Usher, Wagner, Walker, Wilfong, Winship, The Speaker.

NAY — Call, Connolly, Cote, Curran, P.; Dudley, Goodwin, H.; Goodwin, K.; Kelleher, LaPointe, Post.

ABSENT — Bowie, Fraser, Gauthier, Hinds, Hobbins, Kauffman, Lovell, MacLeod, Martin, R.; Norris, Silverman, Snow, Twichell, Webber.

PAIRED — DeVane, Mulkern, Talbot, Tarr. Yes, 123; No, 10; Absent, 14; Paired, 4.

The SPEAKER: One hundred and twenty-three having voted in the affirmative and ten in the negative with fourteen being absent and four paired, one hundred and twenty-three being more than two thirds of the members present and voting, this bill was passed to be enacted. Signed by the Speaker and sent to the Senate.

The following paper from the Senate appearing on Supplement No. 1 was taken up out of order by unanimous consent:

Non-Concurrent Matter

Bill "An Act to Correct Errors and Inconsistencies in the Laws of Maine" (S. P. 799) (L. D. 2345) which was Passed to be Engrossed as Amended by Senate Amendments "B" (S-548), "C" (S-552), "D" (S-553), "E" (S-554), "G" (S-557), "H" (S-558), "I" (S-559), "J" (S-560), "K" (S-561), "L" (S-562), "M" (S-566) and House Amendments "B" (H-1242), "C" (H-1243), "D" (H-1244), "E" (H-1248), "H" (H-1261), "I" (H-1262), "J" (H-1263), "K" (H-1264), "L" (H-1265), "M" (H-1266), "N" (H-1267), "O" (H-1272), "P" (H-1273), "Q" (H-1274) in the House on April 12, 1976.

Came from the Senate, Passed to be Engrossed as Amended by Senate Amendments "B", "C", "D", "E", "G", "H", "I", "J", "K", "L" and "M" and House Amendments "B", "C", "D", "E", "H", "I", "J", "K", "L", "M", "N", "O" and "Q" in non-concurrence.

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

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

Bill "An Act to Provide Necessary Corrections in the Education Laws" (H. P. 2341) (Presented by Mr. Lynch of Livermore Falls) (Approved for Introduction by a Majority of the Committee on Reference of Bills pursuant to Joint Order, S. P. 635, as amended)

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

Mr. LYNCH: Mr. Speaker, Ladies and Gentlemen of the House: So that you will know that there is nothing devious about what I am going to do, the bill that has just been read is nothing more than the amendment that was added to the Omnibus Bill last night. It died at the other end of the hall because of complete misunderstanding of what was involved.

Let me remind you of what House Amendment "P" did and which the bill will attempt to do if you wish to enact it. The Education Committee and the Education Laws Committee, unbeknownst to each other, drafted legislation in

Title 20, Section 225, Subsection 2, Paragraph G. Their versions of what ought to go into that paragraph were different. The other day, under the election laws, I offered an amendment which put the language into the election laws and it contained all of the language in the education law and all of the language in the election laws. Therefore, the first section of the bill will attempt to remove that section of the Education Law, L. D. 2056, Section 5A. It is a section dealing with the simultaneous meeting of a town meeting and a district meeting and that is all it is. It clarifies the confusion that existed between the education law and the election law.

The second part of the bill deals with the transportation section of L. D. 2056 under Section 25A, and as I told you yesterday, the State Police say that it cannot be enforced and there was confusion existing in both bodies. This morning, I had Colonel Nichols and Captain Jones sit down with the Senate Minority Leader, and he was told that if L. D. 2056 is not amended to remove that section of transportation law, it will be more detrimental to the municipal transit buses than under the old law. The second section of the bill will delete from L. D. 2056 and attempt to change the transportation law and put it back to where it was as an old law.

I think both are needed and I hope you will enact them.

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

Mr. HENDERSON: Mr. Speaker, I wonder if Mr. Lynch or anyone else can tell me if this bill could be used as a vehicle, to carry a phrase from Mr. Dam, to allow the intention of Mr. Faucher's amendment of several weeks ago concerning the people in the New Portland area and their desire to be able to reconsider votes on school bond issues. Is it possible that he might be able to include that so that this body could act one way or the other on that issue?

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 Livermore Falls, Mr. Lynch.

Mr. LYNCH: Mr. Speaker, Ladies and Gentlemen of the House: I don't think it is within my province to discuss whether any further legislation could be enacted under this bill. I think that is a leadership prerogative.

Thereupon, under suspension of the rules, the Bill was read twice, passed to be engrossed without reference to any committee and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

Orders

Mrs. Post of Owls Head presented the following Joint Resolution and moved its adoption (H. P. 2327)

Joint Resolution Concerning The Indiscriminate Closing of Rural Post Offices

WHEREAS, the Postal Service is presently considering closing many rural post offices across the country in the name of cost efficiency; and

WHEREAS, for a generation, Federal and State leaders have urged the dispersal of overcrowded population and commercial activities of urban to rural areas, while new policies of the postal service continue to concentrate employment and enterprise in urban centers; and

WHEREAS, the policy of pressing for closure of post offices upon the retirement of present postmasters, a policy which the Postal Service is now carrying out in Owls Head, indicates the Postal Service has not carefully evaluated the needs of its patrons and has not taken the trouble to plan to satisfy those needs; and

WHEREAS, much of the State of Maine is not

suiting for rural delivery and many Maine citizens, for varying reasons such as vandalism and prolonged absences, require alternatives to rural delivery; now, therefore, be it

RESOLVED: That we, the Members of the 107th Legislature in Special Session assembled, do hereby record our extreme dissatisfaction with the present policy of the United States Postal Service of closing as many rural post offices as possible; and be it further

RESOLVED: That we respectfully request the Members of the Maine delegation to the United States Congress to prevail upon the United States Postal Service to discontinue its policy of indiscriminate closing of rural post offices without careful consideration of each individual situation and in particular to suspend its proposed closure of the Owls Head Post Office pending a comprehensive review of the necessity of this closure; and be it further

RESOLVED: that duly attested copies of this Resolution be immediately transmitted to those congressional delegates with our thanks for their prompt attention to this important matter.

The Resolution was read and adopted and sent up for concurrence.

Mr. Peterson of Caribou presented the following Joint Order and moved its passage: (H. P. 2326) (Cosponsors: Mr. McBreaarty of Perham and Mr. Bennett of Caribou)

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of Mrs. Faris Corey of Caribou who created a likeness of The Signing of The Declaration of Independence in Tapestry In Commemoration of This Bicentennial Year

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.

Mr. Rolde of York presented the following Joint Order and moved its passage: (H. P. 2328)

WHEREAS, some existing local construction standards inhibit the use of the innovative building techniques and materials which could serve to produce more efficient, economical structures; and

WHEREAS, energy-saving and cost-saving techniques in building should be encouraged; now, therefore, be it

ORDERED, the Senate concurring, that the Joint Standing Committee on Energy shall study the use of innovative building technology and make recommendations to change local codes that inhibit innovative techniques in non-public buildings; and be it further

ORDERED, that the Committee shall complete this study no later than 90 days prior to the next regular session of the Legislature and submit to the Legislative Council within the same time period its findings and recommendations, including copies of any recommended legislation in final draft form; and be it further

ORDERED, that the Committee shall complete this study no later than 90 days prior to the next regular session of the Legislature and submit to the Legislative Council within the same time period its findings and recommendations, including copies of any recommended legislation in final draft form; and be it further

ORDERED, upon passage in concurrence, that a suitable copy of this Order shall be forwarded to members of the Committee.

The Order was read.

The **SPEAKER:** The Chair recognizes the gentleman from Cumberland, Mr. Garsoe.

Mr. **GARSOE:** Mr. Speaker, Ladies and Gentlemen of the House: I move the indefinite postponement of this order. I am following the advice

given to me a few days ago by the gentlelady from Portland who said that, we should carefully examine these and exercise our judgment on them. I saw this in here a couple of weeks ago as an order to establish a uniform statewide building code, which offends me greatly. I see this as being a backdoor approach to the same thing and starting out as recommending.

If there is one thing that has been studied to death, it is energy. There has been more energy expended studying energy than we will perhaps ever come to bear with any meaningful resolution to the problem, so I would like to start now the policy of getting rid of some of these orders.

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

Mr. **ROLDE:** Mr. Speaker, Ladies and Gentlemen of the House: It is true that the original order that I put in here a number of days ago at the request of the gentlelady from Portland, Mrs. Najarian, which I did not look at very closely when I originally agreed to put it in, it did refer to a statewide uniform building code, and I want to state here and now that I am very much opposed to a statewide uniform building code. That is why I changed this order completely, took out any reference to a uniform building code.

The only thing that I am concerned with is that there are local codes that do inhibit the use of innovative building techniques, whether they deal with energy or sometimes with just the matter of cost. Post and beam construction, for example, is one thing that is coming into fashion now as a new means of building. There are local codes that inhibit the use of this technique. So I feel that this is an area that could be studied.

I discussed this with the Chairman of the Energy Committee and he feels that it is a very good area for his committee to work on and I hope you will go against the gentleman's motion and pass the order.

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

Mr. **FARLEY:** Mr. Speaker, Ladies and Gentlemen of the House: I saw the original order also that Mr. Garsoe referred to and Mr. Rolde referred to in regards to a building code for the State of Maine.

Last Tuesday, I had the opportunity to talk to a gentleman from the Federal Energy Office in Boston, Mr. Robert Philpott. He was down here to meet with the Office of Energy Resources Director, Mrs. Abbie Paige. At the time, he gave me some information, dropped off a brochure for me that I am going to have circulated to the members of the Energy Committee on new federal legislation. Grants are available and money is available to implement some of the ideas in energy conservation methods in the state and it corresponds very closely with this order we have here.

So I would ask you to defeat the motion of indefinite postponement and pass the order along to the other body.

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

Mr. **PALMER:** Mr. Speaker, Ladies and Gentlemen of the House: I rise this morning to support the motion of indefinite postponement of this order. I would only point out to the House that the effect of this order, I believe what the effect of this order will be, that we will indeed, if we pass this, turn this over to the Energy Committee and will spend hundreds or perhaps thousands of dollars on the study and we have back here a question which we can very well discuss right now, which is eventually leading towards uniform building codes in this state.

I think we have our own feelings as to whether or not we should have uniform building codes throughout this state now without further study and without further cost to the state, and I hope we will indefinitely postpone the order.

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

Mr. **FARLEY:** Mr. Speaker, Ladies and Gentlemen of the House: The Energy Committee last year in its studies had a bill before us that dealt with the long-range problem of energy, and I think this order and the new federal legislation in regards to conservation of energy deals with new zoning ordinances, implementing new methods of alternate sources of energy, so it deals more than with just a building code, and I think the order is broad enough that we ought to deal with these problems.

As I said to the gentleman from Nobleboro, Mr. Palmer, this is a new committee, we are looking for a lot of information, the reason for some of the studies we had last year.

I agree that many of the problems that were before the committee, the orders were not acted upon properly. However, I do feel that the committee did get a lot of information in the field of energy as to what is going on and what is possible. I think it is important for the Energy Committee, members who are returning in the 108th, that some of this information can be brought forth to the floor of the House: I would ask you to defeat the motion to indefinitely postpone.

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

Mr. **JACKSON:** Mr. Speaker, Ladies and Gentlemen of the House: I believe that the Judiciary Committee or one of the other committees dealt with something rather like this in the regular session of this legislature. A member of the lobby presented this to the Energy Committee in this session and urged us to tie onto an existing study that we had at that point, which we turned down because it had already been studied and because we felt that it had been covered in the earlier part of the session.

I personally am on the Energy Committee. I feel that this should be covered but I don't think it should be covered this way. I think in the next legislature there will be an Energy Committee which can handle it, bills can be presented to handle it, and I hope you will support the indefinite postponement of this order.

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

Mr. **DAM:** Mr. Speaker, Ladies and Gentlemen of the House: I think it is quite evident to all the members here how in the regular session I fought the uniform building code that was trying to be imposed upon the people of this state.

And the other day, on the supplemental calendar on the green sheet, I saw this order, I was already prepared to get up and tear it apart and move for the indefinite postponement of the order but today, with the new revised order that Mr. Rolde has put in, I can see nothing wrong with this going to a study. In fact, I can see a great advantage, because there are different techniques in the construction trade. It may be that suggested legislation would come in and that the local communities that are not up on the subject matter of the innovative methods of construction might adopt some of these recommendations that the Energy Committee has. I am sure that in this area of high cost of fuel, not only if you burn oil but electricity, that anything that we can do in this legislature to open up these avenues of information to the people of this state, that is worthwhile, and I don't think even talking to a few thousand dollars, I don't think it would even be possible to figure into a percentage when you look at the construction trade across this state and what it could save the people.

If there is any fear of any uniform building code coming in tied to the coattails of this bill through legislation, then I am sure that the next session of the legislature, regardless of who is

here, knowing the feeling of the people of this state, could very well deal with the subject matter of uniform building codes and they could kill that part. But this order here, the energy part, should be studied.

I don't see how anyone could introduce legislation dealing with the subject of this energy unless they had a chance to study that, and I think the one committee that is capable of doing this is the newly created Committee on Energy, and I would hope today, for the sake of the people of the State of Maine, that this order would not be indefinitely postponed.

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

Mr. DAVIES: Mr. Speaker, Ladies and Gentlemen of the House: I rise to support the passage of this order today and let me point out one instance of where an order like this might bring about some changes in local laws which would be beneficial to the people of this state. I have considered for a long time building a house in Orono. The design that I would like to build would be a geodesic dome, a structure that has been proven time and time again to be a reasonable method of housing an individual. However, the Code Enforcement Officer in the Town of Orono would refuse to even look at proposals to build a house like this even though I can show him evidence that it would reduce my energy consumption by 33 percent. Hopefully, what the study will bring out would be the evidence necessary to convince local building inspectors that in fact a design a sound, is suitable and can save money for people who want to build it both in the construction and in the heating of it afterwards. I would urge you to support this order.

The SPEAKER: The Chair will order a vote. The pending question before the House is the motion of the gentleman from Cumberland, Mr. Garsoe, that this Order be indefinitely postponed. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

Mr. Rolde of York requested a roll call.

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. 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 Chair recognizes the gentleman from Cumberland, Mr. Garsoe.

Mr. GARSOE: Mr. Speaker, Ladies and Gentlemen of the House: The gentleman from Biddeford mentioned various forms of energy. What comes to my mind is the wind, the sun, and the tides, and I would just remind you that just as regularly as the wind, the sun and the tides, these study orders come flying out of here.

It was suggested the other day not to put them all to some overall review where they could have some type of budgetary control, we were urged to evaluate each one on its merit. I submit that this one has no merit and I hope you will make this vote stand up.

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

Mr. DUDLEY: Mr. Speaker, Ladies and Gentlemen of the House: I suggest that these people who want to work continually on these studies that we find some method to get them on unemployment, it would be cheaper.

The SPEAKER: A roll call has been ordered. The pending question before the House is on the motion of the gentleman from Cumberland, Mr. Garsoe, that this Order be indefinitely postponed. Those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Ault, Bagley, Berry, G. W., Berry, P. P.; Berube, Birt, Burns, Byers, Call,

Carey, Churchill, Conners, Cote, Doak, Dudley, Durgin, Dyer, Farnham, Fenlason, Finemore, Garsoe, Gould, Gray, Hall, Hewes, Higgins, Hunter, Hutchings, Immonen, Jackson, Laverty, Lewis, Littlefield, Lizotte, Lunt, Mackel, Mahany, McBreairty, McMahon, Miskavage, Morton, Norris, Palmer, Perkins, S.; Perkins, T.; Peterson, P.; Pierce, Raymond, Rollins, Shute, Snowe, Sprowl, Stubbs, Susi, Talbot, Tarr, Teague, Tozier, Twitchell, Tyndale, Walker.

NAY — Bachrach, Bennett, Blodgett, Boudreau, Carpenter, Carroll, Carter, Chonko, Clark, Connolly, Cooney, Cox, Curran, P.; Curran, R.; Curtis, Dam, Davies, Dow, Drigotas, Farley, Faucher, Flanagan, Fraser, Goodwin, H.; Goodwin, K.; Greenlaw, Henderson, Hennessey, Hughes, Ingegnieri, Jacques, Jalbot, Jensen, Joyce, Kany, Kelleher, Kennedy, Laffin, LaPointe, LeBlanc, Lynch, MacEachern, Martin, A.; Maxwell, Mills, Mitchell, Morin, Nadeau, Najarian, Peakes, Pearson, Pelosi, Peterson, T.; Post, Powell, Quinn, Rideout, Rolde, Saunders, Smith, Spencer, Theriault, Tierney, Torrey, Truman, Usner, Wagner, Wilfong, Winship, The Speaker.

ABSENT — Bowie, DeVane, Gauthier, Hinds, Hobbins, Kauffman, Kelley, Leonard, Lewin, Lovell, MacLeod, Martin, R.; McKernan, Mulken, Silverman, Snow, Strout, Webber.

Yes, 62; No, 71; Absent, 18.

The SPEAKER: Sixty-two having voted in the affirmative and seventy-one in the negative, with eighteen being absent, the motion does not prevail.

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

Mr. Dam of Skowhegan presented the following Joint Order and moved its passage (H. P. 2331)

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of Rachel Eads of Canaan A Student of Skowhegan Area High School One of Two Maine Contestants Chosen for the New England Cast at the New England Drama Festival at South Weymouth, Massachusetts

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 and passed and sent up for concurrence.

Mr. Dam of Skowhegan presented the following Joint Order and moved its passage (H. P. 2332)

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of Joel Richardson of Skowhegan Area High School One of Two Maine Contestants Chosen for the New England Cast at the New England Drama Festival at South Weymouth, Massachusetts

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 Skowhegan, Mr. Dam.

Mr. DAM: Mr. Speaker, Ladies and Gentlemen of the House: Last Friday, I had another Joint Order introduced for Skowhegan

Area High School commending the two co-directors for placing in the New England Regionals of the Drama Festival. Today, the two orders, one for a student from Canaan that attends Skowhegan Area High School and the other is for a boy that attends Skowhegan Area High School.

When these plays started, there were 60 high schools in the State of Maine that started off in the competition. When it finally ended up after ten months of competing, there were two schools chosen, one being the Skowhegan Area High School in Skowhegan and the other one in Presque Isle. After the plays were given in East Weymouth, Massachusetts, at the New England Regional finals, the only two students from the State of Maine who were selected to take part in the All-Maine cast were the two that I put the order in for today, Rachel Eads of Canaan and Joel Richardson of Skowhegan.

This is the eighth time that Skowhegan has been selected to go to the New England Regional and it is the fourteenth time in a row that Skowhegan made it to the state finals. The judges at that event in East Weymouth, they gave the play, The Romances, which was performed by the group from Skowhegan, a rating of "very good" and I think this speaks well for high schools from small communities whether they be SAD's or individual schools.

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

Mrs. Morin of Old Orchard Beach presented the following Joint Order and moved its passage: (H. P. 2333)

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of the Sandpiper Glee Club of Old Orchard Beach Under the Direction of Lawrence Collopy Rated Number One in State Solo and Ensemble Festival at the University of Maine at Orono

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 and passed and sent up for concurrence.

Mrs. Morin of Old Orchard Beach was granted unanimous consent to address the House.

Mrs. MORIN: Mr. Speaker and Members of the House: The Sandpiper Glee Club of Old Orchard Beach has a regular membership of 50 students from the 4th and 5th grades. Twenty of these children were chosen to represent their school at the regional competition of State Solo and Ensemble Festival at the University of Maine Orono. They came up with a number one rating in both the regional and state competition. They were the youngest group in the regional trials and part of the reason for their doing so well was due to the difficulty of one of the members and the enthusiasm with which they performed.

Dennis Coffee, who competed as a soloist pianist, was also awarded a number one rating for his performance at the same festival.

Mrs. Morin of Old Orchard Beach presented the following Joint Order and moved its passage: (H. P. 2334)

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of Dennis Coffee of Old Orchard Beach Rated Number One in the Piano Solo Competition in the State Solo and Ensemble Festival at the University of Maine at Orono

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 and passed and sent up for concurrence.

Mr. Hennessey of West Bath presented the following Joint Order and moved its passage: (H. P. 2335)

WHEREAS, the State Personnel system has been the object of intense legislative and public scrutiny; and

WHEREAS, there have recently been numerous proposals for reform of that system; and

WHEREAS, there is some question as to the ability of the present Personnel Board to adequately serve all of the departments and agencies of State Government; now, therefore, be it ORDERED, the Senate concurring, that a Special Select Committee, 3 appointed by the President of the Senate and 7 appointed by the Speaker of the House of Representatives shall undertake a study of the feasibility and desirability of abolishing the present State Personnel Board and Personnel System and of authorizing each department and agency of State Government to establish, under general state guidelines, its own personnel system and pay scale; and be it further

ORDERED, that the committee shall complete this study no later than 90 days before the commencement of the next regular Session of the Legislature and shall submit to the Legislative Council within that time period the report of its study, together with complete and final copies of any recommended legislation; and be it further

ORDERED, that upon passage of this Order in concurrence, the Clerk of the House shall forward a suitable copy of this Order to the Senate and House chairmen of the committee. The Order was read.

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

Mr. PALMER: Mr. Speaker, Ladies and Gentlemen of the House: I will try once again on an order this morning. I move the indefinite postponement of this order and would speak very briefly to it.

The SPEAKER: The gentleman from Nobleboro, Mr. Palmer, moves that this Joint Order be indefinitely postponed.

The gentleman may proceed.

Mr. PALMER: Mr. Speaker and Members of the House: We are talking here again of passage of orders which between now and next January will be costing the taxpayers of the state substantial amounts of money.

We have discussed this before. I think we need to scrutinize these very carefully. If you read this order, I think you would have to come to the conclusion that if we should follow the dictates of the order after a study has been made, if we think our personnel system is in trouble today, it certainly would be in far greater trouble after this study has been made.

I can't imagine a situation in which we would be opting for having each agency in this state government making out its own personnel laws and setting its own rates and classifications. I think it is a good way to save money for the state at the present time by defeating this order.

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

Mr. HENNESSEY: Mr. Speaker and Members of the House: I think those of us who have had problems in the personnel area, and that is trying to keep help in our institutions and

having some of these jobs go down the drain simply because those people in that department did not know the full score. I think, on the other hand, we can save money by having people who know what is going on really recommend jobs that should take place in this department. I hope that this order will receive passage.

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

Mr. MILLS: Mr. Speaker, Ladies and Gentlemen of the House: I am in favor of this order. The last four to five years, we have had a lot of problems down in that area, and I really believe there should be a very close scrutiny made of that department.

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

Mr. FARNHAM: Mr. Speaker, Ladies and Gentlemen of the House: Though I am not wholly opposed to this order, I would like to remind this group that in the State Government Committee this has been one of our perennial problems. One of the big problems now is that we have not had a personnel manager since last July, and I have not been very successful in the last few weeks trying to get a bill through here that would let them appoint a personnel manager at this time.

I would also say that to me it is rather ridiculous to have a personnel manager in each of the state departments. Most of the major departments do have a man who is assigned personnel functions, but to have any consistency in the personnel function for the whole State of Maine, there must be one man on top and all the other so-called personnel men throughout the departments must follow the policies established by this person.

The committee that is appointed would have to start from scratch. We in personnel have had this over and over and over again. There are problems there, we admit it. We have done our best to correct them but they don't get the money that they should have from the Appropriations Committee. I personally had bills in to increase their staff and they die on the Appropriation Table. I think, in a sense, it is a waste of effort to appoint a completely green committee and then not have a personnel manager on hand to work with, and I hope the order will be indefinitely postponed.

The SPEAKER: The pending question is on the motion of the gentleman from Nobleboro, Mr. Palmer, that this Order be indefinitely postponed. All those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

Whereupon, Mr. Hennessey of West Bath 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 Nobleboro, Mr. Palmer, that this Joint Order be indefinitely postponed. All those in favor will vote yes; those opposed will vote no.

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

Mr. PEAKES: Mr. Speaker, if Mr. DeVane were here, he would be voting in favor and I would be opposed to indefinite postponement.

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

YEA — Ault, Bagley, Bennett, Berry, G. W.; Berry, P. P.; Berube, Birt, Byers, Call, Carey,

Carpenter, Churchill, Conners, Cooney, Cote, Curtis, Dam, Doak, Durgin, Dyer, Farnham, Finemore, Garsoe, Gauthier, Gould, Greenlaw, Hall, Hewes, Higgins, Hunter, Hutchings, Immonen, Jackson, Joyce, Kennedy, Lavery, Lewis, Littlefield, Lizotte, Lunt, Lynch, Mackel, Mahany, McBreairty, McKernan, McMahon, Miskavage, Morton, Norris, Palmer, Pearson, Pelosi, Perkins, S.; Perkins, T.; Peterson, P.; Pierce, Raymond, Rollins, Saunders, Shute, Smith, Snowe, Spencer, Sprowl, Strout, Stubbs, Susi, Talbot, Tarr, Teague, Theriault, Torrey, Tozier, Truman, Twitchell, Tyndale, Walker, Wilfong.

NAY — Albert, Bachrach, Boudreau, Burns, Bustin, Carroll, Carter, Chonko, Clark, Connolly, Cox, Curran, P.; Davies, Dow, Drigotas, Faucher, Fenlason, Flanagan, Fraser, Goodwin, H.; Goodwin, K.; Gray, Henderson, Hennessey, Hughes, Ingegneri, Jalbert, Jensen, Kany, Kelleher, Laffin, LaPointe, LeBlanc, MacEachern, Martin, A.; Maxwell, Mills, Mitchell, Morin, Nadeau, Najarian, Post, Powell, Quinn, Rideout, Rolde, Tierney, Usher, Wagner, Winship.

ABSENT — Blodgett, Bowie, Curran, R.; Dudley, Farley, Hinds, Hobbs, Jacques, Kaufman, Kelley, Leonard, Lewin, Lovell, MacLeod, Martin, R.; Mulkern, Peterson, T.; Silverman, Snow, Webber.

Yes, 78; No, 50; Absent, 20; Paired, 2.

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

Mr. Jalbert of Lewiston presented the following Joint Resolution and moved its adoption: (H. P. 2336)

Joint Resolution Honoring Mrs. Helen B. Longley

WHEREAS, the Government of the State of Maine is confronted with serious fiscal problems; and

WHEREAS, the Governor and the 107th Legislature have encouraged and urged all Departments of State Government to economize and eliminate all unnecessary expenses; and

WHEREAS, it has recently come to the attention of the 107th Legislature that the First Lady of Maine, the gracious Mrs. Helen B. Longley has reduced the cost of operating the Blaine Mansion by \$73,591; and

WHEREAS, this saving is an example to all of the departments; and

WHEREAS, the Legislature desires to congratulate Mrs. Longley for her efforts and to bring proper public attention to her successes; now, therefore, be it

RESOLVED: That We, the Members of the Senate and House of Representatives, do hereby extend our congratulations and acknowledgement to the First Lady of the State, Mrs. Helen B. Longley; and be it further

RESOLVED: 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 Resolution was read.

The SPEAKER: The Chair recognizes the gentleman from Wayne, Mr. Ault.

Mr. AULT: Mr. Speaker, Ladies and Gentlemen of the House: I, too, commend Mrs. Longley in her efforts in saving some taxpayers' money and I commend and support the Governor in any legitimate effort he has made to save the taxpayers some money, but before I want to go on record as congratulating Mrs. Longley for saving this money in the use of the Blaine House, I would like to know, since this building is public, belongs to the people of the State of Maine, it has long been a tourist attraction both for out-of-staters as well as for people

in this area and throughout the state, I would like to know how available it now is to the people of the State of Maine. Is it still open as it used to be for tours and is it as readily available as it was?

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

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

Mr. JALBERT: Mr. Speaker and Members of the House: I have not been in the Blaine Mansion since the present Governor and first lady have been in there. As a matter of fact, I very rarely have gone in even when the previous Governor was there. Whenever I was in, I was always welcomed. The idea of this order has nothing to do with that. I am presenting the order to just make a young lady that I have known all of my life feel good. She is a gracious lady, an excellent person, a fine mother, a good wife, and that is the idea of the order, nothing else behind it, believe me.

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

Mrs. Lewis of Auburn presented the following Joint Order and moved its passage: (H. P. 2337) (Cosponsors: Mrs. Snowe of Auburn, Mr. Drigotas of Auburn, Mr. Hughes of Auburn)

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of Scott Folsom of Edward Little High School Maine Winner of the "My America Contest" a Bicentennial Project of the Maine Teachers Association and the National Education Association

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 Auburn, Mrs. Lewis.

Mrs. LEWIS: Mr. Speaker, Ladies and Gentlemen of the House: Scott Folsom is a senior at Edward Little High School and he is the Maine winner of the My America Contest, a bicentennial project of the Maine Teachers Association and the National Education Association.

His entry is his tape-recorded performance with voice and guitar of an original composition, "My America, Yesterday, Today, and Tomorrow." It will be entered by the Maine Teachers Association in the national competition, results to be announced by the National Education Association on July 4 at Independence Hall in Philadelphia.

He began to play the guitar when he was 14 and hasn't put it down since. He has written a number of songs and performed at restaurants in Boothbay, Sebago Lake and the Lewiston-Auburn area. He sings and composes in the folk music style.

The stereo recording of his song was made at the West Auburn studio of Thomas Rowe, who is a musician and performer as well as sound technician.

Scott Folsom and his parents will receive a one-week trip throughout Pennsylvania during the July 4 week and will be accompanied by Allen Harvie, an Edward Little teacher, who sponsored Folsom in the contest.

Approximately 250 students across the state entered the My America contest and Scott Folsom was selected from among 16 finalists.

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

On Motion of Mr. Albert of Limestone, it was ORDERED, that Leon Bowie of Gardiner be excused April 12th and 13th for health reasons.

The following papers appearing on Supplement No. 2 were taken up out of order by unanimous consent:

Passed to Be Enacted Emergency Measure

An Act to Clarify the Election Laws (H. P. 2293) (L. D. 2344) (H. "A" 1230; H. "D" 1270)

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. 110 voted in favor of same and 4 against, and accordingly the Bill was passed to be enacted, signed by the Speaker, and sent to the Senate.

Emergency Measure

An Act to Amend the Authorization for York County to Construct a County Jail and to Increase the Bond Authorization by \$100,000 (H. P. 2325) (L. D. 2350)

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

Mr. Talbot of Portland requested a roll call vote.

The SPEAKER: The Chair recognizes the gentleman from Madison, Mrs. Berry.

Mrs. BERRY: Mr. Speaker, I wonder if I could ask a question through the Chair to somebody who could tell me. Does this bill require a referendum for the people in York County?

The SPEAKER: The gentleman from Madison, Mrs. Berry, has posed a question through the Chair to anyone who may care to answer.

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

Mr. GOODWIN: Mr. Speaker, Men and Women of the House: Yes, it does. The problem that has developed is that in the 106th we passed out a bill to set up a referendum and it was passed to the voters of York County to raise \$800,000 to build a jail. The wording, however, on that required that the jail be built adjacent to the existing jail. Since that time, we have had some problems in terms of the bids and the costs and the federal money that was available, and we also have some problems now, some problems have come up in terms of the land that is adjacent to the jail is unsuitable for building a new jail, it is very swampy and would require a lot of drainage and there is no sewer system and all kinds of problems are existing.

We do have some land about a half a mile away on Route 4 that I guess has already been bought or something or they already have an option on it. The problem is, though, we need an extra \$900,000 to build a jail and we need the authority to build it so it doesn't have to be adjacent to the existing jail, so this is what this bill does, it will send it out for another referendum so that that can be changed and approved by the voters of York County.

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. 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.

ROLL CALL

YEA — Albert, Ault, Bachrach, Bagley, Bennett, Berry, G. W.; Berry, P. P.; Berube, Birt, Blodgett, Boudreau, Burns, Bustin, Byers, Carpenter, Carroll, Carter, Churchill, Clark, Connors, Cooney, Cox, Curran, P.; Curran, R.; Curtis, Dam, Davies, Doak, Dow, Drigotas, Durgin, Dyer, Farnham, Faucher, Fenlason, Finemore, Flanagan, Fraser, Garsoe, Goodwin, H.; Goodwin, K.; Gould, Gray, Greenlaw, Hall, Henderson, Hennessey, Hewes, Higgins, Hughes, Hunter, Hutchings, Immonen, Ingegneri, Jackson, Jalbert, Jensen, Joyce, Kany, Kennedy, Laffin, LaPointe, Laverty, LeBlanc, Lewis, Littlefield, Lunt, Lynch, MacEachern, Mackel, Mahany, Martin, A.; Maxwell, McBrearty, McKernan, Mills, Miskavage, Mitchell, Morin, Morton, Nadeau, Najarian, Norris, Palmer, Peakes, Pearson, Pelosi, Perkins, T.; Peterson, P.; Peterson, T.; Pierce, Post, Powell, Quinn, Raymond, Rideout, Rollins, Saunders, Shute, Smith, Snowe, Sprowl, Strout, Stubbs, Susi, Tarr, Teague, Theriault, Torrey, Tozier, Truman, Twitchell, Tyndale, Usher, Wagner, Walker, Wilfong, Winship, The Speaker.

NAY — Call, Connolly, Cote, Kelleher, Talbot.

ABSENT — Bowie, Carey, Chonko, DeVane, Dudley, Farley, Gauthier, Hinds, Hobbs, Jacques, Kauffman, Kelley, Leonard, Lewin, Lizotte, Lovell, MacLeod, Martin, R.; McMahon, Mulkern, Perkins, S.; Rolde, Silverman, Snow, Spencer, Tierney, Webber.

Yes, 119; No, 5; Absent, 27.

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

Signed by the Speaker and sent to the Senate.

Passed to Be Enacted

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) (Conf. C. "A" S-563; H. "B" H-1213)

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

An Act to Clarify the Fish and Game Laws (H. P. 1933) (L. D. 2121) (Conf. C. "A" H-1269)

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

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

Mr. STROUT: Mr. Speaker, I would like to ask a question. I am wondering if this bill shouldn't have an emergency preamble on it? The reason is, it is my understanding that the law that was passed last year, as of July 1, the snowmobile registration in the State of Maine is going to be \$12.50, and I wonder if maybe we shouldn't have an emergency preamble on it?

The SPEAKER: The Chair would state that I am sure that no one will register if they know it is going down one week later.

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

An Act to Permit Local Plumbing Inspectors to Approve Repairs to Existing Septic Systems (H. P. 2206) (L. D. 2306) (S. "A" S-551)

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

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: I have an uneasy feeling about this particular bill, because I am not sure that the local plumbing inspectors are capable enough to understand soil tests and what goes with it as far as these septic tanks are concerned.

I respectfully request that the vote be taken by the yeas and nays. I just don't feel comfortable about it and I don't want to vote for the bill.

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

Mr. HALL: Mr. Speaker and Members of the House: I don't know how the plumbing inspectors are in Bangor, but I feel very sure that in our area they do know.

The SPEAKER: The Chair recognizes the gentleman from Waldoboro, Mr. Blodgett.

Mr. BLODGETT: Mr. Speaker, Ladies and Gentlemen of the House: I think that we ought to understand this bill. It really has nothing to do with any new septic systems, we are just allowing the local plumbing inspector to grant repairs to existing systems. This would be done by local option granted by the municipal officials to allow this to be done without having a soils test done by existing systems. It has absolutely nothing to do with the new construction.

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

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: Practically every town with the exception of one that is in my district has septic tanks. There is no sewerage system in any. We found last year and the year before that by calling in one of these men who are appointed by LURC, they come in and stay a half hour and the fee runs anywhere from \$40 to as high as \$150. If you bring in a state man, it is \$100 plus expenses, and I think this is a little too much.

I know in Bangor this wouldn't interest them too much because they have no existing septic tank systems and I wish we didn't in our town, but we have very good inspectors in many of our towns who are capable of going around and doing this and they will spend much more time there for \$20 than the one the state sends in for \$100. I hope this morning you will go along in passing this bill.

It is about the only time I have put opposition to the gentleman from Bangor, Mr. Kelleher. We have stuck together pretty well, but this is one time I have to pull away from him.

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

Mr. DAM: Mr. Speaker, I would request to be excused from voting on this.

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 those in favor of this Bill being passed to be enacted 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, Call, Carpenter, Carroll, Carter, Chonko, Churchill, Clark, Conners, Cooney, Cote, Cox, Curran, P.; Curran, R.; Curtis, Davies, Doak, Dow, Drigotas, Durgin, Dyer, Farnham, Faucher, Fenlason, Finemore, Flanagan, Fraser, Garsoe, Gauthier, Goodwin, H.; Goodwin, K.; Gould, Gray, Greenlaw, Hall, Henderson, Hennessey, Hewes, Higgins, Hughes, Hunter, Hutchings, Immonen, Ingegneri, Jackson, Jalbert, Jensen, Joyce, Kany, Kennedy, Laffin, Laverty, LeBlanc, Leonard, Lewis, Littlefield, Lizotte, Lunt, Lynch, MacEachern, Mackel, Mahany, Martin, A.; Maxwell, McBrearty, Mills, Mitchell, Morin, Morton, Nadeau, Norris, Palmer, Peakes, Pelosi, Perkins, T.;

Peterson, T.; Pierce, Post, Powell, Quinn, Raymond, Rollins, Saunders, Shute, Smith, Snowe, Sprowl, Strout, Stubbs, Susi, Talbot, Tarr, Teague, Theriault, Tierney, Torrey, Tozier, Truman, Twitchell, Usher, Wagner, Walker, Wilfong, Winship, The Speaker.

NAY — Ault, Kelleher, LaPointe, McMahon, Miskavage, Pearson, Tyndale.

ABSENT — Bowie, Carey, Connolly, DeVane, Dudley, Farley, Hinds, Hobbins, Jacques, Kaufman, Kelley, Lewin, Lovell, MacLeod, Martin, R.; McKernan, Mulhern, Najarian, Perkins, S.; Peterson, P.; Rideout, Rolde, Silverman, Snow, Spencer, Webber.

EXCUSED — Dam.

Yes, 117; No, 7; Absent, 26; Excused, 1.

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

Signed by the Speaker and sent to the Senate.

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

Non-Concurrent Matter

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) on which the Minority "Ought to Pass" Report of the Committee on Appropriations and Financial Affairs was Read and Accepted and Under Suspension of the Rules the Bill read twice and Passed to be Engrossed in the House on April 7, 1976.

Came from the Senate with the Majority "Ought Not to Pass" Report of the Committee on Appropriations and Financial Affairs Read and Accepted in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Portland, Mrs. Boudreau. Mrs. BOUDREAU: Mr. Speaker, Men and Women of the House: I won't try to hold this up any longer because I don't think the prospects are very good in the other body, but I am hoping that in a future session maybe we will have more bodies in the other body who believe that people growth is as important as tree growth, and maybe we can get this type of legislation passed.

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

On request of Mr. Rolde of York, by unanimous consent, unless previous notice was given to the Clerk of the House by some member 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.

(Off Record Remarks)

On motion of Mr. Tyndale of Kennebunkport, Recessed until three-thirty in the afternoon.

After Recess

3:30 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:

An Act Clarifying the Use of the Mental Health Improvement Fund (Emergency) (H. P. 2068) (L. D. 2238) (C "A" H-1024) (H "A" H-1142 to C "A")

Tabled — April 12 by Mr. Rolde of York. Pending — Reconsideration (Returned by the Governor without his approval.)

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

Mrs. LEWIS: Mr. Speaker, Ladies and Gentlemen of the House: I have a letter from the Governor and I would like to read it to you. It is written to me and a member of the other body.

"Dear Joyce and Dick: Prior to submitting my veto message on H. P. 2068, L. D. 2238, "An Act to clarify the Use of the Mental Health Improvement Fund," I was assured by legal counsel that current law allowed the fund to be used to improve the facility at Pineland. However, after my veto message was written and transmitted to the Legislature, the Attorney General issued a ruling to the effect that the fund could not be used for upgrading care and treatment at Pineland without legislative approval. Although I am in complete disagreement with the opinions rendered by the Attorney General, I cannot take a chance of jeopardizing the use of the fund to improve the facility at Pineland and to allow this State to meet its commitment to its mentally retarded citizens.

"While I plan to pursue the issues raised in the Attorney General's opinions in the courts, I do not want to in any way jeopardize the use of the fund. I, therefore, ask the two of you, because of the interest you have shown in this matter, to encourage your colleagues in the House and Senate to override my veto even though I firmly believe the legislation infringes on executive responsibilities. Thank you very much. JAMES B. LONGLEY, Governor."

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: I am sure that we all enjoy correspondence from our pen pal on the second floor, and I am not standing up here to raise any comments for laughter. I should think if the Governor could send a veto message to this body and to the other body directed to each and every one of us, he could at least have the courtesy to send us a letter stating what his position is now and not sending it to independent members of this particular body or to the other branch.

I think the Governor is capable enough to address us when he wants to send us a veto message and he should at least have the courtesy to send to each and every one of us a letter of why he happens to want us to now override his veto.

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

Mr. PEARSON: Mr. Speaker, Ladies and Gentlemen of the House: Mrs. Joyce's letter raises a lot of curiosity in my mind. I wonder if the Governor is trying to use reverse psychology on us?

The SPEAKER: The pending question is, shall An Act Clarifying the Use of the Mental Health Improvement Fund, House Paper 2068, L. D. 2238, become law notwithstanding the objections of the Governor? Pursuant to the provisions of the Constitution, the yeas and nays are ordered. If you are in favor of this Bill becoming law notwithstanding the objections of the Governor, you will vote yes; if you are opposed, you will vote no.

ROLL CALL

YEA — Albert, Bachrach, Bagley, Bennett, Berry, G. W.; Berry, P. P.; Berube, Birt, Blodgett, Boudreau, Burns, Bustin, Byers, Call, Carey, Carroll, Carter, Chonko, Churchill, Clark, Cooney, Cote, Cox, Curran, P.; Davies, Dow, Drigotas, Durgin, Dyer, Farnham, Faucher, Fenlason, Flanagan, Fraser, Garsoe, Goodwin, H.; Goodwin, K.; Gould, Gray, Greenlaw, Hall, Henderson, Hennessey, Higgins, Hinds, Hughes, Hunter, Ingegneri, Jackson, Jalbert, Jensen, Joyce, Kany, Kelley,

Kennedy, Laffin, LaPointe, Laverty, LeBlanc, Leonard, Lewin, Lewis, Littlefield, Lizotte, Lunt, Lynch, MacEachern, Mahany, Martin, A.; Maxwell, McBrearty, McMahon, Mills, Mitchell, Morin, Morton, Nadeau, Najarian, Norris, Palmer, Peakes, Pearson, Pelosi, Perkins, T.; Peterson, P.; Peterson, T.; Pierce, Post, Quinn, Raymond, Rideout, Rolde, Saunders, Smith, Snowe, Spencer, Sprowl, Stubbs, Susi, Talbot, Tarr, Teague, Theriault, Tierney, Torrey, Tyndale, Usher, Wagner, Wilfong, The Speaker.

NAY — Conners, Doak, Finemore, Kelleher, Tozier.

ABSENT — Ault, Bowie, Carpenter, Connolly, Curran, R.; Curtis, Dam, DeVane, Dudley, Farley, Gauthier, Hewes, Hobbins, Hutchings, Immonen, Jacques, Kauffman, Lovell, Mackel, MacLeod, Martin, R.; McKernan, Miskavage, Mulkern, Perkins, S.; Powell, Rollins, Shute, Silverman, Snow, Strout, Truman, Twitchell, Walker, Webber.

Yes, 111; No, 5; Absent, 35.

The SPEAKER: One hundred and eleven having voted in the affirmative and five in the negative, with thirty-five being absent, the veto is not sustained.

Sent to the Senate.

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

Joint Order Relative to Abolishing the present State Personnel Board and Personnel System (H. P. 2323)

Tabled — April 12 by Mr. Hennessey of West Bath

Pending — passage

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

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

An Act Relating to the Suppression of the Spruce Budworm Epidemic (Emergency) (H. P. 2310) (L. D. 2348) (H "A" H-1251)

Tabled — April 12 by Mr. Smith of Dover-Foxcroft

Pending — Passage to be enacted.

On motion of Mr. Smith of Dover-Foxcroft, tabled pending passage to be enacted and later today assigned.

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

Resolve, Authorizing the Bureau of Public Improvements to Convey the Interest of the State in a Certain Parcel of Land and Buildings Thereon Situated in Orono (H. P. 2342) (Presented by Mr. Mills of Eastport) (Approved for Introduction by a Majority of the Committee on Reference of Bills pursuant to Joint Order, S. P. 635, as amended)

Under suspension of the rules, the Resolve was read twice without reference to any committee.

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

Mr. DAM: Mr. Speaker, could anybody tell us what is going on and what we are giving away and just what is happening here?

The SPEAKER: The gentleman from Skowhegan, Mr. Dam, has posed a question through the Chair to anyone who may respond if they so desire.

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

Mr. MILLS: Mr. Speaker, Ladies and Gentlemen of the House: As you know, I had House Amendment "A" yesterday on the Errors and Inconsistencies Bill which was killed in the Senate. The reason for the killing up in the Senate was, there was the wrong title on who should be doing what and this Resolve simply corrects that error that was in the other bill.

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

Mr. PEARSON: Mr. Speaker, Ladies and Gentlemen of the House: I would like to direct a question to Mr. Mills of Eastport if I may. As I understand it, this is to relocate the State Police Barracks in Orono, to put it in Bangor and put the barracks in Orono up for bid, is that correct?

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

The Chair recognizes that gentleman.

Mr. MILLS: Mr. Speaker, Ladies and Gentlemen of the House: What is going on is the fact that the Orono Barracks is getting too small for the people that are there. There is a building available on the Bangor campus, called Bangor Hall. They are in the process of moving down there by transferring themselves down, and this thing here on the Orono barracks will be taken up by the Bureau of Public Improvements and they will get the facts together and what disposition could be made to that property.

The fact that they are moving down nearer to the airport is what these International Airlines are in favor of. I also understand that the Bangor Police are in favor of this. The selling of the barracks will place a piece of property from the state back onto the tax list in the Town of Orono, and this is a matter that will be taken to the 108th legislature before any decision is made.

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

Mr. MACEACHERN: Mr. Speaker, Ladies and Gentlemen of the House: I would like to enlarge a little bit on what the gentleman from Eastport, Mr. Mills, has said. When I first saw this Order yesterday, I was quite up tight, because I am a former member of Troop E in Orono and I was wondering if they had taken leave of their senses when they decided to sell that barracks up there; so I got hold of Colonel Nichols and got some background on it.

Briefly, what the background is, there is a building available at the old Dow Air Force Base in Bangor, which is very much suited for a State Police barracks. I was a member of the Troop in Orono when that barracks was dedicated back in 1950. At that time, we had something like 17 troopers working out of the barracks. Since then, with the construction of Interstate 95, we have another troop, which is Troop I, the Interstate Patrol, working out of the same barracks, plus a detective unit, and it has simply become too small for the number of units working out of there. They have a 2-bay garage to service the vehicles in and since 1950, as we all know, vehicles have grown larger and longer and more bulky and there is just about room to close the garage doors up there when they get a vehicle in.

So it makes quite a lot of sense to move from Orono to the bigger facility in Bangor, which has several office rooms, it can be renovated so they will have a 3-bay garage that is longer and will accommodate more vehicles and larger vehicles and at no cost to the state, because this is a federal building and the state can acquire it indefinitely for nothing and all they have to do is renovate it to suit their needs, move their equipment from the Orono Barracks down there and the Orono Barracks, as it is now, is a good building and can be sold for a good price, which would more than pay for the renovations that will have to be made to the building at the base. This is going to be done, in fact, by the State Police Department, whether or not we authorize the sale of the Orono Barracks. The only thing is, if the Orono Barracks sits there for a few years unoccupied, it is going to be a

shambles and now it is worth quite a lot of money. I think it would be the best thing for the State of Maine if they make that transfer.

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

Mr. MCKERNAN: Mr. Speaker, Ladies and Gentlemen of the House: I have no objection to this particular bill but there have been some rumors around the City of Bangor that perhaps one of the buildings that the State Police are going to be looking at is one which is now occupied by the Bangor Community College and I want to make sure on the record that our allowing them to sell the barracks in the Town of Orono in no way implies from us any feelings that the Bangor Community College should be, in fact, shut down.

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

Mr. MACEACHERN: Mr. Speaker, Ladies and Gentlemen of the House: I can answer that question. There is a building immediately to the rear of the one that the State Police would like to acquire to which the facilities at the college at the old air base can be moved and probably will be moved that will suit their purposes completely and it will in no way jeopardize the community college.

Thereupon, under suspension of the rules, the Resolve was passed to be engrossed and sent up for concurrence.

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

Non-Concurrent Matter

Bill "An Act to Revise and Reallocate Appropriations from the General Fund for the Expenditures of State Government for the Fiscal Years Ending June 30, 1976 and June 30, 1977 and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government" (S. P. 700) (L. D. 2225) on which Report "A" of the Committee on Appropriations and Financial Affairs "Ought to Pass" in New Draft (S. P. 790) (L. D. 2341) was Read and Accepted and the New Draft Passed to be Engrossed in the House on April 6, 1976.

Came from the Senate with Report "B" of the same Committee "Ought to Pass" in New Draft (S. P. 791) (L. D. 2342) Read and Accepted and the New Draft Passed to be Engrossed as Amended by Senate Amendments "H" (S-569) and "I" (S-570) in non-concurrence.

In the House:

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

Mr. SMITH: Mr. Speaker, I move that we adhere.

On motion of Mr. Rolde of York, tabled pending the motion of Mr. Smith of Dover-Foxcroft to adhere and tomorrow assigned.

The Chair laid before the House the following matter:

An Act Relating to the Suppression of the Spruce Budworm Epidemic, (H. P. 2310) (L. D. 2348) which was tabled earlier in the day and later today assigned, pending passage to be enacted.

On motion of Mr. Smith of Dover-Foxcroft, under suspension of the rules, the House reconsidered its action whereby this Bill was passed to be engrossed.

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

House Amendment "B" (H-1276) was read by the Clerk and adopted.

Mr. Wagner of Orono offered House Amendment "C" and moved its adoption.

House Amendment "C" (H-1277) was read by the Clerk.

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

Mr. SMITH: Mr. Speaker, I would ask the

gentleman from Orono to please explain the amendment?

The SPEAKER: The gentleman from Dover-Foxcroft, Mr. Smith, has posed a question through the Chair to the gentleman from Orono, Mr. Wagner, who may respond if he so desires. The Chair recognizes that gentleman.

Mr. WAGNER: Mr. Speaker, Ladies and Gentlemen of the House: This is a very simple amendment which applies to Page 13 of the L. D. and it deals with the committee on Spruce-Fir-Silviculture, which is a committee created of five members, three of whom shall be foresters and who, under the original bill, are provided \$50 per diem plus actual expenses. My amendment simply strikes the \$50 per diem, the rationale for that being that in most cases it will be foresters employed by the Great Northern Paper Company, a large industry, people who are most concerned with the Spruce-Fir epidemic, people from UMO Forestry School, that sort of thing, who are already on a salary and are having their expenses paid and I would think that was sufficient and that they would be glad to perform this service for this committee at no per diem expense. I present this as an economy measure. I feel that \$50 times 5, or \$250 per day, would better be used for spray purposes, for research, than for paying per diem from the Spruce Budworm Suppression Fund.

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

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: I would like to thank the gentleman from Orono for his explanation. It seems to me that the impact of the gentleman's amendment would be to insure that the only people to serve on this board would be those who are on salary from a large paper company, and I am not sure that this is desirable and I am certain that it is not the intent of the committee. So it is with regret that I am going to ask the House and I hereby move that this amendment be indefinitely postponed.

The SPEAKER: The Chair will order a vote. The pending question before the House is on the motion of Mr. Smith of Dover-Foxcroft that House Amendment "C" be indefinitely postponed. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

Mr. Wagner of Orono requested a roll call.

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. 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 Chair recognizes the gentleman from Cumberland, Mr. Garsoe.

Mr. GARSOE: Mr. Speaker, Ladies and Gentlemen of the House: I am not sure that this would be a fatal blow to this bill but one of the concerns we had when this amendment first came in was that there was a feeling that it was an intrusion on the part of the state into the private sector of forestry. We were successful in getting the amendment redone to the point where we don't believe there is any type of forest practices left in the bill, and I think if we are going to have a free standing committee, hopefully far apart from state government, because this committee will in effect be advising state government, I would hope that we would not consider that the saving of \$3,000, \$4,000 or \$5,000 in a program of this magnitude would be something that we would want to take a chance on because it has to have an impact on who can serve on this committee. I hope it would not be limited to those who could afford to serve at no per diem. I think this would rule out a great many people who have an input of the type that this program is going to need.

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

Mr. WAGNER: Mr. Speaker, Ladies and Gentlemen of the House: I am a little surprised at the comment of the previous speaker that this would in fact limit this to the professional people. I think that anyone in the industry, whether he be with one of the large companies or a small landholder who is sincerely concerned and threatened with this epidemic would not feel that this was an undue imposition.

I, myself, am privileged to serve on the Governor's Advisory Committee on Energy and we don't even get expense money on this. I have to give up a day to come to a meeting in Augusta with no reimbursements for expenses. This doesn't prevent me, and I certainly am a small landholder, from serving in this capacity. I would think that if this epidemic is of the concern that we have been led to believe it is, there would be no problem getting good people to serve on it.

Also, this very day I have talked to the Director of the School of Forestry at Orono and asked his opinion on this amendment. He thought it was a proper amendment. I talked to a fairly small but independent sawmill operator, which is in the only town in my district that is in a spruce budworm spray district, and he thought it was a reasonable approach.

I don't think this threatens the bill in any way. It is a small amount compared to the total amount of the bill, but I think it is a significant principle and I urge you to adopt the amendment.

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

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: I agree with the gentleman, Mr. Wagner, very much. I think last year the Governor's policy, I wasn't on it, his tax policy committee, they didn't even get reimbursed for their expenses. I think if anybody gets reimbursed for their expenses and most of these fellows, I would say all of them who are professionals in this line are being paid anyway and probably they are being paid more than \$50 a day. I think if they are willing to come here and put in their day, they are paid their salary, they are going to get expenses anyway so they are not losing anything, I think, today, if we are all interested in spruce budworm and we are giving money away now for some companies that are making millions of dollars a year, I think at least we should take this amendment and pass it.

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

Mr. FARNHAM: Mr. Speaker, Ladies and Gentlemen of the House: Representative Wagner approached me on this earlier in the day and I was inclined to agree with him. But as I read this membership, there need not be any forester from any company. He can be from consulting firms throughout the state or the individual foresters who are selling their services to anyone.

I certainly agree with Mr. Wagner, if these people were picked foresters from Great Northern, Scott, or any of those people, they very well get their pay when they are here anyway. The membership of the committee is not restricted like that and there could be five people who really depend on their day's work for their living. I hate to change my mind, but read that on Page 13 of the bill, and I think you will agree with me it could be five people who have no other income except what they earn themselves as consulting foresters in the private sector.

The SPEAKER: A roll call has been ordered. The pending question is on the motion of the gentleman from Dover-Foxcroft, Mr. Smith, that House Amendment "C" be indefinitely postponed. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Bagley, Bennett, Berube, Birt, Bustin, Call, Carter, Chonko, Churchill, Cooney, Cox, Dam, Dow, Drigotas, Farnham, Faucher, Fenlon, Fraser, Garsoe, Gould, Gray, Greenlaw, Hennessey, Hinds, Hughes, Hutchings, Jalbert, Kelleher, Laffin, Laverty, LeBlanc, Leonard, Lewin, Littlefield, Lizotte, Lunt, Lynch, MacEachern, Mackel, Maxwell, McBreairty, McKernan, Miskavage, Morton, Norris, Palmer, Pearson, Perkins, T.; Peterson, P.; Pierce, Post, Powell, Rideout, Rolde, Rollins, Shute, Smith, Spencer, Stubbs, Teague, Theriault, Twitchell, Usher, The Speaker.

NAY — Albert, Ault, Bachrach, Berry, G. W.; Berry, P. P.; Blodgett, Boudreau, Burns, Carey, Carroll, Clark, Conners, Connolly, Curran, P.; Curtis, Davies, Doak, Dudley, Durgin, Farley, Finemore, Flanagan, Gauthier, Goodwin, K.; Hall, Henderson, Hobbins, Hunter, Immonen, Ingegnieri, Jackson, Jensen, Joyce, Kany, Kelley, Kennedy, LaPointe, Lewis, Mahany, Mills, Mitchell, Morin, Nadeau, Najarian, Peakes, Pelosi, Peterson, T.; Raymond, Saunders, Snowe, Sprowl, Strout, Talbot, Tarr, Tierney, Torrey, Tozier, Tyndale, Wagner, Wilfong, Winship.

ABSENT — Bowie, Byers, Carpenter, Cote, Curran, R.; DeVane, Dyer, Goodwin, H.; Hewes, Higgins, Jacques, Kauffman, MacLeod, MacLeod, Martin, A.; Martin R.; McMahon, Mulken, Perkins, S.; Quinn, Silverman, Snow, Susi, Truman, Walker, Webber.

Yes, 64; No, 61. Absent, 26.

The SPEAKER: Sixty-four having voted in the affirmative and sixty-one in the negative, with twenty-six being absent, the motion does prevail.

Thereupon, the Bill was passed to be engrossed as amended by House Amendment "A" and House Amendment "B" and sent up for concurrence.

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

Off Record Remarks

Mr. Gauthier of Sanford was granted unanimous consent to address the House.

Mr. GAUTHIER: Mr. Speaker, Ladies and Gentlemen of the House: Last week, the House eulogized two young men who had decided not to seek reelection to the House. We have among us another one of these men who is not seeking reelection but who has always worked hard in the House and has been a great source of information to this body. He has always worked hard for his constituents and his county. I am sure, ladies and gentlemen, that you will share my feelings that this young man should also be recognized, who is not seeking reelection, as I have mentioned. He is no other than my good friend and yours, Republican Louie Finemore of Bridgewater.

Mr. Finemore of Bridgewater was granted unanimous consent to address the House.

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: You know, I fill up pretty easy and I can't talk when I do, but God knows, I can talk enough otherwise.

I will tell you, as I look over this great group here this afternoon, I have heard the gentleman from Old Town tell a lot of stories and I suppose you will overlook one from me. There are none of these young ladies here that are too young to understand it.

You know I think of the Old Testament as I look you all over here and think of it. I remember the Old Testament when Adam was a young man in the Garden of Eden, after they had trespassed the Garden of Eden and were kicked out, why, the Lord appeared to Adam in the Old Testament, in Genesis. He said, "Adam go forth and squeeze Eve's hand." He said, "Lord what does squeeze mean?" He told him. He went forth and he squeezed Eve's hand. He came back and in a few days the Lord appeared again and He said, "Adam go kiss Eve." He said, "Lord what is kiss?" So He told him and he went forth and he kissed Eve and he came back. In a few years the Lord appeared again and He said, "Adam go multiply the earth so that you shall inhabit it." He went forth and he came back in a few days and he

hollered, "Lord, Lord." the Lord appeared and he said, "what is a headache?" So, as I look around this afternoon I think of a lot of us that wouldn't have been here if St. Joseph hadn't invented the aspirin.

Off Record Remarks

On motion of Mr. Palmer of Nobleboro,
Adjourned until nine thirty tomorrow morning.