

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

***One Hundred and Fifth
Legislature***

OF THE

STATE OF MAINE

Volume III

June 16, 1971 to June 24, 1971

Index

1st Special Session

January 24, 1972 to March 10, 1972

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**KENNEBEC JOURNAL
AUGUSTA, MAINE**

indeed will always treasure the friendships, the courtesies and support I have had here in my fourteen years as a member of this Legislature.

Today as I make these last remarks on this bill I believe in, I must express once again my heartfelt thanks and appreciation for your support and encouragement. Had even a small measure of similar feeling been in evidence in the other body today I would not have to do what I must now so reluctantly move. The preservation of the State of Maine will be the object of my prayers in the months that lie ahead.

And now, Mr. Speaker, and ladies and gentlemen of the House, I move that this bill be indefinitely postponed.

Thereupon, on motion of Mr. Martin of Eagle Lake, tabled pending the motion of Mr. Kennedy of Milbridge to indefinitely postpone and later today assigned.

Third Reader Tabled Later in the Day

Bill "An Act to Provide Funds to Assist County Attorneys in the Administration of the Court System" (H. P. 1613) (L. D. 2062)

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

(On motion of Mr. Martin of Eagle Lake, tabled pending passage to be engrossed and later today assigned.)

Passed to Be Enacted

An Act Implementing the Reorganization of the Department of Environmental Protection (S. P. 772) (L. D. 2051)

An Act relating to Guarantees by the Maine Industrial Building Authority (S. P. 706) (L. D. 1887)

An Act to Revise the Maine Land Use Regulation Commission Law (S. P. 709) (L. D. 1890)

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.

An Act Implementing the Reorganization of the Department of Manpower Affairs (S. P. 779) (L. D. 2058)

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

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Bethel, Mrs. Lincoln.

Mrs. LINCOLN: Mr. Speaker and Members of the House: I move that L. D. 2058 be indefinitely postponed.

The SPEAKER pro tem: The gentlewoman from Bethel, Mrs. Lincoln, moves that this Bill be indefinitely postponed.

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

Mr. McTEAGUE: Mr. Speaker and Members of the House: We debated this bill yesterday afternoon and having confidence in the good memory of all the Members of the House I shall not go over it again with them. I notice Mrs. Lincoln extended us that courtesy and I would hope that the proponents of the bill would do the same.

Mr. Speaker, I ask that when the vote is taken it be taken by a roll call, and I would ask you to vote as you voted yesterday and to continue with government reorganization in this important field.

The SPEAKER pro tem: The gentleman from Brunswick, Mr. McTeague has requested that the vote be taken by roll call. In order for the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All those desiring a roll call 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 pro tem: The pending question is on the motion of the gentlewoman from Bethel, Mrs. Lincoln that this Bill and all its accompanying papers be indefinitely postponed. All those in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA—Ault, Baker, Barnes, Bartlett, Berry, G. W.; Birt, Bither, Bragdon, Brawn, Brown, Bunker, Call, Carey, Churchill, Clark, Curtis, A. P.; Donaghy, Dudley, Dyar, Emery, D. F.; Evans, Finemore.

Gagnon, Gill, Hall, Hardy, Haskell, Hawkens, Hayes, Henley, Herrick, Hewes, Immonen, Kelleher, Kelley, R. P.; Lawry, Lee, Lewin, Lewis, Lincoln, Littlefield, MacLeod, Maddox, Martin, McCormick, Millett, Mosher, Murchison, Page, Parks, Payson, Porter, Pratt, Rand, Rocheleau, Rollins, Scott, Shaw, Shute, Simpson, L. E.; Simpson, T. R.; Smith, E. H.; Trask, Tyndale, White, Wight, Williams, Wood, M. W.; Woodbury.

NAY—Albert, Bedard, Berube, Binnette, Boudreau, Bourgoin, Bustin, Carter, Clemente, Collins, Conley, Cooney, Cote, Cottrell, Cummings, Curran, Curtis, T. S., Jr.; Cyr, Dam, Dow, Doyle, Farrington, Faucher, Fecteau, Fraser, Gauthier, Genest, Good, Goodwin, Hancock, Hodgdon, Jalbert, Jutras, Kelley, P. S.; Keyte, Kilroy, Lebel, Lizotte, Lynch, Mahany, Marsh, Marsteller, McCloskey, McKinnon, McTeague, Mills, Morrell, Murray, Norris, Orestis, Pontbriand, Santoro, Sheltra, Silverman, Slane, Stillings, Susi, Tanguay, Theriault, Vincent, Wheeler, Whitson, Whitzell.

ABSENT—Bailey, Bernier, Berry, P. P.; Carrier, Crosby, Drigotas, Emery, E. M.; Kelley, K. F.; Lessard, Lucas, Lund, Manchester, McNally, O'Brien, Ross, Smith, D. M.; Webber, Wood, M. E.

Yes, 69; No, 63; Absent 18.

The **SPEAKER** pro tem: Sixty-nine having voted in the affirmative, sixty-three in the negative, with eighteen being absent, the motion to indefinitely postpone does prevail.

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

Mr. MARTIN: Mr. Speaker, I now move that we reconsider our action whereby this bill failed of final passage and I would speak to my motion.

The **SPEAKER** pro tem: The gentleman from Eagle Lake, Mr. Martin moves that the House reconsider its action whereby this bill failed of final passage, and the gentleman may proceed.

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: I really don't see why at this point we ought to kill this bill. I think it is one of the better

reorganization bills. Everyone assumed that just because one individual in state government was opposed to final reorganization of this department it would not mean the death of a reorganization bill.

I somewhat resent the fact that one individual can come in here and tell me or tell anyone else that I have to vote for or against a reorganization bill. I would hope that members of the House would stand fast to their action that they took yesterday and that they agree to support the bill as it came out of committee. As I recall it yesterday, this was a unanimous "ought to pass" report from the State Government Committee and I would hope that we would not reverse ourselves today.

I am aware of course that a great deal of work was done in lobbying this bill between yesterday and this morning. Unfortunately for me and for others who might have supported the bill, there was no attempt made to try to twist anyone's arm to get the bill passed. I guess every now and then in reorganization or in any other bill it is the one who does the most lobbying that often gets the bill that he wants or defeats the bill that he does not want.

I would seriously and hopefully wish, hope and pray that you do not defeat this bill because one individual in state government does not want this department to reorganize.

I hope that the votes have not changed that drastically from yesterday so I would ask you to vote for reconsideration and when the vote is taken I would ask that it be taken by the yeas and nays.

The **SPEAKER** pro tem: The Chair recognizes the gentleman from Bethel, Mrs. Lincoln.

Mrs. LINCOLN: Mr. Speaker and Ladies and Gentlemen of the House: I don't know who the party that just spoke means by one individual in the state government. I did this on my own. Nobody told me to do it. It is because I didn't like the bill.

I was on the Labor Committee. I know what is going on in both departments, and if he is referring to the Commissioner of Labor

and Industry she will be retired very shortly, it doesn't mean that much to her. And I just wanted you people to know that I did it on my own. Some people around here do things on their own. We don't have to be told what to do. And I certainly hope that you will vote against reconsideration.

The SPEAKER pro tem: The Chair recognizes the gentleman from Webster, Mr. Cooney.

Mr. COONEY: Mr. Speaker and Ladies and Gentlemen of the House: I would ask you this morning to support the gentleman from Eagle Lake's motion to reconsider this bill. Now I know Mrs. Lincoln says she acted on her own. We did hear from Marion Martin, the Commissioner of Labor and Industry, and I couldn't help being struck yesterday from the remarks of Mrs. Lincoln by some of the similarities between her point of view, even some of her terminology, and that used by Mrs. Martin.

Now I haven't had a chance to go through yesterday's horse-blanket and go back down and listen to the tape from last fall, but I know that phrases like "putting the cart before the horse" were things that just happened to be used by both of these ladies. Now they say that the mark of any good bureaucrat is the ability to scuttle any legislation that he or she doesn't like, and I think that's exactly what is happening here today.

This is a good bill. It combines the Employment Security Commission, the Department of Labor and Industry, the Maine Manpower Advisory Committee, the Co-operative Area Manpower Planning System, and the Manpower Development Training Program, several areas that should go together.

Now the only harm in this bill is what one bureaucrat feels is the harm; her authority is threatened. And I ask you to vote against that particular attitude on this subject, vote for a good reorganization bill. As Mr. Martin has said, this was a unanimous report. We worked long and hard on this bill just as we have worked on the other bills;

and I would ask you to support the motion to reconsider so we can pass this bill.

The SPEAKER pro tem: The Chair recognizes the gentleman from Waterville, Mr. Carey.

Mr. CAREY: Mr. Speaker and Ladies and Gentlemen of the House: It seems to me that there is a lot being said about Marion Martin in this place and I am telling you that I am voting against this bill because of one particular individual, and it is not Marion Martin. It is my understanding that the gentleman who may run this department is a gentleman who comes from Waterville, a Mr. Schoenthaler. The paper this morning points out that the jobless fund is going to have to be increased, some responsibility is fixed on the employers of the state. And it seems that Mr. Schoenthaler himself doesn't take any responsibility for what is happening.

The City of Waterville happens to own a golf course. That used to belong to Mr. Schoenthaler. Mr. Schoenthaler couldn't seem to take care of that particular assignment and the City had to buy it through the bankruptcy courts, and I am not too crazy about putting somebody in charge of a department that has gone through this particular experience.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Bethel, Mrs. Lincoln.

Mrs. LINCOLN: Mr. Speaker and Members of the House: In answer to Representative Cooney, yes I did go to see Miss Martin and I don't deny it, because I was upset and I went to see Commissioner Martin. About the "cart before the horse," I didn't see that in any of her mail, and I did take part of the letter, which I don't deny, about the Commissioners from Canada and Washington, that paragraph I did take, and I don't deny it. I wouldn't deny it. I went to the hearing; I didn't like what I heard at the hearing. I still hope that we indefinitely postpone the bill.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I wasn't approached by anybody, before I start elaborating on how I feel about this measure.

First of all, I went yesterday, I did go along with the bill, I hadn't read the bill. This morning I have read the bill and I feel as though I know more about it and it will take some time to look into it. I feel very strongly that I will not vote like I did yesterday, no matter what is said. And the people here that got up to try to pass this or sell this legislation to you, in my opinion they have talked around in circles but haven't talked about the true bill itself and what it does.

I am satisfied as it exists today and I am not looking for a change for the sake of a change. And I can see where we can get into implications that we don't have now. So I ask you to vote the same as you did today and not the same as you did yesterday, and if you read the bill and study it carefully and really consider it in your own mind, without taking any influence from anybody, I am sure you will vote the same as I did this morning, because there are an awful lot of people in this House who voted for the bill yesterday that hadn't read it, but today I have read the bill and I have a lot different thoughts than I did yesterday. And so today I will not vote for reconsideration and I hope the House doesn't.

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

Mr. MARTIN: Ladies and Gentlemen of the House: Unfortunately every now and then, I guess, we somewhat get bogged down in personalities, and I suspect that this may very well be one of those bills. I don't think that any bill, whether it is this one or any other bill that might come before us, ought to be based on whether or not someone is good or someone is bad, whether some individual ought to be for it or someone ought to be against it, or whether they happen to come from Waterville or from Eagle Lake, I don't really think it makes much difference.

These people come and go. The question we are trying to determine here is whether or not, in the long run, we are going to do something that is going to produce something that is going to work better for the citizens of the State. I believe that this bill will.

I do not think that we necessarily have to discuss the question of the unemployment fund, because the law provides for how that is going to be administered. Whether it is me or anyone else that happens to head that department, it isn't going to make one difference as to what the final outcome of the unemployment level of the fund is going to be. The law specifically says that when it reaches a certain limit, then certain things are going to transpire. And so I don't see why that should make one single difference.

I certainly hope that you would vote to reconsider this morning, so that we could give this bill its final passage.

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

Mr. DAM: Mr. Speaker, Ladies and Gentlemen of the House: No one has twisted my arm and no one has asked me to speak on this bill. I have been against some of the reorganization bills, but I have voted for some of them where I had my doubts because I feel that maybe there is a chance that in the next session we could improve a little bit and it might save the people some money.

I do want to go along with the Minority Leader, the leader of my party, in his views that it is too bad that personalities have been brought into this. It is too bad that the heads of departments have to be criticized on the floor of the House when you are debating a bill. It is my belief the bill should be debated on the merits of the bill and not on the individuals concerned.

Now as far as the good gentleman from Waterville, Mr. Carey, stating about the bankruptcy, I have known many cases where businesses will hire a man that has gone through bankruptcy to manage their business because they feel that that man has learned

all the pitfalls of being in business himself and he can make a better manager. So I don't see where any bankruptcy proceedings or anything should enter into this or what a man does in his private life should be any concern.

Because I think on the financial disclosure bill it was quite evident that many members in the House didn't want to disclose their personal business dealings or their financial resources or anything of that nature, so I think today that this is not the question here, of what a man has done in his private life or whether he has succeeded or not succeeded. Because I think we could go across the whole House here and we could label anybody as a success or a failure by our own standards and not the standards of society.

Now I do hope that we will go along with the motion to reconsider because I think maybe this is an area where some work could be done maybe in another session. I don't say any of these reorganization bills are perfect. I don't think any reorganization bill could be perfect because there is a lot of work involved, and I don't think we have actually some of the time that has been necessary on some of these bills. But I think it is a good start, and I can support this bill. I would hope that we could go along with the motion of the gentleman from Eagle Lake to reconsider so that we can get this bill on its way.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I have heard from one member of the Governmental Reorganization Committee on this measure, but I didn't hear anything concerning the measure itself.

I think possibly four or five years ago I made a speech on the floor of the House, a prepared speech. I read it, but I did a very poor job of it because I can't read very well. But it was my views concerning the newly appointed Chancellor of the University of Maine. However, I had called him the night before to read the measure to him.

I have been here since 1945 and I don't think that I have brought in too many personalities from outside, and I am not particularly impressed by tapes at hearings or remarks made here or attacks on personalities.

I would, however, in view of the fact that this is a measure that was passed unanimously by the Governmental Reorganizational Committee. I would, however, like to hear from some members of the Majority Party who signed this report "ought to pass," unanimously. That is who I want to hear from, and I don't want to hear about personalities. I want to hear somebody talk about the bill itself.

The SPEAKER pro tem: The Chair recognizes the gentleman from Pittsfield, Mr. Susi.

Mr. SUSI: Mr. Speaker, Ladies and Gentlemen of the House: As you know, I am not a member of the Reorganization Committee, but I would like to share with you what my thoughts were on this topic.

In a couple of years now we have expended a lot of time; we have applied some very excellent personnel; namely, the Reorganization Committee and the State Government Committee to the questions of reorganization. Now it wasn't the personalities committee, it was the Reorganization Committee. And when I heard this morning that this one was under attack, what we are doing is attacking the two-years' effort by a lot of devoted people, very competent people in the field that they were working in, who came out with a unanimous report on this particular reorganization bill.

I went to Senator Johnson, who is Chairman of both the Reorganization Committee and the State Government Committee and asked him, "What about this bill? He says, "It is good. We did a good job on this one, and this bill should be defended."

Now anyone who denies that personalities are involved in this issue here this morning I think is whistling "Dixie." I think there are people involved and I think it has been brought out here this morning that one of them is re-

tiring very soon, the other one under the terms of the bill would be gone in a couple of years, or his term would expire in a couple of years. And for us to defeat not a personality bill but a reorganization bill, something for the people of the State of Maine, on the basis of such transient considerations as the present occupants of these seats, I think is a sad mistake. And I hope you support the reconsideration and we pass this bill.

The SPEAKER pro tem: The Chair recognizes the gentleman from Bangor, Mr. McCloskey.

Mr. McCLOSKEY: Mr. Speaker and Ladies and Gentlemen of the House: I would like to talk to you this morning in favor of reconsideration and in favor of passing this bill. I am not so sure how many of you know the problem we have in the manpower area in this state, but it is a large one.

Some people here have spoken about the lack of funds in the unemployment insurance fund. The reason for that is is that there have been 17,000 people who have exhausted their unemployment benefits this year alone in the State of Maine. What I am saying is, that we have a manpower problem here, we have an employment problem here in this state, and we had better start thinking about how we are going to solve that problem because that problem is going to be with us for a long time, no matter what happens at the national level. The unemployment statistics are the worst in this state since 1961. They have not dropped below 28,000 for any month of this year.

I offered a bill to the Reference of Bills Committee to try to deal with this problem that would have hired as many as 2,000 people in this state. Now you might not think this is very many, but you are talking about heads of families, you are not talking about simply women whose husbands work who are looking for extra work, you are talking about an unemployment problem in this state that is reaching proportions of the Depression.

In Penobscot County the unemployment rate for the last nine months is 7 percent. In Washington County it is 12.3 percent. In Hancock County it is 8.3, and it has

been up as high as 12.9 percent. You are talking about 30,000 people in the State of Maine, and I think that we had better think about the manpower policies that this state is going to follow in the next ten years, because the type of industry that we have in this state, the shoe industry, the textile industry, the tanning industry, the leather industry, these industries are going to have problems in unemployment in the next few years and we had better think about reorganizing our state government to handle this problem. And I think that the passage of this bill will help this matter.

So I would ask you to support reconsideration, to support the people of Maine who are standing in the unemployment lines each week, and if you go out to the unemployment offices in this state and see those people standing in line, you would know that we have a problem in this state, and I think we had better start thinking about solving that problem. If this bill will do anything in any manner, shape or form to help this problem, and I believe it will, we had better start thinking about passing this bill. So I hope you would vote to reconsider your action and to pass this bill and let the Governor sign it to help the people of Maine.

Mrs. Lincoln of Bethel was granted permission to speak a third time.

Mrs. LINCOLN: Mr. Speaker, Ladies and Gentlemen of the House: I disagree with what Representative McCloskey just said. Reorganizing will not help this manpower problem at all. The manpower problem right now is in the Employment Security Commission, plus getting industry into the state, which reorganization of this bill will not help.

The Labor Industry and your Employment Security Commission now can do many things, and as I say, I still don't see that by reorganizing these two would help this.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I stood before you a few minutes ago and

I tried to talk on the merits of the bill and as I read the bill. Now it seems that others that have spoken want to talk around in circles, so I will endeavor to talk around in circles for a few minutes.

Now I can tell you, in my area I am very well acquainted. I know nearly everybody I represent, unless they moved in last night, and I can tell you what is wrong. This bill doesn't correct any wrongs and injustices in my area and it won't help the labor situation one bit. It was a bill the last legislature passed that made a lot of people on the unemployment rolls in my area, and I will try to enlighten you on what methods we did it.

In my area we had a lot of small industry. We went over the rate on unemployment so we have had to apply for one employee, and that put a lot of people on the unemployment list because they laid them off and now they are drawing unemployment or they are unemployed or on the welfare roll.

I have another employee in my district. We raised his rate for unemployment. In other words, he had a saving by never laying off his men. He had a good rating with this. Well we raised his rate so there wasn't enough savings, so this winter he laid his men off. There was no saving for him because we raised his rate to such a manner that it was more advantageous for him to lay his crew off than it was to keep them hanging around doing very little this winter. So I expect there are other cases. I am well aware of this one. I was talking to them no later than this weekend.

So we are the ones, in a lot of cases, by talking in circles and doing things about other measures that have nothing in relation to the subject we are talking about. It is the bills that we have done, some members of this House. I am proud to say that I didn't, because I knew what it was going to do in my area. But the legislation that we passed last winter in this House, in my area it put several people on the welfare rolls, also put several people on the unemployment rolls. And I can name the industries and I can name the individuals in my area, but that

is not necessary. That only bores you with time.

So if this House wants to continue talking all morning around in circles, I will be here and do my share of the talking like I always do. But I wanted you people to talk and tell us about the bill, and nobody has done that.

I know enough about the bill so that I hope you don't vote for reconsideration. And during this debate, if you have had the time while you're sitting here, some of you listening and some not, but those that are not have had time to read the bill and really consider what it does. It doesn't do anything. It doesn't correct any injustices and no improvement whatsoever, in my opinion. And as I told you before, I am not for a change for the sake of a change that creates or helps nothing. And I hope you will not vote for reconsideration. And if you want to continue talking around in circles, I have got a lot more talk I would like to make too.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I share the thinking of the gentleman from Enfield, Mr. Dudley. I voted for the bill. This bill, as was stated very often, has had a unanimous report of the committee. So on that basis I would like to ask respectfully if I could hear from the House Chairman of the Committee, the gentleman from Lubec, Mr. Donaghy, who has voted for this bill in committee the gentleman from Freeport, Mr. Marstaller, the gentleman from Berwick, Mr. Stillings, who is gone, the gentleman from Orono, Mr. Curtis. I would like to know if I can hear from them, speaking on this bill, on the merits of this bill, why they signed the report of the committee and why they are for this bill.

I am up in the Appropriations room every day from the time this ends until the time it is over. I don't know about this bill. But the last four gentlemen that I named, I have heard from one of the members of the committee, that was enough. As a matter of fact,

I heard from him twice, I think, I hope. But I want to hear from the other four.

The SPEAKER pro tem: The Chair recognizes the gentleman from Lubec, Mr. Donaghy.

Mr. DONAGHY: Mr. Speaker and Ladies and Gentlemen of the House: The gentleman from Lewiston is a detective. I have tried to get on my feet a couple of times and I wasn't quite as fast as some of the others.

I will choose to answer why I signed it out "ought to pass," it may not be a particularly good reason. But we weren't ready to pass this bill out like some of the others, and we were ordered to put it out. And I had also promised this House back in the regular session that you would have ample opportunity to decide these bills on your own through debate on the floor of this House. And you are seeing an example of this now.

There were many ramifications on this. This was not all smooth sailing. You went through yesterday, I believe, and several days of debate before that regarding the three-man Liquor Commission and what has been done and what hasn't been done. We have a very similar situation with the three-man unemployment deal. You are supposed to have a representative of the public, who is the chairman, you have a representative of labor and you have a representative of industry or your employer, whichever way you want to put it.

We had evidence given to us, to the committee, that this is not the way this commission has been running for some time. There is definite evidence that the employer representative has been bypassed. This is not a good way to run a railroad.

Over in the Department of Labor and Industry, here again we found some problems, many reports that were confidential somewhere along the line seemed to be getting into hands that used them for different purposes and other than that which they were intended.

Now as far as I am concerned—I am speaking for myself, I can't speak for the committee—but this is my attitude, that this was not necessarily a good bill, but you

folks wanted to have it reported out, so we reported it out. And rather than be negative all the time, I signed it out "ought to pass" and you can go from there. You are getting the opportunity now to go from there.

I hope that satisfies the gentleman from Lewiston and actually I am more interested in the rest of the body.

The SPEAKER pro tem: The Chair recognizes the gentleman from Bangor, Mr. Kelleher.

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: I looked over the bill here this morning and I am not concerned who is going to be head of the department, I think it is Mr., whatever—I can't even pronounce his name. I don't even know him personally, so I have nothing against him on this.

But one thing in this bill that does bother me a little bit, ladies and gentlemen, if you will look at Document 2058, on page three, it says "The Commissioner of Manpower Affairs shall appoint a state advisory council consisting of not more than 9 members." And then if you go down to Section 10, Title 6, it says, "The Commissioner of Manpower Affairs, with the advice and aid of such advisory council as he may appoint, may take all appropriate steps to reduce and prevent unemployment; to encourage and assist in the adoption of practical methods of vocational training." and etcetera.

This is the only thing that bothers me in this particular document, it sets up a very powerful position that this person, or whoever the person may be in, that his council is in an advisory capacity. I feel that it should be a policy making council, not an advisory capacity. I am kind of surprised at the State Government Committee when they passed out such a document as this and such an important and powerful position that this is going to make, and to deal with the problems of unemployment and so on, that the council should be a policy making group as far as I am concerned and not an advisory one. Because we know what an advisory council is. The man can take the advice if he wishes and if he

doesn't wish to take the council, then no one has any recourse to go to.

So I oppose the bill for this reason.

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

Mr. DYAR: Mr. Speaker and Members of the House: The gentleman from Bangor, Mr. McCloskey brought up the point of this reorganized department being able to find more jobs here in the state for the unemployed people. It seems rather ridiculous when we hear that agencies of the state have brought in 128 new industries in the past few years. Our junior senator has been crisscrossing this country yelling about our shoe industry being lost here in the state. Our Congressional delegation has been using this same song and dance. Our shoe industry, our old established firms have gone out of this country, set up plants in Puerto Rico and all over the world and become importers rather than producers. Our manufacturers and woodland lots have gone into Canada with the raw materials here from Maine and having products made in Canada and brought back in as imports out of Canada.

It seems to me that if this is going to be a function of this new department that we can eliminate several other departments here in state government.

I have heard the Commissioner of Labor this morning referred to as a bureaucrat. In my mind she is one of the true administrators that we have here in this state. Now if a bureaucrat is a person who can run a business with 25 employees versus another department with over 500 employees, I am just concerned over the term bureaucrat.

Now it has been my experience if you call the Department of Labor on a question you usually get the answer right then and there. You call this other department, you usually talk to four or five people, they go to the computer, the computer gives you an answer. Several days later you get an answer back that the computer was wrong, they fed the wrong information and would like to make a correction. It seems to me that if we

are going to computerize labor now, and along with unemployment insurance and all these other little agencies, that possibly we should be looking for an administrator and leave the emphasis off the bureaucrats.

The SPEAKER pro tem: The Chair recognizes the gentleman from Albion, Mr. Lee.

Mr. LEE: Mr. Speaker and Ladies and Gentlemen of the House: It seems to me that this particular bill creates a dynasty here in Augusta. This is not particularly likeable to me. And I think in answer to some of the questions here, one in particular of Mr. McCloskey from Bangor, that instead of reorganizing at this time, probably the best thing we could do would be stay with our present system and probably solve our problems instead of trying something else and jumping off in all four directions all at once. I would be in favor of not reconsidering this item.

The SPEAKER pro tem: The yeas and nays have been requested. For the Chair to order a roll call it must have the affirmative vote of one fifth of those present and voting. All members desiring a roll call 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 pro tem: The pending question is on the motion of the gentleman from Eagle Lake, Mr. Martin, that we reconsider our action whereby we indefinitely postponed this bill. All those in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Bedard, Berry, P. P.; Berube, Binnette, Boudreau, Bourgoin, Bustin, Carey, Carrier, Carter, Clemente, Collins, Conley, Cooney, Curran, Curtis, T. S., Jr.; Cyr, Dam, Dow, Doyle, Farrington, Faucher, Fecteau, Fraser, Gauthier, Genest, Gill, Goodwin, Hancock, Herrick, Hodgdon, Jalbert, Jutras, Kelleher, Kelley, P. S.; Keyte, Kilroy, Lawry, Lebel, Lizotte, Lucas, Lund, Lynch, Mahany, Manchester,

Marsh, Marsteller, Martin, McCloskey, McKinnon, McTeague, Morrell, Murray, Norris, O'Brien, Orestis, Pontbriand, Santoro, Sheltra, Slane, Smith, E. H.; Stillings, Susi, Tanguay, Theriault, Vincent, Wheeler, Whitson, Whitzell, The Speaker.

NAY — Ault, Bailey, Baker, Barnes, Bartlett, Berry, G. W.; Birt, Bither, Bragdon, Brawn, Brown, Bunker, Call, Churchill, Clark, Cote, Cottrell, Cummings, Curtis, A. P.; Donaghy, Dudley, Dyar, Emery, D. F.; Evans, Finemore, Gagnon, Good, Hall, Hardy, Haskell, Hawkens, Hayes, Henley, Hewes, Immonen, Kelley, K. F.; Kelley, R. P.; Lee, Lewin, Lewis, Lincoln, Littlefield, MacLeod, Maddox, McCormick, Millett, Mosher, Murchison, Page, Parks, Payson, Porter, Pratt, Rand, Rocheleau, Rollins, Scott, Shaw, Shute, Silverman, Simpson, L. E.; Simpson, T. R.; Trask, Tyndale, White, Wight, Williams, Wood, M. W.; Woodbury.

ABSENT — Bernier, Crosby, Drigotas, Emery, E. M.; Lessard, McNally, Mills, Ross, Smith, D. M.; Webber, Wood, M. E.

Yes, 71; No, 69; Absent 11.

The **SPEAKER** pro tem: Seventy-one having voted in the affirmative and sixty-nine in the negative, with eleven being absent, the motion to reconsider does prevail.

The motion before the House now is the previous motion of indefinite postponement.

Mr. Jalbert of Lewiston requested a roll call vote.

The **SPEAKER**: The yeas and nays have been requested. For the Chair to order a roll call it must have the expressed desire of one-fifth of the members present and voting. All those desiring a roll call 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** pro tem: The pending question before the House is on the motion of the gentleman from Bethel, Mrs. Lincoln, that an Act Implementing the Reorganization of the Department of

Manpower Affairs, Senate Paper 779, L. D. 2058, be indefinitely postponed.

ROLL CALL

YEA — Ault, Bailey, Baker, Barnes, Bartlett, Berry, G. W.; Birt, Bither, Bragdon, Brawn, Brown, Bunker, Churchill, Clark, Cote, Curtis, A. P.; Donaghy, Dudley, Dyar, Emery, D. F.; Evans, Finemore, Gagnon, Gill, Hall, Hardy, Haskell, Hawkens, Hayes, Henley, Herrick, Hewes, Immonen, Kelley, K. F.; Kelley, R. P.; Lee, Lewin, Lewis, Lincoln, Littlefield, MacLeod, Maddox, McCormick, Millett, Mosher, Murchison, Page, Parks, Payson, Porter, Pratt, Rand, Rocheleau, Rollins, Scott, Shaw, Shute, Simpson, L. E.; Simpson, T. R.; Trask, Tyndale, White, Wight, Williams, Wood, M. W.; Woodbury.

NAY — Albert, Bedard, Berry, P. P.; Berube, Binnette, Boudreau, Bourgoin, Bustin, Call, Carey, Carrier, Carter, Clemente, Collins, Conley, Cooney, Cottrell, Cummings, Curran, Curtis, T. S., Jr.; Cyr, Dam, Dow, Doyle, Farrington, Faucher, Fecteau, Fraser, Gauthier, Genest, Good, Goodwin, Hancock, Hodgdon, Jalbert, Jutras, Kelleher, Kelley, P. S.; Keyte, Kilroy, Lawry, Label, Lizotte, Lucas, Lund, Lynch, Mahany, Manchester, Marsh, Marsteller, Martin, McCloskey, McKinnon, McTeague, Morrell, Murray, Norris, O'Brien, Orestis, Pontbriand, Santoro, Sheltra, Silverman, Slane, Smith, E. H.; Stillings, Susi, Tanguay, Theriault, Vincent, Wheeler, Whitson, Whitzell.

ABSENT — Bernier, Crosby, Drigotas, Emery, E. M.; Lessard, McNally, Mills, Ross, Smith, D. M.; Webber, Wood, M. E.

Yes, 66; No, 73; Absent, 11.

The **SPEAKER** pro tem: Sixty-six having voted in the affirmative and seventy-three in the negative, with eleven being absent, the motion for indefinite postponement does not prevail.

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

Mr. **JALBERT**: Mr. Speaker, I move that this bill be passed to be enacted and when the vote is taken I move that it be taken by the yeas and nays.

The SPEAKER pro tem: For the Chair to order a roll call, it must have the expressed desire of one fifth of the members present and voting. Those who desire 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 pro tem: The pending question is on passage to be enacted of this Bill. All in favor of its enactment will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Bedard, Berry, P. P.; Berube, Binnette, Boudreau, Bourgoin, Bustin, Call, Carey, Carter, Clemente, Collins, Conley, Cooney, Cottrell, Cummings, Curran, Curtis, T. S., Jr.; Cyr, Dam, Donaghy, Dow, Doyle, Farrington, Faucher, Fecteau, Fraser, Gauthier, Genest, Good, Goodwin, Hancock, Hodgdon, Jalbert, Jutras, Kelley, P. S.; Keyte, Kilroy, Lawry, Lebel, Lizotte, Lucas, Lund, Lynch, Mahany, Manchester, Marsh, Marstaller, Martin, McCloskey, McKinnon, McTeague, Morrell, Murray, Norris, O'Brien, Orestis, Pontbriand, Santoro, Sheltra, Silverman, Slane, Smith, E. H.; Stillings, Susi, Tanguay, Theriault, Vincent, Wheeler, Whitson, Whitzell.

NAY — Ault, Bailey, Baker, Barnes, Bartlett, Berry, G. W.; Birt, Bither, Bragdon, Brawn, Brown, Bunker, Carrier, Churchill, Clark, Cote, Curtis, A. P.; Dudley, Dyar, Emery, D. F.; Evans, Fine-more, Gagnon, Gill, Hall, Hardy, Haskell, Hawkens, Hayes, Henley, Herrick, Hewes, Immonen, Kelleher, Kelley, K. F.; Kelley, R. P.; Lee, Lewin, Lewis, Lincoln, Littlefield, MacLeod, Maddox, McCormick, Millett, Mosher, Murchison, Page, Parks, Payson, Porter, Pratt, Rand, Rocheleau, Rollins, Scott, Shaw, Shute, Simpson, L. E.; Simpson, T. R.; Trask, Tyndale, White, Wight, Williams, Wood, M. W.; Woodbury.

ABSENT — Bernier, Crosby, Drigotas, Emery, E. M.; Lessard, McNally, Mills, Ross, Smith, D. M.; Webber, Wood, M. E.

Yes, 72; No, 67; Absent, 11.

The SPEAKER pro tem: Seventy-two having voted in the affirmative and sixty-seven in the negative, the motion did prevail.

The Bill was signed by the Speaker and sent to the Senate.

At this point, Speaker Kennedy returned to the rostrum.

SPEAKER KENNEDY: The Chair thanks the gentleman.

Thereupon, the Sergeant-at-Arms escorted Mr. Ross to his seat on the Floor, amid the applause of the House, and Speaker Kennedy resumed the Chair.

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

Mr. NORRIS: Mr. Speaker, I move we reconsider our action whereby this bill was passed to be enacted and I hope you all vote against me.

The SPEAKER: The gentleman from Brewer, Mr. Norris, now moves the House reconsider its action whereby this Bill was passed to be enacted. All in favor of reconsideration will vote yes; those opposed will vote no.

A vote of the House was taken.

56 having voted in the affirmative and 64 having voted in the negative, the motion did not prevail.

Orders of the Day

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

SENATE JOINT ORDER — re Leadership be provided with legislative assistance prior to convening of 106th Legislature (S. P. 783) — In Senate, passed.

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

Pending — Passage in concurrence.

On motion of Mr. Porter of Lincoln, retabled pending passage in concurrence and tomorrow assigned.

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

SENATE JOINT ORDER — re feasibility study of a Conference Center on Peaks Island be extend-