

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

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

Thursday, January 25, 1968

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

Prayer by the Rev. Mr. Derek Bugler of Hallowell.

The journal of yesterday was read and approved.

Papers from the Senate

From the Senate: The following Communication:

THE SENATE OF MAINE
Augusta, Maine

January 24, 1968

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

Dear Madam:

The President today appointed the following members of the Senate to the Committee of Conference on the disagreeing actions of the two branches of the legislature on Bill, "An Act relating to Referendum Under Maine Housing Authorities Act" (H. P. 1308) (L. D. 1837)

Senators SEWALL of Penobscot
KATZ of Kennebec
REED of Sagadahoc

Respectfully,

(Signed) JERROLD B. SPEERS
Secretary of the Senate

In the House, the Communication was read and ordered placed on file.

From the Senate: The following Communication:

THE SENATE OF MAINE
Augusta, Maine

January 24, 1968

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

Dear Madam:

The President today appointed the following members of the Senate to the Conference Committees on the following Bills:

Bill, "An Act relating to Percentage by Weight of Alcohol in

Blood of Operators of Motor Vehicles" (S. P. 766) (L. D. 1823)

Senators: LUND of Kennebec
MacLEOD of Penobscot
HARDING of Aroostook

Bill, "An Act to Correct Errors and Inconsistencies in the Education Laws" (H. P. 1259) (L. D. 1765)

Senators: KATZ of Kennebec
MacLEOD of Penobscot
BOISVERT
of Androscoggin

Respectfully,

(Signed) JERROLD B. SPEERS
Secretary of the Senate

In the House, the Communication was read and ordered placed on file.

Conference Committee Report

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act relating to Referendum under Maine Housing Authorities Act" (H. P. 1308) (L. D. 1837) reporting that the House recede from its action whereby new draft "A" (H. P. 1332) (L. D. 1877) was passed to be engrossed, adopt Conference Committee Amendment "A" submitted herewith, and pass the Bill to be engrossed as amended by Conference Committee Amendment "A"; that the Senate recede from its action whereby it accepted Report "B"; recede from its action whereby new draft "B" (H. P. 1333) (L. D. 1878) was passed to be engrossed as amended by Senate Amendment "A"; concur with the House in accepting Report "A", adopt Conference Committee Amendment "A" and pass the Bill (H. P. 1332) (L. D. 1877) to be engrossed as amended by Conference Committee Amendment "A" in concurrence.

(Signed)

CONLEY of Portland
MORRELL of Brunswick
CARSWELL of Portland

—Committee on part of House.

SEWALL of Penobscot
KATZ of Kennebec
REED of Sagadahoc

—Committee on part of Senate.

Report was read and accepted and sent up for concurrence. The House receded from its action whereby the Bill was passed to be engrossed. Conference Committee Amended "A" (H-540) was read by the Clerk and adopted.

The Bill was passed to be engrossed as amended by Conference Committee Amendment "A" in non-concurrence and sent up for concurrence forthwith.

Orders of the Day

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

Bill "An Act relating to Speed of Motor Vehicles Measured Electronically" (H. P. 1330) (L. D. 1875) (In House, House Amendment "A" (H-535) adopted, which changes title to "An Act relating to Highway Safety")

Tabled—January 24, by Mr. Levesque of Madawaska.

Pending — Indefinite postpone-ment.

On motion of the same gentleman, retabled pending indefinite postponement and assigned for later in today's session.

The SPEAKER: The Chair now calls attention to Supplement number one, bills on their passage to be enacted.

Emergency Measure Tabled Until Later in Today's Session

An Act to Appropriate and Provide Moneys for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1968 and June 30, 1969 (S. P. 815) (L. D. 1885)

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

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

Mr. EWER: Mr. Speaker, I notice that L. D. 1757, the \$3,000 appropriation for cerebral palsy clinic is not included in this, and I would like to ask the status of this particular measure, whether or not it will become law as I understood it had, and whether it will be included in a later ap-

propriations bill or by what method it will be handled.

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

Mr. RICHARDSON: Mr. Speaker, as I understand it, the bill about which inquiry is made is a separate L. D. and is now on the Senate Appropriations table.

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

Mr. EWER: Mr. Speaker, on the list of the Senate appropriations table, the special appropriations table, this bill wasn't listed.

Thereupon, on motion of Mr. Richardson of Cumberland, tabled pending enactment and assigned for later in today's session.

Passed to Be Enacted Emergency Measure

An Act relating to Tax on Real Estate Transfers (H. P. 1335) (L. D. 1879)

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

Mr. JALBERT of Lewiston was granted unanimous consent to briefly address the House.

Mr. JALBERT: Mr. Speaker and Members of the House: For the purpose of information, L. D. 1757, which is the cerebral palsy bill was tabled, put on the appropriations table yesterday and does not appear on yesterday's calendar, but it is as of yesterday on the special calendar of the Appropriations Committee pending enactment.

Passed to Be Enacted

An Act Establishing Procedures for State Medical Examiners and Creating the Office of Chief Medi-

cal Examiner for the State of Maine (S. P. 759) (L. D. 1816)

An Act Establishing the Bureau of Mental Retardation (H. P. 1312) (L. D. 1841)

An Act relating to County Estimates and Finances (H. P. 1328) (L. D. 1873)

An Act relating to Appeals on Questions of Law in Criminal Cases (H. P. 1331) (L. D. 1876)

An Act Proposing a Salary Plan for Certain Unclassified State Officials (H. P. 1336) (L. D. 1880)

An Act Providing Accident and Health Insurance Program for State Employees (H. P. 1342) (L. D. 1884)

Finally Passed

Resolve Providing for a Retirement Allowance for Lois Blackwell Goodwin (H. P. 1280) (L. D. 1786)

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

The Chair laid before the House item 1 tabled earlier and assigned for later in today's session:

Bill "An Act relating to Speed of Motor Vehicles Measured Electronically" H. P. 1330, L. D. 1875, tabled earlier by Mr. Levesque of Madawaska, pending indefinite postponement.

On further motion of the same gentleman, retabled and again assigned for later in today's session.

House at Ease

Called to order by the Speaker.

(Off Record Remarks)

On motion of Mr. Richardson of Cumberland,

Recessed to the sound of the gong.

After Recess

The House was called to order by Speaker Kennedy.

The SPEAKER: Inasmuch as Supplement number 3 is on your desks, we will consider Supplement number 3 at this time.

The Chair laid before the House item one, An Act to Appropriate and Provide Moneys for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1968 and June 30, 1969, S. P. 815, L. D. 1885, tabled earlier in the day by Mr. Richardson of Cumberland, pending passage to be enacted.

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

Mr. NADEAU: Mr. Speaker, I cannot by right let this little gem go through without making a couple of remarks. First of all, I'd like to start off with the — on page 4, entitled Boxing Commission. We've had a lot of farces in the United States and I can assure you we had one here when we staged a heavyweight bout right here in Maine, but just recently there was an article written and it was written under date of 12/31/67, and it says that the Commission again was very careless in the Botts-Lamon weigh-in; that's that deal that you all read in the papers where people cannot even read a scale, in other words they are mismatches. I just want this recorded, and since I'm unhappy to know that they're being given an extra thousand dollars for '67-'68 and they are given an extra fifteen hundred dollars for 1968-'69, I hope that they will see fit to buy a good scale that properly weighs so the people will not continually have mis-matches that might result in death, and this has had plenty of publicity, but this seems to be the only method that Maine wants to choose to go ahead. But we see fit to give them additional money with no restrictions.

Again, just briefly, on this L. D. 1885 I just want you to note, we've all been here, we've spent a long session, and remember the word was that every department, ladies and gentlemen, was busting out at the seams. Well mind you sometime after this is passed, sometime when you're home resting, please note that we're adding an additional amount of people, and I know someone will say most of them are going to colleges, that's not it, I'm talking about those who are going to be employed

here within the confines of our present state government, so I'm saying let's not say one thing about busting out at seams, we need new buildings and keep on adding people. We've added people in the regular session, we added many people, over forty if I recall, in the special session, and we're adding more in this second special session. I'm not going to stand here and tell you that I agree with any of these; I don't, I agree with some, fine, but I deplore and will not accept the methods chosen in which that we take the back door entrance to many of these items, and they are all included and this is the only statement that I would like to make. I cannot, in my right mind, even though I believe in some of the few things, vote for this little gem.

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

Mrs. CARSWELL: Mr. Speaker and Members of the House: Being quite concerned about the Blind Childrens Resource Center Bill which is on the appropriations table in the unmentionable branch, I would like to know how many dollars with the L. D.'s are on the special appropriations table in the other branch, and how much money is there available if any, to finance these?

The SPEAKER: The gentlewoman from Portland, Mrs. Carswell, 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, I don't have the figures before me on the total amount of money involved in the L. D.'s that are now on the Senate appropriation table, but I believe that there is available for the funding of non-recurring L. D.'s approximately \$800,000.

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

Mr. JALBERT: Mr. Speaker and Members of the House: Generally I would state that not having an accurate dollar by dollar account, that the gentleman from Cumber-

land is right, and as it figures now that the amounts of money that we have available would come up to about the amounts of money that we have, that is on the Senate appropriations table.

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

Mr. SCRIBNER: Mr. Speaker and Members of the House: The surplus items or so designated surplus at the present time there is \$216,000 on the appropriations table; there is \$200,000 for the Blind Childrens Resource Center and \$16,000 for one other item, but I would like to point out that we may get some amendments to transfer some of the L. D.'s from general fund revenues to surplus items in order to match it up, but there is more than adequate surplus money presently for those items designated as surplus.

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

Mr. RICHARDSON: Mr. Speaker, prior to the time that we enact this legislation, I would like to very briefly review the present financial position of the State of Maine insofar as it is within my capacity to understand it, and I am not a trained accountant as the gentleman from Portland, Mr. Scribner, nor do I profess any great understanding, but I do want to share with you some of the concern that I have for our present financial position and the way we got there.

The 102nd Legislature increased estimates and funded a program that involved an increase from approximately \$151,000,000 to \$190,000,000 in the biennium without passing a tax to fund this. At the same time this session of the Legislature, that is, the 102nd, built in a substantial number of costs which as everyone in this room knows constituted the major funding problem which confronted us as individual legislators when we came here in January of 1967. The 103rd Legislature, and I have no intention nor any relish for a rehash of the fundamental struggle that has existed between us as to methods

of financing, but we have now come to the point where we do not go along, rather we have been served notice that we must go along on a continuation of this method of financing so that acting on the Governor's recommended revenue estimate increases in January 1967, June 26, 1967 and the revenue estimate increases proposed by this session, we will have accepted a \$10,000,000 increase in revenue estimates in order to fund these programs.

Now I am concerned as a Legislator, and I will not and cannot allow this bill to become law without stating that concern, and it is this. There are serious signs that we have neared the end of revenue estimate flexibility. December revenues fell \$605,000 below our estimated income from present revenue sources. We now propose as the Governor's program proposed, \$1,073,000 from supposedly accrued surplus which in fact was \$810,000 because of the fact that we had fallen behind \$605,000 in December, and we had simply the difference between the two plus some lapsed balances.

The foundation of State Government at this point, I submit to you, rests on a rather shaky foundation.

The gentleman from Lewiston, Mr. Jalbert, for whom I have great respect, said the other day something to the effect that apparently the Republicans are going along. It is this statement and my fundamental concern for the financing practices that are being followed by this administration that lead me to say that I do not go along; it is simply that we were given no alternative.

Prior to 1965 the financial practice in Maine had been to solidly finance programs so that at the end of the biennium we would anticipate a surplus from which capital construction would be made. We accept as a philosophical proposition the fact that there is nothing wrong with using accumulated surplus to retire bond maturities, but even that is now gone. The cupboard is bare. We have followed a program which I think is fiscally unsound, and we have followed it because we were given

no alternative but to do so. It isn't a question of politics; it's a question of whether or not whoever is responsible for the administration of the affairs of this State has the courage to face up to the real facts and to follow sound fiscal procedures. Had we followed the sound financial practices that I believe were implicit in the program which was so much a part of our concern during 1967, I don't believe that we would face anywhere near the kind of financial crises that we are going to confront when the 104th Legislature convenes.

Now the gentleman from Madawaska, Mr. Levesque, and I say this in no sense of partisan dispute, came out with a Press release, I assume that it was his, stating that I now agreed with the administration's position taken I believe in May of 1967, that we faced a \$46,000,000 revenue gap, and that because I had said now that I think we faced a revenue gap of possibly in the area of \$50,000,000 to \$60,000,000 without any additional new services when we come in in 1969, that I had suddenly subscribed to the proposition that there was a \$46,000,000 revenue gap back in May. Not so.

We have consistently made it very clear that we were willing to accept reductions in the impact of the school subsidy program in order to reduce the built-in costs to be assumed in 1969. We have consistently made it clear that we favor solid financing rather than revenue estimates which have gotten us now on an artificially high plateau from which there is no retreat and from which there is no salvation.

Now we have had our share of partisan bickering and dispute, and the Republican leadership has been called obdurate and obstinate. There's no intention of tipping over the applecart and starting another fight; we have gotten along remarkably well for people who share such fundamental differences of opinion on State Government and its financing. I simply sound this note of alarm. I ask you in good faith and good conscience to recognize the terrible

dilemma that confronts us, and how we got there.

Mr. Birt hands me a note. The amount available for L. D.'s is \$810,000 or perhaps I will call on Mr. Birt.

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

Mr. BIRT: Ladies and Gentlemen of the House: The amount available in the unappropriated surplus is \$810,000, of which \$800,000 is already allocated in your budget document 1885, and this is made up of the balance forwarded as of the end of the fiscal year plus excess revenues that have accrued since that date, and these are the figures on which this budget has been predicated.

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

Mr. ROBERTSON: Mr. Speaker, I first want to start off what I am going to say, and it is going to be brief, to say that I respect the great amount of work that both the Republican and Democratic leadership have put into this bill we are now considering. They have probably done the best they can to come up with what is a reasonable answer to our problem at the present time.

However, for the record, I think that I owe it to myself and those I represent in the State of Maine to at least express my opinion and at least I will have said my piece and sat down. I am not happy with this particular document; I am not going to attempt to upset it at all, but I am not happy with it because of the scholarship fund which we are not putting into it at this time. I feel that this measure which came out of the Education Committee unanimously which came before this House and was voted on, I feel that we wanted it at the time, we felt it was necessary, we felt we were helping 151 students in the State of Maine to get an education that they might otherwise not receive. Now some of you think it is easy to get money otherwise; I am in this loan business and I know what the problem is in acquiring money when you don't have any security whatsoever. I do feel that we are letting down these students in the State

of Maine as far as the future of this loan program is concerned. We have it on the books; it is useless because we aren't going to fund it. This makes me exceedingly unhappy, and I think many others feel the same way, but again, I feel that the leadership has probably done the best they can, if there is other money available I certainly would like to see it utilized in this manner and help these deserving students, and they are deserving, because they have to pass rigid requirements to get into this loan fund, and I wish to express my opinion in this respect. Thank you.

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

Mr. SCRIBNER: Mr. Speaker, Ladies and Gentlemen of the House: A few moments ago the gentleman from Cumberland, Mr. Richardson, mentioned that the proposed surplus was one—or allocations of the leadership program was slightly over a million dollars, I believe he said a million seventy-odd thousand dollars. Mr. Birt then arose and mentioned that there was surplus available in the amount of \$110,000 — \$810,000. I realize that surplus is a nebulous thing before the closing of the books, which is the practice here in Maine, it changes every minute while we are in session, but I believe the concern of the gentleman from Portland, Mrs. Carswell, my colleague who is quite interested in her project as to what's going to happen later on in the day when the L. D.'s which are on the appropriations table are summoned into this House for disposal. I question where the amount of the difference is approximately \$200,000, if there is \$216,000 in surplus L. D.'s in the — on the appropriations table, I don't know whether it is a fair question, but I would be interested in knowing what the size of the proposed surplus allocations actually is.

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

Mr. RICHARDSON: Mr. Speaker, perhaps I didn't make it clear. The \$1,073,000 figure is the figure that the Governor said would be available in accrued surplus, and

I stated prior to the time that I saw Mr. Birt's latest figure, that because of the falling behind in December of \$605,000 and plus some latest lapsed balance additions, the figure is \$810,000. I didn't mean to suggest and I don't suggest that there is available surplus in the amount of \$1,073,000 because there isn't. The figure is \$810,000.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I will be very, very brief this morning in regards to this document and also share some concern as well as the gentleman from Brewer, Mr. Robertson. I think probably yesterday in the rush or the heavy burdens of State Government we more or less agreed, momentarily at least, that the scholarship program that was started could not be funded or at least the reaction that came about for this reaction was I think if you remember the first few days of the scheduled hearings of this special session I, as a member of the Education Committee as well as the other nine members of the Education Committee, after hearing the proponents and the opponents of the scholarship bill, felt that there was a dire need in support of this program, and that it should be continued entirely; so therefore, the Committee report was then made out a unanimous Committee report, although the Chairman of that Committee had indicated to the members of the Committee in executive session, he says regardless of what you members are going to report out as a bill, the word has been given to me as Chairman of the Committee that even if you keep the scholarship program on the books, some members of the leadership, and again I repeat, some members of the leadership, had indicated to the Chairman of the Education Committee that they would provide no more funds for the continuation of the scholarship program.

So unfortunate as that may be, even the night before last when the Appropriations Committee in the formulation of this document, that same evening when they form-

ulated that particular budget program, had also included sufficient money to keep the scholarship program alive, in other words, providing enough money for the next 151 scholarships for students, of which the gentleman from Portland, Mr. Scribner, indicated yesterday there was 1,050 applicants. Now if the Appropriations Committee was in agreement night before last, and the unanimous decision of both the Appropriations and the Education Committee was unanimous in agreement of keeping it alive, yet yesterday morning again by some members of the leadership said take the money out of the scholarship program. This, ladies and gentlemen, is an unfortunate happening, but this is how it came about until the last minute of the last day and zero hour was here the money was taken out.

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

Mr. BENSON: Mr. Speaker and Members of the House: So that there can be no misunderstanding, there have been differences of opinion between the Democrat leadership and the Republican leadership in certain phases or aspects of the budget document that is before us. These differences were aired at a meeting yesterday between the Speaker of the House, the President of the Senate, and the Governor of the State of Maine. There was at that time agreement between these three gentlemen as to the course of action that this Legislature would take with respect to these several areas of disagreement. One of those areas is the funding in the second year of the scholarship program that the gentleman from Madawaska, Mrs. Levesque refers to. There was agreement between these three gentlemen as to the course of action this Legislature would take; that is the course we are considering today, and I just felt that the membership should be apprised of this agreement. Thank you.

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

Mrs. CARSWELL: Mr. Speaker and Members of the House: I

would feel very negligent if I didn't fight to the end for this bill which I feel is drawing its last breath right now. I'd like to come up with an agreement which perhaps cannot be worked out in this body, in this branch I should say, but maybe my Blind Children's Education Bill could become effective July 1, 1969. I think perhaps I'll try that proposal and let both parties work that over.

The SPEAKER: All those in favor of this Bill, An Act to Appropriate and Provide Moneys for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1968 and June 30, 1969, S. P. 815, L. D. 1885, being enacted as an emergency measure will vote yes, those opposed will vote no, and the Chair opens the vote.

125 having voted in the affirmative and 13 having voted in the negative, the Bill was passed to be enacted as an emergency measure, signed by the Speaker and sent forthwith to the Senate.

The SPEAKER: The Chair will call attention to Supplement number 4.

An Act to Correct Errors and Inconsistencies in the Public Laws S. P. 756, L. D. 1867.

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

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

Mr. NADEAU: Mr. Speaker and Ladies and Gentlemen of the House: Yesterday on the 24th in the late hour when we decided to reconvene again at 5:00 o'clock, before you was brought the gem which is called L. D. 1867, An Act to Correct Errors, and in my opinion, we made some grave errors. At this stage it is now ready for engrossment, but in the short span mind you of six minutes, I just want it recorded as to what we did. During the course of the long 103rd, which is the record session ever held here in Maine, there were before you many articles; these articles received public hearings, the pros and cons were considered. Many of us were assigned—in fact all of us were

assigned to various committees. These committees, including members of the other house, deliberated on these bills, they came before you in the House, they were again debated; they were debated in the Senate, they were approved by the House and were finally enacted by both the House and the Senate. I say to you ladies and gentlemen that I feel that I have failed, and I feel that possibly others of us have in not recognizing that in a short span of six minutes we disregard all the work that was done in the 103rd, because this is part of it; we disregard all the people who came up as proponents or opponents to various articles; we disregard the fact that we once considered these things, we enabled them to become law and it was signed in law no later than October 7, 1967, but under this little gem which is called an act to correct errors, mainly known as L. D. and labeled L. D. 1867 comes before us in the waning minutes and the late hours of every session I am told, but being a freshman Legislator I don't know about the past, but this has enlightened me whereas for months and months you do a certain amount of work, and unbeknown or possibly we don't care, comes out what they call a committee amendment, and I stand to be corrected because I've made mistakes, but I talked to members of this committee, and do you know what they told me? They didn't know about these amendments. So I ask you, who did know? Is it the amendment of one person? Is it the amendment of two? We are 151 of us in here. Shouldn't we have the right and the time to look into this? But they tell me this is politics, this is how it occurs each and every year.

Well, I feel awful sad for the people who I feel which do not get the respect at the waning hours of closing. I, for one, have to disagree with this, and this doesn't only cover nine bills who were passed into law that we are repealing, regardless how small the error would have been, but this is the gem that contains four pages of various other changes

which I know, and no doubt many of you have not read, but I have talked to several of you today, and many of you, and I'm pleased to say you admitted that you have not had time to look into this, many others as was noted from the hour that they came in this morning were not even aware that this had been put on their desks.

I think it's very unfortunate. However, it has made me make one conclusion which at least will make many of you members in this House happy. Knowing that this is the method chosen for us to break laws that have been properly recorded and enacted at one time, I must now choose that I do not want to be part of such a body. This is my swan song. I do not intend to run again under these present conditions, and I want to thank you very much, and I apologize if ever during any part of this session I have ever said anything that might have offended each and every one of you. It has been very enjoyable, but I, for one, want no part of such method of legislation. Thank you very much.

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

Mr. BENSON: Mr. Speaker and Members of the House: I do not intend to speak to the bill that is presently before us, but we have a number of young people in our gallery this morning observing the legislative process of the State of Maine, and I would not want these young people to leave here thinking that the legislative process was a flimsy one or an improper one.

The legislative process in the State of Maine I feel is one that is carried on properly; it is one that is given every consideration; it is one that I feel has grown to its present proportion over the years since our organization in 1820, and I want these young people to be assured that the laws that are enacted in the State of Maine are good and proper laws given good and proper consideration. Thank you.

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

Mr. NADEAU: Mr. Speaker, in rebuttal to the Assistant Majority Leader which I have great respect, I still say again that I would request that he question the members of this committee and see for himself how many knew about these amendments. This is the only statement that I am making, and I say they were proper consideration, I say they were hastily. There are many other things that I could possibly say but at this time I think I have said my piece.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: Somehow this morning I find myself having to say these few words, and probably feeling a little sorry that the gentleman from Sanford, Mr. Nadeau, does not see fit to run for political office again, but I think probably the same gentleman would recognize the bare fact that as he has stated, this is politics, and until such time as the people of this State or until such time as the people of this Country can come forth with a better system of government, our system of government including the one in the State of Maine, has still been recognized as still the best form of government. And until somebody comes up with a better idea to better organize the people of the Country and the State of Maine, I feel that our system, although as imperfect as it may be in many areas, no other country has been able to come up with a better form of government. Each and every individual member of this House, whether it's a bill that corrects errors and inconsistencies or a document that has had a complete and full hearing from January 3rd to July 9th, due consideration is given to each measure; some measures are given consideration probably a little bit more than others. In the final round when the bell is rung, some people are quite unhappy, other people are just happy. They may not be entirely satisfied, but yet in a form of government in any county, how can anybody or everybody be completely and totally satisfied? These are some of the

unfortunate moments of politics that you just can't run away with everything all at the same time. So it is quite unfortunate that the gentleman from Sanford, Mr. Nadeau, will not see fit to join our ranks again, but again I am sure that the biggest majority of the members of this House will see fit to promote the government of the State of Maine and to try to make it a better and continuing better government. Thank you.

The SPEAKER: The Chair will order a vote. All those in favor of the enactment of L. D. 1867, An Act to Correct Errors and Inconsistencies in the Public Laws, will vote yes, those opposed will vote no, and the Chair opens the vote.

A vote of the House was taken.

124 having voted in the affirmative and 5 having voted in the negative, the Bill was passed to be enacted, signed by the Speaker and sent forthwith to the Senate.

The SPEAKER: The Chair would direct your attention to the calendar, the original one this morning, item 2, which was tabled earlier in the day and later assigned pending indefinite postponement:

Bill "An Act relating to Speed of Motor Vehicles Measured Electronically" (H. P. 1330) (L. D. 1875)

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

Mr. LEVESQUE: Mr. Speaker, I would inquire through the Chair if the motion for indefinite postponement is for the amendment or the entire bill?

The SPEAKER: The Chair would inform the gentleman, for the entire bill.

Mr. LEVESQUE: Mr. Speaker, would the motion to reconsider the indefinite postponement be in order, that we could keep the bill alive for the purpose of making a motion to indefinitely postpone the amendment only?

The SPEAKER: The Chair would inform the gentleman that a motion would be in order to reconsider our action whereby this bill failed passage to be engrossed.

Mr. LEVESQUE: Mr. Speaker, I so make that motion.

The SPEAKER: The Chair would inform the gentleman that not having voted on the prevailing side his motion would not be entertained.

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

Mr. RICHARDSON: Mr. Speaker, is the pending question a motion to indefinitely postpone?

The SPEAKER: The pending question is the indefinite postponement of the bill and its accompanying papers.

Mr. RICHARDSON: An inquiry, Mr. Speaker. If we vote no on indefinite postponement, that makes the bill susceptible to amendment does it not?

The SPEAKER: The Chair would inform the gentleman that is correct.

Mr. RICHARDSON: I request a division on the motion for indefinite postponement and urge the members of the House to vote no.

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

Mr. LEVESQUE: Mr. Speaker and Members of the House: I would also urge each and every member of this House to vote no on the pending motion, to indefinitely postpone the entire bill, so that we could kill this amendment for the purpose of introducing another amendment.

The SPEAKER: The pending question is on the indefinite postponement. If you are in favor of indefinite postponement you will vote yes; if opposed you will vote no. The Chair opens the vote.

A vote of the House was taken.

14 having voted in the affirmative and 114 having voted in the negative, the motion did not prevail.

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

Mr. CARROLL: Mr. Speaker, am I too late to change my vote? I erred in voting.

The SPEAKER: This not being a roll call vote, the gentleman is not in order.

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

Mr. LEVESQUE: Mr. Speaker and Members of the House: It was with some reluctance last night and again this morning that we were able to agree, and again this final hour or zero hour of the deadline comes around, that we were able somewhat to arrive at a fair compromise that I think will suit each and every member of this House, not probably each and every member but a fair majority of the members of this House, that I reluctantly indefinitely postpone House Amendment "A" under filing number H-535.

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

Mr. ROBERTSON: Mr. Speaker and Members of the House: I only rise so that there will be sufficient clarification to the membership as to what we are voting for. If there is any question I hope the members will ask before they go ahead and vote one way or another. As I understand this situation, this amendment we're discussing is in effect the implied consent law and by voting against this amendment we are voting against the implied consent—this will erase this particular phase of it. Then we will entertain a second motion which will be submitted, which I think is acceptable to most of us. Thank you.

(Off Record Remark)

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: I move that we reconsider our action in adopting House Amendment "A".

Thereupon, the House reconsidered its action of yesterday where-by House Amendment "A" was adopted and on further motion of the same gentleman the Amendment was indefinitely postponed.

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

Mr. JALBERT: Mr. Speaker, I now present House Amendment "B" and would speak very briefly.

Thereupon, House Amendment "B" (H-537) was read by the Clerk.

The SPEAKER: The Chair recognizes the same gentleman.

Mr. JALBERT: Mr. Speaker and Members of the House: This amendment does away with the radar signs and is in conformity with the wishes of the Highway Safety Committee and what is in the Governor's call. And it also is apparently agreed upon by the membership—at least those I have spoken to on the Judiciary Committee, and I now move the adoption of House Amendment "B".

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

Mr. BIRT: Mr. Speaker and Members of the House: The original Highway Safety bill contained two provisions and I very reluctantly see the second section of it go down. I would hope that in time to come that eventually this will come back and become part of the Statutes of the State of Maine. I do believe that something has to be done to give law enforcement officers some means of curtailing drunken driving on the highways of the state, and this seems to be the best instrument that can be devised, the implied consent law; and I would hope that it would be given serious consideration in a future legislature and I very reluctantly see it go now.

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

Mr. HEWES: Mr. Speaker and Members of the House: I rise to endorse the motion of the gentleman from Lewiston, Mr. Jalbert. I would like to comment that this bill which does away with the posting of radar signs, which I believe it received the endorsement of all the members of the Judiciary Committee, and it was supported particularly by the Chiefs of Police of the largest cities such as Westbrook and South Portland and Portland. Because posting radar signs in downtown municipalities poses an impossible burden when the existing law as it stands today requires the posting of signs no closer than a quarter of a mile from where the accused is stopped and clocked. And that's impossible when you have side streets coming in as you do of course along State Street right

beside us here. If a car, for example, racing along State Street right here were picked up down by the Liquor Commission headquarters a mile or two from here, the party picked up could say, well, look it, I just turned on to State Street from a side street.

So I heartily endorse the gentleman from Lewiston, Mr. Jalbert's motion.

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

Mr. LEVESQUE: Mr. Speaker and Members of the House: Again this morning, in the fine spirit of our Democracy and in the better spirit of being able to compromise with what I thought yesterday we had a good document, but unfortunately a majority of this House did not see fit to see it in the same vein of light as I did, we were able to make with these different factions of the implied consent bill and the electronically controlled speed driving mechanism that's going to be brought into the State of Maine, so we were able to join into the spirit and arrive at what we think this bill will help and also another bill that is before a Conference Committee which we understand the entire Conference Committee is in agreement and will be reported before you very shortly. Thank you.

Thereupon, House Amendment "B" was adopted and the Bill passed to be engrossed as amended. By unanimous consent was ordered sent forthwith to the Senate.

The SPEAKER: The Chair calls your attention to Supplement No. 2.

From the Senate: The following Order:

WHEREAS, David H. Stevens, Chairman of the Maine Highway Commission, has been elected Chairman of the Highway Research Board's policy-making executive committee for 1968; and

WHEREAS, the Highway Research Board, which serves both the National Academy of Sciences and the National Academy of Engineering was created in 1920 to stimulate research in all aspects of highway transportation, tech-

nology, administration and operation; and

WHEREAS, David H. Stevens is Maine's first full-time Chairman of the State Highway Commission and is currently serving his second seven-year term; and

WHEREAS, David H. Stevens has been a devoted and conscientious state official for many years; now, therefore, be it

ORDERED, the House concurring, that David H. Stevens be extended the warmest congratulations and best wishes by members of both the Senate and House of Representatives of the 103rd Legislature in its second special session; and be it further

ORDERED, that a duly attested copy of this Joint Order be transmitted to David H. Stevens in honor of this occasion. (S. P. 814)

Came from the Senate read and passed.

In the House, the Order was read.

The SPEAKER: The Chair recognizes the gentleman from Freeport, Mr. Crockett.

Mr. CROCKETT: Mr. Speaker and Members of the House: I am very happy to read this notice, that our own Chairman of our Highway Committee has been the recipient of this high office. Therefore I say let's give him a good hand and wish him luck. (Applause)

The SPEAKER: The Chair recognizes the gentleman from Guilford, Mrs. White.

Mrs. WHITE: Mr. Speaker and Members of the House: I have always been proud of the fact that this same David Stevens is a native of Guilford and that was his high school which was here one day this week. I am very happy to see this recognition of his ability made. Thank you.

Thereupon, the Order was passed in concurrence.

Indefinitely Postponed

From the Senate: The following Order:

ORDERED, the House concurring, that there is created an Interim Joint Committee to consist of 2 Senators to be appointed by the President of the Senate and 3 Representatives to be appointed

by the Speaker of the House to study the dedicated revenues for the operation of the Department of Inland Fisheries and Game and to study the desirability and feasibility of allocating general fund revenues to said dedicated funds for general services rendered by the department to the public, which services are not normally a function of the department; the Commissioner of Inland Fisheries and Game and the Commissioner of Finance and Administration to be ex officio members of the committee; and be it further

ORDERED, that the legislative members of the committee shall serve without compensation, but shall be reimbursed for their actual expenses incurred in the performance of their duties under this Order; and be it further

ORDERED, that the committee shall make its report to the 104th Legislature in regular session with any necessary legislation or suggestions; and be it further

ORDERED, that there is appropriated from the Legislative Appropriation the sum of \$1,000 to carry out the purposes of this Order. (S. P. 817)

Came from the Senate read and passed.

In the House, the Order was read.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: I am all in favor of interim committees and studies that they make, but I would call to the attention of the House the fact that an interim study committee studied the Department of Inland Fisheries and Game and this was authorized by the 102nd Maine Legislature and they reported to the 103rd Maine Legislature, a report dated January 30, 1967, and this report is available for all of us.

I must say that I think the proper way to study this, if you want it studied there is a decision to be made, is to have the Legislative Research Committee undertake the study if this in fact is what you want. I view this as another species of witch hunt and therefore I would move the in-

definite postponement of this order.

The SPEAKER: The gentleman from Cumberland, Mr. Richardson moves the indefinite postponement of this order in non-concurrence.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I am not going to belabor the issue too long and I feel, not resenting the thinking of the gentleman from Cumberland, Mr. Richardson whose reasoning is sound, I feel however that possibly there are a lot of accusations that have been made here and there wherein it concerns the Department of Fish and Game. I think that if such an order was done properly, and I am sure that the members who would be on such committee would do the job properly—I certainly would refuse to serve on such committee even if I was so honored because I fished and hunted the other night and I was told when I got back home that I wasn't much of a hunter and let alone a fisherman, and I've desisted ever since. However, somewhere along the line these orders have a way, and these studies have a way of at least sometimes washing out the linen of those who should have their linen washed out and leaving scot-free those who should remain scot-free.

I also realize that possibly the proper agency to do such work might be the Legislative Research Committee, but looking around the Committee I also don't see too many expert hunters and fishermen these days, and I just think possibly this might be a good thing. I am not going to make any motions, but I mean one would have to commend the author of such an order for recognizing that something should be done in this area, at least for the edification of the members as they come in to the next session.

The SPEAKER: The Chair recognizes the gentleman from Camden, Mr. Haynes.

Mr. HAYNES: Mr. Speaker and Members of the House: As a member of the Inland Fish and Game Committee I think that it would

be an excellent thing if this study were made and I believe that it would probably satisfy both those people who are critical and those people who support the Department.

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

Mr. NADEAU: Mr. Speaker and Members of the House: I would like to concur with the Majority Leader, but I feel this particular order should be indefinitely postponed in this respect. I would like to read you the reasons why—it says two Senators and three Representatives be appointed; that the Commissioner of Inland Fish and Game and the Commissioner of Finance and Administration be ex officio members of the committee. I would like to see an unbiased committee or another committee without those department heads, like the Internal Revenue—they'll just walk in on you when you don't expect them.

I say there should definitely be some type of an order, but I move for indefinite postponement of this as Mr. Richardson did. I would like to see it investigated by the Legislative Research Committee and then they could come up with some findings. That department certainly does need some investigation.

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

Mr. JALBERT: Mr. Speaker and Members of the House: It is not my idea to debate with the gentleman from Sanford, Mr. Nadeau, I just want to clarify this situation. The Research Committee is not an investigating body; this order does not call for an investigation. This order here merely calls for a study, no fingers being pointed at any one. As I stated and I want this to be clearly understood, I am not going into debate with the gentleman from Sanford, Mr. Nadeau at this stage of the game, I assure you; but I'm not pointing the finger at anybody. I mean this thing just is a thought it might be an idea to study this thing. The finger has been pointed at people and I think

that this thing here could well be gone into, and I'm not making an issue of it but as far as labeling the Research Committee—

The SPEAKER: Will the gentleman take his seat.

Mr. JALBERT:—as far as talking about the Research Committee being an investigating body I guarantee you that I was on it by being Chairman of that Committee once, I am on the Committee now, and I am not an investigator—I am no cop.

The SPEAKER: The Chair recognizes the gentleman from Milinocket, Mr. Crommett.

Mr. CROMMETT: Mr. Speaker and Members of the House: I would endorse the motion by the Majority Leader Mr. Richardson. I think that this would be a waste of money. I think the seed has been sown that eventually we can do something, but not at this time.

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

Mr. EWER: Mr. Speaker and Members of the House: Some of you may have felt I am not too friendly toward the present Department of Inland Fish and Game, but I do think that I would disagree with our Majority Floorleader for about the first time this session. I do think that there is presently a need for a little study of this and I think that the interim study committee that we set up in the regular session has its hands full at the present time, it can't take on much more. I think that perhaps the sort of a committee that is authorized by this order might be able to accomplish something.

I think that the Department deserves the right to justify their present positions on various things before the public, I think they're entitled to that much; I think the opponents of the Department also are entitled to a chance to justify their feelings. So much as I hate to disagree with the gentleman from Cumberland I feel that I must on this particular occasion.

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

Mr. NADEAU: Mr. Speaker and Members of the House: Throughout

all the years, and I remember these statements being brought about during the 103rd, that there have been studies, studies and studies. In fact I recall some gentleman standing up on a pile, and he's standing this high, and he said there were studies that would make him stand to the top of the ceiling. Now how much money has this cost in the past? I would say it's cost us a million. I personally the way this reads am opposed to this. I am in agreement basically that we should have some type of study, but I would like to word it differently — I would like to word it investigation. And my term doesn't end until December 31 and I might request one by then.

Mr. Haynes of Camden then asked for a division.

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

Mr. DICKINSON: Mr. Speaker and Members of the House: It is with extreme reluctance that I join those who do not concur with the thinking of our Majority Leader. I would inquire if this study would include a study of purchasing procedure.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: With my uncanny ability to pick out the unpopular side of an issue, I would remind the members of the House that on page ten of the study which was before us on January 30, 1967, and I am sure we have all read it and digested its contents very carefully and given it a great deal of consideration. But for those of you who may have forgotten your careful reading, page 10 begins an eight or ten page discussion of the very issues that we're discussing here today, that is the question of the earmarking of these revenues. I find nothing in the order that says anything other than "to study the desirability and feasibility of allocating general fund revenues to said dedicated funds for general services" and so forth. I don't find that there's any intention here in the order, to answer the gentle-

man's question, to go into the question of purchasing practices followed by this particular department of state government.

I am not opposed to a study. I would rather see it done by research or staff, an organization such as Legislative Research is, and that's my only point and so be it.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I am rather enjoying this and I might convey a message to the Republican Floorleader, the gentleman from Cumberland Mr. Richardson, that I too felt somewhat the same way at first about the agency that we have, so as a member in good standing of the Research Committee and remembering Rule 18 I went to see the Chairman of our illustrious Committee and he told me that he thought if this was going to be done it should be done by a special committee such as this, he did not want the Research Committee to do it.

The SPEAKER: The Chair recognizes the gentleman from South-west Harbor, Mr. Benson.

Mr. BENSON: Mr. Speaker and Members of the House: I feel very strongly that the gentleman sitting on my right is correct. I have no objection to studying this matter; as a matter of fact under the circumstances I think it might be properly done. But I also feel just as strongly that it should be properly done by the Legislative Research Committee, an existing committee which will not call for the raising of any more funds for a special committee. If the motion before the House to indefinitely postpone this order prevails I shall have an order prepared to bring before you this afternoon which will direct a study of this subject matter by the Legislative Research Committee.

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

Mr. BINNETTE: Mr. Speaker and Members of the House: In regards to this measure, this is the first time — and I think the Majority Leader can vouch for it, I

am going to agree with him. This is something and I think this study won't amount to a row of beans because you can pick up those same facts and figures in various departments and various booklets which you have before you; and we've heard it said on this Floor time and time again, they're going to study a study till it's studied to death. So I think that the best thing to do is to save that thousand dollars and put in some other department where it will be more useful.

Mr. Jalbert of Lewiston was granted permission to speak again.

Mr. JALBERT: Mr. Speaker and Members of the House: There must be levity to everything. I heard and my ears are of proper hearing, I was of proper hearing, the gentleman from Southwest Harbor Mr. Benson say that, I would agree with the gentleman on my right. I have news for the gentleman on his left, that if he disagreed with him that there would be something besides moss that the gentleman on his right would be raking. (Laughter)

The SPEAKER: Is the House ready for the question? All those in favor of indefinite postponement of this Joint Order will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

99 having voted in the affirmative and 25 having voted in the negative, the Joint Order was indefinitely postponed in non-concurrence. By unanimous consent ordered sent forthwith to the Senate.

Order out of Order

On motion of Mr. Minkowsky of Lewiston, it was

ORDERED, that Nina Scolnik, Michael Hoy, Jacqueline Houle and Robert Isaacson of Lewiston be appointed to serve as Honorary Pages for today.

(Off Record Remarks)

The SPEAKER: The Chair will now direct your attention to Supplement number 5. Is there objection to taking up papers from the

Senate out of order? The Chair hears none.

Non-Concurrent Matter

Bill "An Act relating to Tax on Real Estate Transfers" (H. P. 1335) (L. D. 1879) which was passed to be engrossed as amended by House Amendments "A," "B" and "C" in non-concurrence in the House on January 24.

Came from the Senate passed to be engrossed as amended by House Amendments "A," "B" and "C" and Senate Amendment "B" 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: Just so that no one will feel that anything is going through in a fast shuffle, this amendment which appears on all of our desks is a very simple one. It is simply a clarification, and I now move that we recede and concur.

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

House at Ease

Called to order by the Speaker.

The SPEAKER: The Chair would call your attention to Supplement No. 6.

Divided Report

Majority Report of the Committee on Appropriations and Financial Affairs on Bill "An Act Providing for State Advances to Municipalities for Pollution Control" (S. P. 774) (L. D. 1846) reporting same in a new draft (S. P. 816) (L. D. 1886) under title of "An Act Providing for State Advances and Allocations from Bond Issue for Construction and Equipment of Pollution Abatement Facilities" and that it "Ought to pass"

Report was signed by the following members:

Messrs. BERRY of Cumberland

ALBAIR of Aroostook

DUQUETTE of York

— of the Senate.

Messrs. HUMPHREY of Augusta

SCRIBNER of Portland

JALBERT of Lewiston
BIRT of East Millinocket
— of the House.

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

Report was signed by the following members:

Messrs. DUNN of Denmark
HINDS of South Portland
BRAGDON of Perham
— of the House.

Came from the Senate with the Majority Report accepted and the Bill passed to be engrossed as amended by Senate Amendment "A".

In the House, the Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Perham, Mr. Bragdon, the Chairman of the Appropriations Committee.

Mr. BRAGDON: Mr. Speaker and Members of the House: It may seem somewhat a futile gesture for me to attempt to defend the Minority Report of the Appropriations Committee on this bill.

However, when I first came down here I talked with many Legislators, and I got the impression from many that there was a feeling that we should not go ahead and prepay the Federal share of these projects, which is exactly what this bill does. I still feel the same. I think we are embarking on a dangerous venture.

The present bill, it has been changed somewhat, calls for an allocation of three million and a half to pay the Federal share of pollution projects in this biennium. Obviously the situation has arisen because the situation on the Federal level where they provide 40 or 50% of the money for these projects the money has not been coming through. We are now apparently embarking upon this idea of letting the State start in at this special session where we have had very little time to give it proper consideration, and take over this amount of the Federal money. I know exactly once we establish this precedent what will happen at the next session of the Legislature. This takes care of the projects that have been approved in this biennium. It will be difficult

to refuse after we once start on this, refuse to continue the program. I assume many of you are saying oh, well, this is just a temporary thing with the Federal Government that this money is not coming through. I think that is being rather more optimistic than I like to be in the light of the present situation. I think perhaps I will move the acceptance of the Minority Report and I will be grateful if anyone votes with me.

The SPEAKER: The gentleman from Perham, Mr. Bragdon, moves the acceptance of the Minority Report.

The Chair recognizes the gentleman from Dixfield, Mr. Eustis.

Mr. EUSTIS: Mr. Speaker, Ladies and Gentlemen of this House: Every bill that goes through here has a certain amount of followers that are actually personally affected by it. To me, this bill is the first one I have seen down here that concerns every citizen in the State of Maine, including every member of this House. Tell me, if you can, what two other articles of any kind, if you call them articles, can be more important than the air we breathe, the water we drink and the general environment that we live in. It has been neglected so long that now we are making a feeble start, and I urge all the members of the House to support this bill in their own interest and in the interest of their constituents. Thank you very much.

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

Mr. BERMAN: Mr. Speaker and Members of the House: I second the remarks so ably put by the good gentleman, Mr. Eustis. This certainly is a matter that concerns all of us and directly affects many of us here in the House. A document passed out to us a day or so ago, and which all of us have had time to read, shows exactly where the applicants come from and the indicated grant supplement. I say that this is one of the situations where the State of Maine is morally obligated to go forward with this program, and for the sake of the record, I would briefly read out the names of the applicants and not the indicated grants, Par-

is, Maine, Bath, Maine, Portland, Maine, St. Agatha, Mount Desert, Maine, Bethel District 44, Caiais, Kittery, Indian Affairs, Fort Kent, Orono, Camden, Scarborough, Houlton and Rangeley. I hope that you will not accept the Minority Report and when the time comes that you will accept the Majority ought to pass Report of the Appropriations Committee. Thank you.

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

Mr. SNOW: Mr. Speaker, Ladies and Gentlemen of the House: It isn't very often that I speak on a particular piece of legislation. I have served on the Water Improvement Commission and had to resign when I was elected to this body. Now I know that the Federal Government has been behind cleaning up the streams in this country and we all realize the importance of this. They have been very forward in their programs even to the point of being difficult to do the engineering work in the various states and for the municipalities and industry to keep up with the program as they have led us into it.

Now we have reached a position here where they have evidently run out of funds. Their Federal matching money is not now available. The state has provided matching funds for the municipalities, to match the municipal funds. It would appear to me that we would be making a terrible mistake to think that the State of Maine in the position that we are now in financially with programs that we have had to cut back on in the regular session and in the special session, to think that we are in a position to borrow money and to pay interest to put up money because the Federal Government lacks this money. I would be very, very much opposed to our getting into this position, and therefore, I am very much opposed to this bill.

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: This particular redraft 1886 is a bill designed to enable the

State of Maine to take advantage of section 8c of the current Federal Water Pollution Control Act passed by Congress, which in essence provides that if a state desires in a situation where Federal authorization for grant in aid money for sewerage work construction are not fully funded, that the State can advance such aid to a municipality in the amount and under the conditions offered by Public Law 660 assuming that full funding and later recovery will come from Federal funds. This is nothing new. There are presently a number of states in the country that use this method of funding, of pre-funding if you want to call it this. The State of Connecticut, for example, in its Clean Water Act of 1967 has adopted this step, knowing full well that as long as the Vietnam War lasts it is extremely doubtful whether funds will be available for pollution control. I do agree with the gentleman from Caribou, Mr. Snow, that probably we are doing something which we have no reassurance of not having. This is not so. I should have said I disagree with the statement.

The President in a message to the Governor said that the money would be repaid to Maine when the Federal funds became available. The President made it plain that the pollution control funds totalling 3.2 million dollars for Maine would be partially available only as long as the Vietnam War continues. At this point, the State of Maine has been cut to 1.8 million, and therefore many projects that have been presently authorized and approved and are awaiting Federal funds will go uncompleted. I would point out to the gentleman from Caribou, Mr. Snow, that these communities will be paying much more interest if these projects are delayed than if the State of Maine is to assume the pre-funding. All the communities that the gentleman from Houlton, Mr. Berman, mentioned while he was addressing the House will have to delay their projects as much as two to three years, assuming that the Vietnam War continues that long, and then we will have to do engineering studies over again, and you well know that the cost of engineering and the cost of con-

struction in three years will be much more than it would be now; so actually if we want to save money to the State of Maine and to the communities of this State, we need the pre-funding of the Federal share for the construction of sewer plants within the State of Maine.

I repeat, it is nothing new, and I certainly hope that the members of the House will vote against the motion of the gentleman from Perham, Mr. Bragdon, and instead support the Majority Report of the Committee on Appropriations and Financial Affairs, and let's get Maine moving.

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

Mr. SNOW: Mr. Speaker, Ladies and Gentlemen of the House: In regards to some of the questions posed by my good friend, Mr. Martin, the Representative from Eagle Lake, I checked with the Water Improvement Commission yesterday on one particular — I just selected one particular municipality on this list, and asked if this would end their program, and they informed me that it would not, that some of these programs that are now under construction will be continued with some available moneys that they now have to work with.

Now there are people in this House that represent various towns and cities that are very anxious for their particular program to go through. It is going to be difficult for them to vote against this measure, but we have got to realize that when there are four or five or eight or ten particular programs completed or their money exhausted, what are we going to do with the next municipality that comes along? Now this money that the State has put up for matching money was made available for anyone to use that was in a position with their engineering completed and so forth to go along with their program, and I don't see how that we can single it out and say that it could be used in a few cases, those that are now ready. Thank you.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: As I understand the measure before you this morning regarding the pre-funding, this measure that has been with us and you have heard it discussed on many occasions, we the people of the State of Maine as well as many other states in the country have got to take some forward action in regard to anti-pollution bills. Now some of the communities in our state have already started an anti-pollution program. Now under these same acts in the different states these programs have been started and some are in the formulation stages and that the Federal part of the money has been authorized and has been appropriated but then because of the action in the Middle East, the President had to freeze the funds. Now granted that this is only a temporary measure that had to be taken, and certainly should not prevent the State of Maine to proceed with the pollution program. Let us not do to this pollution program that we are trying to abate in the State of Maine the same as we did the scholarship program, leave the measures on our books but then don't fund them. This money will be returned and I am sure at a saving to the people of the State of Maine unless they delay the program for a couple of years.

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

Mr. SCRIBNER: Mr. Speaker, Ladies and Gentlemen of the House: The gentleman from Caribou, Mr. Snow, mentioned that this proposed L. D. as amended would provide for only a limited number of communities. This was the thinking of the Appropriations Committee, rather than the original document which would have provided for a program with no limit whatsoever on it. We felt that we could set up a program that would enable some reasonable measure of progress by limiting it to those communities, the fifteen communities which the gentleman from Houlton, Mr.

Berman listed, that have submitted applications, the planning and that type of work has already been done, and they have received approval either from the Federal Government and the Water Improvement Commission or the Water Improvement Commission alone and is now being considered by the Federal Government. These are projects that are in the works.

I don't think that we want to delay this type of program by restricting by saying that we're just going to come to a halt, we're not going to do anything for a few years, we've got a commitment to water pollution but it's a statutory thing, we're not going to do anything, we're not going to move ahead. I think a limited program restricted to these communities will enable some progress, we will get the treatment plants built, we will be able to look at the program again then and determine how much we want to extend it if we do want to. I don't think we're taking any measurable risk with the limited program. It is something that we can all be proud of; when this phase of it is completed if the minority report is rejected and we do go through with this, I think it is the type of thing that we as individuals have made a moral commitment to it; I don't believe there is anyone in this House that is opposed to water pollution, taking some corrective action in starting some of these treatment plants. We're going to have to build them in the long run; there is only so many contractors in this state, I don't believe we're ever going to see a massive program, it's going to be a small continuing program, and the question is when we start. I believe and the majority of the Appropriations Committee believes that we should start now.

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

Mr. RICHARDSON: Mr. Speaker, I have two questions which bother me a little bit; perhaps somebody on the Appropriations Committee or somebody familiar with the Federal Government's policy can answer these. Will the Federal Government fund the in-

terest money on the money that the State is going to loan out to the various communities, and in view of the fact that this affects advances in fifty states, the bill I would assume will run into the billions rather than into the simple million dollar thing. The State of New York has floated a bond issue at the present time for one billion to match this — to take care of this Federal money which is not forthcoming. Now will this have to be paid back over a long period of time from the Federal Government to the State or will it be paid back promptly as soon as all funds are released?

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

Mr. BRAGDON: Mr. Speaker, I don't know as I can properly answer the question, but I will try as best I understand this. In spite of anything that has been said here, it is my understanding that we have no guarantee when or if ever this money, any of it, or the interest or anything else will be paid to the states; that is just your own guess, you can all say it will be paid, but there is no guarantee, and I don't think anyone can bear out the statement that there is, that anybody can make a substantial statement that the Federal Government has committed themselves to anything on this that they will agree to stand by.

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

Mr. DICKINSON: Mr. Speaker and Members of the House: I guess to say that I have been involved in this subject of pollution might be an understatement, particularly to those of you who were here in the 102nd. I am thinking particularly of towns and cities who already have projects under way expecting subsidy money. They have made commitments based on that supposition and I for one would hate to see them placed in the position which this motion would place them in. I thank you.

The SPEAKER: The Chair recognizes the gentleman from China, Mr. Farrington.

Mr. FARRINGTON: Mr. Speaker and Ladies and Gentlemen of

the House: I am extremely interested in the question that was asked a few minutes ago by Mr. Richardson of Stonington, if someone who is familiar with the law and familiar with the procedure of the Federal Government, whether or not the State will receive interest on this money. Is the question clear?

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: In relationship to the question, I will attempt to answer it in this way. To my knowledge, the Federal Government certainly would not be paying the interest, the interest of course if it is to be paid, it would have to be paid by the communities involved. I would point out that it would be a heck of a lot cheaper for the communities to pay the interest than would it be to put off the project. Also, the bill provides that once the Federal money is released and we all know that once the Vietnam War is over it will be released, the authorization is there; the money would go to the community and the law that we have before us would provide that the funds would then be turned over by the community to the State and to the Water Improvement Commission once more.

I would also point out that in the redraft of 1886 there is a limit imposed upon the amount of funds that can be used in pre-funding and this is three and one-half million dollars. The three and one-half million dollars correspond approximately to the amount of money that is necessary to keep the projects that are presently approved by the Water and Air Environmental Improvement Commission going, and it is hoped of course that once Federal funds are returned to the state that these funds would go back into the so-called kitty and then if Federal funds are again frozen, these same amounts could be used over again.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I will answer directly the question posed by the good gentleman from Stonington, Mr. Richardson. The Commissioner, Mr. Raeburn MacDonald, of the Water Improvement Commission indicates that he does not think that he will have to issue any bonds. To be completely honest, if he does issue any bonds, although the program might be small, the interest would be paid by us and not the Federal Government, we must be thoroughly honest about it, number one. Number two, insofar as the promise from the Federal Government is concerned, I think all of us here would know that if the Vietnamese situation would broaden out in scope unfortunately, and we pray and hope that it doesn't, and we don't think it will, but we pray and hope that it does not, and in any event, if any other areas would start out in conflicts, certainly these would not be the only areas where Federal funds would be held up. I mean I think that is a realistic approach, and I had my own misgivings about the program, and they were pretty much along the same line as the questions that were raised by the gentleman from Stonington, Mr. Richardson, but I am satisfied that the damage to the State would be very minute in comparison to what it would do to our problems of pollution.

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

Mr. DUNN: Mr. Speaker and Members of the House: When this measure was first brought up, there was no ceiling on it, it wasn't limited, and we were told by Mr. MacDonald that if this went through with the projects that were lined up and some approved and some not approved, that the next Legislature would have to put out another bond issue, that this twenty-five million dollars, at the present time there is between twenty and twenty-one million dollars left of this original twenty-five million dollar bond issue for this purpose. This would be used up and the next legislature would have to put out another bond issue to carry on the program. Of

course limiting this is changing that picture somewhat, but once you start this, there is no stopping it, you can't go along with half a dozen towns now and a year from now when they come in to the Legislature there are some more ready, you can't very well cut it off.

Now when statements are made here of what is going to be the condition two years or three years from now, that is mere speculation. Nobody knows, no one here in the House or anywhere else, we are all pretty much at sea as to that part. The gentleman from Portland, Mr. Scribner, mentioned that there was a commitment here. That is true from the Federal level. The commitment was there. I think as far as we are concerned, if we meet our commitment to match the Federal funds as they are available, we have met our commitment, and the gentleman from Dixfield, Mr. Eustis, mentioned that this was an over-all picture, that everyone in the State was interested in this, and I say that is true, and that is why I would ask anyone here whose town or their area is on this list to try and look at this as a State issue and make their judgment on what they think is right for the State to do rather than their own personal interest.

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

Mr. PIKE: Mr. Speaker, I have been going through sort of a mental turmoil on this thing. I think we all realize that no Congress can commit a future Congress, any more than this Legislature can commit the 104th. I suppose we might also on the whole say, or at least hope, that the next Congress and the next Legislature will be as sensible and careful about handling money affairs as the present Legislature and the present Congress have been; that doesn't say they have been too careful, but they run about the same that way.

Now as an old financial guy, I realize that bond interests are high; that we don't have any real on the line assurance that this money will come back, and certainly none that the interest will

come back. On the other hand, we have now got the pollution abatement program moving in pretty good shape. We have put some guidelines in there, we have put some time limits in there, and I have a real feeling that if we don't go along with this, we will put an effective stop to the program that will grind to a halt and it may take us years to regain the lost momentum. Therefore, in my own mind, I go for what I consider the lesser of the two evils and hope that this bill goes through and that the motion to accept the ought not to pass report does not prevail.

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

Mr. ROBERTSON: Mr. Speaker, being from one of these communities which is not on this list but being very much involved in this pollution program, I would like to pose a question through the Chair to anyone who might care to answer. We have specific dates relative to the various phases of the program, and a date for its completion. How will this date be affected if these funds are not available? Are we going to have to still meet these dates regardless of available money, or will the dates be set somewhere in the distant future? I would like to have a clarification of that if I might.

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

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

Mr. PIKE: Mr. Speaker, as House Chairman of the Natural Resources Committee, I'll put it this way, there is no assurance that these dates will be extended, but these dates were chosen after long consultation with the Federal people trying to consider all the facts as we had them then, and I have considerable faith that if a delay is caused by the lack of Federal funds, that we will probably find that the Federal people will admit their fault and extend the dates. I have no assurance in that way; I am just thinking about the way things go, but I still believe we ought to go ahead with the projects that are on the line.

To try to answer it more directly, there is no assurance that these dates will be extended, and there is no assurance that the next Legislature will extend them whether or not the Federal people give us their informal assurance that they will be, but one would think with sensible people on both sides of the fence, and I hope that is true, that they would be extended if this holdup of funds lasts for a period of years.

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

Mr. BENSON: Mr. Speaker and Members of the House: Speaking to the philosophy of this bill and not to the technicalities of it, if there is any one issue that has the thoughtful backing of all of the people in the State of Maine, it certainly is pollution control. Any of you who have worked at the local level on the planning phase of the projects realize that it is certainly a long and tedious process, and these fifteen communities are at the point of embarking on the final phase of the projects that they individually have been involved in, and I certainly think it would be a terrible shame if now they must bog down and stop their projects for three or four years awaiting the necessary monies to continue. I hope that we can defeat the motion to accept the Minority Report and carry on with the Majority Report and give added life to these projects that so sorely need it.

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

Mr. RICHARDSON: Mr. Speaker, I do want to express my appreciation for the way the questions which I asked were answered on the Floor. On the other hand, it raised to my mind, or at least the explanation raised to my mind another question. It is my understanding that this three and one-half million dollars will be taken out of the bond issue which the people of the State of Maine authorized for the State's share of the construction cost of these sewage systems. Now in view of the fact that this was a referendum on a specified question of money for the State's share, will

there be any Constitutional question as to diversion of funds from a specified purpose to fund the Federal Government's share as well as the State's share?

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

Mr. MARTIN: Mr. Speaker, in reference to the question asked by Mr. Richardson, the gentleman from Stonington, the initial bill as was presented to the Committee was reviewed by the Attorney General's office and it was found that it would not be in accordance with the referendum question that went out to the voters in 1962. After much consultation with the Attorney General's office and myself and the Water Improvement Commission, the redraft before us removes two things, the funds for pre-planning and the final engineering phase of it, and allows pre-funding on the construction phase of the project. And according to the Attorney General's office this is entirely in agreement with the purpose of the bond issue as approved by the voters of Maine a few years ago and therefore there would not be any problem whatsoever, at least those were the remarks as expressed by the Attorney General's office.

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

Mr. DICKINSON: Mr. Speaker, I neglected to point out that in many instances some of these cities and towns have been directed by the State through the Water Improvement Commission to comply with certain regulations in pollution control.

The SPEAKER: The Chair recognizes the gentleman from Old Orchard Beach, Mr. Danton.

Mr. DANTON: Mr. Speaker and Ladies and Gentlemen of the House: I realize that the problem of water pollution and air pollution is a very serious one in our state and I realize that each and every one of us here in this House are sympathetic, and will do our utmost to do what we can to alleviate the problem. I also am aware, and I am sure that each and every one of us is aware, that we have a grave financial problem

here in this State, and to go into this pre-funding venture is one that we cannot very well afford. I am inclined to concur completely with the philosophy adopted by the gentleman from Perham, Mr. Bragdon, and I would suggest that if these municipalities are to experience a hardship because of the failure of the Federal Government to meet their commitment that they probably can issue their own bonds and be reimbursed at a later date by the Federal Government.

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

Mr. DUNN: Mr. Speaker, I think what the gentleman from Old Orchard, Mr. Danton, just said, is in line with the notice that I just received. I just received word that the Utilities District of South Paris were contacted and they have sold bonds and they do not need this help, so that there are some of this list here that raises a little question on the list.

Mr. Snow of Caribou was granted permission to speak a third time.

Mr. SNOW: Mr. Speaker, Ladies and Gentlemen: As I have heard these various comments, I can't help but realize that I am sure there is a lot of us would go along with this if we thought it was a temporary thing, but we have no assurance whatsoever whether it will be one year, five years or ten years before Federal money would be available to replace the money that we would now be putting up. In the words of Mr. Pike, we have no way of knowing for sure if this money will ever be available. There is no one that can definitely promise that it will be paid back to the State.

The SPEAKER: Is the House ready for the question? The pending question is the motion of the gentleman from Perham, Mr. Bragdon, that the House accept the Minority "Ought not to pass" Report on Senate Paper 774, L. D. 1846, Bill "An Act Providing for State Advances to Municipalities for Pollution Control." All those in favor of accepting the ought not to pass report will vote yes, those opposed will vote no, and the Chair opens the vote.

A vote of the House was taken.

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

Thereupon, the Majority "Ought to pass" in New Draft Report was accepted in concurrence and the New Draft read twice.

Senate Amendment "A" (S-368) was read by the Clerk and adopted in concurrence. Under suspension of the rules the New Draft was given its third reading, passed to be engrossed as amended by Senate Amendment "A" and sent forthwith to the Senate.

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

From the Senate: The following Orders:

ORDERED, the House concurring, that the Legislative Research Committee is directed to study the subject matter of the following Bills: "An Act Establishing the Municipal Public Employees Labor Relations Law.", Legislative Document No. 1797 and "An Act Providing for Dealings Between Local Education Boards and Associations Representing Teachers.", Legislative Document 1865, introduced at the second special session of the 103rd Legislature, to determine whether the best interests of the State would be served by the enactment of such legislation; and be it further

ORDERED, that the Committee report its findings and recommendations to the 104th Legislature; and be it further

ORDERED, that the Committee shall have the authority to employ professional and clerical assistance within the limits of funds provided; and be it further

ORDERED, that there is appropriated to the committee from legislative appropriations the sum of \$2,500 to carry out the purposes of this Order. (S. P. 808)

Whereas, it has long been the policy of this State to remove tolls from bridges through legislative enactment; and

Whereas, the Joshua L. Chamberlain Bridge, spanning the Penobscot River between the cities of Bangor and Brewer, is the only

remaining toll bridge in the State; and

Whereas, this bridge provides a lifeline for medical, professional and commodity services for all surrounding communities; and

Whereas, the area serviced by this bridge represents the third largest population in the State and its only convenient access to Interstate 95; now, therefore, be it

ORDERED, the House concurring, that the Legislative Research Committee of the 103rd Legislature be directed to study the feasibility of removing such toll from the Joshua L. Chamberlain Bridge across the Penobscot River between Bangor and Brewer; and be it further

ORDERED, that the Committee report the results of such study with any implementing legislation to the next regular or special session of the Legislature. (S. P. 812)

Came from the Senate read and passed.

In the House, the Orders were read and passed in concurrence.

Thereupon, on motion of Mr. Richardson of Cumberland,

Recessed until two o'clock this afternoon.

**After Recess
2:00 P. M.**

The House was called to order by Speaker Kennedy.

The SPEAKER: Conference Committee Report, it is on your Supplement No. 8.

**Paper from the Senate
Conference Committee Report**

Report of the Committee of Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act relating to Percentage by Weight of Alcohol in Blood of Operators of Motor Vehicles" (S. P. 766) (L. D. 1823) reporting that the House recede and concur with the Senate.

(Signed)

LUND of Kennebec
MacLEOD of Penobscot
HARDING of Aroostook

—Committee on part of Senate.
RICHARDSON

of Cumberland
BRENNAN of Portland

BERMAN of Houlton
—Committee on part of House.

Came from the Senate read and accepted.

In the House, the Report was read and accepted in concurrence. The House receded from its action whereby Report "B" was accepted and concurred in acceptance of Report "A". The Bill was read twice. Under suspension of the rules, the Bill was read the third time, passed to be engrossed and sent to the Senate. By unanimous consent ordered sent forthwith to the Senate.

The SPEAKER: The House will be at ease for a few moments for another little social entertainment.

(Off Record Remarks)

Orders out of Order

Mr. Benson of Southwest Harbor presented the following Order out of order and moved its passage:

ORDERED, the Senate concurring, that the Legislative Research Committee is directed to review dedicated revenues within the State Department of Inland Fisheries and Game; and be it further

ORDERED, that the Committee report the results of its findings and recommendations, with implementing legislation if necessary, to the 104th Legislature. (H. P. 1345)

The Order received passage and was sent up for concurrence.

On motion of Mr. Snow of Caribou, it was

ORDERED, that the Speaker of the House of Representatives appoint Representative M. Jerome Dickinson of Mars Hill to represent the House of Representatives on the Maine to Quebec Caravan for the fourth consecutive year.

**Tabled Until Later in Today's
Session**

Mr. Levesque of Madawaska presented the following Order and moved its passage:

ORDERED, the Senate concurring, that when the Legislature is not in session telephone extension lines shall remain open for the

Majority and Minority parties; and be it further

ORDERED, that sufficient funds be appropriated from the Legislative Appropriation to carry out the purposes of this order.

On motion of Mr. Richardson of Cumberland, tabled pending passage and assigned for later in the day's session.

On motion of Mr. Richardson of Cumberland,

Recessed for twenty minutes or to the sounding of the gong.

After Recess

Called to order by the Speaker.

The SPEAKER: The Chair will call your attention to Supplement No. 9, bills on their passage to be enacted.

Passed to Be Enacted Emergency Measure

An Act relating to Tax on Real Estate Transfers (H. P. 1335) (L. D. 1879)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 118 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent forthwith to the Senate.

Passed to Be Enacted

An Act Providing for State Advances and Allocations from Bond Issue for Construction and Equipment of Pollution Abatement Facilities (S. P. 816) (L. D. 1886)

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

Mr. Dunn of Denmark then asked for a division.

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

Mr. HANSON: Mr. Speaker and Members of the House: I didn't speak on this measure before during the debate; perhaps I shouldn't speak now but my conscience bothers me that I didn't speak. I feel that this is a very serious step

that we are taking. I have had considerable discussion with other members of the House on this measure since the prior debate and I am concerned. I think we should point out that one of the most telling arguments in favor of this Legislature enacting this legislation was that because of inflation the cost of installing these pollution abatement facilities would increase.

No rebuttal was given to this argument and I would like the members of this House to stop and think to consider that the advancing technological knowhow, the increased knowledge of pollution abatement, will in all probability far exceed the savings that can be obtained, because of technological revolution will exceed the added cost of inflation. I talked with one member of this House and he indicated to me that several years ago he very nearly succeeded in getting his community to install electronic voting machines. It was very very close. Since that time, not too many years ago, the improvements in these machines and the innovations have cut the cost by better than fifty percent in that one particular case. So this I think is a worthwhile rebuttal to that argument we should consider.

Another argument, in opposition to doing this at this time, is the fact that it has been mentioned that we have no guarantee that these funds will be forthcoming from the Federal Government. But more than that, the argument was advanced that possibly, in all probability these funds would be available when the Vietnam conflict ceased. As a practical matter I can't subscribe to this argument. I feel all too certain that any settlement that we may obtain, even if immediately prior to the November elections of this year in that conflict, we do not have the faith in the enemy if you will to believe that he will live up to his obligations under any peace treaty and we would perforce have to maintain very nearly the same amount of wartime effort that we are maintaining today.

This coupled with the fact that a great many other federal programs, your Highway programs, some of your federal Health and

Welfare programs, these programs are being held in abeyance because of the shortage of funds at this time, and when funds are available they're going to have to be apportioned out to all of these very needy and worthwhile causes. I personally am very much afraid that we are getting a tiger by the tail here and we may live to regret it. There's an old saying, you marry in haste and repent at leisure; and I would like at least to have the members give this a lot of consideration before they vote on it.

The SPEAKER: The Chair recognizes the gentleman from Camden, Mr. Haynes.

Mr. HAYNES: Mr. Speaker and Members of the House: In answer to the first part of the gentleman from Solon, Mr. Hanson's, speech, I would like to say that in most cases these plants are already designed at quite a costly figure and it would cost another very heavy fee to redesign them.

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

Mr. ROBERTSON: Mr. Speaker and Members of the House: I just want to reiterate the point that was brought out this morning, that there are many of our communities including my own which is in the process of this pollution program. It's gone through several phases of it, we have deadlines to meet, and as the gentleman from Lubec Mr. Pike brought out we have no guarantee that these are going to be extended. Now someone says to me, all right, why don't you go out and borrow the money for your community and go ahead and do this. I haven't checked our borrowing capacity lately, maybe we can, maybe we can't. It would mean the formation of a district and go into a great deal of technicality that would take quite a bit of time.

Now we're talking, too, more about than just municipalities. We have some of our bigger corporations in these communities that are also connected in some capacity with this program. They have got to expend a great deal of money. I think to some extent they're depending on federal help indirect-

ly. It's going to mean quite a bit to these industries in the State of Maine in addition to our municipalities. I think that we've got to think this over and realize that we have this plan in operation and you just can't cut these things off without first giving it a great deal of consideration.

I'll agree we've got a tiger by the tail as far as the State is concerned; we've also got one by the tail as far as municipalities are concerned, and I think that we've got to think of their plight in the situation.

The SPEAKER: The Chair recognizes the gentleman from Old Orchard Beach, Mr. Danton.

Mr. DANTON: Mr. Speaker and Ladies and Gentlemen of the House: I would ask through the Chair to anyone, how much will this cost the State of Maine, assuming that the Federal Government decided to reimburse the funds within a period of two years?

The SPEAKER: The gentleman from Old Orchard, Beach, Mr. Danton, poses a question through the Chair to any member who may answer if they choose.

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

Mr. PIKE: Mr. Speaker, we have on our desks, or we had this morning, the exact figures. Now I can't run through my pile here but I think it's about two million six that the State would pay if and when it got the federal money back—that would be its net cost; and then I believe it was three million six that we would be advancing, hoping that the Federal Government would pay it back.

Now while I'm up here I would like to mention that this has no bearing at all on the Highway thing, the Highway thing is dedicated funds and that's just set aside and will be paid back. And I doubt very seriously any analogy between the cost of voting machines and the cost of doing sewage pollution, which is digging and building the kind of thing that has been going up and up and there has been no sign of a change. If you haven't got the thing on your desks I will try to run through mine and find out where it is. We all had it this morning, the exact cost, but I'm sorry—I

don't want to take the time to run through this awful pile here.

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

Mr. SCRIBNER: Mr. Speaker and Members of the House: In further answer to Mr. Danton's question, the three million five hundred thousand which is in the bill as an allocation, to be allocated from the \$25,000,000 bond issue which the people approved in—I believe it was 1962 a number of years ago. At the present time there is a \$13,000,000 balance in that fund so that this three and a half million dollars would be allocated from that fund.

I think probably the easiest way to figure what the advance cost is that this would speed up the interest payments on this; at four percent, four percent of three and a half million is \$140,000 a year. If we accelerate it, we would be paying the interest. The interest would be offset by the fact that we would be accomplishing something in the area of pollution plus it is generally acknowledged that construction costs are accelerating faster than this amount of four percent a year. So I would feel that over the two-year period Mr. Danton has mentioned, it would cost \$280,000 which could be reduced by the increase in general construction costs.

The SPEAKER: Is the House ready for the question, the question being on the enactment of Senate Paper 816, L. D. 1886, An Act Providing for State Advances and Allocations from Bond Issue for Construction and Equipment of Pollution Abatement Facilities. All those in favor will vote yes, those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

78 having voted in the affirmative and 45 having voted in the negative, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

An Act relating to Referendum under Maine Housing Authorities Act (H. P. 1332) (L. D. 1877)

Was reported by the Committee on Engrossed Bills as truly and

strictly engrossed, passed to be enacted, signed by the Speaker and sent to the Senate.

The SPEAKER: The Chair now lays before the House a matter tabled earlier in the day and later today assigned:

HOUSE JOINT ORDER to authorize open telephone extension lines when Legislature not in session for both Majority and Minority parties; and appropriation of funds.

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

Pending—Passage.

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

Mr. LEVESQUE: Mr. Speaker and Members of the House: I sincerely hope that the members of this House will see fit to accept passage of this order for these reasons. At least those of you who have been in leadership or been on Legislative Research or on other committees that have been formed here in the State of Maine over the last eight or ten years, and the different commissions that have been formed, the different compacts that have been formed either on the New England level or on the country level, have indicated time and time again that the Legislature should modernize itself. In other words, try to provide better facilities for its members, some conference rooms, some secretarial pools or individual secretaries to a group, assigned to a group of legislators, so that they will be able to pursue their work in a fashion in comparison to the amount of responsibility that they should be concerned with their State.

Now here in Maine the thinking is still along these lines, but the purpose of my order is that any member of my party or any member of the majority party that would come to the State House or to the State Capitol on business would not necessarily have to go to some other office in the Capitol complex and have to borrow a telephone, or if they have got notes to write or if they have got correspondence to take care of

that they wouldn't necessarily have to sit in a telephone booth and conduct business in such a fashion.

I think the State of Maine has outgrown that kind of philosophy so that I think it would be in proper order that these two extension lines would be left open. Now understanding presently that there is an extension that is left open only in the Speaker's office and also in the Clerk's office. Now granted a member of this House or any member of this House would not be denied a privilege of going into the Clerk's office or going into the Speaker's office asking to use their telephone. I have never heard and I don't think anybody would even think of expressing such a thought, but it would be just the inconvenience. The Clerk may need the line or somebody else may be trying to reach the Clerk but then there is somebody else on the line.

I think that with the relative small cost of keeping these two extension lines open to the State and to be charged to the legislative expense would be minimum. So therefore I ask that this order receive passage, and further I discussed this matter with the Majority Floorleader and briefly with the Speaker on the possibilities of having a full time secretary to take care of any correspondence that any members of the House, but then I held back thinking if probably the telephone extension would do for now.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: I share the Minority Leader's concern for our continuing in what I think is an effort too long put off to equip ourselves with the personnel and the facilities and research staff necessary to put individual legislators at least on an equal competitive footing with department personnel when it comes to deciding what are the priorities of state government and how they should be met. But I do not agree that the way to do it in this instance is to provide unlimited WATS line in the office of the

Majority Leader or in the office of the Minority Leader.

I believe that both the Majority and Minority Leaders of each of the two houses should have unlimited phone privileges, personal to them, to be used by them in the conduct of their responsibilities as the leaders if you will on the floor of their party. Both the Minority Leader and the present Majority Leader are members of the Legislative Research Committee and we both have access to a card which is available to us to use without limit on Legislative Research business. The same is true of every member of the Legislative Research Committee.

I do not believe that this departure from an established procedure is going to accomplish what the Minority Leader suggests it will. A WATS line in the offices that we're talking about is going to open the door completely and I for one am not prepared to do so. Every member of this Legislature is provided with a legislative credit card, the phone facilities are here, the facilities in the Speaker's office and the Clerk's office, particularly the Clerk's office, are open to members of both parties for their use and when they are here in Augusta.

And so for this reason I reluctantly take issue with the Minority Leader and when the vote is taken I would request that the members of the House vote against the passage of this order, and when the vote is taken I request a division.

The SPEAKER: The gentleman from Cumberland, Mr. Richardson now moves that this order be indefinitely postponed. All those in favor of the indefinite postponement will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

83 having voted in the affirmative and 41 having voted in the negative, the Order was indefinitely postponed.

Order out of Order

Mr. Scott of Wilton presented the following Order and moved its passage:

WHEREAS, the G. H. Bass Co. of Wilton, a Maine industry

founded in 1876, represents three generations of shoemakers; and

WHEREAS, the Bass Co. provides a substantial contribution to the Maine economy through its \$6,000,000 payroll and annual production of two million pairs of footwear; and

WHEREAS, the G. H. Bass Co. has been recognized for its achievements and growth in the March issue of Down East Magazine; now, therefore, be it

ORDERED, the Senate concurring, that the Members of the Senate and House of Representatives of the 103rd Legislature unite in commending the G. H. Bass Co. for their excellent record of achievement during the past 92 years and extend to them continued support and encouragement for the future; and be it further

ORDERED, that the Clerk of the House be directed to immediately transmit to the G. H. Bass Co. of Wilton, a duly attested copy of this order. (H. P. 1346)

The Order received passage and was sent up for concurrence.

The SPEAKER: The Chair will call your attention to Supplement No. 10.

Non-Concurrent Matter

House Joint Order relative to Legislative Research Committee to Review Dedicated Revenues in Department of Inland Fisheries and Game (H. P. 1345) which was passed in the House earlier in the day.

Came from the Senate indefinitely postponed in non-concurrence.

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

The SPEAKER: The Chair will call your attention now to Supplement No. 11.

Passed to Be Enacted

An Act relating to Driving a Motor Vehicle While Impaired by Consumption of Intoxicating Liquor (S. P. 813) (L. D. 1883)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed, passed to be

enacted, signed by the Speaker and sent to the Senate.

The SPEAKER: The Chair will call your attention to Supplement No. 12.

Passed to Be Enacted

An Act relating to Speed of Motor Vehicles Measured Electronically (H. P. 1330) (L. D. 1875)

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

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

Mr. PENDERGAST: Mr. Speaker and Members of the House: I arise in opposition to L. D. 1875. I for one cannot see the abolition of the radar warning signs. To me it gives license for any police officer to set up an unmarked speed trap. I feel sure that my constituents would not wish me to vote for such a piece of legislation. This is said to be in the interests of highway safety—I wonder. I merely wish to go on record as opposing this bill and want to call the attention of the House members to just what they are voting on. Thank you.

The SPEAKER: All those in favor of the enactment of this Bill will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken. 80 having voted in the affirmative and 32 having voted in the negative, the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

The SPEAKER: Is there objection to these several matters being sent forthwith? The Chair hears none and it is so ordered.

The House will be in recess for fifteen minutes.

After Recess

Called to order by the Speaker.

The SPEAKER: The Chair will call your attention to Supplement No. 13.

Non-Concurrent Matter

An Act to Provide Funds for Blind Children's Education, Inc. (H. P. 1299) (L. D. 1828) which was

passed to be enacted in the House on January 23 and passed to be engrossed on January 18.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

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

Mr. RICHARDSON: Mr. Speaker, I move that we recede and concur and I will speak very briefly to that motion.

The SPEAKER: The gentleman from Cumberland, Mr. Richardson moves that the House recede from its former action and concur with the Senate. The gentleman may proceed.

Mr. RICHARDSON: Mr. Speaker and Members of the House: I don't propose to debate the merits of this or any other legislation, but most of the legislation that is on here has been debated several times and has been acted upon by the House. I would like to point out that following our meeting in special session in October, during that meeting we reduced our general surplus from \$3,985,762 down to a total of \$349,462; and since our special session in October we accumulated as of December 31 \$460,713, which left unappropriated surplus of \$810,175. Now that is a correction of \$175 over the figures that I gave you this morning.

In following the appropriations measures we have followed the recommended usage by the Governor of the surplus. When the vote is taken, Mr. Speaker, I request a division.

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

Mrs. CARSWELL: Mr. Speaker and Members of the House: I just feel that I do have to make a few remarks on this matter. I tried very hard to save this bill for the benefit of the blind children. But for some time now the Department of Health and Welfare and the Eye Care and Special Services have been giving Sister Miguel at the Blind Children's Resource Center a very hard time. They have harassed her so much they decided finally that they wanted to take the books and have a different process of getting the books

to the blind children. We had to go to the Governor and complain about this because the process they had would delay the books about three weeks. Well, I understand that the Governor either sent a message or talked with the Department and there was an understanding; however, a book that was supposed to be processed was held up and the last time I heard the blind child didn't receive it, and that was about three or four weeks.

I won't make my speech too lengthy, but when I presented this bill in the regular session of the legislature Owen Pollard who is the director of Eye Care and Special Services and who pays, out of department funds pays for these children to go to the Blind Children's Resource Center. Owen spoke before the Appropriations Committee and told what an excellent job that the Center was doing for the blind children. The Department was so excited about the job that she was doing and said that they would like to help her so much that Dr. Fisher came over one day and he presented a bill for me to put into the Legislature and he said, we would also like to give her \$50,000 for equipment so will you please present this bill. And I said, I'm sorry, Dr. Fisher, I don't like to be killed with kindness; I said, if I get the \$200,000 I'll be lucky. But I guess that was killed anyway, by one means or another.

Now there was some information sent from Owen Pollard to a member of the other branch and I understand it was used when the death knell was sounded on this bill. The information comes from Mr. Pollard. It states that there are only twelve children at the school — I won't go through those details. However, it doesn't really give the true picture. The true picture comes from a report made by the American Foundation for the Blind. And this report is a result of a study which was requested by the Department and the study was requested to do a survey of all the services to the blind in the State of Maine.

The survey group, known as the American Foundation for the

Blind, and many experts on the training of the blind were included in this survey. The findings — "Resource room. The only present resource room program for children in elementary grades located in the Cathedral Grammar School is excellent. The teachers emphasize two essential areas in their work with individual children. Development of essential academic skills which permit full participation in the activities of regular classrooms where the children spend a major part of their time. And two, development of special skills such as typing, listening, good grooming and so forth, which enable visually handicapped children to compensate for the effects of visual loss and to participate effectively and efficiently in the academic and social life of the school."

The last hearing that we had, youngsters have been taught—it was brought out that youngsters have been taught to ski by the method of using bells. We have a track star who is a product of the school. Well I'm not going to belabor you with any more details except to say that the training program is so excellent that a paid member of the Health and Welfare Department is training at the Auburn branch under one of the sisters. He is getting paid to go to school. The sister is teaching him. She's getting less pay than he is, and he's getting the training and the State's getting the training for nothing. But yet they don't seem to think that Sister needs the program expanded.

Well, I really don't know what to say at this point. How can you deal with these department heads? I guess perhaps I'll let it go there, I feel that the Department of Health and Welfare was very successful at killing this bill, and I do hope that somehow we get a Center one way or another.

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

Mr. GILL: Mr. Speaker and Members of the House: I have been a member of this Legislature and for three terms, and I am going to make a few comments

today which I would like you all to consider and reflect upon in your own conscience. I don't like to take an opposing view to my Majority Floorleader, who said this has been debated and for this reason he does not believe it should be.

To my knowledge this bill has not been debated; it has passed underneath the hammer at each time. I would simply recall that at the original hearing on this bill, which is not the same as it is now, it received such fine public hearing that a majority of the Appropriations Committee and that they arose after the hearing in support of this. I do not necessarily agree with this policy of arising at that time before they had any time to think it over, but this is the effect and the way that they felt at that time. And I believe the report at a later time during this special session was also of a favorable nature.

We have to look back to the days in the main division of Eye Care and Special Services during the 100th session when the Commissioner retained the services of a director, Dr. Pollard. Dr. Pollard has supported this particular school on the surface, and I believe I am correct in saying that at least for three to four years he has been doing all he could to undermine this school. He also extended his influence into the Maine Institution for the Blind on these lines.

The time will come when this particular department will have to be reviewed as to their activities. I would also like to comment at the time I believe to confuse this bill during the special session, that we all received a letter from a United Community Service for the Portland area. They more or less were supporting this with an idea of obtaining federal funds etc., and at the time I first saw it I said, they're supporting this with a backhanded compliment—they're intending to kill it.

However, when the directors found that their names had been used on this particular letter they instructed the gentleman that wrote it to inform us that they were going to support the bill as it was.

I just bring out this point to remind you people that you have all been aware of these things. But yet you sat there, let this bill go through this Legislature two times with no debate at all upon the bill, and I would simply say that I think this should give us a good reason to stop and examine our conscience when we will allow a thing such as this. If you had wanted to kill the bill I wish you had killed it sooner.

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

Mrs. CARSWELL: Mr. Speaker and Members of the House: I forgot to say something. I would just like to make note that Sister said that if this program was expanded if she had the space that she could fill the homes to capacity and still have a list of students wishing to enter the program.

Now I have done something about this underhanded work of the Department of Health and Welfare, Eye Care and Special Services. I have requested that the Governor ask the Governmental Reorganization Task Force to study the possibility of changing the education of blind children to the proper department which is the Department of Education, and then the blind child will perhaps get the even treatment, the same treatment that the other child who doesn't have defects gets. So I would hope that if this does come to pass that this recommendation is finally made in June, when this committee reports, I would hope that perhaps then we can support this. Because we had to take the Indians out of that Department for lack of proper education and I doubt that there's an educator over there; maybe they've put somebody there recently, I don't know, but this would be a good reason to study the program and find out just what they're not doing that they should have been doing and get the transfer made in a hurry.

The SPEAKER: The Chair recognizes the gentleman from Dixfield, Mr. Eustis.

Mr. EUSTIS: Mr. Speaker and Members of the House: I wish to go on record as being opposed to the indefinite postponement of this bill and I ask that when the vote

is taken that it be taken 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 will try to be very brief and I am absolutely positive that there is no politics being played in this sort of a game, and certainly not when it comes to the health and welfare of our blind persons in the state. Not for that matter or any other amendments that were presented in the other branch that could have saved this document. It just occurred to me that item one on the Supplement No. 13, item one carries the sponsor of the bill as Representative Carswell from Portland, and item two on the same calendar carries the name of Representative Brennan from Portland, which by the way has also been advocated as an absolute must by the Republican Governors conference, that they must have in order to promote better law enforcement in the municipal level as well as better knowledge of law enforcement by the municipalities and the state as a whole. And on item three the sponsor of the document is Representative Kilroy from Portland, which carries the fantastic amount of money of \$1800. And item four on the same supplemental calendar the establishment of a State Employees Appeals Board, which has been sounded and resounded over in this House and the other branch over quite a few years if I can remember right, carries a sponsor of Senator Stern from Bangor.

Now as I said I am absolutely positive that there is no politics being played in this sort of a game. But let me remind the members of this House that we also enacted a piece of legislation here in this branch and in the other body that returned back to half a dozen or maybe a dozen distributors a little bit of an increase of one quarter of one percent for the use of the cigarette money or tobacco money, to the tune of about \$60,000. Now I'm very sure that the tobacco distributors in this state could probably have gone along with the present 2¼ percent and probably salvaged this

\$60,000 for some better deserving project, and I will name only one that comes to my mind, and could probably help further the higher education by putting this sort of money into a scholarship; and I fail to see where any of the tobacco distributors would have alienated their friendship with the State of Maine to the tune of \$60,000.

Now as I pointed out, ladies and gentlemen of this House, if there wouldn't be any need for this item one to help the blind students of our state I would have no qualms or quarrels. But the need has been shown, the area we know can be helped, through some misunderstanding or as the Representative has pointed out, the Representative from Portland, Mrs. Carswell, how to deal with department heads; at this point, at this stage of the game I wonder just how you call a department head when you find that four pieces of legislation that is before us carries the same political philosophy.

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

Mr. SCRIBNER: Mr. Speaker and Members of the House: I would also like to point out that this L. D. 1828 regarding the blind children was proposed to be financed from surplus by the Governor, it was in the Governor's Call, the Governor at that time presented us with a message of estimated surplus of \$1,273,400. The Department of Finance and Administration through the Commissioner verified that figure to me today and there has been no change. They are standing by that figure, that there is surplus money available to fund this.

I am distressed for the main reason that this bill has not received proper debate on its merits, it has been deemed to be more convenient to say that there are no funds for this. I want to point out that there are funds for it, the Department and the Governor have assured us that there are; to select a different figure for convenience to me is some sort of travesty on the legislative process. I would hope that these matters, it may take a lot more time, but I would

hope that sometime that we can debate these on their merits and not merely find some simple way to sweep them under the rug.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: With respect to this L. D. and this L. D. alone, first of all I reject as completely inappropriate any suggestion that the figures that we have come by have been come by through some sort of legerdemain. The fact of the matter is that the responsible fiscal officers have indicated to us that as of December 31 available surplus was the figure that I gave you earlier of \$810,755 I believe—I don't have it in front of me at the moment.

As far as the merits of this legislation are concerned I would respectfully suggest to you that I believe it has been debated, I believe that the question has been discussed, and I don't propose on this or any other legislation that is here to prolong this debate and go into a long harangue about the merits or demerits of any particular item of legislation. The fact of the matter is that these matters come to us from the Senate, having been indefinitely postponed, the funds are obligated, and it seems to me that none of us has any real alternative but to recede and concur with the Senate.

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

Mr. BINNETTE: Mr. Speaker and Members of the House: I believe yesterday I agreed with the Majority Leader, but this afternoon I am very much in disagreement with him for the simple reason that has been stated before here by the Representative from Portland, Mr. Scribner. This measure it is true has been debated in the past sessions but in this special session it has not been debated, and I appeal to you folks here, have you ever seen a blind child going down the street holding his mother's hand. Can't we do something for them? We're striving to do everything we can for education; let us help this little child to

become proficient in some art of some way or another. I appeal to you, let us not vote for indefinite postponement.

The SPEAKER: The Chair recognizes the gentleman from Saco, Mr. Bedard.

Mr. BEDARD: Mr. Speaker and Members of the House: I would remind you that in my neighborhood we have a lady that has been blind, she is married, she has children, she brought them up and she went to the Perkins Institute in Boston, and this woman she can type, she can do anything, she can do office work and she became adept because she was a child and learned that, and let's not belittle the blind and let's give them a chance to live with the regular people.

Mrs. Carswell of Portland was granted permission to speak a third time.

Mrs. CARSWELL: Mr. Speaker and Members of the House: I would just like to have you take these two proposals in mind when you cast your vote. There could be a possibility that if one means of financing is not acceptable we could go to two others. One is to make this effective June 30, 1969 and the other is a bond issue that would go to referendum to the voters. So I hope that you will vote to keep this bill alive and perhaps consider alternative means of financing.

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

Mr. CONLEY: Mr. Speaker and Members of the House: I am standing here as another member of the delegation from Portland, urging you to seriously consider passing this bill. Some months ago Sister Miguel called me and asked me to come down and look over their Blind Resource Center that's down in Portland and I was astonished at the students that were there and the things that they were able to do. I am not going to try to make any emotional pitch or plead to you on any emotion to vote for this bill, but I think no one has done any more or as much for the blind children of the State of Maine as

Sister Mary Miguel of the Blind Children Resource Center.

I would only like you to consider one thing when you vote this evening or this afternoon. Back in the regular session of the 103rd Legislature there was a bill that was passed and went before this body, to take \$350,000 from out of the surplus for a ferry boat up in Vinalhaven. This school costs, or an addition to this school is going to cost \$200,000. I ask that you please support it.

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 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 Cumberland, Mr. Richardson, that the House recede from its former action and concur with the Senate in the indefinite postponement of An Act to Provide Funds for Blind Children's Education, Inc. L. D. 1828. All those in favor of receding and concurring with the Senate will vote yes, those opposed will vote no, and the Chair opens the vote.

ROLL CALL

YEA — Allen, Baker, E. B.; Baker, R. E.; Benson, Birt, Bragdon, Brown, M. F.; Brown, R.; Bunker, Clark, Cornell, Crockett, Crosby, Drummond, Dunn, Durgin, Edwards, Evans, Farrington, Hall, Hanson, H. L.; Hanson, P. K.; Harriman, Hawes, Haynes, Henley, Hichens, Hodgkins, Huber, Humphrey, Immonen, Jameson, Jewell, Kyes, Lewin, Lewis, Lincoln, Lyette, McMann, McNally, Mosher, Payson, Pendergast, Pike, Porter, Rackliff, Richardson, G. A.; Richardson, H. L.; Sahagian, Scott, C. F.; Scott, G. W.; Shaw, Snow, P. J.; Snowe, P.; Thompson, Trask, Watts, Wight.

NAY — Bedard, Belanger, Ber- man, Binnette, Boudreau, Bour-

goin, Bradstreet, Brennan, Burnham, Carey, Carrier, Carroll, Carswell, Champagne, Conley, Cote, Crommett, Curran, Cushing, D'Alfonso, Danton, Dudley, Eustis, Ewer, Fecteau, Fortier, Fraser, Gaudreau, Gauthier, Gill, Giroux, Harnois, Harvey, Healy, Hennessey, Hewes, Hoover, Hunter, Jalbert, Jannelle, Keyte, Kilroy, Label, Levesque, Martin, Meisner, Minkowsky, Morrell, Nadeau, J. F. R.; Nadeau, N. L.; Noyes, Philbrook, Prince, Robinson, Rocheleau, Ross, Roy, Sawyer, Scribner, Shute, Soulas, Starbird, Truman, Wheeler, Wood.

ABSENT — Beliveau, Bernard, Buck, Cookson, Cottrell, Couture, Darey, Dennett, Dickinson, Drigo-tas, Foster, Hanson, B. B.; Hinds, Littlefield, Maddox, Miliano, Quimby, Quinn, Rideout, Robertson, Sullivan, Susi, Tanguay, Townsend, Waltz, White, Williams.

Yes, 58; No, 65; Absent, 27.

The **SPEAKER**: The Chair will announce the vote. Fifty-eight having voted in the affirmative and sixty-five having voted in the negative, the motion to recede and concur does not prevail.

Thereupon, on motion of Mr. D'Alfonso of Portland, the House voted to insist and ask for a Committee of Conference. The Speaker appointed the following Conferencees on the part of the House:

Mrs. **CARSWELL** of Portland
Messrs. **D'ALFONSO** of Portland
EUSTIS of Dixfield

Order out of Order

Mr. Carroll of Limerick presented the following Order out of order and moved its passage:

WHEREAS, the members of the Limerick Volunteer Fire Department became aware of a community need for a new fire house; and

WHEREAS, they provided this new facility with a cooperative spirit, through donated labor and equipment and fund-raising activities; and

WHEREAS, the project is now a source of community pride and accomplishment and a tribute to the civic-minded citizens involved; now, therefore, be it

ORDERED, that the members of the 103rd Legislature, through its House of Representatives, extend to Fire Chief Preston Gilpatrick and his volunteer firemen, congratulations for this outstanding achievement and community betterment; and be it further

ORDERED, that a duly attested copy of this Order be transmitted by the Clerk of the House to the volunteer group through Chief Gilpatrick.

The Order received passage.

Non-Concurrent Matter

An Act Establishing the Maine Planning Committee on Criminal Law Administration (H. P. 1307) (L. D. 1836) which was passed to be enacted in the House on January 16 and passed to be engrossed on January 12.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

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

Mr. **RICHARDSON**: Mr. Speaker, I move we recede and concur.

The **SPEAKER**: The gentleman from Cumberland, Mr. Richardson, moves the House recede from its former action and concur with the Senate.

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

Mr. **BRENNAN**: Mr. Speaker and Ladies and Gentlemen of the House: Throughout our country, there is a growing concern with the rising incidence of criminal activity. Relatively speaking, we in Maine are fortunate not to have experienced the dramatic upsurge in crime that has taken place elsewhere in this Nation. Nevertheless, we are rightfully concerned with strengthening our system of law enforcement and criminal administration. The protection of property and persons of this state is a fundamental objective of Government. The development of a fair, efficient and effective system of law enforcement is essential to achieving this objective.

But the development of an improved system of law enforcement is an ideal not easily achieved or lightly undertaken. It should not be haphazard or piece-meal. It

should not simply be a response to a sudden crisis. It should not be embroiled in unproductive political controversy, rather, we should seek to improve our law enforcement system through coordinated planning, careful evaluation, and an objective examination of the facts by all who are concerned. Such an approach is embodied in L. D. 1836, "An Act Establishing the Maine Planning Committee on Criminal Law Administration" which Governor Curtis has included in his Call and which I have introduced to this special session.

This Bill would establish a permanent 19 member planning committee on criminal law administration. Its membership would include the Attorney General, the Chief of State Police, members of the Legislative Judiciary Committee, local and county law enforcement officials, the Bar, and officials charged with rehabilitation and correction.

The Committee would direct its attention to four areas of concern, much of which has been discussed in the past few days with the implied consent bill.

First, effective law enforcement, including training and recruitment of law officers, crime prevention and detection, and the prosecution and treatment of criminals.

Secondly, improved administration of justice, including organization of our enforcement and correctional system, the existence of legal barriers in criminal prosecution, and cooperation among enforcement agencies.

Third, legislation, through recommendations made to the Governor and Legislature as to the needs of our criminal law system and the priorities to be assigned in meeting with these needs.

Fourth, increased public understanding.

I'm not going to take much more of your time as far as this bill is concerned. However, if you really want to do something about the crime problem and criminal law administration in this State instead of just talk about it, I urge you to vote against the motion of the gentleman from Cumberland, Mr. Richardson, and I ask that the

vote be taken by the yeas and nays.

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

Mr. RICHARDSON: Mr. Speaker, this little \$16,000 item is a duplication of existing plans and programs that are already in force. We already have a Committee on Criminal Law and Procedure within the Bar Association. The Supreme Judicial Court of the State has an advisory committee on criminal rules and criminal procedures.

Now I am the first to agree with the gentleman from Portland, Mr. Brennan, that there are a great many areas where we need to improve the quality of our law enforcement and the administration of the criminal law. You will recall that I introduced a bill on appeals by the State, the one on witness immunity; that I originally introduced a bill for a chief medical examiner. Now this is just one more item, the money isn't there and I submit to you that it represents a duplication of an existing facility. Again, I would ask you to recede and concur with the Senate in the indefinite postponement of this L. D.

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 on the motion of the gentleman from Cumberland, Mr. Richardson, that the House recede from its former action and concur with the Senate in the indefinite postponement of L. D. 1836 An Act Establishing the Maine Planning Committee on Criminal Law Administration. All those in favor of receding and concurring with the Senate in indefinitely postponing this matter will vote yes, those op-

posed will vote no, and the Chair opens the vote.

ROLL CALL

YEA — Allen, Baker, E. B.; Baker, R. E.; Benson, Birt, Bragdon, Brown, M. F.; Brown, R.; Bunker, Clark, Cornell, Cote, Crockett, Crosby, Cushing, Dickinson, Drummond, Dunn, Durgin, Edwards, Evans, Ewer, Farrington, Fortier, Gill, Hall, Hanson, H. L.; Hanson, P. K.; Harriman, Hawes, Henley, Hewes, Hichens, Hodgkins, Hoover, Huber, Humphrey, Immonen, Jannelle, Jewell, Lewin, Lewis, Lincoln, Lycette, McMann, McNally, Meisner, Morrell, Mosher, Payson, Pendergast, Philbrook, Pike, Porter, Prince, Rackliff, Richardson, G. A.; Richardson, H. L.; Robinson, Ross, Sahagian, Scott, C. F.; Scott, G. W.; Shaw, Snow, P. J.; Snowe, P. Soulas, Thompson, Trask, Watts, White, Wight, Wood,

NAY — Belanger, Berman, Binnette, Boudreau, Bourgoin, Bradstreet, Brennan, Burnham, Carey, Carrier, Carroll, Carswell, Champagne, Conley, Crommett, Curran, D'Alfonso, Danton, Darey, Dudley, Eustis, Fecteau, Fraser, Gaudreau, Gauthier, Giroux, Harnois, Harvey, Healy, Hennessy, Hunter, Jalbert, Jameson, Keyte, Kilroy, Kyes, Lebel, Levesque, Martin, Minkowsky, Nadeau, J. F. R.; Nadeau, N. L.; Robertson, Rocheleau, Roy, Sawyer, Scribner, Shute, Starbird, Truman, Wheeler.

ABSENT — Bedard, Beliveau, Bernard, Buck, Cookson, Cottrell, Couture, Dennett, Drigotas, Foster, Hanson, B. B.; Haynes, Hinds, Littlefield, Maddox, Miliano, Noyes, Quimby, Quinn, Rideout, Sullivan, Susi, Tanguay, Townsend, Waltz, Williams.

Yes, 73; No, 51; Absent, 26.

The SPEAKER: The Chair will announce the vote. Seventy-three having voted in the affirmative and fifty-one having voted in the negative, the motion to recede and concur does prevail.

Non-Concurrent Matter

An Act Reactivating the Governor's Committee on Children and Youth (H. P. 1300) (L. D. 1829)

which was passed to be enacted in the House on January 18 and passed to be engrossed as amended by House Amendment "A" on January 16.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

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

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

The SPEAKER: The gentleman from Cumberland, Mr. Richardson, moves the House recede and concur with the Senate.

The Chair recognizes the gentlewoman from Portland, Mrs. Kilroy.

Mrs. KILROY: Mr. Speaker and Members of the House: This Committee on Children and Youth has been before this Legislature many times since 1959. I have been the sponsor of this bill. This is the only bill that is for the normal child. I feel that this bill to be indefinitely postponed in the other body is very small. As you realize, this bill was substituted for the report. It passed this House and went into the other body. This particular bill was amended to remove the money from this bill for the year 1968. That amount was \$2,000. For 1969 it was \$3,000. I had that cut to \$1,800; the vote was 103 to 32.

I feel that this bill has merit. We have been working with these children over a period of many years. We have had many reports come out from this committee that has helped many other children, and we have found out many things that perhaps the ordinary person wouldn't be able to find because of the confidence they have placed in these people that have interviewed these people to find out what the different things were that were bothering them.

To me, \$1,800 is a very small amount, and especially if you will turn to L. D. 1885 on page 3, there are three new automobiles. I ask you, what do you think? Do you think that the automobiles are more important than our normal child for only \$1800 for two years?

I trust you people will go along with me and not have this bill indefinitely postponed, and I ask for a roll call.

The SPEAKER: The gentleman from Portland, Mrs. Kilroy has requested a roll call. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All those in favor of a roll call will vote yes, those opposed will vote no, and the Chair opens the vote.

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

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

Mr. NADEAU: Mr. Speaker, I also would like to add a few remarks to this. Also in this gem 1885 as I previously stated, and some of you may not have heard, one of the first items they gave a thousand dollars one year and fifteen hundred extra to the Boxing Commission, and the newspapers told you in advance they can't even read the scales, and here we are debating over \$1800.

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

Mr. HARVEY: Mr. Speaker, Ladies and Gentlemen of the House: I hate to take issue with Mr. Richardson from Cumberland. However, we don't have to recede and concur with the Senate on any of this stuff, they are an individual body. I know you would like to get home; I would too. I just talked to my wife and a car is right in the front door of our store and the roof is sagging and they are in dire straits, but to get justice on these bills, I don't mind staying tonight and tomorrow, Saturday and come back Monday; I don't like this being forced to recede and concur with the Senate. If this state is so poor that we can't come up with \$1800 to support this bill, I think maybe we better extend this session for a few weeks and get together with the Governor and come up with an income tax or something to get

a little money in here. This is ridiculous. Besides, it's storming very, very hard out; you wouldn't want to drive home anyway. We have one Committee of Conference. Another one or two isn't going to hurt, so I suggest we not concur with the Senate but insist and have another Committee of Conference. I don't mind at all. I don't think you will either.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I will be brief, only to remind the members of this House that the hour is very late, and I don't think that we should continue the practice that has been established as a matter of procedure that it had to be an all day and all night session before the Legislature could finally adjourn. I think probably this Legislature and the previous Legislature recognize that fact. But by the same token, I don't think that the members of this House in good conscience should act in haste in trying to agree or disagree with the Senate—or the other body, I'm sorry.

Certainly the members of this House have most likely made up their minds on how they are going to vote on these matters being referred back from the other branch, but I certainly hope that the members of this House as individuals will not vote necessarily in haste, but will vote in conscience.

The SPEAKER: The pending question is the motion of the gentleman from Cumberland, Mr. Richardson, that the House recede and concur on L. D. 1829, An Act Reactivating the Governor's Committee on Children and Youth. A roll call has been ordered. All of those in favor of receding and concurring will vote yes, those opposed will vote no, and the Chair opens the vote.

ROLL CALL

YEA — Allen, Baker, E. B.; Baker, R. E.; Benson, Birt, Bragdon, Brown, M. F.; Brown, R.; Bunker, Cornell, Crockett, Crosby, Cushing, Darey, Drummond, Dunn,

Durgin, Edwards, Evans, Farrington, Hall, Hanson, H. L.; Hanson, P. K.; Harriman, Henley, Hodgkins, Huber, Humphrey, Immonen, Jannelle, Lewin, Lycette, Morrell, Payson, Pendergast, Pike, Porter, Rackliff, Richardson, G. A.; Richardson, H. L.; Ross, Sahagian, Scott, C. F.; Scott, G. W.; Shaw, Snow, P. J.; Snowe, P.; Thompson, Trask, Wight, Wood.

NAY — Bedard, Belanger, Ber- man, Binnette, Boudreau, Bour- goin, Bradstreet, Brennan, Burn- ham, Carey, Carrier, Carroll, Cars- well, Champagne, Clark, Conley, Cote, Crommett, Curran, D'Alfon- so, Danton, Dickinson, Dudley, Eustis, Ewer, Fecteau, Fortier, Fraser, Gaudreau, Gauthier, Gill, Giroux, Harnois, Harvey, Hawes, Haynes, Healy, Hennessey, Hewes, Hichens, Hoover, Hunter, Jalbert, Jameson, Jewell, Keyte, Kilroy, Kyes, Lebel, Levesque, Lewis, Martin, McNally, Meisner, Minkow- sky, Mosher, Nadeau, J. F. R.; Na- deau, N. L.; Philbrook, Prince, Robertson, Robinson, Rocheleau, Roy, Sawyer, Scribner, Shute, Soulas, Starbird, Truman, Watts, Wheeler.

ABSENT — Beliveau, Bernard, Buck, Cookson, Cottrell, Couture, Dennett, Drigotas, Foster, Hanson, B. B.; Hinds, Lincoln, Littlefield, Maddox, McMann, Miliano, Noyes, Quimby, Quinn, Rideout, Sullivan, Susi, Tanguay, Townsend, Waltz, White, Williams.

Yes, 51; No, 72; Absent, 27.

The **SPEAKER**: The Chair will announce the vote. Fifty-one hav- ing voted in the affirmative and seventy-two having voted in the negative, the motion to recede and concur with the Senate does not prevail.

Thereupon, on motion of Mrs. Kilroy of Portland, the House voted to insist and ask for a Com- mittee of Conference. The Speak- er appointed the following Con- fererees on the part of the House:

Mrs. **KILROY** of Portland
Messrs. **LEVESQUE**

of Madawaska
HARVEY of Woolwich

The **SPEAKER**: Is there objec- tion to taking up an Enactor at

this time out of order appearing on Supplement 14? The Chair hears none.

Passed to Be Enacted Emergency Measure

An Act to Correct Errors and Inconsistencies in the Education Laws, H. P. 1259, L. D. 1765

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

The **SPEAKER**: The Chair recog- nizes the gentleman from Bath, Mr. McMann.

Mr. McMANN: Mr. Speaker and Ladies and Gentlemen: I've looked at this bill, I have it right in front of me. Please tell me which part of it it corrects?

The **SPEAKER**: The gentleman from Bath, Mr. McMann, 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. Speak- er, I didn't hear the gentleman's question.

The **SPEAKER**: The gentleman posed a question relative to what does this correct?

Mr. RICHARDSON: The title of the bill is An Act to Correct Errors and Inconsistencies in the Educa- tion Laws. It was debated on the Floor of this House at least once or twice that I recall, and I would refer the proponent of the question to the bill itself, it in some detail sets out what's been done, it in- cludes — well, this bill has been the subject of repeated debate in the House as I said.

The **SPEAKER**: The Chair recog- nizes the gentleman from San- ford, Mr. Nadeau.

Mr. NADEAU: Mr. Speaker, one comment, I get emotional possi- bly, but when we get an answer such as this is supposed to correct errors in education, mind you, that little gem that came in had every- thing but education on it.

The **SPEAKER**: The Chair recog- nizes the gentleman from En- field, Mr. Dudley.

Mr. DUDLEY: Mr. Speaker, I move that this bill be indefinitely postponed along with its accom- panying papers. I see a communi- cation from our Attorney General

this morning that seems to indicate that this may be in the order of or a part of it at least in the order of being not just what it should be anyway and I think in the haste of this last hour that I don't want any part of putting out some stuff that will get us into trouble a little later, so I hope that this bill with its accompanying papers will be indefinitely postponed.

The SPEAKER: The gentleman from Enfield, Mr. Dudley, moves the indefinite postponement of this bill.

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

Mr. RICHARDSON: Mr. Speaker, even exercising my famous imagination, I can't imagine any action that this House could take that would be more irresponsible than indefinitely postponing this bill, and I would remind you that one of the things that this does is make the necessary rearrangements within our statutory law to effect a \$250,000 saving in our appropriations picture.

Now this bill has been debated repeatedly. I think everyone in the House knows that, and therefore I would most sincerely ask you to vote against indefinite postponement and allow this bill to become enacted into law. In respect to the statements by the gentleman from Woolwich, Mr. Harvey, I am delighted to stay here just as long as you people think that this is the responsible action to take.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: Recognizing the fact that the gentleman from Enfield, Mr. Dudley, does not necessarily agree with this entire document, I think probably the arts in these legislative halls doesn't always necessitate that we have to entirely agree with the entire document, but somehow or other, I got the impression if there are some errors in here that the gentleman from Enfield, Mr. Dudley, is in complete disagreement with, he certainly hasn't pointed them out to this House. So therefore, because of those reasons, and if there is some

reasons that are — that he should be in entire discord with this document, which I feel in one area that I will point out that it will certainly help the students that have been in parochial schools or private schools, that have been eliminated, will return back to the school subsidies under our present law, and certainly we shouldn't kill an item such as that. So therefore, I hope that you will vote against the motion to indefinitely postpone, but if not only to keep it alive and to find out if there are errors that are unconstitutional or are contrary to our beliefs.

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

Mr. RICHARDSON: Mr. Speaker, I would also like to point out to you that unless this document is passed, that there won't be one penny for subsidy for driver education in any school system in the State of Maine.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I find myself in the position of possibly feeling that for the support that the gentleman from Enfield, Mr. Dudley, has given me on another major measure, that I would appear to be somewhat ungrateful in opposing his motion to indefinitely postpone. I could stand here for a long period of time telling you the reasons as to why we would definitely need this measure, even notwithstanding the fact that there was an amendment put on the bill that would involve several areas within the State of Maine, and certainly, I mean I think that the gentleman from Cumberland, Mr. Richardson, said that he would be happy to stay here just as long as the traffic will stand staying here; if we do not enact this measure, we certainly will stay here for a period of time, and I make you no threat when I say that. I think this is a very definite promise. I do hope that we will not move to indefinitely postpone this measure so we can move for enactment of it.

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

Mr. LEVESQUE: Mr. Speaker, an inquiry through the Chair, if the numbers on the amendments, both from the House and the Senate would be in order at this time.

The SPEAKER: The Clerk will give the answers to his question.

The CLERK: This bill has been passed to be engrossed in concurrence as amended by Committee Amendment "A" which is filing number H-507; House Amendment "B" which is H-509; House Amendment "D" which is H-516, and Senate Amendment "D", filing S-360.

Mr. LEVESQUE: I thank the Clerk very kindly.

The SPEAKER: All those in favor of indefinite postponement will say aye, those opposed will answer no.

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

The SPEAKER: The pending question is the enactment of L. D. 1765.

This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 123 voted in favor of same and 2 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 direct your attention to item 4.

Non-Concurrent Matter

An Act Establishing a State Employees Appeals Board (S. P. 771) (L. D. 1843) which was passed to be enacted in the House on January 17 and passed to be engrossed as amended by Committee Amendment "A" on January 16.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

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

Mr. RICHARDSON: Mr. Speaker and Ladies and Gentlemen of the House: This, like many other bills, is good legislation that cannot be funded at this time. We have made inquiry and feel that it is something that can be deferred, although like many other things,

it probably shouldn't be. Nevertheless, we have no alternative but to recede and concur and I move that we do so.

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

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

Mr. EWER: Mr. Speaker, Ladies and Gentlemen: This is one of the very few bills which received the unanimous ought to pass report. I agree completely with the Majority Floor Leader that this is a good bill, and I don't think that it is a fair thing for the state employees to have this appeals board rejected at this last moment. If a bill is good it should receive consideration. This bill received plenty of consideration in the House and met all its tests by and large passing by action under the hammer.

I regret that I have to sever my connection at this point with the leadership; I hope I won't cause the breaking up of a beautiful friendship by it, but I cannot in all conscience vote for indefinite postponement or receding and concurring on this measure.

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I also realize that the time is late, but I would like to point out a few things about L. D. 1843. As a member of the State Government Committee, this bill appeared before us to receive a — it appeared before the Committee on Labor, it had appeared before the Committee on State Government during the regular session of the 103rd Legislature. It received the unanimous support of the State Government Committee and as I understand it now, it received the unanimous report of the Labor Committee this time. The total funds for this item would be \$4,800. The comment has been made that we do not have the funds for this. I can assure the gentleman from Cumberland, Mr. Richardson, that there are certain amendments

which could certainly be prepared which would make the funds available, and I only wish to point out one. In an L. D. which we approved this morning, there was \$120,000 for land acquisition for historical sites. Granted, 120,000 will not buy too many historical sites, and I am entirely in favor of historical site development within the State of Maine, but I can assure you that deducting \$4,800 from that particular fund would not cut down the amount of areas that we would buy. The only thing that I can see wrong with L. D. 1843 is that it happens to be introduced by a Democrat and therefore, Mr. Speaker, I request a roll call when the vote is taken.

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

Mr. SOULAS: Mr. Speaker, Ladies and Gentlemen of the House: I feel L. D. 1843 is probably the most important piece of legislation to ever come before this House. To deny the employees of our state a right to an opportunity to appeal their grievances to a so-called arbitration board is like forcing them to work under undue conditions.

Only last Sunday I had to attend a meeting at the Bangor State Hospital. As you know right now, there is a Board being formed to try to find the grievances of these people. During my conversation there with a few of the people, I was told by several of these people that they were working many hours and not getting paid for these hours. If this is true or it isn't true, I have no way of knowing, but this Board that is being formed is going to find out. I also said to these people, what if you do work your so-called forty-four hour week or your forty-eight hour week, and someone says to you you must come to work tomorrow and it is overtime pay, and you refused, I was told that if they refused they would be thrown out of their job or they would lose their chance to come back to work. So I feel this type of legislation should be given a little thought, and I agree with the gentleman from Bangor, Bob Ewer, I have to oppose this.

The SPEAKER: The Chair recognizes the gentleman from Saco, Mr. Bedard.

Mr. BEDARD: Mr. Speaker, Ladies and Gentlemen of the House: As a member of the Labor Committee I have to say this. In the past I have been for fourteen years on the grievance committee of the Saco - Lowell Shops. I believe that any employee of any organization or anything that's organized should be recognized and should have the right to bargain and should have the right to discuss whether he has been discriminated or he is getting his fair share of what is coming to him, and in the final hour we have accepted the state employees organization we should give them a full right of being represented and be heard, and if we don't pass this bill then we are just going to tell the boys you've joined an organization and wasted your money, and I say this, the laboring organizations of the State of Maine and the State Department on the road are to be protected, they are underpaid, and I say this, let's not throw them down.

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

Mr. NADEAU: Mr. speaker and Ladies and Gentlemen of the House: I once worked at a place where there was a union. I once tried to protest because very early in the morning someone would say: how come only this amount of work had been done? And I repeated day after day that what had been done, I had done it, that that so-called in-law of yours, just because you happen to be the boss, sat on his — sat in the corner and slept all night long. Now if you want to know why this work hasn't been done, go ask him. That was only one time.

Then I got a transfer to another department. Anyway, to make a long story short, this piece of legislation I would support if anyone had put it in. Mind you, all they are trying to do is trying to protect your tax dollar. Do you realize what this will do? Someone now will come up to this Board to be heard and this will save you thousands and thousands of dollars,

because some of these gripes are going to be that so and so is not doing their job and or I'm not being recognized or someone else is being promoted because of favoritism and for many other reasons. I say to you ladies and gentlemen if that is what we want to say that we have done one thing right, if only one thing, this would be the thing, and if you were at the other end of the rope where you were trying to protect yourself and trying to protect the person, this would bring out the truth here in State Government, and I guess we don't want to hear it. This must be why we are objecting to it. Thank you very much.

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

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

The SPEAKER: The pending question is the motion of the gentleman from Cumberland, Mr. Richardson, that the House recede and concur with the Senate in the indefinite postponement of L. D. 1843, An Act Establishing a State Employees Appeals Board. All those in favor of receding and concurring will vote yes, those opposed will vote no, and the Chair opens the vote.

ROLL CALL

YEA—Allen, Baker, E. B.; Berman, Berman, Bragdon, Brown, R.; Bunker, Clark, Cornell, Crosby, Darey, Drummond, Dunn, Durgin, Edwards, Evans, Gill, Hall, Hanson, H. L.; Harriman, Hawes, Haynes, Henley, Hewes, Hodgkins, Huber, Humphrey, Immonen, Jannelle, Kyes, Lewin, Lewis, Lincoln, McMann, Meisner, Mosher, Payson, Philbrook, Pike, Porter, Rackliff, Richardson, G. A.; Richardson, H. L.; Sahagian, Scott, G. W.; Shaw, Snowe, P.; Thompson, Watts, White, Wight.

NAY — Baker, R. E.; Bedard, Belanger, Binnette, Boudreau, Bourgoin, Bradstreet, Brennan, Brown, M. F.; Burnham, Carey, Carrier, Carroll, Carswell, Champagne, Conley, Cote, Crockett, Crommett, Curran, Cushing, D'Alfonso, Danton, Dickinson, Eustis, Ewer, Farrington, Fecteau, Fortier, Fraser, Gauthier, Giroux, Harnois, Harvey, Healy, Hennessey, Hoover, Hunter, J. Albert, Jameson, Keyte, Kilroy, Lebel, Levesque, Martin, Minkowsky, Morrell, Nadeau, J. F. R.; Nadeau, N. L.; Prince, Robertson, Rocheleau, Ross, Sawyer, Scott, C. F.; Scribner, Shute, Snow, P. J.; Soulas, Starbird, Trask, Truman, Wheeler, Wood.

ABSENT — Beliveau, Bernard, Birt, Buck, Cookson, Cottrell, Couture, Dennett, Drigotas, Dudley, Foster, Gaudreau, Hanson, B. B.; Hanson, P. K.; Hichens, Hinds, Jewell, Littlefield, Lycette, Maddox, McNally, Miliano, Noyes, Pendergast, Quimby, Quinn, Rideout, Robinson, Roy, Sullivan, Susi, Tanquay, Townsend, Waltz, Williams.

Yes, 51; No, 64; Absent, 35.

The SPEAKER: The Chair will announce the vote. Fifty - one having voted in the affirmative and sixty - four having voted in the negative, the motion to recede and concur does not prevail.

Thereupon, on motion of Mr. Ewer of Bangor, the House voted to insist and ask for a Committee of Conference.

The Speaker appointed the following Conferees on the part of the House:

Messrs. EWER of Bangor
MARTIN of Eagle Lake
BEDARD of Saco

Order out of Order Indefinitely Postponed

Mr. Ewer of Bangor presented the following Order out of order and moved its passage:

WHEREAS, for a number of years working conditions, length of working hours, lack of trained workers, administrative practices and apparent inability to secure more help, whether because of low salaries or poor working conditions,

there has existed a serious condition in various state institutions; now, therefore be it

ORDERED, that this House order a study of such wages, working conditions and management decisions responsible for such existing detrimental conditions at Pineland Hospital and Training Center and the Augusta and Bangor State Hospitals.

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

Mr. EWER: Mr. Speaker and Members of the House: I apologize for being so late with the introduction of this order, but I was expecting a joint order to come through from the other end of the Hall which apparently hasn't developed.

Last Sunday afternoon several of us in the Bangor area attended a meeting of the employees at the Maine State Hospital in Bangor. They had a very serious problem there. We heard about it four years ago during the 101st and apparently it hasn't changed. They haven't enough employees, the wards are in some cases seriously understaffed. The employees while they are supposed to work a forty - four hour week and in some cases a forty - eight hour week, are working anywhere from forty - four hours to eighty. In some cases they are working six days straight away and in some cases they are working seven days straight away and in some cases they are working eight days straight away, and if there is an amount of sickness they are not able to get their time off; for anything in excess of forty hours they are supposed to have compensatory time off which is given if they have employees to relieve them, but since they never have, the employees are not getting either the time off or extra pay for it. It is my understanding that at Pineland and at Augusta State Hospital overtime is being paid in excess of forty - four or forty - eight hours, but at Bangor it never has been.

I met Dr. Schumacher this morning and had a discussion with him and he seemed to put the blame on these bad working conditions in Bangor on Dr. Pooler. Dr. Pooler

died some months ago and has been replaced by Dr. Cady who is temporarily in charge of the institution. It seems to me from what experience I have had in my forty - two years as a labor man to some extent that any institution or institutions which permit such working conditions to exist in this day and age is rather a benighted one.

When this matter of reduction of work hours to forty with a corresponding reduction for the take home pay these employees expected as a result of the wage increase going into effect this January 1st became known, the lower paid employees felt that they couldn't afford this take home pay cut. They would rather work their extra hours and get the pay. Out of about 150 people at that meeting Sunday, there was just one who expressed any desire at all to take a cut in hours and leave her pay about the same as it was. She said she needed the extra time at home. But the rest of them didn't feel this way. I think that we owe it to the inmates of these centers, these hospitals, and also to the employees to do something to check on these conditions, and I hope that this order will receive passage.

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

Mr. RICHARDSON: Mr. Speaker, some kind soul just sent me a note and said you're batting a thousand Harry, keep it up. This order, and I want to read this language to you, I think that I will not vote for this, and whether or not — well, I won't say that. It says: "Whereas, for a number of years working conditions, length of working hours, lack of trained workers" and questionable "administrative practices" have existed, this order if you vote for it asks you to assume as a fact that questionable administrative practices have and do exist, and that it says further: "Ordered, that this House order a study of such wages, working conditions and management decisions responsible." Now I indicated to the gentleman from Bangor, Mr. Ewer, this morning that I could

not as a Legislator in good conscience vote for an order which accepted that statement as being true. I agreed that we would take any other course of action that could be worked out with the other body; the other body has refused to accept that proposition, and therefore I think we are engaged in a pointless dispute. The Department has made an effort to solve this problem. I have been directly involved in trying to work it out with Commissioner Ulmer and Dr. Schumacher. Now I think this is a pointless, futile act; we are getting embroiled in a dispute that is going to resolve itself I am sure with people in good faith trying to work together, and I therefore move the indefinite postponement of this order and when the vote is taken I request a division.

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

Mr. EWER: Mr. Speaker, may I point out that in the order as it was read by the Clerk the adjective before administrative practices was taken out, so that that is not there in this present order. I realized after thinking it over that it might be a little stiff to put in, so I cut it in the present order. I would request when the vote is taken, it be taken by the yeas and nays.

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

Mr. BINNETTE: Mr. Speaker, Ladies and Gentlemen of this House: I would want to be on record as verifying the statements that Mr. Ewer of Bangor made a few moments ago. We were at that meeting and there was a great deal of dissatisfaction and I believe that this order merits a study. Now I disagree with the Majority Leader when he says no part of it should be taking place. This order merely means a study of such wages, working conditions and management decisions responsible for such existing detrimental conditions at Pineland Hospital and Training Center and the Augusta and Bangor State Hospital. I don't see anything wrong with that. I think if we can do something to correct the conditions that are now

existing, we will be doing something. These people that have to work for a living are not doing it for a pleasure, they are doing it for a necessity, and if there is anything we can do to help them out in this dilemma, I'm one hundred percent for it.

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

Mr. CURRAN: Mr. Speaker, I am in complete agreement with Mr. Ewer and Mr. Binnette, I attended that evening. I discussed the hospital wages with one of the Department Heads and he told me it was up to the management at the Bangor State Hospital to give them overtime if they desired. Now I understand Pineland and the Augusta State Hospital both get overtime.

The SPEAKER: Is the House ready for the question? The pending question is the motion of the gentleman from Cumberland, Mr. Richardson, that this order be indefinitely postponed.

The yeas and nays have been requested. For the Chair to order the yeas and nays 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 Cumberland, Mr. Richardson, that this order be indefinitely postponed. All those in favor of the indefinite postponement — the Chair recognizes the gentleman from Southwest Harbor, Mr. Benson.

Mr. BENSON: Mr. Speaker and Members of the House: Not because I sit at the left of the gentleman from Cumberland, Mr. Richardson, do I agree with the indefinite postponement of this order. I think it would be in extremely poor taste for the Legislature to become involved in this area.

Number two, this order does not provide any funds for such a study, and number three, it does not stipulate who shall carry out the study. I think that we would be acting in extremely good judgment for a change if we did indefinitely postpone this order.

The SPEAKER: All of those in favor of the indefinite postponement of this order will vote yes, those opposed will vote no, and the Chair opens the vote.

ROLL CALL

YEA — Allen, Baker, E. B.; Baker, R. E.; Benson, Berman, Bragdon, Brown, M. F.; Brown, R.; Bunker, Burnham, Clark, Cornell, Cote, Crockett, Crommett, Crosby, Cushing, Darey, Dickinson, Drummond, Dunn, Durgin, Edwards, Evans, Farrington, Fortier, Hall, Hanson, H. L.; Harri-man, Hawes, Haynes, Henley, Hewes, Hichens, Hodgkins, Hoover, Huber, Humphrey, Hunter, Jannelle, Kyes, Lewin, Lewis, Lincoln, Lycette, McMann, McNally, Meisner, Morrell, Mosher, Payson, Pendergast, Philbrook, Pike, Porter, Prince, Rackliff, Richardson, G. A.; Richardson, H. L.; Robinson, Ross, Sahagian, Scott, C. F.; Scott, G. W.; Scribner, Shaw, Shute, Snow, P. J.; Snowe, P.; Thompson, Trask, Watts, White, Wight, Wood.

NAY — Binnette, Boudreau, Bourgoin, Brennan, Carey, Carrier,

Carswell, Champagne, Conley, Curran, Danton, Eustis, Ewer, Fraser, Gaudreau, Gauthier, Giroux, Har-nois, Harvey, Healy, Hennessey, Jameson, Keyte, Kilroy, Lebel, Levesque, Martin, Minkowsky, Na-deau, J. F. R.; Rocheleau, Roy, Sawyer, Soulas, Starbird, Truman, Wheeler.

ABSENT — Bedard, Belanger, Beliveau, Bernard, Birt, Bradstreet, Buck, Carroll, Cookson, Cot-trell, Couture, D'Alfonso, Dennett, Drigotas, Dudley, Fecteau, Foster, Gill, Hanson, B. B.; Hanson P. K.; Hinds, Immonen, Jalbert, Jew-ell, Littlefield, Maddox, Miliano, Nadeau, N. L.; Noyes, Quimby, Quinn, Rideout, Robertson, Sulli-van, Susi, Tanguay, Townsend, Waltz, Williams.

Yes, 75; No, 36; Absent, 39.

The SPEAKER: The Chair will announce the vote. Seventy - five having voted in the affirmative and thirty - six having voted in the negative, the Order is indefinitely postponed.

(Off Record Remarks)

House at Ease

Called to order by the Speaker.

On motion of Mr. Richardson of Cumberland,

Adjourned until ten o'clock tomorrow morning.