

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

Monday, January 19, 1970

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

Prayer by the Rev. Mr. Roger Smith of Augusta.

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

The journal of the previous session was read and approved.

**Papers from the Senate
Divided Report
Tabled and Assigned**

Majority Report of the Committee on Business Legislation reporting "Ought not to pass" on Bill "An Act relating to Investment Fiduciaries under State Retirement System" (S. P. 562) (L. D. 1637)

Report was signed by the following members:

Messrs. BERRY of Cumberland
LOGAN of York
— of the Senate.

Messrs. TRASK of Milo
GAUTHIER of Sanford
FECTEAU of Biddeford
SCOTT of Presque Isle
SCOTT of Wilton
HARRIMAN of Hollis
CLARK of Jefferson
— of the House.

Minority Report of same Committee on same Bill reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following member:

Mr. LEVINE of Kennebec
— of the Senate.

Came from the Senate with the Minority Report accepted, Committee Amendment "A" adopted, and the Bill as amended indefinitely postponed.

In the House: Reports were read.

On motion of Mr. Scott of Wilton, tabled pending the acceptance of either Report and specially assigned for tomorrow.

Non-Concurrent Matter

Bill "An Act to Pay for Fifty Percent of Health Insurance Plans for State Employees Beginning July 1, 1970" (H. P. 1306) (L. D. 1620) which was passed to be en-

grossed as amended by Committee Amendment "A" in the House on January 12.

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.

**Non-Concurrent Matter
Tabled and Assigned**

Report of the Committee on Taxation reporting "Ought not to pass" on Bill "An Act relating to the Taxation of Farm Machinery" (H. P. 1360) (L. D. 1689) which was accepted in the House on January 14.

Came from the Senate with the Bill substituted for the Report and passed to be engrossed in non-concurrence.

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

**Non-Concurrent Matter
Tabled and Assigned**

Bill "An Act relating to Fee for and Facilities of Class A Restaurants Serving Malt Liquor" (H. P. 1379) (L. D. 1728) which was passed to be engrossed as amended by Committee Amendment "A" in the House on January 13.

Came from the Senate with Committee Amendment "A" and Senate Amendment "A" adopted and the Bill having failed of passage to be engrossed in non-concurrence.

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

Orders

On motion of Mr. Faucher of Solon, it was

ORDERED, that Rev. Herbert Reid of Fairfield be invited to officiate as Chaplain of the House on Wednesday, January 21, 1970.

**House Reports of Committees
Ought to Pass in New Draft
New Draft Printed
Passed to Be Engrossed**

Mr. Wight from the Committee on Towns and Counties on Bill "An Act relating to Annual Reports of

Counties" (H. P. 1361) (L. D. 1690) reported same in a new draft (H. P. 1429) (L. D. 1799) under same title and that it "Ought to pass."

Report was read and accepted and the New Draft read twice. Under suspension of the rules, the New Draft was read the third time, passed to be engrossed and sent to the Senate.

**Ought to Pass
Printed Bills**

Passed to Be Engrossed

Mrs. Goodwin from the Committee on State Government reported "Ought to pass" on Bill "An Act Authorizing the Commissioner of Mental Health and Corrections to Convey Interest in Real Estate Devised to the Pineland Hospital and Training Center by the Will of Henrietta K. Allen, Late of Portland" (H. P. 1386) (L. D. 1735)

Mr. Marstaller from same Committee reported same on Bill "An Act Extending the Term of the Maine State Sesquicentennial Commission" (H. P. 1391) (L. D. 1740)

Mr. Rideout from same Committee reported same on Resolve Authorizing Conveyance of Land to International Paper Company (H. P. 1371) (L. D. 1720)

Reports were read and accepted, the Bills read twice and the Resolve read once. Under suspension of the rules, the Bills were read the third time, the Resolve read the second time, all passed to be engrossed and sent to the Senate.

**Ought to Pass with
Committee Amendment
Tabled and Assigned**

Mr. Dyar from the Committee on Towns and Counties on Bill "An Act to Authorize Kennebec County to Raise Money for Capital Improvements" (H. P. 1363) (L. D. 1692) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read.

(On motion of Mr. Shaw of Chelsea, tabled pending acceptance of the Committee Report and specially assigned for tomorrow.)

**Passed to Be Enacted
Emergency Measure**

An Act relating to the Charter of the Van Buren Light and Power

District (S. P. 601) (L. D. 1772)

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

Emergency Measure

An Act to Authorize the Insurance of the Payment of Revenue Bonds of the Maine School Building Authority (H. P. 1305) (L. D. 1618)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 116 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act to Amend the Home Solicitation Sales Act (S. P. 614) (L. D. 1796)

An Act to Create the Eastern Hancock County Community School (H. P. 1393) (L. D. 1748)

An Act to Enable the Town of Falmouth to Establish Sewer Service Charges (H. P. 1428) (L. D. 1797)

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

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

Resolve to Loan Funds from the Unappropriated Surplus for the Construction of an International Ferry Terminal (H. P. 1310) (L. D. 1624)

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

(On motion of Mr. Ross of Bath, tabled pending final passage until later in today's session.)

Orders of the Day

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

Bill "An Act relating to Student Tuition in Coordination of Public Higher Education" (S. P. 565) (L. D. 1640) (In Senate, passed to be engrossed as amended by Committee Amendment "A" (S-366))

Tabled — January 16, by Mr. Finemore of Bridgewater.

Pending — Motion of Mr. Haskell of Houlton to reconsider adoption of Committee Amendment "A".

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

Mr. HASKELL: Mr. Speaker and Members of the House: My reason for opposing this I outlined at some length in the last session. However, I made a statement at the time that I wasn't completely sure was accurate, and I took some pains over the weekend to ascertain whether, in fact, it was a fair statement.

I maintained an argument against the adoption of this, that a very basic error was made at the time the super university system was put together here in the Legislature, by the Legislature usurping what is a legitimate, a very key, a very important function of the Board of Trustees. I maintained that attempting to insert a clause with respect to the relationship of tuition between the various institutions in the super university system was in fact a very serious intrusion into what is the proper function of a Board of Trustees.

I felt that perhaps I should substantiate that statement, so following the session I asked the super university personnel if they would check to find if in any other state system in the country there existed any legislation initiated by a Legislature, which attempted to direct or to control the tuition structure in the public education sector. I received a call this morning from the university, and they informed me that they have checked through a national office, and that in no system of public higher education in the United States has there been an attempt

on the part of the Legislature to usurp or to direct the tuition function which very properly does belong to the Board of Trustees.

Now the concern that prompts and has prompted in the past these attempts to maintain a particular relationship between the tuition of the various state institutions in the state certainly was founded on a desire to protect what some people felt was a commitment to the students involved at the time the super university system was put together. However, in my opinion we would be well advised at this juncture to rely on the good judgment of the Board of Trustees of the university system in the State of Maine, that they are, of course, well aware of the concern of the people who have attempted to spell this out in legislation here.

I feel the wise course for this body to take at this juncture would be to reconsider their action in approving the amendment, and then to adopt the Committee Report "A", which is the opinion of the majority of the Committee on Education. So I earnestly hope that we can reconsider our action, and then adopt the proper report, which would remove the state entirely from trying to mastermind the Board of Trustees of the university system.

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

Mr. RICHARDSON: Mr. Speaker and Ladies and Gentlemen of the House: I would just like to point out two or three things before you vote. The majority report of the committee referred to is a 5-3-1 report, which I don't consider a majority report with any very sound basis for a decision in Mr. Haskell's favor.

This legislation was proposed to only cover the transition period, and this is just what we are trying to do in this piece of legislation, with the amendment, is to cover the transition period which was originally included in the law.

I am not quite sure whether my good friend, Mr. Haskell, and the university personnel checked the public higher education throughout this country, whether they checked those schools which have formed super universities, as he refers to

them, but I would point out to you that Maine is only the second state since the very early 1940's which has accepted a super university system, the other one being New Hampshire, with only three schools involved in it.

I still sincerely believe that we made a promise when this legislation was originally enacted, and I would certainly hope that we as members of this body would vote to uphold that promise.

The SPEAKER: The Chair recognizes the gentleman from Dixmont, Mr. Millett.

Mr. MILLETT: Mr. Speaker and Ladies and Gentlemen of the House: The promise which Representative Richardson refers to is the one item which is the real cause of our debate here today. And I think that promise can be interpreted several different ways. I might just read it to you so you all know what you are dealing with today. The clause that he refers to is this:

"The current proportionate difference in student tuition between the present University of Maine and the present State Colleges shall be maintained through the academic year 1971-72."

Many of you recall your own personal reasons for wanting this clause, and I don't attempt to explain them. However, I see nothing in there to indicate that this was designed to protect Maine students as opposed to out-of-state students, or that it was designed to protect that one entering class of 1968. As it is clearly written, it does carry a so-called promise for all students who were attending the super university system at any branch throughout the academic year 1971-72.

Now, the three choices which we dealt with on Friday gave us these three choices. Committee Report "A" was a straight repeal choice. Many of you remember we did take this action in this body, and in the Senate, in the regular session, this being followed by a veto which was not overruled. Therefore, we have in this body, I think, committed ourselves already, within this past year, to disfavor with the present clause.

Committee Report "A" would give us the repeal as we had last session.

Committee Report "B" repeals it, but then replaces it with somewhat more restrictive language. And again, it is a matter of whether you read this intent into the law or not. But the Report "B" would actually replace it by this new statement. "The 1968-69 proportionate difference in student tuition between the then existing University of Maine and the State Colleges shall be maintained through the academic year 1971-72 for those Maine resident students who are enrolled in the university system as of September 30, 1968."

So this attempt then is to clearly protect the Maine student at the expense of the out-of-state student, also to identify that one entering class.

Without respect to where they are now, I believe in the debate on Friday, Representative Allen from Caribou brought out that this will create some administrative problems. There are students now existing or now attending at the University of Maine in Portland who started at Gorham. Therefore, they would have come in under the protection clause of the State Colleges, but now would no longer be protected. This could give rise to three different tuition rates in the upcoming year within the Portland-Gorham complex.

I think the other issue on whether or not you want to extend this complicated protection is contained in the arguments expressed by Representative Haskell, namely do we as a body of 151 members, and our partners up the hall with 34 more, wish to dictate the tuition charges in our system? I feel we do not want, at this time, to concentrate that authority within the prerogative of one man, namely the chancellor, present or future. However, I do feel that the proper body is the appointed group of trustees.

Now much has been said as to what the money would be used for. We have been given several examples with anticipated revenue in the area of one and a half mil-

lion dollars for the second year of the biennium, if Report "B" as stated is accepted. We would then, as a Legislature, have no control over what this money was used for. It could be used, as many have indicated, to increase the anticipated freshman class of next year. In other words, to allow for more students to be accepted. Or it could be used for grants and aid.

I think really, and the third choice, I might add, that was on our calendar Friday, and that was a straight "ought not to pass" report, which would leave things alone as they are.

We are in a complicated situation as it now exists. First of all, if we agree to support Mr. Haskell's motion to reconsider, then a proper motion would be to indefinitely postpone Committee Amendment "A". And I might point out the way I interpret it, that time we would have the equivalent of a repealer. In other words, the two reports, Report "A" and Report "B" would be identical. The question you have to resolve, I believe, is if you are part of the vote in 1968, do you still feel a commitment which is not properly expressed literally in this now pending Committee Amendment, or do you feel that the proper decisions for tuition adjustments should rest with the Board of Trustees? If you feel that way you would then vote to reconsider, vote to overrule Committee Amendment "A" or indefinitely postpone it, and then be faced with a straight repealer. Then you would have a black and white choice, either to repeal the stipulation or to leave it alone.

I would think at this time that if there are questions or further confusion, that a motion to reconsider is pending, it is a logical choice or step to make at this time, and I think the practical approach to repealing the law which was apparently improperly understood by even those concerned in 1968.

The SPEAKER: All in favor of reconsideration of the adoption of Committee Amendment "A" will vote yes; those opposed will vote no.

A vote of the House was taken.

92 having voted in the affirmative and 21 in the negative, the motion did prevail.

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

Mr. HASKELL: Mr. Speaker, I now move the adoption of Committee Report "A".

The SPEAKER: The gentleman from Houlton, Mr. Haskell, moves that the House adopt Committee Amendment "A".

The Chair recognizes the gentleman from Dixmont, Mr. Millett.

Mr. MILLETT: Mr. Speaker, may I pose a question through the Chair?

The SPEAKER: The gentleman may pose his question.

Mr. MILLETT: As I understand it, if we now, at the point of reconsideration, were to move to indefinitely postpone Committee Amendment "A" we would have an identical situation to that of Committee Report "A", namely that we would be in a straight repeal situation, am I correct?

The SPEAKER: The gentleman is correct.

Mr. MILLETT: Would a motion to indefinitely postpone Committee Amendment "A" take precedence over the pending motion of adoption of Report "A" at this time?

The SPEAKER: The pending question is the adoption of Committee Amendment "A". We have already reconsidered the adoption of Committee Amendment "A". The question before the House is, do you wish to adopt Committee Amendment "A", or do you wish to indefinitely postpone it.

Mr. MILLETT: To further clarify my position, Mr. Speaker, may I direct another pointed question?

The SPEAKER: The gentleman may pose his question.

Mr. MILLETT: Then at this point, if we were to vote not to reconsider, or not to accept Committee Amendment "A", we would be in a position of having the straight repeal?

The SPEAKER: The Chair would advise the gentleman that if Committee Amendment "A" fails of adoption we are back to the bill of repeal. The Chair recognizes

the gentleman from Houlton, Mr. Haskell.

Mr. HASKELL: Mr. Speaker, my motion was the adoption of Committee Report "A", not Amendment "A".

The SPEAKER: The Chair has advised the gentleman and the House that if we fail the adoption of Committee Amendment "A", the bill before you will be the repealer. The Chair recognizes the gentleman from Cumberland, Mr. Richardson.

Mr. RICHARDSON: Mr. Speaker and Members of the House: I would hope that all of the members of the House would vote against the adoption of Committee Amendment "A", and I ask for a vote when that question is put.

Mr. Jalbert of Lewiston requested a roll call.

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

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 adoption of Committee Amendment "A" to Bill "An Act relating to Student Tuition in Coordination of Public Higher Education" Senate Paper 565, L. D. 1640. If you are in favor of adopting Committee Amendment "A" you will vote no.

ROLL CALL

YEA — Bedard, Berman, Bunker, Carter, Crommett, Cushing, Hardy, Laberge, Lewis, Lincoln, McNally, Porter, Richardson, G. A.; Rideout.

NAY — Allen, Baker, Barnes, Benson, Bernier, Birt, Boudreau, Bourgoin, Bragdon, Brennan, Brown, Buckley, Burnham, Carrier, Casey, Chick, Clark, C. H.; Clark, H. G.; Coffey, Corson, Cote, Cottrell, Cox, Crosby, Croteau, Cummings, Curran, Curtis, D'Alfonso, Dennett, Donaghy, Drigotas, Durgin, Dyar, Emery, Erickson, Eustis, Evans, Farnham,

Faucher, Finemore, Fortier, M.; Foster, Gauthier, Gilbert, Giroux, Goodwin, Hall, Hanson, Haskell, Hawkens, Henley, Hewes, Hichens, Huber, Hunter, Immonen, Jalbert, Johnston, Jutras, Kelleher, Kelley, K. F.; Keyte, Kilroy, Lawry, Lebel, Lee, LePage, Levesque, Lewin, Lund, MacPhail, Marquis, Marsteller, Martin, McKinnon, McTeague, Meisner, Millett, Moreshead, Morgan, Nadeau, Norris, Noyes, Ouellette, Page, Payson, Pratt, Quimby, Richardson, H. L.; Ricker, Rocheleau, Ross, Scott, C. F.; Scott, G. W.; Shaw, Snow, Soulas, Stillings, Susi, Tanguay, Temple, Thompson, Trask, Tyn-daye, Wheeler, White, Williams, Wood.

ABSENT — Binnette, Carey, Chandler, Couture, Dam, Danton, Dudley, Fecteau, Fortier, A. J.; Fraser, Good, Harriman, Heselton, Jameson, Kelly, R. P.; Liebowitz, Mills, Mitchell, Mosher, Rand, Sahagian, Santoro, Sheltra, Starbird, Vincent, Waxman, Wright.

Yes, 14; No, 109; Absent, 27.

The SPEAKER: Fourteen having voted in the affirmative and one hundred and nine in the negative, Committee Amendment "A" fails of adoption.

Thereupon, the Bill was passed to be engrossed in non-concurrence and sent up for concurrence.

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

REPORT "A" (5) — "Ought to pass" — Committee on Taxation on Bill "An Act relating to Property Tax Exemption for Nature Conservancy" (H. P. 1372) (L. D. 1721) — REPORT "B" (5) — "Ought not to pass"

Tabled — January 16, by Mr. Susi of Pittsfield.

Pending — His motion to accept Report "A."

On motion of Mrs. Brown of York, retabled pending the motion of Mr. Susi of Pittsfield to accept Report "A" and specially assigned for tomorrow.

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

SENATE REPORT — Committee on Education on Bill "An Act

relating to Difference of Student Tuition Between University of Maine and the State Colleges" (S. P. 596) (L. D. 1767) reporting "Ought not to pass" as covered by other legislation. (In Senate-accepted)

Tabled — January 16, by Mr. Levesque of Madawaska.

Pending — Acceptance in concurrence.

On motion of Mr. Levesque of Madawaska, the "Ought not to pass" Report of the Committee was accepted in concurrence.

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

Bill "An Act to Create a School Administrative District in the Town of Madawaska" (H. P. 1403) (L. D. 1759)

Tabled — January 16, by Mr. Allen of Caribou.

Pending — Passage to be engrossed.

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

Mr. ALLEN: Mr. Speaker, I move the indefinite postponement of L. D. 1759 and all its accompanying papers, and I would like to speak to my motion.

The SPEAKER: The gentleman from Caribou, Mr. Allen, moves that item 4, L. D. 1759, Bill "An Act to Create a School Administrative District in the Town of Madawaska, be indefinitely postponed.

The Chair recognizes the same gentleman.

Mr. ALLEN: Mr. Speaker and Members of the House: One purpose of school administrative districts is to improve education by combining the schools of several small towns. To encourage those combinations, the State pays an extra 10 percent in school subsidies to SAD's. It did not contemplate the formation of single town districts to get the 10 percent bonus. When we make that concession to one town, we encourage other single towns to come to the Legislature with the same request. We thereby defeat the purpose of forming SAD's. If we grant that privilege to Madawaska, Caribou, for example, might be next in line, followed by many others.

Furthermore, each time we vote for a single town district, we weaken the Sinclair Act, which, as Senator Muskie and Governor Curtis both stated in two separate dedication ceremonies over the weekend, has done so much in the last twelve years to improve education throughout the State.

Madawaska is Aroostook County's well-to-do and only paper mill town. Several years ago it was proposed that Madawaska, Frenchville and St. Agatha join to form a SAD. Madawaska turned the proposal down, and Frenchville and St. Agatha formed a two-town district alone. Madawaska is still eligible to join that district, and without doubt would make it a stronger and better district by joining.

Your Education Committee heard the bill, and after careful consideration submitted to you a unanimous "ought not to pass" report. Let me assure you, if you need to be assured, the Education Committee makes up its own different and several minds. It is not awed by professionals as is sometimes suggested. It is neither for nor against the establishment. We decide a bill on its merits.

For your part, members of this House, this should be in no sense a partisan issue. We want the vote to do what is best for education. I hope you will agree with the unanimous report of the Committee that it "ought not to pass." When the vote is taken, I request it be taken by roll call.

Whereupon, on motion of Mr. Levesque of Madawaska, retabled pending the motion of the gentleman from Caribou, Mr. Allen, that the Bill be indefinitely postponed and specially assigned for tomorrow.

At this point, Mr. Ross of Bath was granted permission to approach the rostrum.

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

Mr. ROSS: Mr. Speaker, I would ask a parliamentary inquiry from the Chair if a motion to recess is debatable.

The SPEAKER: The motion to recess is not debatable and may be decided by vote.

Mr. ROSS: I move that we recess for a short period of time in order to have a Republican caucus.

The SPEAKER: The gentleman from Bath, Mr. Ross, requests a recess. All in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

96 having voted in the affirmative and 13 in the negative, the motion did prevail.

After Recess

Called to order by the Speaker.

The Chair laid before the House a matter tabled earlier and later today assigned:

Resolve to Loan Funds from the Unappropriated Surplus for the Construction of an International Ferry Terminal (H. P. 1310) (L. D. 1624)

Tabled — Pending final passage.

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

Mr. RICHARDSON: Mr. Speaker, Ladies and Gentlemen of the House: Although it may appear to be a novel procedure at this time, I believe that there are several questions that must be answered with respect to this legislation. Now rather than return to the principle that we seem to have been following earlier today of tabling everything that came up, and rather than keeping this matter on the table until such time as it can be viewed in perspective with the other appropriations measures that are competing for our approval, rather than follow that step of tabling, retabbling and retabbling, I would at this time, Mr. Speaker, move that this bill be recommitted to the Committee on Appropriations and Financial Affairs.

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

Mr. BRENNAN: Mr. Speaker, I move that this item lie on the table until the next legislative day.

Whereupon, Mr. Ross of Bath requested a vote on the motion.

The SPEAKER: A vote on the tabling motion has been requested. All in favor of this matter being tabled until the next legislative day pending the motion of the

gentleman from Cumberland, Mr. Richardson to recommit to the Committee on Appropriations and Financial Affairs, will vote yes; those opposed will vote no.

A vote of the House was taken.

47 having voted in the affirmative and 77 in the negative, the motion did not prevail.

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

Mr. LEVESQUE: Mr. Speaker, is the motion to recommit debatable at this time?

The SPEAKER: The motion to recommit is debatable.

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I don't see at this present time what the advantage is going to be to the members of this House, or even to the other branch, for recommitting the bill, unless there are some reasonable errors that could not be corrected by an amendment either on the Floor of the House or Senate, and certainly I would want to avoid any partisan politics coming into this kind of document, because the members of the minority party have in caucus taken action on those parts of the Governor's message that they saw fit to support. And I think this being one of the measures that is in the Governor's call, the minority party has taken favorable action in support, barring a few members that had some reservations.

Now I don't see that we are going to gain anything by recommitting this bill at this time, because after all we are in the third week of a special session, and unless somebody can point out there are grave errors in the document itself that cannot be corrected here on the Floor of the House, I see no reason why this document should be recommitted at this time.

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

Mr. RICHARDSON: Mr. Speaker and Members of the House: In support of my motion to recommit this bill to Appropriations, I want to remind you that I supported the first chapter in this interesting tale when I supported an innocuously worded amendment com-

mending the City of Portland for its efforts. And that seemingly innocuous, unimportant order that we run through here all the time generated a hailstorm of opposition and we finally amended the resolution to commend everybody in the State of Maine specifically, and people in the northern half of the world generally.

Now I want to allay any fears that you might have. I have supported this bill consistently. I shall continue to support it, and I don't think that you should read any sinister implication into what I said, and that is that I believe that this bill and the amount of money involved should be viewed in perspective with the other bills that are competing for our attention, for our fiscal attention, including but certainly not limited to the bill to relieve municipalities of the 18 percent contribution to the ADC Program.

Now, we are talking about very nearly a million dollars. I think responsible legislative action would indicate that we have a duty to review this bill with reference to the other bills that are calling for our support, including the Renal Dialysis bill, and these other bills. And so I would hope that you would support the motion to recommit, and recognize the fact that it is simply that we can put these bills in order, and make the final decisions on them on the basis of the information that we have.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I was hoping that we could come into this special session without going right back to the old hat that we started with last January, and we finished with last July. Obviously, this can't be done.

I could ask that if the Appropriations Committee is going to start and end right there, and the Legislature is going to start and end with the Appropriations Committee, I could ask why then not a motion to reconsider, that would recommit Item 2 on Page 1 of the calendar, which has a \$441,000 price tag on it, which involves a health

and insurance plan for state employees.

Now the argument as presented by the gentleman from Cumberland, Mr. Richardson, is so full of holes that you could drive 15 Mack trucks through it. And I don't like to be treated like a child. I know I am stupid, but I just don't like to be treated like a child.

Now as far as I am concerned, looking over the six and four report, the only thing that could come out of the committee is possibly some other members coming to it. But my point is, when it comes back out of the Appropriations Committee again, where do we go from there? If it comes to this point, do we recommit again?

Now, the proper place to decide what is going to come to pass in this Legislature, the 18 per cent notwithstanding, or the Maine Medical Center program—and the word escapes me now—of \$300,000, is the proper area as set up by the rules of the Legislature. And that is the appropriations table. If you are going to turn around and when a bill comes up with a price tag on it, and you are going to turn around and when it comes up for enactment, recommit it to the Appropriations Committee, why then my argument to the Speaker, in a friendly visitation in his office this afternoon, that I thought possibly the two-week period might be short, would prove to be fact.

Now the point that I am for this bill has no material reasoning in this argument. The point that Mr. Benson may not be for it has no material reasoning. But now it is a point of time. The Appropriations Committee recommits this bill, this bill comes back out in its same form, in the same position that it left. Are you going to turn around and then wait for another bill with a heavy price tag on it, and recommit that to the Appropriations Committee? On this very measure, on this very measure, in a debate last week, the gentleman from Cumberland, Mr. Richardson, made the comment that this bill should go to the appropriations table. I would

just like to know what has changed his thinking.

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: Needless to say I was not a member of the Republican caucus which just adjourned. I was not aware of what transpired. Needless to say, it surprised me to no end when I came back to find all of a sudden that we had changed our tactics, and what I have seemed to have been following for three sessions in the Legislature is suddenly out the door, when lo and behold it involves one little bill, lo and behold involving the City of Portland. If we are going to change our method, I have no objection. Perhaps the Appropriations Committee should be the final judge of everything. Perhaps it should be the place where all bills remain until the last night of the session.

If that is true, then perhaps we should recommit the bills L. D. 1642 for \$25,000, L. D. 1643 for \$4,000, L. D. 1645 for \$13,000, L. D. 1648 for \$24,000, L. D. 1704 for \$12,000, L. D. 1707 for anadromous fish in Hancock County, for \$25,000, L. D. 1708 for \$100,000. These are presently lying on the special appropriations table in the other body.

Now, I have no objections to taking everything and sending it back to the Appropriations Committee. But I really do not see as a member of the special session with any intention of going home before July the 4th, any hopes of accomplishing anything at all with recommitting a bill at this time.

If there are errors with the bill, if there are figures that have to be changed, if there are things which have to be done, I am more than happy to agree to the request made by the gentleman from Cumberland, Mr. Richardson. But I, at this point, do not see any reason, and I will vote against the motion for recommitment. And when the vote is taken I request it be taken by the yeas and nays, and that the people of Maine know

which group wanted to keep us here an extra two weeks.

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

Mr. BRENNAN: Mr. Speaker and Ladies and Gentlemen of the House: I am somewhat surprised by the arguments of the Majority Leader. If my memory serves me correctly, the other day he characterized the arguments about Renal Dialysis and ADC as phony arguments when they were put forth by the gentleman from Augusta, Mr. Lund. Well, I submit if they were phony arguments the other day, they are just as phony today. I submit that this bill should be voted on now on its merits. And I urge the House to vote against recommitment.

The SPEAKER: The pending question is the motion of the gentleman from Cumberland, Mr. Richardson, that this Resolve to Loan Funds from the Unappropriated Surplus for the Construction of an International Ferry Terminal, House Paper 1310, L. D. 1624, be recommitted to the Committee on Appropriations and Financial Affairs. A roll call has been requested. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All members desiring a roll call vote will vote yes, those opposed will vote no, and the Chair opens the vote.

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

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

Mr. JALBERT: Mr. Speaker and Ladies and Gentlemen of the House: I merely want my position made very very clear. I am not interested in Republican caucuses or Democratic caucuses on this bill. As far as I am concerned, I didn't speak as a Democrat, I didn't speak as a Republican, I spoke as a legislator, as a citizen of the State of Maine. I voted that way in the caucus.

And as far as I am concerned, it is perfectly all right with me if you people want to stay here until July 1st, you will never hear me say I want to go, because I want to go. Because as far as I am concerned I love it here so much, and I love everybody here so much. I have got one element that all of you haven't got, and that is time. I'd just as soon stay here. But it is things like this that are going to keep us here. I am fully aware of the fact that it is very possible that the good gentleman, Mr. Richardson, is attempting to probably help the situation along, but frankly I can see no useful purpose. The thing should rise and fall right here, right now, and let's have it over with.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: In view of the fact that there has been no answer to the several questions that there might have been any errors in the bill, or amendments to be offered on the Floor of the House; plus the fact that a full debate has been had on this document last week, and I see no useful purpose in putting this bill back to committee is going to serve any useful purpose to the Legislature.

Now, if this is a thing that we must be doing, without rhyme or reason, then let's do the thing and get it over with. But I absolutely don't see that there is any necessity for this particular thing this afternoon to be happening. So I would urge the members of the House that supported this document last week, that also support the motion against recommitting this bill, unless, as I have pointed out on several occasions, that there are errors that we don't see now that have not been pointed out. Because I certainly don't want to initiate a partisan politics in this type of legislation, where it concerns the welfare of the largest city in the state. And certainly I don't stand to gain anything, other than it will promote the State of Maine in its general economic condition.

So I urge the members of the House that supported this document last week to vote against the motion to recommit, because if this is one of the things that we must be doing, then let's do the thing and get it over with.

The SPEAKER: A roll call has been ordered. The pending question is on the motion of the gentleman from Cumberland, Mr. Richardson, that this Resolve be recommitted to the Committee on Appropriations and Financial Affairs. If you are in favor of the motion you will vote yes; if you are opposed you will vote no.

ROLL CALL

YEA — Allen, Baker, Barnes, Benson, Berman, Birt, Bragdon, Brown, Buckley, Bunker, Carey, Chick, Corson, Crosby, Cummings, Curtis, Cushing, Dennett, Donaghy, Durgin, Dyar, Erickson, Eustis, Evans, Farnham, Finemore, Foster, Gilbert, Hall, Hanson, Hardy, Haskell, Hawkens, Henley, Hichens, Huber, Immonen, Johnston, Kelleher, Kelley, K. F.; Lee, Lewin, Lewis, Lincoln, Lund, MacPhail, Marsteller, McNally, Meisner, Millett, Moreshead, Mosher, Norris, Page, Porter, Pratt, Richardson, G. A.; Richardson, H. L.; Rideout, Ross, Sahagian, Scott, C. F.; Scott, G. W.; Shaw, Snow, Stillings, Susi, Thompson, Trask, Tynedale, White, Wight, Williams, Wood.

NAY — Bedard, Bernier, Boudreau, Bourgoin, Brennan, Burnham, Carrier, Carter, Casey, Clark, C. H.; Coffey, Cote, Cottrell, Couture, Cox, Crommett, Croteau, Curran, D'Alfonso, Driogtas, Emery, Faucher, Fortier, M.; Gauthier, Giroux, Goodwin, Hewes, Hunter, Jalbert, Jutras, Keyte, Kilroy, Laberge, Lawry, Label, LePage, Levesque, Marquis, Martin, McKinnon, McTeague, Morgan, Nadeau, Ouellette, Payson, Quimby, Ricker, Rocheleau, Santoro, Sheltra, Soulas, Tanguay, Temple, Vincent, Wheeler.

ABSENT — Binnette, Chandler, Clark, H. G.; Dam, Danton, Dudley, Fecteau, Fortier, A. J.; Fraser, Good, Harriman, Heselton, Jameson, Kelley, R. P.; Leibowitz, Mills, Mitchell, Noyes, Rand, Starbird, Waxman.

Yes, 74; No, 55; Absent, 21.

The SPEAKER: Seventy-four having voted in the affirmative and fifty-five in the negative, the motion does prevail.

Thereupon, the Resolve was re-committed in non-concurrence and sent up for concurrence.

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

On motion of Mr. Trask of Milo,
Adjourned until ten o'clock to-
morrow morning.