

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

**OF THE**

*One Hundred and Third  
Legislature*

**OF THE**

**STATE OF MAINE**

**Volume II**

**May 10 to June 15, 1967**

**KENNEBEC JOURNAL  
AUGUSTA, MAINE**

**HOUSE**

Thursday, May 18, 1967

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

Prayer by the Rev. Mr. Roger Smith of Augusta.

The journal of yesterday was read and approved.

**Papers from the Senate  
Reports of Committees  
Ought Not to Pass  
Tabled Until Later in  
Today's Session**

Report of the Committee on Public Utilities reporting "Ought not to pass" on Bill "An Act Creating the Maine Power Authority" (S. P. 455) (L. D. 1168)

Came from the Senate read and accepted.

In the House, the Report was read.

(On motion of Mr. Richardson of Cumberland, tabled until later in today's session.)

**Ought to Pass in New Draft**

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act Appropriating Funds to Operate the Board of Pesticides Control" (S. P. 465) (L. D. 1157) reporting same in a new draft (S. P. 650) (L. D. 1658) under same title and that it "Ought to pass"

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

In the House, the Report was read and accepted in concurrence, the New Draft read twice and tomorrow assigned.

**Tabled and Assigned**

Report of the Committee on Judiciary on Bill "An Act relating to Interest on Judgments" (S. P. 433) (L. D. 1087) reporting same in a new draft (S. P. 642) (L. D. 1647) under same title and that it "Ought to pass"

Came from the Senate with the Report read and accepted and the New Draft indefinitely postponed.

In the House: Report was read.  
(On motion of Mr. Quinn of Bangor, tabled pending acceptance and

specially assigned for Monday, May 22.)

**Final Reports of Committees**

Final Report of the following Joint Standing Committees:

Claims  
Transportation

Came from the Senate read and accepted.

In the House, the Reports were read and accepted in concurrence.

**Divided Report**

Majority Report of the Committee on Education reporting "Ought not to pass" on Bill "An Act relating to Application of State Aid for School Construction" (S. P. 13) (L. D. 29)

Report was signed by the following members:

Mr. SNOW of Cumberland  
—of the Senate.

Mr. ALLEN of Caribou  
Mrs. HANSON of Lebanon  
Messrs. SHUTE of Farmington  
RICHARDSON

of Stonington  
LEVESQUE

of Madawaska  
CARROLL of Limerick  
—of the House.

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

Report was signed by the following members:

Messrs. MacLEOD of Penobscot  
KATZ of Kennebec  
—of the Senate.

Mrs. BAKER of Winthrop  
—of the House.

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

In the House: Reports were read.

The SPEAKER: The Chair recognizes the gentlewoman from Lebanon, Mrs. Hanson.

Mrs. HANSON: Mr. Speaker, I would move for the Majority "Ought not to pass" Report and would speak briefly to my motion.

The SPEAKER: The gentlewoman from Lebanon, Mrs. Hanson, now moves that the House accept the Majority "Ought not to pass" Report. The gentlewoman may proceed.

Mrs. HANSON: Mr. Speaker and Members of the House: On L. D. 29 I have no quarrel with the 500 to 700 figure. I guess I'm old-fashioned and may be square but I still think that the smaller high school gives the pupil more individuality. However, I do object to what it does to the Sinclair Act. We have worked many years trying to get the Sinclair Law into effect in many districts and this would hurt these districts. I cannot in good faith feel that we should take the money away from the small towns who are trying to form districts—hope would form districts in order to have better high schools and give it to the large towns who do have a little more opportunity to get money to have their high schools. Therefore, I hope that this "Ought not to pass" Report is accepted.

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

Mr. ALLEN: Mr. Speaker and Members of the House: As the gentle lady from Lebanon, Mrs. Hanson, has said, this is a proposal to reduce from 700 to 500 the number of pupils required in a district to obtain state construction aid. The purpose of the Sinclair Act was the joining of towns, especially the larger towns with the smaller ones, to improve education, to lower the costs per pupil, and to have a greater selection of courses. These purposes have been accomplished.

The pace which the towns are joining in S. A. D.'s is faster. We have now nearly seventy school districts and that rate of formation is faster and will continue to be faster now that we have adopted a new basis, an alternate basis than state valuation. The bill undoubtedly will retard the formation of districts and, as has been stated, it will benefit the larger, more prosperous communities when the help of the State should go first to the poorer ones.

We don't want to do anything which will deter the urge to combine to get state aid. If we reduce it from 700 to 500 this year we will have towns coming in asking us at the next session to reduce it to

350. In fact I have already received letters asking if we couldn't take that step right now, but I think our great aim should be to help the boys and girls in smaller communities to get the good education which we can offer in the large ones.

The SPEAKER: The Chair recognizes the gentlewoman from Winthrop, Mrs. Baker.

Mrs. BAKER: Mr. Speaker and Ladies and Gentlemen of the House: I urge you to vote against acceptance of the "Ought not to pass" Report and with the following remarks I hope I can convince you that the Minority Report "Ought to pass" you feel would be right.

The current requirement of a minimum of 700 pupils in a secondary school in order for a school district to qualify for financial assistance under the Sinclair Act, appears to be somewhat arbitrary and motivated by factors other than educational efficiency.

There are, based on the latest Maine Educational Directory, some 19 high schools which enroll 700 or more pupils. 5 of these or approximately 25 per cent are not approved and accredited by the State Department of Education. Of the 14 secondary schools in the 500 to 700 category, all but one has full accreditation; and the one high school not accredited by the State Department has been accredited by the New England Association of Colleges and Secondary Schools. It is obvious, for purposes of accreditation, that schools in the 700 and over category have been less successful in meeting recognized standards than have the schools in the 500 and over group.

There are, at this time, enrolled in Cape Elizabeth High School 7 semi-finalists in the National Merit Scholarship Program, the largest number of any school in the State.

Of the 32 teachers in Madawaska High School, 11 have earned their Masters degree, 18 hold Bachelors degrees.

A review of the literature on the subject reveals little, if any, evidence to support the 700-pupil minimum. Albert Oliver has sum-

marized the opinions of 78 specialists, which included 37 outstanding writers on secondary education and 41 outstanding principals on the question: "How big should the small school be?"

And the results were that 3 voted for a 200-minimum school, 6 for 300, 6 for 400, and 32 voted for the minimum of 500; 18 for 750, 12 for 1,000, and only 1 for 1500. As can be seen in this table, nearly half of the group preferred the one figure, 500-minimum.

A more recent and often-quoted survey was completed by Dr. James B. Conant. Throughout his report he urges consolidation of small high schools so that a modern comprehensive high school will contain at least 100 pupils in the 12th grade. This recommendation is easily met with the 500-pupil high school. Even with a drop-out rate as high as 28%, a school can enroll 140 in grade 9; 130 in grade 10; 120 in grade 11 and still graduate 100 seniors. The total enrollment of such a school would be 490. His study indicated that the majority of high schools in the United States do not meet the above requirement. At the time of the survey, 74% of the secondary schools in the country graduated less than 100 seniors. Even the highly populated states such as Massachusetts, 40%; Pennsylvania, 48%; and New York 52%, failed to come close to the 100-pupil minimum. Maine's percentage at that time was 89.

A high school of 500 is large enough to justify all 21 of Conant's recommendations which have been so widely adopted elsewhere. The upper 20% defined by Conant as 'academically talented' would number 25 to 30 pupils in a freshman class of 140. Special, advanced instruction such as recommended could be easily justified with a group of this size as well as remedial instruction for the 'slow learners,' which would include a similar-sized group.

I see no valid reason for encouraging the consolidation of Maine school districts to provide secondary schools with a minimum of 700 pupils.

At the tri-state Legislative Conference on Education which I just attended, it was summarized by some of the experts, that it is very possible a future study will show that an ideal minimum size for a high school is in fact 400 to 600, because in the 700 figure there is danger of pushing too close to the one thousand figure, and many agree that here is where individual attention is lost. Many students are deprived of a chance at Manual Arts, Home Economic courses or Sports and Physical Education programs because the school should in fact provide more than one gymnasium, more than one Manual Arts department and more than one Home Economics department to care for these students.

It seems peculiar to me that in a Country that has a median high school enrollment of slightly less than 160 pupils, that a rural state like Maine should require a minimum of 700 pupils in order for local districts to receive financial aid for construction.

We hear arguments saying that the poorer towns should receive school construction aid, and I agree, but under the present law the distribution of the taxpayer's money to this favored group of 19 municipalities with a pupil enrollment in excess of 700 is not based upon need. The average per pupil valuation of these cities is in excess of the average per pupil valuation of the 9 towns having a pupil enrollment in excess of 500 but less than 700.

For example, taking some schools at random, Scarborough, not being eligible for State Aid for School Construction under the present law, has a per pupil valuation of \$10,031.67. On the other hand, South Portland has a per pupil valuation of \$11,114.09. Bucksport, having more than 700 students in its high school and thus being eligible for State Aid for School Construction, has a per pupil valuation of \$30,020.70. On the other hand, Limestone, having more than 500 but less than 700 pupils, has a per pupil valuation of only \$1,905.00.

Many of these nine towns are serving in the capacity of School Administrative Districts already by taking in tuition students from surrounding municipalities. Of the 467 students in Winthrop High School, 167 are tuition students. In Kennebunk High School, 34 percent of the pupils are tuition students. If each of these municipalities could take in enough tuition students to reach the 700 figure, they would be eligible for State Aid for School Construction. This is the method by which Bucksport and others receive State Aid for School Construction.

Bonney Eagle High School in School Administrative District 6, constructed in part with state aid construction money, due to the lack of space, discontinued accepting tuition students. Therefore, 62 students from Cornish have been bussed right through Standish to Gorham where they have attended a high school financed 100 percent through local taxation.

Remember now, a school can apply for school construction aid if it has 700 resident and tuition students. This was not always the case. The old law read 700 resident pupils. However, in order to qualify some of these 19 cities and towns for State Aid for School Construction, the law was changed in 1961 to include tuition students in the count, and this action qualified Bath, Brunswick, Caribou and Sanford. Therefore, it is now time for another step forward to cover high schools with an enrollment of 500 or more.

The Sinclair Law, so-called, also provides for State Aid for School Construction for a third class of towns. This covers single towns having a high school enrollment of less than 700 and for geographical or educational reasons it is not practical to join in a School Administrative District by consolidation. Under this section and prior to this session, Fort Fairfield, Pownal, North Haven, Vinalhaven, Allagash and Lubec were made single School Administrative Districts and thus eligible to receive State Aid for School Construction. Similar bills have been presented to this Legislature by Cape Eliza-

beth, Scarborough and Easton, and all have been denied.

The towns of Cape Elizabeth, Gorham, Kennebunk, Limestone, Madawaska, Millinocket, Scarborough, Winslow and Winthrop have considered forming School Administrative Districts but have been unable to do so at this time.

It has been conceded by a spokesman for the Department of Education that the establishment of the 700 figure was unfortunate. Many, if not all of the 9 towns covered by this bill, had less than 500 resident pupils in grades 9 through 12 in 1957. So they comprise a new category.

These are some of the many reasons that I ask you to vote against accepting the "Ought not to pass" Report, and when the vote is taken I request a division.

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

Mr. ROBERTSON: Mr. Speaker and Ladies and Gentlemen of the House: I am not going to belabor this question. I do want to add my two cents worth.

We are talking about a bill that would assist nine municipalities in the State of Maine, who have never received state aid for school construction. I am not going to mention these communities—the previous speaker has already enumerated the areas that are going to be affected. These nine towns each have over 500 enrolled in their high school but they have less than the 700 pupils that is required to qualify for state aid under the present law.

Now my community is not one of these that would be in this category, but I guess I have always been and always will be for the little fellow and the underdog that I feel is being suppressed. Now the past history does not reveal, I do not think, any reason why the magic number is 700 pupils. Apparently in 1957 someone felt that this was the correct size for a high school, that this was the size of school that was most economically feasible — at least from the standpoint of operation.

There are nineteen schools in our State who receive aid. They

are the fortunate ones who qualify because their resident and tuition pupils exceed this 700 figure. Now the argument seems to evolve around the fact that we must deny state aid for school construction to those schools with more than 500 but less than 700 pupils, in order that they would be forced to join with another community for the improvement of education excellence. However, this seems to present a problem because some of these affected communities have no other community with which they can unite, or else this other community appears not to look favorably upon this marriage.

Now there appears to be no record that the students attending these smaller schools are educationally inferior — in fact it almost appears that the reverse might be the fact.

I think the original intent of the Sinclair Law was to make available state aid for every municipality for school construction. However, it appears that the law which developed, discriminated against the intermediate size towns. Apparently some confusion existed at the time of enactment of this law and this 700 figure seemed to be the one that was most politically expedient.

The only answer that is forthcoming to this problem from the Department of Education, is the fact that was brought out by Mrs. Baker, that they state it is unfortunate that the figure of 700 was established. In other words, they don't know any practical reason; they just agree it was unfortunate.

Now it appears that in some municipalities where this state aid is available, they not only get state aid for school construction but they also get state aid for construction of athletic fields. At least I am told this is true in the communities of Westbrook and South Portland. All I can say is, more power to them; if they can get this support it's wonderful.

But obviously, Members of this House, there is an inequity that should be corrected and the passage of this bill will help to correct it to a degree. If the State can

assist in constructing athletic fields for the more fortunate communities it would appear that we could allocate a little money to help these nine towns who find themselves in this unfortunate position, and certainly through no fault of their own. The children of these communities shouldn't be forced to suffer for lack of facilities because they were born in the wrong community. So, I think, ladies and gentlemen, we have an opportunity to correct this situation, to vote for this bill and defeat the motion on the Floor which is the acceptance of the "Ought not to pass" Report. Thank you.

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

Mr. COTTRELL: Mr. Speaker and Ladies and Gentlemen of the House: Since I've been connected with high schools in Maine in various capacities for a decade or two or three, or maybe more, I rise to support the decision of the gentlewoman from Winthrop, Mrs. Baker, in this matter. So I hope that the motion before the Floor is defeated.

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

Mr. SHUTE: Mr. Speaker and Ladies and Gentlemen of the House: As one who signed the Majority "Ought not to pass" Report on L. D. 29, we feel we must point out our position. We regret that it is an unpopular decision in Winthrop and we will be very careful what we say about Winthrop today, knowing that the balcony is full of Winthrop High School students. It's unpopular with our friend and colleague, the gentlewoman from my community. We also regret that it is a decision that is unpopular particularly in Gorham, and for this example of a "Profile in Courage" I may have to take a trip to the woodshed.

My reasoning for not placing a stamp of approval rests mainly in these facts. Not all of the nine communities which have been mentioned, their superintendents or their school committees, these

schools with 500 to 700 pupils at the secondary level, are overly enthusiastic about joining school administrative districts. Their track record has proved it. For instance Gorham has attempted to join with Scarborough on the west and with Windham on the east unsuccessfully mainly because of a difference in evaluation. We submit that there is legislation before this Body that would alleviate this problem. This is L. D. 549.

Now those communities in the Portland area could form two or three districts, retain their present high schools and offer an improved overall educational program; then under current law they would qualify for 10 percent construction aid.

The community of Winthrop, for instance, could reduce its own expenditures by \$90,000 a year by forming a school administrative district. Winthrop could be getting 41 percent aid on construction at Winthrop High School. We say that these are some of the wealthier communities in the State of Maine; if you give ten percent construction aid to these communities, give it to all of the communities in the State.

A great deal has been said here today about Dr. Conant and his recommendation that the graduating class of any high school ought to have a minimum of 100 students. This could mean that the average high school, or the last four grades, could have as many as 500 students. We suggest that this is the minimum size suggested by Dr. Conant. Maine ought to strive for something better than just the minimum.

Lower the qualified number of students to 500 now and I guarantee that it not only will deter the formation of future districts, but two years hence communities with 300 pupils on the secondary level will attempt to revise the law further. The choice is yours.

The SPEAKER: The Chair recognizes the gentleman from Madawaska, Mr. Levesque.

Mr. LEVESQUE: Mr. Speaker and Members of the House: This morning I am speaking on behalf of this bill as a member of the

Education Committee. As you have probably noticed in the report, I have signed as a member of the Committee, "Ought not to pass," and my reasons are quite obvious.

As was mentioned, Madawaska would be one of those nine towns mentioned in the bill, and could stand to receive substantial amount of monies from this document. However, in good conscience, if we use the figure of 700, or if we use the other magic figure of 500, what would be wrong with using the magic figure of 400 or 450?

Ladies and gentlemen of this House, there is no magic figure. The figure 700 was put in when the Sinclair Act was adopted purely for the capability of being able to sell it to the Legislature. It is not a magic figure, and 500 would not be a magic figure, nor any other figure would be of any magic to anybody. But if we do lower it to 500 this year, of which Madawaska would stand to gain considerably, because we have authorized last year a construction project on an addition to our present high school of one million and one quarter, or a million and a quarter addition to our high school. We would stand to gain by this extension.

However, this is not the answer to the problem. The surrounding towns of Madawaska have all joined in a school administrative district, and Madawaska stands by itself. The door is left open for an agreement to join with these communities. However, the municipality of Madawaska feels that they would pick up somewhere in the vicinity of 92 to 93 percent of the cost; because of the high valuation the people of the municipality don't feel that this is justifiable at this time.

So if we open the door this morning to the magic figure of 500, what of the high schools that have got 498, that two years from now might have 504? Or, those that have 450 now and might have 500 four years from now? How will they feel about it? 500 not being any magic figure any more than 700, my feeling is that we should support the Majority



"Ought not to pass" Report this morning.

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

Mr. HEWES: Mr. Speaker and Members of the House: As I have listened to some of the discussion here this morning, it is my understanding that the gentle lady from Lebanon, Mrs. Hanson, and the gentleman from Madawaska, Mr. Levesque, are afraid the passage of this bill will open the door to a further lowering of the limit. As I understand their words, they aren't particularly opposed to schools in the 500 to 700 enrollment category receiving aid, it's just their fear that the limit will be lowered further in future years and hence, some of the effectiveness of the Sinclair Act lost.

I wish to point out that it is my understanding that about 80 per cent of the students in the State of Maine are presently receiving—or the municipality is receiving—this new building construction aid, so that the Sinclair Act has resulted in amalgamation of many very fine high schools.

Incidentally, of these high schools which have been formed under the Sinclair Act, school administrative districts, it is my understanding that only seven are in excess of 700 enrollment, and far more than half have less than 500 enrollment. As has been pointed out, high schools with 500 or 600 enrollment can be very fine high schools. In fact, all of the nine high schools, which are in municipalities which will benefit by this bill, are accredited either by the State of Maine, or by a New England accrediting group.

The Sinclair Act was passed to perform a certain function. It was partially amended six years ago when the limit was changed from 700 resident students to 700 students, period. This helped towns such as Bath and Sanford where there is considerable enrollment from out of town students. It seems to me that now is the time to lower this figure to 500.

The institution, the Department of Education, has struck by this magic figure of 700. When the report which was passed to you,

circulated to you this morning, as to "How Large Should a High School Be" — which I assume is on most all of your desks, points out that in a rural state such as Maine, that 700 is not the magic figure at which there will be better standards of education. So, in short, it's my recommendation that you defeat the pending motion to accept the Majority "Ought not to pass" Report and that in the contrary, as this bill moves along, that you will vote for the enactment of this very fair bill. Thank you.

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

Mr. ALLEN: Mr. Speaker and Members of the House: I think this all boils down to one basic argument, and it's not the argument of whether 700 or 500 or some other figure constitutes a good high school. It's merely this — if the State has money to help schools attain a better level should it go to little towns, poor towns? I can think of nearby towns to where I live, Connor, Haynesville, Wade and places like that; or should we take that money and help towns like Cape Elizabeth, Scarborough or some of the very good paper mill towns — Madawaska, Millinocket, Winslow; or should it help that town that's growing so fast in Aroostook County — Easton, with its sugar plant; or should it help these poor towns? That's the basic question.

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

Mr. QUINN: Mr. Speaker and Members of the House: I desire to stand in support of the lady from Lebanon, Mrs. Hanson, the gentleman from Farmington, Mr. Shute, and the gentleman from Madawaska, Mr. Levesque, who joined in the Majority Report of the Committee, 7 to 3 that this bill ought not to pass.

It was my privilege ten years ago to have a small part in passing the Sinclair Act. It took the Sinclair Act a year or two before it really got going, but I am most pleased with its accomplishments over the last ten years, and I would not like to see any Act passed in

this House that would in any degree interfere with the functioning of the Sinclair Act.

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

Mr. CARROLL: Mr. Speaker and Members of the House: I just want you to know as one of the other members of the your Education Committee that signed this document, I concur with the House Chairman and the rest of the members of the Education Committee, and I hope that if we must weaken the Sinclair Act, if we're going to destroy it, that we vote here today to abolish the Sinclair Act. If this is what you want to do—if you want to kill the big community that don't have to take in their little neighbor for a partner, if you want to tell them that in order to qualify for this you don't have to help anybody except yourself, all I can say is—repeal the Sinclair Act, throw it right out the window forget it! This is the big give-away, let's give everything away. Let's get ready to take the dome off the building and give that away too.

The SPEAKER: The Chair recognizes the gentlewoman from Winthrop, Mrs. Baker.

Mrs. BAKER: Mr. Speaker and Members of the House: I would like to point out to the members of the House that there are just 20 percent of the communities left in the State of Maine not already in school administrative districts, or with high schools of 700 or more; just 20 percent. Of this last remaining 20 per cent, those who can geographically form school administrative districts I think will, regardless of whether this L. D. is passed or not. I can assure you that Winthrop, as soon as the problems are straightened out in the surrounding towns—there are two towns for instance with academies, and many other problems have entered into it other than just Winthrop's problem. This is true of many of the other communities in the State. I am sure the districts will be formed. And Winthrop, by the way, is not covered under this bill; we're one of those towns under 500. We only have 467 students at

this time, so we probably wouldn't be covered by this bill for at least another two years.

One other thing I would like to bring to you. I learned at the Legislative Conference in Manchester, New Hampshire, the Tri-states, Maine, Vermont and New Hampshire, talking over some of their school aims—and I feel these three states are very much alike as far as wealth is concerned, also as far as the sparsely populated areas are concerned. New Hampshire does not deny any town or city school construction aid. They give to everyone, the only difference being they give 30 percent to towns not in what they call "cooperatives" and 55 percent when towns get together and form a cooperative.

So you see we have discriminated here in the State of Maine; and New Hampshire has not. I urge you to vote against the motion before the House to accept the "Ought not to pass" Report.

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

Mr. RICHARDSON: Mr. Speaker, I would like to pose a question to any member of the Education Committee or any member of the House who can answer it, and that is what the price tag is on this and what effect it would have on the long term programs.

The SPEAKER: The gentleman from Cumberland, Mr. Richardson, poses a question through the Chair to any member on the Education Committee, who may answer if they choose.

The Chair recognizes the gentlewoman from Winthrop, Mrs. Baker.

Mrs. BAKER: Mr. Speaker, may I have permission to speak a third time? I wish to state that this would cost at the present time under \$200,000 per year. It would be approximately \$198,000 per year under the old plan which has been adopted as the new plan. Had we been under the plan previously it would have cost two million something, but under the present plan L. D. 107 it would cost under \$200,000 per year, that is paying these costs by the year.

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

Mr. CROSBY: Mr. Speaker and Members of the House: Coming from one of the towns which is vitally interested in the passage of this bill, I would be remiss if I did not arise to support the motion made by the gentlewoman from Winthrop, Mrs. Baker.

The SPEAKER: The Chair recognizes the gentleman from Raymond, Mr. Durgin.

Mr. DURGIN: Mr. Speaker and Members of the House: Having been a past member of the Committee on Education I was completely in accord with the 700-pupil philosophy. However, since this State has pledged its money for construction of athletic facilities, I submit to you that these towns surrounding the metropolitan area of Portland, who are bedroom-towns to the City of Portland and South Portland, who need help in classroom construction, are denied it, while these towns and larger cities can get this state aid for athletic facilities. I submit to you that this is wrong, and this bill would help these towns; and I would hope that you would support this "Ought not to pass" Report.

The SPEAKER: The Chair recognizes the gentlewoman from Orrington, Mrs. Baker.

Mrs. BAKER: Mr. Speaker and Members of the House: As I have listened to the debate on this bill this morning, one thought has occurred to me which I don't think has been touched on. Members of the House who were at the 100th Legislature will well remember that I had a bill to create a single town district for the Town of Orrington. At that time we had no place for our high school students to go. We had been notified by Brewer that they were no longer going to be able to take them as high school tuition students.

It was a long hard battle and I finally lost in the end. But that was the time that the Sinclair Act was amended so that cities or towns having high schools of 700 could draw the building construction money and the 700 could in-

clude tuition pupils. So that as the results of the change in the law by being able to include tuition pupils Brewer took our students back and they proceeded to build a sizeable addition onto their high school.

Now it has occurred to me this morning that possibly if this number were dropped back to 500 those cities similar to Brewer, or towns, that are now drawing and including tuition pupils to make up their 700 could say to themselves, "we no longer need these tuition pupils to draw construction aid." If that should happen that would put the number of towns similar to my own town of Orrington out in the cold again. We would be looking for a haven, I am sure.

I think the law does provide that they would have to give us two years' notice, but you will all agree that that's a short time in which to find another place for tuition pupils.

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

Mr. JANNELLE: Mr. Speaker and Members of the House: In defense of my friend from Limerick, Mr. Carroll, calling us a small town or a large town and not wishing to come in with our neighbor, Scarborough borders on Old Orchard, Saco, Buxton, Gorham, Westbrook, South Portland, and Cape Elizabeth. It's a town of fifty-four square miles. I think possibly we are the small town that some of the larger towns and cities do not want. We feel that we need this construction aid. We have tried to join a single Administrative District. Due to geographic conditions we feel that it would not be feasible to join with any of these towns. I urge your support in defeating this motion of the "Ought not to pass" Report.

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

Mr. GILL: Mr. Speaker and Members of the House: I am now standing on some legislative documents, so that you may see me. (laughter) I arise to support the passage of this document, and I come from a community that has in addition of 1700 students and in this high school, so you can see

that this is of no personal value to me, but I think to improve the quality of education that this is a very good bill and it is up to a few of us from perhaps these larger communities to support the passage of this bill.

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

Mr. PENDERGAST: Mr. Speaker and Members of the House: I rise in support of the gentlewoman from Winthrop, Mrs. Baker, and urge the members of the House to vote against the "Ought not to pass" Report.

The SPEAKER: Is the House ready for the question? The pending question is on the motion of the gentlewoman from Lebanon, Mrs. Hanson, that the House accept the Majority "Ought not to pass" Report on Bill "An Act relating to Application of State Aid for School Construction," Senate Paper 13, L. D. 29 All those in favor of accepting the Majority "Ought not to pass" Report will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken. 64 having voted in the affirmative and 66 having voted in the negative, the motion did not prevail.

Thereupon, on motion of Mrs. Baker of Winthrop, the House voted to accept the Minority "Ought to pass" Report in concurrence, and the Bill was read twice and assigned for third reading tomorrow.

#### Order Out Of Order

Mr. Carey of Waterville presented the following Order out of order and moved its passage:

ORDERED, that Tina LaVerdiere and Celeste Rancourt of Waterville be appointed to serve as Honorary Pages for today.

The Order received passage.

#### Divided Report Tabled Until Later in Today's Session

Majority Report of the Committee on Public Utilities reporting "Ought not to pass" on Bill, "An Act Creating the Maine Power Commission" (S. P. 366) (L. D. 967)

Report was signed by the following members:

Messrs. LUND of Kennebec  
VILES of Somerset  
BREWER of Sagadahoc  
—of the Senate.

Messrs. WILLIAMS of Hodgdon  
SNOW of Caribou  
CLARK of Wells

Mrs. SAWYER of Brunswick  
—of the House.

Minority Report of same Committee on same Bill reporting same in a new draft (S. P. 625) (L. D. 1625) under same title and that it "Ought to pass"

Report was signed by the following members:

Messrs. D'ALFONSO of Portland  
HEALY of Portland

Mrs. LINCOLN of Bethel  
—of the House.

Came from the Senate with the Majority Report accepted.

In the House: Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Southwest Harbor, Mr. Benson.

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

The SPEAKER: The gentleman from Southwest Harbor, Mr. Benson, moves that item 6 be tabled until later in today's session.

Mr. Haynes from Camden then moved that item 6 be tabled until Monday, May 22.

The SPEAKER: The gentleman from Camden, Mr. Haynes, moves that this be tabled until Monday, May 22.

Mr. Benson of Southwest Harbor requested a division on the tabling motion.

The SPEAKER: A division has been requested on the tabling motion. All those in favor of this matter being tabled until Monday, May 22, will vote yes; those opposed will vote no. The Chair opens the vote.

Mr. Martin of Eagle Lake then requested a roll call.

The SPEAKER: A roll call has been requested on the tabling motion. 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 on the tabling

motion will vote yes; those opposed will vote no—

The Chair recognizes the gentleman from Madawaska, Mr. Levesque.

Mr. LEVESQUE: Mr. Speaker, I wish to debate the time of the tabling motion.

The SPEAKER: The gentleman may proceed.

Mr. LEVESQUE: Mr. Speaker, I think on behalf of all the members of this House and the importance of this document, I think it could be very well justifiable that at least the courtesy be extended to all the members of this House that it be tabled until next Monday.

The SPEAKER: All of those desiring a roll call vote will vote yes; those opposed will vote no. The Chair opens the vote.

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 Camden, Mr. Haynes, that this be tabled until Monday, May 22. All those in favor of this matter being tabled and especially assigned for Monday, May 22, will vote yes; those opposed will vote no. The Chair opens the vote.

### ROLL CALL

YEA — Bedard, Belanger, Beliveau, Bernard, Binnette, Boudreau, Bourgoin, Brennan, Burnham, Carey, Carroll, Carswell, Champagne, Conley, Cote, Cottrell, Crommett, Curran, D'Alfonso, Danton, Drigotas, Dudley, Eustis, Fecteau, Fraser, Gaudreau, Gauthier, Giroux, Hall, Harnois, Harvey, Haynes, Healy, Hennessey, Huber, Hunter, Jalbert, Keyte, Kilroy, Lebel, Levesque, Lincoln, Littlefield, Lowery, Maddox, Martin, Meisner, Minkowsky, Nadeau, J. F. R.; Nadeau, N. L.; Sawyer, Scribner, Starbird, Sullivan, Thompson, Wheeler.

NAY — Allen, Baker, E. B.; Benson, Birt, Bragdon, Brown, Buck, Bunker, Clark, Cookson, Cornell, Crockett, Crosby, Cushing, Dennett, Dickinson, Drummond, Dunn, Durgin, Edwards, Evans, Ewer,

Farrington, Fuller, Gill, Hanson, B. B.; Hanson, H. L.; Hanson, P. K.; Harriman, Hewes, Hichens, Hinds, Hodgkins, Hoover, Humphrey, Immonen, Jameson, Jannelle, Jewell, Kyes, Lewin, Lewis, Lycette, McMann, McNally, Miliano, Mosher, Pendergast, Philbrook, Pike, Porter, Prince, Quimby, Quinn, Rackliff, Richardson, G. A.; Richardson, H. L.; Rideout, Robertson, Robinson, Ross, Sahagian, Scott, C. F.; Scott, G. W.; Shaw, Shute, Snow, P. J.; Snowe, P.; Susi, Tanguay, Townsend, Trask, Waltz, Watts, White, Wight, Williams, Wood.

ABSENT — Baker, R. E.; Beriman, Bradstreet, Carrier, Couture, Darey, Fortier, Foster, Hawes, Henley, Noyes, Payson, Rocheleau, Roy, Soulas, Truman.

Yes, 56; No, 78; Absent, 16.

The SPEAKER: Fifty-six having voted in the affirmative and seventy-eight in the negative, the motion to table until Monday, May 22, does not prevail.

Mr. Levesque of Madawaska then moved that this matter be tabled until Tuesday, May 23, and also requested a roll call.

The SPEAKER: The gentleman from Madawaska, Mr. Levesque, now moves that this matter be tabled until Tuesday, May 23, and the gentleman requests a roll call. For the Chair to order a roll call it must have the expressed desire of one fifth of those present and voting —

The Chair recognizes the gentleman from Madawaska, Mr. Levesque.

Mr. LEVESQUE: Mr. Speaker and Members of the House: I wish to debate the tabling time. As I understand on the previous motion, that this document is a very important document. It was on the table in the other branch for two and a half weeks and there didn't seem to be too many objections from the other branch. Therefore I think probably that the courtesy of this House, which doesn't seem to be too complimentary this morning towards the members of this House, of an important matter such as this. Now courtesy has been extended on this calendar here to many of the matters that are before us that don't have the consequences that this

document has. So again I wish to —

The SPEAKER: The gentleman will confine his discussion to the time of tabling.

Mr. LEVESQUE: So therefore I urge every member of this House to at least have the common courtesy of tabling this document for at least three days.

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 of those desiring a roll call will vote yes and those opposed will vote no. The Chair opens the vote.

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 Madawaska, Mr. Levesque, that this matter be tabled until Tuesday, May 23, pending the acceptance of either report. All those in favor of the tabling motion will vote yes and those opposed will vote no. The Chair opens the vote.

### ROLL CALL

YEA — Bedard, Belanger, Beliveau, Bernard, Binnette, Boudreau, Bourgoin, Brennan, Burnham, Carey, Carroll, Carswell, Champagne, Conley, Cote, Cottrell, Crommett, Curran, D'Alfonso, Danton, Drigotas, Dudley, Eustis, Fecteau, Fraser, Gaudreau, Gauthier, Giroux, Hall, Harnois, Harvey, Haynes, Healy, Hennessey, Huber, Hunter, Jalbert, Keyte, Kilroy, Lebel, Levesque, Littlefield, Lowery, Martin, Minkowsky, Nadeau, J. F. R.; Nadeau, N. L.; Sawyer, Scribner, Starbird, Sullivan, Tanguay, Truman, Wheeler.

NAY — Allen, Baker, E. B.; Baker, R. E.; Benson, Berman, Birt, Bragdon, Brown, Buck, Bunker, Clark, Cornell, Crockett, Crosby, Cushing, Dennett, Dickinson, Drummond, Dunn, Durgin, Edwards, Evans, Ewer, Farrington, Fuller, Gill, Hanson, B. B.; Hanson, H. L.; Hanson, P. K.; Harriman, Hewes, Hichens, Hinds, Hodgkins,

Hoover, Humphrey, Immonen, Jameson, Jannelle, Jewell, Kyes, Lewin, Lewis, Lycette, Maddox, McMann, McNally, Meisner, Milano, Mosher, Pendergast, Philbrook, Pike, Porter, Prince, Quimby, Quinn, Rackliff, Richardson, G. A.; Richardson, H. L.; Rideout, Robertson, Robinson, Ross, Sahagian, Scott, C. F.; Scott, G. W.; Shaw, Shute, Snow, P. J.; Snowe, P.; Soulas, Susi, Thompson, Townsend, Trask, Waltz, Watts, White, Wight, Williams, Wood.

ABSENT — Bradstreet, Carrier, Cookson, Couture, Darey, Fortier, Foster, Hawes, Henley, Lincoln, Noyes, Payson, Rocheleau, Roy.

Yes, 54; No, 82; Absent, 14.

The SPEAKER: Fifty-four having voted in the affirmative and eighty-two in the negative, the motion to table until Tuesday, May 23, does not prevail.

Thereupon, the matter was tabled until later in today's session.

### Divided Report

Majority Report of the Committee on State Government reporting "Ought not to pass" on Bill "An Act to Create an Environmental Improvement Administration" (S. P. 559) (L. D. 1485)

Report was signed by the following members:

Messrs. WYMAN of Washington  
LUND of Kennebec  
—of the Senate.

Mrs. CORNELL of Orono  
Messrs. WATTS of Machias  
PHILBROOK  
of South Portland  
RIDEOUT of Manchester  
DENNETT of Kittery  
—of the House.

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

Report was signed by the following members:

Mr. STERN of Penobscot  
—of the Senate.

Messrs. MARTIN of Eagle Lake  
STARBIRD  
of Kingman Township  
—of the House.

Came from the Senate with the Reports and Bill indefinitely postponed.

In the House: Reports were read.

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

Mr. DENNETT: Mr. Speaker and Members of the House: Inasmuch as we are already dealing with legislation of a similar nature before this Body, and that bill which has been reported out of the Committee on Natural Resources and has found favorable acceptance in this Body, I now move that we indefinitely postpone this bill in concurrence with the Senate.

The SPEAKER: The gentleman from Kittery, Mr. Dennett, now moves that the House indefinitely postpone both Reports and Bill.

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

Mr. MARTIN: Mr. Speaker and Members of the House: I certainly do not wish to debate the merits or demerits of this bill. I merely want to point this out to you in passing. It really doesn't matter which vehicle we use, whether it be L. D. 1485, this particular L. D., or L. D. 1635, which is known as An Act relating to the Water and Air Environmental Improvement Commission. But it is important that we as legislators realize that something must be done. I personally do not feel that the L. D. 1635 is the correct answer all the way, but I think that with amendments and possible suggestions that it might be taken into account that it could possibly become the vehicle which could help solve our pollution problem. Therefore I will go along with the motion made by the gentleman from Kittery, Mr. Dennett.

Thereupon, the Reports and Bill were indefinitely postponed in concurrence.

At this point, according to Joint Order passed May 17, Senate Paper 651, the Senate entered the Hall of the House of Representatives and a Joint Convention was formed.

### In Convention

The President of the Senate, the Honorable Joseph B. Campbell in the Chair.

The Convention was called to order by the Chairman.

On motion of Senator Johnson of Somerset, it was

ORDERED, that a Committee be appointed to wait upon His Excellency, Governor Kenneth M. Curtis, informing him that the two Branches of the Legislature are in convention assembled, ready to receive such communication as he may be pleased to make.

The Chairman appointed:

Senators: JOHNSON of Somerset  
HARDING

of Aroostook  
BOISVERT  
of Androscoggin

Representatives:

RICHARDSON  
of Cumberland  
WHEELER of Portland  
BAKER of Orrington  
WHITE of Guilford  
BUNKER

of Gouldsboro  
LEVESQUE  
of Madawaska  
BOUDREAU

of Portland

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

### Convention at Ease

Called to order by the Chairman.

Thereupon, the Honorable Kenneth M. Curtis, accompanied by members of the Executive Council, entered the Hall of the House of Representatives amid applause, the audience rising.

Governor Curtis then addressed the Convention as follows:

Mr. President, Mr. Speaker and Members of the 103rd Legislature: In accordance with my constitutional authority, I appear at this

joint convention to respectfully present a message for which I feel deep concern.

In the course of these next few weeks this Legislature will write its own history. Your efforts will culminate a busy and difficult session. I share some of these burdens with you, and therefore I truly appreciate that you are among at this time the hardest working people in the State of Maine.

We are currently in deliberations to determine the most suitable programs to be financed out of the limited revenues of the State of Maine—and also the most appropriate means for paying for those expenditures. Any differences of opinion which may exist should be adjusted so that the people of Maine will become the beneficiaries, and I am confident that they will be. This Legislature is also considering another series of bills that will become part of our historical record. I refer to the legislation which I have previously labelled as matters of governmental reform. Although I still have hopes that more progressive legislation will be voted by this Legislature, certain actions in the last few weeks have caused me to ask for this joint session to express my concern at the rapidity with which certain proposals have been dispatched.

I would at the outset like to compliment the Legislature for certain actions which have been taken that will, I think, improve our state government. I refer, for example, to the plan for improving the investment of the Maine State Retirement funds and the passing into law of the Interchange of Government Personnel. As a few swallows do not make a summer, neither do a few pieces of legislation provide an adequate record by which to establish the progressive quality of a legislative session.

A number of these reform bills to which I refer are quite familiar for they have been recommended before. Many of them have been supported by previous governors, and in some instances by one or both houses of the Legislature. I refer to those changes which would make more effective the operation of both the Executive and Legisla-

tive Branches. In many cases these reforms would strengthen the office of Governor and enable him to be more completely responsible for the administration and the quality of state government.

I realize that some of these measures are considered to be partisan issues by some. But, I have met with Governors of both parties, and have found that all governors in all states express their need for modern tools of management in order to effectively conduct the administrative affairs of the state. Business executives are granted similar powers to carry out the policies of their corporations.

Three of the last four Governors of Maine have called for a number of these Constitutional reforms. These Governors were elected by the people who have thereby asked for these reforms, and I believe that it should be these same people, the voters of Maine, who should pass judgment on whether the administration of state government should be modernized and altered to fit the changing needs of changing times. Thomas Jefferson once said, "I know of no safe depository for the ultimate power of society but in the people themselves."

I thereby respectfully ask you to recall such constitutional changes as abolishment of the Executive Council, annual legislative sessions, and the appointment by the Governor of the Secretary of State, the Attorney General, and the State Treasurer, and thereby place these issues before the people at the next referendum. We should have confidence in the judgment of Maine people, and I would like to see these Maine voters, for once, have an opportunity to directly make their judgment on these biennially presented Constitutional resolves.

The arguments for strengthening the Executive arm of our state government are both practical and philosophical. Reasonably speaking, the elected Governor is, or should be responsible, for the conduct of state administration. Practically speaking, it is a matter of obvious good management for the Governor and his immediate department heads to have the best



possible relationship. I wish to remind you that I presented a number of appointments before the Executive Council in February and three months later several of these appointments have not been either accepted or rejected. No major objections have been given concerning the qualifications of my nominees. The objection to them seems to be entirely of a political nature. Meanwhile, the work of state government is retarded. Important positions may be left unfilled.

There are a number of other proposals that could be accomplished by act of the legislature by a mere majority vote. They include placing many powers of the Executive Council with more appropriate departments or other units of government. This act should be passed and can be done either by itself or in conjunction with approving the Constitutional Amendment to abolish the Executive Council. Other important bills that merit your careful attention would improve our District Court system and District Attorney system and provide for a Chief Medical Examiner. A proposal is before you to continue the Planning Committee on Criminal Administration as a permanent commission.

A number of bills presented to your committees for hearings would improve the coordination and organization of related activities in order to modernize their approach or to establish new programs. I refer to the proposal for a Department of Transportation which would have the virtue of combining under one head matters relating to air, water and highway transportation modes. The obvious inter-relationship of all modes of transportation could be well served by this step.

I also refer to the Environmental Improvement Administration bill which would similarly integrate under one administrative head the responsibility for abatement of water and air pollution. I realize that there are differences of opinion among us as to whether a single administrator or a commission form of agency is most suitable for pollution control. In my judgment the administrator will be

more effective. But the structure is not the most important thing; our prime concern should be that we pass at this legislative session air and water pollution control bills that enable us to really enforce the standards established by our state government. I am sure this Legislature does not want to write a lot of words into the statute books that will only postpone enforcement for another ten-year period. I hope before you pass on the remaining legislation on pollution that you will make sure that there are enforcement provisions that will make administrative or court action easier. Offenders of pollution, whether private individuals or municipalities or corporations, must not be allowed to call the tune that determines state policy. The public interest demands that we clean up our water and our air and that we keep it clean.

Another important group of legislative bills relate to central planning. I am very hopeful that on this matter there is agreement that in order to direct our state government more effectively and to participate fully in federal programs we must have a central planning office. This comprehensive planning function would bring together the ideas and information that are increasingly vital to direct modern government activity.

You also have bills of landmark significance that would reorganize and coordinate our state's effort in higher education. In my opinion, it is imperative that we act in this area.

I also hope that in your wisdom you will favorably act to reorganize the Department of Economic Development and refocus its attention on the important activities of industrial development.

I urge that you create a separate Department of Motor Vehicles, and that you reorganize the Department of Personnel in accordance with all experience in personnel administration in private business, progressive states, and federal agencies.

My experience in meeting with other New England Governors and with the Governors of all the

States in Washington, D.C., has convinced me that one of our greatest needs at the state level is to provide more information, more coordination and improved service to our municipalities. At this very late legislative date in the session I propose that you consider the creation of a Department of Municipal Affairs. I suggest this as a new and desirable concept for Maine and a proposal deserving of your serious consideration. The federal - state - municipal relationship is complicated daily by our many subsidy and technical service programs. I question whether we can wait another two years in this matter.

Summarizing, may I say that I will not take your time today to review all the important proposals that would benefit the people of Maine and also improve the effectiveness of our State's administration.

I do feel, that we have a serious obligation to remember our commitments to the people of Maine and to remember for what the voters thought they were voting in the recent election. We should keep faith with them and we should keep faith with ourselves as we strive to improve our educational structure, our state government structure and many other activities with which you are all conversant.

I would like to conclude my comments today with this quotation from former President Herbert Hoover concerning the well-known work of his Commission on Governmental Reorganization:

“ . . . the reform of our government is, like the Commission itself, a bipartisan matter. It concerns all citizens of whatever party. The basic question is the attitude of the citizens. In the conduct of their business affairs Americans are very strict with themselves, to get the best they can for whatever they spend. Government is, of course, different from business; yet this common-sense attitude of demanding efficient management and efficient use of money is entirely applicable to its affairs. Indeed, if our freedom is to be preserved, this attitude is indispensable.”

I want to thank you for joining with me today in this serious discussion of these important matters.

In the remaining few weeks before us, it is clear that we have a great deal left to do.

At the conclusion of the address, the Governor and members of the Executive Council withdrew, amid applause of the Convention, the audience rising.

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

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

#### In The House

The House was called to order by Speaker Kennedy.

#### Non-Concurrent Matter

Bill “An Act relating to Right of Entry and Inspection of Nursing Homes” (H. P. 406) (L. D. 572) which was passed to be engrossed in the House on May 12.

Came from the Senate passed to be engrossed as amended by Senate Amendment “A” in non-concurrence.

In the House: On motion of Mr. Hinds of South Portland, the House voted to recede and concur with the Senate.

#### Non-Concurrent Matter

Resolve Regulating Fishing in Beaver Tail Pond, T. 14, R. 10 and T. 14, R. 9, and Fish River Falls, Aroostook County, and Long Pond, Kennebec County (H. P. 505) (L. D. 718) on which the House voted to insist on May 15 on its former action whereby the Resolve was passed to be engrossed as amended by Committee Amendment “A” as amended by House Amendment “C” thereto.

Came from the Senate with that body voting to adhere to its former action whereby the Resolve was passed to be engrossed as amended by Senate Amendment “A”.

In the House: On motion of Mr. Martin of Eagle Lake, the House voted to adhere.

### Non-Concurrent Matter Tabled and Assigned

Bill, "An Act relating to Chiropractic Services for Injured Employee under Workmen's Compensation Law" (H. P. 756) (L. D. 1103) on which the House accepted the Minority "Ought to pass" Report of the Committee on Labor and passed the Bill to be engrossed on April 20.

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

In the House:

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

Mr. EWER: Mr. Speaker, in order to give time to prepare an amendment to this bill, L. D. 1103, I would hope that somebody would table it until Monday.

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

Mr. LITTLEFIELD: Mr. Speaker, I move that this item be tabled until Monday, May 22.

The SPEAKER: The gentleman from Hampden, Mr. Littlefield, moves that this matter be tabled until Monday, May 22, pending further consideration.

The Chair recognizes the gentleman from Rockland, Mr. Huber.

Mr. HUBER: Mr. Speaker, is the motion to recede and concur in order?

The SPEAKER: Not until after the motion to table has been entertained. It has priority.

Is it the pleasure of the House that this matter be tabled until Monday, May 22, pending further consideration?

The motion prevailed.

### Non-Concurrent Matter Tabled and Assigned

Bill "An Act to Expand the Territory of the York Water District and to Modernize its Charter" (H. P. 1136) (L. D. 1618) which was passed to be engrossed in the House on May 4.

Came from the Senate passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

In the House: On motion of Mr. Dennett of Kittery, tabled pending

further consideration and specially assigned for Monday, May 22.

### Non-Concurrent Matter

An Act relating to List of Prospective Jurors and Selection of Jurors (S. P. 620) (L. D. 1612) which was passed to be enacted in the House on May 10 and passed to be engrossed on May 5.

Came from the Senate passed to be engrossed as amended by Senate Amendment "A" in non-concurrence.

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

### Orders

The SPEAKER: The Chair recognizes the gentleman from Glenburn, Mr. Cookson.

Mr. COOKSON: Mr. Speaker, I would inquire if L. D. 1217 is in the possession of the House?

The SPEAKER: The answer is in the affirmative.

Mr. COOKSON: Mr. Speaker, I move that we reconsider our action of yesterday whereby we accepted the "Ought not to pass" Report of the Committee on Inland Fisheries and Game.

Thereupon, the House voted to reconsider its action of yesterday whereby it accepted the "Ought not to pass" Report on Senate Paper 502, L. D. 1217, on Bill "An Act Increasing Fish and Game License Fees for Forestry District Fund.

On further motion of Mr. Cookson of Glenburn, the House voted to substitute the Bill for the Report in concurrence.

The Bill was then given its two several readings.

Senate Amendment "A" was read by the Clerk and adopted in concurrence and the Bill assigned for third reading tomorrow.

Mr. Richardson of Cumberland presented the following Order and moved its passage:

ORDERED, the Senate concurring, that Bill "An Act relating to Protecting Source of Public Water Supply" (S. P. 435) (L. D. 1154) be recalled from the Engrossing Department to the House. (H. P. 1165)

The Order received passage and was sent up for concurrence.

#### Tabled and Assigned

Mr. Jalbert of Lewiston presented the following Order and moved its passage:

WHEREAS, Article IV, Part 3, section 2, of the Constitution of Maine, provides that if the Governor does not approve a bill which has passed both Houses, he shall return it with his objections to the House in which it shall have originated, and that if after reconsideration, two-thirds of that House shall agree to pass it, it shall be sent together with the objections to the other House, by which it shall be reconsidered and, if approved by two-thirds of that House, it shall have the same effect as if it had been signed by the Governor, and

WHEREAS, there is disagreement among the members of the House of Representatives, as to the number of votes necessary to constitute two-thirds of the House, and

WHEREAS, it appears to the members of the House of Representatives of the 103rd Legislature that a question of law has arisen which makes this occasion a solemn one;

NOW, THEREFORE, BE IT ORDERED, that in accordance with the provisions of the Constitution of the State, the Justices of the Supreme Judicial Court are hereby respectfully requested to give an opinion in the following questions:

1. Do the provisions of Article IV, Part 3, section 2, of the Constitution of Maine, require a two-thirds vote of the entire elected membership of the House of Representatives to override the veto of the Governor?

2. If the answer to question 1. is in the negative, is the vote of two-thirds of those members of the House present and voting, providing there is a quorum present, sufficient to override the veto of the Governor?

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

Mr. BIRT: Mr. Speaker, I would like to have this tabled until the next legislative day.

The SPEAKER: Pursuant to Rule 41, this proposition will lie upon the table until the next legislative day.

#### House Reports of Committees Ought to Pass with Committee Amendment

Mr. Danton from the Committee on Judiciary on Bill "An Act relating to the Protection of Trade Secrets" (H. P. 943) (L. D. 1375) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to H. P. 943, L. D. 1375, Bill "An Act Relating to the Protection of Trade Secrets."

Amend said Bill in subsection 2 of that part designated "\$2113" by striking out all of paragraph B and inserting in place thereof the following:

**'B. Having lawfully obtained possession of an article representing a trade secret, or access thereto, unlawfully converts such article to his own use or that of another person, while having possession thereof or access thereto makes, or unlawfully causes to be made, a copy of such article, or unlawfully exhibits such article to another, is guilty of a misdemeanor and on conviction thereof shall be punished by a fine of not more than \$500, or by imprisonment for not more than 6 months, or by both.'**

Further amend said Bill in subsection 3 of that part designated "\$2113" by striking out all the last 3 lines (last 2 lines in L. D. 1375) and inserting in place thereof the following: **'is guilty of a felony and upon conviction thereof shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than 2 years, or by both.'**

Further amend said Bill by striking out all of subsection 4 of that part designated "\$2113" and

renumbering subsection 5 to be subsection 4.

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

#### Divided Report

Report "A" of the Committee on Legal Affairs reporting "Ought to pass" on Bill "An Act relating to Right to Vote on Approval of Final Urban Renewal Plans" (H. P. 829) (L. D. 1237)

Report was signed by the following members:

Mrs. BAKER of Orrington  
Messrs. SHAW of Chelsea  
CUSHING of Bucksport  
BELIVEAU of Rumford  
RICHARDSON  
of Stonington  
—of the House.

Report "B" of same Committee reporting "Ought not to pass" on same Bill.

Report was signed by the following members:

Messrs. GOOD of Cumberland  
STERN of Penobscot  
Mrs. SPROUL of Lincoln  
—of the Senate.  
Mrs. WHEELER of Portland  
Mr. CONLEY of Portland  
—of the House.

Reports were read.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: I move that Report "A" be accepted.

The SPEAKER: The gentleman from Stonington, Mr. Richardson, moves that the House accept Report "A" or "Ought to pass" Report. Is this the pleasure of the House?

The Chair recognizes the gentleman from Bath, Mr. Ross.

Mr. ROSS: Mr. Speaker and Members of the House: I am opposed to that motion. I support Report "B" "Ought not to pass." I am sorry to admit that this idea originated with persons in the City of Bath, two years ago. These persons at that time were opponents to urban renewal, and then they would pull no stops to confuse the issue and muddy the waters, and

this was just one more method to do it. In my opinion Bath stood to gain by urban renewal, and we went through three years with all of the tedious steps that we have to go through under the planning situation. We were making definite progress; the opponents were afraid that in the final analysis it might go through. Now they were a minority, but a very vocal minority, and many of them were motivated by selfish interests.

They couldn't get an attorney from the City of Bath, so they hired a man from Brunswick to help with this legislation. The gentleman from Harpswell, Mr. Prince, might be interested in this. It was the same attorney who suggested this year that Brunswick and Harpswell join Sagadahoc County. To me, both of these ideas made about the same amount of sense — none.

Urban renewal is first authorized by a referendum. Final approval is then obtained by a second referendum, on a bond issue. For instance, the City of Bath lost out under this second safeguard, and incidentally, in losing out they lost the majority of their downtown stores and businesses.

But I did not arise today to debate the merits of urban renewal, only this particular proposition. With the two votes that I have already mentioned, why in the world do we have to have a third vote which is basically what this is? If we do, we will be showing no faith in municipal officers; we will slow down an already time-consuming process; it will be a needless expense of a third vote for the taxpayers of the community, and it would be most difficult to amend any urban renewal plan after that vote was taken; and I support the "Ought not to pass" Report of the Committee.

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

Mr. SULLIVAN: Mr. Speaker and Members of the House: I agree with Representative Ross one hundred percent. Thank you.

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

Mr. NADEAU: Mr. Speaker and Members of the House: On this urban renewal, the only thing that this bill will do is give the right to the people to a final vote. Now, I don't remember seeing Mr. Ross at that hearing, and the only people that were there at the hearing opposing these were a couple of lawyers and people who were getting paid a fantastic sum because they worked for urban renewal. In opposition to these people were all the other people who were protecting the rights. Now, on a resolve members of this Legislature, are you aware that if they pass this in your town, in your city on a resolve that the people have no right, that they will never have the opportunity to vote? Even if it is approved and it goes through the normal channels, as it did in my home town and you do fix Section A, the people have had one vote on this, now they decide to fix the other section. You don't have an opportunity any longer unless you go through referendum to voice your opinions again. You have now given and leased your right to vote and you have become a puppet, and I hope you will go in favor of Report "A" and let the people make the final decision and not let the high-priced people deny us the right to vote. Thank you.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: I think that this was the feeling of the five members of the committee who signed out Report "A." We felt that justifiably the people should have a right to vote. I cannot see that this is going to hurt the urban renewal program at all, and therefore I do hope that Report "A" will be accepted.

Mr. SPEAKER: The Chair recognizes the gentleman from Rockland, Mr. Huber.

Mr. HUBER: Mr. Speaker and Members of the House: The problems with urban renewal are not entirely peculiar to the community of Bath. There's another community a little farther up the coast which has also had its problems with the subject. I can tell you

right now that the City of Rockland wouldn't be in the problems that it has today as far as splitting a community high, wide and handsome, if we had had this bill in the law book three or four years ago.

You ought to remember that the first vote that your community takes on urban renewal has absolutely nothing to do with spending money for projects or anything else, it simply establishes an authority—in our instance a five-man authority of men who are appointed in the community to serve five-year terms to establish proposed urban renewal projects. Of course a bond issue is voted upon by the people, and I suppose there are occasions where it isn't necessary to have a bond issue, and this is an extremely good measure in which to avoid the problems that you have had in Bath, the problems we have had in Rockland. If you give the people the opportunity to put their vote on the line—yes or no, for the project you've adopted, not the subject itself, urban renewal, but the project you've adopted. I can see some good things in urban renewal, but I can also see them for the City of Rockland, and there probably are some for the City of Bath and other communities in the State, but you have got to give the people the opportunity to make the final say on it or you're going to wind up this way, with community problems—divided communities, in the long run.

The SPEAKER: The Chair would interrupt debate just for a moment. The Chair has been informed that we have a distinguished visitor in the rear of the Hall of the House, the Assistant Majority Leader of the Connecticut House of Representatives, the Honorable John Richard Keilty. (Applause)

The Chair would be delighted to extend to the gentleman the courtesy of coming to the rostrum if he so desires and being the guest of the Speaker. Would the gentleman care to come to the rostrum?

Mr. KEILTY: I appreciate your invitation, sir, but I don't want to take your time, you have much more important business.

The SPEAKER: You're very gracious, sir, thank you.

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

Mr. McMANN: Mr. Speaker and Members of the House: I don't want to take issue with my copatriot, Mr. Ross of Bath. Mr. Ross happened to be on that urban renewal committee—I happened to be on the other side of the city government. I just want to set some of the facts straight, that's all.

We had a "knock-down, drag-out" in Bath. I did not attend the committee hearing—meeting, as I was attending a meeting of my own which was very important. But, as to some of Mr. Ross' remarks, it was not so much that people were against urban renewal in Bath as it was the way it was handled—high-handed at that, and instead of taking a project, one project in Bath, they wanted to take the whole downtown district which we were against, myself especially, in the city government.

Also, as far as losing our downtown stores, it didn't amount to peanuts. The stores were going anyway, and he knows it. For the last five years they've made plans to leave there. I'm not talking in favor of this bill, I'm not talking against it. I just would like to set the record straight. Thank you.

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

Mr. HARVEY: Mr. Speaker and Members of the House: It is because the people have not had this right that the small civil wars have mushroomed throughout the country, not just in Maine. California recognized this immediately after this was put into effect and repealed this section of the law, and you have not read in any paper but what the urban renewal plans in California have been a complete success. Because of the rights to the citizens to vote on a final urban renewal plan, the Urban Board went to the people with their plans—their plans progressed and they were successes. I give you for instance one who didn't—Cleveland Ohio, one of the first to start urban

renewal in 1950. They ripped down fifteen sections of the city and seventeen years later, this year, one has been completed. Thousands of people are homeless because of terrific war on urban renewal.

This, in minute portions is happening, or has happened, and will happen in the future today if the urban renewal authorities will not cooperate with the citizens of the towns and cities. The way it is now they have full power, they don't have to speak with businessmen in the whole city.

Now I think urban renewal can work, and it has been proven in Maine. The cities who have taken up urban renewal in Maine, whose plans have been developed in cooperation with the citizens in the town or municipality and who have had the right to referendum, have accepted it one hundred percent practically and these projects are a success, only in the case where the people do not have the right to vote. There are measures of fear in the people — "What are they trying to hide? I'm not going to have a say in this, they can do anything they want" And through this fear, knowing that they won't have a right, and the urban renewal authorities not having to get together with the citizens of the town, this fear develops in a crises.

This right to vote on the final plan will more or less force urban authorities to get in touch with the businessmen of a city and thereby working out a plan that is acceptable to the majority of the community. This way it can be and will be a success. So I urge you to give the right of referendum on this very important matter back to the people so that we can have successful urban renewal projects in the State of Maine. Thank you.

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

Mr. ROSS: Mr. Speaker and Members of the House: I only arise to reiterate what I said before. The people do have a chance to make a final vote on the bond issue, and when the vote is taken I request it be by division.

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

Mr. CAREY: Mr. Speaker and Members of the House: We have urban renewal in Waterville. Mr. Nadeau of Sanford claims not going along with this motion, it reduces the people to the position of puppets.

As a municipal officer I would remind the gentleman that after the election of municipal officers, he is in fact a puppet in many instances. Waterville has urban renewal. It's finishing up its first project which will enhance the downtown area to the tune of over a million and a half dollars. Previous opponents are now vocal proponents, but they would have voted this down given the chance.

We have our problems and still have, but to let eighteen thousand people in a community decide what is best leads to chaos. You elect municipal officers to positions of trust—I certainly wish you'd trust them.

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

Mr. EWER: Mr. Speaker, through the Chair I would like to ask a question of anyone who wishes to answer.

The SPEAKER: The gentleman may pose his question.

Mr. EWER: The City of Bangor has an urban renewal program underway, and I would like to know whether acceptance of Report "A" would have any effect on the progression of the Bangor plan. In other words, if a referendum were called on this, would this hold up the project, cause more delay, or what would happen?

The SPEAKER: The gentleman from Bangor, Mr. Ewer, poses a question through the Chair to any member who may answer who chooses.

The Chair recognizes the gentleman from Woolwich, Mr. Harvey.

Mr. HARVEY: Mr. Speaker and Members of the House: It will have no effect on Bangor whatsoever. As a matter of fact, although they didn't have to, the Council of Bangor have given the people the right to vote on this very im-

portant issue, and I understand it has been accepted by the people of Bangor.

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

Mr. EWER: In answer to the gentleman from Woolwich, that was an initial vote, when we accepted the proposition as a whole. There have been changes made in that since, which haven't gone before the people on referendum.

The SPEAKER: Is the House ready for the question? The pending question is the motion of the gentleman from Stonington, Mr. Richardson, that the House accept Report "A" or "Ought to pass" Report. The Chair understands the gentleman from Bath, Mr. Ross, has asked for a roll call. Has a roll call been requested? The Chair will order a vote.

Mr. HARVEY: I request a roll call.

The SPEAKER: The gentleman from Woolwich, Mr. Harvey, requests a roll call on the pending question. For the Chair to order a roll call it must have the expressed desire of one fifth of those present and voting. All of those desiring a roll call will vote yes, and those opposed will vote no, and the Chair opens the vote.

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 Stonington, Mr. Richardson, that the House accept Report "A" or "Ought to pass" Report on Bill "An Act relating to Right to Vote on Approval of Final Urban Renewal Plans," House Paper 829, L. D. 1237. All of those in favor of accepting the "Ought to pass" Report will vote yes, those opposed will vote no, and the Chair opens the vote.

#### ROLL CALL

YEA — Allen, Baker, E. B.; Baker, R. E.; Bedard, Belanger, Beliveau, Berman, Binnette, Birt, Bragdon, Brown, Buck, Bunker, Carrier, Carswell, Crockett, Crommett, Crosby, Cushing, Dennett,



Dickinson, Drummond, Dudley, Eustis, Foster, Fraser, Gaudreau, Gauthier, Gill, Hall, Hanson, H. L.; Hanson, P. K.; Harnois, Harvey, Haynes, Healy, Henley, Hennessey, Hewes, Hodgkins, Hoover, Huber, Hunter, Immonen, Jameson, Jewell, Keyte, Lebel, Lewin, Lewis, Lincoln, Littlefield, Lowery, Lyette, Maddox, McMann, McNally, Meisner, Miliano, Minkowsky, Mosher, Nadeau, J. F. R.; Nadeau, N. L.; Philbrook, Pike, Porter, Quimby, Richardson, G. A.; Robertson, Robinson, Sawyer, Scribner, Shaw, Shute, Snowe, P.; Soulas, Starbird, Tanguay, Thompson, Townsend, Trask, Truman, Waltz, Watts, Wood.

**NAY** — Boudreau, Bourgoin, Burnham, Carey, Champagne, Clark, Conley, Cornell, Cote, Cottrell, Curran, D'Alfonso, Edwards, Ewer, Farrington, Fecteau, Fuller, Giroux, Hanson, B. B.; Harriman, Hichens, Humphrey, Jalbert, Jannelle, Kilroy, Kyes, Levesque, Martin, Pendergast, Prince, Quinn, Richardson, H. L.; Rideout, Ross, Sahagian, Scott, C. F.; Scott, G. W.; Snow, P. J.; Sullivan, Susi, Wheeler, Wight.

**ABSENT** — Benson, Bernard, Bradstreet, Brennan, Carroll, Cookson, Couture, Danton, Darey, Drigotas, Dunn, Durgin, Evans, Fortier, Hawes, Hinds, Noyes, Payson, Rackliff, Rocheleau, Roy, White, Williams.

Yes, 85; No, 42; Absent, 23.

The **SPEAKER**: Eighty-five having voted in the affirmative and forty-two in the negative, the motion to accept the "Ought to pass" Report does prevail.

Thereupon, the Bill was read twice and assigned for third reading tomorrow.

#### **Passed to Be Engrossed**

Bill "An Act to Create Down East Community Hospital District No. 1" (H. P. 1161) (L. D. 1662)

Bill "An Act relating to Realty Subdivisions in Municipalities and Unorganized Territory" (H. P. 1162) (L. D. 1663)

Bill "An Act relating to Eligibility for Benefits Under Employment Security Law by Those Attending Vocational Training

Courses" (H. P. 1163) (L. D. 1664)

Were reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed and sent to the Senate.

#### **Third Reader Tabled and Assigned**

Bill "An Act Revising the Motor Vehicle Dealer Registration Law" (H. P. 1164) (L. D. 1665)

Was reported by the Committee on Bills in the Third Reading and read the third time.

The **SPEAKER**: The Chair recognizes the gentleman from Sidney, Mr. Drummond.

Mr. **DRUMMOND**: Mr. Speaker, I make the motion that this be tabled until Monday next.

The **SPEAKER**: The gentleman from Sidney, Mr. Drummond, moves that item 4 be tabled and specially assigned for Monday, May 22 pending passage to be engrossed.

Mr. Pendergast of Kennebunkport then asked for a division.

The **SPEAKER**: A division has been requested on the tabling motion. All those in favor of tabling will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

85 having voted in the affirmative and 24 having voted in the negative, the tabling motion did prevail.

#### **Amended Bill**

Bill "An Act relating to Approval of Secondary Schools" (S. P. 401) (L. D. 1032)

Was reported by the Committee on Bills in the Third Reading, read the third time, passed to be engrossed as amended by Senate Amendment "C" and sent to the Senate.

#### **Third Reader Tabled and Assigned**

Bill "An Act Providing for Pensions for Widows of Former Governors" (H. P. 1050) (L. D. 1522)

Was reported by the Committee on Bills in the Third Reading and read the third time.

(On motion of Mr. Birt of East Millinocket, tabled pending pas-

sage to be engrossed in non-concurrence and specially assigned for Monday, May 22.)

**Passed to Be Enacted  
Emergency Measure**

An Act relating to Sources of Supply and Purposes of North Jay Water District (S. P. 608) (L. D. 1596)

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

**Emergency Measure**

An Act Appropriating Funds for Airport at Bar Harbor (H. P. 50) (L. D. 75)

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. 112 voted in favor of same and 7 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

**Emergency Measure**

An Act relating to Board of Commissioners of Police for the Town of Sanford (H. P. 1117) (L. D. 1590)

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

**Constitutional Amendment  
Tabled and Assigned**

Resolve Proposing an Amend-Millinocket, tabled pending pas-

Credit of State for Maine School Building Authority Bonds (S. P. 622) (L. D. 1624)

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

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

Mr. BRAGDON: Mr. Speaker, since I do not recall that this has had any debate or any explanation on the Floor of the House, I am somewhat — I believe that presently the Maine School Building Authority is in operation, I think, and I would like to ask this question of anybody who would be able to answer it. What is the object and the necessity of this Act? The School Building Authority has operated I believe successfully for many years in the State of Maine. What is the need, we will say, at this time for an amendment to the Constitution pledging the credit of the State of Maine? I do not recall that they've ever had any difficulty with this Maine School Building Authority loaning proposals.

If I have not already debated this, Mr. Speaker, I would move that it be tabled.

Thereupon, on motion of Mr. Benson of Southwest Harbor, tabled pending final passage and specially assigned for tomorrow.

**Passed to Be Enacted**

An Act relating to Appeals from Land Damage Board (S. P. 231) (L. D. 556)

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.

**Enactor  
Tabled and Assigned**

An Act relating to Corporate Sale of Installment Bonds (S. P. 267) (L. D. 648)

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

(On motion of Mr. Pendergast of Kennebunkport, tabled pending passage to be enacted and specially assigned for tomorrow.)

An Act relating to Credit for Military Service Under State Retirement Law (S. P. 277) (L. D. 657)

An Act Requiring Approval of County Commissioners of Court Term Bills (S. P. 459) (L. D. 1359)

An Act Creating the Uniform Act on Paternity (S. P. 472) (L. D. 1164)

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

An Act relating to Constitution of Police Department of City of Lewiston (S. P. 487) (L. D. 1343)

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

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

Mr. JALBERT: Mr. Speaker and Members of the House: This item, L. D. 1343, as it was originally drafted, did exactly what I didn't want it to do. Unbeknown to me at least, or by-passed by me due to possible carelessness, not that one should not know what goes on here at all times, this bill did come out of Committee with a Committee Amendment that takes out any objections that I would have. This protects the individual that I want to make sure is protected, namely the Police Chief. It would assure him, as my bill of sixteen years ago did, of tenure and if removed for cause, with the right to appeal to a higher tribunal.

On the basis of that amendment and much ado and my concern was about nothing, the bill as it is is just words, it means absolutely nothing. Because I am a pleasing fellow, I now move the enactment of this measure. (Prolonged Applause)

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

An Act relating to Minimum Amount of Benefits Under Employment Security Law (S. P. 505) (L. D. 1220)

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.

#### Enactor

#### Tabled and Assigned

An Act relating to Eligibility for Office of Bank Commissioner (S. P. 632) (L. D. 1633)

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

(On motion of Mr. Robertson of Brewer, tabled pending passage to be enacted and specially assigned for Monday, May 22.)

An Act to Revise the Laws Relating to Authority for Granting Degrees and to Approval of Degree-Granting Institutions (S. P. 637) (L. D. 1641)

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.

#### Enactor

#### Tabled and Assigned

An Act relating to Suspensions Ordered by the Hearing Commissioner (H. P. 269) (L. D. 390)

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

(On motion of Mr. Dennett of Kittery, tabled pending passage to be enacted and specially assigned for Monday, May 22.)

#### Enactor

#### Tabled and Assigned

An Act Providing for Action in Aid to Dependent Children Cases Involving Fraud (H. P. 672) (L. D. 944)

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

(On motion of Mr. Hennessey of West Bath, tabled pending passage to be enacted and specially assigned for Monday, May 22.)

An Act relating to Appointment, Duties and Tenure of Permanent Chief of Fire Department of City of Westbrook (H. P. 677) (L. D. 949)

An Act Amending the Portland Renewal Authority Law (H. P. 907) (L. D. 1317)

An Act relating to Funds of Deceased Patients and Inmates (H. P. 1154) (L. D. 1650)

#### Finally Passed

Resolve for Construction and Erection of Statue to "The Maine Lobsterman" in Washington, D. C. (H. P. 661) (L. D. 916)

Resolve to Reimburse Elmer Hannigan of Portland for Property Damage by Highway Construction (H. P. 734) (L. D. 1057)

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

#### Orders of the Day

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

SENATE REPORT—Ought to Pass—Committee on Industrial and Recreational Development on Bill "An Act to Preserve and Enhance Scenic Values in the State of Maine" (S. P. 500) (L. D. 1215) (In Senate, passed to be engrossed)

Tabled—May 16, by Mr. Richardson of Cumberland.

Pending—Acceptance in concurrence.

On motion of Mr. Benson of Southwest Harbor, retabled pending acceptance in concurrence and specially assigned for Friday, May 19.

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

SENATE MAJORITY REPORT (7)—Ought to Pass—Committee on Towns and Counties on Bill "An Act to Authorize Lincoln County to Raise Money for Court House Capital Improvements" (S. P. 485) (L. D. 1206) MINORITY REPORT (3)—Ought Not to Pass. (In Senate, passed to be engrossed)

Tabled—May 16, by Mr. Buck of Southport.

Pending—Motion of Mr. Waltz of Waldoboro to accept Minority Report.

The SPEAKER: The Chair recognizes the gentleman from Southport, Mr. Buck.

Mr. BUCK: Mr. Speaker, I would like to have this tabled until Monday if someone will make a motion. The Committee, due to other business, couldn't meet yesterday and we wish to have an amendment on this.

Thereupon, on motion of Mr. Richardson of Cumberland, tabled pending the motion of Mr. Waltz of Waldoboro to accept Minority Report and specially assigned for Monday, May 22.

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

SENATE REPORT—Leave to Withdraw—Committee on Judiciary on Bill "An Act relating to Challenges of Jurors in Criminal Cases" (S. P. 159) (L. D. 330) (In Senate, read and accepted)

Tabled—May 16, by Mr. Richardson of Cumberland.

Pending—Acceptance in concurrence.

Thereupon, the Leave to Withdraw Report was accepted in concurrence.

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

Bill "An Act Providing for a Tax on Real Estate Transfers" (H. P. 1143) (L. D. 1627)

Tabled—May 16, by Mr. Hanson of Gardiner.

Pending—Adoption of House Amendment "A" (H-307)

On motion of Mr. Hanson of Gardiner, retabled pending adoption of House Amendment "A" and specially assigned for Monday, May 22.

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

Resolve to Reimburse Margurite Spohrer of York for Well Damage Resulting from Use of Salt on Route 1 (H. P. 93) (L. D. 121)

Tabled—May 16, by Mrs. Fuller of York.

Pending—Final Passage.

Thereupon, on motion of Mrs. Fuller of York, the Resolve was finally passed, signed by the Speaker and sent to the Senate.

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

Bill "An Act relating to Certain Expenses of Supreme Judicial Court Paid by State to Cumberland County" (S. P. 207) (L. D. 546)

(In Senate, Passed to be Engrossed as Amended by Senate Amendment "A" (S-85)

Tabled—May 16, by Mr. Quinn of Bangor.

Pending—Adoption of Senate Amendment "A".

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

Mr. QUINN: Mr. Speaker, Ladies and Gentlemen of the House: This bill will allow Cumberland County to receive from the State the sum of \$200 monthly as rental for the sessions of the Supreme Judicial Court in Cumberland County. Historically, the Supreme Judicial Court has been held from time to time in Bangor, Augusta, and Cumberland County. Presently, the Court is held in Kennebec County and in Cumberland County, three terms in Kennebec County and five terms in Cumberland County, and the county treasury in each of those counties have underwritten the costs of maintaining those court rooms.

The Superior Court rooms are all underwritten by the County Commissioners in the sixteen counties. Now if one county can ask for \$2400 a year out of State funds rather than county funds to pay for these court room spaces, then equitably all sixteen counties could do the same thing, which would amount to a matter of about \$38,000 a year for rentals.

Now we have all been getting along very well in the various court rooms under the maintenance of the County Commissioners, and I think we can well do the same in the future. Consequently, I move that this L. D. be indefinitely postponed.

The SPEAKER: The Chair would inform the House and the gentle-

man that only Senate Amendment "A" is before the House.

The Chair recognizes the gentleman from South Portland, Mr. Hinds.

Mr. HINDS: Mr. Speaker and Ladies and Gentlemen of the House: I would like to add just a little bit to what the gentleman from Bangor, Mr. Quinn has said. I don't think he has explained the situation fully. The court meets three months in Augusta and meets five months in Portland as he said. However, the Court meets in Augusta for three months because there is no other time available, they meet in the Superior Court Chambers here in Augusta. In Portland, the Court does not meet in the Superior Court Chambers as do courts throughout the State. This is a special court room for the Supreme Court and they have special chambers for the Judges and so forth here at the County Court House. These are two separate chambers altogether, and the County of Cumberland also pays for a Court Messenger \$3,000 a year for the Court which the other areas do not have to pay for, and I would support Mr. Dennett in the words that he had to say here the other day on this bill in favor of the \$200 a month rental and hope that a motion to indefinitely postpone does not prevail.

The SPEAKER: The Chair would inform the gentleman and the House that that motion has not been entertained because Senate Amendment "A" is the only matter before us at this time.

The Chair recognizes the gentleman from Kingman Township, Mr. Starbird.

Mr. STARBIRD: Mr. Speaker, I move that Senate Amendment "A" be indefinitely postponed.

The SPEAKER: The gentleman from Kingman Township, Mr. Starbird, now moves that Senate Amendment "A" be indefinitely postponed.

The Chair recognizes the gentleman from Kittery, Mr. Dennett.

Mr. DENNETT: Mr. Speaker and Members of the House: I rise in opposition to the motion made by the gentleman from Kingman Township that this amendment be indefinitely postponed. I went into

quite some detail I thought, the other day, to explain what action was originally taken. For the benefit of the House, I will attempt briefly to explain it again. The bill came before the Committee on State Government requesting that the State assume the obligations which had been heretofore resting in the County Commissioners of the County of Cumberland, that the State assume the payment of a messenger in the amount of \$3,000 and \$200 monthly for the use of this court room which is especially and specifically designed for the use of the Supreme Judicial Court.

The bill came out with a unanimous "Ought not to pass" Report. It was amended with the amendment that is now before us deleting any payment to be made to the messenger, but repaying the \$200 which was to be paid monthly to the County of Cumberland. Now I am not a resident of the County of Cumberland. I have no benefits whatsoever to derive from this bill in any manner whatsoever. But I do think that it is only just and it is only fair that wherein the County of Cumberland provides a special place for the Supreme Judicial Court, that there should be some sort of payment for it.

I think it is very unfair to expect the County of Cumberland to bear this whole entire and complete burden. It has been mentioned heretofore that the Superior Courts might be asked to pay and what a cost it would be. There is nothing in this bill whatsoever concerning any Superior Courts. For all purposes they are County Courts, and I believe the several counties are very willing to provide these quarters at county expense. This is an entirely different matter and I sincerely and honestly believe that the County of Cumberland should be reimbursed for this use. I hope that the motion made by the gentleman from Kingman Township does not pass, when the vote is taken I ask for a division.

The SPEAKER: Is the House ready for the question?

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

Mr. QUINN: Mr. Speaker and Ladies and Gentlemen of the

House: These courts are all State courts. The officials of all these courts and the judges are all paid from State appropriations. They meet from county to county for the convenience of the citizens of the various counties. And the county commissioners in the county of the shire towns have provided not only court room space for these various courts, but also for their records for their libraries and for everything else, and it has been functioning satisfactorily. We have enough things to spend our State money on and it's my feeling that the counties can continue to maintain these courtrooms.

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

Mr. HEALY: Mr. Speaker and Ladies and Gentlemen of the House: Inasmuch as the duties of the County Commissioners have been pretty much reduced to being landlords, I think they're making a valiant effort to collect their justly due rents. I thank you.

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from Kingman Township, Mr. Starbird, that Senate Amendment "A" be indefinitely postponed. A vote has been requested. All those in favor of the indefinite postponement of Senate Amendment "A" will vote yes and those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

37 having voted in the affirmative and 79 having voted in the negative, the motion did not prevail.

Thereupon, Senate Amendment "A" was adopted in concurrence and the Bill assigned for third reading tomorrow.

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

HOUSE REPORT—Ought Not to Pass—Committee on Appropriations and Financial Affairs on Bill "An Act Providing Funds for Relocating of Maine Central Railroad Tracks in Livermore Falls" (H. P. 822) (L. D. 1230)

Tabled—May 16, by Mr. Richardson of Cumberland.

Pending—Acceptance.

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

Mr. SHUTE: Mr. Speaker and Members of the House: I notice that the sponsor of this bill is not in the House today and I'd like to have someone table it until Monday, if possible.

Thereupon, on motion of Mr. Birt of East Millinocket, tabled pending acceptance of Report and specially assigned for Monday, May 22.

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

An Act relating to Form and Arrangement of Ballots in General Elections (H. P. 216) (L. D. 306)

Tabled—May 17, by Mr. Benson of Southwest Harbor.

Pending—Passage to be enacted.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: There is, I believe, no sense in further debating the merits of this most progressive governmental reform today. The present ballot is the same form as was originally proposed when Maine adopted the Australian ballot March the 25th, 1891. Our Governor addressed himself to us in joint convention this morning at which time he requested modern tools for these modern times. He expressed his concern about letting the people vote on certain items. He stated his confidence in the judgment of the people of Maine. I also have that confidence. I would be delighted to have a referendum attached to this governmental reform. But I would hope this morning that the House would enact it as it is to show our spirit of progress and then it could be amended in the other body later, with which we could concur at that time.

The SPEAKER: The Chair recognizes the gentleman from Madawaska, Mr. Levesque.

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: In due regards to the remarks made by the gentleman

from Bath, Mr. Ross, this morning, I don't think that the Governor in his proposal this morning regarding governmental reform covered anywhere this type of reform. I think he was referring to progressive reform, not regressive reform. So with those few kind remarks this morning, that we don't want to go back a century—we would like to go ahead. I now move that this document be indefinitely postponed.

The SPEAKER: The gentleman from Madawaska, Mr. Levesque, now moves that item 8, L. D. 306, be indefinitely postponed.

The Chair recognizes the gentleman from Cumberland, Mr. Richardson.

Mr. RICHARDSON: Mr. Speaker and Ladies and Gentlemen of the House: In opposition to this most untimely and cruel motion to indefinitely postpone this bill, I'd like to say with some seriousness in view of the levity that's gone before, that we have a genuine concern for reform, that this is a new idea, it isn't one of these tired old chestnuts that is trotted out every biennium. This is a progressive and worthwhile change in our election procedures, designed to allow the people of Maine to more intelligently exercise their choice. I would therefore hope that this bill will receive enactment today and that if it's thought necessary, an amendment can be put on since one of the Chief Executive's objections is that the people are not asked their opinion on these changes, these reforms, we can cure that objection hopefully in the other body by putting on an amendment allowing a referendum. I would urge every member of this House to vote against indefinite postponement and when the vote is taken, I request it be taken by the yeas and nays.

The SPEAKER: The Chair recognizes the gentleman from Madawaska, Mr. Levesque.

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: Also in view of the remarks made by the gentleman from Cumberland, Mr. Richardson, the Majority Floor Leader, to my cruel motion, I am just wondering

whether my motion is so cruel as to try to indefinitely postpone this bill, or it has absolute refusal this morning on my part of trying to table a document for two legislative days. Somehow or other, if this is such a cruel motion that I have made to indefinitely postpone this document, in view of the fact that the gentleman from Cumberland, Mr. Richardson, would like to see this go back to the people, in the form of an amendment to this document, would the gentleman from Cumberland, Mr. Richardson, also signify his intention of acting on some of the other governmental reforms that we were also denied the privilege and prerogative of retabling. If it is certainly good for one, it ought to be somewhat in some light being able to consider some of the others.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: In response to what I view as a question from the gentleman, I would say that my views with respect to the earlier alleged governmental reforms is well known. And as I apparently unsuccessfully attempted to point out, this is a reform measure which has never before received consideration in this body unlike what I attempted to categorize earlier as old issues, so that our hope is that if there is, too, a spirit of reform, we will allow this bill to become enacted. And I would again urge you to vote against indefinite postponement.

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

Mr. HEALY: Mr. Speaker and Ladies and Gentlemen of the House: I've always done pretty well under the circle at the top of the ballot. And if it hadn't been there, I'd never be here. And I would like to put a question to the gentleman from Bath, Mr. Ross, if this eliminates the circle at the top of the ballot.

The SPEAKER: The gentleman from Portland, Mr. Healy, poses a question through the Chair to the

gentleman from Bath, Mr. Ross, who may answer if he chooses.

Mr. ROSS: Mr. Speaker, that same question was put to me a week ago and I said that the answer was in the affirmative because there are no party columns here. The party columns—and I think this is quite interesting, because I have here a paper from Ellsworth, Maine, April 28, 1892, commenting on the progressive legislation they had just put through the past year and how it was going to help. Now I think that 1892 was just a few years ago to be considered a modern tool now, but as a member of the Republican party I would like to comment to the question raised by the gentleman from Madawaska, Mr. Levesque. I voted for two of the reforms you suggested and I am on record as having done so, the item Veto and Lieutenant Governor. Can you do less today?

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

Mr. HEALY: Mr. Speaker and Members of the House: Very briefly, this looks to me like a gimmick to eliminate the circle from the top of the ballot.

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

Mr. BIRT: Mr. Speaker and Members of the House: I think that probably one of our neighboring states has an excellent example of how this change would work.

The SPEAKER: The House will be in order. The Chair would advise the House that it's very difficult for the reporter to get down verbatim remarks when there is conversation going on while debate is going on. The gentleman will proceed.

Mr. BIRT: Ladies and Gentlemen, I think if a look is taken at the results of a couple of elections in the State of Massachusetts in the last four years, they are rather interesting because during those elections with this type of ballot you had the situation in a state which is highly Democratic, that the present President of the United



States carried the ballot by somewhere in the neighborhood of a million six hundred thousand; and yet we had a very capable negro who ran as Attorney General in the State of Massachusetts at the same time on the Republican ballot and he carried his particular office by about 500,000, so there was a difference in the neighborhood of 2,000,000 votes between the Democrats and the Republicans. And this same situation has prevailed in several similar elections in Massachusetts, and I am absolutely certain that if there had been a straight ticket at the top of the ballot, that the present Senator Brooke would probably not now be a member of the United States Senate.

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

Mr. JALBERT: Mr. Speaker and Members of the House: To the gentleman from Portland, Mr. Healy, this looks like a gimmick—to me it looks like another veto.

The SPEAKER: The Chair recognizes the gentleman from Madawaska, Mr. Levesque.

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: The gentleman from Bath, Mr. Ross, has asked a question about my voting. I think if his vote has been, too, for some of the governmental reforms, he should try to convince his leader of how he voted against how I voted. And regarding the remarks made by the gentleman from East Millinocket, Mr. Birt, I would ask not only Mr. Birt, but all the Republican members of this House if they would be so progressive as to adopt the other constitutional reforms that Massachusetts has had for so many years.

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

Mr. COTTRELL: Mr. Speaker and Ladies and Gentlemen of the House: I might describe this project in another way. I think it's a pretty fine idea. I hope maybe some day Maine can adopt it, but I think it's ill timed. I happen to have lived in a state, or was brought up in a state, where on election day we had a holiday.

We always remember that, because it was very important to vote. And everybody had ample time to vote. But our conditions in Portland are very bad and those who live in Portland know. In November when we vote, it's quite cool, we have to stand in line for an hour or two hours.

I think it's time for Maine to consider having a half holiday maybe on election day, or at least making arrangements for people who have to work to be excused from work for a short time so that they can vote. We don't have the facilities in Portland to go over a long ballot, to take the time and do it; and so I'm not afraid of taking the big box off the top if you give people time enough to vote. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Fort Kent, Mr. Bourgoin.

Mr. BOURGOIN: As a member of the election law committee, I know that this bill came out with a divided report. I believe if the gentleman from Bath, Mr. Ross, would bring the bill in front of us in 1971 it might come out with a unanimous "ought to pass."

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 will vote yes; those opposed will vote no. The Chair opens the vote.

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 Madawaska, Mr. Levesque, that House Paper 216, L. D. 306, An Act relating to Form and Arrangement of Ballots in General Elections, be indefinitely postponed. All of those in favor of indefinite postponement will vote yes; those opposed will vote no. The Chair opens the vote.

#### ROLL CALL

YEA — Bedard, Belanger, Beliveau, Bernard, Binnette, Boudreau, Bourgoin, Brennan, Buck, Burnham, Carey, Carrier, Carroll, Cars-

well, Champagne, Conley, Cote, Cottrell, Crommett, Curran, D'Alfonso, Danton, Drigotas, Dudley, Eustis, Fecteau, Fraser, Gaudreau, Gauthier, Giroux, Harnois, Haynes, Healy, Hennessey, Hunter, Jalbert, Keyte, Kilroy, Lebel, Levesque, Lowery, Martin, McNally, Minkowsky, Nadeau, J. F. R.; Nadeau, N. L., Rocheleau, Roy, Sawyer, Scribner, Starbird, Sullivan, Truman, Wheeler.

NAY — Allen, Baker, E. B.; Baker, R. E.; Benson, Berman, Birt, Bragdon, Brown, Bunker, Clark, Cornell, Crosby, Cushing, Dennett, Dickinson, Drummond, Dunn, Durgin, Edwards, Ewer, Farrington, Foster, Fuller, Gill, Hall, Hanson, B. B.; Hanson, H. L.; Hanson, P. K.; Harriman, Henley, Hewes, Hichens, Hinds, Hodgkins, Hoover, Huber, Humphrey, Immonen, Jameson, Jannelle, Jewell, Kyes, Lewin, Lewis, Lincoln, Littlefield, Lycette, Maddox, McMann, Meisner, Milano, Mosher, Pendergast, Philbrook, Pike, Porter, Prince, Quimby, Quinn, Richardson, G. A.; Richardson, H. L.; Rideout, Robertson, Robinson, Ross, Sahagian, Scott, C. F.; Scott, G. W.; Shaw, Shute, Snow, P. J.; Snowe, P.; Susi, Tanguay, Thompson, Townsend, Trask, Waltz, Watts, White, Wight, Williams, Wood.

ABSENT — Bradstreet, Cookson, Couture, Crockett, Darey, Evans, Fortier, Harvett, Hawes, Noyes, Payson, Rackliff, Soulas.

Yes, 54; No, 83; Absent, 13.

The SPEAKER: Fifty-four having voted in the affirmative and eighty-three in the negative, with thirteen being absent, the motion to indefinitely postpone does not prevail.

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

The Chair before the House the ninth tabled and today assigned matter:

HOUSE MAJORITY REPORT (8)—Ought to Pass with Committee Amendment "A" (H-291)—Committee on Business Legislation on Bill "An Act Revising the Credit Union Law" (H. P. 963) (L. D. 1406)—

Minority Report (2)—Ought Not to Pass.

Tabled—May 17, by Mr. Dennett of Kittery.

Pending—Motion of Mr. Scott of Wilton to accept Majority Report.

Thereupon, Mr. Scott of Wilton was granted permission to withdraw his motion to accept the Majority "Ought to pass" Report.

The SPEAKER: The Chair recognizes the gentleman from Wilton, Mr. Scott.

Mr. SCOTT: Mr. Speaker and Members of the House: I now move acceptance of the Minority "Ought not to pass" Report, and would like to speak to my motion.

The SPEAKER: The gentleman from Wilton, Mr. Scott, now moves that the House accept the Minority "Ought not to pass" Report. The gentleman may proceed.

Mr. SCOTT: Mr. Speaker and Members of the House: This L. D. 1406 came before the Business Legislation Committee. There was a good discussion on the matter.

In the Executive Session we discussed the matter at great length. There was some reluctance by some on the committee, including myself, to sign the Majority Report. I think it was generally felt that opposition to this measure would be about the same as speaking against the church.

Since I signed the Majority Report very reluctantly, I have checked into the credit union movement and find their purpose to be a noble one. Their original purpose was to facilitate financial self-help and encourage prudence and frugality among lower income groups.

To form a credit union people must share a common bond such as working for the same employer, belonging to the same business or fraternal organization. Recently there has been a noticeable trend toward the consolidation of individual credit unions into one broad based community credit union. The common bond is being stretched to the breaking point.

Under the Federal law, Federal Credit Unions, as I understand it, are not allowed to form central credit unions, and I urge your

support in accepting the Minority "Ought not to pass" Report.

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

Mr. ROBERTSON: Mr. Speaker and Members of the House: This is an item which has been tabled three times, for what reason I'm not aware but I guess it is about time to debate it.

This bill happens to be another one of my stalwart children, this one dedicated to assist humanity, to protect the rights and privileges of individuals. These individuals are members of the great Credit Union movement in the State of Maine. Now this bill that is before you would merely enable credit unions that might find themselves in difficulty from a financial aspect, to merge with a central credit union in order that its members might continue to enjoy the credit union rights and privileges. In so merging they would enjoy full rights and benefits and at the same time insure the member protection in case a credit union is forced to dissolve because a plant or business closes its doors.

Under this procedure the membership of the credit union seeking the merger would vote to take the merger step to join with the central union. The results of the vote of the dissolving credit union would be forwarded to the Bank Commissioner. The merger will then be approved or disapproved by the Commissioner. Upon notification by the Commissioner to the central credit union that the merger has been approved, they must meet, and if the proposal is approved by a two-thirds vote of the board of directors of this central union, the merging credit union will meet with central to work out the agreements of the merger. Now the central credit union will assume all the assets and liabilities of this merging group. The agreement between central and the merging union is then submitted to the Commissioner for his approval.

So I want you to get these three facts clearly: One, the members of the dissolving credit union must first approve this merger; two,

the central credit union must approve this merger; three, the Commissioner must first approve the merger. Secondly he must approve the final agreement before this merger can be effected. In other words, the Commissioner has two opportunities to approve or disapprove this merger.

Now the passage of this legislation will give greater assurance and protection to the members of the credit union movement in the State of Maine. Despite the fact they have experienced no difficulty in the past and predict none in the future, they feel that the members of this organization should have this protection. Now, apparently this problem of merger seems to have bothered at least one or two members of this Committee. However, I would like to state that it is written to conform to the stipulations of voluntary and involuntary liquidation in our present statute. As a matter of fact, it is conceivable that this authority is already granted in the present law; however, for clarification and to grant the Banking Commissioner greater authority in approving the merger, this bill has been submitted. This section would enable a credit unit operating in a plant that is destined to close, to institute merger proceedings prior to the closing to insure its members uninterrupted service and membership privileges.

Again I reiterate, this merger can be accomplished or not accomplished at the direction of the Bank Commissioner. He has the supreme authority in allowing this operation, and he is a Bank Commissioner. Get that—a Bank Commissioner. He has under his jurisdiction the credit unions.

Now I think all of you members in this House have credit unions in your church, your community, your business, your industry. I'm sure since this is a bill supported and endorsed by the State Credit Union League, and is one that is effective in other states in our Country, that the members you represent want you to support this measure and the Majority Report which came out 8 to 2 "Ought to pass." I think we should support

our credit unions and respect the judgment of the Committee by accepting the "Ought to pass" Report. However we have a motion before the House by one of the members who signed the report originally, who has since changed his mind, to defeat this.

Now if there is opposition who wish to debate this, I can supply adequate information as to why a segment of the lending institutions is against this measure. I don't like to bring these facts out, but I have a briefcase full of these facts. I would only like to bring out one point. The only opposition to this measure at the present time comes from the banks. And I don't blame them because, ladies and gentlemen, the credit unions loan money to individuals, their employees in their plants, at 11.8 per cent true simple annual interest. The commercial banks are entitled to loan at an annual interest. Our banks in testimony have before committees admitted to a 24 per cent to the members who have borrowed money from them. They have had the audacity to go before a committee and state that they would require in small loans a 32.5 per cent.

I cannot blame institutions of this type in opposition to a credit union which lends its members at 11.8 per cent. I cannot blame them that if a credit union goes out, or wanted to take these members into the bank—of course they do. If I were banker, ladies and gentlemen, so would I. But I'm not, I merely have a bill here that I feel is just, is righteous, is honest. It has been attempted by certain segments to undermine this bill. I don't operate in such an underhanded way, I don't have representation in the third house. I only say that I hope you members recognizing the value of this bill, recognizing that it only seeks to assist these members who are forced out because their companies go out of business, that you give them the opportunity to reclaim the insurance which they have, and the investments which they have to get the dividends and the savings that they should have, and that they should not have to lose be-

cause their individual company goes out of business.

You all represent these credit unions. I'm going to ask for a roll call vote, yea and nay, in order that the credit union membership in the State of Maine might know how you voted—how well you support them, because I think ladies and gentlemen, you are going to support them, and thank you very much.

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

Mr. HEALY: Mr. Speaker and Members of the House: My ability and qualifications to discuss this banking measure is to be limited to reading to you an excerpt from a letter I received from one of the oldest banking institutions in the country with regard to this bill. And I quote: "Such a broad expansion would permit the establishment of a central credit union through mergers, throughout the entire state and the elimination of any territorial limits imposed upon legitimate banking institutions. Banking institutions, of course, can only render financial services in the county of their main office and any adjoining county. This bill also completely derogates from the 'common bond' requirements which was the original theme and strength behind the establishment of credit unions. Certainly no common bond can exist with such a diverse unification of interests." Thank you.

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

Mr. SCOTT: Mr. Speaker and Members of the House: I rise to explain my position as to why I signed the original Minority Report "Ought not to pass." I rise to reluctantly oppose my friend from Brewer, Mr. Robertson, and to oppose L. D. 1406. I rise as a friend both of the Representative from Brewer and of credit unions themselves.

I feel that L. D. 1406 is not in the best interests of the credit unions. This bill will create a central union that eventually will devour all or most of the now individual unions. I do not believe that many members of the credit

unions have thought this through themselves.

L. D. 1406 as first drafted would have made it a giant institution that every person in the United States who had been a member of a credit union or in the world could have joined this.

I cannot see why the credit unions cannot be allowed to merge with an adjoining credit union in the next mill or the next town or the next parish and accomplish the same thing which they desire to do. This monster, I'm afraid, will get out of hand and destroy the credit union movement itself. The institution would cover every inch of Maine from Kittery to Fort Kent, while no other bank, national trust company, savings bank, or even piggy bank could cover that far.

I do not believe this has been well thought out, and for that reason I believe it would destroy the common bond which has united the credit union in the various towns and factories. The express purpose was to assist members of the credit union to retain their benefits when a union itself had lost its sponsor factory or became in trouble with liquidation. However, the law can do the same thing if amended, that the credit union could join a neighboring credit union, and I believe this is the proposal as it should be. I would support the motion to indefinitely postpone.

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

Mr. ROBERTSON: Mr. Speaker and Members of the House: I think the chief problem lies here in a misunderstanding of the credit unions.

I am a manager and treasurer of a credit union; I'm quite familiar with its operations, I'm quite familiar with the legality of this bill, I'm familiar with its contents, and I'm familiar with the misrepresentation it received, because it is misrepresentation. I've seen the letters the banks have sent you, ladies and gentlemen. It's a complete misrepresentation. It's a complete misinterpretation of the regulations in this law.

I'd like to answer the gentleman, the question as posed by my good friend who signed the Minority Report, and I consider him a good friend regardless of which way he signed the report. But, it's impossible for a credit union—for instance I'll take a credit union in my own community of Brewer with 971 members, the Standard Packaging Corporation. The law says we can only take into membership those within the field of membership, which means they have to work at Standard Packaging. I'm not like a bank, I can't take in all members, I can only take in people that work at Standard Packaging. Now he says why don't we merge with someone else in the County? Obviously, I can't take members from a shoe plant that is dissolved into my credit union. They aren't the paper mill workers, they aren't within the field of membership. I'm regulated by Federal law which says I can't do this. So consequently that's an unworkable, impossible amendment. I've seen this amendment proposed—it's in direct violation and contradiction of our present laws. It could not be accomplished. This is the very purpose of this law, to have a central credit union so that these people who are pushed out from their communities—your church credit union is in difficulty; your credit union at your little shoe plant is in trouble; you have a little community credit union which is in trouble. The idea of this bill is for them to be able to get help from this central so that you as members won't lose in this venture. That's the only reason for this bill. The idea that it's going to devour and accomplish one great big credit union is absurd—it's ridiculous—it's incredible.

Ladies and gentlemen, why would a credit union of a little shoe company in Auburn or Pittsfield, why would they want to merge with a central credit union in Portland? We have payroll deductions from our own plants, we save, this is a mutual association in which we save and borrow our own money in our own little community, our own church. This is not, as has been tried to bring

to you today, an event to accomplish a complete monopoly. We don't attempt to monopolize. We do business with banks, and I can tell you, ladies and gentlemen, despite what some of the banks have said, that my happiest relationships are with the banks in my community. We respect each other, I put money in their banks, I borrow from their banks and we enjoy a fine relationship. So this bank opposition doesn't stem nationally. Most of the letters I have seen are from the Portland area—it's very obvious why they come from that area ladies and gentlemen. I only ask that you support this regulation that's honest, that's just, that's fair. It only asks for our credit unions the right that they should have and they might have anyway, but I think the Banking Commissioner should have an authority to make that determination and this regulation gives him that authority.

And as a Banking Commissioner do you think that he's going to allow credit unions to merge and join to become big, if he doesn't want them? After all, he is a banking commissioner. Please think that over and realize that what I have said is right. I'm not trying to sell something that isn't honest. If I didn't believe in this bill I'd never present it. Ladies and gentlemen, these are the facts, I hope you will vote accordingly. I think it's late and we shouldn't procrastinate further, and thank you very much.

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

Mr. SULLIVAN: Mr. Speaker and Members of the House: I was one of the eight on that committee that voted for that bill, and I happen to own some shares of bank stock, and I'm for this bill a hundred per cent. In addition, I might point out, that on that Committee, Business Legislation, we have three senators, and one of them is an unusually able lawyer, and when eight people like that—and we heard that bill, and when eight out of ten vote for it, and we heard all angles of it and all sides, and I'm

for that bill one hundred per cent. Thank you.

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

Mr. SCRIBNER: Mr. Speaker and Members of the House: I would like to rise in support of the position of my friend from Brewer, Representative Robertson.

This bill, as he has pointed out, is clearly and primarily in the neighborhood of insurance for some of the smaller credit unions. They'll have some place to go, and they won't lose their life savings, some of the older members if the plant in which they happen to work closes down or there is some other difficulty with their local credit union. Most of these are very small institutions, and I believe that they need a small measure of insurance for their members. I think it's going to devour them just as much as we're devoured by the other forms of insurance that we're accustomed in our daily lives. I'm not a member of a credit union; I've been one several times, but unfortunately because of the restrictions imposed on them, if you move or if the credit union closes there's no place else you can go. I belonged to two different credit unions in the past, but because I cannot continue this relationship, I pay more money when I borrow it now, and I receive less interest on my savings. I think the credit union is a very worthwhile movement—they do a great deal to stem the abuses that are inherent in consumer credit. In today's life for example, if you go to a bank and you want to borrow money and you're over-extended, they'll send you out. Perhaps they should—it's a business relationship. The credit unions go a great deal further; they do a great deal of counseling, they help many individuals who have become financially over-extended. I think this is a very worthwhile endeavor that they're engaged in, and they're entitled to at least a small measure of insurance for their members in case some difficulty arises in their operation.

The bill provides many controls. I see no possibility of it being

abused, there are a number of votes that have to be taken and approvals issued, that this could not be abused in any manner to form any sort of irresponsible organization. It is merely an insurance type proposition for the members of the smaller credit unions throughout this state, and I heartily urge you to defeat the motion to accept the Minority "Ought not to pass" Report.

The SPEAKER: The Chair recognizes the gentleman from Milo, Mr. Trask.

Mr. TRASK: Mr. Speaker and Members of the House: This Legislature has before it many pieces of legislation designed to curtail the activities of lending institutions. This bill, L. D. 1406, is an exception to this trend. Instead of curtailing the activities of the financial institution, it is broadening the scope of activities of one particular phase of financial institution.

This bill as you know deals with credit unions, and as written and amended would increase the field of membership and allow one credit union to merge with another until it is possible that all that we would have left would be one gigantic credit union in the State of Maine.

Our banks and other financial institutions are limited in the scope of their activities, and I think rightly so, and I do not feel that we should permit such a broadening of the activities of credit and at the same time restrict the activities of other financial institutions. Thank you.

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

Mr. GAUTHIER: Mr. Speaker and Members of the House: As a member of the Business Legislation Committee who signed this report "Ought to pass" I'd like to second what Mr. Robertson has said, and I hope you will go with him in this measure.

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

Mr. DENNETT: Mr. Speaker and Members of the House: I rise to support the motion of the gentleman from Wilton, Mr. Scott,

and in so doing I do not question the honesty of anyone in this House. I know the gentleman from Brewer to be a very honorable gentleman, and my opposition to what he has to say casts in no way whatsoever, any shadow upon his integrity.

I do think that the credit union has a certain place within our state as a lending institution. It does a vast service.

Now if this bill in its scope merely limited the merger of these institutions with one that was very sound, with one who was threatened with perhaps being defunct or the business going out that supported the credit union, I don't think I would offer any opposition, but the scope in this bill is huge; it would permit two sound and going institutions to merge, they would not be limited as to territory such as the banks are. In all, I think it would be very difficult and I don't think in the final analysis it would be to the great advantage of the credit unions within the State of Maine.

I would hope that you would support the motion made by the gentleman from Wilton.

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

Mr. LITTLEFIELD: Mr. Speaker and Members of the House: When the credit union at Dow Air Force Base was being formed, I was employed to manage it until the military could elect officers and take over. I believe Mr. Robertson, the gentleman from Brewer, has thoroughly explained this bill this morning, and I would be opposed to the motion to indefinitely postpone the bill.

The SPEAKER: Is the House ready for the question? The pending question is the motion of the gentleman from Wilton, Mr. Scott, to accept the Minority "Ought not to pass" Report. The Chair understands the gentleman from Brewer, Mr. Robertson, requests a roll call. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All of those desiring a roll call will vote yes, those opposed will vote no, and the Chair opens the vote.

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 the motion of the gentleman from Wilton, Mr. Scott, that we accept the Minority "Ought not to pass" Report on Bill "An Act Revising the Credit Union Law." House Paper 963, L. D. 1406. All of those in favor of accepting the Minority "Ought not to pass" Report will vote yes, those opposed will vote no, and the Chair opens the vote.

### ROLL CALL

YEA — Benson, Bernard, Birt, Bragdon, Brown, Bunker, Carey, Carrier, Carswell, Clark, Cornell, Cottrell, Danton, Dennett, Dickinson, Drummond, Dudley, Dunn, Durgin, Edwards, Farrington, Foster, Fuller, Giroux, Hanson, P. K.; Healy, Henley, Hewes, Hodgkins, Humphrey, Jewell, Kilroy, Lewis, Lincoln, Lycette, Maddox, McMann, Meisner, Pendergast, Pike, Porter, Richardson, H. L.; Rideout, Ross, Roy, Scott, C. F.; Scott, G. W.; Shaw, Snow, P. J.; Thompson, Trask, Truman, Waltz, White, Wight, Wood.

NAY — Allen, Baker, E. B.; Baker, R. E.; Bedard, Belanger, Beliveau, Berman, Binnette, Boudreau, Bourgoin, Brennan, Buck, Burnham, Carroll, Champagne, Conley, Cote, Crockett, Cushing, D'Alfonso, Drigotas, Eustis, Ewer, Fecteau, Fraser, Gaudreau, Gauthier, Gill, Hall, Hanson, B. B.; Hanson, H. L.; Harnois, Harriman, Haynes, Hennessey, Hichens, Hinds, Hoover, Huber, Hunter, Immonen, Jalbert, Jameson, Jannelle, Keyte, Kyes, Lebel, Levesque, Lewin, Littlefield, Lowery, Martin, McNally, Miliano, Minkowsky, Mosher, Nadeau, J. F. R.; Nadeau, N. L.; Philbrook, Prince, Quimby, Quinn, Robertson, Robinson, Rocheleau, Sawyer, Scribner, Shute, Snowe, P.; Sullivan, Susi-Tanguay, Watts, Wheeler, Williams.

ABSENT — Bradstreet, Cookson, Couture, Crommett, Crosby, Curran, Darey, Evans, Fortier, Harvey, Hawes, Noyes, Payson, Rack-

liff, Richardson, G. A.; Sahagian, Soulas, Starbird, Townsend.

Yes, 56; No, 75; Absent 19.

The SPEAKER: Fifty-six having voted in the affirmative and seventy-five having voted in the negative, the motion to adopt the Minority "Ought not to pass" Report does not prevail.

Thereupon, the Majority "Ought to pass" Report was accepted and the Bill read twice.

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT  
"A" to H. P. 963, L. D. 1406, Bill  
"An Act Revising the Credit Union Law."

Amend said Bill in section 1 by striking out in the 9th, 10th and 11th lines (8th and 9th lines in L. D. 1406) the underlined words and punctuation "**and that membership with full rights and benefits, is no longer available to such person and**" and inserting in place thereof the underlined words and punctuation '**merging into a central credit union, a member of a liquidating credit union,**'

Committee Amendment "A" was adopted and the Bill assigned for third reading tomorrow.

On motion of Mr. Richardson of Cumberland,

Recessed until two-thirty o'clock this afternoon.

After Recess  
2:30 P. M.

Called to order by the Speaker.

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

Bill "An Act Creating a State Employees' Suggestion Awards Board" (S. P. 643) (L. D. 1648)

Tabled—May 17, by Mr. Bragdon of Perham.

Pending—Passage to be engrossed.

Mr. Bragdon of Perham offered House Amendment "B" and moved its adoption.

House Amendment "B" was read by the Clerk as follows:

HOUSE AMENDMENT "B" to  
S. P. 643, L. D. 1648, Bill "An Act Creating a State Employees' Suggestion Awards Board."



Amend said Bill in section 2 by striking out in the 2nd and 3rd lines (2nd line in L. D. 1648) the figure "\$2,500" and inserting in place thereof the figure "\$500"; and by adding at the end the following:

"The breakdown shall be as follows: 1967-68 1968-69  
EMPLOYEES'  
SUGGESTION  
AWARDS BOARD  
All Other \$500 \$500"

House Amendment "B" was adopted, the Bill passed to be engrossed as amended in nonconcurrency and sent up for concurrence.

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

SENATE REPORT—Ought Not to Pass — Committee on Public Utilities on Bill "An Act Creating the Maine Power Authority" (S. P. 455) (L. D. 1168) (In Senate, Report accepted)

Tabled—Earlier in the day, by Mr. Richardson of Cumberland.

Pending—Acceptance in concurrence.

The SPEAKER: The Chair recognizes the gentleman from Hodgdon, Mr. Williams.

Mr. WILLIAMS: Mr. Speaker, I move we concur with the Senate.

The SPEAKER: The gentleman from Hodgdon, Mr. Williams, now moves that the House concur with the Senate in the acceptance of the "Ought not to pass" Report.

The Chair recognizes the gentleman from Madawaska, Mr. Levesque.

Mr. LEVESQUE: Mr. Speaker, Ladies and Gentlemen of the House: It certainly is with regret that I again have to ask this afternoon that this matter be tabled until this coming Monday, May 22.

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

Mr. RICHARDSON: Mr. Speaker, if the statement is to be construed by the Chair as a motion to table, I would request a division.

The SPEAKER: The Chair cannot entertain such a motion for tabling.

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

Mr. BRENNAN: Mr. Speaker, I move this item lie on the table until Monday next.

The SPEAKER: The gentleman from Portland, Mr. Brennan, now moves that item 1 on your supplemental calendar, L.D. 1168 be tabled until Monday, May 22, pending the motion of Mr. Williams of Hodgdon.

Mr. Richardson of Cumberland requested a division.

Mr. Levesque of Madawaska requested a roll call.

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 will vote yes, those opposed will vote no and the Chair opens the vote.

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 the motion of the gentleman from Portland, Mr. Brennan, that the Report and Bill "An Act Creating the Maine Power Authority," S.P. 455, L. D. 1168, be tabled pending the motion of the gentleman from Hodgdon, Mr. Williams, that the House accept the "Ought not to pass" Report in concurrence and be specially assigned for Monday, May 22. If you are in favor of the tabling motion you will vote yes, if you are opposed to the tabling motion you will vote no, and the Chair opens the vote.

## ROLL CALL

YEA — Bedard, Belanger, Beliveau, Bernard, Binnette, Boudreau, Bourgoin, Brennan, Burnham, Carey, Carroll, Carswell, Champagne, Conley, Cote, Cottrell, Crommett, Curran, Cushing, D'Alfonso, Danton, Drigotas, Dudley, Eustis, Fecteau, Fortier, Fraser, Gaudreau, Gauthier, Giroux, Haynes, Healy, Hennessey, Huber, Jalbert, Jameson, Keyte, Kilroy, Lebel, Levesque, Lincoln, Littlefield, Lowery, Maddox, Martin, Minkowsky, Nadeau, J. F. R.;

Nadeau, N. L.; Starbird, Sullivan, Truman, Wheeler.

NAY — Allen, Baker, E. B.; Baker, R. E.; Berman, Birt, Bragdon, Brown, Buck, Bunker, Clark, Cornell, Crockett, Crosby, Dennett, Dickinson, Drummond, Dunn, Durgin, Edwards, Ewer, Farrington, Foster, Fuller, Gill, Hall, Hanson, B. B.; Hanson, H. L.; Hanson, P. K.; Harriman, Hawes, Henley, Hewes, Hichens, Hodgkins, Hoover, Humphrey, Immonen, Jannelle, Kyes, Lewin, Lewis, Lycette, McMann, McNally, Meisner, Miliano, Mosher, Philbrook, Pike, Porter, Prince, Quimby, Quinn, Richardson, G. A.; Richardson, H. L.; Rideout, Robinson, Ross, Sahagian, Sawyer, Scott, C. F.; Scott, G. W.; Shaw, Shute, Snow, P. J.; Snowe, P.; Soulas, Susi, Thompson, Trask, Waltz, Watts, Wight, Williams, Wood.

ABSENT—Benson, Bradstreet, Carrier, Cookson, Couture, Darey, Evans, Harnois, Harvey, Hinds, Hunter, Jewell, Noyes, Payson, Pendergast, Rackliff, Robertston, Rocheleau, Roy, Scribner, Tanquay, Townsend, White.

Yes, 52; No, 75; Absent, 23.

The SPEAKER: The Chair will announce the vote. Fifty-two having voted in the affirmative and seventy-five having voted in the negative, the tabling motion does not prevail.

Thereupon, the "Ought not to pass" Report was accepted in concurrence.

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

SENATE MAJORITY REPORT (7) — Ought Not to Pass — Committee on Public Utilities on Bill "An Act Creating the Maine Power Commission" (S. P. 366) (L. D. 967) — MINORITY REPORT (3) — Ought to Pass in New Draft (S. P. 625) (L. D. 1625) (In Senate, Majority Report accepted)

Tabled — Earlier in the day, by Mr. BENSON of Southwest Harbor.

Pending — Acceptance of either Report.

The SPEAKER: The Chair recog-

nizes the gentleman from Hodgdon, Mr. Williams.

Mr. WILLIAMS: Mr. Speaker and Members: I move acceptance of the Majority "Ought not to pass" Report and I would like to speak to the motion please.

The SPEAKER: The gentleman from Hodgdon, Mr. Williams, now moves the acceptance of the Majority "Ought not to pass" Report. The gentleman may proceed.

Mr. WILLIAMS: Mr. Speaker and Members of the Maine House:

Many of us who come to Augusta are suddenly faced with problems that seem almost beyond our ability. I feel somewhat inadequate to be standing before you as an expert on the electric power business or on atomic energy. As House Chairman of the Public Utilities Committee, I have had to make a choice, and because of this, I have spent many hours studying and thinking about these very complicated subjects.

I have never been opposed to the idea of public power, or to a project like T.V.A. What I had to determine is whether the proposal before us now makes sense for the State of Maine. As you know from reading your calendar, I came to the conclusion that it does not make sense to put this State into the power business, at least not as this bill is written.

Now Maine has three major electric companies whose transmission lines cover the entire State. The Bill presented to our Committee would allow the State agency to build a whole new transmission system; and when you study this entire matter, you learn that transmission is one of the major costs of electricity. They told us these lines cost about \$117,000 per mile to build.

It doesn't make sense to me to allow the State to build a parallel transmission system costing so much, and this Bill certainly permits that.

We have also learned that every atomic plant has to be closed down for several weeks each year for refueling, and sometimes for maintenance. If we come to depend on a State power plant for our electricity, what's going to happen

when the power is turned off as it surely will be? The only thing I can see to do is to have the State build a second plant as a back-up for the first, and I don't think anyone wants that. The people sponsoring this bill have never given us an answer to questions about where the electricity would come from when the atomic plant is being refueled or repaired.

The private companies on the other hand are connecting all their plants together and they know where they can get electricity anytime they want it. And while we hear a lot about electric rates being too high, we hear very little about poor service.

We have all heard a great deal this session about broadening the powers of government. When you read this bill carefully you realize what great powers would be given to the Power Authority. This new agency would have more bonding powers than this Legislature, and greater powers to take land. The Bill says its powers are not subject to anybody's supervision; to the governor, to the P.U.C., or anyone else. We could wake some morning and find this State in quite a bit of trouble and we would have no one to blame but ourselves. Every utility company has to have the approval of the P.U.C. for its rates. If ever a mistake were made by the new agency, the costs would be passed on to the public without the people having any say as to how, why, or when. No one can question the Authority's action, including their rates, and the Bill makes that very clear. And don't forget that this act is to be administered by a Commission of seven political appointees of the Governor.

We had two out-of-State groups actively promoting this Bill; one expected to bid on the engineering rights and the other expected to reap millions in bond sales.

As you know, the Committee had a chance to see an atomic energy plant, and this really opened our eyes. This is pretty complicated stuff. This plant is huge, and it takes some highly skilled men to operate it. You aren't allowed many mistakes. The control room alone is a third as

big as this Hall and it reminds you of Buck Rogers. This is a highly technical field. The operators of an atomic reactor never get a chance to make the second mistake.

There aren't many atomic plants and as a result, there aren't very many trained people. Each time the New England power companies open a new plant, they have to use men they have already trained at one of the other plants. The only way they have had the men is to train them themselves. I don't know where the State would ever find the highly skilled technicians needed; and without the right kind of people we would be in trouble.

Before you worry about running the plant, it has to be built. The people who want to build the private plant have built them before. They have the plans and the know-how. The State would have to start from scratch and this would be expensive as well as time consuming. It took over 6 years to build the Rowe plant. A much larger plant such as this will take at least 8 years before it can really put juice on the line.

Now no one wants to pay high electric rates and we know we need cheap electricity to help obtain industry. But I'm not convinced that the State can bring us the cheap electricity people are talking about.

Public power cannot produce electricity any cheaper, if as cheaply, as private power. If public power is to be cheaper, it must be because of the tax-free bonds and tax-free facilities.

I've been very impressed with all the interest in a new factory in Ellsworth. All of us would like to see such a plant in Hancock County. These people told the Committee what kind power rates they need to build their plant. No one, the State or anyone else, can produce electricity at the rates they need. The fuel alone costs as much as they want to pay, and you have to build an expensive plant in order to turn that fuel into electricity. Even if you built the new factory right next door to the power plant, you couldn't sell it cheap enough.

These people said before our Committee that they needed power at 3 mills, and would not consider anything over 3½ mills. We were told at Rowe that at present they are putting electricity on the line at a cost of 7.9 mills or more than twice the cost needed by an aluminum plant. The uranium costs alone would be from 3 to 5 mills. The fuel alone costs as much as these people want to pay.

If I really felt that this proposal could save the people of Maine some money, or would encourage industry to come into this State, I would vote for it. As it is, I don't think it would save us any money. We would be duplicating a lot that is already built. And I don't think we could find the skilled people needed to operate the plant. I am afraid of the vast powers being given to the Authority.

We all know Maine is going to need more electricity. I believe we are going to get there sooner by allowing the private companies to complete the plans they already have, and we will get better service from men who know what they are doing. I hate to think what the State would have to pay for the engineering consulting fees alone.

I don't think it is in the best interest of the State of Maine to pass this Bill and I urge all of you to uphold the majority "ought-not-to-pass" report. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Portland, Mr. D'Alfonso.

Mr. D'ALFONSO: Mr. Speaker, Ladies and Gentlemen of the House: Tomorrow's electricity will be atomic electricity; tomorrow's electricity will be atomic electricity. The former Chairman of the Public Utilities Commission, and now a member of that Commission, Frederick Allen, stated categorically: there is room in Maine for both public and private power; there is room in Maine for both public and private power.

An astounding fact: one pound of uranium contains as much energy as 3,000,000 pounds of coal; one pound of uranium contains as much energy as 3,000,000 pounds

of coal. Keep these statements in mind.

Let me paraphrase a quotation that is usually pertinent to the weather. Whether you like our power, or whether you like it not, you will just have to weather our power, because it's the only kind of power we've got. Is the private investor-owned utility power the only kind of power that we want? Remarkably, from Democritus and Aristotle in 500 B.C., jumping all the way to 1808 and John Dalton, and then jumping all the way up to the turn of the Century and Albert Einstein, and then to 1913 and Niels Bohr, and then in 1939 to Enrico Fermi, unfolded to us was a new age, a new dawn, a new way of life, that has only been thoroughly looked into, investigated and controlled by the Federal Government, and we talk about the states actually participating at the state level in things pertaining to the state. Here, we have an opportunity to engage ourselves in something that has dawned upon us, something that is exciting, something that is absolutely fascinating.

I taught school for five years; I was a science teacher. I taught an introduction to elementary science. I would venture to say that the students of today know more about the world they live in as it pertains to the nuclear age than practically all adults. Should this be so, why should we be educated in the field of nuclear energy, development and technology, at least in an elementary way? So that we can understand it, so that we know it, so that we can appreciate what it is now doing and what it will do in the very near future, and believe me, it is going to unfold to us an absolutely new way of life. For us to be away from it, to be ignorant of it, to be oblivious of it, is going to harm us, is going to keep us in the dark ages of today. Tomorrow's world and its power requirements are staggering.

Just to mention what the requirements are going to be for New England, which as you all know, is as important to the State of Maine. The New England electric

utility industry is in a period of rapid growth. Since 1945 the annual peak demand has more than tripled. 8,000,000 kilowatts in 1965, the peak for 1985 is going to be about 27,000,000 kilowatts. One thing seems certain, by 1980 over ninety per cent of electric energy consumed in New England will be generated in power plants not yet in service today. This is a quotation from the New England Business Review, February 1966. Shouldn't we, as a state, anxious to be close to this exciting field, take part in this tremendous growth of 27,000,000 kilowatts that is going to bring to us untold advantages and betterments?

I spent an afternoon in the library trying to review some of the thoughts that used to occur to me so vividly and so overwhelmingly when I was a school teacher. I took a look at some of the books on nuclear engineering; on some of the books pertaining to the nuclear age. You would be fascinated to go to the library and read some of these books, just read some of the introductions, some of the conclusions and some of the summaries. I am sure you would be utterly fascinated.

Let me quote just briefly from a couple of these books. A book entitled *The New World of the Atom*, by a Mr. Stokley. "Compared with great inventions of the past, such as the steam engine, the generation of electricity, the electric light, the locomotive, and others, the acceptance of atomic energy as a source of power is proceeding at an unprecedented rate." I wonder where we are. Are we proceeding at least at a normal rate in this exciting field? Another book, entitled *Peacetime Uses of Atomic Energy*, by a Mr. Mann, on *Power for Everyone*. "It takes power to make the world's wheels go round. If the power is cheap and abundant, man's life is easier. Atomic power can be cheap and abundant anywhere on earth, as no older type could."

Let me just enlarge upon that for a moment. The talk in Maine among the private utilities has been that it is only natural that the cost of power should be higher

because of the geographical distribution that transmission lines have to be involved in. They talk about transportation costs. This is something that they talk quite frequently about, how much it costs to transmit fuels great distances, thereby increasing the cost of the energy being produced. When I mentioned that one pound of uranium is equal to millions of pounds of coal, this would solve that problem very easily. No more argument.

Let me quote from the R. W. Beck Associates Book. Now this is a very reputable firm. They have participated in surveys and studies involving \$2,000,000,000 in plant construction involving the development, generation and so forth of energy. "Electric power has become a major factor in economic growth and development throughout this nation. Regions which enjoy abundant supplies of low cost power are similarly enjoying a healthy expansion in industry and commerce which, in turn, promotes the general welfare of the people. The dominant role of electricity in an affluent economy is demonstrated in the growth which has occurred during the last decade in the southeastern and northwestern parts of the United States. The State of Maine, with its abundance of natural resources, holds virtually unlimited opportunities for development."

Let me quote from some recent articles. An article by Mr. Bartlett, Charles Bartlett, on nuclear power as we talk about public versus private power. "The nuclear power revolution is bound to revive and expand the public versus private battle of the thirties because the crucial question will be how to divide the first dividends between the utilities which produced the power and the citizens who consume it."

From an article by Mr. Frank Sleeper. "The fact that there hasn't been a financial failure of an investor-owned electric utility for more than twenty years in this nation makes the recent arguments by the major electric utility in Maine that they might have to go out of business if a state power agency

was set up seem somewhat ridiculous."

Don't you think we have a place, an important role to play in the development of nuclear power? I think we do. The previous gentleman mentioned that this Commission would be controlled by seven political appointees. I wonder just how the three Commissioners on the P.U.C. are appointed — by an act of God? They are also political appointees.

Now let's talk about our trip to Rowe, Massachusetts, and about this horrendous problem that we might be involved in because of the stupendous technological requirements, knowledge and what have you that is required if we were to engage in this all-exciting field. It was a truly revealing and educational trip. I will admit that it is a highly technical project that took a long time to develop, but let me point out one thing that I think refutes all arguments given thus far. One of the executives of Maine Yankee Atomic, Mr. Charles Keenan, told us directly, we don't want college graduates to man this plant; we don't need college graduates; we don't need people from M.I.T. or such institution, we only need high school graduates — we only need high school graduates to man a plant such as the Rowe plant. So where is the fear that we need super-human people, highly trained, thoroughly technical, to operate an atomic energy plant? Would a man such as Charles Keenan, who is one of the highest executives in Maine Yankee Atomic, tell me that all we want are high school graduates who have common sense and a fair education, a normal education? We need not fear. The only thing we have to fear is the fear itself involved in using such terms as atomic energy or nuclear energy or the word fission or the word fusion.

To read a little bit about atomic energy, it will excite you, it will fascinate you, and you will want the state to become a part of this tremendous field.

What fears do we have to have about the legislative document itself? Do you realize that this document has been amended so that

anything that the Maine Power Commission would desire to do would have to be approved by an act of the Legislature? This is, as you will readily see for yourself in the document on page 4, and it is contained in the eminent domain section also. Anything that the Maine Power Commission would desire to do would have to be approved by an act of the Legislature. I wouldn't fear it because if I were to fear it, I would lose faith in the body in which I am now serving, and I have faith in our ability to decide what is good once the plans have been submitted. If they are no good, I am sure the next Legislature and its membership would reject it. As a matter of fact, I am so excited about us getting into this all important field that in thinking about it, I had in mind that the Governor should have an advisory council on nuclear development and technology. I checked with his administrative assistant and he told me that existing on the statutes already under Title 10, section 51, that there is statutory provision to keep the Governor informed, but this is one man who nobody knows who he is; it is inactive, this so-called office, and yet in the statute itself it states: "To adapt its laws and regulations to meet the new condition in ways that will encourage the healthy development of industries producing or utilizing atomic energy while at the same time protecting the public interest; \* \* \*"

I want to go on record right now as saying that either now or at some future date that the Maine Power Commission bill be amended so as to include an advisory council so as to assist the Governor, his administration, this State and the people on what is going on in the field of nuclear development and technology, whether or not we are far behind. We are far behind in everything else. Why don't we try to be pioneers in this exciting field, learn the facts, be aware of the information of what's going on, of how it's going to improve our way of life?

You can't imagine what our problems are going to be with an

overburdened population. The answers to those problems are going to be nuclear development and technology that will come through the development of nuclear generating plants producing electricity, because tomorrow's electricity will be atomic electricity. We need an advisory council for the Governor, a technical council, people who are well versed, schooled and knowledgeable in the field of atomic energy, in this exciting, fascinating field, in this field that is going to dawn for us an entirely new world.

Would it be fair for our children to be raised to remain ignorant of what is going on; to let only private industry engage in this? We are not saying that private industry should not engage, we want them. The Maine Power Commission now would welcome and thoroughly welcomes the Wiscasset plant, the Big 11 Power Loop; the competition is needed. It's good for them, it's good for the State, it's good for the people. Public power is not going to destroy private power; it's going to help them; they are going to help us. One can be as mutually beneficial to each other in so many ways. We are willing to give them a chance and they are certainly being given that chance, no one is stopping them. Why are they so adamant in refusing this chance to the state itself?

In 1931 the battle started in New York State; it culminated in 1954, the New York Power Authority. Nothing has happened in that State. People say well, they developed hydro-electric power — makes no difference, the same battle is now raging. One faction wants New York State to develop nuclear power on a private basis, another faction wants to develop it on a public basis. I will venture to guess that public power will win out and join with private power and develop it together. The northwestern part of the United States, Washington State, they haven't suffered. The southeastern part of the United States, they haven't suffered. Wherever there is public power, rates have gone down, stock has gone up. I quoted to you, not one investor-owned utility has gone

under in the last twenty years, and we are talking about the age just beyond World War II. There is nothing to fear. We have to get into this field. We must get into this field. If we don't, we will remain ignorant, oblivious, unknown to the strange, exciting, fascinating world of tomorrow that can only come about fruitfully, enjoyably, by joining in with private industry, with the Federal Government, with all factors of the economy in developing nuclear energy for the State of Maine.

Think about it carefully. It is absolutely mandatory that we engage ourselves in the nuclear world of tomorrow; now.

The SPEAKER: The Chair recognizes the gentleman from Fort Kent, Mr. Bourgoïn.

Mr. BOURGOÏN: Mr. Speaker, I would like to bring to the attention of the House what I have noticed with very small intelligence what happened in the Province of New Brunswick. In 1925 when I was working at Madawaska as a U.S. Customs Inspector, the Province of New Brunswick was anywhere from twenty-five to thirty years behind us in education and industry, and since that time to now, a short period of forty years or so, they have stepped ahead of us through public power development, some of it electric, others fuel power, and their rates have gone down and it has certainly advanced that Province in the short period a lot more than we have advanced.

I would say as the bill is written, the private utilities would expand and have as much profits on their stock and bonds or whatever their financing is that they are having today, because they have shown in other places where there is public power that they have advanced and done very well. Of course this atomic power would complement the Dickey-Lincoln School Project that would be federally financed. One remark I would like to make is that the people at the Rowe development connected with the Big 11 Power Loop would certainly only give you information favorable to their industry. I believe if the Republican Party gives us only just mild

support just to lose the bill, that there would be a lot of faces changed here at the next Legislature.

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

Mr. PIKE: Mr. Speaker, I wish this question were as simple as it appears on the surface, that is, public power versus private power. Private power itself is a misnomer. For a long time, over fifty years in this State, and probably for a long while before that, we gave franchises and monopolies to the companies which allowed them to put their lines on the street, which protected them in their areas and which on the other side subjected them to the regulation of a Commission, which has been operating steadily since 1915. It has been sort of a hybrid between private effort and State regulation. In State regulation, every rate change has to be cleared with the Commission on the basis of the old rule, reasonable return on a fair value of the property devoted or usable in the public interest.

Now both the companies and the State have made mistakes during this period. The State kept an article on the books, a law on the books called the Fernald Law which prohibited the export of hydro-electric power made either directly or indirectly from hydro-electric sources which effectively prevented the interconnection of this State with any other state, it made us parochial, and that law was not repealed until the 1950's. The companies have followed, or I don't think they planned, I don't think they have been forward looking what you might call in the state that they are. They put in power plants which have served their — supplied their customers for a few years ahead and then they have had to put in more power plants.

An old rule in the business is that you have enough capacity to give service to your customers with the biggest unit out of commission. Over this period with a great many plants still in operation, but on the way toward ob-

solescence, when you come to the annual overhaul of your biggest and newest plant, you revive those old relics and put them to work for that period, but people don't go without power. So that this has been sort of a partnership between the State and the investor-owned companies, so I think it is quite wrong to call it just private power.

On the other hand, we have this bill before us. I have been very much troubled about it. It seems to me to give much more unlimited power to this group than was ever given to the operating companies or to the present Commission. There is no regulation of rates. It has almost unlimited privileges in powers of eminent domain. If you follow the vicissitudes of this set of folks from Cross Rocks to Greater Allagash to another thing they put in late in the last session, one would almost be — and with the same people behind it, would almost be tempted to call it promoter's power rather than public power.

Now as to nuclear energy, atomic energy, I followed with great interest the explanation of Mr. D'Alfonso of Portland, and in a way he is quite right. I would say that while theoretically the energy in a pound of uranium is equivalent to that of 3,000,000 pounds of coal, up to date we haven't been able to use more than one or two-tenths of one percent of it. I think we'll do better in the future. There has been a real breakthrough in the last five or six years. Only last year the Chairman of our National Atomic Energy Power Commission, Glenn Seaborg told me that we are now, and were then, about where we had hoped to be in 1970, the cost of power has dramatically come down only when you put up very large plants, and this is a real problem. Either public or private individuals or groups can build power plants at about the same cost and can actually put the current on the line at about the same running cost, the difference largely in favor of the public power, so-called, is in avoidance of both state, local and federal taxes.



My own reaction is generally that I prefer the private operation which pays its full share of the costs. There are certain instances where like in the development of a river basin or where we have to deal internationally so that it is necessary to have public power, and in other cases where the national policy decrees it that way, we do have public power as we do in the eastern part of this state.

I am very much troubled about this because I have been for Quoddy, I am for Dickey, but I just don't believe that this bill before us is the proper answer. I don't think that we need it. I do think that the utility companies in New England can put up nuclear plants and apparently intend to put up nuclear plants as fast as they can be used, and to do something which under this bill cannot very well be done, that is, spread these very large plants, spread the use out to areas where they can use it until we have sopped up our surplus, and then when another outfit in another area puts up a big plant, we will have the benefit of the surplus while they are growing up. We will get a considerable saving in capital; we will get a real decrease in the cost of power, and we will still have something that will allow us to give service when our biggest unit is out of commission, which cannot happen when you have only one great big unit and nothing to back it up. I am afraid that I shall have to go along in favor of the ought not to pass report of the Committee.

The SPEAKER: The Chair recognizes the gentleman from Madawaska, Mr. Levesque.

MR. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: The hour being 3:30 this afternoon and the importance of debating this matter before us, I have a few short notes here that I made separately, but I would like to ask permission of the House, rather than to read these seven pages, if by permission of the House, this would be submitted in the record rather than my having to read them here this afternoon. May I request that permission, Mr. Speaker.

The SPEAKER: The gentleman from Madawaska, Mr. Levesque, requests permission that his notes be put in the record rather than him reading them into the record this afternoon.

The Chair recognizes the gentleman from Cumberland, Mr. Richardson.

Mr. RICHARDSON: Mr. Speaker, I would like to speak with reference to the gentleman's request. I simply want to assure him that as far as I am concerned he can give any remarks that he wants to make on this bill at this time, and if he wishes to insert his remarks in the record, he may do so, but I hope that there won't be any suggestion made at this time or at any time after this that sufficient time is not being given this or any other bill for consideration.

The SPEAKER: The Chair recognizes the gentleman from Madawaska, Mr. Levesque.

Mr. LEVESQUE: Mr. Speaker, again may I request that these be included in the record rather than I having to read them all this afternoon purely in the essence of time?

The SPEAKER: This being a precedent, the Chair will place a vote. All those in favor of the gentleman from Madawaska, Mr. Levesque's remarks being included in the record and the proceedings of the Legislature will vote yes and those opposed will vote no.

(Off Record Remarks)

The SPEAKER: Does the House understand the question?

The Chair recognizes the gentleman from South Portland, Mr. Gill.

Mr. GILL: Mr. Speaker, am I correct in my understanding that if this is placed in the record it becomes a permanent part of this debate and there would not be the opportunity to rebut it?

The SPEAKER: The answer is in the affirmative.

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

Mr. CAREY: But it is true that this could be explained at a later date.

The SPEAKER: The Chair is not at liberty to rule on that at this time.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: This, to me, is somewhat unusual. I don't know but what it is absolutely unusual procedure in the Maine Legislature. I don't recall that I ever saw such a request before.

It seems to me that my feeling on this matter would be that we have plenty of time to listen to any debate that will go into the record, that we insist upon that procedure so that it will be before us so that if we wish to rebut it at the time that it is being made, that that will be our privilege. I feel that many would not perhaps avail themselves of the opportunity of looking at the record even—

The SPEAKER: The House will be in order. The gentleman may proceed.

Mr. BRAGDON: I kind of lost my train of thought, excuse me, but I still feel that I think we have time for any debate that we wish on this before the whole body and we will listen to all that we have. If we don't have time today, then we will come back tomorrow and listen to the rest of it. I would like to see us proceed along those lines.

THE SPEAKER: The Chair recognizes the gentleman from Madawaska, Mr. Levesque.

Mr. LEVESQUE: Mr. Speaker, this is not new material nor is it contradictory material as to what is the subject matter before us this afternoon. One topic is the I-1 private power company contracts for public nuclear power. One is Cheap Nuclear Power by Charles Bartlett, and the other is New Brunswick Power is Cheaper by Frank Sleeper. This is material that most all of you, if not all of you, have already received, and I find it very interesting so that is why I would very much like for you people to go along with including it in the record rather than my having to read it all for the sake of saving time. This is not a new venture. This motion has been made before in this House that things would

be included in the record without them being completely read.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I am one of those who have had the opportunity to not read but know of the remarks as made by others, articles as they are, put into the record without taking up our time. These are not the opinions of the gentleman from Madawaska, Mr. Levesque, and regardless of Party affiliation, from a personal standpoint over the many years I think that refusing to do this would be almost indicating a mark or lack of feeling of faith that we have for the gentleman from Madawaska, Mr. Levesque. I think it is merely done to save time. I think he should be commended for it and certainly we should have faith enough in the leader of either Party to say that these remarks are not controversial and have them introduced without standing an hour and reading them into the record.

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

Mr. RICHARDSON: Mr. Speaker, it is certainly not my intention to question the gentleman from Madawaska as to whether or not it is controversial. I simply would like to have the material which he proposes to insert in the record identified so that we can know what we are talking about. I had thought that when he made this request originally that he had a speech of his own or remarks of his own that he wished to introduce into the record, which is somewhat unusual, in fact I would say an extraordinary manner.

Now if these are copies of contracts and checks and so forth that he wishes to introduce into the record, I have no objection, but I ask only that they be identified so that we can know what is going into the record, and I believe that would be proper.

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

Mr. SNOW: Mr. Speaker, I appreciate the concern of my good friend from Madawaska, Mr. Levesque, but we have listened from time to time to some very long comments and I feel that we should listen to his comments this afternoon and he should have the same respect as the others have had in the past. I would like to go on record and say that I am strongly opposed to this method of inserting matters into the record.

The SPEAKER: The Chair recognizes the gentleman from Pittsfield, Mr. Susi.

Mr. SUSI: Mr. Speaker, I would like to suggest that if we should follow this procedure, which I personally have no objection to, that we direct the Reporter to make a notation in the record that the material given to him wasn't presented verbally on the Floor, so that the assumption wouldn't be made at some later date that this was the knowledge of the assembled group here.

The SPEAKER: The Chair would advise the House that this is a precedent, but I will put it to vote. All those in favor will vote yes, those opposed will vote no and the Chair will open the vote.

A vote of the House was taken.

61 having voted in the affirmative and 69 having voted in the negative, the motion to insert material in the record without being read on the Floor did not prevail.

The SPEAKER: The Chair recognizes the gentleman from Madawaska, Mr. Levesque.

Mr. LEVESQUE: Mr. Speaker, and Ladies and Gentlemen of the House: I think probably that you will find in the records of the year 1963-64 that the then Minority Floor Leader, Mr. Jerome Plante, or Representative Plante, had included in the records material that he had planned to read that day, and they were included in the record without being completely read. But be that as it may, I think this afternoon we find ourselves debating this public versus private power which I think should be public and private power combined.

We find ourselves completely surrounded by other States who have much cheaper power than we have. Granted, we have a large State and a very small population. Anything that we could do here in this State at this session of the Legislature that would recommend to the next Legislature that they come up with a project, a location, a construction cost, and its feasibility. The actuality that we are buying here this afternoon is a concept. If this concept be acceptable to the people of the State of Maine and the succeeding Legislature, that this would be beneficial by saving money which presently is being allocated by the private companies in the form of salaries, in the form of dividends by stockholders, that this money would be in turn given to the State of Maine in lieu of taxes by the utilities. It is my sincere feeling that this is very feasible, very adequate, as it has been shown by the Beck Associates Report.

Certainly the gentleman from Portland, Mr. D'Alfonso, has pointed to you the tremendous advantages that's going to be involved in nuclear energy in the next coming ten years. This would be permissive legislation of creating an authority that would provide information for the next Legislature. And I understand that there is presently being formulated an amendment or the possibility of an amendment that this will have a referendum clause. Also that in this referendum we must have in order to have the amendment, we must accept the "Ought to pass" report to keep it alive until the amendment is ready.

This nuclear energy that we are talking about here today is not a product that we are making, it's not a product that any individual is making, this is a product that the federal Government has produced, and it's presently completely in the hands of the Federal Government. This is your material, and this is partly why that the substantial cost to the taxpayers has a substantial millions of dollars of return to our State to bear our education and other facilities. And this I might point out at this

stage would be in the form the same as you have now, your Maine Turnpike Authority. It would be of very little cost to the State to initiate these steps, that would in turn produce revenue for our State. Certainly it has been pointed out that in the areas that public power has been made available in all instances it has lowered the cost, and it has not run any private utility out of business but has promoted business because of the tie-in with the transmission lines. So certainly before us this afternoon is all this information that has been given to you, and I was hoping that by the inclusion of this in the records, that I wouldn't have to read all of these, because all of you at one time or another have seen it, and it should not be anything new.

The Public Utilities evidently believes that the best defense against a Maine Power Authority is to take an offensive position. They must be hoping that their interpretation of public power, however erroneous, if repeated often may become the viewpoint of the people they wish to influence.

We believe that the majority of Maine citizens will resent Public Utilities demand that the legislators reject a power authority on the grounds that "the future was never as bright for lowered costs and continued improvement of service" by the Maine utilities.

What the utilities are offering through their advertising and public relation personnel is a 30 per cent reduction in power costs by 1980.

This 30 per cent reduction is predicted as a target in the National Power Survey by the FPC which also shows that all other regions of the country will make greater reductions than our Northeast region, of which Maine is the highest.

In fact, if Mr. Dunham's planning prevailed, under the utility plan Maine in 1980 would still be in the highest cost power position relative to the rest of the country.

The utilities are shooting blindly for this 1980 target, planning for a small part of Maine's power

requirements now without any mention of the required EHV transmission which should be part of an integrated system by 1975. The utility planning leaves the cost of power facilities beyond this date an open question with Maine's only assurance that of having the highest power costs in the nation.

Maine became saddled with this unenviable position through the several rate increases requested ostensibly to secure low-cost financing in the 1950's at the request of the president of the Central Maine Power Co. which was granted by the Maine Public Utilities Commission.

Once this high power costs pinnacle was attained, the state began to suffer in comparison with other areas of the country which were working with more efficient systems, including cost of service public power. A continued down trend in power costs elsewhere in the country leaves Maine isolated, with inefficient, poorly integrated systems, low power consumption and high power costs.

Utility advertising has skipped lightly over the fact that the utilities of Maine have formed a new company for which they paid a corporate franchise tax of \$150 plus other legal expenses for incorporation. This new Maine Yankee Atomic Power Company, not the existing utilities, plans to be the nuclear generating company for the three Maine utilities and eight out-of-state utilities.

Mr. William Dunham has taken on a second job as president of this new company along with his present position as president of the Central Maine Power Co. He has announced that planning on a 700 MW nuclear plant at Wiscasset, Maine would provide the Maine utilities with 350 MW of generating capacity. Mr. Dunham did not emphasize the fact that the other 350 MW would be owned by the out-of-state utilities for at least 25 years.

It was also not revealed publicly that Mr. Dunham testified before the Legislative Power Study Committee that the CMP will commence buying power from out-of-state sources in 1969 and would

continue this practice until new nuclear power is available in 1972. He also stated that the 350 MW will supply the Maine utilities' needs only until about 1975 when they will again have to be supplied power from outside sources. This means that again in the late 1970's, the utilities, under their planning, would have to build another nuclear plant for which they have no definite planning or any idea of what the price of power from this plant would be. Under utility planning, the cost of power is immaterial since the customers have to pay all costs, including those of inflation, since a utility company is allowed a profit of 6 per cent or more after taxes, regardless of its lack of foresight or of long range planning, quite unlike other business.

Mr. Dunham does not refer to the fact that the R. W. Beck report shows that nuclear power under a State agency will supply power to the Maine utilities at least 26 per cent cheaper than the utilities could supply it to themselves, or the fact that a Power Authority in Maine would save the power consumers of this state over \$230 million during the first few years of operation.

Data is available confirming the fact that a State Power Authority could own and operate a 700 MW nuclear plant, such as proposed by the utilities at Wiscasset, at a savings of over \$8,000,000 annually in comparison with the private utilities plan although paying equivalent state and local taxes as well. Also, EHV transmission can be owned and operated by a Power Authority with about 40 per cent savings to the power customers.

Mr. Dunham's label of private enterprise for the private power companies of Maine is a misnomer since they are public utilities, created with the blessings of the State government and its legislature. They have been granted a protected monopoly and guaranteed 6 per cent or more earnings after taxes. For this specific protection, they are supposed to be regulated by the PUC and serve the public efficiently and effec-

tively with the lowest possible power rates.

Maine people realize the fact that Maine now has power rates among the highest in the nation and that a possible 30 per cent reduction by 1980 will leave them still in the highest cost position in the nation with other areas of the country relieving their rates an equivalent amount or more. Maine consumers must realize that they, through their 103rd Legislature, have a right, regardless of private power self-interest, to create a Maine Power Authority or Commission to produce the cheapest possible power which the R. W. Beck Engineering report has proven beyond doubt to be the case. This power will be delivered to drop-off points throughout the State of Maine where the State's regulated public utilities will continue to distribute this power to and collect taxes from their customers for payment of the utility assessment by various sub-divisions of the state.

The assertion that the Authority should not sell replacement power and expansion power to the self-generating companies is difficult to understand since these companies are presently generating for themselves more than two-thirds of the electrical energy used in the state.

It is also difficult to understand why Mr. Dunham wishes to close the door to new industries waiting to come to this state, especially when some of these industries require wholesale power prices, in order to be competitive, far less than Maine Yankee Atomic could provide at its generating plant.

The utility presidents have also stated that a Power Authority would take away their large customers and then defended this hypothetical position by saying that if an Authority did this, they would have to raise prices to their remaining customers.

The absurdity of this statement is obvious when the fact is recognized that there will be only 15 or 20 Authority drop-off stations in the entire State of Maine and these will be tied into the utility distribution system. This means that the regulated public utilities

will have to continue serving their existing customers with their power generation including the resale of the lowest possible cost power provided by an Authority. In addition, low cost public power has proven most beneficial to the Investor-owned utilities in other states, improving their rate of growth, earnings and expansion.

There is some conjecture as to whether Mr. Dunham will publicly oppose a Maine Power Authority offering an alternate supply of wholesale power to municipals, small power companies and REAs. The Maine Yankee Atomic Co. refuses direct sales to these companies. This refusal to sell is considered an obvious plan by the investor-owned utilities to set up a system of wholesale, preferential power available only to themselves to achieve their goal of putting all competitive electric companies who have retail customers out of business.

A Maine Power Authority will produce equivalent power far cheaper than the proposed new utility "Maine Yankee Atomic" and there is a valid reason for its creation to do so, since it is doubtful that the utility plan will provide even the 30 per cent savings they predict by 1980.

It will take more than blind faith in the utilities to overcome high power costs in Maine. It requires remedial steps, for even if the Maine utilities meet their predicted reduction for 1980, Maine would still have power costs among the highest in the nation. The majority of the people and industries of Maine do not want to maintain this unenviable position. They want their power costs cut in half as soon as possible and be below the National average by 1980.

The utilities have placed Maine upon the high power cost pinnacle from which there is no getting down without help. The Power Study Committee has provided this help and a pattern for progress. Maine is at a crossroads, with a choice of a clear path forward under a Power Authority or to stumble along under the piecemeal planning of the utilities.

The SPEAKER: Out of courtesy to the speaker, will the conferees

in the back of the Hall be quiet? The gentleman may proceed.

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I think probably a point to bring in at this time is the fact that many industries in Maine have had because of not the availability of power in our state to construct their own public power producing plants at fantastic costs when these could have been reduced and distributed to these plants at a much lower cost or much reduced cost to these companies that wish to install their companies in Maine. This has been quite evident throughout the State for a good many years that because they had to build their own power plants, they were unable to create a substantial company.

In deference to the Speaker and the patience of the members of this House, I will refrain from reading the three other documents that I had planned to introduce to be included in the records, and I thank the members of this House.

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

Mr. HEALY: Mr. Speaker and Ladies and Gentlemen of the House: As I look around at the empty seats here and somewhat lack of interest in those remaining, I would hope that I might say something to catch your interest.

In 1933, when the Tennessee Valley Authority developed power, it was then that our textile industry took flight to the South. Perhaps if we could get public power in the State of Maine, they may fly back, like the swallows of Capistrano.

Anyway, we're embarking on a program of clearing up our air — this is going to cost billions of dollars, and according to the papers today we'd better hurry. With the elimination of the bad smoke that comes from the burning of so-called fossil fuel which all of these atomic plants will relieve, it seems to me that we should take advantage of this opportunity at this time to do something about that alone.

Those are my remarks, ladies and gentlemen, and thank you.

The SPEAKER: The Chair recognizes the gentleman from Hodgdon, Mr. Williams.

Mr. WILLIAMS: Mr. Speaker and members of the House: While I agree with many of the things that Representative D'Alfonso said, when he told you about the challenge of atomic power, but he still has not convinced me that Maine should be one of the pioneers in atomic power.

According to the papers "Consolidated Edison" a company which furnishes electricity to New York City, has in the last month turned down an atomic plant because it felt it would be obsolete before it was completed.

We spent a lot of time on this thing in Committee and we tried to look at it from all angles. I have on my desk several folders of rates and costs, but I will not bore you with them. It is my firm belief that the only way for the people of Maine to get substantially cheaper electricity is to eliminate the taxes. What this would do to the towns I leave to your imagination.

When you get up in the morning and pull on a light, you want a light, not excuses.

It is also my firm belief that a Public Power Authority run by seven appointees of any Governor would not be nearly as efficient as a private enterprise. Just go over to the State House Office Building and look around.

To quote from Governor Curtis' comments on the five cent sales tax, public power would be a cruel hoax on the people of Maine.

Mr. Speaker, when the vote is taken I would move for the yeas and nays. Thank you.

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

Mr. MARTIN: Mr. Speaker and Members of the House: I rise this afternoon in support of the proposed State Power Commission Plan because it is my opinion that in the long run the people of Maine will benefit from this type of electrical production.

The question before us today is quite simple. Do we, as Maine Legislators, intend to help the people of Maine or do we plan to let the power utilities of this State defeat this bill for their own benefit? Why should the investor-owned utilities be clothed in the American Flag? The public needs to know why power companies never fail, nor never fail to make a profit; why the profit often exceeds those of other risk industries; why consumers do not get refunds when they have been overcharged; how the utilities keep taxes, and how we as consumers pay the taxes for them which they say they pay. Who is going to benefit from nuclear power? That is the question before us today. Is it going to be the people, or is it going to be the utilities? Is Maine going to accept the concept which has been proven in other areas of the country as being feasible?

I am sure I need not remind the members of this House that the industry fighting this bill in Maine today at this time is using the same arguments as when the industry fought construction of the Hoover Dam in the twenties, the Grand Coulee Dam in the thirties, Hungry Horse Dam in the forties and the Hanford Nuclear Steam Plant in the sixties. The argument was that the additional power was not needed or that there were alternatives to the plans. This, ladies and gentlemen I maintain is the same argument that is being heard in Maine today.

The record will show that these projects have resulted in lower cost of electricity to the consumer without forcing the power companies from going bankrupt. There is lower electrical costs to the east of us in the Provinces of New Brunswick and Quebec, to the west of us all the way from the States of New York to Washington.

Let us take a look at what the story is in New England. Are we paying more than what other New England states are paying? I am sure that I need not point out to you that Maine has the highest residential power rates in New England. On the other hand, Vermont which certainly has less people and is just as sparsely popu-

lated as Maine is the only state in New England that has some public power and shows the lowest electrical rates in New England. They purchase approximately one half of their power from the St. Lawrence project of the New York Power Authority.

The utilities claim that power costs will decrease in the future in Maine. Is this a promise? If it is, what is their record? I point out to you that the Federal Power Commission predicts that in 1985, the power costs will go down as much as 20 to 30 percent in the nation. But the commission says Maine will still be among the highest in the country, and therefore our position will not have been materially improved. Thus, this is why today I support public power in Maine.

All we have to do is to look at the record and our votes will be for public power.

I call your attention to the R. W. Beck Report that was done on electric power requirements and supply of Maine. They point out that Maine's fragmented, private utilities have kept our power costs among the highest in the nation, have kept our power consumption very low, and because of the high costs, have inhibited industrial and economic expansion in Maine.

Opponents of this bill will say the reason why the cost of electricity is high is because Maine is so sparsely populated. Ladies and gentlemen, all we have to do is take a look at the other states in the Nation. Let us take a look at the states of Washington, Oregon, and Idaho, where the rates are nearly a half of what we pay in Maine and yet these areas are just as sparsely populated as Maine. Why are the utilities of Maine scared of public power?

Is it because it will set a yardstick that will have to be followed by them? Is it because it will lower profit? Is it because they are scared of the competition?

Perhaps we should take a look at what has developed in Aroostook County over the last few years.

Has it not forced one company to put in its own generating plant? Has it not made it more difficult to attract industry?

One potato processing plant presently in Aroostook County now operating would pay if it were located in Idaho or Washington approximately a quarter of a million dollars less for their electrical power. Is there any reason why I should be for the publicly-owned investor utilities?

The opponents will say the P.U.C. regulates the utilities in the interests of the public. What happens if the utilities are charging too much? You might have a rate case. Of course Maine hasn't had one in a while. What if the Courts find that the utilities were charging too much? Would the public get what they had been overcharged? The record is not in this manner at all. The book by Lee Metcalf, which is called *Overcharge*, lists the utilities that exploit and mislead the public. In my opinion, if this book has any faults, it is because it is over documented, and perhaps every Legislator in this House should take the time to read through it.

I certainly hope that the remarks I have made concerning public power explains my position on the issue, and why I will be voting against the motion to accept the Majority "Ought not to pass."

**THE SPEAKER:** The Chair recognizes the gentleman from Houlton, Mr. Lycette.

**MR. LYCETTE:** Mr. Speaker, Ladies and Gentlemen of the House: I am not going to make any speech. I had a few notes here that I would like to quote from.

I decry any escalating trend to label private business as villains. Such preachments have inculcated the man on the street with this premise. I do feel that the salaries of the head officials of our power companies are a bit high, but all utilities are controlled by our Public Utilities Commission, and if their rates are excessive, I am sure the Commission would have stepped in long ago.

As to the scheme for getting the State in this new field, are you not tired of hearing about the money that is wasted by present government agencies? I cite the Post Office Department. All of you must have read the conclu-



sions of our present Postmaster. I think he must be a dedicated, honest man to admit the Department's failings.

Perhaps our power rates might be lowered if this proposed plant was built, but I predict our future legislators will be asked to subsidize its losses, and if our town now needs more money, wait until they lose the big taxes they receive now from the private companies. I also feel that it would lower the dividends and thus affect the savings of our elderly people, and I know the stockholders right now are not receiving more than a fair rate of interest, and they say well why did these people buy the stocks or these bonds. They bought them in good faith years ago and certainly didn't anticipate there would be a move to put the State in the public power business. Thank you.

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

Mr. MARTIN: Mr. Speaker, it is not my intent to rebut the gentleman from Houlton, Mr. Lycette, but merely to point out of the two communities in Aroostook County that have lower rates, Houlton and Van Buren is because they are municipally-owned corporations.

The SPEAKER: Is the House ready for the question? 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 will vote yes, those opposed will vote no and the Chair opens the vote.

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. Richardson.

Mr. RICHARDSON: Mr. Speaker and Members of the House: Just before we take a vote on this matter, I wish to restate a statement that the Republican leadership has made all along. This is not now a Party issue and it

has not been at any time during this session. Just prior to today's session I received a telegram from one of the sponsors or one of the groups interested in this legislation, suggesting that we were being hasty in insisting that this matter be debated today and that we begin consideration of it today. I wish to indicate to that gentleman now and to you as members of the House that we want to allow as full an opportunity as you want for the debate of this measure, and that nothing the Republican leadership has done has been intended to circumscribe or limit the right of any person in this House to speak as fully as he wishes on this legislation. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Madawaska, Mr. Levesque.

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I certainly don't wish to belabor this any longer than is absolutely necessary, but only to point out that because of the statements made by the gentleman from Cumberland, Mr. Richardson of not trying to make it a Party issue as such, that this particular type of legislation is also included in both Party platforms.

The SPEAKER: The pending question is the motion of the gentleman from Hodgdon, Mr. Williams, that the House accept the Majority "Ought not to pass" Report in concurrence with the Senate on Bill "An Act Creating the Maine Power Commission," Senate Paper 625, L. D. 1625, New Draft. All those in favor of accepting the "Ought not to pass" Report will vote yes, those opposed will vote no, and the Chair opens the vote.

### ROLL CALL

YEA — Allen, Baker, E. B.; Baker, R. E.; Benson, Bertram, Birt, Bragdon, Brown, Buck, Burnham, Carey, Clark, Cornell, Cote, Crockett, Darey, Dennett, Dickinson, Drummond, Dudley, Dunn, Durgin, Edwards, Ewer, Farrington, Fuller, Gill, Hall, Hanson, B. B.; Hanson, H. L.; Hanson, P. K.; Harriman, Henley, Hewes, Hichens, Hinds, Hodgkins, Hoover, Humphrey, Im-

monen, Jameson, Jannelle, Kyes, Lewin, Lewis, Lycette, McMann, McNally, Meisner, Mosher, Philbrook, Pike, Porter, Prince, Quimby, Quinn, Richardson, G. A.; Richardson, H. L.; Rideout, Robertson, Robinson, Roy, Sahagian, Sawyer, Scott, C. F.; Scott, G. W.; Shaw, Shute, Snow, P. J.; Snowe, P.; Soulas, Susi, Thompson, Trask, Waltz, Watts, White, Wight, Williams, Wood, The Speaker.

NAY — Bedard, Belanger, Bernard, Binette, Boudreau, Bourgoin, Brennan, Bunker, Carroll, Carswell, Champagne, Conley, Cottrell, Crommett, Curran, Cushing, D'Alfonso, Drigotas, Eustis, Fecteau, Fortier, Fraser, Gaudreau, Gauthier, Giroux, Hawes, Haynes, Healy, Hennessey, Huber, Jalbert, Jewell, Keyte, Kilroy, Lebel, Levesque, Lincoln, Littlefield, Lowery, Maddox, Martin, Miliario, Minkowsky, Nadeau, J. F. R.; Nadeau, N. L.; Rackliff, Rocheleau, Scribner, Starbird, Tanguay, Truman, Wheeler.

ABSENT — Beliveau, Bradstreet, Carrier, Cookson, Couture, Crosby, Danton, Evans, Foster, Harnois, Harvey, Hunter, Noyes, Payson, Pendergast, Ross, Sullivan, Townsend.

Yes, 81; No, 52; Absent, 18.

The SPEAKER: The Chair will announce the vote. Eighty-one having voted in the affirmative, fifty-two having voted in the negative with eighteen being absent, the motion to accept the Majority Report in concurrence does prevail.

The Chair recognizes the gentleman from Hodgdon, Mr. Williams.

Mr. WILLIAMS: Mr. Speaker, I move we reconsider this bill and I sincerely hope you will all vote against me.

The SPEAKER: The gentleman from Hodgdon, Mr. Williams, moves reconsideration of this matter.

The Chair recognizes the gentleman from Madawaska, Mr. Levesque.

Mr. LEVESQUE: Mr. Speaker, a parliamentary inquiry.

The SPEAKER: The gentleman may make his inquiry.

Mr. LEVESQUE: Can this reconsideration motion be tabled for one day?

The SPEAKER: A reconsideration motion may be tabled.

Mr. LEVESQUE: Mr. Speaker, I now move that this motion to reconsider be tabled until the next legislative day.

The SPEAKER: The gentleman from Madawaska, Mr. Levesque, now moves that the motion to reconsider be tabled until the next legislative day.

Mr. Williams of Hodgdon requested a division.

The SPEAKER: A vote has been requested. The Chair recognizes the gentleman from Eagle Lake, Mr. Martin.

Mr. MARTIN: Mr. Speaker, a parliamentary inquiry of the Chair.

The SPEAKER: The gentleman may pose his inquiry.

Mr. MARTIN: If someone voted on the prevailing side can they make a motion to reconsider?

The SPEAKER: That is true, the party voting on the prevailing side is the only person, the only member who can move reconsideration. All those in favor of this tabling motion will vote yes, those opposed will vote no and the Chair opens the vote.

A vote of the House was taken.

77 having voted in the affirmative and 54 having voted in the negative, the motion to table the reconsideration motion did prevail.

On motion of Mr. Richardson of Cumberland,

Adjourned until nine - thirty tomorrow morning.