

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, July 7, 1967

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

Prayer by Brigadier Alfred Davey of the Salvation Army of Augusta.

The journal of yesterday was read and approved.

The SPEAKER: The Speaker's secretary has just asked me to say that she has been remiss in the past in not passing on to the Speaker information relative to one of the dear members of this House. On June 24 last Representative Baker of Orrington and Mr. Baker celebrated their fortieth wedding anniversary, and judging from Mrs. Baker's charming personality we know the forty years were happy ones and it is our wish that the Bakers may enjoy many many happy anniversaries. (Prolonged applause, the members rising)

Passed to Be Enacted Bond Issue

An Act to Authorize Bond Issues in the Amount of \$6,380,000 to Provide Funds for School Building Construction under the Provisions of Section 3457 of Title 20, R. S. and \$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. 300) (L. D. 435)

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

The SPEAKER: The Chair recognizes the gentleman from Denmark, Mr. Dunn.

Mr. DUNN: Mr. Speaker and Members of the House: Since this bond issue contains an amount of \$270,000 for regional technical and vocational centers and while the law is set up for these centers, until there is money there is no real way for them to go ahead, and I have opposed this from the start and I am going to vote against the bond issue with this item in it. Once we vote the money, we have to go along — at the present time the thought

of twenty-four or twenty-five throughout the state, and so I am going to vote against this measure.

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

Mr. McMANN: Mr. Speaker, I don't know what the gentleman's idea is voting against it. There are a few cities and towns, especially in our city, we have gone to great length for two years. We have plans, we have everything all set to go, we are already to let out bids and it is kind of too bad. Of course if he doesn't care what happens in other places besides his own, that's different.

The SPEAKER: The Chair recognizes the gentleman from Denmark, Mr. Dunn.

Mr. DUNN: Mr. Speaker, my reason for this is I do not think we subsidize the vocational schools that we have at the present time with any sufficient amount and, until we can do that, I don't think we should take on twenty more.

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

Mr. McMANN: Mr. Speaker, maybe the gentleman doesn't understand, but he has to realize that the government pays seventy-five percent of the building costs on these buildings and sixty-six and two-thirds percent of the costs of maintaining them, including the teachers and everybody else after they are built.

Thereupon, 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. 99 voted in favor of same and 30 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

By unanimous consent, ordered sent forthwith.

Passed to Be Enacted

An Act to Incorporate the Town of Medford (H. P. 235) (L. D. 343)

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

Order out of Order

Mrs. White of Guilford presented the following Order out of order and moved its passage:

ORDERED, that the subordinate officers of the House which were appointed January 4, 1967, to serve for the present biennium be as follows: by the Speaker, a Secretary to the Speaker; by the Clerk, two Secretaries to the Clerk, a Secretary to the Assistant Clerk, Legislative Docket Clerk, Assistant Legislative Docket Clerk, a Journal Copy Clerk and an Amendment Clerk; and by House Order, an Official Reporter, Assistant Reporter and Transcribing Clerk, and it is the intent of the Legislature that the retirement benefit provisions for such subordinate officers of the House shall be granted for the biennium or to the date of a resignation or separation for any reason.

BE IT FURTHER ORDERED, that the Speaker and the Clerk, respectively, is hereby authorized to accept resignations and fill any vacancies of said subordinate officers during the biennium.

The Order received passage.

Orders of the Day

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

An Act to Authorize Bond Issue in the Amount of \$17,955,000 for Capital Improvements, Construction, Renovations, Repairs, Equipment and Furnishings (S. P. 691) (L. D. 1726)

Tabled — July 6, by Mr. Rideout of Manchester.

Pending — Passage to be enacted. (Roll call ordered)

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

Mr. QUINN: Mr. Speaker, do I understand that this is for the \$17 million and that if we vote against this in the roll call here it will be amended back to \$15 million in the Senate?

The SPEAKER: The gentleman from Bangor, Mr. Quinn, poses a question through the Chair to any member who may answer if they choose.

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

Mr. RICHARDSON: Mr. Speaker, in answer to the question of the gentleman from Bangor, Mr. Quinn, the bill in its present status is \$17,955,000 and includes a graduate research center at the University of Maine in Portland and the University of Maine in Augusta its classroom building. It is up to the House to decide what action it wants to take. I cannot guarantee that the Senate would abide by the decision of this House with respect to deleting from the issue one or more of the buildings now included. You will recall that the majority of the Appropriations Committee suggested a bond issue in the amount of \$15 million plus. It is for this bond issue that I intend to vote, and I will therefore vote against a bond issue at this \$17,955,000 level hoping that the Senate will read in our rejection our feeling that we should make some amendments and changes in it, but I don't want any member of the House to vote on this bond issue this morning in reliance of any representation that might be made or might be implied in any discussion that we have had before.

I cannot guarantee anyone in the House that the Senate will or will not abide by any decision that we make here and we may get into a conference committee situation or we may get into a disagreeing action, but I just want the record to be clear that I for one am not guaranteeing that our friends down the way are going to follow along on any action that we take here. Thank you.

The SPEAKER: A roll call has been ordered. All in favor of this bill being enacted will vote yes, those opposed will vote no and the Chair opens the vote.

ROLL CALL

YEA—Baker, R. E.; Bedard, Belanger, Bernard, Boudreau, Bourgoin, Brennan, Brown, Carrier, Carroll, Carswell, Champagne, Conley, Couture, Curran, D'Alfonso, Danton, Drigotas, Drummond, Eustis, Farrington, Fecteau, Fortier, Fraser, Gaudreau, Gauthier, Giroux, Hanson, P. K.; Harnois,

Harvey, Hennessey, Hewes, Hunter, Jalbert, Keyte, Kilroy, Lebel, Levesque, Martin, Nadeau, J. F. R.; Nadeau, N. L.; Pendergast, Pike, Rideout, Ross, Sawyer, Scott, C. F.; Scribner, Truman, Wheeler.

NAY—Allen, Baker, E. B.; Beliveau, Benson, Berman, Binnette, Birt, Bradstreet, Bragdon, Buck, Bunker, Burnham, Carey, Clark, Cookson, Cornell, Cote, Cottrell, Crockett, Crommett, Crosby, Cushing, Darey, Dennett, Dickinson, Dudley, Dunn, Durgin, Edwards, Ewer, Gill, Hall, Hanson, B. B.; Hanson, H. L.; Harriman, Haynes, Healy, Henley, Hinds, Hodgkins, Hoover, Huber, Immonen, Jannelle, Jewell, Kyes, Lewin, Lewis, Lincoln, Littlefield, Lycette, Maddox, McMann, McNally, Meisner, Minkowsky, Mosher, Noyes, Porter, Quimby, Quinn, Rackliff, Richardson, G. A.; Richardson, H. L.; Robertson, Robinson, Rocheleau, Scott, G. W.; Shaw, Shute, Snow, P. J.; Snowe, P.; Starbird, Sullivan, Tanguay, Thompson, Trask, Waltz, Watts, White, Wight, Williams, Wood.

ABSENT—Evans, Foster, Fuller, Hawes, Hichens, Humphrey, Jameson, Miliano, Payson, Philbrook, Prince, Roy, Sahagian, Soulas, Susi, Townsend.

Yes, 50; No, 83; Absent, 16.

The SPEAKER: The Chair will announce the vote. Fifty having voted in the affirmative and eighty-three having voted in the negative, the bill fails of enactment. Is there objection to these matters being sent forthwith to the Senate? The Chair hears none and it is so ordered.

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

Mr. McMANN: Mr. Speaker, may I ask the Majority Floor Leader since it has gone down the drain as far as we are concerned, what happens now?

The SPEAKER: The gentleman from Bath, Mr. McMann, poses a question through the Chair to the Majority Floor Leader who may answer if he chooses and the Chair recognizes the gentleman.

Mr. RICHARDSON: As the bill has failed of enactment, it will now go to the Senate and I assume that they will amend it and send it back to us in non-concurrence — as a matter of fact, I think you can bet on it.

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

Mr. BERMAN: Mr. Speaker, I would inquire if the House is in possession of L. D. 1444.

The SPEAKER: The answer is in the affirmative — Senate Paper 543, L. D. 1444, Bill "An Act to Correct Errors and Inconsistencies in the Public Laws."

Thereupon, on motion of Mr. Berman of Houlton, the House voted to reconsider its action of yesterday whereby the House voted to recede and concur, and on further motion of the same gentleman the House voted to recede.

Whereupon, Senate Amendment "C" was read by the Clerk and adopted.

Mr. Berman of Houlton offered House Amendment "I" and moved its adoption.

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

HOUSE AMENDMENT "I" to S. P. 543, L. D. 1444, Bill, "An Act to Correct Errors and Inconsistencies in the Public Laws."

Amend said Bill by adding at the end the following:

'Sec. 36. P. L., 1967, c. 472, amended. Chapter 472 of the public laws of 1967 is amended by adding a new section 2, to read as follows:

Sec. 2. Effective date. This Act shall take effect on January 1, 1968.'

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

Mr. BERMAN: Mr. Speaker and Members of the House: A very good friend of mine, an honorable gentleman from the other body, has asked me to propose this particular amendment applying to the Omnibus bill to correct an oversight, an oversight which as I understand it originated elsewhere in the Committee of Judiciary which heard the Omnibus bill. I have studied out House Amendment "I". This matter meets with my

approval. I am in full accord with the necessity of this amendment, which could save the State considerable money with respect to a possible referendum issue, and I urge its adoption.

Thereupon, House Amendment "I" was adopted.

Mr. Berman of Houlton then offered House Amendment "H" and moved its adoption.

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

HOUSE AMENDMENT "H" to S. P. 543, L. D. 1444, Bill, "An Act to Correct Errors and Inconsistencies in the Public Laws."

Amend said Bill by adding at the end the following:

'Sec. 38. R. S., T. 9, §1, amended. The last sentence of the first paragraph of section 1 of Title 9 of the Revised Statutes, as amended, is further amended to read as follows:

He (Bank Commissioner) shall receive an annual salary of \$15,796 \$16,588 and his actual traveling expenses incurred in the performance of his duties.

Sec. 39. Effective date. Section 38 shall become effective 91 days after the adjournment of the Legislature.'

The SPEAKER: The Chair recognizes the same gentleman.

Mr. BERMAN: Mr. Speaker and Members of the House: As I understand it, somewhere along its legislative journey, an act concerning the Bank Commissioner resulted in a decrease in his salary, which was unintentional. This House Amendment "H" is to break his salary up to what it was before the decrease went into effect. This was brought to my attention by one of the honorable members of the third body. This is in perfect accord with the situation as we understand it. This is no attempt to play favorites with anybody or to slip anything over, and I hope that with that explanation that it will suffice; but if there are any further questions I would be glad to try to answer them.

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

Mr. SULLIVAN: Mr. Speaker and Members of the House: I would like to ask the gentleman,

how much has been the average travelling expenses of the Bank Commissioner?

The SPEAKER: The gentleman from Portland, Mr. Sullivan, poses a question through the Chair to the gentleman from Houlton, Mr. Berman, who may answer if he chooses.

The Chair recognizes that gentleman.

Mr. BERMAN: Mr. Speaker and Members of the House: As I understand it, this amendment only goes to bring back the status quo—it has nothing to do with the travelling expenses of the Banking Commissioner. I do not know what the travelling expenses of the Banking Commissioner are. However, if the good gentleman from Portland would care to see me we will go down and find out what the travelling expenses of the Bank Commissioner are. I hope it won't delay the acceptance of this amendment.

Thereupon, House Amendment "H" was adopted.

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

Mr. BERMAN: Mr. Speaker, I now move that this item lie upon the table until later in the day pending passage to be engrossed.

The SPEAKER: The gentleman from Houlton, Mr. Berman, now moves that this lie upon the table until later in today's session pending passage to be engrossed. Is that the pleasure of the House?

For what purpose does the gentleman rise?

Mr. RICHARDSON of Cumberland: I would like to request a recess just for one moment.

Thereupon, the House recessed for one minute.

After Recess

Called to order by the Speaker.

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

Mr. BERMAN: Mr. Speaker, in order to expedite matters I understand that the amendment which is in the works —

The SPEAKER: The gentleman is debating his tabling motion. Does he wish to withdraw it?

Mr. BERMAN: I was trying to do it and explain why I was doing it, Mr. Speaker, but I —

The SPEAKER: The Chair would advise the gentleman he is debating his motion. The Chair understands that the gentleman from Houlton, Mr. Berman, requests permission to withdraw his tabling motion. Is this the pleasure of the House? It's a vote. The House will be at ease pending the distribution of a further amendment to L. D. 1444. This should not be very long.

House at Ease

Called to order by the Speaker.

Thereupon, Senate Paper 543, L. D. 1444, Bill "An Act to Correct Errors and Inconsistencies in the Public Laws" was passed to be engrossed as amended by Committee Amendment "A", Senate Amendments "B" and "C", and House Amendments "B", "D", "E", "F", "G", "H", and "I" in non-concurrence and sent up for concurrence.

Thereupon, on motion of Mr. Richardson of Cumberland,

Recessed until two o'clock in the afternoon.

After Recess 2:00 P.M.

The House was called to order by the Speaker.

The SPEAKER: Is there objection to taking up matters out of order? The Chair hears none and the Chair will advise the members that Supplement No. 1 is now before the House.

From the Senate: The following Order:

ORDERED, the House concurring, that free telephone service be provided after final adjournment of the Legislature, during the remainder of the biennium, for each member of the Senate and House of Representatives, to the number of fifty calls of reasonable duration from the member's home to any state department, commission or agency within the limits of the State of Maine, and that each member of the Senate and House be provided with a card to

be certified by the Secretary of the Senate and Clerk of the House, respectively, the cost of this service to be paid to the New England Telephone and Telegraph Company at regular tariff rates (S. P. 730)

Came from the Senate read and passed.

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

From the Senate: The following Joint Resolution:

Whereas, the Lakewood Summer Theatre is the oldest summer theatre in the United States; and

Whereas, after two-thirds of a century of uninterrupted operation it is still offering Maine people and out-of-state guests the finest of entertainment; and

Whereas, through this two-thirds of a century, Lakewood, its management and staff have consistently projected a feeling of warmth and hospitality that has made thousands of friends for our State and created an image of professionalism known and respected all over the United States; now, therefore, be it

RESOLVED. That the 103rd Legislature offers its congratulations to Lakewood on the occasion of its 67th birthday with best wishes for many more happy birthdays to come; and be it further

RESOLVED: That in consideration of the unparalleled success Lakewood has had in adding to the enjoyment of our summer visitors and in enhancing Maine's reputation as a vacationland for 67 years, that the Lakewood Summer Theatre be designated by the honorary title of "State of Maine Theatre"; and be it further

RESOLVED: That a copy of this Joint Resolution, signed by the Speaker of the House and the President of the Senate and duly attested by the Secretary of the Senate, be immediately forwarded by the Secretary of the Senate to Mrs. Herbert Swett at Lakewood. (S. P. 731)

Came from the Senate read and adopted.

In the House, the Resolution was read and adopted in concurrence.

From the Senate: The following Communication: (S. P. 727)

A Communication submitting the final report of the One Hundred and Second Legislative Research Committee.

(Communication printed in full on Senate Journal of today)

Came from the Senate read and with accompanying Report ordered placed on file.

In the House, the Communication was read and with accompanying Report ordered placed on file in concurrence.

Non-Concurrent Matter

An Act Appropriating Funds for Administration of Bureau of Public Administration at University of Maine (H. P. 459) (L. D. 672) which was passed to be enacted in the House on April 12 and passed to be engrossed on April 5.

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

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

The SPEAKER: The Chair will call your attention now to Supplement No. 2.

Conference Committee Report

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

Joint Order (H. P. 1213) relative to recalling Bill "An Act Granting Complimentary Fishing Licenses for Certain Maine Residents in Armed Forces" (H.P. 1120) (L. D. 1592)

reporting that the Senate recede and concur in passing the Joint Order.

(Signed)

LEWIN of Augusta
 HARVEY of Woolwich
 CARRIER of Westbrook
 —Committee on part of House.
 HOFFSES of Knox
 ROSS of Piscataquis
 SEWALL of Penobscot

—Committee on part of Senate.

The Report was accepted and by unanimous consent sent forthwith.

The SPEAKER: The Chair will now call your attention to Supplement No. 3.

The following Communication:
 STATE OF MAINE
 SUPREME JUDICIAL COURT
 AUGUSTA, MAINE

July 7, 1967

Hon. Bertha W. Johnson
 Clerk, House of Representatives
 State House

Augusta, Maine

Dear Mrs. Johnson:

There is enclosed the Answers of the Justices to the Questions of July 6, 1967, together with a copy of Exhibit "A" attached to the Questions.

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 July 6, 1967.

QUESTION (1): Does an Act of the Legislature in the form presented by Legislative Document 1744 "AN ACT to Appropriate and Provide Additional Moneys for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1968 and June 30, 1969, Conditioned Upon the People's Ratification by a Referendum Vote," which provides that it shall not become effective until approved by the people of the State pursuant to Article IV, Part Third, Section 19 of the Constitution of Maine, have the force of law, so that it is necessary that said Act be presented to the Governor for his consideration, pursuant to Article IV, Part 3rd, Section 2 of the Constitution of Maine?

ANSWER: We answer in the affirmative.

"Every bill or resolution, having the force of law", the phrase

employed in Article IV, Part Third, Section 2, means every bill or resolution which, upon completion of the legislative process, shall have the effect of law. The legislative process here involved is composed of concurring action by both Houses of the Legislature together with consideration by the Chief Executive resulting in (a) approval, (b) disapproval, followed by reconsideration and passage by the Legislature over such disapproval, or (c) failure of the Chief Executive to either approve or disapprove within the applicable period of time prescribed in the last sentence of Article IV, Part Third, Section 2. See **Moulton v. Scully**, III Me. 428, 448, and **Stuart v. Chapman**, 104 Me. 17, 23.

QUESTION (2): Did the Legislature err in sending Legislative Document 1744 to the Governor for his approval instead of sending it forthwith to the Secretary of State to prepare for the referendum provided by its terms?

ANSWER: We answer in the negative.

The requirement of Article IV, Part Third, Section 2 of the Constitution of Maine that every bill having the force of law shall be sent to the Governor for his approval is not altered or modified by the presence of a referendum clause in such bill.

QUESTION (3): Does the Governor have the power of veto to prevent the Legislature from sending legislation to the people for ratification?

ANSWER: The wording of this question leaves some uncertainty as to the intended scope of inquiry. If the intention is to inquire whether or not the Governor has the power of veto with respect to bills which carry a referendum clause, then our answer would be in the affirmative. If after such veto, such proposed bill is passed by vote of the number of each House required to overcome the effect of veto, it would then be submitted to referendum.

Dated at Augusta, Maine, this 7th day of July, 1967.

Respectfully submitted:

(Signed)

ROBERT B. WILLIAMSON

DONALD W. WEBBER
WALTER M. TAPLEY, JR.
HAROLD C. MARDEN
ARMAND A. DUFRESNE, JR.
RANDOLPH A. WEATHERBEE

The Communication was read and ordered placed on file.

The following Communication:

THE SENATE OF MAINE
AUGUSTA, MAINE

July 7, 1967

Honorable Bertha W. Johnson
Clerk of the House
103rd Legislature
Madam:

The Governor having returned to the Senate:

Bill "An Act to Establish Thirty-three Districts for the Election of Senators in the State of Maine" (S. P. 676) (L. D. 1709) together with his objections to the same, the Senate proceeded to vote on the question:

"Shall the Bill become a law notwithstanding the objections of the Governor?"

A yea and nay vote was taken: twenty-one members voting in the affirmative and eleven in the negative, the Bill accordingly failed to become law, and the veto was sustained.

Sincerely,

(Signed)

JERROLD B. SPEERS
Secretary of the Senate

The Communication was read and ordered placed on file.

Orders out of Order

Mr. Bragdon of Perham presented the following Order out of order and moved its passage:

ORDERED, that the Clerk of the House be authorized to purchase from the International Roll Call Corporation of Richmond, Virginia, the roll call equipment presently installed in the House, under the terms and agreement of the contract between the International Roll Call Corporation and the Officers of the House, dated January 18, 1966,

BE IT FURTHER ORDERED, that the necessary sum to carry out the purpose of this contract shall be taken from the Legislative Appropriation, contingent upon

funds being available in the Legislative Appropriation over and above current needs of the Legislature.

The Order received passage.

Mr. Hewes of Cape Elizabeth presented the following Order out of order and moved its passage:

WHEREAS, Miss Greater Portland — Linda Livada, daughter of Mr. and Mrs. Achilles Livada of Cape Elizabeth has been named Miss Maine for 1967; and

WHEREAS, at eighteen years of age Linda became the State Beauty Queen over eleven other stunning and worthy contestants, earning the right to represent Maine in the Miss America contest at Atlantic City, New Jersey; and

WHEREAS, for the next twelve months, Linda will represent the people of the State of Maine at many varied functions; and

WHEREAS, the people of Maine are justly proud of Linda, her beauty, grace, ability and talents; now, therefore, be it

ORDERED, that the House of Representatives of the 103rd Legislature of the State of Maine extend congratulations to Miss Livada for her achievement and the warmest wishes for her future happiness and success; and be it further

ORDERED, that attested copies of this Order be immediately transmitted by the Clerk of the House of Representatives to Miss Livada and her parents.

The Order received passage.

Thereupon, on motion of Mr. Richardson of Cumberland, Recessed until seven-thirty o'clock in the evening.

After Recess
7:30 P.M.

Called to order by the Speaker.

The SPEAKER: The Chair will call your attention to Supplement No. 4.

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 Abolish Imprisonment for Debt and to Revise the Laws Relating to Disclosures of Debtors" (S. P. 680) (L. D. 1710) reporting that they are unable to agree.

(Signed)

HILDRETH of Cumberland
MILLS of Franklin

LUND of Kennebec

— Committee on part of Senate.

QUINN of Bangor

DANTON

of Old Orchard Beach

LEWIN of Augusta

— 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 to Authorize Bond Issue in the Amount of \$17,955,000 for Capital Improvements, Construction, Renovations, Repairs, Equipment and Furnishings (S. P. 691) (L. D. 1726)

which failed on passage to be enacted in the House earlier in the day and which was passed to be engrossed as amended by Senate Amendment "C" on June 30.

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

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

Mr. HINDS: Mr. Speaker, I wonder if someone could tell me — I can't seem to locate Senate Amendment "C". I wonder if someone could tell me what that amendment included? Either the Clerk or any member that might have Senate Amendment "C". I can't seem to find it.

The SPEAKER: The gentleman from South Portland, Mr. Hinds, poses a question through the Chair to any member who may answer if they choose, and the Chair recognizes the gentleman from Bangor, Mr. Quinn.

Mr. QUINN: Mr. Speaker and Members of the House: I have Senate Amendment "C" reported as

No. S-311, and it says "Amend said Bill in the Title by striking out the figure \$15,755,000 and inserting in place thereof the figure \$17,955,000."

Now — "Further amend said bill in section 6, University of Maine, by inserting after the line 'Alterations, South Campus, Dow Field, \$450,000' the following: 'Research and Advanced Study Building Portland \$1,100,000. Land and Classroom Building, Augusta \$1,100,000' ". In other words this puts back \$2,200,000, bringing the total up to \$17,955,000.

The SPEAKER: Is it the pleasure of the House to recede from its former action?

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

Mr. QUINN: Mr. Speaker, Senate Filing No. S-331 put into the bill \$1,100,000 for the University of Maine in Augusta. I move that this amendment be indefinitely postponed.

The SPEAKER: The Chair understands that the gentleman from Bangor moves that the House recede. Is this the pleasure of the House?

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

Mr. RIDEOUT: Mr. Speaker and Members of the House: I'd like to just say one thing on behalf of the University of Maine at Augusta. As opposed, and I don't want to get into a fighting match with the Portland building or the Fort Kent building or any other building, we in Augusta have a need where they have a want. My heart went out to Mr. Martin when he talked about them having their graduation in the Armory. They don't have a place in Fort Kent where they can hold their graduation, but they certainly have places where they can hold their classes.

We in Augusta are holding our classes in the Armory — we're holding our classes in a fire station. We've got something like 673 students, which is almost the equivalent of establishing another Colby College here in Augusta, and I think that this is probably one of the best educational buys that the State of Maine could buy dollar spent for dollar values gained, and

I hope that this House will see the reasons for keeping this University of Augusta in the bond issue.

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

Mr. LEWIN: Mr. Speaker and Members of the House: I have in front of me a report by the Long-range Planning Committee of the University of Maine including recommendations and discussion. On page 11 of this particular book we recommend that the University of Maine, Augusta, have a building constructed suitable for general two-year programs — it is in the program. Further I would like to mention that this facility that we're talking about serves a completely different income group. Now if we have any interest in helping the children of the employees — let us say Bates Manufacturing Company, Norridgewock Shoe Company, State employees, to name a few, and the working man in general, we should encourage this project.

From the viewpoint of students, parents and taxpayers, we feel that it is the most inexpensive form of higher education. We are all interested I am sure in the success of the overall bond issue, and I believe that it will get tremendous help and support from Central Maine voters. Thank you.

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

Mr. JALBERT: Mr. Speaker, over the years, as you all know, I have been a very strong hard-working proponent of vocational training on any level. In the last three years it seems as if we have stressed where we should higher education. I think that certainly we should remember that when we can get higher education at a low price level, certainly I feel it is enough of a bargain for us to buy it. Personally, when I look at the figure \$16,710,000 I look at it in the light that this, in this figure lies a great many items that call for progress insofar as the State of Maine is concerned.

I recall the hearing, and in all the years that I have been in attendance at hearings I have never

found a more well organized or well attended hearing as I did wherein it concerned this measure. After the hearing was over for one hour at least several people gathered, youngsters—and stressed the importance of this measure passing. I think it is a shame now that in the late hours when we cannot and will not spend a great deal of time debating this thing that this should suffer the fate that it could suffer unless we move not to go along with the motion of the good gentleman from Bangor, Mr. Quinn.

I think this is an exceptionally strong point in our quest for higher education and I think frankly that we might look back and feel that we've committed some sin so to speak in the last session, and I think we would be very remiss if we did not see this thing go to the people in referendum in one of the strongest points in this bond issue, and I fervently hope that the motion of the very good gentleman from Bangor, Mr. Quinn, will not prevail so we can pass this amendment in its present form.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: I would hope that this House would go along with the original recommendation of the Republican members of the Appropriations Committee with regard to this bond package which calls for \$15,000,000 and leaves Portland and Augusta and Fort Kent outside. I would have no quarrel with the proponents of those measures if they wish to come up with another package, but I hope you would go along and leave this original package intact.

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

Mr. JALBERT: Mr. Speaker, as a Democratic member of the Appropriations and Financial Affairs Committee, I ask for a roll call.

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

Mr. McNALLY: Mr. Speaker and Members of the House: I was

going to keep still, but I one time went through Louisiana and I noticed they had water along each side, and there were logs floating on it and on those logs sat five or six turtles, but they didn't make any noise, and I didn't say anything any more than those turtles did, but the second building in priority in need to be built was killed in this House, which was the office building for the Highway Commission. I sat here just like those turtles on that log.

Now this morning at ten minutes of eight I went over to the BPI and if we're going to support the BPI they must have some fair idea of what is necessary for priority in building buildings, and they have no recommendation that they could show me this morning, or other members of this Legislature that were there at the same time, that this building was requested by the trustees of the University of Maine. And due to the fact that we are about to go into another new adventure with the University of the State of Maine, I think that this could well wait at that time or go along with the suggestion of the gentleman from Perham, Mr. Bragdon, that it be put out as a separate bond issue, and I shall go along with Mr. Quinn in his motion.

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

Mr. RIDEOUT: Mr. Speaker, I would remind the gentleman Mr. McNally that the turtle has some place to live. We at the University of Maine in Augusta have nowhere to go.

I don't consider that the bond issue at fifteen five is a sacred figure; I think that the figure in the amendment could be equally as good, and I feel like the good gentleman from Lewiston, Mr. Jalbert, that this is one of the best tax dollar values that we can get out of secondary education in the State of Maine, and I would urge each and every one of you to search your hearts and vote for the University of Maine at Augusta.

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

Mr. QUINN: Mr. Speaker and Members of the House: The University of Maine has a definite developing program, and apparently it does not include at this time either one of these buildings, the building in Portland or Augusta for a million one hundred thousand dollars each. Now if they have a definite building program I don't think it behooves this Legislature to disrupt the balance of their program by passing these two bills that they haven't asked for. Further than that, this bond issue has been riding along at \$15,610,000 right up until the eleventh hour. Now suddenly we get an amendment putting these two buildings into this bond issue. I don't like it and I hope that you go along with me and see that it is taken out, and if it wants to be set up as two separate items, okay.

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

Mr. CONLEY: Mr. Speaker, I would just like to concur with the remarks of the gentleman from Manchester, Mr. Rideout. In the event that Senate Amendment "D" does fail I would move we insist on our former action, and I would like to pose a question through the Chair to the Majority Floor Leader if I may, and it would be—does the fact that all the Representatives from Portland are Democrats affect the judgment of the Republican caucus this morning when they decided to go against this?

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 chooses, and the Chair recognizes that gentleman.

Mr. RICHARDSON: Mr. Speaker and Members of the House: I had hoped that we wouldn't become embroiled in one of these senseless, parochial disputes between Penobscot, Cumberland and Kennebec Counties. The fact that the Democratic delegation from Portland is or is not in favor of a particular building has nothing to do with my vote on this. The majority of the Appropriations Committee, I would

remind the gentleman from Portland, Mr. Conley — suggested that we stick with a figure of fifteen million plus bond issues. That is a position which I have supported from the day it was announced to right now and I shall continue to support it. I see nothing wrong, and I am speaking in my individual capacity, with the University of Maine, Augusta and the University of Maine, Portland, going as separate bond issues. I can assure the good gentleman that his presence in this House had nothing to do either for or against my judgment as to what we should do with the Graduate Research Center for the University of Maine in Portland.

The University of Maine in Augusta, as the University of Maine, Portland, Graduate Research Center must and should stand on its own merits, not on whether someone is seeking to invest this thing with some sort of partisan political advantage. Thank you.

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

Mr. HINDS: Mr. Speaker and Members of the House: I would like to say first of all that I come from the City of South Portland which is the next door city to the City of Portland. Because we have eleven Democrats in Portland and I am very friendly with most of them I don't think this has any bearing on the situation, because as a member of the Appropriations Committee I signed out the bill for \$15,755,000, knowing and after meeting with the Board of Trustees of the University of Maine and knowing that they would like to have this building — they appeared at the hearing in favor of it; however, they did not request it in their budget request and it has never been on a priority list with the Bureau of Public Improvements. Seeing that we already have in the bond issue \$400,000 for the purchase of the International Harvester Building there to expand the Portland campus, and seeing that we have a good law school building in the area, and seeing that there is a brand new gymnasium under construction there in Portland at the present time, and

seeing that there is a new Science Building that was awarded by the last Legislature and is due to be let out to bid in the next couple of weeks, I support the \$15,755,000 bond issue.

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

Mr. SULLIVAN: Mr. Speaker and Members of the House: I am very glad to say at this time that I go along with that — one of the leading attorneys of the State, Harrison Richardson, and I'm for the fifteen million. Thank you.

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

Mr. BRENNAN: Mr. Speaker and Members of the House: I would like to read a statement from a document entitled "a Decade of Development at the University of Maine," and this has been prepared by several professors at the University of Maine, and in reference to a research center at Portland they say: "In the future some further decentralization of research capabilities will be required. Immediately" — and they say immediately, "The University of Maine in Portland should be developed as a southern Maine research center for business, government, industry, marine problems, and public education. A diverse capability at Portland cannot be produced overnight, but it can develop much more rapidly and rationally if such development is accepted as a long range goal of the University."

I ask the people of this House not to be parochial — I ask them to support this development at the University of Maine in Portland.

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

Mr. LITTLEFIELD: Mr. Speaker and Members of the House: I support the motion of the gentleman from Bangor, Mr. Quinn, and I stand as a representative of the people of the Towns of Hampden and Newburg and not as the representative of any political party. It seems unusual to me that the Trustees of the University of Maine have not contacted any of the legislators in

that area for this one million dollar building. I am wondering if the need is as critical as some would have us believe, with Bowdoin, Bates and Colby in this area. I support the motion of the gentleman from Bangor, Mr. Quinn, to indefinitely postpone this amendment — Senate Amendment "A" to Senate Amendment "D".

The SPEAKER: The Chair would advise the gentleman and the House that the pending question is the motion to recede, and a roll call has been requested.

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

Mr. MARTIN: Mr. Speaker and Members of the House: There seems to be some question as to whether or not recommendation made by the BPI or anyone else is so sacred. I would point out to you that the Appropriations Committee of this House and of the other body removed the auditorium from Fort Kent State after it had been recommended by BPI, after it had been recommended by the Board of Education, after it had been recommended by the Department of Education, and I see no reason at this point why we may not go the other way if this is the case. So I personally would agree with the remarks made by the gentleman from Manchester and I would hope that the House would vote against the motion made by the gentleman from Bangor, Mr. Quinn, and that we would insist and ask for a Committee of Conference.

Mr. Hinds of South Portland was granted permission to speak a third time.

Mr. HINDS: Mr. Speaker and Members of the House: I would just like to say to the gentleman from Eagle Lake, Mr. Martin, that the Fort Kent multi-purpose building has been passed by this Legislature, has been signed by the Governor, and will be on the ballot in the fall. We don't know exactly what date yet, but it will be on the ballot in the fall.

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

Mr. MARTIN: Mr. Speaker and Members of the House: I quite agree with the remarks made by

the gentleman from South Portland, Mr. Hinds, but I would point out to you, however, that since this was supposedly a recommendation by BPI I wonder why it should have been removed from the entire bond issue proposal and has to stand on its own two feet?

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

Mr. FORTIER: Mr. Speaker and Members of the House: I feel that I would be remiss in my duties as a legislator from Waterville if I didn't at this time speak for our sister City of Augusta.

I admire the tenacity of the Representatives from Augusta. They have pulled themselves up by the bootstraps. This University of Maine in Augusta was conceived in the last Legislature and they have something like 650 some odd students at this time. I feel that this is a very, very commendable effort on the part of the people of the City of Augusta. I hold the recommendation of BPI second to the needs of the people of Central Maine.

As you know in Waterville we have two fine colleges. It costs a few dollars to go there to attend either one of them, in fact we have youngsters in Waterville who can attend the University of Maine in Augusta for less money than they could go to Colby for. Now Colby is a fine school, Thomas College is a fine school. We feel — in Waterville they feel that there is a very very great need for this University of Maine in Augusta, and I want to go on record as heartily concurring with the legislators from Augusta who are so admirably fighting for this bond issue and for the needs of the people of Central Maine. Thank you.

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

Mr. SCRIBNER: Mr. Speaker and Members of the House: As a minority member of the Appropriations Committee I also want to stand in support of both the projects for Portland and Augusta. I believe there is sufficient justification for both projects; they're both needed. If we were going to adopt the recommendations of BPI

or the trustees in any example for new buildings there would be no necessity for us to deliberate on these matters. The need for the program in Augusta has been well explained, the research building and the advance study building in Portland. We've seen a steady growth in the past few years to where they have three master's degree courses now in business administration and electric and engineering and other programs.

I know as a professional man in Portland that many of my clients have on occasion called us regarding the type of work that would be done for business and industry with a research and advance study building — I've had to tell them that they'd have to try to get in touch with somebody up in Orono. This has happened a number of times to me personally, and I believe that it is the prevailing situation in southern Maine. To my mind there is sufficient justification for both these projects, and I believe that the House should insist and ask for a Committee of Conference.

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

Mr. ROSS: Mr. Speaker, I would like to pose a question through the Chair of anyone who may answer.

Many persons have mentioned tonight the University of Maine in Portland, including the Assistant Minority Floor Leader and the last speaker. As I understand it, Portland now stands alone, Fort Kent now stands alone, and this last amendment we're only talking about the University of Maine in Augusta. Is that correct or not?

The SPEAKER: The gentleman from Bath, Mr. Ross, poses a question through the Chair to any member who may answer if they choose.

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

Mr. CONLEY: Mr. Speaker and Members of the House: As I understand it, that's true, but from my viewpoint I can see nothing sacred about this bond issue of \$15,755,000, and I see no reason why Fort Kent should stand alone, why Augusta should stand alone, or why the \$1.1 million as I understand it, supposed

to be increased to \$1.8 million, should stand alone. I feel that all of these should be incorporated into this bond issue and that they should either swim or sink before the public.

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

Mr. SCRIBNER: Mr. Speaker, if I'm wrong someone can correct me but I believe that the pending question is whether we should recede in the adoption of Senate Amendment "C".

The SPEAKER: The Chair would advise the gentleman that we must recede whereby we failed of enactment.

Mr. SCRIBNER: But I believed we're discussing Senate Amendment "C" which includes both Augusta and Portland in the same amendment. It doesn't include just Augusta. I believe that was the implication that was just made.

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

Mr. BROWN: Mr. Speaker and Members of the House: It seems odd to me that we could tonight pass a bond issue which would provide for bonding, demolition of buildings, survey of heating systems, repairs and minor improvements statewide in the amount of \$1,197,000, entomology greenhouse, fire prevention safety projects, replacement of steam lines, emergency power generation, and bond these over the next twenty years or so when we have a much greater need which is education.

It is my opinion that if we provide these educational facilities in one bond issue, that we will attract the voters from these various areas throughout the State to vote in favor of this. If we do not provide these, it seems to me that these people have nothing to vote for and that they are apt to vote this bond issue down.

I know that in Augusta if the Augusta University of Maine is provided that the people would vote for this L. D. 1726 in a bond issue. It would also appear to me that if the University of Maine in Portland were here that this would attract a great many voters. I can say no more except that I think

this should all be together. I think that if we see this go down the drain, we'll see all the bond issues go down the drain, and speaking of their standing on their own two feet that they should all be together.

Now to get to the BPI. I don't think that the Legislature has to go according to the BPI and their setup of how the — whether they want these buildings built. I think they make recommendations. I don't think the BPI governs the Legislature, I think that perhaps the Legislature governs the BPI.

I hope you go along with the motion to support the motion which I believe is not to indefinitely postpone.

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

Mr. ROSS: Mr. Speaker and Members of the House: In answer to the gentleman from Portland, Mr. Scribner, Senate "C" has been indefinitely postponed in the other branch. The item we're talking to now is Senate Amendment "A" to Senate Amendment "D" which still includes Augusta, I believe. Now I wish somebody would straighten the House out on that.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: I believe that the gentleman is absolutely correct. That is the way I understand the amendment.

The SPEAKER: Is the House ready for the question? The pending question is the motion of the gentleman from Bangor, Mr. Quinn, to recede. The yeas and nays have been requested.

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

Mr. BRENNAN: Mr. Speaker, I'd like to briefly state that I think that Maine is large enough for two graduate centers. There is certainly room for both in this State. Southern Maine is the most densely populated area in the State and if we're serious about wanting to develop business and industry we have to have higher education opportunities to offer these industries, and I would oppose the adoption of this amendment.

In reference to the Augusta situation, I think in Augusta a commuter type college is a low cost type college. You don't get into the problem of high cost for dormitories and for dining rooms, and I think it makes a great deal of sense to support something of this nature, and I would hope that we just don't get too parochial about these things and look over the broad picture as far as higher education is concerned in the State of Maine.

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

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

The SPEAKER: The pending question is the motion of the gentleman from Bangor, Mr. Quinn, that the House recede. All those in favor of receding will vote yes, those opposed will vote no, and the Chair opens the vote.

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

Mr. BRAGDON: Mr. Speaker, I hope we thoroughly understand our situation in voting. The other day we voted down the whole bond issue. If we don't recede I am sure that that is not the position that many of us wish to be in.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, rises to a point of order. He will explain his point.

Mr. JALBERT: Mr. Speaker, my point is, is this motion debatable while the vote is being taken and before the vote is announced?

The SPEAKER: The Chair will advise the gentleman and the House that it is no longer debatable. A roll call has been ordered.

The Chair will advise the House that if you vote to recede this opens the bill up to amendments or to defeating amendments already on the bill.

All those in favor of receding will vote yes; those opposed will vote no.

ROLL CALL

YEA—Allen, Baker, E. B.; Benson, Berman, Birt, Bragdon, Buck, Bunker, Clark, Cookson, Cornell, Cote, Crockett, Cushing, Darey, Dennett, Dickinson, Dunn, Durgin, Edwards, Ewer, Fecteau, Hall, Hanson, B. B.; Hanson, H. L.; Hanson, P. K.; Harriman, Hawes, Henley, Hewes, Hichens, Hinds, Hodgkins, Hoover, Huber, Immonen, Jannelle, Jewell, Kyes, Lincoln, Littlefield, Lycette, Maddox, McMann, McNally, Meisner, Miliano, Mosher, Philbrook, Pike, Porter, Quinn, Rackliff, Richardson, G. A.; Richardson, H. L.; Robertson, Robinson, Ross, Scott, C. F.; Scott, G. W.; Shaw, Snow, P. J.; Snowe, P.; Thompson, Trask, Waltz, Watts, White, Wight, Williams.

NAY—Baker, R. E.; Bedard, Belanger, Beliveau, Bernard, Binnette, Boudreau, Bourgoin, Bradstreet, Brennan, Brown, Burnham, Carey, Carrier, Carroll, Carswell, Champagne, Conley, Cottrell, Couture, Crommett, Curran, Drigotas, Drummond, Eustis, Farrington, Fortier, Fraser, Gauthier, Giroux, Harnois, Harvey, Healy, Hennessey, Hunter, Jalbert, Keyte, Kilroy, Lebel, Levesque, Lewin, Martin, Minkowsky, Nadeau, J. F. R.; Nadeau, N. L.; Pendergast, Rideout, Rocheleau, Sawyer, Scribner, Shute, Starbird, Sullivan, Susi, Townsend, Wheeler, Wood.

ABSENT — Crosby, D'Alfonso, Danton, Dudley, Evans, Foster, Fuller, Gaudreau, Gill, Haynes, Humphrey, Jameson, Lewis, Noyes, Payson, Prince, Quimby, Roy, Sahagian, Soulas, Tanguay, Truman.

Yes, 70; No, 57; Absent, 22.

The SPEAKER: Seventy having voted in the affirmative and fifty-seven in the negative, the House has voted to recede.

Is it now the pleasure of the House to concur with the Senate in the indefinite postponement of Senate Amendment "C"?

The motion prevailed.

Senate Amendment "D" was then read by the Clerk.

Senate Amendment "A" to Senate Amendment "D" was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Denmark, Mr. Dunn.

Mr. DUNN: Mr. Speaker, Senate Amendment "A" to Senate Amendment "D" replaces Augusta in the package? Am I correct on that?

The SPEAKER: The gentleman from Denmark, Mr. Dunn, poses a question through the Chair to any member who may answer if they choose.

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

Mr. QUINN: Senate Amendment "A" to Senate Amendment "D", filing no. S-331, does include Augusta in the bond issue.

The SPEAKER: The pending question is the adoption of Senate Amendment "D" as amended by Senate Amendment "A" thereto.

The Chair recognizes the gentleman from Denmark, Mr. Dunn.

Mr. DUNN: Mr. Speaker, I move that Senate Amendment "A" to Senate Amendment "D" be indefinitely postponed.

The SPEAKER: Would the gentleman restate his motion?

Mr. DUNN: I move that Senate Amendment "A" to Senate Amendment "D" be indefinitely postponed.

The SPEAKER: The gentleman from Denmark, Mr. Dunn, now moves that Senate Amendment "A" to Senate Amendment "D" be indefinitely postponed.

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

Mr. RIDEOUT: Mr. Speaker and Members of the House: I've got the greatest deal of respect for the gentleman from Denmark, Mr. Dunn, and the gentleman from Bangor, Mr. Quinn, but I must take issue with both of them on this count and it's incomprehensible to me. I am a graduate of the University of Maine myself. I have a great deal of fond memories of Orono and I would hope that ultimately Orono will become a major college in the United States collegiate system. However, I do think that when we can tuck under the cover of the bond issue a physical education building and pool for \$1,900,000, we can tuck under that our chemical engineering building, we can tuck under it a law school

in Portland, we can tuck under it any number of things throughout the State, and we cannot provide for classroom space for this number of people in Augusta — it's incomprehensible.

The gentleman spoke about Colby being this close. May I remind the gentleman that the tuition at Colby and the housing is somewhere in the order of \$3,000. I don't think that this equates with the University of Maine at Augusta. I think that we are doing a disservice to the Central Maine area when we cannot provide a commuter college for this number of people that are crying, absolutely in need of classroom space, and I would ask you to vote against the indefinite postponement of this amendment.

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

Mr. QUINN: Mr. Speaker and Members of the House: I sympathize with the thinking of my good friend, Mr. Rideout from Manchester, but I do feel that this Legislature should wait until it's recommended by the Trustees of the University in their orderly development of the University and its programs before we pass legislation here of millions of dollars for new buildings. When the University of Maine Trustees get ready to develop that situation in an orderly manner I am sure we'll get a request for such a building.

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

Mr. BROWN: Mr. Speaker, I would ask of the gentleman from Bangor, Representative Quinn, if he could give me the list of priorities recommended by the Trustees of the University of Maine?

The SPEAKER: The gentleman from Augusta, Mr. Brown, poses a question through the Chair to the gentleman from Bangor, Mr. Quinn, who may answer if he chooses.

The Chair recognizes that gentleman.

Mr. QUINN: Mr. Brown, the gentleman from Augusta, I would be glad to give you that list if I had it, but I am assured that

the University of Maine in Augusta is not on that list.

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

Mrs. BAKER: Mr. Speaker and Members of the House: I attended the hearing which was one of the largest ones held here in the office building in the State House at the time this matter came up, and Dr. Young appeared there. The President is very much in favor of this and hoped certainly that it would go through. We talk about the Trustees and we talk about the BPI and so forth, but Dr. Young certainly made a strong appeal for this University of Maine in Augusta.

If we can't get this through I just shudder to think of what's going to become of the students who graduated from my high school and many around here, the town I represent I mean — all four towns in fact — and all the towns and cities in this Central Maine area who have depended and built up all their hopes on attending this commuter college, and it certainly went beyond all expectations as has been told to you before and I would hope that you would vote favorably on this matter.

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

Mr. JALBERT: Mr. Speaker and Members of the House: Mr. Speaker, I would commend you for being in good voice, and I would commend your strong right arm, and I would state frankly that I would have to congratulate my dear friend from Perham, Mr. Bragdon, in outlasting me as far as being gavelled down is concerned.

Wherein it concerns this measure here, Mr. Speaker, frankly I would state that insofar as the BPI is concerned the BPI to my knowledge is the department that takes in all the requests under their wing, under their department and they turn around and allocate in priorities, and the fact that a measure is not in that program doesn't mean that a program can't be introduced and passed by this Legislature, and as far as BPI is concerned with due deference to

that department I can say that looking back over the years and coming back concerning building after building after building, when we come back for more funds it might be that somewhere along the line they might look around and set a priority on themselves.

Now this measure here was strongly advocated as the lady from Winthrop, Mrs. Baker, says by the President of the University of Maine and I certainly hope going back to the debate we had a few minutes ago that this measure here will be included in the bond issue.

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

Mr. HINDS: Mr. Speaker, in answer to the question from the gentleman from Augusta, Mr. Brown, if he would open up his Requests for Capital Improvements the large, thick book we have here he would find on page 19, section 19, the seventeen requests and the priority of these requests from the University of Maine from the Board of Trustees, and he will find the Portland Law School as a number one priority and he won't find the graduate building in Portland or the University of Maine in Augusta on the list.

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

Mr. BENSON: Mr. Speaker, I move that portion of Rule 22 which prohibits the transaction of business after nine p.m. be suspended.

The SPEAKER: The gentleman from Southwest Harbor, Mr. Benson, moves that that part of the Rule that regulates business after nine o'clock be suspended. Is this the pleasure of the House? It's a vote.

The gentleman from Bangor, Mr. Quinn, was granted permission to speak a third time.

Mr. QUINN: Mr. Speaker, when the vote is taken I'd like to ask for a roll call.

The SPEAKER: The yeas and nays have been requested.

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

Mr. FORTIER: Mr. Speaker and Members of the House: I suppose I could stand here and gloat, know-

ing full well that in Waterville we have two fine colleges and that Augusta is probably on the tail end of the dog as far as higher education is concerned. Yes, I could gloat, but this wouldn't do a thing for the youngsters in Central Maine. We probably have as many youngsters in my area desiring to go to the University of Maine in Augusta as they have in this area, so this wouldn't be very good cause for me gloating.

I don't know exactly what the population is in the area that we're talking about, but I know it is well over a hundred thousand people and of course all of the school age youngsters that could attend this facility in Augusta. I know that when Augusta first came here to establish a University of Maine in Augusta they said that they could get along fine with the high school and the other buildings that they could lease, etcetera, etcetera, but I find now from the information that has reached me that the City of Augusta finds that Cony High School, in which I think some of the classes are still held, is wearing out.

If the position of the BPI is that this has no priority whatsoever, I've lost all respect for the BPI. If they can look at the needs of the people of Central Maine and see absolutely no facilities belonging to the University of Maine in Augusta and still say they don't need a building, then certainly I've got to lose my respect for the BPI. Where would they be expected to hold classes if they can't have a building, at least one building — I don't know of one building that they own. So, for heavens sake, I admired the good gentleman from Bangor when he so valiantly fought the fight for the individuals who wanted to catch lobsters, and I thought he was justified — I thought he was fighting for the small man. I certainly can't see where he's fighting for the individuals who want to be educated in Central Maine who can't afford to come to Waterville and go to Colby, or who can't afford to come to Waterville and go to Thomas College or who can't afford to go to Lewiston. Now there are hundreds and hundreds and

hundreds of youngsters that just need this education, and I beg you to vote against this motion to indefinitely postpone.

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

Mr. QUINN: Mr. Speaker and Members of the House: I'd like to answer my good friend from Waterville and also my good friend from Winthrop, the gentle lady Mrs. Baker.

The question before us isn't going to detract from the education of the folks in this area at the University of Maine Law School in Augusta. That isn't the question we're considering. The question we're considering is whether this Legislature should vote a million and one hundred thousand dollar building for the University of Maine in Augusta which hasn't been requested by the Trustees of that University. When the time comes that that University is ready to develop buildings in the area, I am sure this Legislature will get a request for those buildings, but until we do get such a request I don't think it's our province; we have the right, but I don't think we should disrupt the proper development of the University of Maine by insisting they have this building, until they ask for it.

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

Mr. SULLIVAN: Mr. Speaker and Members of the House: All of these figures about the number of young men who want to go on to college it would seem approximately correct, but what proportion of those young men are going on to college to prevent them from serving their country? Not only in the Augusta area but all over this State and all over this Country, and I believe General Lewin could possibly answer the question if he likes to, and of course some gentlemen around me have been urging me on to make this statement.

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

Mr. LEWIN: Mr. Speaker and Members of the House: In my prior statement that I made a few minutes ago I would like to refresh

you. Helping children of employees of let's say the Bates Manufacturing, Norridgewock Shoe, State employees and the working man in general. I might say that the purpose of this school in Augusta is to take care of the people who cannot afford to go to another school, say Colby or the University of Maine or what have you. I don't think the question of draft-dodging enters into this picture at all. Thank you.

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

Mr. BINNETTE: Mr. Speaker and Members of the House: After hearing this matter discussed a great deal, I am inclined to believe that it is a shame to stop and think a city the size of Augusta has not got a college here to take care of these children who so much need an education, and I concur with the gentleman from Augusta in regards to that, and I sincerely believe that we are going to deny the children of the poorer classes the right to get an education by not having a building down here for that purpose. Thank you.

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

Mr. CARROLL: Mr. Speaker and Members of the House: I would like to remind the people of this House that the Trustees of the University of Maine are not tin Gods, that actually it falls within the prerogative of this House that when we see a need that we take action and provide — fulfill the need.

So I urge you all not to say no to the children of Augusta — say yes, open up your hearts. There's been too much hatred, too much sorrow and too much waste. The hour is late and this is no time for drastic action; this is the time for progressive action.

Mr. Brown of Augusta was granted permission to speak a third time.

Mr. BROWN: Mr. Speaker and Members of the House: The only objection that I have heard to the inclusion of this in the bond issue is the fact it was not recommended by the BPI, and the theoretical objection which has not been

proven that it was not recommended by the Trustees.

The purpose of this is to provide education, and I think that we should go along with this and vote against the indefinite postponement.

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

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

The SPEAKER: The pending question is the motion of the gentleman from Denmark, Mr. Dunn, that Senate Amendment "A" to Senate Amendment "D" be indefinitely postponed. All those in favor of indefinite postponement will vote yes, those opposed will vote no, and the Chair opens the vote.

ROLL CALL

YEA — Baker, E. B.; Benson, Berman, Bragdon, Buck, Bunker, Clark, Cornell, Cote, Darey, Dennett, Dickinson, Dunn, Durgin, Edwards, Hall, Hanson, B. B.; Hanson, H. L.; Harriman, Hawes, Henley, Hichens, Hinds, Hodgkins, Huber, Immonen, Jannelle, Jewell, Kyes, Lincoln, Littlefield, Lycette, Maddox, McMann, McNally, Meisner, Mosher, Noyes, Philbrook, Quinn, Rackliff, Richardson, G. A.; Richardson, H. L.; Robertson, Robinson, Ross, Scott, G. W.; Snow, P. J.; Sullivan, Thompson, Trask, Waltz, Wight, Williams.

NAY — Allen, Baker, R. E.; Bedard, Belanger, Bernard, Binnette, Birt, Boudreau, Bourgoin, Bradstreet, Brennan, Brown, Burnham, Carey, Carrier, Carroll, Carswell, Champagne, Conley, Cookson, Cottrell, Couture, Crockett, Cromett, Curran, Cushing, D'Alfonso, Drigotas, Drummond, Eustis, Ewer, Farrington, Fecteau, Fortier, Fraser, Giroux, Hanson, P. K.; Harnois, Harvey, Healy, Hennessey, Hewes, Hoover,

Hunter, Jalbert, Keyte, Kilroy, Lebel, Levesque, Lewin, Martin, Miliano, Minkowsky, Nadeau, J. F. R.; Nadeau, N. L.; Pendergast, Pike, Porter, Quimby, Rideout, Rocheleau, Sawyer, Scott, C. F.; Scribner, Shaw, Shute, Snowe, P.; Starbird, Susi, Townsend, Watts, Wheeler, White, Wood.

ABSENT — Beliveau, Crosby, Danton, Dudley, Evans, Foster, Fuller, Gaudreau, Gauthier, Gill, Haynes, Humphrey, Jameson, Lewis, Payson, Prince, Roy, Sahagian, Soulas, Tanguay, Truman.

Yes, 54; No, 74; Absent, 21.

The **SPEAKER**: Fifty-four having voted in the affirmative and seventy-four in the negative the motion to indefinitely postpone Senate Amendment "A" to "D" fails.

Thereupon, Senate Amendment "A" to Senate Amendment "D" was adopted in concurrence. Senate Amendment "D" as amended by Senate Amendment "A" thereto was adopted in concurrence.

Thereupon, An Act to Authorize Bond Issue in the Amount of \$17,955,000 for Capital Improvements, Construction, Renovations, Repairs, Equipment and Furnishings, Senate Paper 691, L. D. 1726, was passed to be engrossed as amended by Senate Amendment "D" as Amended by Senate Amendment "A" thereto in concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

Non-Concurrent Matter

Bill "An Act to Correct Errors and Inconsistencies in the Public Laws" (S. P. 543) (L. D. 1444) which was passed to be engrossed as amended by Committee Amendment "A", Senate Amendments "B" and "C", and House Amendments "B", "D", "E", "F", "G", "H", and "I" in non-concurrence earlier in the day.

Came from the Senate passed to be engrossed as amended by Committee Amendment "A", House Amendments "B", "D", "E", "F", "G", "H" and "I", and Senate Amendments "B", "C" and "F" in non-concurrence.

In the House:

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

Mr. **BERMAN**: Mr. Speaker and Members of the House: This is the Judiciary Omnibus bill and at this time I now move that the House recede.

The **SPEAKER**: The gentleman from Houlton, Mr. Berman, moves that the House recede. Is this the pleasure of the House?

The motion prevailed.

Senate Amendment "F" was read by the Clerk.

The **SPEAKER**: The **Chair** recognizes the same gentleman.

Mr. **BERMAN**: Mr. Speaker, I now inquire of the Chair whether the method of changing the salary is germane to the Act to Correct Errors and Inconsistencies in the Public Laws?

The **SPEAKER**: The **Chair** will advise the gentleman that the method of setting salaries is not germane to the bill. However, the **Chair** will remind the gentleman that if the germaneness was not questioned in the other body the question may not be raised in this one.

The **Chair** recognizes the same gentleman.

Mr. **BERMAN**: Mr. Speaker, I would move indefinite postponement of this amendment and speak briefly to my motion.

The **SPEAKER**: The gentleman from Houlton, Mr. Berman, now moves the indefinite postponement of Senate Amendment "F". The gentleman may proceed.

Mr. **BERMAN**: Mr. Speaker and Members of the House: Somewhere along the line the Committee on State Government in its wisdom, and I think their good judgment, arrived at amendment whereby the Banking Commissioner's salary should be set by the Legislature and not by another branch of the government. That bill, as I now understand it, has passed both bodies and is signed by the Governor. Here is an attempt in this Senate amendment at the eleventh hour to undo what we've already done, and I think if for no other reason than that we should indefinitely postpone this amendment and get on with our business.

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

Mr. DENNETT: Mr. Speaker and Members of the House: I arise in support of the gentleman from Houlton, Mr. Berman. I, too, think that it is deplorable at this late hour that such an amendment should be introduced to this bill to nullify a former bill sent out by the Committee on State Government. A Committee of Conference met on it and acted on it, this House acted upon it, and everyone was agreeable. And now they attempt to undo all that has been done. I think it is imperative that this Legislature take over control of all the salaries of the department heads and certainly of all people the Banking Commissioner should be no exception. I truly hope that this amendment will be indefinitely postponed in non-concurrence.

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

Mr. NADEAU: Mr. Speaker and Members of the House: I too rise in support of Mr. Berman. We've taken several of these back scratching salaries already away from seven people. Now can you imagine that it has already been said that this Bank Commissioner, as we all know — and if you don't know his salary is paid by the banks. So consequently there must be pressure. There again these same banks can create pressure on the Governor's Council, which I think personally is a political plum. This is a new disrespect to the people that may have been and might be in the future. Maybe I'm only concerned with those that came from my area — they were political plums.

However, I feel that the Committee did a good job and we should stick to our guns and at this late hour not let thirty-four people run a hundred and fifty-one people —

The SPEAKER: The Chair will caution the gentleman about disrespectful remarks.

Mr. NADEAU: The other unmentionable branch should not be in a position to tell us what to do. I think we're able to stand on our own two feet, and I hope

that you will defend this amendment.

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 concur with the previous speakers, that I believe that this amendment to change what this Legislature has already acted on should not be admitted to the Omnibus bill, and I will go along with them in indefinitely postponing it.

Mr. Dennett of Kittery then asked for a division.

The SPEAKER: The pending question is on the motion of the gentleman from Houlton, Mr. Berman, that Senate Amendment "F" be indefinitely postponed. A vote has been requested. All those in favor of the indefinite postponement of Senate Amendment "F" will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

113 having voted in the affirmative and 10 having voted in the negative, the motion prevailed.

Thereupon, the House voted to insist on its former action.

Emergency Measure Tabled Later in Today's Session

An Act Making Additional Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1968 and June 30, 1969 (S. P. 700) (L. D. 1737)

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

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

Mr. MARTIN: Mr. Speaker, I would inquire through the Chair of any member who can answer or to the Clerk, whether or not House Amendment "A" which was presented by the gentleman from Perham, Mr. Bragdon, is included within L. D. 1737?

The SPEAKER: The gentleman from Eagle Lake, Mr. Martin, poses a question through the Chair to any member who may answer if they choose.

The Chair would advise the gentleman that House "B" is incor-

porated into the bill but not "A", and Senate "A".

The Chair recognizes the same gentleman.

Mr. MARTIN: Mr. Speaker, another question through the Chair. Am I wrong in assuming therefore that funds which would be provided for automatization of inventory methods for depreciation procedures in Medicare Program in the amount of \$32,000 for the Augusta State Hospital has been deleted from the bill?

The SPEAKER: The gentleman from Eagle Lake, Mr. Martin, poses a further question through the Chair to any member who may answer if they choose.

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

Mr. SCRIBNER: Mr. Speaker, I believe that I can answer the question of the gentleman from Eagle Lake. The amendment was on there and the bill originally reported out by the Committee included a great many very essential items. However, Senate "A" which was adopted in the Senate deleted everyone of these items. I have yet to figure out just what the purpose is. I hope that someone in the leadership is intending to include these in another bill later, but I am sure that this essential item merely met the fate of a dozen or fifteen other essential needs of our State departments which were amended out and we're passing it to include a number of L. D.'s. That's what was done, the essential state departments services were substituted by L. D.'s.

Mr. Martin of Eagle Lake was granted permission to speak a third time.

Mr. MARTIN: Mr. Speaker and Members of the House: Unless I am incorrect, and I stand to be corrected, it is my understanding that Senate Amendment "A" is included in this bill. If you take a look at Senate Amendment "A" you will find that we now have within this bill, which supposedly is to make additional appropriations for the expenditures of State Government and for other purposes for the fiscal years ending June 30, 1968 and June 30, 1969 and amend said bill by striking out

Section A and inserting in place thereof the following, you are now including Legislative Document L. D. 343, An Act to Incorporate the Town of Medford; L. D. 978, providing for a pension; L. D. 1540, An Act relating to Retirement Benefits; L. D. 1579, An Act relating to Computation of State Aid for School Administrative District No. 12; L. D. 142, a Resolve increasing a pension; L. D. 658, a Resolve increasing another retirement benefit; L. D. 1323, increasing retirement benefits of another individual. And then we find that House Amendment "A" was killed by the other body, which would have included \$32,000 to provide funds for automation of inventory method for depreciation procedures for Medicare Program at the Augusta State Hospital, which apparently—which if I am correct would have brought in some federal money to the tune of a quarter of a million dollars; and so I as an individual will vote against L. D. 1737.

The SPEAKER: The pending question is the enactment of L. D. 1737. All those in favor of its enactment as an emergency measure will vote yes; those opposed will vote no, and the Chair opens the vote.

A vote of the House was taken. 99 voted in the affirmative and 28 in the negative.

Mr. Benson of Southwest Harbor then requested that the vote be taken by 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 pending question is on the enactment of Senate Paper 700, L. D. 1737. An Act Making Additional Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1968 and June 30, 1969. All those in favor of the enactment

of this bill 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.; Beliveau, Benson, Berman, Birt, Bragdon, Brown, Buck, Bunker, Burnham, Carey, Clark, Cookson, Cornell, Cote, Cottrell, Crockett, Cushing, Darey, Dennett, Dickinson, Drummond, Dunn, Durgin, Edwards, Ewer, Farrington, Hall, Hanson, B. B.; Hanson, H. L.; Hanson, P. K.; Harriman, Hawes, Henley, Hewes, Hichens, Hinds, Hodgkins, Hoover, Huber, Hunter, Immonen, Jalbert, Jannelle, Jewell, Kyes, Lewin, Lincoln, Littlefield, Lycette, Maddox, McMann, McNally, Meisner, Miliano, Minkowsky, Mosher, Noyes, Pendergast, Pike, Porter, Quimby, Quinn, Richardson, G. A.; 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, The Speaker.

NAY—Bedard, Belanger, Bernard, Binnette, Boudreau, Bourgoin, Bradstreet, Brennan, Carrier, Carroll, Carswell, Champagne, Conley, Couture, Crommett, Curran, D'Alfonso, Drigotas, Eustis, Fecteau, Fortier, Fraser, Gauthier, Giroux, Harnois, Harvey, Healy, Hennessey, Keyte, Kilroy, Lebel, Levesque, Martin, Nadeau, J. F. R.; Philbrook, Rackliff, Richardson, H. L.; Rocheleau, Sawyer, Scribner, Starbird, Sullivan, Wheeler.

ABSENT—Crosby, Danton, Dudley, Evans, Foster, Fuller, Gaudreau, Gill, Haynes, Humphrey, Jameson, Lewis, Nadeau, N. L.; Payson, Prince, Roy, Sahagian, Soulas, Tanguay, Truman.

Yes, 87; No, 43; Absent, 20.

The **SPEAKER**: Eighty-seven having voted in the affirmative and forty-three having voted in the negative, the Bill fails of enactment.

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

Mr. **RICHARDSON**: Mr. Speaker, I move that we reconsider our

action whereby this bill failed to receive enactment.

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

The **SPEAKER**: The Chair would call your attention to Supplement No. 5, paper from the Senate.

From the Senate: The following Order:

ORDERED, the House concurring, that the Joint Standing Committees on Appropriations and Financial Affairs and Taxation, acting jointly, are hereby authorized to report a bill to the House which shall provide, first, such appropriations from the General Fund which were not provided for in prior appropriations as they may deem necessary and desirable to provide funds for additional Educational General Purpose Subsidy, to provide interest on General Fund bonds for additional moneys for the University of Maine, to further develop Oceanography and salary increases for state employees and other necessary programs; second, such tax assessments and tax adjustments as, in their judgment, may be required to finance the appropriation set out in said bill with a reasonable, safe and conservative excess to cover other possible legislative appropriations. (S. P. 732)

Came from the Senate read and passed.

In the House, the Order was read.

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

Mr. **DENNETT**: Mr. Speaker and Members of the House: I believe that we have journeyed through "Wonderland" long enough. I think it's time we bring this thing to an end, and I now move indefinite postponement of this Order.

The **SPEAKER**: The pending question is the motion of the gentleman from Kittery, Mr. Dennett, that this Order be indefinitely postponed.

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

Mr. **ROSS**: Mr. Speaker and Members of the House: A few days ago in speaking in support of the

Sales Tax referendum for a one cent increase I mentioned that I was proud that my party was one of integrity and responsibility, and at the same time I mentioned that if the voters turned down this referendum we would take another look. Now, we are not able to do this. I strongly feel that we can't shirk our responsibilities and I for one would favor seeking a negotiating position. However, I am already on record albeit at a caucus in favor of this and the opponents to this there were willing to accede to the majority, and now although I disagree I will vote against the order because I have no desire to be an obstructionist to my party or any other group and, only for my sake because I feel it's right I will not go along with it, and I feel that anyone might be wrong and perhaps I was.

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

Mr. SHUTE: Mr. Speaker and Members of the House: This is the last chance tonight here for all of us, Democrat and Republican. Tonight you have the beginnings before you of the first, the true, the only real compromise that this Legislature has seen. It may be the only one you'll see in the regular session as it relates to a tax which will provide us with monies to create an increased general purpose aid to the Foundation Program of \$7,000,000 for all our schools. Secondly it would provide pay raises for our state employees. New Hampshire and Vermont state employees have been given increases. Are we to tell our people that no, they cannot have increases? It will establish the theory at least of the state subsidizing the Aid to Dependent Children Program with no funds involved in this biennium.

It also would establish a n Oceanography program to join with that offered by the now adjourned legislative body in New Hampshire. But let us face facts. We have been willing here in this Legislature to give lip service to the government services which require money and yet time and again we have failed to fund it. No one relishes paying taxes, it's quite

obvious. The Republican one cent sales tax has failed on four separate occasions, Democrat tax proposals also have failed; and we can't do as Bill Clark the columnist suggests, to vote for proponents of three alternatives, borrowing, taxing or cutting all costs. The other body has now given us this choice — the one half cent sales tax. It is an apparent unwanted child, but it is the only recourse that we have tonight except to abrogate our responsibilities as Republicans and as Democrats and to adjourn sine die and go home.

Ladies and gentlemen, I appeal to you to accept this Joint Order given us from the Senate and let us make a new beginning here and now.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: I rise in support of my very good friend from Kittery, Mr. Dennett, I feel that the time has come for us to go home, and the sooner the quicker. Thank you.

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

Mr. SCRIBNER: Mr. Speaker and Members of the House: I hope I don't have the same experience with this if this order passes as I did with the last order relating to the Appropriations Committee reporting out a bill. The last time we did, we passed the order and adjourned for the day and a few moments later, approximately twenty minutes later, and I was met in the aisle here by the Senator from Aroostook, Senator Albair, with a copy of the bill and he handed it to me and he says — "Here's the Minority 'Ought to pass' Report."

Now I would hope that as a member of the responsible Minority here that when these things are done that we would have an opportunity to submit rather than have to be forced to either sign "ought to pass" or "ought not to pass," that we would have the advantage of enough time to prepare a minority report in these cases when we feel that we should do this, and also particu-

larly where there are a number of essential state services which were left out of the bill which was defeated for enactment a short time ago. I would hope that something would be done to take care of these, as these items I am aware of are very important to the various departments involved and I would hope that these items could be handled with a little more consideration to the Minority on the Appropriations Committee.

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

Mr. D'ALFONSO: Mr. Speaker and Members of the House: Disregarding either abrogation or approbation for the time being, Supplement No. 5 is perhaps the third or fourth time I've seen such an Order.

I pose a question through the Chair to any person in the House who may answer it. Is this particular Order an honest attempt on the part of those who are responsible to come up with something that would be approved, or is this only a half-hearted attempt to prolong the agony that we are still faced with?

The SPEAKER: The gentleman from Portland, Mr. D'Alfonso, poses a question through the Chair to any member who may answer if they choose.

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

Mr. LEVESQUE: Mr. Speaker and Members of the House: In my attempt to answer the question posed by the gentleman from Portland, Mr. D'Alfonso, I shall try to be brief.

At this late hour and knowing that your labors have been certainly well appreciated by this corner of the House, they have been long and they have been hard. We have been unable to agree at a fair compromise to this date and we have been unable to arrive at a fair compromise even as late as this afternoon. It is my sincere feeling that although the needs are there, the exact controversial issues that this Order calls for are the exact issues that we have been unable to arrive at a discussed and possible compromise area. We

haven't been able to discuss these matters in arriving at a compromise from January 4 to this day, to this hour, so it seems fair for me to assume in the last remaining fourteen hours of this day that we will not be able to arrive at a compromise that will be satisfactory to this branch of the Legislature.

I think possibly at this time a cooling off period is very much in order. Possibly after another five or six months, or another four or five months, heads may be a little bit cooler. Areas can be ventured into as to what can be arrived that will be satisfactory to the majority of this House and the other branch. Studies can be made and possible solutions can be forthcoming. At this late hour I fail to see where we can accomplish this in a matter of ten or fourteen hours if we have been unable to arrive at a fair conclusion in one hundred and one days of our session of the Legislature, and certainly the longest in the history of the State of Maine. So therefore, I think probably the cooling off period will do this House and each and every member all a great amount of good. Thank you.

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

Mr. JALBERT: Mr. Speaker, I would pose a question to anyone who can answer. There is some talk that this measure is just in its infancy. I would ask if this measure has not only been looked into and actually is in the engrossment stage?

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

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: I am not one of those Republicans who is always crabbing about the Press, but I might say most respectfully, gentlemen, that I hope that you have listened most carefully to the words of the Minority Floor Leader in his statement with respect to the order that is now before us.

In an attempt to obviate delay and more expense to the State, the bill before you is in a position where it could be brought before you for immediate action. It is the much discussed, editorially praised, bowed at and scraped for half cent.

Every Republican in this House knows what my personal view is but I have always, in the last six months at least, given my responsibility as the Majority Floor Leader to, in fact, being a spokesman for the Majority. The overwhelming majority of my Party reacts to this suggestion as being an abandonment of the basic principles that motivated us in our effort to make a commitment to the Foundation Program, to relieving the municipalities of the burdens of the ADC payment and to accomplish the other genuinely worthwhile things that every one in this House wants but somehow can't bring himself to pay for. I therefore speaking as the Majority Floor Leader, and voting as the Majority Floor Leader, will vote in favor of the indefinite postponement of this order, and I do so with a much freer hand than I would have a few moments ago in knowing that this too, if this effort had succeeded would have met with the same opposition that any other suggestion of meaningful compromise has met. Call it a cooling off period if you will, it really isn't that, but at any rate it's an escape from the obstructionist, and the obstructionists who have prevented this Legislature from facing the financial realities of our day.

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

Mr. JALBERT: Mr. Speaker, I move the previous question.

The SPEAKER: For the Chair to entertain the motion for the previous question it must have the consent of one third of the members present. 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.

The SPEAKER: Obviously more than one third having voted the

previous question is entertained. The question now is, shall the main question be put now? This is debatable for five minutes by any member.

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

Mr. RIDEOUT: Mr. Speaker may I ask a question to the Chair?

The SPEAKER: The gentleman may pose his question if it is relative to shall the main question be put now.

Mr. RIDEOUT: I'm not sure that it is, frankly. I would like when the main question is put, it be put by the yeas and nays.

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

Mr. LEVESQUE: Mr. Speaker and Members of the House: I feel certainly that on this like many others that have come up during the session that the previous question can be asked for but it is my sincere and deep feeling that members of this House have got something to say relative to this matter and they should be afforded all the opportunity in the world of being able to express their wishes, fully recognizing the lateness of the hour. I certainly hope that the House will not deny these members the privilege of stating their views on this matter.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I don't think it's ever been my thinking over the years in moving the previous question, but feeling in my heart that both sides had been heard from. Now we've heard from both leaders of the parties; we've heard proponents and opponents. It's not in my thinking at all to gag anybody, but I'd like to pose a question to any, either the Democratic or Republican Floor leader—what have they got to add to this question that would bring about a compromise unless we pass this order?

The SPEAKER: The pending question is, shall the main question be put now? It is debatable for five minutes by any member.

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

Mr. BENSON: Mr. Speaker, the die is cast—nothing can be added.

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

Mr. HEWES: Mr. Speaker, I am sadly disappointed that on this most important issue which I feel has kept us here as long as we are here, that we won't try to break the log-jam. In my work as a—

The SPEAKER: The gentleman will confine his remarks to whether the main question shall be put now.

Mr. HEWES: Aren't you allowed to discuss this for five minutes?

The SPEAKER: The gentleman may continue.

Mr. HEWES: For five minutes?

The SPEAKER: For five minutes providing it pertains to shall the main question be put now.

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

Mrs. CARSWELL: Mr. Speaker, because each individual is confined to five minutes, I do feel that there are those individuals who would like to express their feelings on this matter, and I have detected a little bit of bitterness on the part of some of the previous speakers. I think perhaps some of us have been accused of this and perhaps guilty of this in the past, but let bygones be bygones and let's all have our say tonight about this important measure.

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

Mr. FORTIER: Mr. Speaker and Members of the House: I have sat here this session or one hundred and one days and listened to a lot of arguments which I thought were very senseless. In this crucial debate that is coming now I am hopeful—I am always hopeful—I would enjoy listening to the debate on this question, especially debate that would open new avenues.

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

Mr. COTTRELL: Mr. Speaker and Members of the House: I don't

like to go down as a member of the defeated legislature. We are a defeated legislature.

The SPEAKER: The gentleman will confine his remarks to shall the main question be put now.

Mr. COTTRELL: And I think we should debate this further before we go down in defeat.

The SPEAKER: All those in favor of the main question being put now will answer yes, those opposed, no.

A viva voce vote being doubted by Mr. Starbird of Kingman Township, a vote was requested.

The SPEAKER: A vote has been requested on whether the main question shall be put now. All those in favor of the main question being put now will vote yes, those opposed will vote no.

Mrs. Carswell of Portland 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 those 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 of the members present having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question is on whether the main question shall be put now. All of those desiring the main question to be put now will vote yes, those opposed will vote no and the Chair opens the vote.

ROLL CALL

YEA — Baker, E. B.; Bedard, Benson, Birt, Bragdon, Brown, Bunker, Clark, Cornell, Cote, Crockett, Cushing, Dennett, Dickinson, Dunn, Durgin, Edwards, Ewer, Hall, Hanson, B. B.; Hanson, H. L.; Hanson, P. K.; Harriman, Hawes, Henley, Hinds, Hodgkins, Immonen, Jalbert, Jannell, Kyes, Lincoln, Littlefield, Lycette, Maddox, McNally, Miliano, Mosher, Nadeau, N. L.; Philbrook, Pike, Richardson, G. A.; Ross, Scott, C. F.; Scott, G. W.; Shaw, Snow, P. J.; Susi, Thompson, Townsend, Trask, Watzl, Watts, Wight, Williams.

NAY—Allen, Baker, R. E.; Belanger, Beliveau, Berman, Bernard, Binnette, Boudreau, Bourgoin, Bradstreet, Brennan, Buck, Burnham, Carey, Carrier, Carroll, Carswell, Champagne, Conley, Cookson, Cottrell, Couture, Crommett, Curran, D'Alfonso, Darey, Drigotas, Drummond, E u s t i s , Farrington, Fecteau, Fortier, Fraser, Gauthier, Giroux, Harnois, Harvey, Healy, Hennessey, Hewes, H i c h e n s , Hoover, Huber, Hunter, Keyte, Kilroy, Lebel, Levesque, Lewin, Martin, McMann, M e i s n e r , Minkowsky, Nadeau, J. F. R.; Noyes, Pendergast, Porter, Quimby, Quinn, Rackliff, Richardson, H. L.; Rideout, Robertson, Robinson, Rocheleau, Sawyer, Scribner, Shute, Snowe, P.; Starbird, Sullivan, Wheeler, White, Wood.

ABSENT—Crosby, Danton, Dudley, Evans, Foster, Fuller, Gaudreau, Gill, Haynes, Humphrey, Jameson, Jewell, Lewis, Payson, Prince, Roy, Sahagian, Soulas, Tanguay, Truman.

Yes, 55; No, 74; Absent, 20.

The SPEAKER: The Chair will announce the vote. Fifty-five having voted in the affirmative and seventy-four having voted in the negative, the main question is not ordered. The matter is open for debate.

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

Mr. JALBERT: Mr. Speaker and Members of the House: Back a few weeks ago, in an honest effort to submit my contribution to this august body wherein it concerned a compromise, I worked out a plan that could well bring this about. I took the figures as submitted to this body by the Republican leadership, I took the figures and programs as submitted to this body by the Democratic leadership; and I think, Mr. Speaker, as an aside, that you will hear the noises in the back of the hall and in the corridors, the exodus of several members of the House, you can well see why I moved the previous question because I may just as well be talking to a wall, but now that you have refused the previous question, I shall exercise my prerogative of speaking just as long as I see fit, and it makes no dif-

ference to me if I speak to no one but you, Mr. Speaker, and the lovely lady in front of you and the seats in this Hall.

The talk was made that this was a serious matter. It certainly is a serious matter. It was a serious matter the first part of the year; it is a serious matter now. It is a contest from one day to another in the newspapers as to who is right. Did the Republican leadership do something right yesterday, did the Democratic leadership do something right yesterday, who is right today, who will be right tomorrow? Let me make this statement right here and now, and as even was stated by the very gentle lady from Bethel, Mrs. Lincoln, often times I like to refer to my many years of experience in this body. I have said on more than one occasion how I felt about what I called this seat, my second home. I have told several in the last few weeks that for the first time in my life as a member of this body I was saddened and actually happy at the thought of going home.

When the measure that I submitted last week was defeated, and when we enacted even over the justifiable protest of my party a \$217 million package, I went home over the weekend armed with more figures, armed with more plans and hopeful, hopeful, and hopeful. I worked hard and tediously over the weekend and came back with a program that I distributed to some and offered to anyone who would take it. This program, in my opinion, would have allowed us and will allow us now through this order to do the job that we were sent here to do. Also over the weekend after I signed the report of the committee to the effect that this measure might go over my own personal objections to referendum, I took it upon myself over the last few days to seek out the opinion of my people at home by circulating among them a petition addressed to the 103rd Legislature, bearing in mind that previous surveys made by me indicated that in that the people might want this tax as against this one, I felt that it was then my job to fulfill my work by asking them how they would feel about a specific tax if

it would give specific programs. So that I circulated in about thirty-odd locations in Lewiston this petition:

To the 103rd Legislature: We the undersigned citizens of Maine have waited patiently for you to find a solution to the problem of financing much needed state services. While the prospect of being required to pay more taxes of any kind is not pleasant, we believe that the least painful and fairest course is an increase in the sales tax to five percent which would make money available for such things as blind children's education, expansion of eye care services, providing a vocational education loan fund, a well deserved salary increase for state employees, reimbursement to cities and towns of the 18 per cent cost of aid to dependent children, increasing the State's share of aid to cities and towns for public education, increased funds for mental health and correction programs at Pineland Center and Augusta and Bangor State Hospitals, increased funds for education at the University of Maine, State colleges and vocational schools and nursing schools, and several other worthy programs. Now as I overheard, as I was making my comments, that I circulated a petition, as I overheard the words as I was now speaking quietly, "a well-baited petition"—well-baited petition, this is absolutely true. I was honestly bringing to my constituents a message. I was telling them if you want these services you will have to vote for this.

I had these petitions circulated, I left them in the care of the people that I circulated them with, and then believe it or not that previously a survey indicated that they would not object to taxation, the truth of the matter is this, that they overwhelmingly, even though I had these, they overwhelmingly rejected the thought of voting themselves a tax. For instance, this one petition here with some forty or fifty names on it and over seven hundred people had looked at it, and it goes on and on. I would have another petition here that would indicate only —

I misplaced it, that would only indicate out of fifty that were asked, some four people only signed that petition, so that I came back over the weekend and related to the parties that I know are responsible the fact that generally people expected that they would be taxed, but it was foolhardy in my opinion and their opinion to send a bill, no matter what it would be, to referendum that would ask them to vote themselves a tax.

So with that in mind, I further pursued my thinking and rearranged my figures after the figure of \$217 million had been passed by this Legislature. I computed an appropriations fund which would give to the Foundation program a fair compromise as between the four million some hundred thousand dollar figure as originally presented by our Democratic Floor Leader, the able gentleman from Madawaska, Mr. Levesque, as of the \$10 million as suggested by the Majority Leader, the equally capable gentleman from Cumberland, Mr. Richardson. I arrived at a figure of \$6,800,000 to take effect on the second year of the biennium. To give relief to the ADC program as of against L. D. 24 I appropriated therefor the sum of \$900,000, and the University of Maine the sum of \$900,000 to finish up that figure as was deleted from the original figure of a million dollars, originally. I added Oceanography money to the program for both years of the biennium. I added the interest on bonds, which incidentally was left out of the program and should not have been left out of the program in my opinion, of \$217 million. I added night pay differential to state employees and I added a pay plan of \$550,000 for the second part of the first year and \$1,100,000 for the entire second year. I included the uniforms for Ferry Service as had been included in all programs. Which rounded out a figure of \$15,706,000.

On the General Fund Revenue side I readjusted the figures of revenues to the tune of \$392,839. Adding a one-half percent sales tax of \$13½ million for each year of the biennium, \$6,051,000; seven million two the second year, I added

another cent on cigarettes which would make it \$2½ million more, making a total of \$16,642,000. Subtracting that figure of \$15,706,000 it would then give us a nice cushion of \$936,000 or nearly a million dollars for L. D.'s.

I did not present this at all; I left it for any of those who would want to present it. So much for the figures as presented just now.

I just feel in my heart that somewhere, somehow we still could do something. I have been told often times never to say never, and I've learned that lesson well. It behooves me that every daily paper the Portland papers, both Lewiston papers, the Bangor News, the Kennebec Journal as of yesterday, and I have this editorial for those of you who have not read it, and I think it is well worthwhile reading:

"Legislature Has Time To Save Face

"Legislators return to their desks this afternoon after a long holiday weekend during which they received few slaps on the back for a job well done.

Tax increases are never popular and they are most unpopular when they go beyond the absolute demands of necessity as did the one cent sales tax increase enacted last week.

Should Governor Curtis' expected veto fail to materialize, the increase faces poor prospects in a September referendum.

With substantial portions of a miscellaneous package tax already spent on liquor and cigarette levy hikes to finance the current services budget, it is difficult to see how the Legislature can find enough to finance urgent expanded services in the remaining miscellaneous resources.

One of the more promising practical solutions is a half cent sales tax increase this year, leaving another half cent for the inevitable new money needs of the next legislature.

To quiet the concern over the mathematics of a 4½ cent tax, speakers explain that it would be applied simply by advancing the brackets in round numbers, with the net result of a 4½ cent on the total levy.

This would represent a compromise on everybody's part, would convince many skeptics that a real budget cutting effort has been accomplished and would minimize the impression that stubborn politics was dominating the State House scene.

As our political writer, Don Hansen, pointed out, the 103rd is an average Legislature, which has accomplished a great deal in spite of the bad name it has made over its greatest problem, taxes. There is yet time to save face."

I think that this is not an average Legislature, I think this is a very good Legislature. I am only contriving my effort to what I think is right. As far as who looks good and who looks bad, in my opinion, I will tell you one thing right now. If we go home after cooling off and come back to straighten matters out, we look very very bad in the interim. I think that votes in the other body should not be mentioned and they will not be mentioned by me, but I think their thinking should be heeded, when the percentage is averaged out. If we're going to cool off we should do it at least not in the next few months, we should do it in the next few hours.

We are coming back tomorrow. If we put an end to this order now we have written the word "never." I beseech you, both leaders of this great body, to place this item on the table, let us discuss it among ourselves; tomorrow is not the end of the world, tomorrow is another day. Again I repeat I beseech both leaders of both parties to place this item on the table and discuss it among ourselves, roundly, soundly, and I know as we always do, honestly, and come up tomorrow with the word "never" if we want to, but let's not have an overwhelming mandate by one body and overwhelmingly defeat it in this body. Thank you very kindly.

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

Mr. LITTLEFIELD: Mr. Speaker and Members of the House: At the beginning of this session, Governor Curtis came before us in this House with a tax

program to tax auto trade-ins, to tax services and rentals, up the cigarette tax and to up the price of liquor. I voted for the Governor's tax program. Later on when the gentleman from Lewiston, Mr. Jalbert, requested to recall these bills, I voted for their recall. None of these plans worked. Then, realizing that money was needed to carry on a responsible state program, I reluctantly voted for a one cent sales tax. That plan was defeated. Now, at the eleventh hour, we are confronted with this order, and it looks as though it was useless. I now support the motion of the gentleman from Kittery to indefinitely postpone this order and go home.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I will certainly try to be brief, as I fully recognize that your hours are just as long here in this House regardless of what day it is.

The point that I would like to bring out here this evening is this, that we have been unable to compromise, or that we have been unable to even meet to discuss a compromise during all the session of this Legislature, and as I have stated earlier as late as this afternoon the word was—no compromise. Now this afternoon and this morning both branches of the Republican Party have met in caucus, and it is my understanding, and very reliably so, that the other branch voted unanimously to bring before us a package which would include a one-half cent increase in the sales tax. Now mind you the vote of the other branch was unanimous in caucus, realizing and knowing full well that by action of caucus of this House of the Majority Party that they had voted against putting a package that would include a half cent increase.

Now if one branch does one thing and then the other branch does another thing, we are unable to meet to negotiate a fair compromise, isn't this the action of trying to adopt this order this evening purely academic? Now as you have heard the gentleman

from Cumberland, Mr. Richardson, using such words as obstructionist, nobody can call anybody an obstructionist unless they are able to meet and find out what the objective is to be obstructed. We in the Minority have submitted many different plans before this Legislature only to find out that none were acceptable. The answer to us, the answer to the Chief Executive was, always has been and is tonight—we will pass our program and then we may sit. This is not the hour for us to sit and try to find something when as late as this afternoon there was no area of compromise. I fail to see by the adoption of this joint order that will bring in a half cent sales tax will we be able to meet, negotiate and compromise.

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

Mr. JALBERT: Mr. Speaker, I certainly don't want to take issue with the gentleman from Madawaska, Mr. Levesque, but I presume when he spoke of a caucus I presume he was talking about a caucus wherein it concerned the Majority Party.

It's too bad, Mr. Speaker, that I can't comment, because the rules of the House prohibit me to make comment that six out of ten Democrats in the Senate voted for this bill twenty minutes ago.

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

Mr. CONLEY: Mr. Speaker and Ladies and Gentlemen of the House: Fifteen minutes ago we listened to a very dramatic plea by the gentleman from Farmington, Mr. Shute, and I sat back and concurred wholeheartedly with him. I listened to the gentleman, my colleague from Portland, Mr. Scribner who related to us the last time that a financial package was introduced into this House that he was handed a minority report the moment he left the Floor of this House; and the gentleman from Lewiston who I think has a great deal of sincerity, Mr. Jalbert, in trying to present his financial program to us has already been once rejected by the Legislature, and if my memory serves me correctly

when he offered his amendment it received but seventeen votes. And I am also fully aware, although the gentleman from Cumberland, Mr. Richardson said that it made his job that much easier for him after the words of the Minority Floor Leader, to oppose this proposition now before us; but let's not try to fool anyone because we are all very well aware of the fact that the Republicans or the Majority Party did caucus on this today and it was overwhelmingly rejected. If we are going to compromise on a financial package, and this was only ten or fifteen minutes ago that this House Order was placed in front of us, and as a member of the Minority Party I had no knowledge that there was such a package being proposed, and certainly to sit here and read the order there is no half cent mentioned in this order and we would be doing nothing but repeating the same situation that was faced by my good colleague from Portland, Mr. Scribner and handed another minority report to sign.

Now if the spirit of compromise is in the air, it would naturally and hopefully be that the Minority Floor Leader and the Majority Floor Leader and the respective leaders of the other unmentionable body would get together and try to sit down and negotiate something that would be favorable to all.

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

Mr. HEWES: Mr. Speaker and Ladies and Gentlemen of the House: I believe this is the most important issue of the legislative session and I think it is the reason we have been here as long as we have. I appreciate the seventy-four members that voted to let us speak further on this.

I think it is never too late to compromise. Sometimes cases have been settled after the jury has gone out deliberating, and I think the rank and file of the members of the Legislature do want to compromise, and I sincerely hope that you will vote for the passage of this Order S. P. 732 which may be the vehicle which

will lead us to a compromise and a successful conclusion of a good legislative session, because we do have responsibilities. When we campaigned last fall we wanted to move Maine ahead and provide progress for the many needs of the people of the State of Maine. And as the elected representatives of the people of the State of Maine I urge you to pass this order. Thank you.

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

Mr. COTTRELL: Mr. Speaker and Members of the House: I was very glad that the motion for the previous question was defeated because a lot of us lugs, we people who are out on the front, have not had a chance to speak. In our wars today our generals speak and we don't hear from our sergeants and we don't hear from our privates. In education we hear from the educational theorists and we don't hear so much from the teachers that are out on the front line. I think compromise at this time is a very simple problem, if you wish to compromise. The one cent sales tax has been defeated which would have brought in around \$26 million.

The Tax program of the Governor, his major sales taxes of \$10 million have been defeated. A half a percent would bring in about \$14 or \$15 million. What is more simple than to concentrate or a compromise on a half a percent?

Now I think this Legislature is abrogating its duties, I think it is violating the spirit of American democracy by not compromising. That is what has built our country. I tried to illustrate the other day that at the Constitutional Convention of 1787, and I said that every paragraph in it, every sentence was a compromise. How long should the Senators serve? Should they serve for life, should they serve for ten years, should they serve for six years, should they serve for four years, and who should elect them? They had to settle those things. And the representation of the House of Representatives, how many should one Representative represent; everything had to be compromised.

Now this is a simple compromise if you want to compromise. I have been for a half a percent, the Governor knows it; I supported him loyally against one per cent, but there should be a break here, a half a per cent. I am in favor of a half a per cent not for twelve months, I am in favor of the same thing which is one per cent for six months, and already if we had gone along with some program like that we would have had — we have already lost, in the seven days now we have lost \$300,000 of taxes, and every day we don't have the tax, we are losing. Why postpone this decision for two months and after our fat tax period has gone by? I still believe a compromise is possible. I am not arguing for appropriation for this or that, I know we have got brains in this House that can adjust any money that we raise. The problem is not what we are going to spend it for, the problem is getting the money, and I hate to go from the field defeated. I would even like to have a tie, and I can't see why we can't compromise, because in my opinion the average voter is going to say a plague on both your Houses if we can't make a decision here.

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

Mr. SULLIVAN: Mr. Speaker and Members of the House: What individuals or parties or organization give lip service to, to me means nothing; it is by their action and deeds ye shall know them, and the leadership of the Majority Party in this House has proven by their deeds they don't want compromise. Just because you give lip service to compromise, that isn't compromise. The Minority Leader well brought it out. Now don't be kidded and don't be fooled by certain individuals at the last minute to come up with these camouflaged ideas of compromise. Thank you.

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

Mr. SHUTE: Mr. Speaker and Members of the House: Suddenly I find myself in the company of strange bedfellows, the fear by pursuing this joint order you have solidified our leadership, a raid

against it, and it would almost appear as if an unknown third party is rearing its head. However, I would not be true to my conscience if I did not rise once more to say that as a Freshman Legislator who has never been in these hallowed Halls before six months ago, I do regret a slipping away, the uselessness of six months of my life to which I have devoted a great deal of my time serving on the Education Committee. I now see a great quantity of money which would have gone to needy communities all over our State in the general purpose aid program going down the drain. I see with it going down the drain L. D. 445, now languishing on the Senate Appropriations Table. This would have provided \$17,000 in the biennium for adult education for school drop-outs, for those boys and girls in Maine schools who have not completed their high school education. This would have provided the communities and school districts with 75 per cent subsidy. I see this going down the drain.

As a member of the Franklin County delegation which this afternoon voted one hundred per cent in favor of this order which would create one-half cent, we believe that this is not a thing that has been brought in here; we believe that this is a true approach to true compromise. It is much later than it should have been. We are not bitter in Franklin County because we did not get our way on Senate reapportionment. We are not bitter because of the failure to secure a district Judge for Farmington and Northern Androscoggin. We are not bitter because of this, but we will be bitter if we find that we have wasted six months of our life in Augusta only to see all of these bills, all of this worthwhile legislation, go to pieces on the horns of a dilemma created by the Majority Leaders and the Minority Leaders of these two parties.

Mr. Jalbert has reviewed his program for you and the other body has enacted this joint order. Mr. Jalbert, who is referred to as "Mr. Democrat" I believe, has proved himself with another appellation for this session, and that is "Mr. Statesman," because he has made

an honest attempt we believe to provide the answer for this frustrating problem. There are some differences in his program than the one that has been advanced through this joint order, and with your permission I would like to cover just a few of them. The ADC program would be delayed in its enactment to July 1, 1969; the Foundation program in the first year of the biennium would produce \$4,350,000 for the school units over the State and \$2,650,000 the second year of the biennium or a total of \$7 million. The Oceanography program would produce \$100,000 the first year and \$150,000 in the second year. The pay raise for State employees would become effective in the 1968-'69 biennium in the amount of \$1 million. For travel there would be \$25,000 in both years of the biennium. Interest on bonds in the second year of \$1,064,000 and the revenues you have already heard about those; one-half cent would produce \$7 million in the aggregate and cigarettes \$1,250,000. This is asking you folks to forget your blind allegiance and to join with us in this approach to a true compromise. Thank you, Mr. Speaker.

Mr. Levesque of Madawaska was granted permission to speak a third time.

Mr. LEVESQUE: Mr. Speaker and Members of the House: I want to make it emphatically clear to this House at this hour that as late as 6:00 p.m. this afternoon the members of the Minority Party, members of the Chief Executive and members of the leadership in the Majority Party met and it was the concensus at that meeting that any action that was going to be taken by this House or by the other branch this evening was going to be purely academic. The House had taken their stand this morning against this one-half cent sales tax, and then this afternoon the other branch had taken action for the one-half cent sales tax, and at this same meeting this afternoon at 6:00 p.m. it was made emphatically clear to us that the lateness of the hour was here and that there needed to be a cooling off period, that there was no possible way that a package could be put together

where both parties could come out in complete agreement.

Now it is my sincere belief that at this late hour on this 101st day of the Maine Legislature to start picking up a dead horse and start running and hoping to beat the game and come out a winner, this is ridiculous and impossible. We have neither seen a glimpse or a complete picture of what this package is going to be, and can you imagine at this hour putting a package together that relatively very few people if any have seen, to be able to sit down to reason and put it together, where we have been unable to agree at this point and arrive at a settlement that will be acceptable.

The action of the caucus of the Majority Party speaks for itself in this branch, and as the other branch has taken action and as was stated by the meeting this afternoon that these actions are purely and truly academic.

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

Mr. GAUTHIER: Mr. Speaker, I move for the previous question.

The SPEAKER: For the Chair to entertain a motion for the previous question it must have consent of one third of the members present. All those in favor of the Chair entertaining the motion for the previous question will vote yes and those opposed will vote no and the Chair opens the vote.

A vote of the House was taken.

A sufficient number having voted, the previous question was entertained.

The SPEAKER: The question now before the House is, shall the main question be put now? This question is debatable for five minutes by any member. 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.

The SPEAKER: The main question is the motion of the gentleman from Kittery, Mr. Dennett, that this Joint Order, Senate Paper 732 be indefinitely postponed. 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 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 Kittery, Mr. Dennett, that this Joint Order, S. P. 732 be indefinitely postponed. All those in favor of indefinite postponement will vote yes and those opposed will vote no and the Chair opens the vote.

ROLL CALL

YEA — Allen, Baker, E. B.; Bedard, Belanger, Beliveau, Benson, Bernard, Binnette, Birt, Boudreau, Bourgoin, Bradstreet, Bragdon, Bunker, Carey, Carrier, Carroll, Carswell, Champagne, Clark, Cookson, Couture, Crockett, Crommett, Curran, Cushing, D'Alfonso, Dennett, Dickinson, Drigotas, Dudley, Dunn, Durgin, Edwards, Eustis, Ewer, Farrington, Fecteau, Fraser, Gauthier, Giroux, Hall, Hanson, B. B.; Hanson, P. K.; Harnois, Harriman, Harvey, Hawes, Henley, Hennessey, Hichens, Hinds, Hodgkins, Huber, Hunter, Immonen, Jannelle, Jewell, Keyte, Kilroy, Kyes, Lebel, Lesvesque, Lewin, Lincoln, Littlefield, Lycette, Maddox, Martin, McMann, McNally, Meisner, Miliano, Minkowsky, Mosher, Nadeau, J. F. R.; Nadeau, N. L.; Noyes, Pendergast, Philbrook, Porter, Quimby, Quinn, Rackliff, Richardson, G. A.; Richardson, H. L.; Robinson, Rocheleau, Ross, Sawyer, Scott, C. F.; Scott, G. W.; Scribner, Shaw, Snow, P. J.; Snowe, P.; Starbird, Sullivan, Susi, Thompson, Trask, Waltz, Watts, Wheeler, Wight, Williams, Wood.

NAY — Baker, R. E.; Brennan, Brown, Buck, Burnham, Conley, Cornell, Cote, Cottrell, Drummond, Fortier, Hewes, Hoover, Jalbert, Pike, Rideout, Robertson, Shute, White.

ABSENT—Berman, Crosby, Danton, Darey, Evans, Foster, Fuller, Gaudreau, Gill, Hanson, H. L.;

Haynes, Healy, Humphrey, Jameson, Lewis, Payson, Prince, Roy, Sahagian, Soulas, Tanguay, Townsend, Truman.

Yes, 107; No, 19; Absent, 23.

The SPEAKER: The Chair will announce the vote. One hundred and seven having voted in the affirmative and nineteen in the negative, the motion to indefinitely postpone does prevail.

Thereupon, the Order was indefinitely postponed in non-concurrence and sent up for concurrence.

Orders out of Order

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

Whereas, the House of Representatives of the 103rd Maine Legislature has forever lost the services of the Gentlewoman from York, Mrs. Fuller; and

Whereas, the Members of this House are hopeful that such public service can be continued even though the name of Fuller may not be attached; and

Whereas, this House did not have sufficient time, officially, to recognize the change from Fuller to Brown; now, therefore, be it

Resolved: that this House belatedly take cognizance of the now-official fact that the Gentlewoman from York, Mrs. Fuller, will from here on out be recognized by the Speaker of the House as the Gentlewoman from York, Mrs. Brown; and be it further

Resolved: That Representative Brown and her newly-acquired spouse, the Honorable Brooks Brown of Augusta, have the best wishes of the House for a long and happy partnership; and be it further

Resolved: That this House place in the record its warm congratulations to Representative and Mr. Brown in token of the high esteem and high regards with which both are held.

The Order received passage.

Mr. Miliano of Eastport presented the following Order out of order and moved its passage:

Whereas, the Eastport Little League actively participated in a

nation-wide tribute to the United States Flag on July 4, 1967; and

Whereas, league personnel, parents and players from the area joined in a rededication ceremony and reaffirmation of flag allegiance which was of patriotic significance; now, therefore, be it

ORDERED, that the members of the House of Representatives of the State of Maine extend with pride the heartiest commendation to the Eastport Little League and their president, Joseph F. Miliano, for an inspiring and patriotic accomplishment; and be it further

ORDERED, that a copy of this Order, signed by the Speaker of the House of Representatives be immediately transmitted by the Clerk of said body to the aforementioned President to be presented at the league's forthcoming banquet.

The Order received passage.

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

Mr. RICHARDSON: Mr. Speaker, I move we reconsider our action whereby we indefinitely postponed Senate Joint Order, Senate Paper 732, and I would hope everybody would vote against me.

The SPEAKER: The gentleman from Stonington, Mr. Richardson, now moves that the House reconsider its action whereby it indefinitely postponed Senate Paper 732. All those in favor will answer yes, those opposed no.

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

The SPEAKER: The Chair now call your attention to Supplement number 6.

Passed to Be Enacted Emergency Measure

An Act Appropriating Funds for Administration of Bureau of Public Administration at University of Maine (H. P. 459) (L. D. 672)

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 4 against,

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

The SPEAKER: The Chair will now call your attention to Supplement No. 7.

The following Communication:

The Senate of Maine
Augusta, Maine

July 7, 1967

Honorable Bertha W. Johnson
Clerk of the House
103rd Legislature

Madam:

The Governor having returned to the Senate: Bill An Act to appropriate and Provide Additional Moneys for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1968 and June 30, 1969, Conditioned Upon the People's Ratification by a Referendum Vote. (L. D. 1744)

Together with his objections to the same, the Senate proceeded to vote on the question:

"Shall the Bill become a law notwithstanding the objections of the Governor?"

A ye and nay vote was taken: nineteen members voting in the affirmative and thirteen in the negative, the Bill accordingly failed to become law, and the veto was sustained.

Sincerely,

(Signed)

JERROLD B. SPEERS
Secretary of the Senate

The Communication was read and ordered placed on file.

House at Ease

Called to order by the Speaker.

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

Mr. CARRIER: Mr. Speaker, I would ask if the House has in its possession House Paper 1120, L. D. 1592, Bill "An Act Granting Complimentary Fishing Licenses for Certain Maine Residents in Armed Forces."

The SPEAKER: The answer is in the affirmative.

Thereupon, on motion of Mr. Carrier of Westbrook, the House voted to suspend the rules and to reconsider its action of May 12 whereby the Bill was passed to be engrossed.

On further motion of the same gentleman, the House voted to suspend the rules and to reconsider its action on May 12 whereby House Amendment "A" was adopted and on further motion of the same gentleman House Amendment "A" was indefinitely postponed.

Mr. Carrier of Westbrook then offered House Amendment "B" and moved its adoption.

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

HOUSE AMENDMENT "B" to H. P. 1120, L. D. 1592, Bill "An Act Granting Complimentary Fishing Licenses for Certain Maine Residents in Armed Forces."

Amend said Bill by striking out the Title and inserting in place thereof the following Title: 'An Act Relating to Fishing Licenses for Certain Maine Residents in Armed Forces.'

Further amend said Bill by striking out everything after the enacting clause and inserting in place thereof the following:

'R. S., T. 12, §2601, sub-§10-A, additional. Section 2601 of Title 12 of the Revised Statutes, as revised, is amended by adding a new subsection 10-A, to read as follows:

10-A. Licenses for Maine residents in Armed Forces. A resident fishing license shall be issued, upon payment of \$1, to a Maine resident in the Armed Forces of the United States who is stationed outside the State and who is in Maine on leave or furlough, and such license shall be valid only for the duration of his leave or furlough.'

House Amendment "B" was adopted, the Bill passed to be engrossed as amended by House Amendment "B" in non-concurrence and without objection, sent forthwith to the Senate.

On motion of Mr. Richardson of Cumberland,

Adjourned until ten o'clock tomorrow morning.