

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Fourth
Legislature*

OF THE

STATE OF MAINE

1969

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Wednesday, April 9, 1969

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

Prayer by the Rev. Mr. Warren Benner of Augusta.

The journal of yesterday was read and approved.

**Papers from the Senate
Reports of Committees
Referred to Committee
on State Government**

Report of the Committee on Towns and Counties on Bill "An Act Increasing Salary of County Attorney of Washington County" (S. P. 305) (L. D. 998) reporting that it be referred to the Committee on State Government.

Came from the Senate with the Report read and accepted and the Bill referred to the Committee on State Government.

In the House, the Report was read and accepted in concurrence and the Bill referred to the Committee on State Government in concurrence.

**Ought to Pass
in New Draft**

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act Appropriating Funds for Union River Anadromous Fish Restoration Program" (S. P. 234) (L. D. 708) reporting same in a new draft (S. P. 427) (L. D. 1425) under same title and that it "Ought to pass"

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

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

Ought to Pass

Report of the Committee on Appropriations and Financial Affairs reporting "Ought to pass" on Bill "An Act relating to Law Clerks for the Judiciary" (S. P. 63) (L. D. 184)

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

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

the Bill read twice and tomorrow assigned.

**Ought to Pass with
Committee Amendment**

Report of the Committee on State Government on Bill "An Act relating to Duties of the Employment Security Commission" (S. P. 229) (L. D. 669) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

In the House, the Report was read and accepted in concurrence and the Bill read twice. Committee Amendment "A" (S-65) was read by the Clerk and adopted in concurrence, and tomorrow assigned for third reading of the Bill.

**Non-Concurrent Matter
Tabled and Assigned**

Bill "An Act relating to Open Season on Partridge or Grouse and Pheasant" (H. P. 330) (L. D. 439) which was passed to be engrossed in the House on April 1.

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

In the House: On motion of Mr. Marsteller of Freeport, tabled pending further consideration and specially assigned for Friday, April 11.

Non-Concurrent Matter

An Act relating to Septic Tank and Cesspool Cleaners (H. P. 685) (L. D. 884) which was passed to be enacted in the House on March 27 and passed to be engrossed on March 13.

Came from the Senate indefinitely postponed in non-concurrence.

In the House: The House voted to recede and concur with the Senate. (**Later Reconsidered**)

Messages and Documents

The following Communication:

STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA

April 8, 1969

To the Honorable Senate
and House of Representatives
of the 104th Legislature

I have carefully considered House
Paper 628—Legislative Document
816, An Act Repealing Certain Pro-
cedure for Registration of Voters.

In my judgment, this bill would
have the effect of eventually re-
ducing significantly the number of
registered voters in the State of
Maine. It would end a system of
registration which I believe has
been effective in bringing onto the
voting rolls many citizens who
could not otherwise register be-
cause of infirmity or because of
working schedules that make regis-
tration at municipal offices dif-
ficult, if not impossible.

A constitutional system such as
ours should facilitate voting as
much as possible, not adopt nor
maintain laws that discourage
voting nor, as this instance, make
the act of registering more difficult.
It is regrettable that more citizens
do not utilize their right to vote.
However, it is a fact that a sub-
stantial number do not. Therefore,
it is my belief that every effort
should be made to encourage the
participation of the eligible citi-
zenry.

Maine should be proud of its law
that permits a citizen to complete
an application to become a regis-
tered voter before a Notary Pub-
lic or a Justice of the Peace, rather
than necessitating a personal ap-
pearance before a Board of Regis-
tration. In many instances, town
clerks hold extremely irregular
hours for the registration of voters,
particularly in towns where there
are no town offices. Numerous
instances have been cited of citi-
zens who have been severely in-
convenienced by these conditions
and even discouraged from regis-
tering to vote.

I regret that I must return L. D.
816 to the Legislature without my
signature or approval. I urge mem-
bers to review this proposed legis-
lation and support my veto of the
bill.

Respectfully submitted,
(Signed) KENNETH M. CURTIS
Governor

The Communication was read
and ordered placed on file.

(On motion of Mr. Ross of Bath,
the matter was tabled pending
further consideration and specially
assigned for Friday, April 11.)

The following Communication:
Honorable Bertha W. Johnson
Clerk of the House of

Representatives
104th Legislature
Augusta, Maine

Dear Madam Clerk:

The Senate has voted to insist
and join in a Committee of Con-
ference on the disagreeing action
of the two branches of the Legisla-
ture on Bill, "An Act Relating to
Annual Review of All Applications
for Liquor Licenses," (H. P. 827)
(L. D. 1066), and the President
has appointed the following mem-
bers of the Senate to the Com-
mittee of Conference on the same:

Senators: BERRY of Cumberland
CONLEY of Cumberland
BOISVERT

of Androscoggin

The Senate has voted to insist
and join in a Committee of Con-
ference on the disagreeing action
of the two branches of the Legisla-
ture on Bill, "An Act Relating to
Reasonable Counsel Fees Under
Uniform Act on Paternity," (H. P.
635) (L. D. 823), and the President
has appointed the following mem-
bers of the Senate to the Com-
mittee of Conference on the same:

Senators: LOGAN of York
MILLS of Franklin
STUART of Cumberland

The President has appointed the
following members of the Senate to
the Committee of Conference on
the disagreeing action of the two
branches of the Legislature on
Bill, "An Act to Designate on Of-
ficial Rock and Mineral for the
State of Maine," (S. P. 304) (L.
D. 997):

Senators: MILLS of Frankiin
HANSON of Kennebec
KATZ of Kennebec

The President has appointed the
following members of the Senate
to the Committee of Conference
on the disagreeing action of the
two branches of the Legislature on
Bill, "An Act Permitting Employ-
ment of State Prison and Reforma-

tory Inmates on County and Municipal Public Works Projects," (H. P. 497) (L. D. 651):

Senators: PEABODY of Aroostook
CONLEY of Cumberland
MARTIN of Piscataquis
Respectfully,
(Signed) JERROLD B. SPEERS
Secretary of the Senate

The Communication was read and ordered placed on file.

Petitions, Bills and Resolves Requiring Reference

The following Bill, approved by a majority of the Committee on Reference of Bills for appearance on House Calendar, was received and referred to the following Committee:

Judiciary

Bill "An Act relating to Mental Examination of Persons Accused of Crime" (H. P. 1113) (Presented by Mr. Lund of Augusta)

(Ordered Printed)

Sent up for concurrence.

Orders

On motion of Mr. Soulas of Bangor, the House reconsidered its action of earlier in today's session whereby on item six, An Act relating to Septic Tank and Cesspool Cleaners (H. P. 685) (L. D. 884) the House voted to recede and concur with the Senate in indefinite postponement.

On further motion of the same gentleman, the House voted to insist on its former action.

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

Mr. NORRIS: Mr. Speaker, I would ask if the House is in possession of House Paper 629, L. D. 817, Bill "An Act Adding Services to Alcoholics and Drug Addicts to the Responsibilities of the Bureau of Mental Health."

The SPEAKER: The answer is in the affirmative; it is in possession of the House.

Mr. NORRIS: Mr. Speaker, I move that we reconsider our action of yesterday whereby this bill was passed to be engrossed as amended by Committee Amendment "A".

Whereupon, on motion of Mr. Cox of Bangor, tabled pending the motion of Mr. Norris of Brewer to

reconsider and specially assigned for Tuesday, April 15.

The SPEAKER: At this time the Chair will read a communication to the Honorable David J. Kennedy, Speaker of the House, the 104th Legislature—

"Sir: I hereby submit my resignation to be effective as of April 11, 1969, because of my enlistment in the Air Force. Respectfully signed, Peter C. Eames."

The Chair accepts the Sergeant-at-Arms' resignation with regret, but we do hope that his future endeavors will prove fruitful and safe for him personally.

House Reports of Committees Ought Not to Pass

Mr. Bragdon from the Committee on Appropriations and Financial Affairs reported "Ought not to pass" on Bill "An Act Appropriating Moneys for Construction of a Reception Diagnostic Treatment Center for Persons Committed to any Penal Institution" (H. P. 369) (L. D. 479)

Mr. Lund from same Committee reported same on Bill "An Act Appropriating Funds for a Two-Classroom Building at Somerville Plantation" (H. P. 267) (L. D. 343)

Mr. Sahagian from same Committee reported same on Bill "An Act Appropriating Moneys for a Prerelease Center for Inmates of Penal Institutions" (H. P. 368) (L. D. 478)

Reports were read and accepted and sent up for concurrence.

Tabled and Assigned

Mr. Haskell from the Committee on Labor reported "Ought not to pass" on Bill "An Act Revising the Employment Security Law Providing for an Executive Director" (H. P. 897) (L. D. 1158)

Report was read.

(On motion of Mr. Huber of Rockland, tabled pending acceptance of Report and specially assigned for Friday, April 11.)

Tabled and Assigned

Mr. Norris from the Committee on Legal Affairs reported "Ought not to pass" on Bill "An Act to Annex Black and Megquier Islands to

Thompson Lake to Town of Oxford" (H. P. 287) (L. D. 363)

Report was read.

(On motion of Mrs. Lincoln of Bethel, tabled pending acceptance of Report and specially assigned for Wednesday, April 16.)

Referred to Committee on Towns and Counties

Mrs. Baker from the Committee on Legal Affairs on Bill "An Act relating to Municipal Parks and Conservation Commission" (H. P. 938) (L. D. 1199) reported that it be referred to the Committee on Towns and Counties.

Report was read and accepted, the Bill referred to the Committee on Towns and Counties and sent up for concurrence.

Ought to Pass in New Draft New Drafts Printed

Mrs. Boudreau from the Committee on Election Laws on Bill "An Act to Revise Ballot Inspection and Recount Procedures under the Maine Election Laws" (H. P. 806) (L. D. 1045) which was recommended, reported same in a new draft (H. P. 1114) (L. D. 1433) under same title and that it "Ought to pass"

Report was read and accepted, the New Draft read twice and tomorrow assigned.

Tabled and Assigned

Mr. Good from the Committee on Labor on Bill "An Act relating to Chiropractic Services for Injured Employee under Workmen's Compensation Law" (H. P. 95) (L. D. 104) reported same in a new draft (H. P. 1115) (L. D. 1434) under same title and that it "Ought to pass"

Report was read.

(On motion of Mr. Huber of Rockland, tabled pending acceptance of Report and specially assigned for Friday, April 11.)

Mr. Cote from the Committee on Legal Affairs on Bill "An Act relating to Sick Leave under Lewiston City Charter" (H. P. 697) (L. D. 897) reported same in a new draft (H. P. 1116) (L. D. 1435) under same title and that it "Ought to pass"

Mrs. Wheeler from same Committee on Bill "An Act Providing for the Observance of Certain Legal Holidays on Monday" (H. P. 699) (L. D. 899) reported same in a new draft (H. P. 1117) (L. D. 1436) under same title and that it "Ought to pass"

Reports were read and accepted, the New Drafts read twice and tomorrow assigned.

Ought to Pass Printed Bills

Mr. Cote from the Committee on Legal Affairs reported "Ought to pass" on Bill "An Act Amending the Charter of Portland Relating to Title of Chairman of the City Council" (H. P. 998) (L. D. 1300)

Mr. Norris from same Committee reported same on Bill "An Act Amending the Liability of Landowners Law" (H. P. 735) (L. D. 953).

Reports were read and accepted, the Bills read twice and tomorrow assigned.

Divided Report

Report "A" of the Committee on Labor reporting "Ought to pass" on Bill "An Act relating to Powers of Board under State Employees Appeals Board Act" (H. P. 821) (L. D. 1060)

Report was signed by the following members:

Messrs. TANOUS of Penobscot
PEABODY of Aroostook
—of the Senate.

Messrs. HASKELL of Houlton
HUBER of Rockland
DURGIN of Raymond
—of the House.

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

Report was signed by the following members:

Mr. BELIVEAU of Oxford
—of the Senate
Messrs. McTEAGUE of Brunswick
GOOD of Westfield
BEDARD of Saco
CASEY of Baileyville
—of the House.

Reports were read.

On motion of Mr. Huber of Rockland, Report "B" "Ought not to pass" was accepted and sent up for concurrence.

**Third Reader
Indefinitely Postponed**

Bill "An Act Repealing the Bounty on Bobcat" (H. P. 34) (L. D. 35)

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

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

Mr. PORTER: Mr. Speaker, Ladies and Gentlemen of the House: A few days ago we thought we'd killed this bobcat bill, but lo and behold it is back before us again this morning. This may prove to be the proverbial cat with the nine lives before we get done with this thing.

As I remember, last week we voted 69 to 61 to eliminate this bill. Many people will tell you that bounties are not workable. I disagree. A few years ago we took the bounty off bear and I think you will agree that there are more bear in the State of Maine today than have been for a number of years. Only year before last I saw six bear during the hunting season. That is the first time that has ever happened.

Then a few years later we took the bounty off porcupines. About that same time there was an explosion in the fisher populations in the state and in most areas of the state the fisher are keeping the porcupines under control. However, I can show you areas in the state where the fisher population is not high and in those areas the population of porcupines is increasing at an alarming rate.

I fear the same thing would be happening if we took this bounty off bobcats. If we take this bounty off and we have an increase of one bobcat, I think that is more than the state can stand. Personally, I'd be in favor of cutting the bobcat population in half.

Now we are talking this morning about \$8,000. Some of you may think this is an opportunity to save \$8,000 for the Department. We have been told that it costs about \$15,000 to hire, train and equip a game warden. So this \$8,000 represents a half game warden. I have no objections to

hiring a half a game warden but I do have objections to the possibility of this \$8,000 being used to hire another unnecessary assistant.

This \$8,000 would represent about 40 deer because the State tells us that a deer is worth between two and three hundred dollars. So using the minimum figure, two hundred dollars, that represents about forty deer. We had a member appear before our Committee and told about tracking a bobcat and in one night that bobcat had killed three deer. That cat didn't kill a deer to eat. He killed it out of sheer devilishness. All night those bobcats are killing deer. Imagine what that one bobcat would have done had he lived all winter; or, if he lives five or six years, imagine the damage he could do to the state in the killing of deer.

These detestable cats, I feel, should be held in control. Undoubtedly last night the cats in this state must have cost this state thousands of dollars. And if this morning by the expenditure of fifteen dollars we can convince one hunter to go into the woods and kill one bobcat, I consider that a bargain.

Mr. Speaker, I move that this bill be indefinitely postponed.

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

Mr. LEWIN: Mr. Speaker, Ladies and Gentlemen of the House: My remarks will be very brief. I think we have talked enough on the bobcat bounty. I would acquaint you with the fact that the bobcat bounty is the only one now paid in this state. You already heard the other day that a half a million dollars has been spent in bounties since 1920. This money could well have been used to employ more wardens to protect our fish and wildlife and protect and make available better hunting for all of our resident and non-resident hunters.

There is no question that bobcats kill deer; we know this. But the deer has other enemies as well—our perennial poacher and the family dogs which roam the woods in large numbers in the

wintertime. Many deer carcasses have been found this winter killed by dogs, dogs which were let out by their loved ones to roam at will. The kill has been high. Last week in this area alone they found seven deer killed by dogs.

Getting back to bobcats. Hunting bobcats today is fast becoming a great sport for many of our hunters, even for out-of-staters. The bounty is not needed. Therefore, I ask when you vote that you vote against the motion of Mr. Porter of Lincoln. Thank you.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I view this small expenditure as a very serious matter and I think we should think very seriously before we cast a ballot in doing away with the bobcat bounty because as I say north of where Mr. Porter lives and where many of us people live that are represented here in this House this morning these bobcats are a real menace.

Now let me assume for a minute this is the highest year they ever had, was around \$8,000. Let's say if you divide fifteen dollars in eight thousand you come up with some five hundred and thirty-three bobcats killed that they paid a bounty on. Now some of these bobcats kill many deer and this you can take my word, I can prove it, I could have proved it two weeks ago because I could have taken and shown you the carcass. I don't say dogs don't kill deer; automobiles kill deer, men kill deer and maybe some other animals, but we are talking now only about the bobcat and the damage that he does. So let's assume for one minute if you will, five hundred and thirty-three or four bobcat that we paid a bounty on. Let's assume for a minute that each one of those bobcat in his lifetime only killed one deer and the department says these deer are worth two hundred to two hundred and fifty dollars. Ladies and gentlemen, this is a staggering figure, what is involved in money that is lost to the state in the loss of deer killed.

And I think it is a very small expenditure. Now of course the people who are trying to promote this bill use the biggest figure but some years this has been down under \$6,000 but it is \$8,000 this year and it does do a lot of good and I hope you will very seriously consider what we are getting into when we do it. Because if we don't have this bounty we are going to lose an awful lot of deer in my area and I'm sure that we will be awfully sorry that we were too mean to spend this very small expenditure of say \$8,000, but it ordinarily isn't \$8,000, it's generally around \$6,000. Thank you.

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

Mr. BOURGOIN: I wish to support Mr. Porter of Lincoln for indefinite postponement. I have reports, I've been in the woods all summer, fishing and in the fall hunting, whether I kill something or not. I have reports from the local wardens and those bobcats will hunt family style, get in a deer yard of a hundred or a hundred and twenty deer and before spring they have killed every deer in that yard and moved over to another yard adjoining. I have been stalked by a bobcat that was twelve feet behind me; he had heard me cough a little bit, I was still hunting for deer. And two years ago I watched a bobcat that was stalking partridge, and we should not revoke the bounty on the bobcats. Thank you.

Mr. Kelley of Southport then moved that the Bill be tabled until Tuesday, April 15.

Whereupon, Mr. Kelley of Machias asked for a division on the tabling motion.

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

A vote of the House was taken.

16 having voted in the affirmative and 109 having voted in the negative, the motion did not prevail.

The SPEAKER: The pending question is on the motion of the gentleman from Lincoln, Mr. Port-

er, that House Paper 34, L. D. 35, Bill "An Act Repealing the Bounty on Bobcat" be indefinitely postponed.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: I can't worry too much about the bobcat's population as far as the sportsmen are concerned, when you consider the fact that every single year the female bobcat has from two to four kits. So we're building up the population reasonably fast and I think that perhaps the bounty should remain.

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

A vote of the House was taken.

77 having voted in the affirmative and 52 having voted in the negative, the Bill was indefinitely postponed in non-concurrence and sent up for concurrence.

Passed to Be Engrossed

Bill "An Act relating to Appropriating Money by Municipalities for Ambulance Service" (H. P. 534) (L. D. 705)

Bill "An Act relating to Fees of Disclosure Commissioners" (H. P. 823) (L. D. 1062)

Bill "An Act Amending the Charter of the City of Portland Relating to Rotation of Names on Ballots" (H. P. 957) (L. D. 1238)

Bill "An Act Entering Into the Interstate Agreement on Qualifications of Educational Personnel and for Related Purposes" (H. P. 984) (L. D. 1268)

Bill "An Act relating to Privately Owned Business, Trade and Technical Schools" (H. P. 1112) (L. D. 1432)

Resolve in Favor of Town of Haynesville for Development of a Recreational Area (H. P. 423) (L. D. 547)

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

Amended Bill Tabled and Assigned

Bill "An Act relating to County Inventory of Property and Bids" (H. P. 650) (L. D. 838)

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

(On motion of Mr. Crommett of Millinocket, tabled pending passage to be engrossed as amended and specially assigned for Friday, April 11.)

Orders of the Day

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

Bill "An Act relating to Boilers and Unfired Steam Pressure Vessels" (H. P. 1100) (L. D. 1417)

Tabled—April 2, by Mrs. Baker of Orrington.

Pending — Passage to be engrossed.

On motion of Mrs. Baker of Orrington, recommitted to the Committee on Legal Affairs and sent up for concurrence.

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

An Act to Provide for the Expunging of Certain Records of Arrest (S. P. 223) (L. D. 663)

Tabled—April 2, by Mr. Danton of Old Orchard Beach.

Pending—Motion of Mr. Lund of Augusta to reconsider passage to be enacted.

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

Mr. DANTON: Mr. Speaker and Members of the House: There is an amendment being considered relative to this measure and in order to allow full consideration, I would request that someone table this matter.

Thereupon, on motion of Mr. Hewes of Cape Elizabeth, tabled pending the motion of Mr. Lund of Augusta to reconsider passage to be enacted and specially assigned for Friday, April 11.

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

HOUSE REPORT—"Ought not to pass"—Committee on Highways on Bill "An Act relating to Reimbursement of Fuel Tax for Miles Traveled on Maine Turnpike" (H. P. 371) (L. D. 511)

Tabled—April 4, by Mr. Crosby of Kennebunk.

Pending—Acceptance.

On motion of Mr. Keyte of Dexter, retabled pending acceptance and specially assigned for Friday, April 11.

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

Bill "An Act relating to the Requirement for a Board of Registration" (H. P. 1103) (L. D. 1421)

Tabled—April 4, by Mr. Henley of Norway.

Pending—Passage to be engrossed.

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

Mr. DENNETT: Mr. Speaker and Members of the House: This bill was tabled last Friday by the gentleman from Norway, Mr. Henley, at my request. I requested that he table it to afford me the opportunity of introducing an amendment. Mr. Henley is in accord with this amendment, and this is being done with his full knowledge. So at this time, I would like to introduce House Amendment "A" to House Paper 1103, Legislative Document 1421, which is under House filing H-153, and move its adoption.

House Amendment "A" (H-153) was read by the Clerk.

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

Mrs. BOUDREAU: Mr. Speaker, we had an executive meeting or we planned one yesterday of this committee, and as you realize Mr. Henley and several other members were not there, so we did not have a chance to consider this amendment, and I am hoping someone would table it for a couple of days.

Thereupon, on motion of Mr. Dennett of Kittery, tabled pending adoption of House Amendment "A"

and specially assigned for Tuesday, April 15.

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

An Act Concerning the Administration and Program of the New England Interstate Water Pollution Control Commission (H. P. 906) (L. D. 1167)

Tabled—April 4, by Mr. Snow of Caribou.

Pending—Passage to be enacted. On motion of Mr. Snow of Caribou, passed to be enacted, signed by the Speaker and sent to the Senate.

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

HOUSE REPORT—"Ought not to pass" Committee on Education on Bill "An Act to Create a School Administrative District in the Town of Jay" (H. P. 428) (L. D. 552)

Tabled—April 4, by Mr. Scott of Wilton.

Pending—Acceptance.

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

Mr. SCOTT: Mr. Speaker, Ladies and Gentlemen of the House: This bill has been retabled several times, and I appreciate your cooperation. The reason it has been retabled is because there is a compulsory district bill before the Education Committee which it appears will be reported out in some sort of a redraft by Friday, and I would like to hold this until that redraft comes out, if someone would be good enough to table it until Friday. Thank you.

Thereupon, on motion of Mr. Dyar of Strong, tabled pending acceptance and specially assigned for Friday, April 11.

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

An Act relating to Tuberculosis Sanatoriums (H. P. 686) (L. D. 885)

Tabled—April 4, by Mr. Lawry of Fairfield.

Pending—Passage to be enacted.

The SPEAKER: The Chair recognizes the gentleman from Fairfield, Mr. Lawry.

Mr. LAWRY: Mr. Speaker, I move the rules be suspended for the purpose of reconsideration.

The SPEAKER: The gentleman from Fairfield, Mr. Lawry, moves that the rules be suspended for the purpose of reconsideration. Is there objection? The Chair hears none, the rules are suspended.

Mr. LAWRY: Mr. Speaker, I move that we reconsider our action of March 12 whereby this bill was passed to be engrossed.

The SPEAKER: The gentleman from Fairfield, Mr. Lawry moves that the House reconsider its action of March 12 whereby the bill was passed to be engrossed.

The Chair recognizes the gentleman from Augusta, Mr. Lund.

Mr. LUND: Mr. Speaker, I oppose the motion and request a division.

The SPEAKER: The Chair recognizes the gentleman from Fairfield, Mr. Lawry.

Mr. LAWRY: Mr. Speaker, I requested this reconsideration to see if this bill could be recommitted to the Committee on Health and Institutional Services. I would speak to that motion if I might.

The SPEAKER: The gentleman may proceed.

Mr. LAWRY: L. D. 885 is a bill to allow the closing of the last TB sanatorium in the State of Maine, and this closing is scheduled to take place sometime before the end of 1969. From then on, TB patients will be handled by general hospitals in certain areas of the state.

Up until very recently I was convinced that there was no cause for delay in passage of this bill. Assurances were ample that no difficulties in caring for the patients were foreseen and that the hospital and staffs were ready to take over the program.

Last week I sat in on a staff meeting at one of the hospitals being considered to administer the plan. According to their director no contact had been made, few of the details were known and the majority of the staff had some reservations. There was little question in my mind that this plan,

being sponsored by the Health and Welfare Department, is the proper one. However, I do feel that this program has a number of problems which apparently have not been properly aired, and for this reason I feel that a hearing before the Health and Institutional Services Committee will be helpful in evaluating this new approach to the treatment of the TB patients. Thank you.

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

Mr. LUND: Mr. Speaker and Members of the House: As a member of the Appropriations Committee which heard this bill I oppose the motion for reconsideration. The gentleman from Fairfield, who understandably is concerned about the possible eventual closing of an institution in his area, I think misunderstands the intent of this bill and the effect of the bill.

The bill does not direct the closing of any sanitarium, but it provides that when the population of a sanitarium drops to a point where its closing seems appropriate the Commissioner of Health and Welfare would have the authority to close that institution. And the gentleman may be assured that before an institution is closed the Commissioner will most assuredly have made arrangements for the accommodation of the few tuberculosis patients left in other institutions.

This bill was originally referred to the Committee on Health and Institutional Services. That Committee reported that it be referred to the Committee on Appropriations and Financial Affairs where it was heard. It had an orderly hearing. No opposition was expressed to the passage of the bill as I recall it, only concern that proper procedures be followed to assure that persons be given an opportunity to obtain positions elsewhere. The Tuberculosis Association did not oppose passage of the bill. This was the unanimous report of the Appropriations Committee and if it is to be defeated, let us defeat it or debate its merits here, and not continue to refer a bill back to another Committee. So I oppose the pending motion.

The SPEAKER: The Chair recognizes the gentleman from Fairfield, Mr. Lawry.

Mr. LAWRY: Mr. Speaker and Members of the House: This bill certainly does not say that the sanatorium will be closed as of any certain date, and I think this is one of the reasons that there wasn't more people at the hearing to oppose it. But, the appropriations bill that we have before us very definitely does say that we're going to close that sanatorium sometime by the end of 1969, and my feeling is that I would like to be on record as opposing the closing at such an early date if there is any chance that the hospitals are not ready for it and if the patient is not going to get the care that he's entitled to.

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

Mr. ROSS: Mr. Speaker and Members of the House: I would like to pose a question through the Chair. I notice on the bill that the Reference of Bills Committee originally suggested that the bill be referred to Health and Institutional Services, and my question is, how did Appropriations then get the bill?

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

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

Mr. SOULAS: Mr. Speaker and Ladies and Gentlemen of the House: On February the 27th of this year, representing the Health and Institutional Committee as its Chairman, I referred this bill to the Appropriations Committee. My major reason for this action was to allow the — at that time I felt the proper Committee to evaluate its financial position. This is what the bill actually spelled out. However, if you feel today that the gentleman from Fairfield, Mr. Lawry's position is that of the health of the population of the State of Maine, or that the people involved at the sanatorium will not be properly treated, we — and speaking for myself and the Committee, would be most welcome to receive the bill back again and try

to do what we can in the interest of good government.

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

Mr. BENSON: Mr. Speaker and Members of the House: As a member of the Appropriations Committee, I would like to add to the remarks made by the gentleman from Augusta, Mr. Lund, to the effect that the Appropriations Committee, as a Committee, did visit this institution, as it did all state-owned and operated institutions, and found at the time of that visitation that there were approximately thirty patients with approximately ninety people on the staff there. We thought that this was a little bit odd, and this prompted us to inquire about the possibility of closing the institution.

The inquiry that we were concerned with was whether the patients could properly be cared for in the hospitals of our several communities throughout the state, and contact has been made with some six general hospitals and it has been determined that these patients could very adequately and properly be cared for in the hospital community of our State. So it is the unanimous feeling of the Appropriations Committee that this is a proper and timely move.

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

Mr. BIRT: Mr. Speaker and Members of the House: Among the other comments that were made before the Appropriations Committee, and which I think were very timely, Dr. Fisher has mentioned back for several years that this was definitely a possibility because the number of referrals and commitments to the Fairfield Sanatorium were dropping all the time.

There was a Dr. Jacobson from the United States Public Health Service, who also appeared and spoke before the Committee. At the time that he was there questions were asked of him if this was a pattern that was being followed in other states in the country, and he indicated that it was, that the sanatoriums as such throughout the country were largely being

closed up, and they were all following this pattern, and the program that has been developed in other states in which general hospitals have taken TB patients, this has worked out very successfully, and there has been no increase in the number of TB patients; and we felt, from the testimony of these people, particularly Dr. Jacobson, that if this has worked successfully in other areas in the country, it could work very successfully here.

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

Mr. HICHENS: Mr. Speaker and Members of the House: I would rise in support of the motion of the gentleman from Fairfield, Mr. Lawry. I have a letter that I received recently from someone who is very active in the work there at the Sanatorium which I would like to read. It said, "Dear Sir. This morning it has come to my attention the Downs Building on the Sanatorium grounds, currently empty of patients, is to be reactivated. Having checked the facts, I found that the building is to house a number of student nurses. Instructions have been given out that the building must be stripped of all beds used by TB patients, and the rooms freshly painted. The work has begun.

This completely contradicts the line of discussion at the hearing on L. D. 885. Of all places that should know how to render facilities sterile, after use by TB patients, and the Sanatorium staff is most competent; however, people of rigid and medical background outside the Sanatorium refuse to take a chance. I do not know who is responsible for these orders.

How, in the name of common sense, can Maine people be expected to have confidence in the ability of the general medical hospitals which have no experience in dealing with TB? This reversal of concepts is almost comic if it were not so serious."

And then, I would like to add, for your consideration, are the hospitals and general public ready to accept the TB patients in their hospitals? Are the folks whom you represent back home ready to be

in the same hospital with a TB patient?

Compare the per capita cost of the Sanatorium patient even with the low census at the present time and what the per capita costs would be at the going hospital rates. In July 1968 with 49 patients at the Sanatorium the per capita cost was \$40.50 which covered all services including dental care, glasses and out-patient services which includes dispensing all TB medications. At the same time, the local hospitals were charging \$45.00 for board and room only. With these thoughts in mind, I again would say that I would support the gentleman from Fairfield.

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: In answer to the remarks made by the gentleman from Eliot, Mr. Hichens, referring to the Downs Building in Fairfield at the Sanatorium, it should be pointed out that we met with the Department of Education yesterday to discuss their going into the building, to use the building because of a lack of facilities for the program of practical nursing in Waterville. The Executive Council had tabled an order which provided \$3,600 to paint the building. Now this is not an attempt to remove the beds, it is not an attempt to renovate the building, it is merely an attempt to paint the building and to allow the students that are presently being ousted from a building in the City of Waterville to be placed in Fairfield.

It was further discussed as to the possibility of what would be done with the program after the school year was completed this fall, and we have directed the Bureau of Public Improvements, the Department of Education, and the Department of Health and Welfare to make a complete study of the situation at the Sanatorium should it be closed in 1970 and what should be done in relationship to the School of Practical Nursing in Waterville as to its eventual occupation of the premises there.

Now in further reference to whether or not there is a need for the sanatorium, in the remarks made by the gentleman from Eliot, Mr. Hichens, I suspect that the per capita costs that he was giving you relates to the total per capita costs of those patients using the facilities on a full-time basis, and that includes approximately thirty people, and those facilities that are so-called out-patients which are a relatively large number. Now if you include both of these total number of patients as the total per capita and then divide into the total cost of the operation, I suspect that you would find it relatively low. However, if you use the thirty patients and divide into the total cost of the operation there, you will find that it is the highest in the state.

Now I think that most hospitals have been contacted, and we are not talking of placing TB patients in all the hospitals of the State. We are talking about six locations, and those hospitals that have been contacted feel that this would be a method for them of keeping the people locally rather than having to send them to one location. It would be inexpensive and with the methods of medical treatment that we have today, the rooms could be used by other patients as well. There is no danger that TB would be contacted by another patient at any time. So I would hope that the motion to reconsider would be defeated and I would hope this bill would be finally passed.

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

Mr. FORTIER: Mr. Speaker and Ladies and Gentlemen of the House: I am not going to disagree with the gentlemen from the Appropriations Committee who have mobilized their troops this morning, because I really agree with them and I feel that any services that are no longer needed should be abolished. However, I feel that the request from the gentleman from Fairfield, Mr. Lawry, is a reasonable request. He has a constituency in Fairfield to be concerned with and I don't expect him to ask too much from this

Legislature, so consequently the information that has been developed by the Appropriations Committee could be transferred to the Health and Institutions Committee for their perusal and for their study. I really feel that this is a reasonable request and I would like to concur with the gentleman from Fairfield.

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

Mr. JALBERT: Mr. Speaker and Members of the House: Very rarely do I ever arise with the remark I had no intention of getting up on this bill—I had no intention of getting up on this measure. And when one will get up and say that it is obvious that the Appropriations Committee has mobilized their troops, I mean I just can't buy that in any way, shape or manner.

Insofar as this measure is concerned, the citizenry of Fairfield were fully aware that this bill was going to be before them; this bill by law is advertised for days in every periodical in the State of Maine. It had a public hearing. The bill originally was referred to the Committee on Health and Institutions. It wound up with the Appropriations Committee. I think the Appropriations Committee is equally as interested in good government as any other committee.

I had no intention of getting into the financial end of the debate, but if we must get into the financial end of the thing I think that the program could be done even better—and I say that, even better. I have been a frequent visitor at the Fairfield Sanatorium. As a matter of fact, there are on file with the Research Committee two reports that I made concerning that institution, and the personnel at that institution.

Now when one would make the comment, as the gentleman from Eliot, Mr. Hichens, made, that the people might not be interested or didn't know to the effect other hospitals certainly know, there is an area around the Bangor area that has nearly a hundred of these patients. If we are going to go into costs, this is a \$15,000 a year program, per patient. It doesn't bother me at all it's a \$15,000 a

year, because I happen to know of the programs. As a matter of fact, it is conceivable that I could be one foot away from the program myself. Now I certainly would want the best of care.

I was one of those who voted to close the Hebron sanatorium in my area. There was some rumbling about that. I have never heard anybody criticize it since. We had the hearing on this measure. The bill had a proper hearing. The Committee, in its wisdom, reported it out unanimously "ought to pass." I put this bill in for the Department of Health and Welfare. I went to the extent last week of calling Dr. Fischer and others in the House who were concerned about this bill, including the good Representative from Fairfield, Mr. Lawry; and I thought the issue was well resolved.

I think this idea of saying that this will close, because come Hell or high water it is not an attitude to take, it has been the opinion of the powers that be and the authorities who are in this field to consider in their concentrated judgment that this is in the interests of good government and it is their recommendation. Then our Committee justifiably reported this "ought to pass" unanimously "ought to pass." It has gone on its merry way in both branches, it is now up for enactment. I hope that you vote against the motion to reconsider so we can make a motion to enact.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: There is one matter that was brought to the attention of the Committee that hasn't been mentioned here this morning, and if there is any doubt in the minds of members of this House as to whether or not it is practical to take care of TB patients in the general hospitals, I would mention it. Apparently the Committee was informed that there are approximately 300 cases of TB in the State of Maine presently. Probably ninety percent of these are presently being taken care of in general hospitals of the

state and in their homes, the remainder at this sanatorium.

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

Mr. DAM: Mr. Speaker and Ladies and Gentlemen of the House: The Representative from Lewiston, Mr. Jalbert, stated that there was nobody there at the hearings to oppose this, and that this is advertised in the paper. This I agree with, but at the same time when they read the title of this bill in the paper it did not tell the average citizen of the State of Maine much.

This is An Act relating to Tuberculosis Sanatoriums. If this is read, "An Act relating to the Closing of Tuberculosis Sanatoriums," I am sure that there would have been a good number of interested people there at the hearing; and as Mr. Jalbert says, "in the interests of good government." Well I think in the interests of good government that the title of the bill should have read a little differently also.

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

Mr. JALBERT: Mr. Speaker and Members of the House: It is not my intention to get myself into a hassle on this thing, I would like to vote on the bill eventually. I would like, however, to ask this question. Will any member — it certainly has been known through the Appropriations Act and since the hearing, that the bill concerned itself with the eventual closing of the sanatorium. If you don't care to identify yourself, will you in your own minds think how many of you have received any correspondence, telephone calls, or personal visits to the effect that this should be kept open, or anybody that brought up any interest at all.

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

Mr. MILLS: Mr. Speaker and Members of the House: Well I'm not very much familiar with this subject, but I received two phone calls at my home from the small hospitals in the eastern end of Washington County, that they are not equipped to handle tuberculo-

sis patients. So I pose the question through the Chair, that these patients up in Fairfield or wherever that hospital is located there, do they come from various parts of the state to that hospital?

The SPEAKER: The gentleman from Eastport, Mr. Mills, poses a question through the Chair to anyone who may answer if they choose.

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

Mr. BENSON: Mr. Speaker, in answer to the question of the gentleman from Eastport, Mr. Mills, yes they do come from all sections of the state to the TB san; and I would like to comment further if I may, that over the years the disease of TB has dwindled somewhat to be sure, but also we have seen a number of TB sanatoriums close down. And I think that is primarily because the patients which have been accommodated in these TB sans are now being treated very properly in our general hospitals. This is the reason for the decrease in the population of these sanatoriums and the closing over the years of a number of them.

I would like to relate to you also that a stay of six, seven or eight months in a TB san is a rather traumatic psychological experience, and many of the patients who have gone to the san and had this experience have returned to the community healthier physically but disturbed mentally — and I mean some rather substantial people, people that I know of to my own knowledge. I think that their care in general hospitals, as I said before, is proper and is something that is going on. It is something that I went into with the medical staff and administrator of our hospital on Mount Desert Island; they were not at all disturbed about having TB patients there. They could very properly accommodate them. This is the place for them, and I hope that we will carry out the intention of the Appropriations Committee to close this san at the proper time, and that proper time is to be set forth by the Commissioner of Health and Welfare.

Mr. Farnham of Hampden then moved the previous question.

The SPEAKER: In order for the Chair to entertain the motion for the previous question, it must have the expressed desire of one third of the members present. All those in favor of the Chair entertaining the motion for the previous question will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken and more than one third having expressed the desire for the previous question, the previous question was entertained.

The SPEAKER: The question now before the House is, shall the main question be put now? Which is debatable for five minutes by any one member. As many as are in favor of the main question being put now—

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

Mr. JALBERT: Mr. Speaker, I voted no and I am one of those who quite occasionally makes the motion for the previous question. I voted no, if I had spoken on the measure, but I would like—the reason I am saying that possibly I saw one or two of my proponents that went up and I thought they might have their opportunity to speak. It is not because I am going to vote to recommit—I am not. I think that if we're going to air it out it should—

The SPEAKER: The gentleman will confine himself to the motion, shall the main question be put now.

Mr. JALBERT: Mr. Speaker, I think that on that basis I think the people should be allowed to speak—not too long I will admit.

The SPEAKER: All those in favor of the main question being put now will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

75 having voted in the affirmative and 43 having voted in the negative, the main question was ordered.

The SPEAKER: The main question is on the motion of the gentleman from Fairfield, Mr. Lawry, that the House reconsider the engrossment of this bill. All those in favor of reconsideration will

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

A vote of the House was taken.

83 having voted in the affirmative and 51 having voted in the negative, the motion prevailed.

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

Mr. JALBERT: Mr. Speaker, I now move that this bill and all of its accompanying papers be indefinitely postponed. When the vote is taken I ask for a roll call.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, now moves that this matter be indefinitely postponed.

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

Mr. RICHARDSON: Mr. Speaker, a parliamentary inquiry. I would inquire whether or not a motion to recommit would take priority over a motion to indefinitely postpone—a motion to commit to a committee, recommit?

The SPEAKER: The gentleman is correct. A motion to recommit has priority over postponement. Does the gentleman so move?

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

Mr. JALBERT: Mr. Speaker, my motion was in order, there's no question but the gentleman from Cumberland, Mr. Richardson, was in order in asking the question. However, the question that was before us originally was to reconsider where we engrossed—my motion to indefinitely postpone is absolutely correct and in order!

The SPEAKER: The Chair would advise the gentleman that he is not correct.

Mr. JALBERT: You mean my motion—the motion that the gentleman made as I understood it, from Fairfield, Mr. Lawry, I didn't understand that he had made a motion to recommit.

The SPEAKER: The question posed to the Chair was which has the highest priority, to recommit or to indefinitely postpone.

Mr. JALBERT: I agree with that, Mr. Speaker—

The SPEAKER: The Chair rules that to recommit has priority over indefinite postponement.

Mr. JALBERT: Mr. Speaker, I agreed with you, I agreed with you on that, but I said that there was no motion made to recommit. Then in that order my motion—and that is what I'm saying, my motion to indefinitely postpone is in order. The measure is before us. We have reconsidered—

The SPEAKER: The Chair would rather the gentleman did not argue with the Chair. The Chair will recognize the gentleman's motion to indefinitely postpone if there is not a motion to recommit.

The Chair recognizes the gentleman from Fairfield, Mr. Lawry.

Mr. LAWRY: Mr. Speaker, I move that this bill be recommitted to the Committee on Health and Institutional Services.

The SPEAKER: The gentleman from Fairfield, Mr. Lawry, now moves that this bill be recommitted to the Committee on Health and Institutional Services.

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

Mr. BENSON: Mr. Speaker and Members of the House: I would have to oppose the motion to recommit or to commit to the Committee on Health and Institutional Services. We have already done this with one bill, it was the bill that was reported out by Appropriations concerning the Bath Home, and we have committed that bill to Health and Institutional Services for their evaluation. We find that another Appropriations bill is getting into a little bit of trouble, so the thing to do is to send it to another committee for evaluation. If this is to become the trend, we will be hearing many bills before two committees.

Personally, I think that the Appropriations Committee has given this bill a fair hearing, they have come out with a unanimous report, and I think that the bill should be considered on its merits. I do not see any advantage in sending this bill back to a committee for another study. I think that the facts can be evaluated by the members of this House and their decision based on the information available to them at this time. I think this is a waste of time, and an im-

proper move. I would oppose the motion.

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

Mr. JALBERT: Mr. Speaker and Members of the House: A few weeks ago the question again was posed before us as to whether or not we should close another institution. The Committee reported the measure unanimously ought to pass. The House went along with it with a three to one margin. The other branch re-referred it to the same committee that this would be re-referred to, the Committee of Health and Institutions.

I vowed last night that I would stay as long as I was a member of this House from now on with those who wanted to keep that institution open. This bill is my bill. I agreed to put this bill in if it would be by general agreement. I am unhappy when I go to the trouble of coming here miles away an hour and half earlier to go along in hope that I have satisfied people. I go along with a certain area of levity. I close the door when somewhere along the line a word is broken.

Now I will vote this morning to recommit this bill. When this bill comes back and sees daylight again here, I will again move to indefinitely postpone this bill, and then I am going to sit back here and vote on all these measures, and then when the eight or ten per cent or thirty or thirty-five per cent income tax bill comes to pay for these gems, I expect you people to flick the lights in the same manner.

The SPEAKER: Is the House ready for the question? The pending question is the motion of the gentleman from Fairfield, Mr. Lawry, that An Act relating to Tuberculosis Sanatoriums, House Paper 686, L. D. 885 be recommitted to the Committee on Health and Institutional Services in non-concurrence. Is this the pleasure of the House?

(Cries of "No")

The Chair will order a vote. All those in favor of this matter being recommitted to the Committee on Health and Institutional Services will vote yes, those opposed will

vote no, and the Chair opens the vote.

A vote of the House was taken. 81 having voted in the affirmative and 56 having voted in the negative, the motion did prevail.

Sent up for concurrence.

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

An Act to Appropriate Moneys for the Expenditure of State Government for the Fiscal Year Ending June 30, 1969 (S. P. 219) (L. D. 660)

Tabled—April 4, by Mr. Jalbert of Lewiston.

Pending—Passage to be enacted.

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

Mr. JALBERT: Mr. Speaker and Members of the House: This is another spending measure that should have passage. I have had it on the table on several occasions. The next one coming is the big one that I intend to make another motion on.

Now I think that while we are in a spending mood we should go whole hog. Now it costs money to have an item on the table day in and day out. This thing has had proper hearing, it's been passed unanimously by that Committee that has horns, we have not realigned our forces on this one, this is just an individual effort, and because I want to go along with the philosophy of spending, I now move this item be enacted.

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

Mr. RICHARDSON: Mr. Speaker, I move this matter lie on the table until Friday, April 11.

Mr. Jalbert of Lewiston requested a division.

The SPEAKER: The gentleman from Cumberland, Mr. Richardson, moves this matter be tabled until Friday, April 11, pending passage to be enacted. A division has been requested. All those in favor of tabling will vote yes, those opposed will vote no, and the Chair opens the vote.

A vote of the House was taken.

96 having voted in the affirmative and 31 having voted in the negative, the tabling motion did prevail.

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

An Act to Appropriate Moneys for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1970 and June 30, 1971 (S. P. 372) (L. D. 1232)

Tabled—April 4, by Mr. Jalbert of Lewiston.

Pending—Passage to be enacted.

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

Mr. JALBERT: Mr. Speaker and Members of the House: If there are those whom I think I might be working in anger, I want them to perish the thought. I am just one of those that cannot physically afford to be here until July.

This measure is the current services budget, it is the "keep the store open" budget. If we do not enact this measure, whether we have a price tag on it or not, we will be operating beginning July 1 the government of the State of Maine illegally. We will not be able to operate unless this measure passes.

Now this also has dillydallied for quite a few days and quite a few weeks on the Floor here. It has had unanimous passage by that Committee that has horns. This is a very good bill. It was passed unanimously by the Appropriations Committee. It's about time that we got rid of it here, Mr. Speaker, I move this measure be enacted, and when the vote is taken, I move it be taken by the yeas and nays.

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

Mr. RICHARDSON: Mr. Speaker, Ladies and Gentlemen of the House: I feel a word of explanation to the members of the House might be in order. For the past two weeks the members of the leadership of both parties have met on several occasions in an attempt to determine whether or not it is appropri-

ate at this time to fund the Part I budget together with the first year of the school subsidy program which as you know was enacted in the House.

We have made a diligent and I might say exhausting effort to arrive at some general agreement as to what our funding proposals were going to be and how we are going to move this along.

The members of the leadership have an appointment to discuss this matter with the Governor at 4:15 this afternoon, and I believe at that time we are going to arrive at our final decision as to whether or not we are going to now attempt to fund at this time Part I and the school subsidy. I assure you that there has not been any delay or casualness about this effort. We have worked on it almost constantly, and I am therefore going to ask a member of the House to table this matter until next Friday.

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

Mr. JALBERT: Mr. Speaker, I move this item lie on the table until Friday.

The SPEAKER: Does the gentleman withdraw his request for the yeas and nays?

Mr. JALBERT: No.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, now moves this matter be tabled until Friday, April 11 pending passage to be enacted. Is this the pleasure of the House?

The motion prevailed.

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

Mr. JALBERT: Mr. Speaker and Members of the House: The reason that I asked unanimous consent to address the House is after I heard the remarks of the good gentleman and the very well intentioned gentleman's remarks, the gentleman from Cumberland, Mr. Richardson. If the leadership come out of the Governor's office as he comments that this will be—that they will arrive at a final decision in accord by tomorrow or Friday morning, the lunches are on me. On the record.

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

Bill "An Act relating to Sunday Sale of Liquor" (H. P. 289) (L. D. 365)

Tabled—April 8, by Mr. Richard-son of Cumberland.

Pending—Further consideration.

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

Mr. DENNETT: Mr. Speaker, I move the House recede and concur.

The SPEAKER: The gentleman from Kittery, Mr. Dennett, moves the House recede from its former action and concur with the Senate.

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

Mr. HICHENS: Mr. Speaker, I would pose a question to the Chair.

The SPEAKER: The gentleman may pose his question.

Mr. HICHENS: Is it proper to have a motion to have this bill indefinitely postponed?

The SPEAKER: The Chair would advise the gentleman that the only motions proper at this time would be recede and concur, insist, or adhere.

The pending question is the motion of the gentleman from Kittery, Mr. Dennett, that the House recede from its former action and concur with the Senate in the adoption of Senate Amendment "B". All those in favor will vote yes, those opposed will vote no, and the Chair opens the vote.

A vote of the House was taken.

102 having voted in the affirmative and 26 having voted in the negative, the motion did prevail.

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

HOUSE REPORT—"Ought not to pass"—Committee on Towns and Counties on Bill "An Act to Place Full-time Deputy Sheriffs under the Personnel Law" (H. P. 530) (L. D. 701)

Tabled—April 8, by Mr. Porter of Lincoln.

Pending—Acceptance.

On motion of Mr. Porter of Lincoln, retabled pending acceptance

and specially assigned for Friday, April 11.

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

Bill "An Act relating to Temporary Loans by State" (H. P. 85) (L. D. 94)

Tabled—April 8, by Mrs. Payson of Falmouth.

Pending—Passage to be engrossed.

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

House Amendment "A" (H-159) was read by the Clerk and adopted, the Bill passed to be engrossed as amended by House Amendment "A" and sent to the Senate.

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

Bill "An Act to Regulate Sewer Utilities" (H. P. 1106) (L. D. 1423)

Tabled — April 8, by Mr. Tyn-dale of Kennebunkport.

Pending — Passage to be engrossed.

On motion of Mr. Williams of Hodgdon, retabled pending passage to be engrossed and specially assigned for Wednesday, April 16.

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

Bill "An Act relating to Licensing of Ambulance Service, Vehicles and Personnel" (S. P. 263) (L. D. 867)

Tabled — April 8, by Mr. Martin of Eagle Lake.

Pending — Motion of Mr. Birt of East Millinocket to Indefinitely Postpone.

On motion of Mr. Martin of Eagle Lake, retabled pending the motion of Mr. Birt of East Millinocket to indefinitely postpone and specially assigned for Friday, April 11.

(Off Record Remarks)

On motion of Mr. Durgin of Raymond,

Adjourned until nine o'clock tomorrow morning.