

# MAINE STATE LEGISLATURE

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**LEGISLATIVE RECORD**

OF THE

*One Hundred and Fourth  
Legislature*

OF THE

**STATE OF MAINE**

**Volume II**

**May 9, 1969 to June 17, 1969**

**KENNEBEC JOURNAL  
AUGUSTA, MAINE**

**HOUSE**

Monday, May 19, 1969

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

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

The members stood at attention during the playing of the National Anthem by the Madison High School Band.

The journal of the previous session was read and approved.

**Papers 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 Requiring Placarding and Bills of Lading on Motor Vehicles Transporting Explosives and other Dangerous Articles" (H. P. 1131) (L. D. 1453) reporting that the House recede from indefinite postponement and pass the Bill to be enacted.

(Signed) BARNES of Aroostook  
REED of Sagadahoc  
GORDON of Cumberland  
— Committee on part of Senate  
FINEMORE

of Bridgewater  
LEWIN of Augusta  
— Committee on part of House  
Came from the Senate read and accepted.

In the House, the Report was read.

The SPEAKER: The Chair recognizes the gentleman from Bridgewater, Mr. Finemore.

Mr. FINEMORE: Mr. Speaker and Members of the House: As a member of the Committee of Conference I feel that we should reject the Committee's report, due to a misunderstanding of the appointment of the Committee, and on its report. I believe it is only fair to reject the report and I so move.

The SPEAKER: The gentleman from Bridgewater, Mr. Finemore, moves that the House reject the Conference Committee Report.

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

Mr. RIDEOUT: Mr. Speaker and Members of the House: As another member of the Committee of Con-

ference whose name does not appear on the report, I rise to support the motion to reject the Committee report. I also want to go on record as thanking the good gentleman from Bridgewater, Mr. Finemore for being understanding and reasonable in this matter. I ask you to sustain his motion.

The SPEAKER: Is it the pleasure of the House that this motion prevail?

The motion prevailed.

On motion of Mr. Rideout of Manchester, the House voted to adhere to its former action.

**Reports of Committees  
Ought Not to Pass**

Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Bill "An Act Appropriating Funds for Overtime and Sunday Work and Establishing a Work Day of 7 Hours and a Work Week of 35 Hours for State Employees" (S. P. 159) (L. D. 533)

Report of the Committee on Business Legislation reporting same on Bill "An Act relating to Dealers in Antiques" (S. P. 393) (L. D. 1317) which was recommitted.

Came from the Senate read and accepted.

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

**Ought to Pass**

Report of the Committee on Judiciary reporting "Ought to pass" on Bill "An Act Permitting Acceptance of Personal Recognizances by Allagash Wilderness Waterway Rangers" (S. P. 68) (L. D. 191)

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 Highways on Bill "An Act relating to Bids for Construction of State Highways" (S. P. 428) (L. D. 1427) 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-151) was read by the Clerk and adopted in concurrence, and tomorrow assigned for third reading of the Bill.

Report of the Committee on Health and Institutional Services on Bill "An Act relating to Licensing of Ambulance Service, Vehicles and Personnel" (S. P. 263) (L. D. 867) which was recommitted, reporting "Ought to pass" as amended by Committee Amendment "B" submitted therewith.

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

In the House, the Report was read and accepted in concurrence and the Bill read twice. Under suspension of the rules, the House reconsidered its action of March 21 whereby Committee Amendment "A" (S-42) was adopted and the Amendment was indefinitely postponed.

Committee Amendment "B" (S-147) was read by the Clerk and adopted in concurrence, and tomorrow assigned for third reading of the Bill.

#### Divided Report

Majority Report of the Committee on Towns and Counties reporting "Ought to pass" on Bill "An Act Creating Somerset County Commissioner Districts" (S. P. 319) (L. D. 1033)

Report was signed by the following members:

Messrs. MILLS of Franklin  
PEABODY of Aroostook  
MARTIN of Piscataquis  
—of the Senate.  
Messrs. WIGHT of Presque Isle  
DYAR of Strong  
HAWKENS of Farmington  
LABERGE of Auburn  
—of the House.

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

Report was signed by the following members:

Messrs. HANSON of Vassalboro  
CROMMETT  
of Millinocket  
FORTIER of Waterville  
—of the House.

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

In the House: Reports were read. On motion of Mr. Wight of Presque Isle, the Majority "Ought to pass" Report was accepted in concurrence.

The Bill was given its two several readings.

Senate Amendment "B" (S-155) was read by the Clerk and adopted in concurrence and the Bill assigned for third reading tomorrow.

#### Final Report

Final Report of the following Joint Standing Committee:

Transportation  
Came from the Seate read and accepted.

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

#### Non-Concurrent Matter

Resolve Proposing an Amendment to the Constitution to Provide for Temporary Assignments of Justices of the Superior Court to the Supreme Judicial Court (S. P. 171) (L. D. 545) on which the House accepted the Minority "Ought not to pass" Report of the Committee on Judiciary in non-concurrence on May 13.

Came from the Senate with that body voting to insist on its former action whereby the Majority "Ought to pass" Report was accepted and the Resolve passed to be engrossed.

In the House: On motion of Mr. Richardson of Cumberland, the House voted to insist and ask for a Committee of Conference.

#### Non-Concurrent Matter

An Act to Authorize Bond Issue in the Amount of \$7,540,000 for the Construction and Renovation of Higher Education Facilities at the University of Maine (H. P. 319)

(L. D. 406) which was passed to be enacted in the House on May 12 and passed to be engrossed as amended by Committee Amendment "A" as amended by House Amendment "A" thereto on May 6.

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

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

#### Non-Concurrent Matter Tabled and Assigned

Bill "An Act relating to Molesting Game Animals by Snowmobiles" (H. P. 890) (L. D. 1149) which was passed to be engrossed in the House on May 12.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Strong, Mr. Dyar.

Mr. DYAR: Mr. Speaker, I move that we insist and request a Committee of Conference.

The SPEAKER: The gentleman from Strong, Mr. Dyar moves that the House insist and ask for a Committee of Conference.

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

Mr. PORTER: Mr. Speaker, Ladies and Gentlemen: Your Fish and Game Committee had three bills before it concerning hunting from snowmobiles. We killed two of them and then we used this bill as a vehicle to present a new draft prohibiting the use of snowmobiles in the woods during the deer season. Later that original bill was substituted for the new draft and was voted upon. Now it is back to us again.

I object strenuously to this original bill. It seems to me there are two parts to this bill. The first says that "it shall be unlawful to pursue, drive or molest deer or any game animal" — that is already in the Statutes now. So I see no reason for cluttering up the Statutes with more of the same. The second part says "it shall be unlawful to enter any area known

to be a winter yard of such animal with a snowmobile." It sounds perfectly innocent, but it definitely is not.

Supposing you are out on your snowmobile. You are travelling along on an old abandoned tote road. It goes down into a swamp, and you go down there in your snowmobile. It so happens that that is a deer yard. Then if one of Commissioner Speer's finest steps out behind a tree you've had it. You're going to face the Court. Therefore, Mr. Speaker, I move we recede and concur with the Senate.

The SPEAKER: The pending question now is the motion of the gentleman from Lincoln, Mr. Porter, that the House recede from its former action and concur with the Senate. Is this the pleasure of the House?

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

Mr. JUTRAS: Mr. Speaker, Ladies and Gentlemen of the House: Before the Fish and Game Committee these three bills relating to the molesting of game animals by snowmobiles were heard before this Committee and the members of this Committee agreed that they would redraft a bill, one which would be suitable for the entire State for the protection of the deer especially, and I had one affecting York County only.

Because of the great magnitude of the problem in that county, because of the population and the number of snowmobiles, it was suggested by the Attorney General's office that I submit my bill for incorporation with the other bills in order to protect the game animals and to make it perfectly legal throughout the State of Maine. If for nothing else, I wish that someone would table this bill for me so that I may offer an amendment affecting York County only in this particular case if I can't do anything else for the entire State of Maine.

The SPEAKER: The Chair recognizes the gentleman from Bridgewater, Mr. Finemore.

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the

House: In just a minute I might say as the gentleman, Mr. Porter said that they might get in the deer yards. Unless they have changed the deer yards over since these last few years no one will ever get into a deer yard with a snowmobile. And I hope the motion to recede and concur with the Senate is carried.

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

Mr. PORTER: Mr. Speaker and Members of the House: There seem to be two questions here. The first one, Mr. Jutras mentioned his bill that he brought in, he brought in limiting to one county. He had a redraft making it state-wide. It was advertised for one county only and I objected to it being advertised for one county only and then including the whole state. I have no objection to his trying to put on an amendment for his one county if he wishes and if somebody tables it, well and good.

As for the gentleman from Bridgewater, Mr. Finemore, if he will visit me next winter I'll show him a deer yard in which a tote road goes exactly through the middle of it.

Whereupon, on motion of Mr. Eustis of Dixfield, tabled pending the motion of Mr. Porter of Lincoln that the House recede and concur and specially assigned for tomorrow.

#### **Non-Concurrent Matter Tabled and Assigned**

An Act relating to Tuition Charges for Special Education Classes (H. P. 1154) (L. D. 1476) which was passed to be enacted in the House on May 15 and passed to be engrossed as amended by Senate Amendment "A" on May 13.

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

In the House: On motion of Mr. Millett of Dixmont, tabled pending further consideration and specially assigned for tomorrow.

#### **Orders**

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

Mrs. WHITE: Mr. Speaker, I would inquire if the House is in possession of L. D. 618.

The SPEAKER: The answer is in the affirmative.

Mrs. WHITE: Mr. Speaker, I now move that we reconsider our action of the last legislative day whereby the "Ought not to pass" Report was accepted.

The SPEAKER: Senate Paper 209, L. D. 618, Resolve Authorizing the Estate of David L. Hilton, Formerly of Wells, Maine, to Sue the State of Maine. The gentlewoman from Guilford, Mrs. White moves that the House reconsider its action of May 16 whereby it accepted the Majority "Ought not to pass" Report.

Whereupon, on motion of Mr. Levesque of Madawaska, tabled pending the motion of Mrs. White of Guilford to reconsider and specially assigned for tomorrow.

#### **House Reports of Committees Ought Not to Pass**

Mr. Johnston from the Committee on Industrial and Recreational Development reported "Ought not to pass" on Bill "An Act relating to Preservation of the Economy, and to Service Enterprises under the Maine Industrial Building Authority Act" (H. P. 989) (L. D. 1273)

Mr. Barnes from the Committee on Retirements and Pensions reported same on Bill "An Act relating to State Contributions to the Several Funds of the Maine State Retirement System" (H. P. 441) (L. D. 565)

Reports were read and accepted and sent up for concurrence.

#### **Ought to Pass in New Draft New Drafts Printed**

Mrs. Wheeler from the Committee on Legal Affairs on Bill "An Act Amending Certain Provisions of the Charter of the Town of Old Orchard Beach" (H. P. 637) (L. D. 825) reported same in a new draft (H. P. 1199) (L. D. 1522) under same title and that it "Ought to pass"

Mr. Barnes from the Committee on Retirements and Pensions on Bill "An Act relating to Retirement of Fish and Game Wardens and Coastal Wardens under State Retirement System" (H. P. 177) (L. D. 216) reported same in a new draft (H. P. 1200) (L. D. 1523) under title of "An Act relating to Service Retirement of Law Enforcement Officers in the Department of Sea and Shore Fisheries and Department of Inland Fisheries and Game" and that it "Ought to pass"

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

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**Ought to Pass  
Printed Bill**

Mr. Fortier from the Committee on Towns and Counties reported "Ought to pass" on Bill "An Act Providing for Enabling Legislation for Municipal Zoning" (H. P. 843) (L. D. 1081)

Report was read and accepted, the Bill read twice and tomorrow assigned.

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**Ought to Pass with  
Committee Amendment**

Mr. Birt from the Committee on Appropriations and Financial Affairs on Bill "An Act to Authorize Bond Issues in the Amount of \$22,000,000 to Provide Funds for Foundation Program School Subsidies for the Period Beginning January 1, 1970 and Ending June 30, 1970 under the Revised Statutes, Title 20, Sections 3721 to 3724" (H. P. 1143) (L. D. 1467) reported "Ought to pass" as amended by Committee Amendment "A" (H-338) submitted therewith.

Mr. Bragdon from same Committee on Bill "An Act to Authorize Bond Issue in the Amount of \$655,000 for the Construction of Educational, Recreational, and Water and Sewage Facilities at the Indian Reservations" (H. P. 312) (L. D. 399) reported "Ought to pass" as amended by Committee Amendment "A" (H-339) submitted therewith.

Mr. Pratt from the Committee on Retirements and Pensions on Bill "An Act relating to Disability Retirement and Retirement Allowances under State Retirement Sys-

tem" (H. P. 242) (L. D. 297) reported "Ought to pass" as amended by Committee Amendment "A" (H-335) submitted therewith.

Mr. Dennett from the Committee on State Government on Bill "An Act relating to Damage to Private Water Supplies Resulting from Alteration of Highways" (H. P. 445) (L. D. 569) reported "Ought to pass" as amended by Committee Amendment "A" (H-336) submitted therewith.

Same gentleman from same Committee on Bill "An Act Establishing the Law Enforcement Planning and Assistance Agency" (H. P. 1046) (L. D. 1374) reported "Ought to pass" as amended by Committee Amendment "A" (H-337) submitted therewith.

Reports were read and accepted and the Bills read twice. Committee Amendment "A" to each was read by the Clerk and adopted, and tomorrow assigned for third reading of the Bills.

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**Divided Report  
Tabled and Assigned**

Majority Report of the Committee on Labor reporting "Ought not to pass" on Bill "An Act relating to Mediation Authority of State Employees Appeal Board" (H. P. 1035) (L. D. 1345) which was re-committed.

Report was signed by the following members:

Mr. TANOUS	of Penobscot
	— of the Senate.
Messrs. GOOD	of Westfield
BEDARD	of Saco
HASKELL	of Houlton
HUBER	of Rockland
DURGIN	of Raymond
	— of the House.

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

Report was signed by the following members:

Messrs. BELIVEAU	of Oxford
PEABODY	of Aroostook
	— of the Senate.
Messrs. CASEY	of Baileyville
McTEAGUE	of Brunswick
	— of the House.

Reports were read.

(On motion of Mr. Huber of Rockland, tabled pending acceptance of either Report and specially assigned for tomorrow.)

### Divided Report

Report "A" of the Committee on Labor on Bill "An Act Providing for Unemployment Compensation for State and Municipal Employees" (H. P. 819) (L. D. 1058) reporting same in a new draft (H. P. 1201) (L. D. 1524) under same title and that it "Ought to pass"

Report was signed by the following members:

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

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

Report was signed by the following members:

Messrs. TANOUS of Penobscot  
PEABODY of Aroostook  
— of the Senate.  
Messrs. HUBER of Rockland  
DURGIN of Raymond  
HASKELL of Houlton  
— of the House.

Reports were read.

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

Mr. HUBER: Mr. Speaker, I move that the House accept Report "B" "Ought not to pass."

The SPEAKER: The gentleman from Rockland, Mr. Huber, moves that the House accept Report "B" "Ought not to pass".

The Chair recognizes the gentleman from Brunswick, Mr. McTeague.

Mr. McTEAGUE: Mr. Speaker and Members of the House: The idea behind this bill is to give the State and municipal employees the same rights regarding unemployment compensation that employees of private employers now have. After the action of the Committee on the bill the costs for this would be borne by the State or the municipalities on their actual experience basis. For example, if a town had a man who was unemployed for four weeks and was entitled to \$40 a week unemployment benefits the Unemployment Agency would bill the town for, and I think

my figures are correct, four times \$40 or \$160.

This is a different scheme in regard to the State and municipalities than applies in regard to private employers for a number of reasons. Initially employment is fairly steady in the Government service, probably more steady than it is for private employees. However, when these people are out of work they are in the same position as anyone else. They need some funds to get by on and if they don't get it out of the Unemployment Compensation Fund they will have to get it from Town relief.

I would ask for a division when the vote is taken by the yeas and nays.

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

Mr. HASKELL: Mr. Speaker and Members of the House: Mr. McTeague is right in that the basic idea behind this bill is to put State employees in the same category as employees of private enterprises in the state. However, there is one marked difference in the approach to the bill. The State proposes in the bill that we have before us that they not pay a contribution on the total State payroll into the tax, thus building up reserves out of which Unemployment Compensation is paid, as is the custom—as is the law as far as private employers is concerned. I don't believe there would have been objection from any member of the Committee if the State had brought a bill in in which they proposed to pay on the State payroll at the same rate that private employers are required to pay. But such is not the case.

The State under this proposition would make no contribution into the fund until they did in fact experience some unemployment, in which case they would simply reimburse the fund for the amount of unemployment experience. This would be a very attractive package if it were offered to private industry and I am sure they would seize upon it with alacrity, because the whole concept of building up reserves out of tax payments is



totally disregarded. This seems to the members of the Committee that signed the "ought not to pass" report as simply a back-door approach for the State to gain all the advantages of an unemployment insurance system without paying a just share of the costs involved.

The SPEAKER: Is the House ready for the question? The pending question is on the motion of the gentleman from Rockland, Mr. Huber, that the House accept Report "B" "Ought not to pass." 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 members desiring a roll call vote will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

More than one fifth having expressed the desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question is on the motion of the gentleman from Rockland, Mr. Huber, that the House accept Report "B" "Ought not to pass." All in favor of accepting the "Ought not to pass" Report will vote yes; those opposed will vote no. The Chair opens the vote.

#### ROLL CALL

YEA — Allen, Baker, Barnes, Benson, Berman, Bourgoin, Bragdon, Brown, Buckley, Burnham, Carey, Chandler, Chick, Clark, C. H.; Clark, H. G.; Corson, Crosby, Cummings, Curtis, Dam, Dennett, Donaghy, Drigotas, Durgin, Dyar, Erickson, Evans, Farnham, Finemore, Fortier, A. J.; Fortier, M.; Gauthier, Gilbert, Giroux, Hall, Hanson, Hardy, Harriman, Haskell, Hawken, Hewes, Hichens, Huber, Immonen, Kelley, K. F.; Kelley, R. P.; Lawry, Lee, Lewin, Lewis, Lincoln, Lund, MacPhail, Marstaller, McNally, Meisner, Millett, Mitchell, Mosher, Noyes, Page, Payson, Porter, Pratt, Quimby, Rand, Richardson, H. L.; Rideout, Ross, Sahagian, Scott, G. W.; Shaw, Snow, Stillings, Susi, Thompson, Trask, Tyndale, Waxman, White, Wight, Williams Wood.

NAY — Bedard, Bernier, Birt, Boudreau, Brennan, Bunker, Carter, Cote, Cottrell, Couture, Cox, Crommett, Croteau, Curran, Cushing, Emery, Eustis, Faucher, Fecteau, Foster, Fraser, Good, Hunter, Jalbert, Jameson, Jutras, Kelleher, Keyte, Kilroy, Laberge, Leibowitz, LePage, Levesque, Marquis, Martin, McKinnon, McTeague, Mills, Moreshead, Morgan, Nadeau, Norris, Ouellette, Ricker, Rocheleau, Sheltra, Soulas, Starbird, Tanguay, Temple, Vincent, Watson, Wheeler.

ABSENT—Binnette, Carrier, Casey, Coffey, D'Alfonso, Danton, Dudley, Henley, Heselton, Johnston, Lebel, Richardson, G. A.; Santoro, Scott, C. F.

Yes, 83; No, 53; Absent, 14.

The SPEAKER: Eighty-three having voted in the affirmative and fifty-three in the negative, the motion does prevail.

Sent up for concurrence.

#### Passed to Be Engrossed

Bill "An Act Appropriating Funds to Defray Part of Cost of Radio Homing Beacon at Norridge-wock Airport" (H. P. 914) (L. D. 1175)

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

#### Third Reader Tabled and Assigned

Bill "An Act Establishing the Bureau of Geology and Mineral Resources within the Forestry Department" (H. P. 944) (L. D. 1205)

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

(On motion of Mr. Levesque of Madawaska, tabled pending passage to be engrossed and specially assigned for tomorrow.)

#### Third Reader Recommitted

Bill "An Act to Provide Mandatory Penalties for Commission of a Crime with a Dangerous Weapon" (H. P. 1031) (L. D. 1361)

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

The SPEAKER: The Chair recognizes the gentleman from Winslow, Mr. Carter.

Mr. CARTER: Mr. Speaker, I request respectfully that this item lie on the table for one legislative day.

The SPEAKER: The gentleman from Winslow, Mr. Carter, moves that L. D. 1361 be tabled until the next legislative day.

Whereupon, Mr. Richardson of Cumberland requested a vote on the tabling motion.

The SPEAKER: A vote has been requested on the tabling motion. All in favor of this matter being tabled until the next legislative day pending passage to be engrossed will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

60 having voted in the affirmative and 63 having voted in the negative, the motion to table did not prevail.

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

Mr. RICHARDSON: Mr. Speaker, I request a roll call on the issue of the tabling motion if I am in order.

The SPEAKER: The Chair would advise the gentleman that the tabling motion lost.

Mr. RICHARDSON: I am sorry. I misunderstood the Chair's statement.

I would like to move to recommit this bill to the Joint Standing Committee on Judiciary.

The SPEAKER: The gentleman from Cumberland moves that this matter be recommitted.

The SPEAKER: The Chair recognizes the gentleman from Winslow, Mr. Carter.

Mr. CARTER: Mr. Speaker, I would request a roll call on the motion to recommit and I would like to speak briefly on it if I may. The reason that I asked to table this item is because I am having the Attorney General's office prepare an amendment and unfortunately it is not ready for presentation at this time, but I understand it will be tomorrow and this amendment does away with the mandatory prison term on the first

offense and leaves it up to the discretion of the Court, which I understand is repugnant to some of the members of the House. Therefore I would hope that you would defeat the motion to recommit and allow me the opportunity to present my amendment and then we could debate the measure fully.

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

Mr. RICHARDSON: Mr. Speaker, Ladies and Gentlemen of the House: I really dislike taking issue with the gentleman from Winslow, Mr. Carter. I think we are both trying to get to the same railroad station but we started in different directions. When this bill was reported out of the Judiciary Committee I had assumed, apparently incorrectly, that the Judiciary Committee was going to amend the bill to provide for a separate penalty for the commission of a crime, the commission of a felony while carrying a firearm. This is legislation which had been discussed in the hall of the House several times, several months ago.

The amendment that the Attorney General is preparing can certainly receive consideration in the Judiciary Committee. I have previously discussed this with members of Judiciary and have been assured of their cooperation of putting together legislation which will penalize very severely the person who commits a felony while carrying a firearm. I think this is the intelligent answer to the question of gun control, not mandatory penalties, not firearms registration or curtailment of the right of Maine people to keep their arms. I think the real answer to the problem is to make the carrying of a firearm in and of itself a separate crime if this is done while committing a felony. It is for this reason that I think we are all trying to get to the same place and I would ask you to support the motion to recommit the bill to Judiciary in order that they may consider the Attorney General's recommendations and also the recommendations of other members who have a great deal of interest in this legislation.

The SPEAKER: The pending question is to recommit. 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 members desiring a roll call vote will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

More than one fifth having expressed the 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 this matter be recommitted to the Committee on Judiciary. All in favor of the motion will vote yes; those opposed will vote no. The Chair opens the vote.

#### ROLL CALL

YEA — Allen, Baker, Barnes, Benson, Birt, Bragdon, Brennan, Brown, Buckley, Bunker, Burnham, Chandler, Chick, Clark, C. H.; Clark, H. G.; Corson, Cottrell, Crosby, Cummings, Curtis, Cushing, Dennett, Donaghy, Durgin, Dyar, Emery, Erickson, Eustis, Evans, Farnham, Fecteau, Finemore, Fortier, A. J.; Foster, Gauthier, Gilbert, Good, Hall, Hariman, Haskell, Hawkens, Henley, Hewes, Hichens, Huber, Immonen, Jameson, Kelley, K. F.; Kelley, R. P.; Lee, LePage, Lewin, Lewis, Lincoln, Lund, MacPhail, Marstaller, McNally, Meisner, Millett, Mills, Mitchell, Moreshead, Morgan, Mosher, Norris, Page, Payson, Porter, Pratt, Quimby, Rand, Richardson, H. L.; Rideout, Ross, Sahagian, Scott, G. W.; Shaw, Sheltra, Snow, Soulas, Stillings, Susi, Tanguay, Thompson, Trask, Tynedale, Vincent, Waxman, White, Wight, Williams, Wood.

NAY — Bedard, Berman, Bernier, Boudreau, Bourgoin, Carey, Carter, Cote, Couture, Cox, Crommett, Croteau, Curran, Dam, Driogtas, Fortier, M.; Fraser, Giroux, Hanson, Hunter, Jalbert, Jutras, Kelleher, Keyte, Laberge, Lawry, Lebel, Leibowitz, Levesque, Marquis, Martin, McKinnon, McTeague, Nadeau, Ouellette, Ricker, Rocheleau, Starbird, Temple, Watson, Wheeler.

ABSENT — Binnette, Carrier, Casey, Coffey, D'Alfonso, Danton,

Dudley, Faucher, Hardy, Heselton, Johnston, Kilroy, Noyes, Richardson, G. A.; Santora, Scott, C. F.

Yes, 93; No, 41; Absent, 16.

The SPEAKER: Ninety-three having voted in the affirmative and forty-one in the negative, the motion to recommit does prevail.

Sent up for concurrence.

#### Third Readers Tabled and Assigned

Bill "An Act to Authorize the Town of Swan's Island to Form a School Administrative District" (H. P. 1082) (L. D. 1403)

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

(On motion of Mr. Mitchell of Frankfort, tabled pending passage to be engrossed and specially assigned for tomorrow.)

Bill "An Act Revising the Motor Vehicle Dealer Registration Law" (H. P. 1185) (L. D. 1506)

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

(On motion of Mr. Carey of Waterville, tabled pending passage to be engrossed and specially assigned for tomorrow.)

Bill "An Act relating to Lack of Privity as a Defense in Action Against Manufacturer, Seller or Supplier of Goods" (H. P. 1195) (L. D. 1516)

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

#### Third Reader Amended

Bill "An Act relating to Approval of Refuse Disposal Areas" (H. P. 1196) (L. D. 1517)

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

Mr. Gilbert of Turner offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-340) was read by the Clerk and adopted and the Bill was passed to be engrossed as amended and sent to the Senate.

Bill "An Act Permitting Attendance Promotions by Liquor Licensees" (H. P. 1198) (L. D. 1519)

Resolve Reimbursing the Town of Sullivan for Winter Road Maintenance" (H. P. 853) (L. D. 1095)

Resolve to Reimburse Julia Junkins of South Portland for Damage to Property (H. P. 1078) (L. D. 1401)

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

### **Amended Bills Third Reader**

#### **Tabled and Assigned**

Bill "An Act to Establish a Police Training Facility" (S. P. 3) (L. D. 17)

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

(On motion of Mr. Levesque of Madawaska, tabled pending passage to be engrossed and specially assigned for tomorrow.)

Bill "An Act relating to Homestead Exemption" (S. P. 407) (L. D. 1369)

Bill "An Act relating to Increased Board Payments for State Wards" (H. P. 620) (L. D. 808)

Bill "An Act relating to Jurisdiction of Probate Court in Adoption Cases" (H. P. 690) (L. D. 890)

Bill "An Act to Create a School Administrative District in the Town of Sanford" (H. P. 1065) (L. D. 1394)

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

### **Passed to Be Enacted Emergency Measure**

An Act Granting a Council-Manager Charter for the Town of Bucksport (H. P. 605) (L. D. 786)

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. 127 voted

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

### **Passed to Be Enacted**

An Act Providing for Scholarship Aid for Students from Low Income Families (S. P. 345) (L. D. 1211)

An Act relating to Appointment of Town Clerk of Jay (H. P. 363) (L. D. 471)

An Act relating to Vacating of Street Locations on Plans (H. P. 495) (L. D. 649)

An Act relating to Orders of Care Pending Hearing in Child Custody Cases (H. P. 554) (L. D. 735)

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

### **Enactor**

#### **Tabled and Assigned**

An Act Creating Waldo County Commissioner District (H. P. 586) (L. D. 771)

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

(On motion of Mr. Starbird of Kingman Township, tabled pending passage to be enacted and specially assigned for tomorrow.)

An Act Revising Probate Fees (H. P. 1083) (L. D. 1404)

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

### **Enactor**

#### **Tabled and Assigned**

An Act relating to Restrictions on Ice Fishing on all Inland Waters (H. P. 1090) (L. D. 1407)

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

(On motion of Mr. Bourgoin of Fort Kent, tabled pending passage to be enacted and specially assigned for tomorrow.)

An Act to Change the Time of Apportionment of Educational Sub-

sudies to Administrative Units (H. P. 1144) (L. D. 1468)

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.

### Orders of the Day

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

Bill "An Act to Create a Hearing Aid Dealer Board and Provide for Licensing of Hearing Aid Dealers and Fitters" (H. P. 1168) (L. D. 1489) (In House, passed to be enacted) (In Senate, passed to be engrossed as amended by Senate Amendment "A" S-135)

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

Pending—Further consideration.

On motion of Mr. Soulas of Bangor, the House voted to recede from its former action whereby the Bill was passed to be enacted.

On further motion of the same gentleman, the House voted to recede from its former action whereby the Bill was passed to be engrossed.

Senate Amendment "A" (S-135) was read by the Clerk and adopted.

Mr. Soulas of Bangor then offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-341) was read by the Clerk and adopted and the Bill was passed to be engrossed as amended by Senate Amendment "A" and House Amendment "A" in non-concurrence and sent up for concurrence.

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

An Act relating to Retirement of Chief Liquor Inspector (H. P. 943) (L. D. 1204) (Vetoed by the Governor)

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

Pending—Further consideration.

The SPEAKER: The question before the House is, shall this bill become law notwithstanding the objections of the Governor?

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

Mr. DENNETT: Mr. Speaker, I move that this bill and all its accompanying papers be recommitted to the Committee on Retirements and Pensions.

The SPEAKER: The gentleman from Kittery, Mr. Dennett, now moves that this bill be recommitted to the Committee on Retirements and Pensions. Is this the pleasure of the House?

(Cries of "Yes" and "No")

The House will be in order.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I go along with the motion of the gentleman from Kittery, Mr. Dennett this afternoon for the full purpose of maybe an agreement can be reached on how this can best be administered and it may very well come out of the Committee with a favorable report. If not, if we are unable to agree, this bill will come out of Committee with very little life, if any.

The SPEAKER: The Chair will order a vote. All those in favor of recommitting this Bill and its accompanying papers to the Committee on Retirements and Pensions will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

104 having voted in the affirmative and 28 having voted in the negative, the motion prevailed.

Sent up for concurrence.

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

House Order Requesting Opinion of Supreme Judicial Court on Constitutionality of Bill "An Act Providing for Implied Consent Law for Operators of Motor Vehicles" (H. P. 1030) (L. D. 1339)

Tabled—May 16, by Mr. Birt of East Millinocket.

Pending — Passage under the rules.

Thereupon, the Order received passage.

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

HOUSE REPORT — “Ought to pass” as amended by Committee Amendment “A” H-330—Committee on Education on Bill “An Act relating to the Formation of a School Administrative District in the Machias-East Machias Area” (H. P. 721) (L. D. 939)

Tabled—May 16, by Mr. Kelley of Machias.

Pending—Acceptance.

On motion of Mr. Millett of Dixmont, retabled pending acceptance of “Ought to pass” Report and specially assigned for tomorrow.

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

MAJORITY REPORT (7) — “Ought not to pass”—Committee on Legal Affairs on Bill “An Act relating to Enacting Building Codes by Municipalities” (H. P. 698) (L. D. 898) and MINORITY REPORT (3) reporting “Ought to pass” as amended by Committee Amendment “A” H-334

Tabled—May 16, by Mr. McNally of Ellsworth

Pending—Motion of Mrs. Baker of Orrington to accept Majority Report

Thereupon, the Majority “Ought not to pass” Report was accepted and sent up for concurrence.

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

MAJORITY REPORT (7)—Committee on Liquor Control on Bill “An Act Increasing Certain Liquor License Fees (H. P. 1005) (L. D. 1307) reporting “Ought to pass” as amended by Committee Amendment “A” H-332 and MINORITY REPORT (3) reporting “Ought not to pass”

Tabled—May 16, by Mr. Marquis of Lewiston.

Pending—Motion of Mr. Hichens of Eliot to accept Majority Report.

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

Mr. TANGUAY: Mr. Speaker and Ladies and Gentlemen of the House: I will not belabor the issue, but I took it up last Friday, I explained to you what this bill was doing, just plain class legislation.

Originally this bill was submitted to the Liquor Control Committee, it had a change of approximately five—an increase in five licensees. Since then we have removed one as covered by other legislation. We have abolished another. So actually we are increasing license fees on three particular types of licensees. Furthermore, two increases have been amended. I would urge the Members of the House not to pass this type of legislation at the present time as I doubt very much if the revenue that this bill originally was going to attempt to bring in would more or less help to accomplish what the originator of the bill had in mind. Thank you.

The SPEAKER: Is the House ready for the question? The pending question is on the motion of the gentleman from Eliot, Mr. Hichens, that the House accept the Majority “Ought to pass” Report.

Whereupon, Mr. Cote of Lewiston requested a vote on the motion.

The SPEAKER: A vote has been requested on the acceptance of the Majority “Ought to pass” Report. All in favor will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

The SPEAKER: 85 having voted in the affirmative and 41 in the negative—

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

Mr. JALBERT: Mr. Speaker, I would ask for a roll call and would speak to my motion.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert requests that the vote be taken by the yeas and nays. 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 vote will vote yes; those opposed will vote no. The Chair opens the vote.

More than one fifth having expressed a desire for a roll call, a roll call was ordered.

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

Mr. JALBERT: Mr. Speaker, earlier in the day I spoke with Mr. Tanguay of Lewiston and the gentleman from Eliot, Mr. Hichens

concerning this item. The passage of this bill would in no way straighten out glaring inequities in this problem. It would merely punish actually the small licensee. I think if there is an area that needs to be studied it is in this area and I suggested this to the gentleman from Eliot, Mr. Hichens that I would support an order that would ask that this problem be studied so that the inequities in this program, which in my opinion are glaring, would be straightened out so that the license fees would be in their proper perspective. I think this has been long coming. It is for that matter that I ask for a roll call and hope that if I am in order to make another motion, Mr. Chairman, I would move therefore that this measure and both accompanying papers be indefinitely postponed.

The SPEAKER: The Chair would advise the gentleman that a roll call has been ordered on the pending question of accepting the Majority Report.

Mr. JALBERT: I would then ask that the same procedure would be as indefinite postponement; I would make a motion that the Minority Report "ought not to pass" be accepted if this motion of accepting the Majority Report does not prevail. I would urge you to vote no on the acceptance of the Majority Report.

The SPEAKER: Is the House ready for the question? The pending question is the acceptance of the Majority "Ought to pass" Report. If you are in favor of accepting the Majority Report you will vote yes; if you are opposed you will vote no. The Chair opens the vote.

#### ROLL CALL

YEA — Baker, Barnes, Berman, Bragdon, Brown, Buckley, Carey, Chandler, Chick, Curtis, Durgin, Evans, Farnham, Good, Hardy, Haskell, Hawken, Huber, Immonen, Kelley, R. P.; Lee, Leibowitz, Lewis, Lincoln, Marstaller, Meisner, Millett, Moreshead, Norris, Page, Porter, Pratt, Quimby, Rideout, Ross, Scott, C. F.; Shaw, Snow, Susi, Temple.

NAY — Allen, Bedard, Benson, Bernier, Birt, Boudreau, Bourgoin, Brennan, Bunker, Burnham, Car-

ter, Casey, Clark, C. H.; Clark, H. G.; Corson, Cote, Couture, Cox, Crommett, Crosby, Croteau, Cummings, Curran, Cushing, Dam, Dennett, Donaghy, Drigotas, Dyar, Emery, Erickson, Eustis, Faucher, Fecteau, Finemore, Fortier, A. J.; Fortier, M.; Foster, Fraser, Gauthier, Gilbert, Giroux, Hall, Hanson, Harriman, Henley, Hewes, Hichens, Hunter, Jalbert, Jameson, Jutras, Kelleher, Kelley, K. F.; Keyte, Kilroy, Laberge, Lawry, Lebel, LePage, Levesque, Lewin, Lund, MacPhail, Marquis, Martin, McKinnon, McNally, McTeague, Mills, Mitchell, Morgan, Mosher, Nadeau, Noyes, Ouellette, Payson, Rand, Richardson, H. L.; Ricker, Rocheleau, Sahagian, Scott, G. W.; Sheltra, Soulas, Starbird, Stillings, Tanguay, Thompson, Trask, Tyndale, Vincent, Watson, Waxman, Wheeler, White, Wight, Williams, Wood.

ABSENT — Binnette, Carrier, Coffey, Cottrell, D'Alfonso, Danton, Dudley, Heselton, Johnston, Richardson, G. A.; Santoro.

Yes, 40; No, 99; Absent 11.

The SPEAKER: Forty having voted in the affirmative and ninety-nine in the negative, the motion does not prevail.

Thereupon, the Minority "Ought not to pass" Report was accepted and sent up for concurrence.

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

REPORT "A" — "Ought to pass" — Committee on State Government on Bill "An Act relating to Time of Payment of Salaries of Members of the Legislature" (H. P. 1008) (L. D. 1310) and REPORT "B" reporting "Ought not to pass"

Tabled — May 16, by Mr. Starbird of Kingman Township.

Pending — Motion of Mr. Rideout of Manchester to accept Report "B".

Thereupon, Report "B" "Ought not to pass" was accepted and sent up for concurrence.

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

An Act to Provide that Nine Jurors May Return a Verdict in Civil Suits (S. P. 88) (L. D. 278)

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

Pending — Passage to be enacted.

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

Mr. BERMAN: Mr. Speaker, I move that this progressive piece of legislation be now passed and enacted by this House.

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

Mr. RICHARDSON: Mr. Speaker, Ladies and Gentlemen of the House: I cannot sit here and allow this legislative monster be described as a progressive piece of legislation and then be asked to vote for it, since my conscience tells me that I must vote against it because I consider it to be nothing but a little balm for a special interest gripe. I intend to vote against it.

I move the indefinite postponement of this bill. When the vote is taken I request it be taken by the yeas and nays. I do this in my individual capacity, not in a leadership position. I am not going to try to table it and go round and generate opposition to the bill. You have heard it debated, discussed. Many of you have been contacted by attorneys on both sides of the aisle and on both sides of the question. I don't want to prolong it any further. I might say to you in all candor that I expect that the House will be consistent and go ahead and pass this bill. But to describe it as a progressive piece of legislation is at best an overstatement.

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

Mr. BERMAN: Mr. Speaker and Members of the House: I will try to be brief. I have seldom known of a moderate and progressive piece of legislation such as this to have received the opposition from certain quarters of this House. Last week we won an overwhelming victory and my roll sheet tells me that the vote was 85 to 54. Now in this House we usually do business with a simple majority. In very substantial matters affecting the Constitution we do business

by a two-thirds vote and in measures of an emergency nature we do business with two thirds of all elected members of this House. This is simply asking for a three-quarters majority verdict.

One of the great scholars in this state told me, and I think I mentioned it on the Floor of the House last week, that this bill will help the jury system work better. Now why I describe this as a progressive piece of legislation, I would like to quote you very briefly from something written a long time ago by a very wise man, Mr. Dooley. This is what Mr. Dooley says, he says, "Don't I think a poor man has a chance in court? Of course he has. He has the same chance that he has on the outside. He has a splendid poor man's chance." Now I say let's enact this progressive piece of legislation and be done with attacks on it from certain quarters of this House. Thank you.

The SPEAKER: Is the House ready for the question? The pending question is on the motion of the gentleman from Cumberland, Mr. Richardson, that L. D. 278 be indefinitely postponed. The yeas and nays have been requested. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All members desiring a roll call vote will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken. More than one fifth having expressed the 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 this Bill be indefinitely postponed. If you are in favor of indefinite postponement you will vote yes; if you are opposed you will vote no. The Chair opens the vote.

#### ROLL CALL

YEA — Allen, Baker, Barnes, Benson, Birt, Bragdon, Brown, Buckley, Bunker, Chandler, Chick, Clark, H. G.; Cox, Crosby, Cummings, Curtis, Cushing, Donaghy, Durgin, Evans, Farnham, Fine-more, Gauthier, Gilbert, Good, Hall, Harriman, Haskell, Hichens,



Immonen, Jameson, Kelley, R. P.; Lawry, Lee, Lewin, Lewis, Lincoln, Lund, Millett, Norris, Page, Payson, Porter, Pratt, Quimby, Richardson, H. L.; Rideout, Rocheleau, Scott, C. F.; Scott, G. W.; Shaw, Snow, Stillings, Susi, Trask, White, Wight.

NAY — Bedard, Berman, Bernier, Boudreau, Bourgoin, Brennan, Burnham, Carey, Carter, Casey, Clark, C. H.; Corson, Cote, Cottrell, Couture, Crommett, Croteau, Curran, Dam, Dennett, Drigotas, Dyar, Emery, Erickson, Eustis, Faucher, Fecteau, Fortier, A. J.; Fortier, M.; Foster, Fraser, Giroux, Hanson, Hardy, Hawkens, Henley, Hewes, Huber, Hunter, Jutras, Kelleher, Kelley, K. F.; Keyte, Kilroy, Laberge, Lebel, Leibowitz, LePage, Levesque, MacPhail, Marquis, Marstaller, Martin, McKinnon, McNally, McTeague, Mitchell, Moreshead, Morgan, Mosher, Nadeau, Noyes, Ouellette, Rand, Ricker, Ross, Sahagian, Sheltra, Soulas, Starbird, Tanguay, Temple, Thompson, Tyndale, Vincent, Watson, Waxman, Wheeler, Williams, Wood.

ABSENT — Binnette, Carrier, Coffey, D'Alfonso, Danton, Dudley, Heseltin, Jalbert, Johnston, Meisner, Mills, Richardson, G. A.; Santoro.

Yes, 57; No, 80; Absent, 13.

The SPEAKER: Fifty-seven having voted in the affirmative and eighty in the negative, the motion to indefinitely postpone does not prevail.

Is it now the pleasure of the House that this Bill be passed to be enacted?

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

Mr. BERMAN: Mr. Speaker and Members of the House: I will be very brief so that we will have an end to this matter. I move that we reconsider this matter and I hope respectfully that you will vote against me.

The SPEAKER: The gentleman from Houlton, Mr. Berman, moves that the House reconsider its action whereby the indefinite postponement failed. All those in favor will say yes; those opposed will say no.

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

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

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

An Act relating to Short Term Permits for Trucks to Haul Loads (H. P. 631) (L. D. 819)

Tabled—May 16, by Mr. Quimby of Cambridge.

Pending—Passage to be enacted.

On motion of Mr. Wood of Brooks, retabled pending passage to be enacted and specially assigned for tomorrow.

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

An Act relating to Municipal Conservation Commissions (H. P. 749) (L. D. 967)

Tabled—May 16, by Mr. Casey of Baileyville.

Pending—Passage to be enacted.

On motion of Mr. Casey of Baileyville, retabled pending passage to be enacted and specially assigned for tomorrow.

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

An Act Creating the Uniform Limited Partnership Act (H. P. 978) (L. D. 1262)

Tabled—May 16, by Mr. Scott of Wilton.

Pending—Passage to be enacted.

On motion of Mr. Scott of Wilton, under suspension of the rules, the House reconsidered its action on May 12 whereby the Bill was passed to be engrossed as amended by Committee Amendment "A."

The same gentleman then offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-342) was read by the Clerk and adopted and the Bill passed to be engrossed as amended by Committee Amendment "A" and House Amendment "A" in non-concurrence and sent to the Senate.

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

SENATE REPORT—"Ought to pass" as amended by Committee Amendment "A" S-121—Committee on Judiciary on Bill "An Act relating to Discrimination on Account of Race or Religion" (S. P. 397) (L. D. 1349) (In Senate, report accepted and Bill passed to be engrossed as amended by Committee Amendment "A")

Tabled—May 16, by Mr. Rideout of Manchester.

Pending—Motion of Mr. Berman of Houlton to accept the Report in concurrence.

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

Committee Amendment "A" (S-121) was read by the Clerk and adopted in concurrence and the Bill assigned for third reading tomorrow.

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

Bill "An Act to Grant Adult Rights to Persons Twenty Years of Age" (H. P. 1162) (L. D. 1484)

Tabled—May 16, by Mr. Corson of Madison.

Pending — Passage to be engrossed.

On motion of Mr. Dennett of Kittery, retabled pending passage to be engrossed and specially assigned for tomorrow.

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

Bill "An Act Making Supplemental Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1970 and June 30, 1971" (S. P. 449) (L. D. 1483)

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

Pending — Passage to be engrossed.

On motion of Mr. Richardson of Cumberland, retabled pending passage to be engrossed and specially assigned for tomorrow.

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

Bill "An Act relating to Welfare Assistance" (H. P. 687) (L. D. 918)

Tabled — May 16, by Mr. Birt of East Millinocket.

Pending — Passage to be engrossed.

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

Mr. BIRT: Mr. Speaker and Ladies and Gentlemen of the House: Early in January we heard the Governor's budget message for the coming biennium. The major single new approach in this budget costing the largest single amount of money was the Intergovernmental Program on Welfare, the outgrowth of the Governor's Task Force on Welfare.

The entire cost of this program, which would be operational on January 1, 1970, is about \$12,700,000.

I have had an amendment prepared for you under filing number H-326 which, if this bill were to be passed to be engrossed, would have to have this amendment on it because the joint rules call for all of the costs of any bill being on the bill. I am not going to offer this amendment at this time, but you might want to take a look at it for your consideration. It will be under filing number H-326.

Adding another half year's cost would bring the initial biennial cost to about \$16 million.

This was presented in a bill form which we now have before us in L. D. 918. I have always been interested in the number of combinations and what could be made out of them. This L. D. starts with a "9" and doubles in the last two digits to make "18". I fear that it is a forerunner of what is to come if this bill becomes law. My problem is whether this would advance in an arithmetical or geometrical progression, whether it be 9-18-27-36 or at the ratio of 9-18-36-72. Now I am a little afraid that it might be the latter.

Many philosophers and historians tell us that those who do not remember the past are bound to repeat it. In this case the past

is no longer than the last two or three years in the State of Massachusetts and her experiences with her welfare program. I would read a couple of paragraphs from the Boston Daily Record of May 8th, in reference to advances that welfare costs run into in the State of Massachusetts. It says:

"The State Welfare Dept. released figures Wednesday showing an increase of more than \$100,000,000 in payments during the last fiscal year—but it developed that those statistics were a drop in the bucket compared to what the costs may be in the year just ahead.

According to a 33-page report compiled by the department the fiscal year that ended last June 30 saw payments of \$358,817,331 in all categories of welfare — including medical assistance, general relief, Aid to Families with Dependent Children, and the like.

That represented a jump of 38.7 percent over what was spent in the preceding fiscal year.

But in the budget now being considered by the Legislature's Ways and Means Committee—and which is scheduled to take effect July 1 — a total of \$709,000,000 is being asked for welfare purposes.

Medical assistance programs cost \$189,918,779 in the last fiscal year — but \$248,750,000 is being asked for that purpose in the budget.

AFDC, which cost \$91,674,748 in fiscal year 1968, will soar to \$178,000,000 if the budget requests are granted."

These in some cases are almost 50% increases in one single year.

We have also heard similar comments from a member of the Massachusetts' Legislature a few weeks ago when he addressed this body. As I recall his opening remarks, he said, "If you really want problems, come down and see our welfare costs."

Senator Saltonstall of the Massachusetts Senate spoke on a somewhat similar vein in an address at Waterville a couple of weeks ago commenting on the costs of Medicare in Massachusetts.

Now let us look at L. D. 918. I am fully aware that the costs of this bill were in the original supplemental budget. I am also aware that the supplemental budget,

Number III, which is a program from the front office, leaves out the major item in this bill. At least a part of three other items are covered in the supplemental budget from the Appropriations Committee, which is before you at present. However L. D. 819 is still before us and the concepts which it contains, if enacted into law, would be before us in the Current Services budget for the 105th Legislature.

I think that we should examine these areas. The largest single cost item is transfer of General Assistance Welfare Administration and cost to the state level. This single item would call for 74 new employees alone at a resulting cost of \$406,000 for the first full year of its operation. Overall, the unfunded parts of L. D. 918 call for 141 new employees, just to get this program on the road, and these do not include the number of employees that are included in L. D. 1483, the Supplemental Act which has come out of the Appropriations Committee.

In commenting on the increase in employees, I would also read one paragraph from a recent national news magazine in an interview with Arthur Burns, Special Consultant to President Nixon. The heading of the particular paragraph is "Where does the money go?"

"Reportedly, Mr. Burns has presented figures to the President indicating that the country already is spending enough on welfare programs to provide every 'poor family' with an income of between \$8,000 and \$9,000 a year.

The 5 million families 'living in poverty' — he claims — do not get the money, because of heavy administrative costs in Washington, and huge welfare staffs in every city." I think in this case it would apply to this state because of the provisions that are in L. D. 918 for the number of new employees.

A few statistics in Maine reveal that in looking over the population in the State of Maine we find that we have one of the highest percentages of people over 65 and also one of the highest percentages of people in schools of any state in the country. In one area in this particular category we are

second in the country, which means that we have one of the smallest wage earning populations in relation to the overall percentage of any of the states. This would mean that there would be increased load onto this small group of people. And worthy as this program sounds, it would at its onset cost the average family of four in Maine about \$54 for the first biennium with an additional almost sure \$36 increase the next biennium. This is based on the average of four people to a family over a million people. Now if this were to be taken in relation to the wage earning population, this should probably be multiplied by at least two and maybe more.

Along with all the other increases which we are faced with in education, welfare, highways, mental health, and others, it does not seem that this is a sound program for the State to face up to at this time, and I would consequently move for the indefinite postponement of this bill and all its accompanying papers and when the vote is taken, I would ask for a roll call.

The SPEAKER: The gentleman from East Millinocket, Mr. Birt, moves that L. D. 918 be indefinitely postponed.

The Chair recognizes the gentlewoman from Falmouth, Mrs. Payson.

Mrs. PAYSON: Mr. Speaker and Members of the House: With all due respect to those who have given time and thought to drawing up the report which is contained in L. D. 918, I wish to strongly support the motion of the excellent gentleman from East Millinocket, Mr. Birt, who has moved that this bill be indefinitely postponed.

I oppose the basic concept behind this bill which places all public welfare programs at the state level. I am completely convinced that those which can be handled locally should remain there. My reasons are: (1) The present public assistance program should remain at home in our towns and cities where it can be administered efficiently and flexibly in response to each client's needs. Moving it to the state level would create bureaucracy where it is

unnecessary. Bureaucracy is great for the fellow who wants a job, but not to get a job done.

My second reason for opposing this bill is the questionable status of the Medicaid Program. Medicaid is a federal-state program designed for those people under 65 years of age who can support themselves but cannot pay doctors' bills or hospital bills. The wild abuse of this program in other states is summed up in United States Senator Clinton P. Anderson's comments. Senator Anderson, incidentally, was the founding father of Medicare. So alarming is the cost rise that he "would suspend the Medicaid program for a while, a year at the most if necessary, to gather information on its finances. If we can't pay for this thing, then we should void it," he said.

Last Friday morning the headline in The Portland Press Herald was "Medicaid Reported Bilked Out of Hundreds of Millions of Dollars." Until appropriate controls are established, we should not consider Medicaid. It is unjust to inflict Medicaid upon the taxpayers of Maine as it is now set up.

In conclusion, I am convinced that L. D. 918 is poor planning and expensive planning. Thank you.

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

Mrs. WHITE: Mr. Speaker and Members of the House: As a member of a Health and Welfare Advisory Committee I have been exposed to the intent and preparation of the bill presently before you over a considerable period of time. I feel that it has good points and I shall vote for it. I will mention to you two or three of the points which appeal to me.

I feel that it will help produce uniformity and efficiency, two attributes which certainly we all desire. I feel also that it will eliminate duplication and overlapping, two attributes which we abhor. It will do away with pauper settlement cases, which can become quite a headache to a municipality as well as hurtful to those persons in need of assistance.

Now we have heard much talk about relief to those persons or those citizens who pay real estate taxes. I think we all feel that our real estate taxes are high and we wish that they could be helped, certainly we have heard a good deal about it, and I feel that this program might accomplish that.

Ladies and gentlemen, I know of course that this is a controversial bill and that much will be said pro and con, but I hope that you will give it your serious consideration before you vote.

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

Mrs. WHEELER: Mr. Speaker and Members of the House: Before we vote on this, I feel that it is incumbent on me as sponsor of L. D. 918 to explain some of the background, purposes and my commitment to this bill to the Members of the House.

More than a year ago a group of Maine citizens from every walk of life from every economic level, from every political persuasion, joined together to form the Task Force on Intergovernmental Welfare Programs. In all there were thirty-seven of them, and most were experts in the subject they were asked to examine. They have developed a sincere, meaningful program to improve our commitments to our fellow human beings.

It was created for our State because this Task Force believed in a human dignity, a basic human dignity it felt the State of Maine should believe in, a basic human dignity it felt we as legislators should endorse as our understanding of what our commitment to the people of this State should be. As a member of this Task Force I wholeheartedly endorse their recommendations as put forth in L. D. 918.

I would like to read to you a few of the comments of local officials when questioned as to the Welfare programs in their area. One commented, "We maintain no such services." Another, "Two hospital bills outstanding will increase our welfare budget double this coming year." Still another, "There is critical need of one uni-

form standard for relief that is realistic but not luxurious." Another, "The only case one single woman on State disability under General Assistance, being a state charge, I have the greatest trouble. All the time going to a doctor and demanding fuel, clothes and transportation to a doctor once a week." Another, "All 496 municipalities in the State should be under the direct administration of the State Division of General Assistance." And yet another, "There is too much unmet need in the state grants."

And lastly, "A requisite of a welfare official is the wisdom of Solomon which I have not, therefore, my comments are merely observations. Settlement laws have become archaic and are a complete waste of time, money and effort if the philosophy is that all persons are to be adequately housed and fed. Town officials are not trained social workers and the degree of assistance, I am sure, varies as to location, wealth of the town and associations. Effort should be concentrated on education (training of children in recipient families). Trained, not necessarily educated personnel is needed to administer the welfare programs."

Now the purpose of social welfare laws should be to establish and support programs which contribute to the prevention of dependency and social maladjustment, as well as services for rehabilitation, protection, and provide equal treatment to all needy persons. The programs should also be given to preserve family life, to maintain and encourage dignity and to maintain a reasonable standard of health and decency, based on current costs of living.

I endorse these principles and I ask you here today to do the same for they are the basic principles of government. And at the same time we should move as rapidly as possible towards the twin goals of multiplying the value of Maine's welfare tax dollars while at the same time we eliminate duplication between state and local efforts resulting in a decrease in local administrative costs.

The recommendations of the Task Force are part of this bill before you today. It asks that municipal officers, for instance, appoint for a three-year term in every municipality where there is no organized full-time public welfare office, a Municipal Service Officer who would come under the supervision of the State's Health and Welfare Department; and his salary would be fixed and paid by the State.

This officer's duties would include: Authorizing emergency General Assistance to any family or individual found in need.

Bringing the family and/or individual and problem to the attention of the full time state staff for planning and carrying out services.

And the bill asks one more thing that I feel is the heart of this entire proposal, and that is the elimination of the 18th Century poor laws, also called the settlement laws, so that families and persons in need of welfare can make application wherever they are living when they are in need.

This bill covers a wide range of welfare programming and it responsibly alters our present form of care so that persons in need will have the best the State has to offer—not just whatever is good enough. We have an opportunity now to change the archaic and inadequate welfare program in Maine to meet the needs of the 20th Century.

Experts in the field recognize the need for change. People who have been helped by welfare, and those who are still being helped, have recognized the need as well. Can the Legislature do any less? I don't want to spend any more of your valuable time discussing this, but I would like to leave you with this one thought, expressed on the inside cover page of the Task Force's Report, and I quote:

"This study and report is presented in recognition of the principle that Man is made to: Know the truth, understand the truth and to act upon the truth. It is dedicated to those persons who in the face of economic need and adversity continue to struggle and continue to hope."

Let us here today dedicate ourselves to this same commitment, and Mr. Speaker and ladies and gentlemen of this House I urge you to vote against the motion of the gentleman from Millinocket, Mr. Birt.

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

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: I arise to support the gentlewoman from Guilford, Mrs. White and also the gentlewoman from Portland, Mrs. Wheeler, and to oppose the motion made by the gentleman from East Millinocket, Mr. Birt.

A number of points came to mind as I was listening to the debate, which I would like to relate to you. One, the comparison of Massachusetts—may the Lord help us if we compare the State of Maine with what goes on in the State of Massachusetts! In this field or in any other field I certainly hope that we will not do that. I think that it is unfair comparison and we shouldn't compare Massachusetts in terms of the problems that they are having with Medicaid and other problems in the health field, with what is going on in Maine.

Secondly, I feel that the Committee on Health and Institutional Affairs, the Health and Institutional Committee did an outstanding job when they worked on L. D. 918 in listening to the people that came before them and I know because the Appropriations Committee also heard from the very same people. They need help and I think it is time that we realized it.

I think there is one thing about welfare which is more interesting to me than any other. It is the question of breaking the cycle. If we provide enough help to a family that is presently in need, that is not doing well, the father is unemployed, that is not doing the job that he should be with the family, that if we break the cycle and help the students, help the kids to get an education, to get some food, I think that we can break that cycle so that we will not be caught in the same bind with the next generation. This perhaps is the most important

thing for us to remember and if we break that cycle then we can solve the problem of poverty in Maine and we can solve the problem of poverty in this country.

One of the most interesting things in my mind in this bill, in L. D. 918, is Medicaid and I will tell you why. About a month ago the gentleman from Fort Fairfield, Mr. Johnston came to me and indicated to me that he had a case in his home town who needed help. A member of the family became quite ill, they had to take the kid to Boston. There was no money in the family except the normal income of six or seven thousand dollars a year. The operation itself would cost \$6,000 or more. They had no place to go. The Town of Fort Fairfield or the Town of Easton, and I can't remember which it was, certainly couldn't put the money up for this. The State of Maine couldn't do it, because under existing laws there is no way that Medicaid could take care of it. In the case of a wife who was caught in the same bind, the same story holds true.

Now if we want to solve the problem that happens in so many cases time and time again when a family gets in bad trouble, they need money for a one-shot deal and they can't find it, what happens? They go without it and of course the family suffers in the end. I am sure you are all aware of communities across the state that discriminate against certain poor people in various communities. It depends where you are. If you happen to be in a community in northern Maine you might get less because they have more cases. If you happen to be in a city in southern Maine where there happens to be a little bit more wealth, for example Cape Elizabeth, then you might not have any problem but it's unfair, it is unfair to the people who are receiving or need this type of aid.

So I would hope that you would oppose the motion and Mr. Speaker, if a roll call has not been requested, I would so move.

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

Mr. PORTER: Mr. Speaker and Members of the House: During the

last three winters that I have spent here in the House there has been one gripe that I have heard constantly. That gripe is "we have too many State employees." It happens in this corner up here is probably the noisiest corner in the House so I did not hear the figures that the gentleman from East Millinocket, Mr. Birt gave concerning the State employees. I direct a question through the Chair to Mr. Birt, how many State employees would be necessary for this bill, please?

The SPEAKER: The gentleman from Lincoln, Mr. Porter poses a question through the Chair to the gentleman from East Millinocket, Mr. Birt who may answer if he chooses. The Chair recognizes that gentleman.

Mr. BIRT: Mr. Speaker, Ladies and Gentlemen of the House: I think if you will look, in answer to the gentleman's question, if you look at page 326, which is probably the quickest place to find it, you will find under General Assistance there are 74 new employees at a cost of \$405,000 for the first year. Now to amplify that a little bit these costs go up at the rate of about 5% per year for about five or six years and there is also about a 20% factor in there for fringe benefits. Your food program, which was not funded, has 15 employees. Your Medicaid program, which was also not funded in your Supplemental budget, has 32. Your 74 and 32 is 106 and 15 is 121; I believe that altogether there were around somewhere in the neighborhood of 140 new employees. But two items, Medicaid was 32 and General Assistance was 74, or two major items in which there is a large growth of bureaucracy.

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

Mr. MARTIN: Mr. Speaker, it should be pointed out also, which the gentleman from East Millinocket, Mr. Birt, did not point out, that if these people should go into the Department of Health and Welfare for the General Assistance Program, that these people could be removed from the local level.

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

Mr. SOULAS: Mr. Speaker and Members of the House: I just wanted to report to the members of this House that the Health and Institutions Committee voted this bill out "ought to pass" by majority vote 8 to 2 and at that time we were also under the impression that this was going to alleviate the taxpayer back home. And for this reason I think we should support this bill today and at least give it a chance to get to the Appropriations table.

The SPEAKER: The Chair recognizes the gentleman from Bridgewater, Mr. Finemore.

Mr. FINEMORE: Mr. Speaker and Members of the House: I sat here and kind of listened while Mrs. Wheeler was reading the good parts of the book she had there but she wasn't reading the bad ones. You know when our Pilgrims came here, they came here for three reasons, and three reasons alone — the right to worship in the church of their choice, free speech and taxation with representation. We also fought the war of 1776 for the simple reason to have taxation and not taxation without representation. Well we've got it right here. Each and every town is going to be taxed on a State level rather than a town level. You take the conservative towns like I come from, four of them right in a string, Blaine, Bridgewater, Monticello and Littleton, those towns have very very little poor. In fact I was Town Manager four years and a half and we never raised any money for poor during the four years and a half and I can truthfully say that no one ever went without and I don't like to have them stand up and say that they are going to go without something, because they aren't and they are being as well educated as any child can be.

Also the State of Connecticut right today by health and welfare has made itself almost in bankruptcy by these new health and welfare laws. And also, speaking of Medicare the problems that New Brunswick has made itself bankrupt on account of it. In fact this year they have cut out all the

roads, all the bridge building even where they had bridges half built that were really important bridges. They had to cut them out because of Medicare. They have also cut out any construction on hospitals; we don't know how long. They are \$43,000,000 behind. And I tell you right now if we start this in the State of Maine we are going out on a limb. It has got a lot of good points I'll admit but it's got a lot of poor ones and I hope we go along with indefinite postponement of this bill.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I certainly do not want to take too much time in debating this bill. Certainly the members of the Committee that have heard this bill are much more qualified to bring out the different points that are at issue in this document.

First I would like to make only this observation. I think last week the members of our society came down on the State Capitol to try to convince the different county delegations as to what some of their problems are. A lot of the people in the society today are very well able to take care of themselves. Until such time as some member close to their family, either their immediate family, or close in the neighborhood, something happens that they are unable to receive the necessary help to take care of these people—and certainly you must have heard of all the different errors and discrepancies as far as local administration of welfare or assistance of any kind.

Things would be so much better if there was a uniform system of administering these needs to the people that are in need where we have now presently in the different municipalities 496 different ways of administration. I think if we had a uniform system of administration so that all these needy people would receive the same kind of help on an equitable basis and I think that primarily these people that are in need—the rest of the general public never knows anything, as I said previously, until it hits close to home. Then and



then only do we find that there are discrepancies in the administration of our welfare system or in our general society.

So I definitely hope that the members of the House today will keep this bill alive by voting against the motion to indefinitely postpone so that those members that would like to have additional information can gather this information. Thank you.

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

Mr. COTTRELL: Mr. Speaker and Members of the House: I am not prepared to vote for this bill today. I don't know where I get my information but a lot of the information seeps through to me and I know that nationally Health and Welfare, Medicaid, is going to be very thoroughly scrutinized.

I read the Christian Science Monitor when I got home this weekend for the last five issues and there was a great deal of material in there about Medicaid and about Health and Welfare, whether the Federal Government should take it over, or whether it should be funded on bloc grants to the local areas. I think we are going through quite a quandary on this whole proposition, and I for one can't see why we should go ahead at this moment in such a question that is being debated all over the country.

As I say, maybe I have the wrong information but if I understand correctly, we are picking up the 18¢ local tab in one of our budgets — I don't know exactly which one. But New York State has cut down on their welfare this year \$128,000,000 and it seems to me the spirit of our country is to check and recheck, and assess and reassess and not jump into these programs which I know must be very well prepared by the dedicated people who have been working on them. But heaven can't come all at once here. We have got to move a little more slowly I think in our state, especially when we look at our budget figures.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I was told through the medium of a newspaper that I was quite arrogant last week in coddling myself. Arrogant I may be but there is one thing that I will not do, I will not at any time vote for a measure that I know will commit me to a major program in taxation and this is exactly what you are doing here today. It chagrins me to oftentimes take issue with the gentleman from Madawaska, Mr. Levesque who I not only respect as an able legislator but respect as a personal friend.

We had a meeting of some of the people concerned with this program in our delegation last week. I talked to them at length about the program and to me they were to a degree at least satisfied.

Now the gentleman from Madawaska, Mr. Levesque mentioned that we should keep this alive and then after we keep this alive we could better judge as to where we would go on programs. The fact of the matter is this, that L. D. 918 should not have been presented in the manner it was presented and I think if the leadership of both parties in both branches would finally look at rules that say flatly that measures must have a price tag on them when they should have one we would be better off and probably avoid debates such as we are having right now.

The truth of the matter is this. In Part II of the budget, which will call for a tax on corporate income and a tax on intangibles I am told—and I intend to vote for it—in Part II of the budget are the items in L. D. 918 concerning themselves with the Bureau of Health which call for two engineers, technicians and so on at \$83,742 for both years of the biennium.

Also it calls in Bureau of Social Welfare administration for \$141,-182. That is the little gem that says we'll include three separate officials who will be taken off the welfare rolls and will travel around the state informing people of welfare programs.

The other Child and Welfare Service item in Part II, as released by the Appropriations Committee, provides for \$760,000 that would give services to the foster homes.

The Eye Care program to the tune of \$45,364.

The Work Incentive program, called "WIN," which provides for unemployment service program and after income exemptions for welfare recipients to the tune of \$700,000. Aid to the aged, blind and disabled for boarding and nursing home rates to the tune of \$600,000.

Removal of the 18% town share to the tune of \$2,081,000. Drug and Dentist Program to the tune of \$698,749. Aid to Dependent Children to the tune of \$1,000,000.

This actually implements a great deal of L.D. 918 which does not have one penny of a price tag on it. Now we can get at the furtherance of L. D. 918 later on, when we hear the proposition of Part III, because as the Part III is distributed to us, it includes in it Medicare and the social service programs. In my opinion, whether you vote for or against is beside the point. At least whether you vote for or against Part III, and the tax that will go with it, you are voting against a program that is funded. When you vote on this program, L. D. 918, it's a do-gooder with no price tag on it, and for my money that is not necessarily legislatively honest.

Now I have a letter that I received from a member of the Task Force, a highly respected member of the Task Force, who holds a high official capacity in another area of these programs. In wishing me congratulations on my birthday, he wished, "to add a word of explanation about my recent letter to you. It was meant, as I am sure you understand, only as an explanation of the position I think the Task Force must take to properly discharge its obligation."

"We must depend, however, on your wisdom and leadership to help us decide how politically feasible it may be to request any additional implementation of L. D. 918. Again, may I say, I appreciate the fiscal dilemma and the under-

standable resistance to new taxation.

"I especially appreciate in the light of this, the progressive recommendations of the Appropriations Committee. I hope, however, that you will find it possible to help move a step further in the direction the Committee has already established. In any event, I value your counsel on this and would appreciate knowing whether you feel you could exercise your considerable leadership toward this end." I am committed to L. D. 918 but not in its entirety at this session.

I spoke to higher authorities, I spoke to Commissioner Dean Fisher for one, and others, concerning this program, and I could detect that he was not necessarily displeased at the forward steps that have been taken in this area. We must, as I know, go into Medicaid by 1975, but I will tell you one thing right now, after reading the headlines of the last two or three days, here's one little chickadee that's not going down for Medicaid until I know it has been given a steam cleaning process somewhere along the line starting in Washington. I don't want the hierarchy to get the cream in the top of the milk bottle and leave the skim milk for the little fellow deserving of it. In my opinion, as it stands now, it is just a program that is started to get the big fellows, the administration of this program, the little person that deserves it what he should have. And that's what I intend to do.

Further, I do not intend to vote for a personal income tax at this session and when I vote for L. D. 918 I am committing myself to it. I shall vote with Mr. Birt.

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

MR. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: The letter from which Mr. Jalbert quoted to you came from a member of the Task Force and I would point out that in his last sentence where it was his hope that we would proceed in that direction in doing something more than what the Appropriations Com-

mittee eventually did—and I am talking of Part II.

I would point out to you that the Part II Budget itself, when we are talking of the money going to the Department of Health and Welfare, in terms of the Bureau of Social Health, for those people for which the gentleman from Lewiston referred to as looking for people to bring on the rolls, that we have no choice about this matter. This is not the Intergovernmental Program to which L. D. 918 is referring to.

I would point out that the \$600,000 for the aged, the blind, and the disabled, is to increase \$25 a month for both the nursing and the boarding care for raises in rates, and this is for normal increases in rates and has nothing to do with the Intergovernmental Program. I would point out also that the money which was going for the increased case loads for ADC is not really a result of the Intergovernmental Welfare Improvement Program.

Now we did two things, the Appropriations Committee did two things in Part II, which dealt directly with the Intergovernmental Welfare Improvement Program, and that was one, the removal of town share of Aid to Disabled Children in roughly \$2 million, and then add it on the drug and dental program.

I would point out to you this, that the 18% removal of town share of Aid to Dependent Children does nothing to help the poor; nothing. All we are doing here is relieving the towns of the 18%. If we think that we are doing and spending \$2 million to help the poor in this state by including this in Part II, this is a bad mistake, because it is not. And we should realize what we are doing and that is to help the municipality locally.

And so in effect when we talk about helping the poor, we are talking about the drug and dental program which has been added. And so I think it is important to remember that L. D. 918 is important to the people of the state and I think we should be voting for it.

I would point out this, that L. D. 918, almost in total, could be ac-

cepted without a price tag on it; in other words, you can pass the legislation without necessarily having to fund it. We are talking about changing the pauper laws, we are talking about changing the rules under which we play the game in this state, that we played until the 18th century, and there is nothing in this that necessarily has to cost money if we don't want it to. And so I would hope that we would vote against the motion of the gentleman from East Millinocket.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I cannot resist but get up and make comment on the remarks of the gentleman from Eagle Lake, Mr. Martin. It is very true, we can pass L. D. 918 and any bill in this Legislature and not fund it, and one will get you a thousand that two years from now it will appear on the Current Services budget with a nice price tag on it.

Now there are those that would probably feel that I have probably been around a long time, but I will tell you one thing right now, I learned a long time ago that no other departmental head is going to tell me, as I am told practically every session a dozen or more times, "pass the bill, don't fund it, I can take care of it." Then it reappears as a Current Services item.

Now every time that I hear remarks that are made where it's helping the poor and helping the poor, it appears that those who would not vote one hundred percent for these programs would be one who would be against the poor. I know that Mr. Martin does not mean to indicate that to be so. In this particular instance, and I will speak on the subject of taxation at length later on, it is as simple as this, vote for L. D. 918 as it stands now and you are voting for a personal income tax later on.

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

Mr. PORTER: Mr. Speaker and Members of the House: There is one little clinker in L. D. 918 that

disturbs me and that's the Medicaid. The Council of State Governments has issued a bulletin of what happens to several of the states on Medicaid only, and I will just give you a sample of two or three of the states of the increasing cost in Medicaid alone. In Georgia, the 1969 Budget was 11.8 million, 1970 Budget 22 million; in Missouri the 1969 Budget was 18.7 million, the 1970 Budget 25.7 million; Connecticut was spoken of a moment ago. The 1968 Budget was 34 million, the 1969 Budget is 57.4 million, the 1970 Budget is 70.7 million, and the 1971 Budget is 84.4 million. That's enough to frighten anybody.

The SPEAKER: The Chair recognizes the gentleman from Norway, Mr. Henley.

Mr. HENLEY: Mr. Speaker and Members of the House: I'm not going to take much time, but I cannot support L. D. 918. We held hearings. There were hearings and discussions of this throughout our area. There wasn't very much support for it except from one specific area.

I depend a lot upon the urgings of my constituency, and I can truthfully say I have had not one single person urge me to support L. D. 918.

I agree with my friend, Mr. Porter; in fact I think there are several clinkers involved. As far as the poor are concerned, I am definitely not against the poor. I shouldn't be, I have been through the valley myself very distinctly thirty odd years ago. I know what it is to go hungry. I know what it is to wear my shoes through, and I know what it is to ask for help. The only thing is that I feel that too many of us think that the answer to all things is to concentrate the authority and the judgment at state level or at national level.

We have 490 odd communities in this state and someone has said that there should be a uniform method of welfare. I disagree with that. I say we have 490 odd communities and 490 odd different situations. I say that there are situations in the state that require very different approaches to welfare and to the care of the poor than in

others. So consequently when that control is completely taken away from the local level, we are definitely going to lose not only dollars, taxpayer dollars—it's bound to cost more, a lot more, but we are going to lose that local contact, which I believe now can be — if it's properly administered, much better than control at the state level.

I certainly will support Representative Birt on the motion that this be indefinitely postponed.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: I merely wish to comment that I am somewhat at a loss to account for the statement of the gentleman from Eagle Lake, Mr. Martin, when he says we go ahead and pass this bill without giving any consideration to funding, if I understood him correctly. This is a bill which costs possibly in the area of 16 or 18 million dollars for a year and a half. It seems to me that many of you would disagree with him if you understand him as I do. Certainly, this is very irresponsible. I certainly hope that you do not consider passing the bill without considering that you are going to provide the money to put it in effect.

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

Mr. MARTIN: Mr. Speaker and Members of the House: I merely wish to answer the question posed by the gentleman from Perham, Mr. Bragdon. What I indicated was that the bulk of the information— or the bulk of the legislation in L. D. 918 dealt with changing the pauper laws in this state, and that did not require an appropriation.

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

Mr. JALBERT: Would the gentleman from Eagle Lake separate the money from the no money on L. D. 918 now?

The SPEAKER: The pending question is the motion of the gentleman from East Millinocket, Mr. Birt, that House Paper 687

L. D. 918, Bill "An Act relating to Welfare Assistance," be indefinitely postponed. He further moves that when the vote is taken, it be taken by the yeas and nays. For the Chair to order a roll call, it must have the expressed desire of one fifth of the members present and voting. All members desiring a roll call vote will vote yes; those opposed will vote no. The Chair opens the vote.

More than one fifth 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 East Millinocket, Mr. Birt, that this Bill be indefinitely postponed. If you are in favor of indefinite postponement you will vote yes; if you are opposed you will vote no. The Chair opens the vote.

#### ROLL CALL

YEA — Baker, Barnes, Benson, Berman, Birt, Bragdon, Brown, Buckley, Bunker, Carey, Chick, Clark, C. H.; Clark, H. G.; Corson, Cote, Cottrell, Couture, Crosby, Cummings, Curran, Curtis, Cushing, D'Alfonso, Dam, Dennett, Donaghy, Durgin, Dyar, Erickson, Eustis, Evans, Farnham, Finemore, Foster, Gauthier, Gilbert, Giroux, Good, Hall, Hanson, Hardy, Harriman, Haskell, Hawkins, Henley, Hewes, Hichens, Huber, Hunter, Immonen, Jalbert, Kelleher, Kelley, K. F.; Kelley, R. P.; Lawry, Lee, Leibowitz, LePage, Lewin, Lincoln, MacPhail, Marstaller, McKinnon, McNally, Meisner, Millett, Moreshead, Mosher, Nadeau, Norris, Ouellette, Page, Payson, Porter, Pratt, Quimby, Rand, Richardson, H. L.;

Ricker, Rideout, Rocheleau, Ross, Sahagian, Scott, C. F.; Scott, G. W.; Shaw, Snow, Stillings, Susi, Temple, Thompson, Trask, Tynedale, Wight, Williams, Wood.

NAY — Allen, Bedard, Bernier, Boudreau, B o u r g o i n, Brennan, Burnham, Carter, Casey, Chandler, Cox, Crommett, Croteau, Drigotas, Faucher, Fecteau, Fortier, A. J.; Fortier, M.; Fraser, Jameson, Jutras, Keyte, Kilroy, Laberge, Lebel, Levesque, Lund, Marquis, Martin, McTeague, Mills, Mitchell, Morgan, Noyes, Sheltra, Soulas, Starbird, Vincent, Watson, Waxman, Wheeler, White.

ABSENT — Binnette, Carrier, Coffey, Danton, Dudley, Emery, Heselton, Johnston, Lewis, Richardson, G. A.; Santoro, Tanguay. Yes, 93; No, 42; Absent, 12.

The SPEAKER: Ninety-six having voted in the affirmative and forty-two in the negative, the motion does prevail.

Sent up for concurrence.

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

Resolve Proposing an Amendment to the Constitution to Reduce the Voting Age to Twenty Years (H. P. 614) (L. D. 802)

Tabled — May 16, by Mr. Corson of Madison.

Pending — Final Passage.

On motion of Mr. Dennett of Kittery, retabled pending final passage and specially assigned for tomorrow.

On motion of Mr. Richardson of Cumberland,

A d j o u r n e d until nine-thirty o'clock tomorrow morning.