

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Fourth
Legislature*

OF THE

STATE OF MAINE

Volume III

June 17, 1969 to July 2, 1969

Index

1st Special Session

January 6, 1970 to February 7, 1970

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KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Tuesday, July 1, 1969

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

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

The journal of yesterday was read and approved.

Conference Committee Report

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

Bill "An Act Establishing a Human Rights Commission" (H. P. 1050) (L. D. 1384) reporting that the House recede from acceptance of Report "B" reporting "Ought to pass" in new draft (H. P. 1263) (L. D. 1593) under title of "An Act Creating a Human Rights Act for Maine" and from passage to be engrossed as amended by House Amendment "B" as amended by House Amendment "A" thereto; that the House recede from adoption of the Amendments and indefinitely postpone same; that the House accept Report "C" reporting "Ought to pass" in new draft (H. P. 1264) (L. D. 1594) under title of "An Act Establishing a Human Rights Commission", adopt Conference Committee Amendment "A" submitted herewith and pass the Bill to be engrossed as amended by Conference Committee Amendment "A"; that the Senate recede from acceptance of Report "A" reporting "Ought to pass" in new draft (H. P. 1262) (L. D. 1592) and from passage to be engrossed, and concur with the House.

(Signed) RIDEOUT of Manchester
MARSTALLER

of Freeport

— Committee on part of House.

WYMAN of Washington

KATZ of Kennebec

LETOURNEAU of York

— Committee on part of Senate.

Report was read.

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

Mr. RIDEOUT: Mr. Speaker and Members of the House: With that complicated report I think it is in

order in twenty-five chosen words or less I try to explain briefly to the House what has happened and why this report from the Committee of Conference.

As you can see by the report the House accepted Report "B" initially. The Senate did not, they accepted Report "A". This is an attempt to get something on the books, with this Report "C" which came out of Committee even though it doesn't in many persons' eyes — and realistically it doesn't do the job that perhaps Report "B" would do. But this is the art of the possible, I think; and to get something on the books to establish a Human Rights Commission, to get started on the investigations that they can do to see just what kind of a problem we do have and perhaps strengthen the law from here on is the aim of this Committee Report, and I would urge you to accept it.

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

Mr. McTEAGUE: Mr. Speaker, is a motion in order to reject the Committee of Conference Report and appoint a new Committee of Conference?

The SPEAKER: The answer is in the affirmative.

Mr. McTEAGUE: Mr. Speaker, I would so move and would ask to speak to my motion.

The SPEAKER: The gentleman from Brunswick, Mr. McTeague, moves that the House reject the Conference Committee Report. The gentleman may proceed.

Mr. McTEAGUE: Mr. Speaker and Members of the House: The legislation which is before us had its origin in the Governor's Task Force report on Human Rights. The Task Force recommended a specific piece of legislation after their investigation and report. Senator Mills sponsored one bill based on the Task Force proposed bill and I sponsored another. The two bills were very generally similar. Senator Mills' bill was reported out by the State Government Committee as "Ought not to pass" as being covered by other legislation. There were three reports out of the State Government Committee,

none of which were entirely up to the level either in creating rights or funding of the bill proposed by the Task Force, but among the three we felt that Report "B", which was accepted in the House, was by far the better. Report "A" was generally along the lines of "B" but it was the opinion of our legal advisors that it suffered from certain technical difficulties which were a real drawback in regard to it.

Report "C" which was accepted nowhere until this Conference Committee, Report "B" having been accepted in the House and Report "A" in the Senate, was an entirely different type of beast. Report "C" provides no new substantive rights in regard to public accommodations, fair employment and fair housing. Report "C" leaves unrepealed our current criminal statutes which have proven unsuccessful in regard to assisting people discriminated against and which do provide for the possibility of fine and confinement for discrimination in any of these three areas of housing, public accommodations and employment.

It is the feeling of the Task Force committee, and I think it is the feeling all over the country of people with an interest and some knowledge in the field of Human Rights, that the criminal sanction, that the threat of imprisonment, is inappropriate generally in this context. We deal with the social problem and not one of violence or crime. Criminal punishment of the person who discriminates does not aid the person discriminated against. If a man loses his job because of discrimination, putting his employer in jail does nothing. It is not likely to happen in a practical way at any rate. However, an order of back pay and restoring the man to his job is a practical remedy.

Although I agree with the sentiments expressed by Mr. Rideout, the gentleman from Manchester, that we do deal in the art of the possible, generally something worthwhile, even if not the whole loaf is better than nothing, I feel constrained to label Report "C" as a shell, a hollow thing that creates no new substantive rights

and with the level of financing and even considering our financial difficulties, it is entirely inadequate.

For this reason it is my feeling, and to my knowledge the feeling of people active in the field of Human Rights, the feeling of people who were on this committee, the feeling of other members in this House who have been active in the field — that we would be better off with no legislation than we would with Report "C", which is a mere shell.

For this reason I made the motion to reject the Committee Report and would ask the House to go along with the appointing of a new Committee of Conference. There are areas of compromise that we can get into. We have tried. We are not unwilling to compromise, but we are unwilling to accept a shell.

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

Mr. RICHARDSON: Mr. Speaker and Ladies and Gentlemen of the House: I support the views just given to you by the gentleman from Brunswick, Mr. McTeague. Report "C" relying as it does on criminal penalties, in my judgment, simply does nothing. It creates a commission with no power of any substance at all and for this reason, as one who is interested in having meaningful legislation on the books, I would describe this in not quite such delicate terms as a shell; I say it is a sham. I would rather not have any legislation at all.

I know that the session is late. I know that we all want to go home. But that kind of pressure should not lead us to putting a Human Rights act with a commission on the books that really doesn't do anything. I think it is a waste of time and a waste of money. For this reason I hope that you will vote in favor of rejecting this Committee of Conference Report and when the vote is taken, Mr. Speaker, I request it be taken by the yeas and nays.

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

Mr. MARSTALLER: Mr. Speaker and Members of the House: On behalf of Report "C" I would like to say this, that in setting up this commission, Report "C" specifically asks them to bring in recommendations to the Governor and to future legislatures for additional legislation. I think you have witnessed here a series of events and these acts that point to this being the right road to follow.

In the first place there were two bills presented to the State Government Committee. Both of these bills had obvious defects. This is a very hard area to legislate and the State Government Committee recognized defects in the two bills presented. Then the three drafts came out and each draft has been criticized because it had defects. Then we had a proposed amendment to Report "B" which was withdrawn because it also had defects. And we have discussed among the conferees various other defects in the draft. And I feel that the right way to get the good legislation is to set up a commission, which really is a continuation of the study of the matter, but also the commission can hear a lot of complaints and just the investigating of them will settle a lot of them and I feel that Report "C" is the right step at this time.

The SPEAKER: Is the House ready for the question? The pending question is the motion of the gentleman from Brunswick, Mr. McTeague, that the House reject the Conference Committee Report. The gentleman from Cumberland, Mr. Richardson, 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. 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, and more than one fifth of the members present having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER: The pending question is on the motion of the gentleman from Brunswick, Mr.

McTeague, that the House reject the Conference Committee Report. If you are in favor of rejecting the report you will vote yes; if you are opposed you will vote no. The Chair opens the vote.

ROLL CALL

YEA — Allen, Barnes, Bedard, Benson, Berman, Bernier, Binnette, Birt, Boudreau, Bourgoin, Brennan, Brown, Burnham, Carey, Casey, Chandler, Clark, C. H.; Coffey, Corson, Cote, Cottrell, Cox, Crommett, Croteau, Curran, Dam, Drigotas, Dudley, Dyar, Erickson, Farnham, Faucher, Finemore, Fortier, A. J.; Foster, Fraser, Gilbert, Giroux, Haskell, Hewes, Immonen, Jalbert, Kelley, R. P.; Keyte, Kilroy, Laberge, Lawry, Lebel, Lee, Leibowitz, LePage, Levesque, Lewin, Lewis, Lund, MacPhail, Marquis, Martin, McTeague, Meisner, Mills, Mitchell, Mosher, Norris, Payson, Porter, Pratt, Quimby, Richardson, H. L.; Rocheleau, Shaw, Snow, Soulas, Starbird, Temple, Thompson, Trask, Tyndale, Vincent, Watson, Waxman, Wheeler, White, Wight, Wood.

NAY — Baker, Chick, Clark, H. G.; Cushing, Donaghy, Durgin, Evans, Good, Hall, Hardy, Hawkins, Henley, Johnston, Kelley, K. F.; Lincoln, Marsteller, McNalley, Moreshead, Morgan, Page, Richardson, G. A.; Rideout, Ross, Sahagian, Scott, G. W.; Stillings.

ABSENT — Bragdon, Buckley, Bunker, Carrier, Carter, Couture, Crosby, Cummings, Curtis, D'Alfonso, Danton, Dennett, Emery, Eustis, Fecteau, Fortier, M.; Gauthier, Hanson, Harriman, Heselton, Hichens, Huber, Hunter, Jameson, Jutras, Kelleher, McKinnon, Millett, Nadeau, Noyes, Ouellette, Rand, Ricker, Santoro, Scott, C. F.; Sheltra, Susi, Tanguay, Williams.

Yes, 85; No, 26; Absent, 39.

The SPEAKER: Eighty-five having voted in the affirmative and twenty-six in the negative, the motion does prevail. The Chair recognizes the gentleman from Lubec, Mr. Donaghy.

Mr. DONAGHY: Mr. Speaker, if it is now in order, I would move the indefinite postponement of the bill and all its accompanying papers.

The SPEAKER: The pending question is to recede and concur, insist or adhere. The Chair recognizes the gentleman from Brunswick, Mr. McTeague.

Mr. McTEAGUE: Mr. Speaker, the gentleman from Lubec, Mr. Donaghy, has just moved the indefinite postponement. I think this hardly seems consistent with the recent statements of the gentleman from Freeport, Mr. Marstaller, that there were problems in the area but he wanted to work them out.

We have a draft prepared which we have reason to believe may be acceptable — a good, workable bill, acceptable to a significant majority in both houses. I hope we get a chance to present that to you so that you will have a chance to stand up and be counted on this issue.

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

Mr. JALBERT: Mr. Speaker, I move that we insist and ask for a new Committee of Conference.

Thereupon, the House voted to further insist and ask for a second Committee of Conference.

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

Messrs. RICHARDSON
of Cumberland
RIDEOUT of Manchester
McTEAGUE of Brunswick

Papers from the Senate Final Report

Final Report of the following
Joint Standing Committees:
State Government
Taxation

Came from the Senate read and accepted.

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

Non-Concurrent Matter Tabled Until Later in Today's Session

An Act Creating a School Administrative District for the City of Portland (H. P. 805) (L. D. 1044) which was indefinitely postponed in non-concurrence in the House on June 11 and passed to be engrossed as amended by Committee Amendment "A" on June 4.

Came from the Senate passed to be enacted in non-concurrence.

In the House: On motion of Mr. Richardson of Cumberland, tabled pending further consideration and assigned for later in today's session.

Non-Concurrent Matters

An Act Increasing the Number of Official Court Reporters (S. P. 137) (L. D. 434) which was passed to be enacted in the House on June 18 and passed to be engrossed as amended by Senate Amendment "B" on June 16.

Came from the Senate indefinitely postponed in non-concurrence.

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

An Act relating to Expenses of State Liquor Commission (S. P. 152) (L. D. 433) which was passed to be enacted in the House on April 22 and passed to be engrossed on April 17.

Came from the Senate indefinitely postponed in non-concurrence.

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

An Act relating to the Uniform Disposition of Unclaimed Property Act (S. P. 267) (L. D. 905) which was passed to be enacted in the House on June 23 and passed to be engrossed as amended by Committee Amendment "A" and Senate Amendment "A" on June 19.

Came from the Senate indefinitely postponed in non-concurrence.

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

An Act Establishing a Study Committee on Water Resources (S. P. 281) (L. D. 928) which was passed to be enacted in the House on April 1 and passed to be engrossed on March 28.

Came from the Senate indefinitely postponed in non-concurrence.

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

Non-Concurrent Matter

An Act Appropriating Funds to Establish Renal Dialysis Centers (S. P. 292) (L. D. 972) which was

passed to be enacted in the House on June 4 and passed to be engrossed on May 28.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

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

Mr. MILLS: Mr. Speaker and Members of the House: I move that we insist on our former action and would speak briefly to it.

The SPEAKER: The gentleman from Eastport, Mr. Mills, moves that the House insist on its former action.

The gentleman may proceed.

Mr. MILLS: Mr. Speaker, Ladies and Gentlemen of the House: In case some of you are not familiar with what this renal dialysis center would be, this is a kidney machine which is employed before a liver transplant is used. It purifies the blood of the patient. At the present time the State of Maine, in the last figures I got, is paying \$72,000 into a hospital in Boston for this same action. I understood before that this would be appropriated, the funds to establish one of these kidney machines in Bangor.

The Health and Welfare doctors have informed me that they have increasing cases of this kind of disease which produces fluid throughout the entire body, and this is the only machine that can cure the blood stream so that they can perform these transplants. That is the reason for my motion to insist.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: I hope the House will vote against insisting, and when the vote is taken I request a division. No one questions the validity, merit or attractiveness or appeal of this legislation and many other documents. I simply wish to point out that the price tag on this bill is \$300,000, and you pass this bill or you insist and you are going to go back and simply drag this session out. Because of the price tag it is completely unrealistic to think about passing this program.

Now I for one regret very much that this was not within those bills that the majority thought ought to be funded. There is no reason to think that we cannot come back in special session and again try to put this bill through. But at \$300,000, it is just unrealistic to think about this. If you insist we are not going to get anywhere other than prolong this session.

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

Mr. ROSS: Mr. Speaker, Ladies and Gentlemen of the House: I think that we must be practical this morning. I have no doubt that this is a worthy cause. I have several, this same action is being done on my bills, and I don't intend to say a thing. I now move that we recede and concur.

The SPEAKER: The gentleman from Bath, Mr. Ross, moves that we recede and concur.

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

Mr. STARBIRD: Mr. Speaker and Members of the House: I simply rise to tell you that although I realize that it costs money and I realize that we can take care of it in special session, I also realize that if you move to recede and concur you are condemning people to death between now and — at the risk of being maudlin and trite and so forth, we are condemning people to death between now and next January. And if you move to insist we are perhaps giving them some chance of life.

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

Mr. MILLS: Mr. Speaker and Ladies and Gentlemen of the House: I fail to agree with the Majority Floor Leader from Cumberland. At the rate of \$72,000 a month at the cost to the State of Maine, it is only going to take a period of four months to pay for this funding cost on fees saved from going into Boston and the transportation of these people and the maintenance of their quarters while they are there. I couldn't possibly agree with the Majority Floor Leader.

The SPEAKER: All in favor of receding and concurring will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

62 having voted in the affirmative and 38 having voted in the negative, the motion to recede and concur did prevail.

Non-Concurrent Matters

An Act Providing for Scholarship Aid for Students from Low Income Families (S. P. 345) (L. D. 1211) which was passed to be enacted in the House on May 19 and passed to be engrossed as amended by Committee Amendment "A" and House Amendment "A" on May 9.

Came from the Senate indefinitely postponed in non-concurrence.

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

An Act Appropriating Funds for Union River Anadromous Fish Restoration Program (S. P. 427) (L. D. 1425) which was passed to be enacted in the House on April 15 and passed to be engrossed on April 10.

Came from the Senate indefinitely postponed in non-concurrence.

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

An Act Providing for a Feasibility Study of Alternative Methods for Crossing Fore River (S. P. 472) (L. D. 1544) which was passed to be enacted in the House on June 10 and passed to be engrossed as amended by House Amendment "A" on June 4.

Came from the Senate indefinitely postponed in non-concurrence.

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

An Act Providing for Maintenance of a Certain Road Leading Baxter State Park (H. P. 229) (L. D. 285) which was passed to be enacted in the House on March 18 and passed to be engrossed on March 12.

Came from the Senate indefinitely postponed in non-concurrence.

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

An Act relating to Disability Retirement and Retirement Allowances under State Retirement System (H. P. 242) (L. D. 297) which was passed to be enacted in the House on May 26 and passed to be engrossed as amended by Committee Amendment "A" on May 20.

Came from the Senate indefinitely postponed in non-concurrence.

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

An Act Providing for Clinical Treatment and Rehabilitation of Alcoholics (H. P. 280) (L. D. 356) which was passed to be enacted in the House on February 25 and passed to be engrossed on February 13.

Came from the Senate indefinitely postponed in non-concurrence.

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

Non-Concurrent Matter

An Act Appropriating Funds to Administrative Hearing Commissioner for Subpoenas to Parents of Minors (H. P. 290) (L. D. 366) which was passed to be enacted in the House on February 18 and passed to be engrossed on February 6.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

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

Mr. HICHENS: Mr. Speaker, I move that we insist and would speak on my motion.

The SPEAKER: The gentleman from Eliot, Mr. Hichens moves that the House insist, and the gentleman may proceed.

Mr. HICHENS: Mr. Speaker and Ladies and Gentlemen of the House: At a hearing before the Liquor Control Committee in the 103rd Legislature, the Hearing Administration Commissioner appeared before the committee and expressed his concern because of the non-appearance of parents when minors were brought before him on liquor charges. A bill that I had submitted was changed, accepted by the committee and sub-

sequently by the Legislature and the Governor giving the Hearing Commissioner the right to subpoena parents of these minors.

Shortly after my reelection I talked to the Commissioner and asked him how the new law was working out. He stated the Legislature had neglected to appropriate funds to finance the act, and although some parents had been subpoenaed, the law was definitely limited.

I therefore submitted the L. D. which is before us, and during the process of having it written up, heard by the committee and presented in the House, I received several complimentary comments on the value and importance of this law. It reached the Appropriations table and now comes before us indefinitely postponed in non-concurrence.

I do not have to tell you why it is returned, as was the previous item which I also sponsored. But for the \$500 requested to carry out this important program, I hate to see this bill go down the drain. I feel that this is a case of first things first, and I plead with you this morning to insist in order that something may be worked out to keep this needed program working.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: I move that the House recede and concur with the Senate in the indefinite postponement of this bill. The gentleman from Eliot, Mr. Hichens, apparently is suggesting that because he didn't vote for the tax program necessary to fund these L. D.'s that he is somehow being punished. That is not the case at all. The fact of the matter is that all of these legislative documents have been reviewed by the leadership of both parties. This is one item, it is not a large item granted, but it is one item which we felt could be deferred. The statutory authority to issue subpoenas is on the books. This is an emergency measure, it requires a two-thirds vote of the elected membership of this House. I frankly fail to see any useful

purpose in insisting and joining in a Committee of Conference in view of the position of the other body with respect to the L. D. I request a division.

The SPEAKER: The pending question is to recede and concur. All in favor will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

70 having voted in the affirmative and 30 having voted in the negative, the motion to recede and concur did prevail.

Non-Concurrent Matter

An Act Eliminating Boards of Visitors for State Institutions and Creating Committee on Corrections (H. P. 303) (L. D. 379) which was passed to be enacted in the House on February 27 and passed to be engrossed on February 19.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

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

Mr. SOULAS: Mr. Speaker, I would like to ask a question through the Chair to any member of the Appropriations Committee who would care to answer. How much of a price tag was put on this bill?

The SPEAKER: The gentleman from Bangor, Mr. Soulas poses a question through the Chair to any member of the Appropriations Committee who may answer if they choose, and the Chair recognizes the gentleman from Southwest Harbor, Mr. Benson.

Mr. BENSON: Mr. Speaker and Members of the House: In answer to the gentleman's question, \$2,000.

Thereupon, the House voted to recede and concur.

Non-Concurrent Matter

An Act Permitting Approval of Early Childhood Education Programs (H. P. 378) (L. D. 487) which was passed to be enacted in the House on May 7 and passed to be engrossed as amended by Committee Amendment "A" on April 30.

Came from the Senate indefinitely postponed in non-concurrence.
In the House: The House voted to recede and concur.

Non-Concurrent Matter

An Act to Encourage the Use of Electronic Voting Systems by Municipalities (H. P. 382) (L. D. 491) which was passed to be enacted in the House on March 4 and passed to be engrossed on February 20.

Came from the Senate indefinitely postponed in non-concurrence.
In the House:

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: This was one of my bills. It would have upgraded the entire election system. There was a special committee appointed by the last Legislature which spent a great deal of time on this. This had the wholehearted support of the Secretary of State and election clerks and officials in the various wards throughout the State. It would have been an excellent bill. It had an appropriation of \$80,000; we were willing to cut that to \$10,000. But once again I say that today we must be practical and I move we recede and concur.

Thereupon, on motion of Mr. Ross of Bath, the House voted to recede and concur.

Non-Concurrent Matters

An Act relating to Compensation of Patients and Inmates at State Institutions (H. P. 431) (L. D. 555) which was passed to be enacted in the House on March 11 and passed to be engrossed on February 27.

Came from the Senate indefinitely postponed in non-concurrence.

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

An Act relating to Education of Indians (H. P. 531) (L. D. 702) which was passed to be enacted in the House on April 4 and passed to be engrossed on March 25.

Came from the Senate indefinitely postponed in non-concurrence.

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

An Act Revising the Maine State Personnel Laws (H. P. 1048) (L. D. 1376) which was passed to be enacted in the House on June 17 and passed to be engrossed as amended by Committee Amendment "A" on June 6.

Came from the Senate indefinitely postponed in non-concurrence.

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

Non-Concurrent Matter

An Act relating to the Taxation of Farm Machinery (H. P. 1216) (L. D. 1548) which was passed to be enacted in the House on June 11 and passed to be engrossed as amended by House Amendment "A" on May 26.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Freedom, Mr. Evans.

Mr. EVANS: Mr. Speaker and Members of the House: I don't know why this tax farm bill was put on the Appropriations table. As far as I know there was no money attached to it. I don't recall that there was. So I will move that we insist and ask for a Committee of Conference.

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

Mr. FINEMORE: Mr. Speaker and Members of the House: I have studied this bill very much and I know it would help Aroostook County a little, but I move that we recede and concur.

The SPEAKER: The gentleman from Bridgewater, Mr. Finemore moves that the House recede and concur. All in favor will say yes; those opposed will say no.

A viva voce being taken, the House voted to recede and concur.

Non-Concurrent Matter

An Act relating to Inspection and Advertising of Farm Products (H. P. 1219) (L. D. 1552) which was passed to be enacted in the House on June 9 and passed to be engrossed as amended by Senate Amendment "A" on June 5.

Came from the Senate indefinitely postponed in non-concurrence.

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

Messages and Documents

The following Communication:

STATE OF MAINE
OFFICE OF THE GOVERNOR
AUGUSTA

June 30, 1969

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

I have studied House Paper 622, Legislative Document 810, An Act Relating to Contracts of Loans Under Small Loan Agency Law, and have decided to return it to the Legislature without my signature.

In 1967, after considering the extensive abuses by some small loan concerns as disclosed by well-documented reports, the 103rd Legislature enacted, by overwhelming majorities, several long needed reforms in our small loan laws. These measures had strong bipartisan support and received statewide and nationwide attention.

One of the principal reforms was the requirement that the rate of interest be reduced to 8% annually on any small loan remaining unpaid at the expiration of 36 months. Also, any new loan or renewal was prohibited until the original loan had been fully repaid. In adopting these provisions, the Legislature recognized that borrowers could not pay rates of interest as high as 30% annually, year after year, without seriously undermining their financial stability. For example, it costs a borrower from a small loan company nearly \$400.00 for the use of \$2,000.00 for a year. Indefinite extensions of this loan, year after year, through frequent renewals, has the effect of diverting large amounts of money from his limited income for the payment of interest, thereby hampering him from meeting the basic necessities of life for himself and his family.

L. D. 810 would undo these important reforms by allowing renew-

als and refinancing if the borrower has paid back at least 75% of the scheduled payments due prior to the date of such renewal, or which were due on the loan prior to the date of discharge. This standard, as a source of protection to the borrower, is illusory. For example, on a loan for 36 months, a borrower would have to be more than nine months in arrears before any reduction in the rate of interest would be required. Actually, this would seldom occur prior to the present law because some small loan companies would renew loans on a slight default of one or two missed payments, as a matter of standard operating procedure. Moreover, compliance with this standard of 75% does not necessarily govern or determine the extent of default because much of the payments would be consumed by accruing charges for interest. Indeed, in situations where the borrower is periodically in default of 4 months or more, the amount of the interest due is greater than the amount of the installment payment, and, therefore, the loan can never be repaid. Yet, under the standard in L. D. 810, the lender would be entitled to renew the obligation without any reduction in the rate of interest.

In addition to strong reservations about the formula contained in L. D. 810, I find the timing of this legislation most unfortunate. The full impact of the reform legislation passed in 1967, governing loans that are frequently obtained for a three year period, cannot yet be evaluated. The 8% provision of that bill has not yet affected a single loan made during the past two years. Until the reform legislation has been effective for a sufficient period to measure its true impact, I think it is premature to consider any modifications of the 1967 law.

Moreover, this measure comes before me at a time when the American public is more concerned about high interest rates than ever before in our history. Even those who are prosperous are complaining about the recent increases in the prime interest rate to 8½% annually. But the burden upon the affluent is insignificant when com-

pared to the interest rates borne over the past years by large numbers of truly poor persons. These people are compelled to pay an interest rate as high as 30% annually.

I do not wish to suggest that small loan companies do not play an important and legitimate role in the financial affairs of our communities. They are often the only source of credit for people who are badly in need of financial help and who, because of marginal financial status, are cut off from other sources of credit. Most small loan companies deal with these borrowers in a responsible way. But in return for the risk of providing credit to these marginal borrowers, the state permits the small loan companies to charge a high rate of interest. Indeed, our small loan regulatory laws are, and they remain, favorable to small loan concerns.

The balance between the interests of the small loan companies and the welfare of their clients must be carefully preserved. There is simply no denying the fact that in recent years this balance was seriously disturbed by the conduct of some small loan companies, to the detriment of many poor people who simply did not understand the obligations they were assuming. The present law passed in 1967 was designed to protect the balance between the needs of borrowers and the profits of the small loan concerns. Until we have more experience with the regulations under existing law I do not believe we have a sound basis for nullifying the present law designed to protect consumers.

I realize and appreciate that the supporters of this bill have sincerely worked to correct features in the law that they believe are hardships to the industry. But, I do believe, on balance, that we do need more time to study and evaluate the present law. I therefore request that my action disapproving L. D. 810 be sustained.

Respectfully submitted,
(Signed) KENNETH M. CURTIS
Governor

The Communication was read and ordered placed on file.

The SPEAKER: The pending question is, shall this Bill become a law notwithstanding the objections of the Governor?

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

Mr. COX: Mr. Speaker and Ladies and Gentlemen of the House: As you may well know, I am the sponsor of this bill that has received a veto message from the Governor. I thought, and apparently the majority of both Houses thought, that this was a good bill.

I had no illusions that this was like sponsoring the flag or motherhood or apple pie. In fact, it is somewhat like sponsoring a tax bill. However, since the Governor has chosen this course I will bow to his two pages of philosophy that is in our calendar this morning and ask you to sustain his veto.

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

Mr. GAUTHIER: Mr. Speaker and Members of the House: I am pleased to find this morning that the Governor in his wisdom saw fit to protect the poor people of this State by vetoing this bill. The bill that was passed two years ago, is law at the present time, was a good one. It protected the people. Therefore ladies and gentlemen of the House, I urge you to vote to sustain the Governor's veto.

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

Mr. BRENNAN: Mr. Speaker, Ladies and Gentlemen of the House: Oftentimes in the waning days of the Legislature ill-advised legislation is passed. Two years ago we enacted a bill that would break the strangle hold of the small loan industry on the hapless borrower by prohibiting refinancing or rewriting of loans under certain circumstances.

The Governor has pointed out in his message several long needed reforms in the small loan industry area that were enacted last session. They had strong bipartisan support and received statewide and nationwide attention. L. D. 810 would have nullified the effect of some of those laws that permitted the small loan industry to resume their strangle hold.

I won't go into it any further. Apparently there is very little sentiment to override the veto anyway. So I would urge you to vote to sustain the veto.

The SPEAKER: The pending question is, shall this Bill become a law notwithstanding the objections of the Governor? Pursuant to Article IV, Section 2 of the Constitution the yeas and nays are ordered. All in favor of this Bill becoming law notwithstanding the Governor's objections will vote yes; those opposed will vote no. The Chair opens the vote.

ROLL CALL

YEA — Barnes, Benson, Brown, Cummings, Donaghy, Durgin, Foster, Good, Hall, Hanson, Hawkens, Henley, Hichens, Johnston, Lee, Lincoln, Marsteller, Meisner, Mosher, Payson, Pratt, Richardson, G. A.; Richardson, H. L.; Rideout, Shaw, Susi, Trask, White.

NAY — Allen, Baker, Bedard, Berman, Bernier, Binnette, Birt, Boudreau, Bourgoin, Brennan, Burnham, Carey, Carrier, Casey, Chandler, Chick, Clark, C. H.; Clark, H. G.; Coffey, Corson, Cote, Cottrell, Cox, Crommett, Croteau, Curran, Curtis, Cushing, Dam, Driogtas, Dudley, Dyar, Erickson, Farnham, Faucher, Finemore, Fortier, A. J.; Fraser, Gauthier, Gilbert, Giroux, Haskell, Hewes, Hunter, Immonen, Jalbert, Kelley, K. F.; Kelley, R. P.; Keyte, Kilroy, Laberge, Lawry, Lebel, Leibowitz, LePage, Levesque, Lewin, Lewis, Lund, MacPhail, Marquis, Martin, McNally, McTeague, Mills, Mitchell, Morgan, Nadeau, Norris, Page, Porter, Quimby, Rocheleau, Ross, Scott, C. F.; Sheltra, Snow, Soulas, Starbird, Stillings, Temple, Thompson, Tyndale, Vincent, Watson, Waxman, Wheeler, Wight, Wood.

ABSENT — Bragdon, Buckley, Bunker, Carter, Couture, Crosby, D'Alfonso, Danton, Dettent, Emery, Eustis, Evans, Fecteau, Fortier, M.; Hardy, Harriman, Heselton, Huber, Jameson, Jutras, Kelleher, McKinnon, Millett, Morehead, Noyes, Ouellette, Rand, Ricker, Sahagian, Santoro, Scott, G. W.; Tanguay, Williams.

Yes, 28; No, 89; Absent, 33.

The SPEAKER: Twenty-eight having voted in the affirmative and

eighty-nine in the negative, the veto of the Governor is sustained.

Orders

Mr. Chandler of Orono presented the following Joint Order and moved its passage:

ORDERED, the Senate concurring, that the Legislative Research Committee be, and hereby is, directed to study the subject matter of the Bill: "An Act Defining the Crime of Theft Known as Shopstealing and Establishing Rights and Penalties," Senate Paper No. 503, Legislative Document No. 1599 introduced at the regular session of the 104th Legislature, to determine whether the best interests of the State would be served by the enactment of such legislation; and be it further

ORDERED, that the Office of Attorney General be directed to provide such information and other assistance as the Committee deems necessary to carry out the provisions of this Order; and be it further

ORDERED, that the Committee report its findings and recommendations at the next regular or special session of the Legislature. (H. P. 1299)

The Joint Order received passage and was sent up for concurrence.

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

Mr. RIDEOUT: Mr. Speaker, I would ask if the House is in possession of House Paper 339, L. D. 448, Bill "An Act Revising the Maine Mining Law"?

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

On motion of Mr. Rideout of Manchester, the House reconsidered its action of yesterday whereby it voted to recede and concur.

On further motion of the same gentleman, the House voted to recede from passage to be engrossed and from adoption of House Amendment "B". On further motion of the same gentleman, House Amendment "B" was indefinitely postponed.

Senate Amendment "B" (S-344) was read by the Clerk and adopted in concurrence.

The Bill was passed to be engrossed as amended by House Amendment "A" and Senate Amendments "A" and "B" in non-concurrence.

By unanimous consent, ordered sent forthwith.

On motion of Mr. Benson of Southwest Harbor, it was

ORDERED, that free telephone service may be provided after final adjournment of the Legislature, during the remainder of the biennium, for each member of the House to the number of fifty calls of reasonable duration, from a point within the limits of the State of Maine to any state department, commission or agency within the limits of the State of Maine, the privilege granted to be a personal privilege, not to be exercised by other than the member, and that each member of the House may be provided with a credit card under the direction of the Clerk of the House, the cost of this service to be paid to the New England Telephone Company at regular tariff rates.

(Off Record Remarks)

**Passed to Be Enacted
Emergency Measure**

An Act to Correct Errors and Inconsistencies in the Public Laws (S. P. 366) (L. D. 1248)

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. 98 voted in favor of same and 18 against.

Whereupon, Mr. Richardson of Cumberland requested a roll call vote.

The SPEAKER: The gentleman from Cumberland, Mr. Richardson requests that the vote be taken by the yeas and nays. For the Chair to order a roll call vote 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, and more than one fifth of the

members present having expressed a desire for a roll call, a roll call was ordered.

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

Mr. BENSON: Mr. Speaker and Members of the House: Before we vote on this I would just remind you that this is the Errors and Inconsistencies Bill, better known maybe as the Omnibus Bill. It has in it many corrections that are necessary in order for our laws to mesh properly and it does need one hundred and one votes. We did fall short by a couple, and I urge you to enact this into law as an emergency measure.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I also urge the members of the House this morning to support this document in order not to delay the session any longer than is absolutely necessary. The corrections that are being made in this document are necessary in order to make the legislation that has been enacted in the proper form and proper perspective. And I would certainly urge the members to support this document; otherwise, this bill that is before us would take a number of hours to be engrossed and to come back to us in proper form, in some instances taking three or four hours, and that would indicate that we might not be able to finish the business of the Legislature today. There are many delays of which this could very well be one of them.

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

Mr. JALBERT: Mr. Speaker, may I ask a question of anyone that can answer, if this means that the 18% ADC is involved in this and this is out of this package?

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

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

Mr. RICHARDSON: The 18% municipal contribution to the ADC program is not in this bill. It will be in the Appropriations wrap-up bill, as we indicated to the members of the House, both in caucus and on the Floor of the House; and I would therefore again urge you to vote for the enactment of this as an emergency measure. The gentleman from Madawaska is absolutely right when he tells you that of course we can take the emergency off it but this will lead to a substantial amount of delay which I believe is totally and completely unnecessary.

We have a very small attendance here this morning. I commend those of you who have had the courage to stick it out and the responsibility to stick it out. But I hope that it won't be necessary for us to drag on and on into tomorrow, which is most surely going to happen if we don't pass this today.

And I know there is one thing we all agree on and that is we would like to go home.

The SPEAKER: The pending question is the enactment of this Bill. A roll call has been ordered. All in favor of its enactment will vote yes; those opposed will vote no. The Chair opens the vote.

ROLL CALL

YEA — Allen, Baker, Barnes, Bedard, Benson, Berman, Bernier, Binnette, Birt, Boudreau, Bourgoin, Brennan, Brown, Burnham, Carey, Carrier, Casey, Chandler, Chick, Clark, C. H.; Clark, H. G.; Coffey, Corson, Cote, Cottrell, Cox, Crommett, Croteau, Cummings, Curran, Curtis, Cushing, Dam, Donaghy, Drigotas, Dyar, Erickson, Farnham, Faucher, Finemore, Fortier, A. J.; Foster, Fraser, Gauthier, Gilbert, Giroux, Good, Haskell, Hawken, Henley, Hewes, Hunter, Immonen, Jalbert, Johnston, Kelley, K. F.; Kelley, R. P.; Keyte, Kilroy, Laberge, Lawry, Lebel, Lee, Leibowitz, LePage, Levesque, Lewin, Lewis, Lincoln, Lund, MacPhail, Marquis, Marstaller, Martin, McNally, McTeague, Meisner, Mills, Mitchell, Morgan, Nadeau, Norris, Noyes, Page, Payson, Porter, Pratt, Quimby, Richardson, G. A.; Richardson, H. L.; Rideout, Rocheleau, Ross, Scott,

C. F.; Shaw, Sheltra, Snow, Soulas, Starbird, Stillings, Susi, Temple, Thompson, Tyndale, Vincent, Watson, Waxman, Wheeler, White, Wood, The Speaker.

NAY — Dudley, Durgin, Evans, Hall, Hanson, Hardy, Hichens, Mosher, Scott, G. W.; Trask, Wight.

ABSENT — Bragdon, Buckley, Bunker, Carter, Couture, Crosby, D'Alfonso, Danton, D e n n e t t, Emery, Eustis, Fecteau, Fortier, M.; Harriman, Heselton, Huber, Jameson, Jutras, Kelleher, McKinnon, Millett, Moreshead, Ouellette, Rand, Ricker, Sahagian, Santoro, Tanguay, Williams.

Yes, 111; No, 11; Absent, 29.

The SPEAKER: One hundred and eleven having voted in the affirmative and eleven in the negative, the Bill is passed to be enacted as an emergency measure. It will be signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act Establishing the Governor's Committee on Employment of the Handicapped (S. P. 94) (L. D. 277)

An Act Appropriating Funds for Health Education (S. P. 121) (L. D. 383)

An Act relating to Expenses of the Clerk of the House of Representatives and the Secretary of the Senate (H. P. 44) (L. D. 45)

An Act Changing Name of State Soil and Water Conservation Committee (H. P. 353) (L. D. 461)

An Act Appropriating Funds for the Operation of the Maine Mining Commission (H. P. 882) (L. D. 1141)

An Act Increasing the Number of Superior Court Justices (H. P. 955) (L. D. 1236)

An Act Establishing a Full-time Administrative Hearing Commissioner (H. P. 1242) (L. D. 1577)

Resolve to Reimburse Charles A. Holden of Portland as Agent of Conservator of Casco Mercantile Trust Company (S. P. 38) (L. D. 121)

Resolve Authorizing a Study of the Operational Aspects of the Superior and Supreme Courts (H. P. 404) (L. D. 515)

Were reported by the Committee on Engrossed Bills as truly

and strictly engrossed, Bills passed to be enacted, Resolves finally passed, all signed by the Speaker and sent to the Senate.

By unanimous consent, the foregoing matters were ordered sent forthwith to the Senate.

(Off Record Remarks)

On motion of Mr. Richardson of Cumberland,

Recessed for five minutes or until the sound of the gong.

After Recess

Called to order by the Speaker.

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

An Act Creating a School Administrative District for the City of Portland (H. P. 805) (L. D. 1044) which was indefinitely postponed in non-concurrence in the House on June 11 and passed to be engrossed as amended by Committee Amendment "A" (H-389) on June 4.

Came from the Senate passed to be enacted in non-concurrence.

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

Mr. WAXMAN: Mr. Speaker, I move that we recede and concur.

The SPEAKER: The gentleman from Portland, Mr. Waxman, moves the House recede and concur. Is this the pleasure of the House?

(Cries of "No" and "Yes")

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

Mr. RICHARDSON: Mr. Speaker, I would urge the House to vote against this motion so that we can vote to adhere.

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

Mr. WAXMAN: Mr. Speaker and Ladies and Gentlemen of the House: This matter comes to us in non-concurrence from the Senate after we had indefinitely postponed it some three weeks ago. I think the basic needs that motivated my sponsorship of this bill are still there. We are faced with

problems as far as tax revenue in the City of Portland. We are faced with a bond difficulty as far as having the capacity to bond both for our school and non-school capital construction projects. And this is still a referendum item which must be settled upon by the people of the City of Portland at the polls.

I think it has generally been the policy of this House to allow such matters of local interest to be determined by the municipalities involved. And I would hope that the House would adhere to that policy which it has established.

I might also point out that we have already passed from this House, and it has already been enacted and is presently law, the school administrative district bills for Old Orchard Beach, Saco, for Swan's Island, the home of Mr. Richardson, and also for Sanford. Like Sanford, the Portland SAD bill was approved by the State Board of Education and is part of our so-called master plan.

I would hope that the House would vote with me and recede and concur so this can be sent back to the Appropriations table.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: Swan's Island is not my home although it is in beautiful East Penobscot Bay adjacent to beautiful Mount Desert Island. Thank you, Mr. Benson.

There are two items in this bill which bother me and bother me considerably and I had understood from Mr. Waxman during the last debate on this bill, that they would be changed. Number one is the fact that the people in Portland after this bill becomes law will have no voice in the budget; and secondly, that they will have no voice in the issuance of bonds. And I would point out to this House that all of the other districts which this Legislature has approved are approved under the present School Administrative District law. This is the first, it is unique, and it is strange in that it goes outside of our present School Administrative District law and therefore I would urge you to

vote against the motion to recede and concur.

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

Mr. BINNETTE: Mr. Speaker, Ladies and Gentlemen of the House: After hearing the gentleman from Portland, Mr. Waxman state that other communities have been granted the privilege of having a School Administrative District, I believe that they should have that right because they have a safeguard in there that is going to protect us. If the people of Portland do not want it, they are going to have a referendum on it, whereas other places do not have that provision. Therefore I believe that with the effect that they are going to have a referendum, that we should grant that right to them.

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

Mr. RICHARDSON: Mr. Speaker, Ladies and Gentlemen of the House: I know that you are aware that we are at the end of the session, that decisions have been made, they have been effectuated in the Senate. This bill has a price tag, depending on who you listen to of \$100,000 or \$150,000 or \$200,000. Now those who urged that we must take action on this bill now are very quick to point out that there has to be a referendum, and I suggest that this bill if passed by this House will throw the Appropriations table in a chaos.

The gentleman from Portland, Mr. Waxman has my commitment and that of the other Republican members of leadership that they will at the special session of this Legislature, permit the introduction through Reference of Bills of legislation permitting Portland to create an SAD. This of course is no commitment that they will vote for; it is a commitment that the issue will be brought back before the House so that we can decide then without this financial cloud hanging over this particular piece of legislation.

Now I have supported this bill in the past. I voted for it several times; I have spoken for it several times. But at this juncture in the session, when the passage of this

document would throw us into chaos on our Appropriations table, I believe that the course of responsible legislative action is not to recede and concur but is rather to adhere with the commitment—and I wish it noted on the record that there is a commitment, that the bill will be brought back before the special session of the Legislature and at that time it can go out for a November referendum if it is passed, a November referendum, which in the last analysis will get the Portland people exactly where they asked to be put by this legislation.

So I don't see that there is any loss of time and in closing I want to remind you that the City of Portland has not been badly used by this Legislature, it is getting something in the area of \$500,000 increased school subsidies under the subsidy program. We also have given the voters of the City of Portland an opportunity to decide whether or not they want to have an elected mayor. There are many other bills that have gone through here, so I don't think that we are really doing any serious damage to the interests of Portland by suggesting that responsibly we should defer this decision until the special session.

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

Mr. HASKELL: Mr. Speaker and Ladies and Gentlemen: I have voted consistently against this bill. I have not spoken on it before, but I do think that there is a principle involved here that is important. There are dozen of towns and cities in the State of Maine who are now in School Administrative Districts because they could see no possibility at any time of the formation of a single town district, which very obviously in many situations would be clearly to that town or city's advantage. So that I feel it would be basically very unfair to communities that have gone into School Administrative districts on the assumption that the decision in the state was firm that no single town districts would be allowed. So from the point of view of that principle I am going to continue to vote against this.

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

Mr. JALBERT: Mr. Speaker, I would like to ask a question from anyone who can answer. Has the date for the special session been set?

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

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I am not in a position to answer the question but I do concur with the gentleman from Houlton, Mr. Haskell, in what he said. I would like to add a little more, and the reason that I voted against this continually, I know what the Sinclair law says in relation to people voting on the budget, and also bond issues. And I know what the Education Department what they would like. They would like that only the directors would vote.

Now I am fearful of this, and if we let Portland have this right, that sooner or later we will be haunted in my district which is 31 and many other districts, that they will want to approve the budget just by the directors, and this I never want. I want the budget in these districts to be voted on by the public at large in the district. I also, if they float a bond issue I want the people to have the right to vote on it. And that is my main objection to this Portland proposition. I am not afraid of the funds because we apparently have got all kinds of funds now. We have passed the income tax, and these people in Portland who voted for it should share in cutting the cake as far as finances are concerned. But I am alarmed about when you start a precedent that I know the Department of Education would be tickled to death to see, and I don't want it to come about by opening and sticking your foot in the door and say, well Portland did it and now we want to do it in the other districts. So for that reason I will still be against this bill.

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

Mr. BRENNAN: Mr. Speaker and Members of the House: As I understand the objections of the gentleman from Stonington, Mr. Richardson, and the objections of the gentleman from Enfield, Mr. Dudley, they are concerned about the people in Portland having something to say in regard to the bond issues and budgeting. Well, this measure has a referendum on it. The people of Portland can make their determination at that referendum election as to whether or not they want to give this autonomy to the school board. So I think the people of Portland are being well protected. And I want to thank the good gentleman from Cumberland, Mr. Richardson, for all those nice things he has done for Portland. We will remember them very much and very well.

As I understand it also, there is about \$300,000 in the Supplemental Budget for the formation of SAD's during the biennium. This is according to the copy of a letter I have from Kermit Nickerson. So I think this money could be well applied to the Portland situation. So I urge you to vote for the motion to recede and concur.

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

Mr. BINNETTE: Mr. Speaker, I would like to pose a question to the Majority Leader, when he stated that in the fall they could perhaps initiate a referendum. Now if this is going to throw the Appropriations into chaos at the present time, what assurance have we that there is going to be more money in November than there is now?

The SPEAKER: The gentleman from Old Town, Mr. Binnette poses a question through the Chair to the gentleman from Cumberland who may answer if he chooses, and the Chair recognizes that gentleman.

Mr. RICHARDSON: Mr. Speaker, Ladies and Gentlemen of the House: The question is based on a number of erroneous assumptions, one of which was that I had said that we could initiate a referendum. I didn't say any such thing. I said that the gentleman from Portland, Mr. Waxman, the

gentleman from Portland, Mr. Brennan and the members of the other body had my assurance that at the special session, which I assume would be in January, that the legislative Reference of Bills Committee would approve the introduction of legislation such as this in order that the question can be put on the basis of whether or not this is meritorious legislation, not clouded by the fact of insufficient funds.

Now the gentleman from Portland, Mr. Brennan points out that a memorandum from Kermit Nickerson indicates that they have money in the Department of Education budget for the formation of SAD's. I simply want to point out that that money in there for the formation of SAD's is based on the historical growth and SAD formation, and does not take into account the possibility of Portland forming an SAD. The figure I believe is \$100 in the first year and \$200 in the second, and this figure is geared to the history of SAD formation without reference to what Portland might or might not do on this bill. And so in the last analysis, I say to you that the interests of Portland are not being damaged by deferring this until it can be considered under circumstances where there would be available revenue. And I would hope that there will be available surplus and available revenues in the special session that we can meet these problems with.

The SPEAKER: The pending question is on the motion of the gentleman from Portland, Mr. Waxman, that the House recede and concur on An Act Creating a School Administrative District for the City of Portland, House Paper 805, L. D. 1044. If you are in favor you will vote yes; if you are opposed you will vote no. The Chair opens the vote.

A vote of the House was taken.

41 having voted in the affirmative and 80 having voted in the negative, the motion did not prevail.

Thereupon, the House voted to adhere.

(Off Record Remarks)

Mr. Lewin of Augusta was granted unanimous consent to address the House.

Mr. LEWIN: Mr. Speaker and Ladies and Gentlemen of the House: The legislative session is drawing to a close after the members have had a six months enjoyable stay in the Capital City of Maine on the banks of the beautiful Kennebec. On behalf of the citizens of Augusta, I would thank you for the opportunity to be of service during the period of your stay with us. And we are very grateful for the fine cooperation we have had with you in the City.

The friendships have been enjoyable and will be long remembered. In closing may I say we hope that you will have a pleasant and safe trip back to your respective homes and may God bless you all.

(Off Record Remarks)

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

Mr. WAXMAN: Mr. Speaker and Members of the House: I rise to join those who are exchanging words of praise and good fellowship. As the youngest Democrat and second youngest House member, I feel particularly honored to have been a part of the 104th Legislature. We have tackled the hard and never-ending challenge of State government with courage and intellectual honesty. We have made important strides in a number of vital areas, and have set the stage for a special session in January in which we shall complete those duties still remaining before us. I feel we can be justly proud of our accomplishments. But if posterity ever looks back on the 104th and wonders what made it unique, I for one hope that it will note the large number of young men and women who have served this year. Let us pause and contemplate what this has meant.

In a time when youth is crying out in frustration and anger, it is particularly gratifying to find that here in our State of Maine we have

young people who are willing to work for change in a peaceful and democratic manner. In a time when young people are saying that the Establishment is a closed corporation, we in Maine have held the door open to youth and encouraged them to enter. In a time when the natural idealism of youth has combined with the obvious social inequities of our society to foster an atmosphere of impatience and anxiety, we in Maine have seen social change brought about in a responsive if not lightning manner.

Finally, in a society where it is "in" to be hypercritical of the system, we in Maine have found that society's faults can be constructively criticized, without destructively imposing a selfish point of view. In short, I believe we all should be proud to be citizens of the State of Maine, and even prouder to be part of its Government.

We have heard much of the so-called "Generation Gap." Samuel Johnson back in the 18th century recognized its presence when he stated, "Conversation between youth and age inevitably ends in contempt or pity." In a sense these past six months have been a sort of conversation between youth and our elders; and as this session moves toward adjournment, that dialogue will, at least temporarily also come to an end. However, let us make no mistake about it, this is one dialogue which is ending neither in contempt nor pity, but rather, I believe, in respect and admiration.

And so I for one return home confident that you can indeed trust people over thirty, and hopeful that we who are under thirty are worthy of trust in return. We obviously still face numerous problems both as a State and as a Legislature, but if mutual understanding and cooperation between youth and age are important to their solution, we can rest assured that these two requisites for progress are alive and well in the 104th.

(Applause)

(Off Record Remarks)

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

Non-Concurrent Matters

An Act relating to Law Clerks for the Judiciary (S. P. 63) (L. D. 184) which was passed to be enacted in the House on April 15 and passed to be engrossed on April 10.

Came from the Senate indefinitely postponed in non-concurrence.

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

An Act relating to Truth in Advertising (S. P. 329) (L. D. 1128) which was passed to be enacted in the House on June 20 and passed to be engrossed as amended by Committee Amendment "A" on June 18.

Came from the Senate indefinitely postponed in non-concurrence.

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

Non-Concurrent Matter

An Act relating to Increased Board Payments for State Wards (H. P. 620) (L. D. 808) which was passed to be enacted in the House on May 23 and passed to be engrossed as amended by Committee Amendment "A" on May 19.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

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

Mrs. BOUDREAU: Mr. Speaker and Ladies and Gentlemen of the House: This L. D. 808 was a bill of mine. An amendment had been prepared in the other body that would have reduced the cost of this bill to approximately \$57,000 for the biennium, and this would increase the board payments by five a month for problem children in foster homes. The State has over 550 of these children in custody. These children are hard to place in foster homes, and in Maine we are fortunate to have kind hearted people who will open their homes to these children.

If we have to place them in institutions the cost will triple, and it certainly costs foster parents

more to take care of problem children than it does the normal child. All parents, whether foster or natural, need to get away occasionally from the children. And for foster parents with problem children to go out even one evening a month will cost them considerably more because they must hire not a teenage babysitter but a mature responsible woman, and naturally they will have to pay more.

I am not going to berate anyone; I am not going to throw any tantrum, because I am very proud of the members of the Appropriations Committee and I am very proud of the leadership in both bodies. But I sincerely believe foster parents caring for problem children should receive this extra compensation. I couldn't do this and I just wonder how many in here could, and I sincerely hope that if we can't do it right now we will find a way to do this in the very near future.

The SPEAKER: The pending question is to recede and concur. Is it the pleasure of the House to recede and concur?

The motion prevailed.

Non-Concurrent Matter

An Act to Regulate Sewer Utilities (H. P. 1106) (L. D. 1423) which was passed to be enacted in the House on May 7 and passed to be engrossed on April 16.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

The SPEAKER: The Chair recognizes the gentleman from Auburn, Mr. Emery.

Mr. EMERY: Mr. Speaker, I move that we adhere to our former action. This bill would give the Public Utilities Commission jurisdiction over sewer utilities in the sense that we are spending thousands, in fact millions of dollars on sewer extensions, anti-pollution work and so forth. I feel that Public Utilities should have some type of control. It would give the people of the State an opportunity to appeal in a case where they believe that they are not being treated properly in their respective areas.

This is my reason for supporting this bill. Thank you.

On motion of Mr. Ross of Bath, the House voted to recede and concur.

Non-Concurrent Matter

An Act Appropriating Funds for Educational Costs for Maine Students in Private Schools of Higher Education (H. P. 1232) (L. D. 1565) which was passed to be enacted in the House on June 19 and passed to be engrossed as amended by Senate Amendments "A" and "B" on June 17.

Came from the Senate indefinitely postponed in non-concurrence.

In the House:

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

Mr. FARNHAM: Mr. Speaker, I move that we insist and ask for a Committee of Conference.

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

Mr. ROSS: Mr. Speaker, unfortunately and reluctantly I move that we recede and concur.

The SPEAKER: The gentleman from Bath, Mr. Ross moves that the House recede and concur. All in favor say aye; those opposed say no.

A viva voce vote being taken, the motion did prevail.

On motion of Mr. Richardson of Cumberland,

Recessed until two o'clock in the afternoon.

After Recess

2:00 P.M.

Called to order by the Speaker

The SPEAKER: The Chair will call your attention to Supplement No. 3. Is there objection to considering these matters out of order? The Chair hears none.

From the Senate: The following Order:

ORDERED, the House concurring, that the Legislative Research Committee is directed to study the subject matter of the Bill: "An Act Revising the Maine State Personnel Laws, House

Paper No. 1048, Legislative Document No. 1376, introduced at the regular session of the 104th Legislature, to determine whether the best interests of the State would be served by the enactment of such legislation; and be it further

ORDERED, that the Committee report its findings and recommendations to the next regular or special session of the Legislature. (S. P. 498)

Came from the Senate read and passed.

In the House:

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

Mr. JALBERT: Mr. Speaker and Members of the House: The Legislative Research Committee, which reported to the 103rd session, made a lengthy report wherein it concerned the personnel laws. The present State Government Committee reported out a bill concerning the personnel laws which was unanimously passed by that Committee and finally enacted in this branch and held up in the other branch. This Research Committee study involves \$70,000, \$25,000 of which was devoted to the study of the personnel laws for the State of Maine. And also, as I stated, the State Government Committee made a thorough study of the problem and came up with the answer. I see no earthly reason why we would go into this thing now. If we want to study it, instead of spending the taxpayers dollars all we have to do is reread for our own edification the report that exists now in the State Personnel Laws.

Mr. Speaker, I move the indefinite postponement of this Order.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, moves the indefinite postponement of this Joint Order.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: In opposition to the gentleman's motion, first of all I would request a division. Secondly, I would point out to the members of the House

that there is no requirement of any appropriation from the legislative appropriation and money for this. The bill that was before us can be referred to Legislative Research which will have full access of course to the Cresap, McCormick & Paget Report to which the gentleman from Lewiston refers.

Now the Legislative Research Committee does not want, of course, to be burdened with a great number of unnecessary orders. It has the authority on its own motion to undertake an examination of any field which it thinks should be examined.

You will note on Supplement No. 4 the great number of orders which are being turned down because they, in some instances, deal with the subject matter which we do not consider appropriate for research and in other cases the terms of the order are too narrow and they don't fully embrace the field.

Now this particular bill here, if you reject it, if you vote in favor of indefinite postponement, so be it, but I hope you won't do it on any basis that it will involve additional expense because it will not. The Cresap, McCormick & Paget report is available to the Research Committee. There was a considerable amount of interest expressed in this legislation and this House passed the bill, and therefore I think it is appropriate that we keep the subject alive, at least to the extent of studying.

The SPEAKER: Is the House ready for the question? The pending question is on the motion of the gentleman from Lewiston, Mr. Jalbert, that this order be indefinitely postponed. The Chair will order a vote. All in favor will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

27 having voted in the affirmative and 57 having voted in the negative, the motion did not prevail.

Thereupon, the Joint Order received passage in concurrence.

From the Senate: The following Orders:

WHEREAS, Portland Harbor is presently the second largest

importer of crude oil by ocean vessel on the East Coast; and

WHEREAS, additional facilities for the importation of crude oil are planned for the City of Portland which will make Portland Harbor the largest oil importing port in the world; and

WHEREAS, a large oil handling facility is planned for the port of Machiasport, for the importing of foreign crude oil; and

WHEREAS, there are increasing numbers of commercial and industrial facilities along the rivers and coast of the State which are serviced by vessels carrying oil, gas and petroleum products, and

WHEREAS, there are presently in effect no laws on the Federal, State or municipal level that effectively control the handling, movement, trans-shipment loading or unloading of oil, gas and petroleum products by ocean vessels to and from land-based facilities; now, therefore, be it

ORDERED, the House concurring, that the Legislative Research Committee study the handling of oil, gas and petroleum products by ocean vessels within territorial waters of the State of Maine, the nature of the land-based facilities attracting such cargoes, and means of controlling and safely containing the handling and movement of oil, gas and petroleum products and further, that it report to the next special session of this Legislature, or the next regular session, its recommendations in the form of proposed legislation for fixing duties, responsibilities and liabilities of vessels and land-based facilities handling oil, gas and petroleum products, together with means of financing the enforcement of such legislation through the imposition of an oil handling tax upon such vessels or land-based facilities, and further that it employ such professional assistance in the performance of its duties as may be required, and further that there is appropriated from the Legislative Appropriation the sum of \$25,000 for this purpose. (S. P. 524)

ORDERED, the House concurring, that the Legislative Research Committee is directed to study the desirability and

feasibility of establishing a Consumer Credit Code for the State of Maine; and be it further

ORDERED, that the State Department of Banks and Banking is directed to provide the Committee with such technical and other assistance as the Committee deems necessary or desirable to carry out the purposes of this Order; and be it further

ORDERED, that the Committee present the proposed Code at the next regular session of the Legislature. (S. P. 536)

Came from the Senate read and passed.

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

The SPEAKER: Supplement No. 4.

Non-Concurrent Matters

The following Orders:

Joint Order relative to Legislative Research Committee — study of Maine Youth Commission (H. P. 1098) which was passed in the House on March 28.

Joint Order relative to Legislative Research Committee study of L. D. 1307 — Bill "An Act Increasing Certain Liquor License Fees" (H. P. 1221) which was passed in the House on May 27.

Joint Order (H. P. 1225) relative to Legislative Research Committee study of L. D. 1047 — Bill "An Act relating to Nonprofit Hospital or Medical Service Organizations" which was passed in the House on May 28.

Joint Order relative to Legislative Research Committee study of County Estimates and Finances (H. P. 1233) which was passed in the House on May 29.

Joint Order relative to the Legislative Research Committee to study feasibility of providing a regional care facility specializing in tuberculosis at the Central Maine Sanatorium (H. P. 1237) which was passed in the House on June 3.

Joint Order (H. P. 1252) relative to Legislative Research Committee study of Bill "An Act Creating the Maine Labor Relations Act" (H. P. 567) (L. D. 748) which was passed in the House on June 5.

Joint Order relative to Legislative Research Committee study of Pineland Hospital and Training Center and Needs of the Mentally Retarded (H. P. 1258) which was passed in the House on June 9.

Joint Order relative to Legislative Research Committee study of Necessary Clerical and Staff Assistance for Legislators (H. P. 1267) which was passed in the House on June 16.

Joint Order relative to Legislative Research Committee study of Credit Bureaus and Agencies re Consumer Credit Rating (H. P. 1273) which was passed in the House on June 13.

Joint Order (H. P. 1276) relative to Legislative Research Committee study subject matter of H. P. 1004 L. D. 1306 and H. P. 1223 L. D. 1555 which was passed in the House on June 18.

Came from the Senate indefinitely postponed in non-concurrence.

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

Non-concurrent Matter

Joint Order re Legislative Research Committee be directed to authorize and constitute a subcommittee on Governmental Operations to study all authorized expenditures and capital expenditures necessary to the conduct of State Government (H. P. 1280) which was passed in the House as amended by House Amendment "A" on June 20.

Came from the Senate indefinitely postponed in non-concurrence.

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

Mr. JALBERT: Mr. Speaker and Members of the House: A few minutes ago the comment was made that some orders were not passed because they were too narrow, did not involve necessarily the deal. Now I am fully aware of the fact that there was a Governmental Operations study that is on the past Legislative Research Committee. But I also feel that this order would spell out and point out, because it is so wide in scope and so much detailed in its spelling out, that this would

point to the fact that we are going to do this and just what we are going to do in attempting to study all the facets of all of our agencies. And I am wondering whether or not this is too broad or what the thinking was when this was indefinitely postponed.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: I believe that it was in Presque Isle two years ago that myself and others made a recommendation that the Legislative Research Committee create a so-called watchdog committee or subcommittee on governmental operations. This subcommittee proved beyond any doubt its worth. It established very clearly that with proper staff and proper funding it can do the job. By indefinite postponement of this order there is no suggestion that the Governmental Operations Subcommittee of Legislative Research is not going to do exactly this and more. The point is that apparently the feeling in the other body is that it is unnecessary to spell out all of the areas that the Governmental Operations Committee is going into.

One of the reasons for taking many of these special little research projects out is to leave to the Research Committee full authority to create a subcommittee on Governmental Operations of necessary size, equipped with the necessary staff and having the necessary time, which is the most priceless commodity of all, in order to make the kind of in depth analysis of our bureaucratic friends across the street that will lead to some real savings in State Government. Now this is the thinking behind the indefinite postponement and I hope that the House will recede and concur.

Thereupon, the House voted to recede and concur.

Non-Concurrent Matter

Joint Order relative to Legislative Research Committee to study adequacy of existing law through acquisition of taxable property through name of agricultural

societies and associations which are tax exempt (H. P. 1283) which was passed in the House on June 24.

Came from the Senate indefinitely postponed in non-concurrence.

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

Mr. DAM: Mr. Speaker and Members of the House: I don't rise to oppose the indefinite postponement of this even though it is my order. I do only want it stated in the record my feelings.

When I came down here in January I went to the Legislative Research Office to see about having a bill drafted to change some of the exemptions that have gone on for 150 years to these agricultural associations which allow them to acquire property right in the heart of a town and take it from the tax rolls.

This is happening right now in my community and this has been going on for the past twenty years, and every two years they buy another parcel of land. This land is not used as agricultural associations.

Under the original law, tax exempt agricultural organizations were for literary or scientific or agricultural purposes. This is no longer the case when it comes to fairs. Very few local people have a chance now to go in and rent any land for any concession. I don't want this chance because this is not my way of life. But there are people in these local towns that have fairs that do go in for a week — and there is no doubt there is good money in this business — but now they are cut off from this because it is all out of state interests that come in. They are not bringing money into the locality. They are taking millions of dollars out.

In my town alone two weeks before the fair starts the people stop paying their bills. During the fair week they don't pay any bills because they are at the fair. Two weeks after or three weeks after they are still not paying their bills because they are trying to catch up the money that was gypped out of them while they were on the

fair grounds by the fakers that come from out of state.

Now I did go to the Research Office and ask to have them help me draft a bill. They were too busy. They sent me over to Ernest Johnson's office, the State Tax Assessor. I got absolutely no help from the office across the street. This clearly shows me at this time — and this was the only reason for introducing this order — to satisfy my own judgment whether or not the State departments were interested in helping the people or were they interested in only setting up their own little empire in their own little corner of the State Office Building. I have now come to the conclusion that this is the case and I am only sorry for one thing, that I had not introduced this order two or three weeks ago, because if I had I would have been on the other side of the roll call on the budget.

Thereupon, the House voted to recede and concur.

Non-Concurrent Matter

Joint Order (H. P. 1286) relative to Legislative Research Committee study of Bills re Executive Council — H. P. 447, L. D. 571; H. P. 1016, L. D. 1324; and H. P. 1052, L. D. 1418 which was passed in the House on June 25.

Came from the Senate indefinitely postponed in non-concurrence.

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

Non-Concurrent Matter

Joint Order relative to Legislative Research Committee study of Logs and Pulpwood into Rivers and Streams (H. P. 1292) which was passed in the House on June 26.

Came from the Senate indefinitely postponed in non-concurrence.

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

On motion of Mr. Lawry of Fairfield, the House reconsidered its action whereby it receded and concurred.

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

Mr. LAWRY: Mr. Speaker and Members of the House: After studying and seeing what happened

to Mr. Dam's order, I just wanted to say that I recede and concur with Mr. Dam.

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

Mr. DAM: Mr. Speaker and Members of the House: Again, I do not oppose the indefinite postponement of this order. Again, I only want it entered in the record that many times during this session members have stood up and said they have a concern for the poor people, the working people — I have said this myself. I do have a concern. But I just wonder in my mind, as what few wheels I have got in the top of my head start to turn, how many members actually have a concern for the average citizen of the State of Maine.

Now the rivers are polluted. The Kennebec is nothing more than an open sewer. Yet, again, there is no study to be made, nobody wants a study to have the logs taken out of the river because this would hurt a special interest. This would hurt a special interest that has been going on in my area from the great grandfather to the grandfather to the father right down to the son at the present day that owns this log driving company.

Now this is definitely special interest. I knew this would not go through, that there would be no study when I introduced it. But I introduced it for one reason, merely to show that a lot of the business in the State of Maine is controlled by special interest and is not done in the welfare of the common citizen.

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

Mr. FINEMORE: Mr. Speaker and Members of the House: Just one thing I want to say. All you folks that went to see "Fishing in USA," if you remember real well the movie where all the fish that Gadabout was catching was mostly out from under the pulp booms where the bugs were dropping off into the water. That is where your fish are always caught.

I move we recede and concur.

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

Mr. DAM: Mr. Speaker, would it be in order to ask for a roll call on the motion to recede and concur?

The SPEAKER: The gentleman may request a roll call. It is his constitutional right.

Thereupon, Mr. Dam of Skowhegan requested the yeas and nays.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: Because I am going to vote in favor of receding and concurring and will be recorded as doing so, I want to make clear that there were ten conservation matters that were referred to Legislative Research for study. This one directing a study of a specific area of a larger problem, I believe, will be incorporated within the general conservation study that is to be done by Legislative Research dealing with the use of rivers and not only by the log drivers who I don't think are our worst offenders perhaps, but by other entities involved. Now I don't think there has been any special interest pressure, as the gentleman would imply, brought to bear on the members of the Senate with respect to this particular order. I think that we should expand the scope of this and I understand that the Legislative Research Committee at such time as it is made up does intend to do so.

The SPEAKER: The gentleman from Skowhegan, Mr. Dam requests 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 will vote yes; those opposed will vote no. The Chair opens the vote.

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

The SPEAKER: The pending question is the motion to recede

and concur. If you are in favor of receding and concurring you will vote yes; if you are opposed you will vote no. The Chair opens the vote.

ROLL CALL

YEA — Allen, Barnes, Benson, Berman, Bernier, Binnette, Birt, Burnham, Chandler, Clark, C. H.; Cote, Cox, Crosby, Croteau, D'Alfonso, Drigotas, Durgin, Emery, Erickson, Farnham, Finemore, Fortier, A. J.; Gilbert, Good, Hardy, Haskell, Henley, Hewes, Hunter, Jalbert, Johnston, Kelleher, Kelley, K. F.; Keyte, Lebel, Levesque, Lewin, Lund, MacPhail, Marstaller, McKinnon, Meisner, Millett, Morgan, Norris, Noyes, Payson, Porter, R and, Richardson, H. L.; Rideout, Rocheleau, Ross, Santoro, Scott, C. F.; Stillings, Thompson, Trask, Wheeler, Wood.

NAY — Baker, Bedard, Boudreau, Bourgoin, Carey, Carrier, Carter, Casey, Coffey, Corson, Crommett, Curran, Dam, Dyar, Faucher, Fecteau, Fortier, M., Fraser, Giroux, Immonen, Jutras, Kelley, R. P.; Kilroy, Laberge, Lawry, Lee, LePage, Lewis, Lincoln, Marquis, Martin, McNally, McTeague, Mills, Mitchell, Moreshead, Nadeau, Richardson, G. A.; Sahagian, Scott, G. W.; Shaw, Snow, Soulas, Susi, Temple, Vincent, Watson, Waxman, Wight.

ABSENT — Bragdon, Brennan, Brown, Buckley, Bunker, Chick, Clark, H. G.; Cottrell, Couture, Cummings, Curtis, Cushing, Danton, Dennett, Donaghy, Dudley, Eustis, Evans, Foster, Gauthier, Hall, Hanson, Harriman, Hawkens, Heselton, Hichens, Huber, Jameson, Leibowitz, Mosher, Ouellette, Page, Pratt, Quimby, Ricker, Sheltra, Starbird, Tanguay, Tyndale, White, Williams.

Yes, 60; No, 49; Absent, 41.

The SPEAKER: Sixty having voted in the affirmative and forty-nine in the negative, the motion to recede and concur does prevail.

Non-Concurrent Matters

Joint Order relative to Legislative Research Committee study of Feasibility of Implementing a

Planning-Programming - Budgeting System (H. P. 1293) which was passed in the House on June 27.

Joint Order relative to Legislative Research Committee study of feasibility of initiating a new Public Health Program under Title 19 (H. P. 1294) which was passed in the House on June 27.

Came from the Senate indefinitely postponed in non-concurrence.

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

On motion of Mr. Richardson of Cumberland,

Recessed for ten minutes or until the sound of the gong.

After Recess

Called to order by the Speaker.

The SPEAKER: Supplement No. 5.

Non-Concurrent Matter

Joint Order (H. P. 1299) relative to Legislative Research Committee study S. P. 503, L. D. 1599 "An Act Defining the Crime of Theft Known as Shopstealing and Establishing Rights and Penalties" which was passed in the House earlier in the day.

Came from the Senate indefinitely postponed in non-concurrence.

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

Failed of Passage

From the Senate: The following Order:

ORDERED, the House concurring, that Bill "An Act Appropriating Funds for Union River Anadromous Fish Restoration Program" (S. P. 427) (L. D. 1425) be recalled from the Legislative Files to the Senate (S. P. 548)

Came from the Senate read and passed.

In the House, the Order was read.

The SPEAKER: The pending question is the passage of this Order in concurrence which requires a two-thirds vote. All in favor of the passage of this Order recalling a bill from the Legislative Files will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken. 41 having voted in the affirmative and 46 having voted in the negative, 41 being less than two thirds, the Order failed of passage. Sent up for concurrence.

Non-Concurrent Matter

An Act to Provide Protection for the Consumer Against Unfair Trade Practices (H. P. 770) (L. D. 1003) which was passed to be enacted in the House on June 26 and passed to be engrossed on June 18.

Came from the Senate indefinitely postponed in non-concurrence.

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

Enactor Indefinitely Postponed

An Act Increasing Salaries of County Attorneys and Assistant County Attorneys (H. P. 1049) (L. D. 1377)

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

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

Mr. BERMAN: Mr. Speaker and Members of the House: It is my understanding that another bill, An Act Increasing the Salaries of County Attorneys and Assistant County Attorneys has already passed this House and contains the same subject matter, and for that reason I would respectfully move that this bill be indefinitely postponed.

The SPEAKER: The gentleman from Houlton, Mr. Berman moves that L. D. 1377 be indefinitely postponed.

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

Mr. MILLS: Mr. Speaker, I would pose a question through the Chair. What would be the L. D. on that other bill, sir?

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

Mr. BERMAN: Mr. Speaker and Members of the House: It is my understanding that the number on the other bill is 1610.

The SPEAKER: The pending question is indefinite postponement. All in favor will say aye; those opposed will say no.

A viva voce vote being taken, the Bill was indefinitely postponed in non-concurrence and sent up for concurrence.

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

From the Senate: The following Order:

ORDERED, that the House concurring, that there is created a special committee to consist of 3 Senators to be appointed by the President of the Senate and 4 Representatives to be appointed by the Speaker of the House, to study, under the supervision of the Legislative Research Committee, revenues, expenditures, policies, functions and general operation of the State Highway Commission and its several divisions for the purpose of determining necessary and possible improvements or economies in its operations; and be it further

ORDERED, that the special committee, with the advice and consent of the Legislative Research Committee, shall report the results of its study at the regular session of the 105th Legislature; and be it further

ORDERED, that the members of the special committee shall serve without compensation, but shall be reimbursed for their actual expenses incurred in the performance of their duties under this Order; such sums to be paid out of the Legislative Appropriation; and be it further

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

ORDERED, that there is appropriated to this special committee from the Legislative Appropriation the sum of \$25,000 to carry out the purposes of this Order. (S. P. 545)

Came from the Senate read and passed.

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

Non-Concurrent Matters

An Act relating to Special Offices for Indian Tribes (H. P. 395) (L. D. 505) which was passed to be enacted in the House on April 4 and passed to be engrossed as amended by Committee Amendment "A" on March 28.

Came from the Senate indefinitely postponed in non-concurrence.

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

An Act Providing for State Contribution to the Cooperative Soil Survey (H. P. 904) (L. D. 1165) which was passed to be enacted in the House on April 29 and passed to be engrossed as amended by Committee Amendment "A" on April 22.

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

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

The SPEAKER: Supplement No. 7.

Conference Committee Report

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

Bill "An Act Establishing a Human Rights Commission" (H. P. 1050) (L. D. 1384) reporting that they are unable to agree.

(Signed)

RICHARDSON
of Cumberland
RIDEOUT of Manchester
McTEAGUE

of Brunswick
— Committee on part of House.

BARNES of Aroostook
PEABODY of Aroostook
GORDON of Cumberland

— Committee on part of Senate.

Report was read.

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

Mr. RICHARDSON: Mr. Speaker, I move that the House reject the Committee of Conference Report and I ask for a new Committee of Conference.

The SPEAKER: The gentleman from Cumberland, Mr. Richardson moves that the House reject the Committee of Conference Report.

Whereupon, Mr. Finemore of Bridgewater requested a vote on the motion.

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

Mr. HEWES: Mr. Speaker, I would like to support the position of the gentleman from Cumberland, Mr. Richardson. As I understand it, this body passed a Human Rights Commission bill and the other body also passed one. Now we both have passed a Human Rights Commission bill and I would be reluctant to see both of the bills be lost because of a failure to agree. It would seem as though we should be able to try to get together and work out a Human Rights Commission bill, and I respectfully hope that you will support the motion of the gentleman from Cumberland, Mr. Richardson.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: I had hoped that it would not be necessary to debate this but since it is — the bill that is before you I think presents a unique opportunity for mature people, acting in good faith, to work out a program. For example, the various law enforcement officers throughout the state who took violent exception to having any of their activities reviewed by this Human Rights Commission I think they were correct. We have amended them out of the bill.

The so-called Report "C" from the State Government Committee was rejected by this House as being a sham and a shell. Now in view of the lateness of the hour I know that we're gambling. We're gambling that we can get a Committee of Conference that will agree on a bill that can be engrossed and gotten before you without delaying the session. Those of us who supported this legislation ask only that you allow us this opportunity. If the bill dies in the Conference Committee, then so be

it. But we are asking only for the opportunity to continue to make the effort, which has continued over a period of several months, in order to try to put Maine on the books as being a state that is willing to face this problem realistically and maturely. I hope that you will vote in favor of rejecting the Committee of Conference Report in order that we can have the additional Committee of Conference and attempt, as I say, as mature people acting in good faith to work out a solution.

The gentleman from Brunswick, Mr. McTeague, the gentleman from Manchester, Mr. Rideout, and I, and at least one other member of this Conference Committee you have before you now, are agreed; and I would like to take one more shot at it. I ask you to indulge us on this matter.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I hope that the members of the House, for the amount of time that it is going to take, will agree to reject this Conference Committee Report so that the opportunity of having another committee that may be able to come up with a fair solution to the problem that we have been trying to solve. I think that it will be well worth while the additional time period, so that we may be able to enact something in the Human Rights Bill that may be acceptable to a committee and also to the members of the House and the Senate. Because I don't think that they are that far off at this time.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I guess maybe that you would call it I am joining the honeymoon party, but in any event I think that this Committee of Conference has worked hard and I don't think that there will be any delay because whichever way the ball bounces we will have a three-hour at least wait to engross the wrap-up Appropriations Act and I am sure that would give the opportunity for the second

Committee of Conference or third Committee of Conference to come up with a final passage. If they then cannot agree, I don't think there will be a great deal lost. So surprisingly enough I am agreeing with the leadership of both parties.

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

Mr. FINEMORE: Mr. Speaker and Ladies and Gentlemen of the House: I didn't like this bill coming in so late. I didn't like lots of parts to it and I still don't. But there is no need of me fighting the whole group so I will withdraw my request for a vote on the motion.

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

Mr. RIDEOUT: Mr. Speaker and Members of the House: If I may indulge just for a moment, Mr. McTeague and I have worked hard on this and because of the fact that it was late coming out of committee is one of the reasons that it is before us at this late date. I thought that I had a reasonable compromise on Report "C" and you have rejected it — so be it. But I do think and would ask you to vote to reject this Committee of Conference Report and give us another shot at it, because something should come out of this — good, bad or indifferent.

The SPEAKER: The pending question is the rejection of the Committee Report. All in favor will say yes; those opposed will say no.

A viva voce vote being taken, the motion did prevail.

The SPEAKER: The Chair understands that the gentleman from Cumberland, Mr. Richardson moves that the House further insist and request another Committee of Conference. Is this the pleasure of the House?

The motion prevailed.

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

Messrs. RICHARDSON

of Cumberland
RIDEOUT of Manchester
McTEAGUE

of Brunswick

House at Ease

Called to order by the Speaker.

The SPEAKER: The Chair will call your attention to Supplement No. 8.

House Report of Committee Ought to Pass Tabled Until Later in Today's Session

Mr. Jalbert from the Committee on Appropriations and Financial Affairs, acting by authority of Joint Order (S. P. 538) reporting a Bill (H. P. 1300) under title of "An Act Making Additional Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1970 and June 30, 1971" and that it "Ought to pass".

The SPEAKER: The Chair recognizes the gentleman from Belgrade, Mr. Sahagian.

Mr. SAHAGIAN: Mr. Speaker and Members of the House: As a member of the Appropriations Committee I did not want to be the only one to sign "ought not to pass." That is why the report indicates a unanimous report. I shall make no motion. However, I want to register a strong protest against the change of attitude on the ADC Program. Some of us have indicated to our town leaders that this relief was forthcoming and I am sorry that we now see fit to change our minds. And I repeat — I want to protest this action vigorously.

Thereupon, the "Ought to pass" Report was accepted and the Bill read once.

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

Mr. STARBIRD: Mr. Speaker, may I inquire if there are printed copies of the bill?

The SPEAKER: The gentleman from Kingman Township, Mr. Starbird poses a question through the Chair.

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

Mr. JALBERT: Mr. Speaker, there are not any printed copies of the bill. We were just hoping

that the bill would be engrossed. If there is any reason to explain the bill I would be more than happy to rattle it off. I was hoping that the procedure would be to engross the bill and then substantially we will get out of the 18 per cent and then after the bill is given its third reading here and it would be engrossed and it would take about three hours and then it would come up for enactment and that would probably be the time to discuss it.

(Off Record Remarks by Speaker)

The Bill was then given its second reading.

Under suspension of the rules, the Bill was read the third time.

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

Mr. RICHARDSON: Mr. Speaker, I understand in this very fast moving situation now that this bill has to be amended and I therefore would ask some member of the House to table it until later in today's session.

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

Mr. MARTIN: Mr. Speaker, I move that this be tabled until later in today's session.

The SPEAKER: The gentleman from Eagle Lake, Mr. Martin moves that this matter be tabled until later in today's session pending passage to be engrossed.

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

Mr. Martin of Eagle Lake then withdrew his request for the tabling motion.

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

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: There had been an agreement arrived to in the bill between the Governor's office and the leadership and an amendment had to be added to the bill. So it will take a very short amount of time, and this is why I made the motion to table; so I would hope that

someone would table this. It will be very brief, it will take just a minute to do — but it must be made.

Whereupon, on motion of Mr. Levesque of Madawaska, tabled pending passage to be engrossed and assigned for later in today's session.

Joint Resolution Out of Order

Mr. Birt of East Millinocket presented the following Joint Resolution out of order and moved its adoption:

WHEREAS, ROBERT M. CROCKER has received the nomination for National Secretary and Treasurer of the American Newspaper Guild; and

WHEREAS, confirmation of this highly responsible position in his favor will be a meaningful achievement in the life of this conscientious correspondent; and

WHEREAS, his knowledge and expertise in the affairs of this State are widely recognized to be of the highest quality of journalism; and

WHEREAS, his keen understanding and experience began while serving as a Page in the Maine House of Representatives in 1939; and

WHEREAS, he has faithfully borne the mantle of responsible journalism with an enduring display of competence, integrity and friendship; now, therefore, be it

RESOLVED: That the Members of the Senate and the House of Representatives of the One Hundred and Fourth Legislature express to Robert M. Crocker, in the wake of his nomination to a higher office, their affection, their gratitude and their admiration, all of which he has won on a basis of his many years of outstanding service; and be it further

RESOLVED: That a duly attested copy of this Resolution be presented to Robert M. Crocker, along with our heartiest congratulations and most sincere wishes for good luck and God-speed in this endeavor. (H. P. 1301)

The Joint Resolution was adopted and sent up for concurrence.

The SPEAKER: Supplement No. 9.

The following Communication:

THE SENATE OF MAINE AUGUSTA

July 1, 1969

Honorable Bertha W. Johnson
Clerk of the House of Representatives

104th Legislature

Dear Madam Clerk:

The Senate has voted to reject the Committee of Conference report on the disagreeing action of the two branches of the Legislature on Bill, An Act Establishing a Human Rights Commission. (H. P. 1050) (L. D. 1384) and has further insisted and joined in a second Committee of Conference. The President has appointed the following members of the Senate to the second Committee of Conference:

Senators:

BARNES of Aroostook

PEABODY of Aroostook

GORDON of Cumberland

Respectfully,

(Signed)

JERROLD B. SPEERS

Secretary of the Senate

The Communication was read and ordered placed on file.

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

Mr. Jalbert from the Committee on Appropriations and Financial Affairs, acting by authority of Joint Order (S. P. 538) reporting a Bill (H. P. 1300) under title of "An Act Making Additional Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Years Ending June 30, 1970 and June 30, 1971" and that it "Ought to pass"

Mr. Martin of Eagle Lake offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-616) was read by the Clerk and adopted.

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

Mr. RICHARDSON: Mr. Speaker, Ladies and Gentlemen of the House: I don't think it is quite appropriate for us to let this bill go at this point without one word or two perhaps of explanation about what is being done. This

Appropriation's wrap-up bill effectuates the legislative decisions that have been made with respect to various programs. One of these was mentioned earlier by the gentleman from Belgrade, Mr. Sahagian, who was talking about his disappointment and shock at having the 18 per cent program deleted, that he felt so badly and wished to protest the fact that the State was not going to assume the 18 per cent share of ADC that the municipalities now bear.

My only reaction to that is to say to you that it is like the fellow who keeps saying — "Well you can't quite satisfy me, you're getting close, but try it that way and see how that grabs me"; and then you do it that way and it is still no good. Now the majority two thirds of this House and two thirds of the Senate reluctantly agreed that in order to meet the objections of those of you who felt that the budget was too high, we cut out \$2 million with our solemn assurances — and I can assure you that they are solemn and that they will be carried out, that at the special session of the Legislature we will again consider the abolition of the 18 per cent contribution of the ADC program by municipalities.

I would urge none of you on the final passage of this bill, whether it comes late tonight or the first thing in the morning, to take the part of the dog in the manger; to say — "well, I have been right all along and just to prove it to you I am going to scuttle the program."

The second thing is that we thought that we would be able to correct the tuition situation that exists as a result of commitments that were made in the previous legislature in order to pass the so-called Super U. We are not able to do that; that must also be deferred until the special session. And I urge all of you if you have questions about this specific L.D. I hope you will ask them, and in the last analysis and in a spirit of good fellowship and true co-operation — not dog-in-the-manger obstructionism, give this vote and this bill the necessary votes so that we can end this session on a pro-

ductive note and a note that we can all be proud of, and not sneak out of here in shame at having scuttled something just for the sake of scuttling it.

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

Mr. BERMAN: Mr. Speaker, a parliamentary inquiry if I may.

The SPEAKER: The gentleman may pose it.

Mr. BERMAN: I would like, if I could, to have an explanation of Section 5 on page seven and Section 7 on page eight.

The SPEAKER: The gentleman from Houlton, Mr. Berman poses a question through the Chair to any one who may answer and the Chair recognizes the gentleman from Eagle Lake, Mr. Martin.

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: The gentleman from Houlton, Mr. Berman is referring to the emergency preambles. If you will note on the first page of the paper which he has in his possession, you will note at the bottom of the page the same language has been added at the bottom of that preamble, and it also is being done on the last two pages in Sections 5 and 7 dealing with the preamble in the Part I and the Part II budget. And if you will note it says that "Personnel position counts reclassifications can be done in emergency cases by the approval of the Governor and Council authorized by the Personnel Board and subject to the approval of State Budget Officer."

Now what we had done in the Part I and Part II preamble was to make things so rigid that no changes could be made whatsoever in reclassification, and so as a result when it became necessary — or an attempt to keep certain personnel at Pineland, it was impossible to change their reclassification to upgrade the position, and so we lost the personnel. What this is doing, therefore, is a compromise in an attempt to allow the State to keep a person on so that he can be reclassified and he will remain in state service. And again I repeat — this is necessary in all three

counts, to prevent what happened at Pineland just a month ago.

Thereupon, the Bill was passed to be engrossed as amended by House Amendment "A" and sent to the Senate.

By unanimous consent, ordered sent forthwith.

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

Mr. BENSON: Mr. Speaker, I would ask if the House is in possession of Senate Paper 427, Legislative Document 1425.

The SPEAKER: Senate Paper 548, Joint Order?

Mr. BENSON: Yes, sir.

The SPEAKER: The answer is in the affirmative, the House is in the possession of Joint Order: "Ordered, the House concurring, that Bill 'An Act Appropriating Funds for Union River Anadromous Fish Restoration Program' Senate Paper 427, L. D. 1425, be recalled from the Legislative Files to the Senate. Came from the Senate read and passed, which failed of passage in the House.

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

Mr. BENSON: Mr. Speaker, I would move that the House reconsider its action whereby the Order failed to recall the bill from the Legislative file, and I would speak to my motion.

The SPEAKER: The gentleman from Southwest Harbor, Mr. Benson, moves the House reconsider its action whereby this failed of passage. The gentleman may proceed.

Mr. BENSON: Mr. Speaker and Members of the House: The program that is contained within this bill, "An Act Appropriating Funds for Union River Anadromous Fish Restoration Program," is one of the best or one of the sexiest programs, I think, that we have as far as restoration programs are concerned. It would bring back to the Union River the Salmon Fish that is one of the finest game fish that we have the privilege of fishing here in the State of Maine.

An agreement was made among the leadership, as you know, yes-

terday as to the programs that were going to pass and those programs that were not going to survive, and the motion was made in the Senate last night to indefinitely postpone this measure — and although I am not supposed to be telling you what happened in the other body, it was done by mistake — and we today receded and concurred. And at this time I stand before you asking that you allow this program to be enacted into law. There are funds available for the program because this was the intention in the first place.

So if you would vote with me to reconsider the failure of this Order, then we can get this program under way. Thank you.

The SPEAKER: Is the House ready for the question? The pending question is on the motion of the gentleman from Southwest Harbor, Mr. Benson, that the House reconsider its action whereby it failed the passage of this Order. All in favor will say yes; those opposed "no".

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

The SPEAKER: The Chair recognizes the gentleman from Machias, Mr. Kelley.

Mr. KELLEY: May we have a division on that, sir?

The SPEAKER: The motion is lost. Does the gentleman question the vote?

Mr. KELLEY: Yes I do, sir.

The SPEAKER: A vote has been requested. All in favor of the reconsideration will vote yes; those opposed will vote no. The Chair opens the vote.

A vote of the House was taken.

44 having voted in the affirmative and 56 in the negative, the motion did not prevail.

On motion of Mr. Richardson of Cumberland,

Recessed for 15 minutes or until the sound of the gong.

After Recess

Called to order by the Speaker.

(Off Record Remarks)

On motion of Mr. Richardson of Cumberland,

Adjourned until nine o'clock tomorrow morning.