

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Third
Legislature*

OF THE

STATE OF MAINE

Volume III

June 16 to July 8, 1967

Index

1st Special Session

October 2 and October 3, 1967

2nd Special Session

January 9 to January 26, 1968

**KENNEBEC JOURNAL
AUGUSTA, MAINE**

HOUSE

Friday, June 23, 1967

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

Prayer by the Rev. Mr. William Dunstan of Gardiner.

The journal of yesterday was read and approved.

**Papers from the Senate
Committee of Conference Report**

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on

Bill "An Act relating to School Entrance Age Requirements" (S. P. 213) (L. D. 476) reporting that they are unable to agree.

(Signed)

SPROUL of Lincoln

ALBAIR of Aostook - Committee on part of Senate.

BENSON of Southwest Harbor

CORNELL of Orono

COTTRELL of Portland - Committee on Part of House.

Came from the Senate read and accepted.

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

Non-Concurrent Matter

An Act Reducing Maximum Amount and Duration of Small Loans and Establishing Equitable Rates for Small Loan Agencies" (S. P. 373) (L. D. 986) which was passed to be enacted in the House on June 19 and passed to be engrossed as amended by Committee Amendment "A" on June 15.

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

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

Non-Concurrent Matter

An Act Revising Laws Relating to Licensed Small Loan Agencies (H. P. 468) (L. D. 681) which was passed to be enacted in the House on June 20 and passed to be en-

grossed as amended by Committee Amendment "A" as amended by Senate Amendment "B" and House Amendment "A" thereto, and Senate Amendment "C" as amended by House Amendment "A" thereto on June 14.

Came from the Senate passed to be engrossed as amended by Committee Amendment "A" as amended by Senate Amendment "B" and House Amendment "A" thereto, and Senate Amendment "C" as amended by House Amendment "A" thereto, and Senate Amendment "D" in non-concurrence.

In the House:

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

Mr. ROBERTSON: Mr. Speaker and Members of the House: Despite all of the amendments which appear to add to the preponderance of this bill, we have acted on all of them except one which has added an appropriation to the bill to take care of the departmental costs and policing, and consequently I would move that we recede and concur.

The SPEAKER: The gentleman from Brewer, Mr. Robertson, moves that the House recede from its former action and concur with the Senate.

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

Mr. JALBERT: Mr. Speaker and Members of the House: In view of the fact that this is my measure which I don't recognize now, as it goes between branches there are more amendments being put in. I would like to ask a question. According to my bill, the amendment that we are voting on now, what is the figure arrived at, how was it arrived at, and an explanation of the money?

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert poses a question through the Chair to any member who may answer if they desire.

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

Mr. SCRIBNER: Mr. Speaker and Members of the House: I'd have to check the amendment and see what the exact amount is, but

it provides for two additional men and the related expense. This amount was determined by the Banking Commissioner.

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

Mr. JALBERT: Mr. Speaker and Members of the House: In view of the explanation which is no explanation, as given by the gentleman from Portland, Mr. Scribner, I would suggest that someone would move this item lie on the table until someone sometime can explain their own amendment.

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

Mr. ROBERTSON: Mr. Speaker and Members of the House: The amendment under discussion appropriates the sum of \$17,000 which the Banking Commissioner has requested for his department in order to police the measures going before him. It is understandable that if he is going to have these measures to police, that he is going to have to have some money. This is a measure which he submitted to the members of the Senate and it was put on by a member of the other body—excuse me for mentioning the Senate, yesterday at the request of the Banking Department. Not necessarily are we 100 per cent in favor of this amendment; however, we realize that it is going to cost money and that an amendment is needed to take care of this situation, and that's the reason for the amendment on the bill this morning.

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

Mr. SCRIBNER: Mr. Speaker and Members of the House: I have the detailed figures now. They are two people in the first year of the biennium \$12,792, \$3667 for travel and related expense, \$1425 for Capital Expenditures, with a total of \$17,884 in the first year. The second year it would be the same two people, \$13,441, \$3,667, the same amount for travel and office expense, no Capital Funds in the second year, \$17,108 total. These figures were prepared by the Banking Department.

Mr. Jalbert of Lewiston was granted permission to speak a third time.

Mr. JALBERT: Mr. Speaker and Members of the House: I would like to thank both the gentleman from Brewer, Mr. Robertson and the gentleman from Portland, Mr. Scribner for explaining the amendment. I would move its passage and let them figure out where the money's coming from.

Thereupon, the House voted to recede and concur with the Senate.

Non-Concurrent Matter

Bill "An Act Regulating Snow Traveling Vehicles" (S. P. 654) (L. D. 1666) which was passed to be engrossed as amended by Senate Amendment "A", House Amendment "A" as amended by House Amendment "A" thereto, and House Amendments "B" and "D" in non-concurrence in the House on June 15.

Came from the Senate with House Amendment "B" indefinitely postponed and the Bill passed to be engrossed as amended by Senate Amendment "A", House Amendment "A" as amended by House Amendment "A" thereto, House Amendment "D" and Senate Amendment "D" in non-concurrence.

In the House:

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I move that we insist on our former action and ask for a Committee of Conference.

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

Mrs. BAKER: Mr. Speaker and Members of the House: I move that we recede and concur.

The SPEAKER: The gentleman from Orrington, Mrs. Baker, moves that the House recede from its former action and concur with the Senate.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I would like to ask this honorable body to vote against the motion to recede and concur and I would hope that

those of us who do have this problem could work out something satisfactory for snow traveling vehicles, whereby they could be registered and so forth, but this bill, I would say it was by now, by the amendments and all about a two pound subject matter before the House, and I would hope that this House would go along with some of us who do know something about the problem and do have it in our area and not recede and concur and let us have a Committee of Conference and see if we can make a good bill out of this snow plow bill and I ask for a division.

The SPEAKER: The Chair recognizes the gentleman from Mars Hill, Mr. Dickinson.

Mr. DICKINSON: Mr. Speaker and Members of the House: I would not take up a lot of time to discuss this subject further. I do want to go along with the motion of the gentleman from Orrington, Mrs. Baker. I believe that the amendments still attached to this bill would make it a practical bill. I do not pretend to know a lot about the subject of snowmobiles. We sell them and I have spent quite a lot of time with them; however, I do think that this has merit as it now stands. Thank you.

The SPEAKER: The pending question is on the motion of the gentleman from Orrington, Mrs. Baker, that the House recede from its former action and concur with the Senate. The Chair will order a vote. All those in favor of receding and concurring will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

59 voted in the affirmative and 61 in the negative.

The SPEAKER: Fifty-nine having —

Mrs. Baker of Orrington then requested a roll call.

The SPEAKER: And the yeas and nays have 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 will open 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 gentlewoman from Orrington, Mrs. Baker.

Mrs. BAKER: Mr. Speaker and Members of the House: I feel some members of the House may be confused about this bill. It is exactly as it was passed by an overwhelming majority, I felt, in the House. The only change that has been made is in regard to the provision as to weight of alcohol in the defendant's blood; otherwise, it is as we voted it before and I would ask you to refer to your Senate Amendment, filing No. S-290, which was the new amendment that was put on in the Senate since it left here. It no longer has the House Amendment "B" which referred to the same part of the bill. So otherwise, the bill is as we discussed it, debated it and decided it was a good bill and I think that unless we pass it, recede and concur, that the bill may be lost and it would be another two years before we could do anything about the registration of snow traveling vehicles. So, I urge you to vote to recede and concur.

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

Mr. HANSON: Mr. Speaker and Members of the House: I would hope that the membership might remember the news stories a year ago in the wintertime of the situation where a person driving a snowmobile on a pond, I believe it was Long Pond in Belgrade Lakes, and this person came from Madison and had in his company three small children, and alcohol was present and they traveled during a blizzard and one of these children was left to die on the lake, a very young child; and in those circumstances I feel quite strongly that alcohol had a very definite cause and effect and I would urge that the House go along with this measure. Thank you.

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

Mr. QUINN: Mr. Speaker and Members of the House: This amendment that has just been referred to makes the test of people using alcohol and driving snowmobiles similar to that of people operating motor vehicles, which is a good test. Therefore, I would like to go along, I will go along with the lady from Orrington, Mrs. Baker.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I am trying to be very honest with this House and most of the things I have told you I hope were true. However, I hate to go into debate on this bill page for page at this late hour, but I can take this and page for page and tell you what my people object to and it's not necessarily that, that part that they are talking about and I do hope that you vote as you did just a few minutes ago and not be influenced by having your name put on roll call, so that we can try to make a good working bill out of what I call a very poor document. And I've said so from the beginning and I don't want to take the time to go through it page by page and explain it to you but, believe me, my people have some very serious concern and this is where the problem is, in my area and we've had a lot of problem with it and I hope that you let us try to work out something and try to satisfy the majority of the people in my area and probably in yours. Thank you.

The SPEAKER: Is the House ready for the question? A roll call has been ordered. The pending question is on the motion of the gentlewoman from Orrington, Mrs. Baker, relative to L. D. 1666, Bill "An Act Regulating Snow Traveling Vehicles," that the House recede from its former action and concur with the Senate. All those in favor of receding and concurring will vote yes; those opposed will vote no. The Chair opens the vote.

ROLL CALL

YEA — Allen, Baker, E. B.; Baker, R. E.; Beliveau, Benson, Bragdon, Buck, Bunker, Carey, Carswell, Cookson, Cottrell, Crosby, Cushing, Danton, Darey, Dennett, Dickinson, Dunn, Eustis, Evans, Ewer, Farrington, Fuller, Hall, Hanson, B. B.; Hanson, H. L.; Hanson, P. K.; Harriman, Hawes, Haynes, Healy, Hewes, Hichens, Hinds, Hodgkins, Hoover, Huber, Humphrey, Immonen, Jalbert, Kilroy, Lewin, Lewis, Lincoln, Littlefield, Lycette, Maddox, Martin, McMann, Meisner, Mosher, Noyes, Pendergast, Pike, Quinn, Rackliff, Richardson, G. A.; Richardson, H. L.; Rideout, Robertson, Robinson, Ross, Sahagian, Scott, C. F.; Scott, G. W.; Shaw, Shute, Snow, P. J.; Thompson, Townsend, Trask, Waltz, Watts, Wheeler, White, Wight.

NAY — Bedard, Belanger, Berman, Bernard, Binnette, Boudreau, Bourgoin, Brennan, Brown, Burnham, Carrier, Carroll, Champagne, Clark, Conley, Cornell, Cote, Crockett, Crommett, Curran, Drigotas, Drummond, Dudley, Fecteau, Foster, Fraser, Gaudreau, Gauthier, Gill, Giroux, Harnois, Harvey, Henley, Hennessey, Keyte, Lebel, Levesque, McNally, Miliano, Minkowsky, Nadeau, J. F. R.; Nadeau, N. L.; Philbrook, Porter, Prince, Quimby, Rocheleau, Sawyer, Scribner, Starbird, Susi, Truman, Williams, Wood.

ABSENT — Birt, Bradstreet, Couture, D'Alfonso, Durgin, Edwards, Fortier, Hunter, Jameson, Jannelle, Jewell, Kyes, Payson, Roy, Snowe, P.; Soulas, Sullivan, Tanguay.

Yes, 77; No, 54; Absent, 18.

The SPEAKER: Seventy-seven having voted in the affirmative and fifty-four in the negative, the motion to recede and concur does prevail.

Messages and Documents

The following Communication:

STATE OF MAINE
SUPREME JUDICIAL COURT
Augusta, Maine

June 22, 1967

Honorable Bertha W. Johnson
Clerk, House of Representatives
State House
Augusta, Maine

Dear Mrs. Johnson:

There is enclosed the Answers of the Justices to the Question of June 21, 1967.

Respectfully yours,

(Signed)

ROBERT B. WILLIAMSON
Chief Justice

ANSWER OF THE JUSTICES

To the Honorable House of Representatives of the State of Maine:

In compliance with the provisions of Section 3 of Article VI of the Constitution of Maine, we, the undersigned Justices of the Supreme Judicial Court, have the honor to submit the following answers to the questions propounded on June 21, 1967.

QUESTION: "Does the term 'two-thirds of all the members elected to each House; as appears in Article IV, Part Third, Section 16, of the Constitution of Maine mean two-thirds of the entire membership of the House or two-thirds of the members then elected and qualified to serve as Representatives at the time the vote is taken?'"

ANSWER: The constitutional phrase quoted in the question means two-thirds of the entire membership of the House. In so answering we treat the phrase used in the question as reflecting Article IV, Part First, Section 2 of the Constitution which provides that the House of Representatives "shall consist of one hundred and fifty-one members."

Article IV, Part Third, Section 16 of our Constitution provides that legislation qualifying as emergency legislation requires "a vote of two-thirds of all the members elected to each House."

The question calls for an interpretation of the quoted clause.

We interpret the phrase "all the members elected to each House"

to express by reference to the constitutionally established membership, the numerical figure to which the requirement for passage of emergency legislation is applied.

The House of Representatives constitutionally consists of 151 members. Two-thirds of this figure expressed arithmetically is 100.6, but expressed in a numerical value representing indivisible votes has to be 101.

This interpretation of the constitutional phrase is supported by Cooley on "Constitutional Limitations" at page 168; Mason's Manual of Legislative Procedure § 512, subsection 4; **Wood v. Gordon** (W. Va.) 52 S.E. 261, 262; **Pollasky v. Schmid** (Mich.) 87 N.W. 1030; **Ross v. Miller** (N.J.) 178 A. 771, 773; and **Merrill v. City of Lowell** (Mass.) 128 N.E. 862, 863 (dictum).

The same interpretation is adopted in principle in **Blood v. Beal** 100 Me. 30, 35.

Such interpretation does not reflect vacancies by death in or resignation from the legislative body. It does, however, establish certainly in the number of votes necessary to comply with the Constitution in the enactment of emergency legislation, as against continual recomputation to take into account fluctuations in the numbers available for participation in the legislative process. Dated at Augusta, Maine, this twenty-second day of June, 1967.

Respectfully submitted:

(Signed)

ROBERT B. WILLIAMSON
WALTER M. TAPLEY, JR.
HAROLD C. MARDEN
ARMAND A. DUFRESNE, JR.
RANDOLPH A. WEATHERBEE
Justice Donald W. Webber authorizes the statement that he concurs in the foregoing answer.

(Signed)

ROBERT B. WILLIAMSON

The Communication was read and ordered placed on file.

Orders

On motion of Mr. Durgin of Raymond, it was

ORDERED, that Terry Seavey and Karen Hall of Windham be appointed to serve as Honorary Pages for today.

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

On the disagreeing action of the two branches of the Legislature on Bill "An Act to Abolish Imprisonment for Debt and to Revise the Laws Relating to Disclosures of Debtors" (S. P. 680) (L. D. 1710) the Speaker appointed the following Conferees on the part of the House:

Messrs: QUINN of Bangor
LEWIN of Augusta
DANTON
of Old Orchard Beach

Passed to Be Engrossed

Bill "An Act to Authorize Bond Issue in the Amount of \$15,755,000 for Capital Improvements, Construction, Renovations, Repairs, Equipment and Furnishings" (S. P. 691) (L. D. 1726)

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

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

Mr. MARTIN: Mr. Speaker and Members of the House: Yesterday the House accepted the Majority Report from the Appropriations Committee on these two bills. As you well remember, they are L. D. 1726 and L. D. 1727. In my opinion L. D. 1726, accepted by the House yesterday, leaves much to be desired in many areas. One of those that I want to discuss with

you in particular happens to be on page 2 of 1727 in reference to the Department of Education and Fort Kent State College. The multi-purpose building was removed from the L. D. 1726 as we accepted it on the part of the House yesterday. I would point out today that this building has been recommended by the Department of Education, by the Governor and by people all over the State as being necessary in carrying on the functions of a college. I have been assured by the Appropriations Committee and that an order has been introduced, has passed both houses, that an L. D. will return to both houses for its consideration of a multi-purpose building. Therefore, at this time, I will not offer an amendment to the L. D. because I understand that a separate bill will be in process. So I therefore move that this bill be passed to be engrossed.

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

Amended Bills

Bill "An Act to Authorize a Bond Issue in Amount of Seven Hundred and Fifty Thousand Dollars for Construction of a Dormitory at Maine Maritime Academy" (H. P. 343) (L. D. 491)

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

Bill "An Act to Clarify Authority of Complaint Justices and District Court Judges" (S. P. 378) (L. D. 990)

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

Engrossed in Non-Concurrence

Bill "An Act to Correct Errors and Inconsistencies in the Public Laws" (S. P. 543) (L. D. 1444)

Was reported by the Committee on Bills in the Third Reading, read the third time, passed to be en-

grossed as amended by Committee Amendment "A" and House Amendments "B" and "D" in non-concurrence and sent up for concurrence.

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**Passed to Be Enacted
Emergency Measure**

An Act Creating the Maine Ocean Science Council (H. P. 1210) (L. D. 1722)

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. 116 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.

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**Finally Passed
Constitutional Amendment**

Resolve Proposing a Constitutional Amendment Repealing the Offices of Judges and Registers of Probate as Constitutional Officers (S. P. 238) (L. D. 563)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being a Constitutional Amendment and a two-thirds vote of the House being necessary, a total was taken. 91 voted in favor of same and 25 against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

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Constitutional Amendment

Resolve Proposing Amendment to the Constitution Relating to Temporary Loans in Anticipation of State Tax Revenues and Limitations Thereon (H. P. 1206) (L. D. 1717)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being a Constitutional Amendment and a two-thirds vote of the House being necessary, a total was taken. 115 voted in favor of same and 7 against, and accordingly the Resolve was finally passed, signed by the Speaker and sent to the Senate.

**Passed to Be Enacted
Bond Issue**

An Act to Authorize Bond Issue in Amount of One Million One Hundred Thousand Dollars for Land and Classroom Building for University of Maine in Augusta (S. P. 526) (L. D. 1362)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. In accordance with the provisions of Section 14 of Article IX of the Constitution a two-thirds vote of the House being necessary, a total was taken. 103 voted in favor of same and 10 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

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Passed to Be Enacted

An Act Classifying Certain Inland Waters of the Androscoggin River Basin (S. P. 140) (L. D. 268)

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 Until Later In
Today's Session**

An Act to Amend the Maine Recreation Authority Law (S. P. 682) (L. D. 1715)

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

The SPEAKER: The Chair recognizes the gentleman from Hollis, Mr. Harriman.

Mr. HARRIMAN: Mr. Speaker and Members of the House: I don't know whether I'm the only one in the House confused on this bill or not, but I am looking at L. D. 1715, and it says, An Act to Amend the Maine Recreation Authority Law. It says it's a new draft of L. D. 1638. Now 1638 was from the state government regarding the financing of the State Liquor Commission. Now 1638 is a redraft of 1490 which was also regarding the State Liquor Commission.

Also in this bill it says that it came from the Committee on Industrial and Recreational Development, putting it under Joint Rules number 18. It has never had

a hearing; the Recreational Authority has been in effect for less than two years. It was originally set up to help people to get money as I understood it who didn't have sufficient capital and they can own up to 90 percent of the project.

Now Section 4, item 2 on the second page now says that they've got to have 34 percent equity. Now if this was set up to help people that couldn't get the necessary capital from the bank and were jumping it up to 34 percent, which is a lot of equity, I just have a little trouble figuring it out.

We've only got seven projects going at the present time, there's two of them that have been going less than a year so there are no figures available, but on what there is going they're getting about one percent net return. Now it looks to me as though somebody is trying to kill the Maine Recreation Authority. Maybe it should be killed—maybe we shouldn't have it in the first place, but I hope that somebody from either the State Government Committee or the Industrial and Recreational Committee can explain to me what this is all about.

The SPEAKER: The gentleman from Hollis, Mr. Harriman, poses a question through the Chair to any member of the Recreation Committee who may answer if they desire, and the Chair recognizes the gentleman from Hampden, Mr. Littlefield.

Mr. LITTLEFIELD: Mr. Speaker and Members of the House: Probably the L. D. 1638 is a misprint, it should be L. D. 1538, but this bill is simply a bill that amends the Maine Recreation Authority Law, and makes it safer. It places a limit on the amount of a loan that can be made to a single project, and it explains what a recreational project means. It's simply a simple bill to place some teeth in the Maine Recreational Authority Law so that one loan — all the money for guaranteed loans cannot be guaranteed on one project. It places a limit on it, and I don't see anything too difficult about it. I think it should be passed, it makes the Maine Authority Law much safer.

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

Mr. LEVESQUE: Mr. Speaker and Members of the House: If you recall some days ago I spoke in favor of this if this was going to help the Recreational Authority Bill — or the Recreational Authority that's been established. However, I find myself in a position this morning that this document, if a person needs to borrow anything over a \$100,000 that nothing less than \$100,000 will be loaned, and that anything over \$100,000, the limit of the Constitution under Article IX — this will limit the borrowing ability of anybody on a project so drastically that he will have to furnish one third of the capital in order to be able to develop a project. I don't think the people that are going to develop these kinds of projects will go to the Recreational Authority under this document because of all its restrictions. So therefore this morning I sincerely support the remarks of the gentleman from Hollis, Mr. Harriman, that this bill should be defeated because of its incomprehensive restrictions as to the amount of money that's going to be available and to the amount of capital that they're going to have to put in in order to be able to receive any amount of money.

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

Mr. LITTLEFIELD: Mr. Speaker and Members of the House: We took the bill in before the Committee and considered all angles of the Maine Recreational Authority and it's a little risky business from the Maine Industrial Building Authority, and so we had to place some safeguards in the bill, and these are what they are. I don't propose to debate the bill forever. If you kill this bill, then you have left the Maine Recreational Authority open so that the Commissioner can loan the whole 17 million to one project, and I don't think we should pass any such a bill.

The SPEAKER: The Chair recognizes the gentleman from Hollis, Mr. Harriman.

Mr. HARRIMAN: Mr. Speaker and Members of the House: I personally have no objection to the limitation that there shall be at least \$100,000 borrowed, but I do have objection to even having this Authority and making it necessary that they have to get 34 per cent down payment. If this isn't necessary, we should destroy the whole Authority and let them go to the bank where they can go with this type of security and I move for indefinite postponement of this bill.

The SPEAKER: The gentleman from Hollis, Mr. Harriman, now moves indefinite postponement of L. D. 1715, "An Act to Amend the Maine Recreation Authority Law."

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

Mr. McMANN: Mr. Speaker and Members of the House: This was before the Committee, and it came out of the Committee unanimous — all ten members signed the bill. Originally they asked for 25 million. Some of the members wanted to cut it to 12 million, 15 million, and we compromised on 17 million.

Now all ten men can't be wrong. The reason was — there was one of the projects that they figured might be a little bit sour, so the MIBA has done wonderful — they started out with \$500,000 and today they have a little better than \$861,000, and this is a companion bill to it and so far this Committee, the Maine Recreational Authority has made money and I think if it was left as it came out of the Committee, one hundred per cent, it will be a good bill.

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

Mr. MARTIN: Mr. Speaker and Members of the House: May I pose a parliamentary inquiry?

The SPEAKER: The gentleman may pose his inquiry.

Mr. MARTIN: Would the Speaker request of the Clerk what the report of the Committee was on this L. D.? As I have it on my L. D., it says it was a majority from the Committee on Industrial Recreational.

The SPEAKER: The gentleman from Eagle Lake, Mr. Martin, poses an inquiry, which is not a

parliamentary inquiry, to the Clerk and the Clerk will report to the House.

The CLERK: The Majority Report of the Committee on S. P. 563, L. D. 1538 was signed by Senator Hildreth of Cumberland, the gentleman from Hampden, Mr. Littlefield, the gentleman from Bristol, Mr. Lewis, the gentleman from Lincoln, Mr. Porter, the gentleman from Bath, Mr. McMann, the gentleman from Falmouth, Mr. Payson, the Senator from Penobscot, Senator Sewall, the Senator from Knox, Senator Hoffses, and the Minority Report was "Ought to pass" on the bill signed by the Representative from Biddeford, Mr. Truman, and the gentleman from Waterville, Mr. Fortier.

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

Mr. EWER: Mr. Speaker and Members of the House: May I inquire through the Chair of the Clerk as what the proper number of the L. D. which this is a New Draft, would be? It's getting nearer 1638 as the gentleman from Hollis, Mr. Harriman, brought out, that's the wrong number.

The CLERK: It should be L. D. 1538.

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

Mr. SCRIBNER: Mr. Speaker, I'd like to inquire of any member of the Industrial and Recreational Committee what the basis for the 66 per cent figure was derived, if they could enlighten me on this.

The SPEAKER: The gentleman from Portland, Mr. Scribner, poses a question through the Chair to any member of the Committee who may answer if they desire.

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

Mr. McMANN: Mr. Speaker: As far as we know it was worked out with the Chairman, Senator Hildreth.

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from Hollis, Mr. Harriman, that L. D. 1715, An Act to Amend the Maine Recreation Authority Law, be

indefinitely postponed. The Chair will order a vote. All those in favor of indefinite postponement will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

72 voted in the affirmative and 45 voted in the negative.

Mr. McMann of Bath 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 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 Chair recognizes the gentlewoman from Portland, Mrs. Carswell.

Mrs. CARSWELL: Mr. Speaker and Members of the House: Now that we've got the numbers of the L. D.'s straightened out I would like to ask, will L. D. 1715 tie the hands of the Commission.

The SPEAKER: The gentlewoman from Portland, Mrs. Carswell, poses a question through the Chair to any member who may answer if they desire.

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

Mr. LEVESQUE: Mr. Speaker and Members of the House: In answer to the question posed by the gentlewoman from Portland, Mrs. Carswell, it will not tie the hands of the Commission as such but it will make the loans so restrictive that the loans will only be over \$100,000 and that any loans between \$100,000 and 3 million some odd dollars the borrower will have to put in one third before any money is allocated; so, therefore, they would be much better off in dealing directly with a bank or other loaning agencies rather than go to the Recreational Authority.

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

Mrs. CARSWELL: Mr. Speaker: I thank the gentleman for the

explanation and under that consideration I think that perhaps we should vote no on this bill.

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

Mr. HANSON: Mr. Speaker and Members of the House: A question has been raised previously as to the source of this 34 percent and I would suggest that oftentimes this money is made available through the sale of shares or bonds, stocks or one thing or another. I think the best way I could explain it probably would be in relation to the sugar beet factory in Aroostook County in Easton. If you recall, funds were derived from several different sources and I would feel that in a situation under this Recreation Development, the funds would be available in a like manner, that I wouldn't think that this requirement would be overly restrictive. Thank you.

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

Mr. TRUMAN: Mr. Speaker and Members of the House: I move that this item be laid upon the table until later in today's session.

Thereupon, on motion of Mr. Truman of Biddeford, on a viva voce vote, tabled pending the motion of Mr. Harriman of Hollis to indefinitely postpone and assigned for later in the day. (Roll call ordered)

As Act relating to Adoption (H. P. 895) (L. D. 1296)

An Act relating to Service on Nonresidents in Motor Vehicle Accidents (H. P. 941) (L. D. 1373)

An Act to Establish the Division of Municipal Affairs in the Executive Department (H. P. 1184) (L. D. 1686)

An Act Enabling Municipalities to Create Historic Districts and to Provide for the Preservation of Historic Buildings and Places (H. P. 1216) (L. D. 1729)

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.

**Enactor
Indefinitely Postponed**

An Act to Create the Department of Alcoholic Beverages (H. P. 1218) (L. D. 1734)

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

The SPEAKER: The Chair recognizes the gentleman from Eliot, Mr. Hichens.

Mr. HICHENS: Mr. Speaker and Members of the House: In reference to this bill I would like to read an editorial which appeared in the Lewiston paper yesterday, the 22nd of June:

"The closing days of a legislative session are hectic. And it is in those last hours, when the law-makers are tired and anxious to get home, that unnecessary and undesirable laws frequently are approved.

Maybe that explains the action of the House accepting the favorable report of the State Government Committee to do away with the Liquor Commission and place the operation of the state's liquor monopoly in the hands of a single administrator. Whatever the reason, it is an action which should be reversed by the House. If that does not take place, then the Senate should kill the bill.

The proposal which won preliminary acceptance would authorize the Governor, with the advice and consent of the Council, to name a director to run the liquor business. He would have to be a person qualified by training and experience as a business administrator.

The qualifications specified sound good. But in the business of politics, there are many ways of getting around such words.

The net effect of the measure would be to concentrate authority in the hands of the man who would owe his appointment to the Governor. That is a combination which could lead to trouble.

Maine's liquor business has been controlled by three commissioners, nominated by the Governor and confirmed by the Council, with the minority party always represented. Through the years, many outstanding men have provided

distinguished service. Despite this fact there have been scandals and trouble. Both seem to associate readily with the liquor business.

Scrapping the present system for one-man direction would open the door for a renewal of 'front office' interference in the liquor business. It would be an invitation to the kind of trouble Maine does not need or want."

End of editorial.

In the first paragraph of this editorial I would draw your attention to the fact again that it says — in these closing days when the law-makers are tired and anxious to get home undesirable laws and unnecessary are often approved. I could not help but think of the fact that this bill was heard by the State Government Committee, one of the first bills that was heard way back in February. This bill was held and brought onto the floor of the House last Monday. I would not question the men on that committee or their decision, but I could not help but wonder why this bill was held so long; and then referring to the last paragraph, it said it would be an invitation to the kind of trouble Maine does not need or want. I fully agree with this editorial, I think that we have enough problems without asking for more. So I would ask for the indefinite postponement of this bill.

The SPEAKER: The Chair recognizes the gentleman from Manchester, Mr. Rideout.

Mr. RIDEOUT: Mr. Speaker and Members of the House: I disagree completely with the good gentleman, Mr. Hichens. We held this in Committee and we worked it over as you will notice. It came out in New Draft with a nine to one "Ought to pass" report. The majority of us felt that this is the only business, the resale business, that the State is in and the gross is something in the order of \$32 million a year. We felt that the responsibility for action on this big business should be in one person and not three part-time appointees. Now in the qualifications as was noted, it says a qualified professional should be the administrator of it. Now, I don't think that the general commission record has been so great as to make it sacred

from a change and I feel very strongly that this change is desirable and would urge you to defeat the motion of the gentleman from Eliot.

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

Mr. HINDS: Mr. Speaker and Members of the House: I am sorry that Mr. Hichens didn't read to you the other editorials that have appeared throughout the State in all of the other newspapers. I won't read them to you because I wouldn't bother boring you with that this morning because I would like to get home as well as everyone else here, sometime before fall.

The yesterday's K e n n e b e c Journal had a wonderful editorial favoring this bill and the Portland Press Herald of yesterday had an editorial favoring the bill. Past editorials in the Waterville paper favored the bill and there have been others throughout the State. I don't know what the Lewiston paper has against the bill but perhaps the writer is a friend of one of the commissioners, I'm not sure. I would like to say that the House voted on this the other day and we had quite lengthy debate on it. The vote was 80 to 48 and, as was mentioned by the gentleman from Manchester, Mr. Rideout, it had a nine to one "ought to pass" report and I am sure many of us here wouldn't want to go along with the suggestion of Mr. Hichens that any bills that come out of Committee late or any bills that we are considering at this time, that we kill them all off because I am sure that many of the Legislators, some of their own pet projects would probably go down the drain too and this is just the way legislation happens to go.

I would hope that we would all abide by our vote of the other day. I know there has been a lot of lobbying against this bill from some members of the legislative staff who are liquor salesmen — not legislators I'm not saying, but members of the staff, and also a certain member of the Executive Council who is a liquor salesman; but I don't feel these special interest groups on either side of the

fence should be considered in this particular L. D. and I hope that you will stand by your vote of a couple days ago. Thank you.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I would concur with the gentleman from South Portland, Mr. Hinds and further add that I still feel this is one of the finest pieces of legislation that we have before us. I certainly hope that we'll enact this measure.

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

Mr. NADEAU: Mr. Speaker and Members of the House: In reference to Representative Hichens who read an editorial. I would like to remind all you members here's a short editorial, this is the proof. And this is only part of it, this is how much discussion we had on this the other day. Now, I don't feel that a short editorial from one newspaper should change everything that was said in this whole page, and this is only part of it, and it all concerns this same L. D. Now, I think the truth of it was said before that thirty-one states, this is the main thing to remember, thirty-one states are doing this and they have not gone back to their back-scratching three man group. It is working successfully and in some states it's had this system for ten years. Now, why can't we try it just for two years, ladies and gentlemen, let's put a businessman in charge of a business and not a soda jerk who has won a political plum seat on this liquor board.

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

Mr. HANSON: Mr. Speaker and Members of the House: I didn't take advantage previously of an opportunity to debate this measure. I personally feel that the gentleman from Eliot, Mr. Hichens is correct in asking that this be indefinitely postponed. The only point that I would like to make is that much reference has been made to the fact that this is a big business and that a big business demands

qualified people, and this can be best found in one administrator. In my small knowledge of the business world it is my considered opinion that most of our larger businesses do provide for a board of directors, a board of trustees, or they have a multiple board which heads the organization and they in turn hire an administrator to be president or an executive secretary or some functionary who carries out their wishes.

The gentleman from Chelsea, Mr. Shaw, the other day I believe referred to the fact that this individual, this administrator is provided for by the Liquor Commission and the Liquor Commission does have a chairman which would be equivalent to the chairman of the board, and I can find no valid reason to want to change. I think that a multiple membership in heading a large business concern is highly desirable and that most of our big businesses do this. Thank you.

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

Mr. STARBIRD: Mr. Speaker and Members of the House: I think what it all boils down to here is not the system, necessarily, it's the quality of the people that are in the office or offices concerned. And, if we have three good men, we'll have a good business run — our business run good; if we have one good man we probably will also. However, there is less chance of getting bad men running the business if we have three to choose from. We might get only one bad apple among the three and the other two could probably control him.

So, I would urge you to go along with Mr. Hichens. I think it's a lot harder to get three bad apples than it would be to get one.

The SPEAKER: 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 Eliot, Mr. Hichens, and in speaking I speak as House Chairman of the State Government Committee. It has been rather insinuated that per-

haps there might have been some finagling going on within the Committee on State Government inasmuch as this bill was originally heard in February and was not reported back to this House until this week. I would assure the members of this House that such is not the case. This bill had every consideration and perhaps was one of the most discussed bills on various occasions that came before the Committee on State Government this year.

As you are all well aware, this bill came out of Committee with a nine to one "Ought to pass" report. The Committee I think in general, at least the nine people who voted the "ought to pass" report were somewhat appalled at the appearance of what usually are two diametrically opposed groups each speaking against this bill, and it is very difficult at this moment for me as an individual to understand this, which I might call, an unholy alliance. I believe that the passage of this bill would be in the best interests of the liquor business in the State of Maine and I think for the people of the State of Maine in general. I certainly hope that this motion is not acted on favorably and when the vote is taken, I ask for a division.

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

Mr. LEVESQUE: Mr. Speaker and Members of the House: This morning I would like to speak not as the leader of the loyal opposition, but only as an individual member of this House. I think probably we have here this morning, as was stated, something that we would like to see considered run in a business manner. Although being the State of Maine and its structure the way it is, it leaves me to wonder as to whether this will be a good document, for the simple reason that the salary of this director so-called will be \$18,000, and we are all here in this House hoping that if there is such a one director in charge of the Commission, that he will be the best director in order to run this type of business. Now, I find this morning in the document, something quite unlike a

business management operation. In a business operation you have a person that is qualified, but he is also subject to being fired if he does not come up with the expected production.

However, this document before us this morning here does not have that protection. It does not have the protection of being hired and fired only in this sense, that he may be hired but in order to be hired as a director some political implication of being appointed by the Governor with the advice and consent of the Council, which you don't find in the thirty-one other states that have such a director. So the implications are such that if we only have the one director the question that I must ask you this morning, is this one director going to be better than what we presently have as a three-man Commission appointed by the Governor and with the advice and consent of the Council?

In this area I feel somewhat this morning that we might be creating something that will not be to the best interests of the State because as was stated here the other day in debate, there are many, many factors to that particular type of one-man director, that if he is hired by the Governor with the advice and consent of the Council, if he does not prove out in the first year, the second year, the third year or fourth year, how will we get rid of him if he doesn't prove out at a \$18,000 salary a year?

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

Mr. QUINN: Mr. Speaker and Members of the House; I would like to stand in support of the gentleman from Elliot for these reasons. The other day when we debated this matter, I debated the matter of corruption; I'm not going into that any more. But I strongly feel as does the Minority Leader of the House, that we've got an angle of this bill that we should give some consideration to. Under this bill, we're appointing a man who's to go into office from the date of his appointment to the first of the year and thereafter for four years. Good, bad or indifferent. Now the

only way you can remove a man of that sort from office is by charging him with some serious, grievous offense and having a hearing and remove him, which is difficult. Under our present setup we have three men who are not serving concurrently as to time. Their period of service is staggered, their terms of office terminate at different periods. So that if one of those people are not satisfactory they will not be replaced except by a better man, that is he will not replace himself. A better man will be appointed in his place. Now, isn't that a better method of doing business?

I don't know exactly how many million dollars is involved in this business, but I know it's a tremendous amount. I've heard it stated in the thirty millions and I've heard it quoted in the forty millions the other day, but we know it's a big corporation. Do you know of any corporation that is financed of this size that has one man running it? No, they're run by a board of directors of at least three and usually a corporation of this size much larger; and for what purpose? In order that they may have the benefit of the thinking of mature men who are getting together, putting their thoughts together and coming up with the best judgment or determination of a problem which they have to solve. This one man has to do it all by himself. Now I feel that one of the strong things about this kind of a situation, this kind of a business is, that they should have a Board of Directors of three men that are familiar with the work they are doing, they can sit down together and they can discuss a problem that comes up and they can come up with a solution which is for the best interests of the State of Maine.

So that, as a matter of business, it appeals to me that the present method of three trustees, directors or commissioners or what have you, is much better for the interests of the people of Maine.

The SPEAKER: At this time, the Chair would request the Sergeant-at-Arms to escort the

gentleman from Bath, Mr. Ross, to the rostrum to serve as Speaker pro tem.

Whereupon, Mr. Ross assumed the Chair as Speaker pro tem and Speaker Kennedy retired from the Hall.

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

Mr. GILL: Mr. Speaker and Members of the House: I feel this matter was very well debated the other day; however, now we're talking about this bill in areas it was not talked about the other day, I would like to bring it back to a practical point of view. Why, if our Liquor Commission is so efficiently run, do they have brands on their shelves that have been there year after year? And why, if our Liquor Commission is so efficiently run, do some of our liquor stores will be going into the Fourth of July weekend with their shelves not stocking some of your better brands because they haven't got the money to do it?

I'll tell you why. The reason is the poor judgment of these Commissioners. This is pure and simple. All right, we have three Commissioners spread all over the State of Maine for the most part and these gentlemen are approached by the liquor salesmen in their home community saying, can I get such and such a brand on, such and such a brand on. All right, this isn't just happening to one Commissioner, it's happening all over the State. Okay, these gentlemen come to Augusta and sit down, they have told someone they will do what they can for them, maybe one salesman, two salesmen, three salesmen. The three Commissioners arrive, they all have got something they want, so as a result you end up with nine or ten brands that are not anything that will sell.

You know how things work in politics, most of you. Are they going to go in and oppose the brands that the other Commissioners want to put on, no matter how much of a dog it is—and this is what you call a product that don't sell, is a dog, and our Liquor

Stores have more dogs in them than they have fast selling items; and if this is good retail type of operation I don't want any part of it. Maybe you should put it back where it belongs, in the drug stores.

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

Mr. DENNETT: Mr. Speaker and Members of the House: I would just like, briefly, to take issue with one statement made by the gentleman from Bangor, Mr. Quinn, in where he rather elucidated on the three-man Commission. Now I would call the attention to this House that we have in the State of Maine one man who heads our tax division, our Tax Department. This, perhaps, is the greatest revenue producer that there is in the State of Maine—the sales tax alone produces the greatest part of our revenue. Now other states have three commissioners. I don't know whether the State of Maine ever had multiple commissioners or not, but I do know that presently we have one man that heads up our Tax Department and I don't think there is anyone in the State of Maine that can question but what our Tax Department is pretty well run. I think that this in itself is a pretty good argument for a one-man head to the Bureau of Alcoholic Beverages.

The SPEAKER pro tem: The Chair recognizes the gentleman from South Portland, Mr. Hinds.

Mr. HINDS: Mr. Speaker and Members of the House: To add to some of the other department heads that Mr. Dennett has mentioned, we also have a Controller, who has charge of the state's finances, who is one man; we have a Director of Bureau of Public Improvements that handles all of the state's buildings and there is quite a wide area open there, who's quite an honest individual and does a pretty good job. We have John Dyer, the Purchasing Agent, who has been known for his honesty throughout the State and has charge of all state purchases and writes the specifications for all of these things, is one man; and in answer to the gentleman from

Bangor, Mr. Quinn, who talks about boards of directors, the Legislature is a board of directors and it's a pretty big board of directors, for all these departments. As far as a person being removed from office, the Governor and Council have the same power and authority to remove this man from office that they do of any other department head. This is no different.

The Legislature is the board. We're in session every two years, and so far as I have been in the Legislature we've been in session every year through special sessions and can take any action to correct this situation. The staff is the same, the staff will not change down there. All you're doing is having a director in place of two part-time and one full-time Commissioner.

There is one other thing that's been going around Legislature that a couple of people have mentioned to me and I would like to clear it up at this time. The drys are telling people that the Representative from Lewiston, Mr. Jalbert, is going to be the Commissioner if this bill passes and the wets have been telling people that I'm going to be the Commissioner if this bill passes. So I would just like to read to you, Section 10 on page 12 of the Constitution of the State of Maine: "No Senator or Representative shall, during the term for which he shall have been elected, be appointed to any civil office of profit under this State, which shall have been created," during the time that he served in office. So, anyone can set their mind at ease on those two points because I'm not going to be having that job and neither is the gentleman from Lewiston, Mr. Jalbert; and if anyone feels that was the reason they voted the other day, and one person told me that was the reason they voted against it, I want to set their mind at ease.

The SPEAKER pro tem: The Chair recognizes the gentleman from Solon, Mr. Hanson.

Mr. HANSON: Mr. Speaker and Members of the House: Evidently, it pays to be fast on the draw. I would like to make a couple of

comments in regard to the statements of the gentleman from South Portland, Mr. Gill, and also in reference to some statements made pertaining to other department heads.

First, I think that the gentleman from Kittery, Mr. Dennett, would be the first to agree that there's a world of difference between the State Tax Office and the liquor business. Several of the proponents of this measure have mentioned time and again that this is the only business that the State is engaged in. This is a business and there is a world of difference. Now, as regards the statements of the gentleman from South Portland, Mr. Gill, he criticized more or less indirectly, the present administration of the Liquor Commission. I would like to point out to this august body the fact that these Commissioners are appointed by the very same method that this one single department head would be appointed, by the Governor with the advice and consent of the Council.

I think any criticism of the current administration of the liquor business in the State is not a valid criticism of the system. There's quite a lot of difference between a criticism of the system and those in the system. Now, these present liquor commissioners, or past liquor commissioners, may perhaps not perform in the best interests of the State. I don't frankly know, but if they don't, then this is the fault of the appointments, these people should not have been appointed. And again, I tell you that the new director, the single director, is going to be appointed in the same way so that the opportunity to put incapable or inadequate people in office exists. I would suggest that the proper remedy for the situation would be that under the three-man commission we seek to install in office more dedicated, better qualified people and I am sure that then the whole business will be run much better. Thank you.

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

Mr. GILL: Mr. Speaker and Members of the House: My dear friend from Solon, Mr. Hanson, has just made some remarks. I would like to point out that the system is not working now and when you run a business and if the system isn't right, you change the system, always looking for an improvement. I would agree with him that we should seek to put a better class of former politicians in the present commissioner thing, but we only have a certain quality of former politicians to bring from. I would expect that with this one man system, that Governor and Council would recognize the importance of it and put a fully qualified person into running this department. In other words, the system isn't working now to the best of its ability; therefore, we should try to improve the system and I imagine if we improve the system we'll improve the caliber of men.

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

Mr. HEALY: Mr. Speaker and Members of the House: I move the previous question.

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

Mr. QUINN: Mr. Speaker, I would like to be heard before the previous question.

The SPEAKER pro tem: The motion has been made for the previous question. That will have to be put to a vote first.

Mr. Quinn of Bangor then requested a division.

The SPEAKER pro tem: In order for the previous question to be put now it must have the expressed desire of one third of those present and voting. All those persons desiring the previous question will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

The SPEAKER pro tem: 18 persons having voted in the affirmative and 86 in the negative, the previous question is not ordered.

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

Mr. QUINN: Mr. Speaker and Members of the House: First I'd like to reply to my dear, dear

friend Mr. Dennett from Kittery. Mr. Dennett tried to compare this office to the Collector of Taxes—there is no comparison. We have a very fine collector of taxes in Mr. Johnson, and he does a very efficient job in collecting all the taxes that we as legislators impose. And there is no comparison against that kind of activity and the activity of the Liquor Commission.

I would like to reply to the gentleman from South Portland, Mr. Hinds. My dear, dear friend, Mr. Hinds who says that this person if appointed can be removed at any time at the pleasure of the Governor. I wish he would cite to me the section of this act that provides for that.

I would like to inquire through the Chair, what section of the act provides for the removal of this man after he's been appointed at the pleasure of the Governor?

The SPEAKER pro tem: The gentleman from Bangor, Mr. Quinn, has posed a question through the Chair of the gentleman from South Portland, Mr. Hinds, who may answer if he so desires.

The Chair now recognizes that gentleman.

Mr. HINDS: Mr. Speaker, I was assured or told when the bill was drafted by the Director of Research, Mr. Slosberg, that we have other statutes of the Maine State Laws which cover these things and this would apply to the same thing. He doesn't, I think the learned gentleman from Bangor understand that we pass many bills here that are governed by other state laws also and this is a very similar one to that.

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

Mr. QUINN: Thank you Mr. Hinds. We do have other laws; however, the law in question says: that he will serve for the term of four years except that the term of the first Director appointed under this act shall be for the balance of the calendar year of 1967 and four years thereafter. Now, when a man is appointed or elected to a term under our Constitution and Laws, he has a right

to serve the complete term and the only time that he ceases to serve the complete term is when charges are placed against him, either for misdeeds in office or for something improper and that requires a hearing. It requires a lot of evidence to remove such a person, and that is the kind of situation you are getting into right here.

Now, my friend, my dear, dear friend from South Portland, Mr. Gill has hit this question right on the nose. He has given us the reason for this bill. He says, the nature of the brands on the shelves of the liquor stores indicate that those presently executing and running the liquor business are inefficient. I wonder who caused him to consider that phase of it? Was it the salesmen that are selling this liquor? Are the salesmen that are selling this liquor concerned about the present Commission because they're not putting brands on the shelves that they are selling? That sounds more like it.

Now, let's get right back to the business at hand. Now the business at hand is the proper handling of one of our large commissions or businesses in the State of Maine. Do we want a corporation of this size run by one individual or do we want the benefit of a board of directors of three who can get together and solve the problems that come up in this matter? I think that is the efficient way of handling this matter and if any one of those three commissioners do not function properly when their term expires, if they are not removed for cause before, will not be reappointed, and they won't have to wait for four years.

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

Mr. JALBERT: Mr. Speaker and Members of the House: The gentleman from South Portland informs me that if this measure were passed that the dry element, as he calls it, would have me as the newly appointed director. Even if I could, I would decline the high honor; however, it is sure gratifying that the dry element has finally rallied to my side.

The SPEAKER pro tem: The Chair recognizes the gentleman from Manchester, Mr. Rideout.

Mr. RIDEOUT: Mr. Speaker and Members of the House: To answer his honor, Judge Quinn, I have been assured also that the existing statutes do provide for removal from office if the director was unqualified. This would be the only reason that you would want to replace him, if he wasn't doing the job right. But the second thing I would like to indicate is this is the only business that the State is in for profit. This is a profit making business and the name of the game is to run it right to get the most profit out of it. Now, the way this is done should be a full time administrator because the present Commission is part time and I agree that the system is poor.

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

Mr. COTE: Mr. Speaker and Members of the House: I am one of those that would like to go along with this bill, if we give this new commissioner or this czar the tools to work with. Now, they were talking about Mr. Johnson awhile ago, our tax collector, but we of this Legislature have given him the tools to work with. We have passed the taxes which he has to collect by law. But what we do with the Liquor Commission, we have three Commissioners, now we want to have just one, but we don't give him the tools to operate with. We say, you go out there, you do a good job for us, we're only going to give you \$4 million to work with but we want you to bring us thirty-five or forty million dollars in profits. How is he going to do it? How is he going to take advantage of sales and the administration of his business from the distilleries or from the distributors of liquor and so forth?

Now, they talked also about dogs on the shelf. What guarantees us that this one administrator wouldn't have dogs on the shelf either? Nothing guarantees us that under this bill. I have not made up my mind quite fully yet how I'm going to vote on it; I'm going to listen to some more debate. But I say

that this bill doesn't go far enough. If we're going to have one administrator, let's give him fully the tools to work with.

Thereupon, Mr. Gill of South Portland was granted permission to speak a third time.

Mr. GILL: Mr. Speaker and Members of the House: I would like to clarify some remarks of my very kind friend from Bangor, Mr. Quinn has made. He somehow is trying to tie me into the liquor industry. The only connection I have made with the liquor industry is that I support it considerably. I would like to point out to him that the salemen are opposed to the bill, they are very much opposed to this bill. I don't know why, but they are opposed to this bill; so, therefore, I can't quite follow the learned gentlemen's reasoning in thinking that they have put some pressure on me to support this bill. I assure you I haven't. My remarks were just brought from my experience from running a retail store and I think you could imagine that if I had been lobbied by anyone my remarks would make a little bit more sense than they do. But I'm just speaking from my own experience and practical knowledge. This amuses me, this wet-dry issue. My colleague from South Portland is as dry as they come, and I'm a little bit on the damp side myself. So perhaps you would agree that there can't be any type of a connection there. But what I'd like to point out is that we just want to see this liquor business run on a business-like monopoly, and I will agree with Mr. Cote that every man in business has got a few dogs on his shelf, but I concur that the Liquor Commission has got close to — well, a whole dog-house, or a kennel — they have been doing business with a kennel when they should just have a few dogs.

The SPEAKER pro tem: The Chair recognizes the gentleman from Houlton, Mr. Berman.

Mr. BERMAN: Mr. Speaker and Members of the House: I rise in support of my able colleague, the gentleman from Kittery, Mr. Dennett. I propose to be brief —

I do not intend to deal in personalities, nor in dogs.

Somewhere I recall reading in a famous American biography the great challenge to rationalism and good sense which goes somewhat as follows: If we would guide by the light of reason, we must let our minds be bold.

I think a change of this nature seems long overdue, and I hope that you will vote against the motion to indefinitely postpone and allow this bill to be enacted.

The SPEAKER pro tem: The Chair recognizes the gentleman from Kingman Township, Mr. Starbird.

Mr. STARBIRD: Mr. Speaker and Members of the House: In regards to tenure of office that has been brought up by Mr. Hinds and Mr. Quinn, the Constitution of the State says in Article IX, Section 6, that the tenure of all offices which are not or shall not be otherwise provided for, it shall be during the pleasure of the Governor and Council. However, in this case, in this bill it is otherwise provided for, it has a term of four years, so I would say reading it in that light that Mr. Quinn is correct.

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

Mr. BINNETTE: Mr. Speaker and Members of the House: Sitting up back here in the rear of the House and listening to that debate that is going on all around me, and I have had occasion to be present at some hearings where the Liquor Commission was involved, I can truthfully say here that I am neither a wet nor a dry. I've been exposed to a lot of rain and I've been subjected to a lot of heat.

Now this Liquor Commission as I can see it—I will admit that perhaps they have a lot of dogs as the so-called items on their shelves, but we cannot blame that to this present administration because this has been in existence for a long time, and some of the previous commissioners, perhaps, were weak—in fact I think we had quite a scandal relative to that a few years ago, and I think since that time they've tried to correct some of the situation, and I cannot see

where any one man alone will be less exposed to these salesmen than three, I have more confidence in three men on a Board to be able to distinguish and determine what they should have.

Now the good friend of mine from South Portland, Mr. Gill, tells a great deal about the number of items on the shelves that are moldy and dusty. I'm wondering if he has made a tour of the state and taken an accurate account of that. I can't say that I have, I only went into the local store in Bangor and I don't know what they've got in back there or what they've got in the cellar—I haven't any idea; and to tell you the truth, there has been no liquor salesman that has approached me relative to this. I am doing this on my own entirely because I have faith and confidence in this present Commission, and I'm going to agree with my good friend—I'm not going to say very dear, dear friend, I'm just going to say a good friend from Bangor, Judge Quinn, when he makes a statement here that this thing here is better as it is and with another man, because that bill specifically states that he's in there for four years, and you try and get one man out and you're going to have some job! You're going to have a legal battle on your hands and I fail to see where we have had anybody removed from any of these offices, whether he's a liquor commissioner or the head of any department; and I know very well that some of the previous Governors would have liked to see some of these heads of these departments thrown right out on their ear, and therefore, I am going to support the motion for the indefinite postponement of this bill.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: Probably there is no one in this House who knows less about the liquor business or liquor in general than I do. I suppose that's why I feel called upon to make a few comments after all that has been said. I'm simply going to emphasize

some of the remarks by other speakers as how they strike me.

I completely concur with the gentleman from Madawaska in his idea of a board of directors, as the gentleman from Bangor put it. I just can't see how we're going to go out and be sure that we've found one super man and put him in here for three or four years and feel sure that he is going to be a success. I just simply believe in the idea of directors—I'd go for five if we wanted to do it, and I think that's the proper way to handle it.

The other thing that bothers me a little bit—as I say I know very little about the business; however, once in a while I do go into the store and I talk with some of the managers of these stores. The manager of one of the stores in Aroostook County has always been a very close friend of mine and I go in and talk the business over with him.

This claim in regard to the number of dusty items and non-selling items strikes me as rather ridiculous after talking with him. I asked him this question early this winter, one day I was in there—how do you order your new supplies? And he went in and took time to show me that as their stock on the shelves sold they sent in a requisition to the Liquor Commission each week to replace the items that had been sold. Now if they had dusty items of course they didn't sell; they may have been dusty for five or ten years. That is something of course that I realize you can run into, but it seems to me this claim of this Liquor Commission buying something that doesn't sell and continuing to buy it is almost as ridiculous as anything that I can think of. I think that's all I have to say, ladies and gentlemen.

The SPEAKER pro tem: The Chair recognizes the gentleman from Winslow, Mr. Roy.

Mr. ROY: Mr. Speaker and Members of the House: As a member of the Liquor Control Committee and having served for the past three terms, I feel I should stand in defense of the State Liquor Commission. I think we've been in contact with the Commission a great deal more than any other

members of the House, and especially during the time that the hearings take place.

I would just like to bring out the facts—I'm sure all of you have all seen the departmental directory. To give you an idea of what the Commission is made of today—you'd have your three commissioners; Administrative Division which consists of Mr. Herman Stover as the Administrator which has an Assistant Administrator, plus an assistant to him. Then you run into the Enforcement Division in which you have two members in the Enforcement Division; then you have your Legal Division, the Malt Liquor Division, Merchandising Division, the Stores Division, the Supply Room and Warehouse Division. I can assure you if you look back as to when all the scandal took place in regards to the Liquor Commission, I don't think we had this type of organization that we have today; and as Mr. Quinn stated, any corporation that runs a million dollar business must have a board of directors to supervise the operation, and stating what Mr. Gill said about the dead items on the shelf—I can assure you, ladies and gentlemen, in any business an individual has that deals with the public—and the public today is very demanding when it comes to any items that you sell, you can assure that if Mr. Gill looks on his shelf he'll find a lot of dead dogs on his shelf also in the business that he's in.

Stating about the efficiency of the Commission, as a member of the Research Committee that studied the liquor laws and the operation of the Liquor Commission appointed by the 102nd Legislature, we went through the Liquor Commission operation. We've had an outside firm come in and study about the possibility of putting the Commission on computers, talked it over with Mr. Carpenter, head of the State Department. This was something that the Commission took upon itself back in 1958 to look into. As any business operation, in order to get into any type of computers, he must make sure first that this computer is going to pay off and not become a liabil-

ity to the business for the next twenty-five years.

I hope that the motion of Mr. Dennett is defeated.

The SPEAKER pro tem: The Chair recognizes the gentleman from Mars Hill, Mr. Dickinson.

Mr. DICKINSON: Mr. Speaker and Members of the House: My thoughts have been well expressed by the previous speakers, particularly the gentleman from Madawaska, Mr. Levesque, when he called our attention to the angle of the decision of one versus three. I can't buy the thinking that one man would be a super man to the extent of not being influenced by salesmen, and I would question the wisdom of creating a czar in a department of this nature.

It also seems to me that there is a big difference between collecting taxes and buying liquor. There have been references to other departments such as the Purchasing Department, which is a subject that I would not care to go into at this time. However, for these reasons which have been expressed by others and those which I now mentioned, I am going to support the motion of the gentleman from Eliot, Mr. Hichens. Thank you.

The SPEAKER pro tem: The Chair recognizes the gentleman from South Portland, Mr. Philbrook.

Mr. PHILBROOK: Mr. Speaker and Members of the House: I support the single administrator, and I want to call your attention to the section dealing with samples, gratuities, favors or anything of value. This is not true today and there is nothing to prevent this. I believe this is good—I believe it is enforceable and I think it should be applied to other departments of the State.

The SPEAKER pro tem: The Chair recognizes the gentleman from Dover-Foxcroft, Mr. Meisner.

Mr. MEISNER: Mr. Speaker and Members of the House: The other day when this bill was discussed I was absent. I'm not going to take up any of your time this morning because all my thoughts have been expressed, and have been admirably expressed by the Honorable Minority Leader of this House, he

took one of my arguments from me; very strongly expressed by the Honorable gentleman from Bangor, Mr. Quinn, and the others who have spoken on this subject.

I do not know just—been accused I think this morning—I think all of you know where I stand, but perhaps I've been accused of being cohorts with the liquor interests at this time, but I want to say that nobody, anywhere, has lobbied me and that I have been thinking about this bill ever since I knew that it went into the hopper. I've talked to representatives on both sides and while I love them all, I cannot go along with this bill for reasons which have been so well expressed at this time.

Like Mr. Roy I've been for three sessions on the Liquor Control Committee and in very close touch with the present Commission. I do not always agree with Mr. Roy, nor he with me, but I agree with him at this time that I believe that the Commission is doing a good job. I think they're honest men; I think they're trying to amend any mistakes that they may have made and that they're trying to do a better job than they have done and I want to go along with the gentleman from Eliot, Mr. Hichens in indefinite postponement of this measure.

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

Mr. SHUTE: Mr. Speaker and Members of the House: It seems far afield for me to get from education into a topic of this type, but someone has mentioned the fact that we might have a superman over this Board of liquor control. I would like to remind this body that only last week by a vote of 70 to 68 you voted in favor of a superman to run the University of the State of Maine. I had to get that plug in! But somewhere along the line someone is going to ask the question of the proponents of the three-man present Commission form or arrangement that we have, do you work as a, to paraphrase it as in a television show—do you work for a profit-making organization?

I think that we have been here since January and we've looked at these various departments that are not profit-making — as a matter of fact they take tax money and take a lot of it — but here we have one organization of only a very few in our whole state structure as the good gentleman from Manchester, Mr. Rideout, has pointed out, but this impresses me a great deal. This is the profit-making organization in the State! So there is a profit motive in this single department that is greater than any other department that is in the State Government.

This is important to me because I've been down here for six months now. I have a single man who is running the operation back in Farmington, and if he violates a contract or does something that isn't right — if he loses business for me, or isn't able to increase the business, I can go back home and fire him and hire somebody else, and I think the same is true in this profit-making organization called the liquor business for the State of Maine. If you have one man who violates his contract in any way you can get rid of him. There's plenty of room in the Statute that provides for this. So the superman thing you voted for last week with the University of the State of Maine, and now again you reject it today. So we have the profit motive which is an essential part of our commercial society today and this is the one big money-making business that we're in in the State of Maine, so if you have a few dogs around — you have too many of them you always can fire your superman, and as far as the gentleman from South Portland, Mr. Gill, is concerned in having any dogs in his drug store, I'm sure that he hires the type of man to run his store that will assure him of the fact that he will not have any dogs around and that when Mr. Gill goes home on a weekend he can instruct him to run a sale to get rid of those dogs. This is the type of man that should be running the liquor business in the State of Maine.

The SPEAKER pro tem: The Chair recognizes the gentleman from Auburn, Mr. Drigotas.

Mr. DRIGOTAS: Mr. Speaker and Members of the House: Being a simple person — a simple question occurs to me, and I'm going to ask it from any member of the Liquor Control Division that can answer it. Assuming that this Act would pass, I notice that the Director would be appointed for the remainder of the year 1967 and for four years thereafter. What happens to the members that are on the Liquor Commission now for the ensuing period? Are they to be phased out? This is on the assumption that the Act does pass.

The SPEAKER pro tem: The gentleman from Auburn, Mr. Drigotas, poses a question through the Chair to any member who may answer if they so desire.

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

Mr. HINDS: Mr. Speaker and Members of the House: The Liquor Commission would remain in existence until the bill became law and that would be at that time.

The SPEAKER pro tem: The Chair recognizes the gentleman from Auburn, Mr. Drigotas.

Mr. DRIGOTAS: In other words it isn't merely an \$18,000 amount that's involved. It involves the amount of the three Commissioners for the phasing out, until they are phased out of the operation?

The SPEAKER pro tem: Does the gentleman put that in the form of another question?

Mr. DRIGOTAS: Yes, Sir.

The SPEAKER pro tem: The Chair recognizes the gentleman from South Portland, Mr. Hinds.

Mr. HINDS: The Commission would continue running the Commission until ninety days after the Legislature had adjourned, and at their salary and expenses, and then the new director would take over at that time at his salary so there would not be two salaries running or three salaries running at the same time, and this \$18,000 is less than what we're presently paying for salary and expenses to the three commissioners.

Mr. Quinn of Bangor was granted permission to speak a third time.

Mr. QUINN: Mr. Speaker and Members of the House: I'd like

to answer my good friend from South Portland. I've examined this new bill very, very carefully for the subject matter which he just discussed — there's no mention of it at all.

We now have three commissioners who have been duly appointed for a term of office at a stipulated salary, and there's no provision to take care of those gentlemen at the present time.

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

Mr. BINNETTE: Mr. Speaker and Members of the House: After listening to the gentleman from Auburn pose the question — something came to my mind — that after the Legislature terminates its services here and ninety days after that the law becomes in effect — these commissioners according to Mr. Hinds would be terminated of their services, and then a director would be appointed by the Governor with the consent of his Council. We've had a gentleman by the name of Mr. Violette who has been appointed as a member of the Public Utilities Commission and we are here; we've been here six months and he hasn't been confirmed — what would happen to that liquor industry which has brought us in over 14 million dollars profit?

The SPEAKER pro tem: Does the gentleman pose that in the form of a question? If not, the Chair recognizes the gentleman from Lewiston, Mr. Cote.

Mr. COTE: Mr. Speaker and Members of the House: Someone brought out the attention about samples, that this new man would not be able to accept samples. As far as samples are concerned, it's against the law now for the salesmen to give them out.

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

Mr. CROSBY: Mr. Speaker and Members of the House: With apologies to the House, I now move the previous question.

The SPEAKER pro tem: The gentleman from Kennebunk, Mr. Crosby, moves the previous question. In order for the Chair to entertain the previous question it

must have the expressed desire of one third of the House. All those in favor of the Chair entertaining the motion for the previous question 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 third having expressed a desire for the previous question, the previous question was ordered.

The SPEAKER pro tem: The motion before the House is for the main question. This is debatable by any member for not more than five minutes and only on the main question.

The question now before the House is, shall the main question be put now?

The Chair recognizes the gentleman from Mars Hill, Mr. Dickinson.

Mr. DICKINSON: Mr. Speaker, I rise to inquire if a roll call has been requested on the main question.

The SPEAKER pro tem: A roll call has not been requested yet. All those in favor of the main question being put now will say yes, those opposed will say no.

A viva voce vote being taken, the main question was ordered.

Mr. Dickinson of Mars Hill requested the yeas and nays.

The SPEAKER pro tem: The yeas and nays have been requested. In order for the Chair to order a roll call it must have the expressed desire of one fifth of those persons present and voting. All those desiring that the vote be taken by the yeas and nays 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 on the motion of the gentleman from Eliot, Mr. Hichens, that this bill, An Act to Create the Department of Alcoholic Beverages, House Paper 1218, L. D. 1784, and all its accompanying papers be indefinitely postponed.

All those in favor of indefinite postponement of this bill will vote

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

ROLL CALL

YEA—Allen, Belanger, Bernard, Binnette, Birt, Boudreau, Bourgoin, Bragdon, Brennan, Buck, Bunker, Carey, Carrier, Carroll, Carswell, Champagne, Clark, Cote, Cottrell, Crockett, Crommett, Crosby, Curran, Cushing, Danton, Dickinson, Drigotas, Dunn, Farrington, Fecteau, Fortier, Fraser, Gaudreau, Giroux, Hanson, B. B.; Hanson, H. L.; Hanson, P. K.; Harnois, Harvey, Hawes, Haynes, Hennessey, Hewes, Hichens, Hodgkins, Hoover, Hunter, Keyte, Kilroy, Lebel, Levesque, Lewin, Littlefield, Lycette, Maddox, McMann, McNally, Meisner, Miliano, Mosher, Nadeau, N. L.; Noyes, Porter, Quinn, Rackliff, Robinson, Rocheleau, Roy, Sahagian, Sawyer, Scott, G. W.; Shaw, Snow, P. J.; Starbird, Townsend, Waltz, Wight, Williams, Wood.

NAY—Baker, E. B.; Baker, R. E.; Benson, Berman, Brown, Burnham, Conley, Cornell, Darey, Dennett, Drummond, Durgin, Eustis, Evans, Ewer, Foster, Fuller, Gauthier, Gill, Hall, Harriman, Healy, Henley, Hinds, Huber, Humphrey, Jalbert, Lewis, Lincoln, Martin, Minkowsky, Nadeau, J. F. R.; Pendergast, Philbrook, Pike, Prince, Richardson, G. A.; Richardson, H. L.; Rideout, Scott, C. F.; Scribner, Shute, Susi, Thompson, Trask, Truman, Watts, Wheeler, White.

ABSENT — Bedard, Beliveau, Bradstreet, Cookson, Couture, D'Alfonso, Dudley, Edwards, Immonen, Jameson, Jannelle, Jewell, Kyes, Payson, Quimby, Robertson, Ross, Snowe, P.; Soulas, Sullivan, Tanguay.

Yes, 79; No, 49; Absent, 21.

The SPEAKER pro tem: Seventy-nine having voted in the affirmative and forty-nine in the negative, the motion to indefinitely postpone in non-concurrence does prevail.

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

Mr. STARBIRD: Mr. Speaker, I now move for reconsideration and I hope you will vote against me.

The SPEAKER pro tem: The question now before the House is the motion of the gentleman from Kingman Township, Mr. Starbird, that this bill be reconsidered. All those in favor of reconsideration—

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

Mr. GILL: Mr. Speaker and Members of the House: I rise to speak upon the motion of the gentleman from Kingman Township, Mr. Starbird. I would like to certainly congratulate the coalition of the Maine Christian Civic League and the liquor salesmen of the State of Maine for the defeat of this fine piece of legislation and commend the legislators on their complete reversal of their vote of a couple of days ago.

The SPEAKER pro tem: The question now before the House is the motion for reconsideration. All those persons in favor of reconsidering our action whereby this bill was indefinitely postponed will vote yes, those opposed will vote no, and the Chair opens the vote.

A vote of the House was taken. 50 having voted in the affirmative and 70 having voted in the negative the motion did not prevail.

Sent up for concurrence.

Orders of the Day

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

Bill "An Act to Conform the Statutes with the Amendments to the Rules of Civil Procedure" (S. P. 428) (L. D. 1082)

(In Senate, Passed to be Engrossed as Amended by Committee Amendment "A" (S-268) and Senate Amendment "A" (S-284)

Tabled—June 22, by Mr. Benson of Southwest Harbor.

Pending — Passage to be engrossed.

On motion of Mr. Richardson of Cumberland, the House voted to suspend the rules.

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

Mr. RICHARDSON: Mr. Speaker, I move we reconsider our action of June 21 whereby Committee Amendment "A" was adopted.

The SPEAKER pro tem: Is it now the pleasure of the House that we reconsider our action whereby we adopted Committee Amendment "A"?

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

Mr. NADEAU: Mr. Speaker, may I ask what bill and what Committee Amendment we're talking about?

The SPEAKER pro tem: The gentleman from Sanford, Mr. Nadeau, poses a question through the Chair as to what the bill is and what the Committee Amendment is.

Mr. RICHARDSON of Cumberland: Well, Mr. Speaker, the item to which we are referring is Item I on page 6 of the House Advance Journal and Calendar, and it deals with conforming our statutes to the rules of civil procedure as promulgated by the Court, and we are attempting to bring our statutory law in line with the rules of the Supreme Judicial Court of the State of Maine.

Thereupon, the House voted to reconsider its action of June 21 whereby Committee Amendment "A" was adopted.

On further motion of Mr. Richardson of Cumberland, Committee Amendment "A" was indefinitely postponed.

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

Mr. RICHARDSON: Mr. Speaker, I now move that we pass this bill to be engrossed as amended by Senate Amendment "A" in non-concurrence.

The SPEAKER pro tem: The Chair recognizes the gentleman from Houlton, Mr. Berman.

Mr. BERMAN: Mr. Speaker and Members of the House. As a member of the Judiciary Committee and as House Chairman, I had no knowledge that this matter was going to come before us with another amendment in non-concurrence. Now, I'm not saying that I'm against the amendment, I've looked at L. D. 1082, I don't happen to

have the Senate Amendment with me. I would hope that someone might table this until later in today's session so that it could be worked out.

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

Mr. RICHARDSON: Mr. Speaker and Ladies and Gentlemen: I am sure that the gentleman from Houlton, Mr. Berman, will forgive my not checking with him prior to the time that we took this position or took this action. The legislative pace and my schedule prohibited my contacting Mr. Berman, the gentleman from Houlton. This amendment that we have indefinitely postponed places our law in an inconsistent position. This fact was brought to my attention by the Director of Legislative Research and the Senate Chairman of the Judiciary Committee is in complete accord with the action which I propose that we take at this time. As I have indicated, the Senate Chairman of Judiciary and the Director of Legislative Research have asked that I take this action and I would suggest that we go ahead and pass this to be engrossed, and in the interim I would request some member to table this until later in today's session.

Thereupon, on motion of Mr. Benson of Southwest Harbor, tabled until later in today's session.

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

An Act to Authorize the Issuance of Bonds in the Amount of Sixteen Million Eight Hundred Thousand Dollars on Behalf of the State of Maine to Build State Highways (H. P. 1174) (L. D. 1673)

Tabled — June 22, by Mr. Benson of Southwest Harbor.

Pending — Adoption of House Amendment "A" (H-449)

Thereupon, on motion of Mr. Birt of East Millinocket, retabled pending adoption of House Amendment "A" and specially assigned for Monday, June 26.

The Chair laid before the House item six under Enactors, tabled

earlier in the day and later today assigned:

An Act to Amend the Maine Recreation Authority Law (S. P. 682) (L. D. 1715)

Tabled by Mr. Truman of Biddeford.

Pending the motion of Mr. Harriman of Hollis to indefinitely postpone. (Roll call ordered)

The SPEAKER pro tem: The Chair recognizes the gentleman from Hollis, Mr. Harriman.

Mr. HARRIMAN: Mr. Speaker, I would like to withdraw my motion for indefinite postponement.

The SPEAKER pro tem: A roll call has been ordered, the Chair would advise the gentleman, so it's impossible to withdraw your motion.

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

Mr. McMANN: There is an amendment being prepared at this time. Could I have this tabled later in the day?

Whereupon, on motion of Mr. Benson of Southwest Harbor, tabled until later in today's session.

Thereupon, on motion of Mr. Richardson of Cumberland,

Recessed until two o'clock in the afternoon.

After Recess

2:00 P. M.

Called to order by Speaker Kennedy.

The Chair laid before the House the first tabled and later today assigned matter on Supplement Number 1:

Bill "An Act to Conform the Statutes with the Amendments to the Rules of Civil Procedure" (S. P. 428) (L. D. 1082) (In Senate, passed to be engrossed as amended by Committee Amendment "A" (S-268) and Senate Amendment "A" (S-284) (In House, Committee Amendment "A" indefinitely postponed, Senate Amendment "A" adopted)

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

Pending — Passage to be engrossed.

On motion of Mr. Richardson of Cumberland, retabled pending

passage to be engrossed and assigned for later in today's session.

The SPEAKER: The Chair at this time would express his gratitude to the gentleman from Bath, Mr. Ross, for serving as Speaker pro tem. It was of tremendous help to the Speaker this morning. (Applause)

The Chair laid before the House the second tabled and later today assigned matter on Supplement number 1:

An Act to Amend the Maine Recreation Authority Law (S. P. 682) (L. D. 1715)

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

Pending — Motion of Mr. Harriman of Hollis to indefinitely postpone. (Roll Call ordered)

The SPEAKER: The Chair recognizes the gentleman from Hollis, Mr. Harriman.

Mr. HARRIMAN: Mr. Speaker, I hope that when this vote is taken that they will vote against my motion to indefinitely postpone because there has been an amendment prepared which I think — I know it takes care of my objections and I think probably the most of the people in the House.

Thereupon, on motion of Mr. Benson of Southwest Harbor, retabled pending the motion of Mr. Harriman of Hollis to indefinitely postpone and assigned for later in today's session, and a roll call ordered.

The Chair laid before the House the first matter appearing on Supplement number 2:

Conference Committee Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act to Appropriate and Provide Moneys for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1968 and June 30, 1969" (S. P. 597) (L. D. 1575) reporting that the Senate recede from its action whereby it passed the Bill to be enacted, that it further recede from its action whereby it passed the Bill to be engrossed, that it further recede

from its action whereby it adopted Senate Amendment "A" as amended by House Amendment "A" thereto and House Amendment "B" thereto, that it further recede from its action whereby it adopted House Amendment "B" to Senate Amendment "A", that it indefinitely postpone House Amendment "B" to Senate Amendment "A", that it adopt Conference Committee Amendment "A" to Senate Amendment "A", that it adopt Senate Amendment "A" as amended by House Amendment "A" thereto and Conference Committee Amendment "A" thereto, that it recede from its action whereby it adopted House Amendment "B", that it adopt Conference Committee Amendment "A" to House Amendment "B", that it adopt House Amendment "B" as amended by Conference Committee Amendment "A" thereto, that it adopt Conference Committee Amendment "A", and that it pass the Bill to be engrossed as amended by Senate Amendment "A" as amended by House Amendment "A" thereto and Conference Committee Amendment "A" thereto, and House Amendment "B" as amended by Conference Committee Amendment "A" thereto, and Conference Committee Amendment "A"; that the House recede and concur with the Senate.

(Signed)

WYMAN of Washington
ALBAIR of Aroostook
MacLEOD of Penobscot
—Committee on part of
Senate

RICHARDSON
of Cumberland
DRUMMOND of Sidney
ROY of Winslow
—Committee on part of
House

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed as amended by Senate Amendment "A" as amended by House Amendment "A" thereto and Conference Committee Amendment "A" thereto, and House Amendment "B" as amended by Conference Committee Amendment "A" thereto, and Conference Committee Amendment "A".

In the House, the Report was read.

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

Mr. RICHARDSON: Mr. Speaker, I move that we accept the Conference Report.

The SPEAKER: The gentleman from Cumberland, Mr. Richardson, now moves the acceptance of the Conference Committee Report.

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

Mr. LEVESQUE: Mr. Speaker and Members of the House: This same document before us this afternoon is relatively the same as we had yesterday afternoon with a few minor changes. Now I was certainly one that was not too happy with the Committee of Conference appointed yesterday for several reasons, that it was almost impossible for the Committee appointed to arrive at some conclusive program that was going to be adoptable or was going to be in any facsimile acceptable to this House.

Now granted the members of the Conference Committee probably did all they could to arrive at some form of agreement, but it is not my belief this afternoon, and I certainly don't want to be one that is going to debate the merits or demerits of this Conference Committee Report, it is my understanding that this relatively brings the one cent cigarette tax out and readjusts the school subsidies to somewhere in the vicinity of between eight and nine million dollars. That is certainly not a compromise; it is not even near a compromise, because the adjusted figures from the Department of Education probably recently have stated these adjusted figures. But to you ladies and gentlemen of this House this afternoon, we have seen yesterday the action of this House of defeating this measure. It was my sincere hope yesterday afternoon that this measure was going to be defeated in its present form as it was in the form that it was yesterday. Now granted, some members of the House that were in yesterday after-

noon did it at a great sacrifice to their health and to their welfare. I don't know how many times this House and the leadership will keep beating over a dead horse, because that is exactly what this is at this stage, that this is not a compromise, this is just trying to beat a dead horse once more, so I am asking the sincere members of this august body this afternoon that again we defeat this measure.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: I have promised my seatmate in seat number two that I would keep this under five minutes, and if I violate that, I hope that you will understand it is not intentional.

I hope that we adopt this Committee of Conference Report; I hope that we pass this bill to be engrossed, and I hope that we pass this bill to be enacted today. And since we have debated I think most of the merits of the legislation that is included in the program, I would hope that it won't be necessary for us to go through a protracted debate this afternoon. By saying that, I don't mean to cut anybody off, I just think that if we are all, as I know we have been, interested in moving this session along, we will recognize the fact that further debate on the outlines of the basic Republican program probably won't cause anyone to reevaluate a position they have already taken.

What I am interested in talking about with you today is the future course of this Legislature. If I have ever persuaded any of my friends of either party in this House that I am a sincere person, I hope that I can persuade you today that I have no intention of engendering hostile or partisan feelings and what I say to you today I am perfectly prepared as an individual to back up with my action and I hope that there isn't any question in anyone's mind of the sincerity of the remarks I now make to you.

We have been criticized, it seems to me, for the length of this session. I don't apologize for that. I have made mistakes as the Major-

ity Leader, tactical errors and so forth, and for those I suppose you can chalk it up to your experience. We have had an unprecedented number of bills in this session of the Legislature. We have had the editorial writers tell us more controversial issues than any session of the Legislature has ever had I won't tick these off because it may rake over some old wounds, but we have certainly been through a lot of controversy. Now, it is not my purpose to lecture anyone, but I would remind the members of this House that the two branches of law-forming policy-making legislative procedures are with us here in the Legislature, that it is the function of the Chief Executive to administer the law, it is the function of the Legislature and our responsibility to create legislation. I would remind you that we and we only have the power to appropriate money, and I would remind you that many times during Maine's history, we have had a Governor of one party and a majority in the Legislative halls of the other. That this is, to my recollection, and I don't pretend to be an expert and I haven't been here as long as many of you, that this is the first time that we have had partisanship, threats, reach the crescendo that they have reached during this session.

Now I propose to discuss with you the alternatives that are available to you in the light of what the course of this Legislature is going to be.

Now the Assistant Minority Floor Leader in a statement to the Press, reported in the Associated Press, and I have no reason to question the accuracy of a reporter's statement since it was an Associated Press story, I might suggest to you that I give it even a bit more weight. The statement is, when questioned about the 3% suggested across-the-board tax, "But Representative Joseph E. Brennan, Democrat, Portland, the Assistant Minority Leader insisted that it—referring to the 3% across-the-board tax was"—and I remind you again that I am quoting "a serious plan advanced in an effort to break a deadlock." Elsewhere

in the Press the Governor's Administrative Assistant was quoted as saying that the Governor had approved of this and suggested this as one of several alternative methods to break a deadlock.

I wish to report to you that the Republican Party rejects any suggestion that we extend a 3% across-the-board sales tax which would apply to feed, seed and fertilizer, in the agricultural areas, that would apply to medicines, that would apply to school lunches, funerals, bibles, and that would apply to professional services including doctors and dentists. We reject that so there won't be any question.

Now, the alternative proposal that we offer to you in 1575, takes a cent off the cigarettes, reduces the impact of the Foundation Program down to a figure of \$8,600,000. It does this by providing that no S.A.D. or town may receive more than a 35% increase as a consequence of this program. We do this in an effort to meet the objection that the Executive has voiced to a so-called revenue gap confronting the 104th Session. Now, as we know, the Portland Press Herald, the Bangor Daily News and other members of this House agree that the \$46 million revenue gap really doesn't exist. There has been, I would remind you, no public outcry, or at least as one of the editorial writers has indicated, no public outcry against this program. Now, I'm sure that there are many people here who would stand and say, yes, there has been, but at any rate we know that we are not being deluged with mail in opposition to this program.

Our schedule for the future, coming back to that if I may, is this. The program proposed by the Governor did not contain any money for L. D.'s. This program, the alternative to 1575, does contain money for L. D.'s. If we cannot pass this program, your leadership intends to take the steps necessary to place us in a position to adjourn. Because I say to you with every ounce of sincerity that I am able to muster, that we are not going to stay here all summer and stare at one another in hopeless partisanship. We are going to rise together to pass a program

that's an honest program for education and for the future of Maine, but we are not, and I don't say this in any boastful sense, I hope that you won't think I'm arrogant, but we will not sit here and consider alternatives such as a 3% across-the-board sales tax.

I hope that I haven't engendered in you a sense of hopelessness. I don't feel that at all. I think that we have an opportunity to make real progress, but I merely wish to indicate to you that we intend to move this session toward adjournment and that we hope that we will be able to adjourn in the middle of next week. Thank you.

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

Mr. CONLEY: Mr. Speaker: I pose a question through the Chair to the gentleman from Cumberland, Mr. Richardson.

The SPEAKER: The gentleman from Portland, Mr. Conley, may pose his question.

Mr. CONLEY: Does the gentleman from Cumberland, Mr. Richardson, mean, or do I interpret him correctly as saying that if we do not pass this 5% increase on the sales tax, that we will adjourn?

The SPEAKER: The gentleman from Portland, Mr. Conley, poses a question through the Chair to the gentleman from Cumberland, Mr. Richardson who may answer if he desires.

The Chair recognizes that gentleman.

Mr. RICHARDSON: Mr. Speaker and Members of the House: I mean to say to the gentleman from Portland, Mr. Conley, and I mean this in the sincerest sense of the word, I am pleased to call him a friend, that we are not going to waste this Legislature's time and we are not going to expose this entire legislative body, both Republican and Democratic membership, to the charge of wasting time with senseless alternatives. We are going to attempt to pass this compromise, and if we don't pass it, and if we can't arrive at something reasonable, a reasonable compromise, and the only thing we've heard is 3%, we are going to move this session

toward adjournment. The final form that that adjournment takes will depend on the members of the Minority Party who I assume will join a great number of the Majority Party.

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

Mr. BRENNAN: Mr. Speaker and Members of the House: Perhaps the most difficult problem facing this Legislature is that of determining the proper level of expenditures and the most appropriate means of raising revenues to meet these expenditures. According to the Arco Report entitled "The Maine Economy and Its Revenue Resources" we can continue to expect an increase in expenditures of about 12% yearly and a rise in revenue of 7% yearly. This trend has been going on for a number of years. The result has been for the State to constantly increase existing taxes and to add new taxes to supplement our sources of revenue. With this in mind, the Arco Report stresses the possibility of broadening Maine's Revenue.

The report states, "further possibilities exist in the taxation of consumer services, far more extensively than is now done." In the June, 1967 report on fiscal policy by the Committee for Economic Development, they recommended that "If the States need more revenue, they should broaden the coverage of consumer services under a general retail sales tax and make more effective use of a broad sales tax."

This proposal to broaden the base of our Maine Sales Tax by removing a number of special exemptions and simultaneously reducing the percentage from the Republican Proposal of 5% to 3% is consistent with the Committee of Economic Development recommendation. The general retail sales tax is important to us because it yields substantial revenues, easy to administer, yet the exemptions of a wide range of consumer services results in unnecessary tax losses. National trends show that 40% of the value of goods and services is now in consumer services and these services are the

most rapidly increasing part of personal and family expenditures. To exclude many of these services from our sales tax base reduces the responsiveness of our state's revenues to economic growth because personal expenditures on service increases in relative importance as income rates increase or income rises. For this reason, taxation of certain kinds of retail transactions and the exemptions of others produce inequities among our citizens. We have different expenditure patterns as well as complicated administrations of different types of sales taxes.

It is my belief that a more broadly based general retail sales tax, particularly one covering more services, can provide large amounts of revenue and a decreased tax rate. Such a tax would be more equitable and responsive in growth of income. It would diminish unnecessary distortions and it would reduce administrative problems. We are presently studying and researching the possibility of offering amendments sometime next week to reduce this 5% sales tax to 3%.

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

Mr. LEVESQUE: Mr. Speaker and Members of the House: Again I promise you that I will be fairly brief. As the gentleman from Portland Mr. Brennan has just pointed out, that feasibility study was only for the purpose of research and study and as you very well see at this date, has never been offered as a proposal as the possibilities of researching and study are not complete, so therefore, we are not ready today nor tomorrow or possibly the research will not be feasible or the study might not be conclusive. So those were only avenues that we were in the Democratic Party, trying to study for alternate proposals. So we, ladies and gentlemen of this House, certainly feel that the future of this State and the future of this Legislature, as has been indicated, is in our hands. So is the future of our citizens. I don't think that I have had any occasion that I could ever question the sincerity of the Majority Leader

or any member of his Party. I think his party has got as much sincerity if not more sincerity now than we have seen since January. I don't think the question of sincerity has ever been questioned by the Minority as to their intent. And we certainly in the Minority owe no apologies to this Legislature for the duration of this session of the Legislature.

I think probably my remarks in the earlier part of the session that we were somewhere along the line dragging our heels that this might extend the session. However, the point was made that we had additional legislation and additional important legislation that had to be considered. This could conceivably have lengthened the session. So, certainly it's our contention as the Minority Party, and we hope very sincerely to be the loyal opposition, in this House of Representatives, not only to the Republican Leadership of this House, but to the entire Maine Legislature. And being in the loyal opposition and in the minority, we certainly owe our loyalty to the front office which we have his Excellency, Governor Kenneth M. Curtis.

So we certainly hope this afternoon that our friendship with the Republican members of this House or the other members of the other branch is beyond questioning. We are being as sincere as the Majority Leader has indicated that he was sincere and we certainly hope that in the next few days to come that we can also be as sincere as to the possibility of arriving at a fair compromise to the Majority Party, to the Minority Party and to the front office.

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

Mr. HINDS: Mr. Speaker: I would like to ask a question through the Chair to the gentleman from Madawaska, Mr. Levesque. I'd like to ask him if our Governor, Kenneth Curtis, and the Minority Party are really sincere when they want to tax doctors and dentist bills and things of this nature. I'd like to have that expressed.

The SPEAKER: The gentleman from South Portland, Mr. Hinds

poses a question through the Chair to the gentleman from Madawaska, Mr. Levesque, who may answer if he choses.

The Chair recognizes that gentleman.

Mr. LEVESQUE: Mr. Speaker and Members of the House: In answer to the question posed by the gentleman from South Portland, Mr. Hinds, there is absolutely, to my line of thinking, no sacred tax measure in this House that is not worth a looking into and the possibility of research and study, so we look at this 3% across-the-board as no more sacred than any other tax measure that may be or might have been offered at this session of the Legislature.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I'll be very brief. The first I'd heard of the 3% across-the-board was from the Majority Leader just a few minutes ago. I'll try to be very brief. I can understand why some members might look at this amendment like Chinese, like it was written in Chinese, by the amendment. I want to assure you that it is nothing but the same piece of legislation that we had before us yesterday and to be in good plain talk — increasing the sales tax one cent to which I was opposed yesterday and I'm afraid I'll be opposed today. I hope that the people in this House will go along and indefinitely postpone this the same as we did yesterday. It's nothing but — — I've heard comments like this before, it's nothing but the same old herring, with one little scale gone off the tail. The same one we had yesterday, it's getting pretty stale and I hope this is the last time we have to vote on it.

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

Mr. HEALY: Mr. Speaker: Through the Chair, I'd like to pose a question to the gentleman from Cumberland, Mr. Richardson. How much does this new scheme reduce the '68-'69 biennium budget?

The SPEAKER: The gentleman from Portland, Mr. Healy, poses a

question through the Chair to the gentleman from Cumberland, Mr. Richardson, who may answer if he desires.

The Chair recognizes that gentleman.

Mr. RICHARDSON: Mr. Speaker and Members of the House: The only reduction is reducing the Foundation Program from the proposed level of 9.9 to 8.6 plus taking a million two out of L. D.'s proposed so that you can apply those figures of \$2,500,000 to our program or projected costs or any other thing you want to and arrive at the answer you want. The net reduction is as indicated, \$2.5 million from the program.

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

Mr. LEVESQUE: Mr. Speaker: I request when the vote is taken, it be taken by the yeas and nays.

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

Mrs. CARSWELL: Mr. Speaker, I would like to ask a question to the gentleman from Cumberland, Mr. Richardson.

The SPEAKER: The gentlewoman from Portland may pose her question.

Mrs. CARSWELL: Mr. Speaker and Members of the House, and the gentleman from Cumberland, Mr. Richardson, is it not so that a member of your party has another proposal and would you ignore this and move to adjourn before you consider this proposal?

The SPEAKER: The gentlewoman, from Portland, Mrs. Carswell poses a question through the Chair to the gentleman from Cumberland, Mr. Richardson who may answer if he desires.

The Chair recognizes that gentleman.

Mr. RICHARDSON: Mr. Speaker and Members of the House: We will consider any alternative proposal that is offered in good faith. We do not believe that the 3% sales tax is a rational tax and will oppose it with every ounce of effort that we can muster. In the happy event that there is a proposal offered in the immediate future by any member of any party, we will be happy to con-

sider it. We are offering this compromise at this time, I hope convincing you of our resolve to pass this program and that we all understand each other and if we do not pass this program and if we cannot arrive at an agreement, we have no intention of sitting here all summer staring at one another.

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

Mr. STARBIRD: Mr. Speaker and Members of the House: I would like to pose a question to the gentleman from Cumberland. I would like to know if he intends to adjourn with a budget on the basis of current services?

The SPEAKER: The gentleman from Kingman Township poses a question through the Chair to the gentleman from Cumberland, Mr. Richardson who may answer if he desires.

The Chair recognizes that gentleman.

Mr. RICHARDSON: Mr. Speaker and Members of the House: I have been asked many times, in direct answer to your question, whether or not this Legislature would adjourn after passing a so-called bare bones budget to have us live within currently available general fund and dedicated revenue, and I have said, to some people's shock, I am sure, that this is a possibility. There are many possibilities. I can assure every member of this House that there is no desire on the part of Republican leadership to bring us to that position, but that as realistic people, every person in this House as a realistic person, must recognize that this is a possibility among the many possibilities that confront us.

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

Mr. CARROLL: Mr. Speaker and Members of the House: I will repeat there would exist a \$46 million gap and under these amendments, this gap will go to forty-eight and one-half million and I, too, have had figures and facts presented to me and I have gone over them with people who are able and capable of adding and subtracting and we could have a

forty-eight and one-half million debt under this program.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I would like to speak generally on the program before I make a suggestion. First, I would like to — — this affords me an opportunity to talk very briefly wherein it concerns the program as I read about a couple of days ago under the name of the good gentleman from Portland, Mr. Brennan, and certainly I could not be accused here of being anything but a friend of his when I nominated him for the post that he now holds, knowing fully well that after I nominated him for the post of the Assistant Democratic Floor Leader, one of the very dearest friends I have in this House and in the world, Representative Albert Cote, was to be his opponent, also from my home city. I think my nomination of the gentleman from Portland, Mr. Brennan, after I had given my word to him, indicated my feelings toward him.

However, I must again say that I hope that whatever research and study you arrive at, I hope that the research and study will arrive at a fact that this 3% sales tax is not only a myth but verges, in my opinion, slightly on the ridiculous. Where you would find enough measures, tax measures to impose upon us and where you would find enough money to broaden the tax base and still leave exemptions on food on the tax is beyond me, because believe me, no matter how you research and you study, in order for you to arrive at a figure of 3% on the sales tax you've got to find \$50 million plus. Now, I think the time has come when we should finish our researching and our studying and we should come up with what are the facts. If we have a program, what is the program, what the program is specifically, how much it will bring and what it will come up with on that board.

Now insofar as the vote that is about to be taken today, this morning very early, before I left my home, I spoke to a gentleman

of the other branch, whom I have the absolute, utmost respect for, and our conversation indicated that the one cent was pretty much a thing of the past. That being as it may, I attended a caucus today, and at that caucus along with the others, I raised my hand and indicated that I would uphold the situation as it stands now. And anybody here can accuse me of anything at all and it's perfectly all right with me. I'll take it because my shoulders are broad. But, believe you me, if you want to see anybody rip a mike off these moorings here is to have somebody get up here and tell me that they have ever known me to stand up here and break my word. I never have and I never will. My convictions on that basis go by the board. And frankly, in that I will say one thing now, I say that it is time that we stopped talking, including my own self and get down to facts.

The suggestion that I would like to make is this, whether I'm wrong in siding with the good friendly opposition in my thinking through correspondence that I have had, through the Department of Education, in saying that the projected figure of two years from now is \$12 million cannot be proven by me outside of the fact of these figures that I received. Whether the remarks as made by the gentleman from Limerick, Mr. Carroll, of \$22 million as made by others also is wrong or right, I have no way of proving any more than he has, outside of the letters and the documents that he has. Now, we have bartered around with these figures for several weeks. It would be my suggestion before we return here, therefore, that the Leadership of both parties, along with his Excellency, the Governor, along with the members of the Department of Education, along with the Budget Office, get together, close the door, lock it if they have to, and stay there until they come out with a figure that they agree upon. I think then that we could at least go from there, and as far as I am concerned, projecting any figures of \$46 million whether—no matter how I vote today, has no conse-

quence on it, I say this, that the gap is no more than \$28 million! I proved it yesterday! I think I know a little something about figures and that is the figure that we have arrived at and that is the figure that holds and even at that I think I'm a little high. The \$46 million gap is fallacious and should be aired out and also that should be in the package that I would suggest that both parties study.

The SPEAKER: For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All those in favor of 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 on the motion of the gentleman from Cumberland, Mr. Richardson, that the House accept the Conference Committee Report. All who are in favor of accepting the Report of the Conferees 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, Birt, Bragdon, Brown, Buck, Bunker, Clark, Cookson, Cornell, Crockett, Crosby, Cushing, Darey, Dennett, Dickinson, Drummond, Dunn, Durgin, Edwards, Evans, Ewer, Farrington, Foster, Fuller, Gill, Hall, Hanson, B. B.; Hanson, P. K.; Harriman, Hawes, Haynes, Henley, Hewes, Hichens, Hinds, Hodgkins, Hoover, Humphrey, Immonen, Jannelle, Lewin, Lewis, Lincoln, Littlefield, Lycette, Maddox, McMann, McNally, Meisner, Miliano, Mosher, Noyes, Philbrook, Pike, Porter, Prince, Quimby, Quinn, Rackliff, Richardson, G. A.; Richardson, H. L.; Rideout, Robertson, Robinson, Ross, Roy, Sahagian, Scott, C. F.; Scott, G. W.; Shaw, Shute, Snow, P. J.; Snowe, P.; Susi, Thompson, Townsend, Trask, Waltz, Watts, White, Wight, Williams, Wood.

NAY — Bedard, Belanger, Beliveau, Bernard, Binnette, Boudreau,

Bourgoin, Brennan, B u r n h a m, Carey, Carrier, Carroll, Carswell, Champagne, Conley, Cote, Cottrell, Crommett, Curran, Danton, Dri-gotas, Dudley, Eustis, Fecteau, Fortier, Fraser, Gaudreau, Gau-thier, Hanson, H. L.; Harnois, Har-vey, Healy, Hennessey, Huber, Jal-berth, Keyte, Kilroy, Lebel, Le-vesque, Martin, Minkowsky, Na-deau, J. F. R.; Nadeau, N. L.; Pendergast, Rocheleau, Sawyer, S c r i b n e r, Starbird, Truman, Wheeler.

ABSENT — Berman, Bradstreet, Couture, D'Alfonso, Giroux, Hun-ter, Jameson, Jewell, Kyes, Pay-son, Soulas, Sullivan, Tanguay.

Yes, 86; No, 50; Absent, 13.

The SPEAKER: The Chair will announce the vote. Eighty-six hav- ing voted in the affirmative and fifty in the negative, the Report of the Conferees is accepted in con- currence.

Is it now the pleasure of the House to recede and concur?

The motion prevailed.

The SPEAKER: The Chair recog- nizes the gentleman from Cum- berland, Mr. Richardson.

Mr. RICHARDSON: Mr. Speak- er, I move the House be at ease pending the distribution of Sup- plement number three.

The SPEAKER: The gentleman from Cumberland, Mr. Richardson moves the House be at ease pending the distribution of Supplement number three. The House will be at ease.

House at Ease

Called to order by the Speaker.

The following Bill on its pas- sage to be enacted was taken up out of order by unanimous con- sent:

An Act to Appropriate and Pro- vide Moneys for the Expenditures of State Government and for Other Purposes for the Fiscal Years End- ing June 30, 1968 and June 30, 1969 (S. P. 597) (L. D. 1575)

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

The SPEAKER: The Chair recog- nizes the gentleman from Mada- waska, Mr. Levesque.

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I am assuming that this is relatively the same document that has been pre-engrossed, so therefore I will ask the members of the loyal opposition to vote in the same manner as they have previously, and I will request that when the vote is taken it be taken by the yeas and nays.

The SPEAKER: A roll call has been requested. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. Those 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 having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question is the enactment of L. D. 1575, An Act to Appropriate and Provide Moneys for the Expendi- tures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1968 and June 30, 1969.

All in favor of this Bill being enacted as an emergency measure 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, Birt, Brag- don, Brown, Buck, Bunker, Clark, Cookson, Cornell, Crockett, Crosby, Cushing, Darey, Dennett, Dickin- son, Drummond, Dunn, Durgin, Edwards, Evans, Ewer, Farrington, Foster, Fuller, Gill, Hall, Hanson, B. B.; Hanson, P. K.; Harriman, Hawes, Haynes, Henley, Hewes, Hichens, Hinds, Hodgkins, Hoover, Humphrey, Immonen, Jannelle, Lewin, Lewis, Lincoln, Littlefield, Maddox, McMan, McNally, Meis- ner, Miliano, Mosher, Noyes, Pen- dergast, Philbrook, Pike, Porter, Prince, Quimby, Quinn, Rackliff, Richardson, G. A.; Rideout, Rob- ertson, Robinson, Ross, Sahagian, Scott, C. F.; Scott, G. W.; Shaw, Shute, Snow, P. J.; Snowe, P.; Susi, Thompson, Townsend, Trask, Waltz, Watts, White, Wight, Wil- liams, Wood, The Speaker.

NAY—Bedard, Belanger, Beli- veau, Bernard, Binnette, Boudreau,

Bourgoin, Brennan, Burnham, Carrey, Carrier, Carroll, Carswell, Champagne, Conley, Cote, Cottrell, Crommett, Curran, Danton, Drigotas, Dudley, Eustis, Fecteau, Fortier, Fraser, Gaudreau, Gauthier, Hanson, H. L.; Harnois, Harvey, Healy, Hennessy, Huber, Jalbert, Keyte, Kilroy, Lebel, Levesque, Martin, Minkowsky, Nadeau, J. F. R.; Nadeau, N. L.; Richardson, H. L.; Rocheleau, Roy, Sawyer, Scribner, Starbird, Truman, Wheeler.

ABSENT — Berman, Bradstreet, Couture, D'Alfonso, Giroux, Hunter, Jameson, Jewell, Kyes, Lyette, Payson, Soulas, Sullivan, Tanguay.

Yes, 85; No, 51; Absent, 14.

The SPEAKER: The Chair will announce the vote. Eighty-five having voted in the affirmative and fifty-one having voted in the negative, this bill fails of final enactment.

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

Mr. RICHARDSON: Mr. Speaker, I request that we reconsider our action whereby this bill failed of enactment.

The SPEAKER: The gentleman from Cumberland, Mr. Richardson, now moves that the House reconsider its action whereby this bill failed of enactment.

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

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

The SPEAKER: The gentleman from Southwest Harbor, Mr. Benson, now moves that this matter be tabled until later in today's session pending the motion of Mr. Richardson of Cumberland to reconsider. Is this the pleasure of the House?

The motion prevailed.

The following papers from the Senate appearing on Supplement number 4 were taken up out of order by unanimous consent:

Non-Concurrent Matter

An Act relating to Coverage under Employment Security Law (S.

P. 456) (L. D. 1133) which was passed to be enacted in the House on June 1 and passed to be engrossed on May 25.

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

In the House:

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

Mr. ROSS: Mr. Speaker, I move we recede and concur with the Senate.

The SPEAKER: The gentleman from Bath, Mr. Ross, now moves the House recede from its former action and concur with the Senate.

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

Mr. HUBER: Mr. Speaker, I would urge a negative vote on this motion in order that we might vote to insist and ask for a Committee of Conference.

The SPEAKER: All those in favor of receding and concurring will vote yes, those opposed will vote no and the Chair orders a vote.

A vote of the House was taken.

43 having voted in the affirmative and 63 having voted in the negative, the motion did not prevail.

Thereupon, on motion of Mr. Huber of Rockland, the House voted to insist on its former action and ask for a Committee of Conference.

Non-Concurrent Matter

Bill, "An Act Relating to the Water and Air Environmental Improvement Commission" (S. P. 635) (L. D. 1635) which was passed to be engrossed as amended by Senate Amendment "B" and House Amendment "F" in non-concurrence in the House on June 21.

Came from the Senate passed to be engrossed as amended by Senate Amendment "B" as amended by Senate Amendment "A" thereto, and House Amendment "F" in non-concurrence.

In the House: On motion of Mr. Brown of Augusta, the House voted to recede and concur with the Senate.

Non-Concurrent Matter

An Act to Authorize Bond Issues in the Amount of \$270,000 to Provide Funds for the Construction of Regional Technical and Vocational Centers under the Provisions of Section 2356-B of Title 20, R. S. (H. P. 399) (L. D. 565) which was passed to be enacted in the House on June 22 and passed to be engrossed as amended by Committee Amendment "A" as amended by Senate Amendment "A" thereto on June 20.

Came from the Senate passed to be engrossed as amended by Committee Amendment "A" as amended by Senate Amendments "A" and "B" thereto in non-concurrence.

In the House: On motion of Mr. Birt of East Millinocket, the House voted to recede and concur with the Senate.

Non-Concurrent Matter

Bill "An Act relating to Hours of County Offices of Androscoggin County" (H. P. 1045) (L. D. 1517) which was passed to be engrossed as amended by Committee Amendment "A" and House Amendment "B" in non-concurrence in the House on June 15.

Came from the Senate with Committee Amendment "A" indefinitely postponed and the Bill passed to be engrossed as amended by House Amendment "B" as amended by Senate Amendment "A" thereto in non-concurrence.

In the House: On motion of Mr. Cote of Lewiston, the House voted to recede and concur with the Senate.

On the disagreeing action of the two branches of the Legislature on Bill "An Act Relating to Coverage under Employment Security Law" (S. P. 456) (L. D. 1133) the Speaker appointed the following Conferes on the part of the House:

Messrs. HUBER of Rockland
DRUMMOND of Sidney
DURGIN of Raymond

The Chair laid before the House the first tabled and later today assigned matter on Supplement number 1:

Bill "An Act to Conform the Statutes with the Amendments to

the Rules of Civil Procedure" S. P. 428, L. D. 1082. (In Senate, passed to be engrossed as amended by Committee Amendment "A" (S-268) and Senate Amendment "A" (S-284) (In House, Committee Amendment "A" indefinitely postponed, Senate Amendment "A" adopted) tabled earlier in the day by Mr. Richardson of Cumberland pending passage to be engrossed.

Thereupon, the Bill was passed to be engrossed as amended by Senate Amendment "A" in non-concurrence and sent up for concurrence.

The Chair laid before the House the second tabled and later today assigned matter on Supplement number 1:

An Act to Amend the Maine Recreation Authority Law, S. P. 682, L. D. 1715, tabled earlier in the day by Mr. Benson of Southwest Harbor, pending the motion of Mr. Harriman of Hollis to indefinitely postpone, a roll call ordered.

The SPEAKER: The Chair recognizes the gentleman from Hollis, Mr. Harriman.

Mr. HARRIMAN: Mr. Speaker and Members of the House: When the vote is taken for indefinite postponement, I hope you will vote against my motion, because there has been an amendment prepared which I think answers most of the objections of the members of this House, including myself.

The SPEAKER: A roll call has been ordered. The pending question is the motion of the gentleman from Hollis, Mr. Harriman, that this Bill be indefinitely postponed. If you are in favor of indefinite postponement you will vote yes, if you are opposed you will vote no.

(Off Record Remarks)

Is the House ready for the question? The Chair opens the vote.

ROLL CALL

YEA — Binnette, Brennan, Carrier, Carswell, Champagne, Conley, Danton, Drigotas, Dudley, Farrington, Fortier, Gill, Harnois, Harvey, Lebel, Levesque, Martin, McNally, Nadeau, J. F. R.; Rackliff, Rocheleau, Starbird, Williams.

NAY—Allen, Baker, R. E.; Beldard, Belanger, Beliveau, Benson, Birt, Boudreau, Bourgoin, Brown, Buck, Bunker, Burnham, Carey, Carroll, Clark, Cookson, Cornell, Cote, Cottrell, Crockett, Crommett, Crosby, Curran, Cushing, Darey, Dickinson, Drummond, Dunn, Durgin, Eustis, Evans, Ewer, Fecteau, Foster, Fraser, Fuller, Gaudreau, Gauthier, Hall, Hanson, B. B.; Hanson, H. L.; Hanson, P. K.; Harriman, Hawes, Haynes, Healy, Henley, Hennessey, Hewes, Hinds, Hodgkins, Hoover, Huber, Humphrey, Immonen, Jalbert, Janelle, Keyte, Kilroy, Lewin, Lewis, Lincoln, Littlefield, Maddox, McMann, Meisner, Miliano, Minkowsky, Mosher, Nadeau, N. L.; Noyes, Porter, Prince, Quimby, Quinn, Richardson, G. A.; Richardson, H. L.; Rideout, Robertson, Robinson, Ross, Roy, Scott, C. F.; Scott, G. W.; Scribner, Shaw, Shute, Snow, P. J.; Snowe, P.; Susi, Thompson, Townsend, Trask, Truman, Waltz, Watts, Wheeler, White, Wight, Wood.

ABSENT — Baker, E. B.; Berman, Bernard, Bradstreet, Bragdon, Couture, D'Alfonso, Dennett, Edwards, Giroux, Hichens, Hunter, Jameson, Jewell, Kyes, Lycette, Payson, Pendergast, Philbrook, Pike, Sahagian, Sawyer, Soulas, Sullivan, Tanguay.

Yes, 23, No, 101; Absent, 25.

The SPEAKER: The Chair will announce the vote. Twenty-three having voted in the affirmative and one hundred and one having voted in the negative, the motion does not prevail.

On motion of Mr. Beliveau of Rumford, the House voted to suspend the rules and to reconsider its action whereby the bill was passed to be engrossed as amended by Senate Amendment "A" on June 21.

Mr. Beliveau of Rumford offered House Amendment "A" and moved its adoption.

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

HOUSE AMENDMENT "A" to S. P. 682, L. D. 1715, Bill "An Act to Amend the Maine Recreation Authority Law."

Amend said Bill by striking out in the next to last line the underlined figure "66 per cent" and inserting in place thereof the underlined figure "75 per cent"

House Amendment "A" was adopted, the Bill passed to be engrossed as amended by Senate Amendment "A" and House Amendment "A" in non-concurrence and sent up for concurrence.

On motion of Mr. Richardson of Cumberland,

Recessed for ten minutes.

After Recess

Called to order by the Speaker.

The SPEAKER: Is there objection to taking up papers from the Senate out of order?

(Cries of "Yes")

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

Mr. RICHARDSON: Mr. Speaker: I would inquire of the Chair, whether or not in order to suspend the rules, we need a two-thirds vote.

The SPEAKER: The Chair would advise the gentleman that a two-thirds vote is required for suspending the rules.

Mr. RICHARDSON: I move that the rules be suspended for the purpose of taking up out of order, the material included on Supplement No. 5 of the House advance Journal and Calendar and I would request a division on that.

The SPEAKER: The gentleman from Cumberland, Mr. Richardson, now moves that the rules be suspended. The Chair will put it to vote. It is not debatable. For what purpose does the gentlewoman rise?

Mrs. CARSWELL: A parliamentary inquiry.

The SPEAKER: The gentlewoman may pose her inquiry.

Mrs. CARSWELL: Is it two-thirds of those present and voting?

The SPEAKER: That is correct.

Mrs. CARSWELL: Thank you.

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

Mr. LEVESQUE: Mr. Speaker, when the vote is taken to suspend

the rules I request that it be taken by the yeas and nays.

The SPEAKER: The yeas and nays are requested. For the Chair to order a roll call it must have the expressed desire of one fifth of those present and voting. 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 having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: All of those desiring the rules be suspended will vote yes and those opposed will vote no and the Chair opens the vote.

ROLL CALL

YEA — Allen, Baker, R. E.; Benson, Birt, Bragdon, Brown, Buck, Bunker, Carey, Clark, Cookson, Cornell, Crockett, Crosby, Cushing, Darey, Dickinson, Drummond, Dunn, Durgin, Evans, Ewer, Farrington, Foster, Fuller, Gill, Hall, Hanson, B. B.; Hanson, H. L.; Hanson, P. K.; Harriman, Hawes, Haynes, Henley, Hewes, Hichens, Hinds, Hodgkins, Hoover, Huber, Humphrey, Immonen, Janelle, Lewin, Lewis, Lincoln, Littlefield, Lycette, Maddox, McMann, McNally, Meisner, Miliano, Mosher, Noyes, Pendergast, Philbrook, Porter, Prince, Quimby, Quinn, Rackliff, Richardson, G. A.; Richardson, H. L.; Rideout, Robertson, Robinson, Ross, Scott, C. F.; Scott, G. W.; Shaw, Shute, Snow, P. J.; Snowe, P.; Susi, Thompson, Townsend, Trask, Waltz, Watts, White, Wight, Williams, Wood.

NAY — Bedard, Belanger, Beliveau, Bernard, Binnette, Boudreau, Bourgoin, Brennan, Burnham, Carrier, Carroll, Carswell, Champagne, Conley, Cote, Cottrell, Crommett, Curran, Danton, Drigotas, Dudley, Eustis, Fecteau, Fortier, Fraser, Gaudreau, Gauthier, Harnois, Harvey, Healy, Hennessy, Jalbert, Keyte, Kilroy, Lebel, Levesque, Martin, Minkowsky, Nadeau, J. F. R.; Nadeau, N. L.; Rocheleau, Roy, Sawyer, Scribner, Starbird, Truman, Wheeler.

ABSENT — Baker, E. B.; Ber- man, Bradstreet, Couture, D'Alfonso, Dennett, Edwards, Giroux, Hunter, Jameson, Jewell, Kyes, Payson, Pike, Sahagian, Soulas, Sullivan, Tanguay.

Yes, 84; No, 47; Absent, 18.

The SPEAKER: The Chair will announce the vote. Eighty-four having voted in the affirmative and forty-seven having voted in the negative, eighty-four being less than two-thirds, the rules are not suspended.

Mr. Benson of Southwest Harbor was granted unanimous consent to address the House:

Mr. BENSON: Mr. Speaker and Members of the House: We have from time to time over the session, heard from the leader of the Minority Party, remarks about delaying of the session, the length of the session, the expense of the session and delaying tactics in general. We have before us Supplement number 5 which is ready to go. Obviously, the objection which has been registered by the Minority Party is objection to taking up the non-concurrent matters, matters that were taken a few minutes ago from the Senate Appropriations Table and are now before us to be enacted, or acted upon. These matters are matters that require that this session of the Legislature enact a tax or taxes so that these might be passed into law and signed by the Governor. The Governor's Program, if the Majority Party were to accept it in its entirety, does not provide the money sufficient for these matters to become law. I will repeat that — if we were to accept the Governor's Program in its entirety, there is not the money there that these matters could become law. Now, I submit to you that this is nothing more than a delaying tactic; this merely means that we must come back next week and take up these matters. It means that we will be here that much longer. I hope that we will not hear anything from the Minority Party pertaining to delaying tactics in the future. Thank you.

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

Mr. ROSS: Mr. Speaker and Members of the House: Relative to Supplement No. 4, Item 1, I would request through the Speaker if the Clerk is in possession of Senate Paper 456, L. D. 1133 Bill, "An Act Relating to Coverage under Employment Security Law"?

The SPEAKER: The answer is in the affirmative.

Mr. ROSS: I now move that we reconsider our action whereby we voted to insist and ask for a Committee of Conference.

The SPEAKER: The gentleman from Bath, Mr. Ross now moves that the House reconsider its action of earlier in the day whereby it voted to insist and request a Committee of Conference.

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

Mr. RICHARDSON: Mr. Speaker: I request that this matter lie on the table until the next legislative day pending the motion to reconsider.

The SPEAKER: The gentleman from Cumberland, Mr. Richardson, now moves that this matter be tabled until the next legislative day, pending the motion of the gentleman from Bath, Mr. Ross, to reconsider. Is this the pleasure of the House?

The motion prevailed.

Mr. Richardson of Cumberland was granted unanimous consent to address the House.

Mr. RICHARDSON: Mr. Speaker and Members of the House: In the six months that we have been here, it has been somewhat typical for somebody to try to get the last word. I am not trying to get the last word when I second the comments made by the gentleman from Southwest Harbor, Mr. Benson, and suggest to you that obstructionist delay is a disservice to the State of Maine, is a disservice to the traditions of this Legislature and I believe unparalleled. The first order of business when we reconvene on Monday next, will be the items which are before you now on Supplement number five. We will

then proceed to recede and concur with the Senate in the indefinite postponement of these L. D.'s, and I say that to you with the same sincerity that I tried to convince you earlier today that we are through with delay. It is June 23rd and we are going to move this session forward.

The SPEAKER: Is there objection in this body to taking up the joint adjournment order from the Senate? The Chair hears none.

Mr. Levesque of Madawaska was granted unanimous consent to address the House.

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: This afternoon I have heard at this hour, two minutes after five o'clock, P. M., the remarks made by the gentleman from Southwest Harbor, Mr. Benson, in regard to haste, in regard to delaying tactics and even obstructionists. I was just wondering as to who or whom these labels should be tacked on. In my sincere endeavor in this House of Representatives in the capacity of the Minority Floor Leader of this House, I have endeavored at all times to be as constructive and to be as loyal to my Party as well as the people of the State of Maine as any other member of this House without being an obstructionist. And if I would be asked today who the obstructionists were, or are now, I'm afraid that you would not want to hear what my answer would be.

I have pointed on numerous occasions on the Floor of this House throughout this session as to what my feeling was in regard to the pace of this session of the Legislature. This afternoon, on Friday afternoon, we find that the Majority Party is in the mood of killing documents. It is my sincere belief that this is not the afternoon to start a marathon. The Speaker of this House presently and previous members of this House have been through these marathons for too many years and not to the betterment of State Government, not to the betterment of this Legislature, but only to the detriment of the people of the State of Maine. The Minority Party this

afternoon is not about to have another marathon start at this late hour. A lot of these documents received merit by this House and they received merit from the other branch, so due merit and due consideration should be given to these matters for maybe a little while longer. The haste in operating this type of session this afternoon possibly with hate in their hearts and anger in their minds, that these things would not be done properly. This afternoon the Chief Executive has indicated to me and other members of the Party that he is putting together another proposal, one of his other numerous proposals that he has offered to the Majority Party. (Laughter)

The SPEAKER: The House will be in order.

Mr. LEVESQUE: Possibly the Majority Party thinks that this is a joke the same as they have been trying to all throughout the session of saying we're going to pass our legislation, we're going to pass our bill, and you're going to get nothing. Maybe that's why the laugh from the Majority Party this afternoon. A failure to even consider their own people, much less the Minority Party. If you think this is a joke and we're a bunch of clowns over here in the Minority Party, you just look around yourself and find out where you're sitting and what the rest of the people in the State of Maine are going to think about your proposal in years to come. We are not here joking and I have never been here joking. If ever I have been sincere, I am sincere and so has been the Chief Executive.

I started to indicate that the Governor is working on an alternate proposal and he is hoping to be able to — and he has already notified the leadership of his intentions of looking over the proposal and we hope that the Majority Party is going to do — have a look at it with the sincerity of heart that they have indicated in this record. So, it is our feeling that next Monday the proposal will have been before the leadership and the Governor's intentions have always been honorable, the Majority Party has even failed to

discuss the proposal within their own membership, but only of complete and ultimate refusal of even discussing the Governor's proposal, only in answer to the Governor they have said, we will pass our own program, we will pass our own tax measures and you will receive none and we will cut up the pie the way we see fit. This is the cooperation that the Chief Executive of our own State has received in the last six months.

The Republican Party has made it very clear from the beginning by their statements in the Press and in the record, that they are not going to be about to create any kind of a platform for the Governor in the next four years. We are not asking that the Republican Party create a platform. We are asking the Republican Party to do justice to the people of the State of Maine and the Governor may get office for four years can very well serve that office and the object of obstructionist stays with the Majority Party in their failure even to listen to the Chief Executive on any kind of proposal.

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

Mr. JALBERT: Mr. Speaker: Could I ask for a two minute recess?

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, requests a two minute recess. Is this the pleasure of the House?

The motion prevailed.

After Recess

Called to order by the Speaker.

Mr. Scribner of Portland was then granted unanimous consent to address the House.

Mr. SCRIBNER: Mr. Speaker and Members of the House: It was pointed out a few minutes ago by the gentleman from Southwest Harbor, Mr. Benson, that if the Governor's Program were passed intact there would be no funds available for L. D.'s which is one of the reasons why this particular advance journal was forwarded to this House. I would like to point out that were the Governor's Pro-

gram passed today, he allocated \$4.3 million in surplus. Presently that figure is \$6.9 million which is \$2.6 million in surplus which he did not allocate — other adjustments to the undedicated revenue produce \$1.7 million, or a total of \$4.3 million which the Governor did not allocate which is available for appropriations and which can be used as this body sees fit in conjunction with the other body. I would say that this amount of \$4.3 million is sizeable and should be considered in the line of these other proposals.

The SPEAKER: The Clerk will read the Joint Order.

From the Senate: The following Order:

ORDERED, the House concurring, that when the Senate and House adjourn, they adjourn to meet on Monday, June 26, at one o'clock in the afternoon (S. P. 703)

Came from the Senate read and passed.

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

The SPEAKER: Is it the pleasure of the House that the House stand adjourned pursuant to the Joint Order?

The motion prevailed.