

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Second
Legislature*

OF THE

STATE OF MAINE

1965

DAILY KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Wednesday, April 21, 1965

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

Prayer by the Rev. Mr. Raoul A. Fecteau of St. Matthew's Parish, Limerick.

The journal of yesterday was read and approved.

**Papers from the Senate
Tabled and Assigned**

From the Senate: The following Order:

ORDERED, the House concurring, that a committee, composed of all the members of the Joint Legislative Committee of Sea and Shore Fisheries of the 102nd Legislature with the Commissioner of Sea and Shore Fisheries shall study and investigate the management and protection of the lobster industry in the State of Maine.

Members of this committee shall be reimbursed for necessary expenses, including travel, while engaged in this study. There is appropriated the sum of \$2,000 from the legislative appropriation for the purposes of this order; and be it further

ORDERED, that the results of such a study together with any recommendations deemed necessary be made to the 103rd Legislature (S. P. 494)

Came from the Senate read and passed.

In the House, the Order was read.

(On motion of Mr. Levesque of Madawaska, tabled pending passage in concurrence and specially assigned for Wednesday, May 5.)

From the Senate:

Bill "An Act relating to Condemnation of Land for Highway Purposes" (S. P. 498) (L. D. 1477)

Bill "An Act relating to Roadside Beautification" (S. P. 499) (L. D. 1476)

Came from the Senate referred to the Committee on Judiciary.

In the House, referred to the Committee on Judiciary in concurrence.

**Ought to Pass with
Committee Amendment**

Report of the Committee on Judiciary on Bill "An Act relating to Driving a Vehicle to Endanger" (S. P. 381) (L. D. 1197) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

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

Committee Amendment "A" was read by the Clerk as follows:

COMMITTEE AMENDMENT "A" to S. P. 381, L. D. 1197, Bill, "An Act Relating to Driving a Vehicle to Endanger."

Amend said Bill by striking out everything after the enacting clause and inserting in place thereof the following:

"R. S., T. 29, Sec. 1314, repealed and replaced. Section 1314 of Title 29 of the Revised Statutes is repealed and the following enacted in place thereof:

'Sec. 1314. Driving to endanger
No person shall recklessly drive any vehicle upon a way in such a manner as to endanger the safety of any person or property.'

Committee Amendment "A" was adopted in concurrence and the Bill assigned for third reading tomorrow.

Divided Report

Majority Report of the Committee on Education reporting "Ought not to pass" on Bill "An Act to Provide an Alternative Standard for Teacher Certification" (S. P. 239) (L. D. 749)

Report was signed by the following members:

Messrs. SNOW of Cumberland
FALON of Penobscot
— of the Senate.

Messrs. GIFFORD of Manchester
LEVESQUE

of Madawaska

CARROLL of Limerick

GRAHAM of Freeport

Mrs. HANSON of Lebanon

Mr. RICHARDSON

of Stonington

— of the House.

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

Report was signed by the following member:

Mr. MENDELL

of Cumberland
— of the Senate.

Came from the Senate with the Majority Report accepted.

In the House: Reports were read.

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

Mr. LEVESQUE: Mr. Speaker, Ladies and Gentlemen of the House: I move that we accept the "Ought not to pass" Report.

The SPEAKER: The gentleman from Madawaska, Mr. Levesque, moves that we accept the Majority "Ought not to pass" Report.

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

Mr. GIFFORD: Mr. Speaker, Ladies and Gentlemen of the House: I rise in support this morning of the motion of the gentleman from Madawaska, Mr. Levesque, to accept the Majority "Ought not to pass" Report of the Committee on this bill L. D. 749 and would speak briefly to it.

During the deliberations of the 101st Legislature, there was a great deal of debate in the House of Representatives relative to preparing and training teachers who are to assume the responsibility for instruction and education in the public schools of Maine. No legislation was enacted at that time, but enough doubt, at least, was apparently created as to teacher training requirements to bring in to being an Interim Joint Committee to further investigate the matter and to report its findings to this the 102nd Legislature. The Interim Committee divided, four to one, as to its conclusions, and copies of both reports have been distributed among you. L. D. 749 is the recommended legislation of the majority of that committee. That the Committee on Education of this Legislature disagrees with the study committee is obvious from the eight to one "Ought not to pass" report now before you.

I would point out that L. D. 749 does not propose to make changes in the procedures by which teachers are now being trained, nor would it alter the requirements for teacher certification which have been adopted by the State Board of Education and are now in use. Rather, it would seek to create another, or alternative procedure by which one might acquire a teaching certificate, presumably to make entry into the teaching field easier for those who do not train for teaching in the first place, but later decide they desire to do so; in other words, for liberal arts graduates.

Surely all are in agreement that, in these times of student population explosion and teacher shortage, every source of teaching talent should be exploited and that in this pool of liberal arts graduates there exists a potential for the recruitment and development of additional teaching personnel. However, if we are to logically conclude that L. D. 749 should be adopted to provide for the entry of these people into teaching, we must first accept that existing teacher certification regulations unreasonably restrict such entry by them. There must be a need for L. D. 749.

The Education Committee found no such need. Under existing regulations the holder of a liberal arts degree may, with only the endorsement of the school superintendent who wishes to hire him, obtain a conditional one year teaching certificate, with no previous teaching experience and having had no education on methods courses. It is renewable annually upon the basis of successful service and six hours of approved study. Upon completion of eighteen hours of study, he may obtain a secondary teacher's five year certificate, the same certificate as is held by the new graduate from a regular teacher training course. Six of the eighteen hours must be in practice teaching, a requirement which is satisfied by the first year of actual employment as a teacher. If in his liberal arts study he took courses in psychology, they may well qualify for a second six hour requirement, leav-

ing only six hours, or one summer school, to fully qualify. Certainly these requirements are not unreasonable or restrictive.

Nor has actual experience proven them to be. In the first year, 1963-64, of the current regulations, 234 conditional certificates were issued, of which 170 were renewed for 1964-65. In addition, 248 new conditional certificates were issued, bringing the total in force in the current year to 418. A program which in only two years time has brought into being 418 additional teachers would appear to be working very well. We do not see that enactment of L. D. 749 would serve any real or worthwhile, additional purpose.

Why, then, this continuing fuss and furor, not only in Maine, but throughout the fifty states, over teacher training and certification? Is it simply because a lack of content in teacher education courses exists? Even the majority of the Interim Study Committee acknowledged, and I quote, "That the Department of Education and the Maine Teachers' Colleges are making a real effort to improve their curricular and should be permitted to continue in this area without interference." Or is it merely a symptom, a surface manifestation, of a far more basic problem which our citizens sense, if they do not see, in the growing complication and sophistication of their public school system?

This is, I believe, the case. I believe that the American citizen fears that he is losing his traditional, historical, and rightful control over public school education, which has truly been, over the years, a cornerstone of American democracy and perhaps the most significant of all the forces which have produced in this country, the richest civilization that man has ever known. He sees his control threatened by a growing host of well-organized and vocal educators, which he chooses to call "The establishment," which places itself in a professional status, a cut above his common ground, speaks in a new language which he does not understand, and contends that only it is qualified to judge itself. Faced with this

threat, real or imagined, the lay citizen seeks to strike back, at whatever weak point he can spot in the fortress of this establishment, in this case the content of education courses and the dependence for teacher certification upon them.

The only real answer, ladies and gentlemen of this House, I submit is of course, a reaffirmation of his authority over all things relating to public school education. In Maine this authority belongs not to the educators alone, but to all the people of the State of Maine. Through their State Constitution and the elective process, they delegate this authority to their local officials and to the State Legislature. As to teacher certification, the Legislature has chosen to delegate the necessary authority to its own creation, the State Board of Education. This, in the judgment of the Education Committee is as it should be. Let no one from the establishment, so-called, dispute it.

Here, ladies and gentlemen of the House, we would propose that this matter be laid finally to rest, with confidence that the decisions of earlier Legislatures have been sufficient and wise, but with a word to the good people who make up our own particular establishment, pay heed to this warning, or in the words of an old Scottish soldier, "Guard your gates, we'll be back."

Mr. Speaker, I urge support of the motion to accept the Majority "Ought not to pass" Report.

Thereupon, on a viva voce vote, the Majority "Ought not to pass" Report was accepted in concurrence.

Non-Concurrent Matter

Resolve Proposing an Amendment to the Constitution to Lower the Voting Age to Eighteen Years (S. P. 153) (L. D. 394) which was passed to be engrossed in concurrence in the House on April 13 and which failed of final passage on April 15.

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

In the House:

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

Mr. JALBERT: Mr. Speaker, I move that we recede.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, now moves that we recede from our former action. Is this the pleasure of the House?

The motion prevailed.

Mr. JALBERT: Mr. Speaker, I now present House Amendment "A". I would ask the Clerk to read the amendment in full.

Thereupon, House Amendment "A" was read by the Clerk as follows:

HOUSE AMENDMENT "A" to S. P. 153, L. D. 394, Resolve, Proposing an Amendment to the Constitution to Lower the Voting Age to Eighteen Years.

Amend said Resolve in the Title by striking out the word "Eighteen" and inserting in place thereof the word 'Nineteen'

Further amend said Resolve in the 8th line by striking out the underlined word "eighteen" and inserting in place thereof the underlined word 'nineteen'

Further amend said Resolve, in the 2nd line of the question, by striking out the word "Eighteen" and inserting in place thereof the word 'Nineteen'

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

Mr. JALBERT: Mr. Speaker and Members of the House: What prompts me to put in this amendment is because checking back the record, I found some interesting data which convinces me that both parties will go with this amendment which will make the voting age nineteen.

Back in 1953, when there were 127 Republicans in the House and there were 24 Democrats in the House, you, Mr. Speaker at that time, and I have asked permission so that it won't look as if I'm pulling your leg to make this comment when we were not blessed by having you in our Party, you as a member of that 127 majority had the minority report "ought not to pass" accepted so you could put in an amendment which would

call for the voting age nineteen instead of eighteen. Speaking on the measure besides yourself, Mr. Speaker, was a lady by the name of Steeves from Lincoln, who spoke and she spoke along this line:

"Last September, our United States Senator, Margaret Chase Smith, came to Lincoln, and it was my privilege, and of course it was a pleasure, to be able to spend the day with her, and a part of the program was the fact that she addressed the students of Mattanawook Academy. When she had finished giving her address, she gave them a chance to ask questions and she answered their questions and she answered them very directly. They did not ask any foolish questions at all. In fact, they wanted to know . . . and they even wanted to know what she thought about lowering the voting age from twenty-one to eighteen.

"When Senator Smith finished and left the building she said to her executive aide. . . 'That was the most intelligent group of questions that have ever been asked of me any time, any place, whether it is a group of children or a group of adults.'"

Speaking also in favor of it was a gentleman from Kennebunkport, Mr. Bibber. Speaking also in favor of it was a gentleman from Lisbon by the name of Beal. Not one Republican spoke against it — no one spoke against the measure, and your motion to accept the report was passed by a vote of ninety-two to eighteen. Bearing in mind that we had only twenty-four Democrats in the House. When that report was accepted, Mr. Speaker, you then put in an amendment raising — which is identical to my amendment, raising the voting age from eighteen to nineteen; and that vote was eighty-four to twelve. So after looking over the record and with the facts that I have got now, I am sure that the Republican minority have not changed their thinking and I am sure that our friendly opposition will go along with us. When the vote is taken I move that it

be taken by the yeas and nays. The record is a wonderful thing.

The SPEAKER: The question before the House is on the motion of the gentleman from Lewiston, Mr. Jalbert, that we adopt House Amendment "A" and he has requested that when the vote is taken it be taken by the yeas and nays. In order for the Chair to entertain a motion for the yeas and nays it must have the expressed desire of one-fifth of the members present. All those in favor of the vote being taken by the yeas and nays will kindly rise and remain standing until the monitors have made and returned the count.

A sufficient number arose.

The SPEAKER: Obviously more than one-fifth having arisen, the yeas and nays are in order.

On motion of the gentlewoman from Portland, Mrs. Kilroy, House Rule 25 was suspended for the remainder of today's session in order to permit smoking.

The SPEAKER: The question before the House is on the motion of the gentleman from Lewiston, Mr. Jalbert, that we adopt House Amendment "A". If you are in favor of adopting House Amendment "A", which changes the voting age from eighteen to nineteen, when your name is called you will say "yes"; if you are opposed, when your name is called you will say "no." The Clerk will call the roll.

ROLL CALL

YEA — Anderson, Orono; Bal-
dic, Beane, Bedard, Benson, Me-
chanic Falls; Bernard, Binnette,
Bishop, Blouin, Boissonneau, Bour-
goin, Brennan, Bussiere, Carroll,
Champagne, Childs, Conley, Cook-
son, Cote, Cottrell, Crommett, Cur-
ran, D'Alfonso, Danton, Dostie,
Doyle, Drouin, Dumont, Edwards,
Eustis, Faucher, Fecteau, Fortier,
Fraser, Mexico; Fraser, Rumford;
Gaudreau, Gauvin, Gilbert, Gillan,
Glazier, Graham, Harvey, Bangor;
Harvey, Woolwich; Haugen, Healy,
Hunter, Durham; Jalbert, Jordan,
Keyte, Kilroy, Knight, Laberge,
Lane, Lebel, Lent, Levesque, Lib-

hart, Lowery, Martin, McKinnon,
Mills, Mitchell, Nadeau, Palmer,
Pitts, Poulin, Ross, Bath; Ruby,
Sawyer, Searles, Starbird, Stouta-
myer, Wheeler, Wuori.

NAY — Anderson, Ellsworth;
Avery, Baker, Orrington; Baker,
Winthrop; Benson, Southwest Har-
bor; Berman, Berry, Birt, Brag-
don, Brewer, Buck, Burwell, Car-
ter, Cressey, Crosby, Cushing, Da-
vis, Dickinson, Dudley, Dunn, Er-
win, Evans, Farrington, Gifford,
Hammond, Hanson, Gardiner;
Hanson, Lebanon; Harriman,
Hawes, Hawkes, Haynes, Huber,
Hunter, Clinton; Jewell, Katz, Ken-
nedy, Kittredge, Lang, Lewis, Lin-
coln, Littlefield, Lund, Lycette,
Meisner, Millay, Mosher, Norton,
Payson, Peaslee, Pendergast,
Pike, Prince, Rackliff, Richardson,
Cumberland; Richardson, Stoning-
ton; Roberts, Ross, Brownville;
Sahagian, Scott, Storm, Susi,
Waltz, Ward, Watts, White, Guil-
ford; Whittier, Wight, Presque
Isle; Wood, Young.

ABSENT — Bradstreet, Car-
well, Drigotas, Harvey, Windham;
Hoy, Roy, Sullivan, Truman.

Yes, 74; No, 69; Absent, 8.

The SPEAKER: The Chair will announce the vote. Seventy-four having voted in the affirmative, sixty-nine having voted in the negative, eight being absent, the motion prevails.

Senate Amendment "B" was read by the Clerk as follows:

SENATE AMENDMENT "B" to
S. P. 153, L. D. 394, Resolve, Pro-
posing an Amendment to the Con-
stitution to Lower the Voting Age
to Eighteen Years.

Amend said Resolve by striking
out all of the 8th and 9th lines
and inserting in place thereof the
following:

'eighteen years and upwards, ex-
cepting paupers and persons under
guardianship for reasons of
mental illness, having his or her
residence established in this'

Senate Amendment "B" was
adopted in concurrence, the Re-
solve passed to be engrossed as
amended by Senate Amendment
"B" and House Amendment "A" in

non-concurrence and sent up for concurrence.

Non-Concurrent Matter

Resolve Proposing an Amendment to the Constitution Creating the Office of Lieutenant-Governor and Providing for Succession of Office of the Governor (S. P. 168) (L. D. 497) which was passed to be engrossed in concurrence in the House on April 13 and which failed of final passage on April 15.

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

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

Non-Concurrent Matter

Bill "An Act Revising the Laws Relating to Plumbers" (H. P. 591) (L. D. 783) which was passed to be engrossed as amended by Committee Amendment "A" in the House on March 23 and which was recommitted to the Committee on Legal Affairs on April 6 in non-concurrence.

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

In the House: On motion of Mr. Boissonneau of Westbrook, the House voted to recede and concur with the Senate.

Non-Concurrent Matter

Bill "An Act to Prevent Pollution of Part of Halfmoon Pond in Waldo County" (H. P. 1072) (L. D. 1459) which was referred to the Committee on Natural Resources in the House on April 9.

Came from the Senate referred to the Committee on Judiciary in non-concurrence.

In the House: On motion of Mr. Mitchell of Frankfort, the House voted to recede and concur with the Senate.

Non-Concurrent Matter

Bill "An Act Increasing Reimbursement to Towns for Snow Removal" (H. P. 332) (L. D. 435)

on which the House substituted the Bill for the "Ought not to pass" as covered by other legislation Report of the Committee on Highways and passed the Bill to be engrossed on April 6.

Came from the Senate with the Report accepted in non-concurrence.

In the House: On motion of Mr. Hunter of Clinton, the House voted to insist on its former action and request a Committee of Conference.

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

Messrs. HUNTER of Clinton
GRAHAM of Freeport
MITCHELL of Frankfort

Orders

On motion of Mr. Cote of Lewiston, it was

ORDERED, that Lorraine Gaudreau of Lewiston be appointed to serve as Honorary Page for today.

The SPEAKER: Lorraine is the daughter of the gentleman from Lewiston, Mr. Gaudreau. She is fourteen years old and attends Montello Junior High School. On behalf of the House the Chair welcomes you Lorraine, and we hope you will enjoy your duties as honorary page for today. (Applause)

On motion of Mrs. Wheeler of Portland, it was

ORDERED, that Miss Deborah Kilroy and Miss Cheri Gacetta of Cape Elizabeth, be appointed to serve as Honorary Pages for today.

The SPEAKER: Deborah is the granddaughter of the gentleman from Portland, Mrs. Kilroy, and Cheri is the niece of Joe Gacetta, the Secretary to the Secretary of State, Mr. Curtis. On behalf of the House the Chair welcomes you two girls and we hope you will enjoy your duties as honorary pages for the day. (Applause)

On motion of Mr. Boissonneau of Westbrook, it was

ORDERED, that Frank Howard of Douglas Hill, and Ronald

Gervais of Westbrook, be appointed to serve as Honorary Pages for today.

The SPEAKER: Frank is the nephew and Ronald is the grandson of the gentleman from Westbrook, Mr. Knight. Frank was born in Berlin, Germany. He speaks German, French, Spanish and English. His father, Hugh Howard, has just retired from the Army and has just returned from Viet Nam.

On behalf of the House the Chair welcomes you two boys and hopes that you will enjoy your duties as honorary pages for the day. (Applause)

On motion of Mr. Beane of Moscow, it was

ORDERED, that Harley "Skipper" Orr of Moscow be appointed to serve as Honorary Page for today.

The SPEAKER: Skipper is thirteen years old and he is in the seventh grade at Valley Junior High School in Bingham. He is a member of the teenage Democrats, and he may be the youngest member of that group.

On behalf of the House the Chair welcomes you, and we hope that you enjoy your duties as honorary page for the day. (Applause)

On motion of Mr. Levesque of Madawaska, it was

ORDERED, that Linda Martin, Kim Martin and Susan Gaboury, all of Hallowell, be appointed to serve as Honorary Pages for today.

The SPEAKER: Linda is the daughter of Leo Martin, our Sergeant-at-Arms, and Kim and Susan are his nieces. On behalf of the House the Chair welcomes you and we hope that you girls will enjoy your duties as honorary pages for the day. (Applause)

On motion of Mr. Gaudreau of Lewiston, it was

ORDERED, that Nancy and David Labbee of Lewiston be appointed to serve as Honorary Pages for today.

The SPEAKER: Nancy is ten years old and David is seven.

They are the children of Norman Labbee of Lewiston who is President of the Lewiston Firefighters Association. Both Nancy and David attend Montello Junior High School. On behalf of the House the Chair welcomes you and we hope that you two children will enjoy your duties as honorary pages for the day. (Applause)

On motion of Mr. Anderson of Orono, it was

ORDERED, that Jeffrey Mitchell of Frankfort be appointed to serve as Honorary Page for today.

The SPEAKER: Jeffrey is the son of the gentleman from Frankfort, Mr. Mitchell. He is eleven years old and he is in the sixth grade of the Searsport Elementary School. On behalf of the House the Chair welcomes you Jeffrey, and we hope you will enjoy your duties as Honorary Page for the day. (Applause)

The SPEAKER: The Chair at this time would like to recognize in the balcony of the House, twelve pupils of Forest Hill High School of Jackman, accompanied by their teacher, Mr. Jerry Allen and chaperones Mr. and Mrs. Theodore Nadeau. They are the guests of the gentleman from Solon, Mr. Faucher.

On behalf of the House the Chair welcomes you, and we hope that your visit will be both educational and enjoyable. (Applause)

House Reports of Committees Leave to Withdraw

Mr. Bernard from the Committee on Business Legislation on Bill "An Act relating to Retail Installment Sales" (H. P. 991) (L. D. 1374) reported Leave to Withdraw.

Mr. Graham from the Committee on Education reported same on Bill "An Act relating to Federal Receipts in Computing the Foundation Program" (H. P. 686) (L. D. 923)

Reports were read and accepted and sent up for concurrence.

Ought Not to Pass

Mr. Fecteau from the Committee on Business Legislation re-

ported "Ought not to pass" on Bill "An Act relating to Provisions in Accident and Health Insurance Policies" (H. P. 682) (L. D. 919)

Report was read and accepted and sent up for concurrence.

Ought to Pass in New Draft New Draft Printed

Mr. Beane from the Committee on Transportation on Bill "An Act relating to Appointments to the Maine Motor Vehicle Dealer Registration Board" (H. P. 542) (L. D. 872) reported same in a new draft (H. P. 1089) (L. D. 1481) under same title and that it "Ought to pass"

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

Divided Report Tabled and Assigned

Majority Report of the Committee on Business Legislation reporting "Ought not to pass" on Bill "An Act Regulating Public Accountants Other Than Certified Public Accountants" (H. P. 618) (L. D. 856)

Report was signed by the following members:

Messrs. CARTER of Kennebec
BERNARD of Penobscot
BROWN of Hancock
— of the Senate.

Messrs. MCKINNON
of South Portland
SCOTT of Wilton
AVERY of Kittery
LABERGE of Auburn
HARRIMAN of Hollis
— of the House.

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

Report was signed by the following members:

Messrs. BERNARD of Sanford
FECTEAU of Biddeford
— of the House.

Reports were read.

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

Mr. BERNARD: Mr. Speaker and Members of the House: We have a similar bill now pending before the Committee on Legal

Affairs, certified accountants and public accountants. I understand this morning that this report should be in the House in about a week and a half.

I would like to see somebody table this bill until this report comes out of Legal Affairs.

Thereupon, on motion of Mr. Anderson of Ellsworth, tabled pending acceptance of either Report and specially assigned for Wednesday, May 5.

Order Out of Order

On motion of Mr. Palmer of Phillips, it was

ORDERED, that Dana Robert Landry of Fairfield, and Michael Allen Landry of Madison, be appointed to serve as Honorary Pages for today.

The SPEAKER: Dana and Michael are the grandsons of the gentleman from Fairfield, Mr. Champagne. They are both in the first grade. Dana goes to the Central Elementary School and Michael goes to the Western Avenue Elementary School.

On behalf of the House the Chair welcomes you Dana and Michael, and we hope that you enjoy your duties as honorary pages for the day. (Applause)

Passed to Be Engrossed

Bill "An Act Providing for an Additional District Court Judge and Relating to Composition of Certain District Court Districts" (S. P. 65) (L. D. 126)

Bill "An Act relating to Public Notice in Probate Proceedings and Return Dates" (S. P. 295) (L. D. 910)

Bill "An Act relating to Authorized Acts of Dental Hygienists and Penalty for Exceeding Such Authority" (S. P. 309) (L. D. 1022)

Bill "An Act relating to Membership of Judicial Council" (S. P. 430) (L. D. 1364)

Bill "An Act to Clarify Condemnation of Schoolhouse Lots" (S. P. 505) (L. D. 1473).

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

**Third Reader
Tabled and Assigned**

Resolve Proposing an Amendment to the Constitution to Permit the Governor to Veto Items Contained in Bills Appropriating Money (S. P. 221) (L. D. 680)

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

(On motion of Mr. Bragdon of Perham, tabled pending passage to be engrossed and specially assigned for Thursday, April 29.)

Resolve Relating to Fish Screen at Outlet of Rangeley Lake (H. P. 227) (L. D. 294)

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

The SPEAKER: The Chair recognizes the gentleman from Ellsworth, Mr. Anderson.

Mr. ANDERSON: Mr. Speaker, Ladies and Gentlemen of the House:

I know it must be boring to you good members of the House to see me on my feet so often, but I promise you that once these fish and game matters are out of the way that I'll be as quiet as a little mouse.

This bill before you was indefinitely postponed the other day, and on a move of reconsideration yesterday it was revived. The Fish and Game Department took out the screen at the outlet of Rangeley Lake because it was serving no useful purpose. In fact, they found it to be detrimental to the propagation of fish. The chief contention of a group who would put the screen back and feel they know more about this problem than the state biologists, is that game fish leave the lake and can't get back because of low water. The biologists say there is always water enough for the fish to return to their natural habitat. It seems to me we should have a little confidence in our department which is trying to serve the most with the best, trying to promote and protect one of the state's big industries. I don't think that we should listen to pressure groups. I now move indefinite postponement of L. D. 294, and when the

vote is taken, I ask that it be taken by division.

The SPEAKER: The question before the House is on the motion of the gentleman from Ellsworth, Mr. Anderson, that this Resolve be indefinitely postponed.

The Chair recognizes the gentleman from Glenburn, Mr. Cookson.

Mr. COOKSON: Mr. Speaker, Ladies and Gentlemen of this House: I would certainly hesitate to arise in opposition to this bill if I did not firmly believe that this matter could be settled by the department. This is strictly a local bill, and at the last Legislature we passed legislation giving the Fish and Game Department the authority to handle these affairs. This was one of several bills that we as a committee unanimously passed out ought not to pass. The proponents of this bill seem to place the blame on the department for what they feel is the lack of extra good fishing in this lake, but what about all the other lakes in the state? We don't always catch fish in the amount which we might like. There are any number of reasons for this, and I am sure you know we must consider the terrific pressure that is being put on these lakes by an ever-increasing number of fishermen with continuously improved equipment and methods of catching these fish. I am sure you have all wondered yourselves just how long these lakes will withstand this pressure.

Let's not be hasty about condemning the efforts of the department in trying to battle this problem. Surely by putting a screen in so that the fish cannot migrate their natural ways for spawning isn't going to help this matter too much. We must remember that for every single fish that does pass this area and spawn it can mean hundreds of thousands of fish by natural reproduction. Or should we plan upon planting these adult fish at the cost of about \$1.50 per pound so that there will be some better fishing.

I urge you to consider well this situation before you vote to take the responsibility of handling this lake out of the department's hands. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Phillips, Mr. Palmer.

Mr. PALMER: Mr. Speaker, Ladies and Gentlemen: I think I gave it to you fair and square yesterday. Are we to recognize the tourist industry in the State of Maine? If we are, then we should kill this indefinite postponement motion. If we are in favor of scientific experiments in the state, then vote for it.

The SPEAKER: The Chair recognizes the gentleman from Limerick, Mr. Carroll.

Mr. CARROLL: Mr. Speaker, Ladies and Gentlemen of the House: I rise in support of my good friend from Phillips, Mr. Palmer, because I believe what Mr. Palmer is trying to do is the right thing at the right time. This happens to be a situation where the local people have decided to spend some of their own hard-earned cash to stock this lake in Rangeley. These people live right here on this lake and these people know what the situation is. They are not in Augusta. They live right in Rangeley. And I think that people that live in an area know their situation much better than people without the area. I am convinced that these people are trying to help themselves and we are trying to obstruct them from trying to help themselves.

Now they lived there for years when there was a fish screen in there. The Fish and Game Department took out the screen. Now I can take you over a few highways of thought and these highways are in my own area where we have gone fishing in streams and caught trout, and over the years I tried to get them to put in some trout there and the biologist says trout will not live there. Now we know better, we live in that area and we catch fish out of there, and we catch trout gentlemen.

Now I do not want to have a fight with the state biologists, but it seems to me that these local people in a local area that want to spend their own money and they want to conduct something and do something to improve the fishing in their area, the least we can do, ladies and gentlemen of

this House, is to encourage local initiative and local help yourself moves. Therefore, I hope that you will not vote for the indefinite postponement of this bill.

The SPEAKER: The Chair recognizes the gentleman from Mars Hill, Mr. Dickinson.

Mr. DICKINSON: Mr. Speaker, my respect for the thinking of the fish and game biologists based on several years experience with them prompts me to rise in support of the motion to indefinitely postpone.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I think we have something here that has been very well stated this morning that these projects are for, as somebody has mentioned here many times, to give some of the home rule to some of these people who are willing to give this a try and invest some of their own money. We have got to hold the highest respect for the state biologists in the different areas of the state, but they have not been right all the time either. I can recall different sections of this state that have been almost emptied of fish to serve some other areas in the state, and now I feel that if the area of Rangeley wants to help themselves by their bootstraps we should give them a resounding hand of approval. Thank you.

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

Mr. LUND: Mr. Speaker, Members of the House: I am sure this is one question in which we are all trying to do the best thing for the area. However, it seems to me that we are somehow assuming that we are going to help the area by putting a fish screen back in and it was the removal of the fish screen that caused the trouble. In supporting the motion for indefinite postponement, I must say I seriously wonder, in listening to the debate here in the last few days, whether many of the people who have discussed this measure have ever actually fished Rangeley in the last few years. I somehow

gained the impression that it was the absence of the screen and the presence of the biologist that spoiled the fishing in Rangeley. I think anybody that has fished there in the last few years can see very readily that one of the big changes is that we have yellow perch in the lake. Nobody has mentioned that so far, but this is one big change. Yellow perch are not just out in the shallow water. They are all over the lake and you catch them trolling in fairly deep water now. This is not the result of the biologists being there. The biologists are trying to do something about the yellow perch which are the result of ice fishing in the area, of course.

It seems to me that we should think very seriously before we try to upset the findings of the biologist and suddenly reverse what is being attempted to be done in the Rangeley area. And as far as fish being passed over the fishways and coming into the lakes is concerned, I can state that I have personally caught fish that have been tagged and I have had the reports coming back from the state biologist these fish were tagged going through the fishways coming into the lake. These are not yellow perch, they were salmon.

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

Mr. MILLS: Mr. Speaker and Members of the House: As you all know, I come from Washington County. I have no fight to fight with the biologist in any form whatsoever, but the fish and game boys down there have tried for over a period of ten years to maintain the salmon in Boyden's Lake. Now, they claim that the salmon will not survive in this lake. Forty-two years ago there was a commercial salmon fishery in this lake. Today the salmon are very few. The biologist wouldn't go along with what the natives there knew. There were nine salmon taken through the ice there last winter. Now then, they introduced bass into this lake where it has never been before; irregardless of what the natives wanted they did this thing that means the eventual

destruction of the salmon in Boyden's Lake which has been a very good thing for the tourist in our territory.

The SPEAKER: The Chair recognizes the gentleman from Turner, Mr. Gilbert.

Mr. GILBERT: Mr. Speaker, Members of the House: I have been up to Rangeley Lakes once or twice in my life, but I don't pretend to be any authority. But however, I would like to correct Mr. Cookson, who I believe is a member of the Fish and Game Department, who just stood up here and said that this came out of committee unanimous. Now, I believe that was a divided report five to five. I have been searching here but I haven't had quite time to find it. Also I would like to point out that that screen was put in there originally by the project of the WPA and it has since been maintained by the Town of Phillips. It is very easy to understand why the biologist will defend his own act when he took it out.

The SPEAKER: The record would indicate that the report came out of committee, A "ought to pass" and B "ought not to pass."

Is the House ready for the question? The question before the House is on the motion of the gentleman from Ellsworth, Mr. Anderson, that this Bill and its accompanying papers be indefinitely postponed and he has requested a division. All those in favor of this Resolve Relating to Fish Screen at Outlet of Rangeley Lake, House Paper 227, L. D. 294, and its accompanying papers being indefinitely postponed will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Sixty-five having voted in the affirmative and sixty-three having voted in the negative, the motion prevailed.

The SPEAKER: The Chair recognizes the gentleman from Phillips, Mr. Palmer.

Mr. PALMER: Mr. Speaker, would you ask for a count of the members in their seats.

The SPEAKER: Does the gentleman care to reconsider where this matter has just been indefinitely postponed?

Mr. PALMER: Yes.

The SPEAKER: The gentleman from Phillips, Mr. Palmer, now moves that we reconsider our action whereby we just indefinitely postponed L. D. 294.

Mr. Anderson of Ellsworth requested a division.

The SPEAKER: The gentleman from Ellsworth, Mr. Anderson, has requested a division. This matter is debatable, reconsideration motion. The question before the House is on the motion of the gentleman from Phillips, Mr. Palmer that we reconsider our action whereby we just indefinitely postponed this matter.

The Chair recognizes the gentleman from Phillips, Mr. Palmer.

Mr. PALMER: Mr. Speaker, this is the last time I will speak on this bill one way or the other. At the present time the water is so low that the salmon cannot get up through this fishway. There isn't a person that I have contacted in Rangeley, and the Lord knows I have contacted everyone that I could, that is not in full favor of this bill going through. I ask that the reconsideration be taken not for my sake but for the sake of the people of Rangeley because if something isn't done, their tourist business is going.

The SPEAKER: The Chair recognizes the gentleman from Ellsworth, Mr. Anderson.

Mr. ANDERSON: Mr. Speaker, Members of the House: I repeat. The biologists say there is always water enough to return to their natural habitat and I certainly think we should have a little confidence in our Fish and Game Department.

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from Phillips, Mr. Palmer, that we reconsider our action whereby we indefinitely postponed this matter. The gentleman from Ellsworth, Mr. Anderson, has requested a division. All those in favor of re-

considering our action will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Sixty-two having voted in the affirmative and sixty-one having voted in the negative, the motion prevailed.

Thereupon the Resolve was passed to be engrossed and sent to the Senate.

Amended Bills

Bill "An Act Entering the State of Maine into the New England State Police Compact" (S. P. 179) (L. D. 765)

Bill, "An Act relating to Compensation of Reporters in Probate Court" (S. P. 286) (L. D. 848)

Bill "An Act relating to Jurisdiction of District Courts" (S. P. 352) (L. D. 1117)

Bill "An Act Amending the Charter of the City of Augusta" (H. P. 516) (L. D. 669)

Resolve in favor of Carroll Linnell of Benton for Well Damage by Highway Construction (S. P. 473) (L. D. 1425)

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

The SPEAKER: At this time the Chair would like to recognize in the rear of the House Miss Holly Douglass, the daughter of Mr. and Mrs. Asa Douglass of Scarborough. Holly is Secretary of the State Association of Student Councils and she has been here since yesterday as an intern in the office of the Clerk of the House. Will the Sergeant-at-Arms escort Miss Douglass to the rostrum for the purpose of observing our parliamentary procedure at first hand. (Applause)

At this point, Miss Holly Douglass was escorted to the well of the Hall of the House by the Sergeant-at-Arms.

Passed to Be Enacted Emergency Measure

An Act to Make Allocations from Bond Issue for Construction and Equipment of Pollution Abatement Facilities (S. P. 178) (L. D. 544)

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 division was had. 128 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 relating to Eating Places (H. P. 950) (L. D. 1286)

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 division was had. 131 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 relating to Weight Tolerances of Vehicles Loaded with Farm Produce (H. P. 58) (L. D. 70)

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

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

MR. RICHARDSON: Mr. Speaker, Members of the House: I move that L. D. 70, An Act relating to Weight Tolerances of Vehicles Loaded with Farm Produce and all its accompanying papers be indefinitely postponed.

The SPEAKER: The question before the House now is on the motion of the gentleman from Cumberland, Mr. Richardson, that item 3, House Paper 58, L. D. 70, that this bill and its accompanying papers be indefinitely postponed.

The Chair recognizes the gentleman from Fort Kent, Mr. Bourgoïn.

MR. BOURGOIN: Mr. Speaker and Members of the House: This bill has been thoroughly thrashed previously and it is a bill that is needed very much to haul potatoes and farm produce to the plants in the various locations of the county and it eliminates any travel on Interstate 95. I sincerely hope that the members will vote against the motion to indefinitely postpone.

The SPEAKER: The Chair recognizes the gentleman from York, Mr. Erwin.

MR. ERWIN: Mr. Speaker and Members of the House: I don't want any more than anyone else does to prolong the debate on these last minute items, but I feel quite strongly about these weight tolerances. I have for four years. I don't like the steady and constant erosion that we are making into the actual, physical welfare of our highways in the State of Maine. And as I say, I am going to be brief as I can, but I want to point out once more to this House that we're faced with two propositions. Number one, the emotional one that it's only fair to the haulers of farm produce that we give them the same tolerances that the haulers of pulp, and I guess the construction truckers too, have already received. But let me ask you, is it fair to the taxpayers and the highway users of the State of Maine to make these now and steadily increase the tolerances for special interest groups?

I don't think anyone is going to maintain that they are going to cease to haul potatoes or any other farm produce out of the State of Maine or into the State of Maine if this bill fails at passage. What this bill does do, which makes us look, I submit, slightly ridiculous, is that we have now come to the point in the State of Maine where we have a limit of, I believe, seventy-two thousand pounds on the Interstate road, which is modern and recently engineered, and a limit that reaches very close to seventy-

nine thousand pounds on roads engineered thirty years ago. Now, this doesn't make any sense and we are costing ourselves for these special interest groups more money than you and I can afford, and for that reason I hope that you will indefinitely postpone this and all the other invasions which are tearing the roads of Maine to pieces.

The SPEAKER: The Chair recognizes the gentleman from Lubec, Mr. Pike.

Mr. PIKE: Mr. Speaker, Ladies and Gentlemen of the House: This very disturbing situation, this whole matter of weights, tolerances and other allowances. I would like to read you the paragraph which has never been repealed, never been amended. We started off our truck regulation in 1933. I'll only read a piece of it.

"To the end that our highways may be rendered safer for the use of the general public, that the wear of the highways may be reduced," that discrimination is not important here, "that the use of the highways for transportation of property for hire may be restricted to the extent required by the necessity of the general public."

That was put in in 1933. We were two years ahead of the federal government in trying to regulate the truck business. At that time, you didn't have to worry about very much except where your next meal was coming from and how you were going to pay for it, so they had a lot of time in setting this set of laws up. They were pretty good laws.

Well over a period we have had a series of tolerances or liberalizations, weights, lengths, widths, types of loads. One of the ones I regard as one of the most indefensible ones, was this matter of pulp trucks, where you are allowed a hundred miles on the road without carrying any third party insurance. In other words, you can carry insurance or not on your truck, yourself and your cargo, but you don't have to carry any against the person you might happen to hit. As a fellow that's been on the road quite a lot, I

regard them as probably the most dangerous truck loads in the winter that we have. The farm people are allowed sixty miles under the same arrangement. Then we got into ten percent more on weights on the theory that it might snow and freeze and by the time you got to a station your weight was quite a lot more than you started with, so we got on that one.

Well, we had one going through here the other day that was almost the reverse of it, that if you didn't have any natural snow or ice on your truck you could make your own. We allowed ten percent tolerance for people with refrigerated trucks and food. So I think we have come a full circle.

This year, we really have sprayed the legislative landscape with bills increasing weights and lengths; I don't think we have got any on widths, I hope not. Two-axle, three-axle, four-axle, five-axle, five more feet on the length of it, and if you try to pass one of these loaded boxes on a narrow, twisting country road you know what a hazard that offers.

Now I feel about the same way as the gentleman from York, Mr. Erwin, that these bills are all split up. We had about eight of them in Utilities. I think they were pretty well spread around. I don't believe that any ever got to the Committee to notify the Governor of his election, but they're almost everywhere else. We take them one by one and they all look pretty reasonable, there's a pretty good story goes with each one. Somebody is in distress. Now what apparently actually happens? You give this tolerance to look after an occasional error and it sounds very reasonable. In competition what happens to this tolerance? That soon becomes the standard weight. You load it up and then you get in trouble with the weighing machine.

And, we have got — there was an another bill that was in our Committee originally, we very happily passed it on to another committee, to rearrange about the fines. Well, the fines were set up, I believe they still are, I don't

think the new law has passed, where it started out about fifty dollars and took I believe about an eight stage jump. So at the top the fines are pretty steep. That was the eighth time you've been caught doing the same thing. It wasn't the eighth time you have been doing the same thing. It's like the felonies law in New York, where if you have been caught and convicted of felony four times, you're out for keeps or something like the fouling out in the basketball game.

Years ago, I think we did regard the truckers, truck business as sort of an innocent child, let's say Little Eva, whereas the railroad was Simon Legree with his long snake whip and his bloodhounds, if you will allow me to substitute Eva for Eliza. He was chasing her across the ice to her great terror, and we all sympathized with Little Eva. But I do think in those thirty some years, Little Eva has grown up and this year it looks to me as if she is busting out at all the seams. And pretty close to time that we said now, shouldn't Little Eva, now Big Eva, go on some sort of a reasonable diet? It does seem to me we're going through one of a series. We take them all up separately, but boy, when they add up I think you get scared. Thank you very much.

The SPEAKER: The Chair at this time would like to recognize in the balcony of the House, thirteen Colonist Pioneer Girls of East Corinth and West Hampden, accompanied by their Guides Mrs. Williams of East Corinth, Mrs. Greatorex of East Corinth, and Mrs. Ryder of West Hampden. They are the guests of the gentleman from Glenburn, Mr. Cookson and the gentleman from Hampden, Mr. Littlefield. On behalf of the House the Chair welcomes you and we hope that your visit will be both educational and enjoyable. (Applause)

At the same time the Chair would like to recognize in the balcony of the House, thirty-four members of the Girl Scout Troop of Orono, accompanied by Mrs. Patricia MacFarland, Mrs. Thurlow,

Mrs. Campbell and Mrs. Elsmore, their leaders. They are the guests of the gentleman from Orono, Mr. Anderson. On behalf of the House the Chair welcomes this group and we hope that your visit will be both educational and enjoyable. (Applause)

And may the Chair at this time recognize in the balcony of the House, eleven members of the Girl Scout Troop 200 of Camden, accompanied by their leaders Mrs. Barron and Mrs. MacNair. They are the guests of the gentleman from Camden, Mr. Haynes. On behalf of the House, the Chair welcomes this group and we hope that your visit will be both educational and enjoyable. (Applause)

The SPEAKER: The Chair recognizes the gentleman from Madison, Mr. Stoutamyer.

Mr. STOUTAMYER: Mr. Speaker, Ladies and Gentlemen of the House: I would like to call to the attention of the House that there now exists on our weight laws ten per cent tolerances for trucks hauling wood products, ten per cent tolerances for trucks hauling gravel, and ten per cent tolerances for trucks hauling ready mix, passed by previous Legislatures. This Legislature has passed, without debate, a bill increasing the axle weight for axle trucks. They have passed without debate bills increasing the weight of refrigerators or reefer trucks, and I would like to call to your attention the Highway Committee brought this bill allowing farmers the ten per cent tolerance with the full knowledge of the action of this Legislature on these previous bills and the past Legislatures on these other bills.

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

Mr. POULIN: Mr. Speaker, Ladies and Gentlemen of the House: We have to remember one thing, that our trucking industries is one of our major industries right now. They do pay their fair share of maintaining the highways. Now, as far as loads on the road, I would rather meet one truck than two carrying the same load. It cuts

down the usage on highways. You say weight spoils your highways. Your little Volkswagen with small, narrow tires will build your little potholes a lot quicker than a truck will where the wheels and tires dispersed on a larger area will not make the potholes.

And as far as your humps and bumps in the road, they don't come from the trucks, they come from the springs underneath the road. You've seen roads with water gushing right up through the middle of them. Now, when that freezes, you're going to have a bump there, a hump. When it thaws out, it goes back down; in fact it is the truck that helps roll it back down. Now, I believe this bill should not be dispensed with.

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

Mr. LUND: Mr. Speaker, Ladies and Gentlemen of the House: I would almost have assumed that the remarks of the last speaker were meant tongue in cheek, because if we were really to take that statement at its full value then we can certainly kick the door completely wide open and eliminate all restrictions completely so that the trucks can finish packing down our roads before the Volkswagens tear them apart.

The SPEAKER: At this time the Chair would like to recognize in the balcony of the House, fifty-one Campfire Girls of Gorham. They are accompanied by their leaders Mrs. Harris Parsons, Mrs. George Webster, Mrs. Mary Estes, Mrs. Donald Doyle and Mrs. James Cezak. They are the guests of the gentleman from Gorham, Mr. Mosher. On behalf of the House the Chair welcomes this group and we hope that your visit will be both educational and enjoyable. (Applause)

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

Mr. RICHARDSON: Mr. Speaker, Members of the House: With respect to the bill which has been rather disjointedly debated this

morning, I would like to say that it is inconceivable to me that we are not going to permit it or that we exclude Interstate 95 from this bill or the law it would create; and yet we permit these trucks to operate on roads which as has been pointed out by my friend, the gentleman from York, Mr. Erwin, we permit these trucks to operate on roads that were designed and many of them constructed thirty years ago. It has been suggested today that because of the previous action of this Legislature and previous action of other Legislatures we should now, like sheep, fall into line.

I wish to point out to you that this measure has received considerable comment in the Press. The activities of the trucking interest at this Legislature have been most effective and we are bringing on ourselves today when five years hence we are going to be confronted with highways which have been literally fractured by the weight of these trucks.

I request, Mr. Speaker, that when the vote is taken there be a division.

The SPEAKER: The Chair recognizes the gentleman from Madison, Mr. Stoutamyer.

Mr. STOUTAMYER: Mr. Speaker, Ladies and Gentlemen of the House: I can't help but agree that the lobby for the truck industry has been efficient because they get their bills passed, but when it comes to a farmer's bill apparently it receives a lot of criticism.

The SPEAKER: The Chair recognizes the gentleman from Mars Hill, Mr. Dickinson.

Mr. DICKINSON: Mr. Speaker, Members of the House: As I pointed out the other day, when we were discussing this subject, I believe the real problem, so far as transportation of farm produce is concerned, lies in the fact that we now transport a lot of farm produce in bulk. And I wonder if it may have been the intent of this bill to provide the same privileges for farm trucks on a local level as those trucks transporting other items which now have a tolerance.

After an association with the loading of bulk on farm trucks I can appreciate this problem which exists. I don't think it was the intent to ask for a blank privilege to accommodate long haul trucks. Therefore, I would appreciate your consideration of this angle and the problem of the farmer transporting bulk.

The SPEAKER: The Chair recognizes the gentleman from York, Mr. Erwin.

Mr. ERWIN: Mr. Speaker, I would like to say first with respect to what the gentleman from Madison, Mr. Stoutamyer has said, I think there is a good deal of merit in the fact that some of these bills got by the House of Representatives before any of us woke up and I myself am a little bit ashamed that it occurred. In my own particular case it is not the result of anybody lobbying me because nobody has been near me to lobby me, which is fine as far as I am concerned. We still have this problem and we have pretty much said it all, that within five years, I would say five years — it is easy to prophesy at this particular junction, but we are going to face an emergency with respect to the complete breakdown of our roads that have been built prior to this latest road building spurt after the Second World War. Now, this is the majority of the roads in the State of Maine.

I ask, Mr. Speaker, that when the vote is taken that it be taken by the yeas and nays.

The SPEAKER: The Chair recognizes the gentleman from Sherman, Mr. Storm.

Mr. STORM: Mr. Speaker, Members of the House: I dislike to belabor this situation any more. I think it should be pointed out, however, that when Little Eva is on a steady diet of bulk potatoes, creamed corn or green peas loaded out for the field that it is quite difficult to control her weight exactly, and I think this ten per cent tolerance is not unreasonable and this only applies to trucks that are hauling a short distance. I am not as concerned as some

of the other members about the damage to the highways. I would like to further point out to you that in all these discussions, at least in the Transportation Committee, there has never been anyone from the Highway Department objecting to any of them. To assume that our roads are going to break down faster than they do in some of the neighboring states seems to me would be to assume that our roads were not as well constructed as those in the adjoining states, and I don't think that implication is justified. And I am going to oppose the move to indefinitely postpone.

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

Mr. HEALY: Mr. Speaker and Ladies and Gentlemen of the House: This bill still scares me and I visualize that load of pulp and that loaded truck with bundles of hay bearing down the road at me, then I become intolerant and I should be very happy to go along with our Republican friends, headed by the gentleman from York, Mr. Erwin, in the indefinite postponement of this bill.

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

Mr. HUBER: Mr. Speaker, Members of the House: As a very inexperienced member of the Transportation Committee I must confess that I think we are creating a dilemma, not only for ourselves but for the 103rd Legislature and perhaps future Legislatures in this matter of ten per cent tolerance. I think one of the things that has caused the dilemma here and maybe it's just me, but it seems as though so many similar bills get passed back and forth between either Highway and Transportation, or even including other committees, it has become a little discouraging to watch the overall picture as it comes from one committee to the other, and I stand not to speak in opposition to the truckers or in opposition to the ten per cent tolerance. It may very well be a valuable factor but it seems as though we are getting into a field where if it is going

to be ten per cent tolerance for a good many, as it seems to grow from session to session, perhaps there should be a ten per cent tolerance for truckers all along the line.

Somewhere along the line, some Legislature has got to sit down and find out where the ten per cent tolerance belongs and if the truck weights are valuable and if they are important, they can study the picture and make it an over-all truck picture in the near future.

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

Mr. BOURGOIN: Mr. Speaker, Members of Legislature: This bill was heard and has come out of committee with a favorable report "ought to pass" eight to two. At that time the opposition was nil. This tolerance is very much needed because of the bulk hauling as has previously been mentioned here and there are no scales available to weigh the products going to the produce plants which is in most cases — the furthest is seventy miles. And I do hope the indefinite postponement of this bill does not prevail.

The SPEAKER: The Chair recognizes the gentleman from Mars Hill, Mr. Dickinson.

Mr. DICKINSON: Mr. Speaker, Members of the House: I would reply briefly to the comments of the gentleman from Portland, Mr. Healy. And it would seem obvious that he has never built a load of hay. I don't think that the construction of a load necessarily indicates weight. It would be possible to have that type of load which scares him without a weight that approached the maximum allowed under his license. Thank you.

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from Cumberland, Mr. Richardson, that this Bill and its accompanying papers be indefinitely postponed. The gentleman from York, Mr. Erwin, has requested that when the vote is taken that it be taken by the yeas and nays. In order

for the Chair to entertain the yeas and nays the Chair must have the expressed desire of one-fifth of the members present. All those in favor of the vote being taken by the yeas and nays will kindly rise and remain standing until the monitors have made and returned the count.

A sufficient number did not arise.

The SPEAKER: Obviously less than one-fifth having arisen the yeas and nays are not in order.

The gentleman from Cumberland, Mr. Richardson, has requested a division. All those in favor of this Bill "An Act relating to Weigh: Tolerances of Vehicles Loaded with Farm Produce," House Paper 58, L. D. 70, and its accompanying papers being indefinitely postponed will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Thirty-nine having voted in the affirmative and ninety-two having voted in the negative, the motion did not prevail.

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

An Act Providing for a Council-Manager Form of Government for Town of Millinocket (H. P. 145) (L. D. 168)

An Act relating to Composition and Election of Superintending School Committee of the City of Portland (H. P. 360) (L. D. 463)

An Act to Grant a New Charter for the Town of Yarmouth (H. P. 519) (L. D. 672)

An Act to Create the Bridgton Sewer District (H. P. 531) (L. D. 705)

An Act to Revise the Real Estate Law (H. P. 579) (L. D. 771)

An Act relating to Licensing of Auctioneers (H. P. 603) (L. D. 795)

An Act relating to Acquisition, Exemption and Losses under Urban Renewal Law (H. P. 643) (L. D. 868)

An Act Creating a Department of Indian Affairs (H. P. 777) (L. D. 1031)

An Act Revising Certain Laws Relating to Prevention of Forest Fires (H. P. 778) (L. D. 1174)

An Act Providing for the New England Welfare Compact (H. P. 932) (L. D. 1269)

An Act relating to Testing New-born Infants for Detection of Causes of Mental Retardation (H. P. 995) (L. D. 1345)

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.

The SPEAKER: The Chair recognizes the gentleman from Old Town, Mr. Binnette and inquires for what purpose does he rise?

Mr. BINNETTE: Mr. Speaker, I would ask if it is possible to table item 8 on page 5.

The SPEAKER: Is the gentleman referring to An Act to Revise the Real Estate Law?

Mr. BINNETTE: Yes.

The SPEAKER: The gentleman from Old Town, Mr. Binnette, now moves that we reconsider our action whereby this bill was passed to be enacted. Is this the pleasure of the House? The Chair will remind the members of the House the matter is debatable. The question before the House is on the motion of the gentleman from Old Town, Mr. Binnette, that we reconsider our action whereby this bill was passed to be enacted. All those in favor of reconsidering our action will say aye; all those opposed will say no.

A viva voce vote being doubted by the Chair, a division of the House was had.

Fifty-seven having voted in the affirmative and fifty-nine having voted in the negative, the motion did not prevail.

The SPEAKER: The Chair at this time would like to recognize in the balcony of the House twenty Campfire girls from South Portland, and they are accompanied by their leaders, Mrs. Dean, Mrs. Lavigne, Mrs. Lee-man, Mrs. Syska and Mrs. Burr. They are the guests of the gentleman from South Portland, Mr. Haugen, Mr. Gillan and Mr. Mc-

Kinnon. On behalf of the House the Chair welcomes this group and we hope that your visit will be both educational and enjoyable. (Applause)

At the same time, the Chair would like to recognize in the balcony of the House twenty-six members of the Girl Scout Troop 660 of Canton, accompanied by their leaders Mrs. Doris Brown, Mrs. Dorothy Parsons, Mrs. Phyllis Brown, Mrs. Genesta Brown and Mrs. Pauline Martin and they are the guests of the gentleman from Dixfield, Mr. Eustis. On behalf of the House the Chair welcomes this group and we hope that your visit will be both educational and enjoyable. (Applause)

Order out of Order

On motion of Mr. Jalbert of Lewiston, it was

ORDERED, that Mr. Truman of Biddeford be excused from attendance for the remainder of the week because of business.

Orders of the Day

The SPEAKER: We are proceeding under Orders of the Day and the Chair will request the Page to escort the gentleman from Lewiston, Mr. Cote, to the rostrum for the purpose of acting as Speaker pro tem.

Thereupon, Mr. Cote assumed the Chair as Speaker pro tem and Speaker Childs retired from the Hall.

The Chair laid before the House the first item of Unfinished Business:

DIVIDED REPORT — Majority (6) — "Ought to pass"—Minority (4) — "Ought not to pass"—Committee on Public Utilities on Bill, "An Act to Regulate Sewer Utilities." (H. P. 651) (L. D. 879)

Tabled — April 9, by Mr. Sawyer of Brunswick.

Pending — Motion of Mr. Berry of Cape Elizabeth to accept Majority "Ought to pass" Report. (Specially assigned for Thursday, April 15th)

The SPEAKER pro tem: The Chair recognizes the gentleman from Sanford, Mr. Bernard.

Mr. BERNARD: Mr. Speaker, Members of the House: The people in my area are very much opposed to this bill. This bill is very detrimental to our industrial development program in the Town of Sanford and also all your towns in the State of Maine. When you have a company inquiring in your area if they want to put up a building, if they want sewerage, they do not have to wait for this to go to the Public Utilities to find out if they are going to have the sewerage or if they are not going to have it. We can answer these people, yes, we can give you water, yes we can give you sewerage.

We have spent in our town one and a half million dollars for a sewerage system that I don't think is equal in the State of Maine. Although we have spent this million and a half dollars we have the lowest rate in the State of Maine as far as sewerage is concerned. This same bill has been up before the Legislature before and we have moved to indefinitely postpone this bill because actually, all this bill does is create another position. You will notice on the bill that this bill has an appropriation for twenty-one thousand dollars the first year and twenty thousand the second year.

Again, I say to you, ladies and gentlemen, that this bill is very bad for your industrial development programs and I move that this bill be indefinitely postponed and I ask for a division when the vote is taken.

The SPEAKER pro tem: The question before the House now is on the motion of the gentleman from Sanford, Mr. Bernard, that this bill be indefinitely postponed.

The Chair recognizes the gentleman from Portland, Mr. D'Alfonso.

Mr. D'ALFONSO: Mr. Speaker, Ladies and Gentlemen of the House: I would take strong objection to the fact that the gentleman has just said this is a very detrimental bill and that it's poor legislation. I submit first of all three letters, one from H. M. Payson and Company, the other from Pierce, Atwood, Scribner, Allen

and McKusick and the other from Linneil, Perkins, Thompson, Hinkley and Thaxter. These three letters from three very reputable organizations very favorably desire this type of legislation. I will admit that the Town of Sanford has done a remarkably good job in taking care of their problems after having been chartered to have a sewerage district. This is also true of the City of Augusta. It is also true of a few other sewerage districts.

However, this is not an isolated problem. It is a state-wide problem. In chartering a sewer district, the people who desired to have their sewer district remain free are asking the state that they be allowed to become an autonomous group and this cannot be allowed by the state for a sewer district fails to meet the prescribed prerequisite of a balanced governmental structure in which there is the absence of the necessary checks and balances in terms of the people having grievances, in terms of the people having dissatisfaction with what the trustees of the sewer district may be doing.

The State itself just recently recognized the pollution problems of the state as being a state-wide problem. And having recognized that problem they declared it to be a state-wide problem, and because they have declared it to be a state-wide problem it therefore follows that the State should assume the control and the management of the sewer districts so that the pollution abatement program that the State has undertaken can be readily accomplished to the benefit, satisfaction and welfare of the people within the State. I do not have objection to the fact that there are a few that can do the job well. I do have objection to the fact that everyone in the State can do the job well. There are dozens of unchartered sewer districts that will be chartered in the very near future. These dozens of sewer districts, and there are many others that are presently in existence, we are going to assume that they have

the necessary lay people within their community to undertake the problems of determining the financial structure, the rate structure, the debt retirement and other sundry things that go along with the proper management of sewer districts. And I would say and I would submit that it would be presumptuous of us to say today that all over the state we have the necessary people within these communities who would have the necessary qualifications to undertake this huge pollution abatement program.

So, therefore, I would submit that this is good legislation, that it will serve the true interests of the people of the State and I therefore ask the members of this Legislature to defeat the motion to indefinitely postpone.

The SPEAKER pro tem: The Chair recognizes the gentleman from Sanford, Mr. Bernard.

Mr. BERNARD: Mr. Speaker, Members of the House: He noted three companies, reputable companies that he was reading a minute ago, and looking over these companies I notice that these are law firms, three different law firms here in the State of Maine. Ladies and gentlemen of the House, I know that that this isn't only a local problem, this is a state-wide problem, but on the other hand being a state-wide problem, the municipal association of the State of Maine who have members in every town in the State of Maine are one hundred percent against this bill.

I still think that this is a very bad bill and I hope that you will go along with me to indefinitely postpone this bill.

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

Mr. PIKE: Mr. Speaker, Members of the House: From bitter experience on the Utilities Commission in the state, I do think that this thing must in some way or other be regularized. I can't count the number of sewer districts we have in the state. There are some, of course, that are not districts at all, they are part of the municipal operation that's in

several of our larger communities. But we will have very many more of them. Now, those that are already set up under Private and Special Laws they go from here to there in their provisions with no uniformity.

These larger towns, I think it's fair to say the large communities, let's say ten thousand or fifteen thousand and up are very apt to have in their communities people who are more or less able to handle the problems that meet them and I don't know that they are in dire necessity of this legislation. But on our rivers and streams in the areas where pollution must be abated during the next several years, we have a great many smaller towns who are almost certain not to have people who are used to these problems which are technical in their nature and financial and engineering. I know in the electric and water districts, some of our smaller communities which mine is one, are very happy to go to the Public Utilities Commission, to their engineers and their financial people, to get advice as to how to handle the problems as they come up. Now they don't come up often enough in these smaller communities to warrant hiring people all the time for something that may come up only every five or ten years.

I do think that we have to look forward to the time when under our Water Improvement Program almost all of these communities, large and small, will have to have districts—and almost surely due to our bonding and tax limitation most of them will have to go into districts because sewer treatment runs into a tidy sum if you have ever had to meet it head on in your own community. I do think that we must regularize and I do hope—there may be a minor irritation here and there, there always is when you're going under new legislation having to file reports and tell somebody else what you have been doing, but on the overall I believe it will be good for the state, good for our water improvement, good for our smaller communities, to pass this bill. I do hope that the motion to in-

definitely postpone does not prevail.

The SPEAKER pro tem: The Chair recognizes the gentleman from Madison, Mr. Stoutamyer.

Mr. STOUTAMYER: Mr. Speaker, Ladies and Gentlemen of the House: I read this bill over several times, it's quite lengthy, but what I seemed to get out of it was simply this, that it was another encroachment on home rule and as such I am opposed to it.

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

Mr. BUSSIÈRE: Mr. Speaker, Members of the House: I rise in favor of the motion of the gentleman from Sanford, Mr. Bernard. I am a strong believer in private enterprise and if this bill is passed—according to the report the committee was divided, it was far from being unanimous. And what the bill will do it will only delay. I hope that the motion for indefinite postponement does not prevail.

The SPEAKER pro tem: The Chair recognizes the gentleman from Sanford, Mr. Blouin.

Mr. BLOUIN: Mr. Speaker, Ladies and Gentlemen of the House: I don't always agree with my good colleague, the gentleman from Sanford, Mr. Bernard, but on this bill I do agree with him. If I remember well, two years ago the same bill came in front of this committee and I spoke against it. As far as I am concerned and our people are concerned, I believe most of the people in towns and other communities are against this bill. I do hope that the motion of Mr. Bernard to indefinitely postpone prevails. Thank you.

The SPEAKER pro tem: The Chair recognizes the gentleman from Portland, Mr. D'Alfonso.

Mr. D'ALFONSO: Mr. Speaker, Members of the House: I wish first to answer the gentleman from Sanford, Mr. Bernard, in relation to the three pieces of correspondence that he made reference to. One is correspondence from a firm that is not a lawyers' firm. They are investment bankers, they have had a direct influence in the bonding and financial structure of sewer districts; and in reference to the

other two pieces of correspondence, they are law firms but the people in these law firms have had a direct relationship in terms of bond structure in that they have served as counsel whenever bonds were needed and the financial structure of the sewer district had to be set up.

In answer to home rule, this Legislature has yet to convince me that it is consistent in that the state should be allowing the local governments to enjoy consistent home rule policies and in reference to another remark, that the legislation was defeated previously in a previous Legislature, I am quite sure that this Legislature has seen fit after due course of time to pass legislation after they have thought it over, debated it and considered whether or not it had the true merits of being good legislation. And I submit that as a state-wide problem, as a problem that should be handled by the state, that this is good legislation regardless of whether the fact this did come out of committee six to four "ought to pass." And for that reason, I urge, I beg, I beseech and I entreat the members of this Legislature to definitely kill the motion to indefinitely postpone.

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

Mr. BUSSIÈRE: Mr. Speaker, I just want to correct a little error that I made when I made my motion. I hope that the motion for indefinite postponement does prevail instead of not prevail.

The SPEAKER pro tem: The Chair recognizes the gentleman from Cape Elizabeth, Mr. Berry.

Mr. BERRY: Mr. Speaker and Members of the House: The history of this particular piece of legislation stems from its recommendation by the Legislative Research Committee of the 100th Legislature to the 101st Legislature. This was one of three pieces recommended for passage in our attempt to provide a sound anti-pollution program in the state.

We have passed this morning L. D. 544 which provides for pollution abatement payable by the state and primarily to sewer dis-

tricts in the coming year, starting this year seven hundred thousand dollars, next year a million three hundred thousand dollars and in the following year two million five hundred thousand dollars.

The reason that this legislation was proposed was to provide a workable method of assuring to sewer rate payers a guaranty that they would be receiving for the money they pay a return. In other words, we are faced with very large sewer charges today. They are increasing. I recall several, particularly one comes to mind because of my interest in the matter, but the people for instance in Mars Hill are paying between fifty-five and seventy-five dollars a year for sewer charges. In many communities of the state we are paying more for sewer charges than we are paying for the water we put into the sewers. This means that we should provide protection for the people who are paying these large sums of money and regulation by the Public Utilities Commission is the answer and the tool which is proposed here today.

Regulation means the determination of rates after a public hearing. It means the approval of securities after a public hearing. It means the approval of construction plans by professional people who can review them with experience from other operations in other communities. It is this interchange of experience which the Public Utilities Commission can afford to sewer districts which perhaps is one of the most valuable things afforded by this bill.

This bill has no effect on communities like Portland, or Lewiston, or Auburn or communities where the city itself, the town itself owns and operates the sewer system. In the opinion of knowledgeable people it will have little effect on communities and sewer districts such as Sanford and Augusta. These are acknowledged models of operations of sewer districts. There would be probably little effect on these district operations with the exception that their methods of accounting would be standardized as they are now standardized on other utilities.

There is a standard set of books set up for water districts or electric companies, telephone companies and all other utilities. It is proposed in this document that similar sets of accounts be promulgated for sewer district operations.

Certainly, if we keep in mind that our costs for sewer operations for anti-pollution measures are increasing rapidly each year due to the increased cost of labor and material, that the ultimate payer of these is the resident in the smaller district particularly, it would seem that this is very good legislation and I would urge you to vote against the motion for indefinite postponement.

The SPEAKER pro tem: The Chair recognizes the gentleman from Sanford, Mr. Bernard. Mr. Bernard has spoken twice and requests unanimous consent to address the House for the third time. Is there any objection? The Chair hears none. The gentleman may proceed.

Mr. BERNARD: Mr. Speaker and Members of the House: There is only one little thing I would like to point out. Mr. Berry says this bill would have little effect on the Town of Sanford. Ladies and gentlemen of the House, I submit to you when American Cyanamid came to Sanford to locate a plant in Sanford, which is really going right now — they are building and we hope that they put up some more buildings, they wanted to know one thing. Can we have water? Can we have sewerage? I was a trustee of the Sewerage Department in the Town of Sanford. It wasn't a question of saying to these people, you want to build a plant here? Well, we'll have to check with the utilities and see if we can give you sewerage. We don't know how much time it's going to take, but we'll get an answer some day.

Ladies and gentlemen, I submit to you, that any industrial development program that you're working on in your towns, if you are under this sewerage program the way we are, these people want answers. They don't want to wait for an-

swers. If they're going to relocate and build a factory in your town, they want to know, can you provide sewerage and water for us? If you move for indefinite postponement of this bill you can tell these manufacturers, yes we can provide water and sewerage immediately.

The SPEAKER pro tem: The Chair recognizes the gentleman from Mars Hill, Mr. Dickinson.

Mr. DICKINSON: Mr. Speaker, Members of the House: I am reluctant to speak on this subject at this time, because by now it seems to me that I might qualify for membership in Art Carney's subterranean league. However, I am not unfamiliar with the rates in effect at Mars Hill and the problem associated with the collection of those present rates as the result of legislation passed in this current session. That's another subject and I am not going to take up your time to elaborate on, but I would point out the research and thinking which has gone before the presentation of this explanation by the gentleman from Cape Elizabeth, Mr. Berry, and want to go on record as supporting his comments. Thank you.

The SPEAKER pro tem: The Chair at this time would recognize the gentleman from Southwest Harbor, Mr. Benson.

Mr. BENSON: Mr. Speaker and Ladies and Gentlemen of the House: I would merely like to confirm the remarks of the gentleman from Cape Elizabeth, Mr. Berry, and in doing so I would like to read into the record very briefly the recommendation of the Legislative Research Committee which considered this question in 1962 and I quote:

"The testimony offered at the public hearing held by the committee on March 21, 1962 favored placing all phases of sewer operations in the municipalities of the state under full Public Utilities Commission control for regulation in the same manner as water and electric services. This position is endorsed by the Public Utilities Commission.

"It should be noted that the eleven state regulatory commissions contacted by the committee indicate a growing movement

towards establishing regulations in the sewer operations fields."

I think that this very brief excerpt from the report of the Legislative Research Committee which considered this question at that time might be of value in your consideration of this matter. Thank you.

The SPEAKER pro tem: Is the House ready for the question? The question before the House is on the motion of the gentleman from Sanford, Mr. Bernard, that this bill be indefinitely postponed and he has requested a division. All those in favor of indefinitely postponing Bill "An Act to Regulate Sewer Utilities," House Paper 651, L. D. 879, and all of its accompanying papers will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Twenty-two having voted in the affirmative and one hundred one having voted in the negative, the motion did not prevail.

Thereupon the Majority "Ought to pass" Report was accepted, the Bill read twice and assigned for third reading the next legislative day.

The Chair laid before the House the second item of Unfinished Business:

Resolve, Providing Increase in Retirement Allowance for Fred G. Smith of Ellsworth. (H. P. 1060) (L. D. 1435)

Tabled—April 9, by Mr. Anderson of Ellsworth.

Pending — Passage to be Engrossed. (Specially assigned for Thursday, April 15th)

The SPEAKER pro tem: The Chair recognizes the gentleman from Millinocket, Mr. Crommett.

Mr. CROMMETT: Mr. Speaker, Members of the House: For the same reason that I offered previously, I do not think that we can vote intelligently on this measure until two other legislative documents come before this House, namely legislative document 315 and L. D. 675. I would ask for this to be tabled.

Thereupon, on motion of Mr. Anderson of Ellsworth, the Resolve was tabled pending passage to

be engrossed and specially assigned for Thursday, April 29.

The Chair laid before the House the third item of Unfinished Business:

Bill, "An Act relating to Penalties for State House Parking violations." (H. P. 1005) (L. D. 1338)

Tabled—April 13, by Mr. Payson of Falmouth.

Pending — Passage to be Engrossed. (Specially assigned for Thursday, April 15th)

The SPEAKER pro tem: The Chair recognizes the gentleman from Falmouth, Mr. Payson.

Mr. PAYSON: Mr. Speaker and Members of the House: I move adoption of House Amendment "A" to H. P. 1005, L. D. 1338, and request permission to speak briefly.

House Amendment "A" was read by the Clerk as follows:

HOUSE AMENDMENT "A" to H. P. 1005, L. D. 1338, Bill, "An Act Relating to Penalties for State House Parking Violations."

Amend said Bill by inserting after the enacting clause, the following:

"Sec. 1. R. S., T. 5, Sec. 1772 amended. Section 1772 of Title 5 of the Revised Statutes is amended by adding at the end, a new paragraph, as follows:

'Notwithstanding this subchapter or rules and regulations promulgated under this section, the Clerk of the House may issue an 8-hour parking permit to those persons who are invited to attend a session of either the Senate or House of Representatives, or both, in joint convention.'"

Further amend said Bill by inserting at the beginning of the first line the underlined abbreviation and figure 'Sec. 2.'

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I think probably by reading this amendment and the document itself that we are not faced with too much of a problem of having invited people around the State House that don't find parking places, but this would only

complicate things for the law enforcement agencies and also the Clerk of the House and everybody that wishes to have half a dozen school children attend the sessions over here and provide parking places. I think that the parking areas around the State Capitol are sufficient without this document or its amendment. Therefore, I now move the indefinite postponement of the amendment and all its accompanying papers.

The SPEAKER pro tem: The gentleman from Madawaska, Mr. Levesque, now moves the indefinite postponement of House Amendment "A" and all its accompanying papers. The Chair would state that we now have only the amendment before us at this time.

Mr. LEVESQUE: Then I move the indefinite postponement of the amendment.

The SPEAKER pro tem: The gentleman from Madawaska, Mr. Levesque, moves indefinite postponement of the amendment.

The Chair recognizes the gentleman from Falmouth, Mr. Payson.

Mr. PAYSON: Mr. Speaker and Members of the House: I appreciate the remarks of the gentleman from Madawaska, Mr. Levesque. This is purely a permissive amendment. It costs no money. It only costs a temporary parking space. It is a courtesy which the Clerk may offer to a person from a distance who is invited to the State House as in the case of men of the cloth who are asked here to pray for our good behavior, and who may have difficulty parking near the State House. If by any chance the Clerk is tempted to issue too many parking permits, I am sure the Legislators will find ways to defend their rights to parking space.

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

Mr. LUND: Mr. Speaker, Mr. Payson, the gentleman from Falmouth, discussed with me the amendment which he has offered, since I was the sponsor of this bill, and the problem which he pointed out was one of which he was aware, namely, that when somebody is invited to be here at the House, as in the case of clergy-

men who are asked to attend, particularly if they arrive at certain times, they may find it very difficult to find a parking place, and it seemed a very logical thing for the Clerk of the House at the time of communicating with the clergymen to send a small tag which was good for eight hours that particular day so that the clergyman could put this under his windshield wiper so that the gentleman would not have a parking violation ticket on his car when he came out from having helped us with the prayers in the morning. It seemed like a worthwhile idea, one which would not cause any serious problems of enforcement, and I personally think it would be a worthwhile idea.

The SPEAKER pro tem: The question before the House is the indefinite postponement of House Amendment "A". Is the House ready for the question? All those in favor of indefinite postponement of House Amendment "A" will please say aye; those opposed, no.

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

Thereupon, House Amendment "A" was adopted.

The SPEAKER pro tem: The Chair understands now that the gentleman from Madawaska, Mr. Levesque, moves the indefinite postponement of Bill "An Act relating to Penalties for State House Parking Violations."

Mr. Levesque of Madawaska requested a division.

The SPEAKER pro tem: A division has been requested. The Chair recognizes the gentleman from Augusta, Mr. Lund.

Mr. LUND: Mr. Speaker, Ladies and Gentlemen of the House: This bill originated with the Judge of the District Court covering the District which serves Augusta. The problem which he pointed out was that the present law covering parking violations around the State House was written when we had an Augusta Municipal Court, and these cases were heard in the Augusta Municipal Court and the fines which resulted from parking violations went to the County, or I believe to the City of Augusta at that time. In any event, when the

district court bill was drafted and passed, this was one of the oversights, and the fines from the State House parking violations continued to go it was either to the county or to the city—I can't recall which. They did not go to the district court fund where all other fines in the district court now go, and it seemed logical to change the law so that these fines would go where all other fines now go in the district court, being the district court fund.

When I appeared before the Legal Affairs Committee some questions were raised concerning the size of the fines, and I pointed out that under the old law, the law provided for a fine and costs that were separate. Under the district court law at the present time fines and costs are lumped together, so it seemed appropriate to change the total amount from what it was under the old law. When I did appear before the Legal Affairs Committee I suggested that if they were unhappy with the amount of the fines as set forth in the bill, I would be very happy to have them suggest some other amounts of fines. I am not aware of what is the basic objection to this bill from the gentleman from Madawaska, Mr. Levesque, but I do want to point out that there is a problem of having the fines which at the present time do not go to the district court fund, and they ought to go to that fund.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: I have heard nothing during the term of this session of the Legislature or any previous term of the Legislature that invited guests of the State Capitol here to perform services before the House of Representatives or the other body at the other end of the corridor that were faced with any parking problems. Parking problems to the extent that we would have to up the fees for illegal parking from one dollar to five dollars, and for the second offense from two dollars to seven dollars, and I don't think that this would

be a very good bill to be able to administer and especially having the Clerk of the House issue parking permits around the State Capitol. I think that the law enforcement agencies around the State Capitol and the City of Augusta have been doing a magnificent job, and I see no need where this should be in our books to further clutter the parking problems if there was ever any in existence for members that were invited to participate in the House or the Senate.

The SPEAKER pro tem: The Chair recognizes the gentleman from Falmouth, Mr. Payson.

Mr. PAYSON: Mr. Speaker, the amendment that I have offered is not that important. I move that we reconsider our action on the amendment. I don't want it to interfere with the passage of the bill.

The SPEAKER pro tem: The Chair would inquire if the gentleman from Madawaska, Mr. Levesque, would withdraw his motion. The pending question is the indefinite postponement of this bill.

The Chair recognizes the gentleman from Bangor, Mrs. Ruby.

Mrs. RUBY: Mr. Speaker and Ladies and Gentlemen of the House: I am sorry that I have to disagree with the gentleman from Madawaska, Mr. Levesque this morning. I happened to have one of the clergy as my guest at this House earlier in the session. I spent at least an hour trying to get a courtesy ticket of some kind so that the man could find some place to park. The average clergyman has many duties to perform before he arrives at this State House in the morning, and many of them are not able, particularly if they travel a great distance, to get here at an early hour.

Now I find myself if I can get here between 8:00 and 8:30 in the morning I can find a place to park, but if I get here at 9:00 or 9:30 I have to either go way, way down to the end of the parking lot or drive around three or four times and hope that I will find one eventually. I think if we are going to invite the clergy to be in

the House, we should at least provide a parking place for them, and when I went to the office of Public Improvement or wherever it was I went, I asked if I could have a ticket, he said no mam, you may not; and I said well, what am I supposed to do with this man when he comes? He said well he will just have to park wherever he can and get a ticket. This isn't being very, very nice to our clergy I don't think, and I am sorry I can't go along with Mr. Levesque.

The SPEAKER pro tem: The Chair recognizes the gentleman from Westbrook, Mr. Boissonneau.

Mr. BOISSONNEAU: Mr. Speaker, I move this be tabled until the next legislative day.

The SPEAKER pro tem: The question before the House now is the motion of the gentleman from Westbrook, Mr. Boissonneau, that this bill be tabled until the next legislative day. Is this the pleasure of the House? All those in favor say aye; those opposed, no.

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

The SPEAKER pro tem: The Chair recognizes the gentleman from Mars Hill, Mr. Dickinson.

Mr. DICKINSON: Mr. Speaker, I hadn't intended to have anything to say on this item, but the comments of the gentleman from Madawaska, Mr. Levesque, prompted me to rise. After having received a ticket for a parking violation with a sticker on my windshield, following pointing out to the law enforcement officer that I had a different automobile with that sticker on the windshield, so I can recognize that a problem does exist and it would seem to me that this courtesy should be extended to members of the clergy.

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

Mr. JALBERT: Mr. Speaker, I would like to ask a question from anyone who may answer if he chooses. Who does the inviting, the House, the Senate or the Clerk?

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

Mr. LEVESQUE: Mr. Speaker, if I may answer the gentleman from Lewiston's inquiry, there is no specific rule laid out as to who is going to do the inviting. It can be done by a member of the House or the Senate and then the Clerk has to issue a permit.

I feel this certainly is not the proper way of proceeding for permits or courtesy permits for members that are going to be parking around the State Capitol. I have received parking tickets for illegal parking while I have been here in Augusta and parking in a legislative position, but I just left my car there too long. I had to pay the ticket just like anybody else, so I don't feel that it is necessary, and I think probably it behooves me to say this to the gentlewoman from Bangor, Mrs. Ruby, but I think the gentlewoman's action was very good and certainly if she would have taken the necessary steps previous to the morning arriving here at 9:00 o'clock, all the matter would have been settled without any confusion whatsoever.

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

Mr. JALBERT: Mr. Speaker, I am thoroughly confused right now. The amendment grants a privilege by the permit, yet the bill itself it raises the first offense from one to five dollars and second offense two to seven dollars and a subsequent offence from five to ten dollars, so that one does one thing and the other does the other, and there is no provision here. Supposing you haven't got the ten bucks, what happens then? I would like to ask the gentleman from Augusta, Mr. Lund, where do you go from there?

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

Mr. MILLS: Mr. Speaker, I am in the position of Mr. Jalbert, the gentleman from Lewiston, I am slightly confused here also. It is my understanding that any fines that were assessed in the district court revert back to the general fund in Augusta known as the

Judges' fund. Now if this is so, and we are going to increase the fines out here and the penalties in our parking area to support the Judges' fund, which is what they draw their salaries from, we just voted them an increase of \$3,000 apiece in the district courts, it seems to me we are going a little too far here. Under those conditions we are automatically as members of the Legislature going to start paying off the judges salaries that convict us and make us pay them. I think it ought to go along as an indefinite postponement.

The SPEAKER pro tem: The Chair recognizes the gentleman from Sanford, Mr. Blouin.

Mr. BLOUIN: Mr. Speaker, I wonder if I am too late to move for a division. Did this bill get through yet? I'm a little bit confused, Mr. Speaker, did we take a vote on this on the yes and no's or what?

The SPEAKER pro tem: No, just on the amendment.

Mr. BLOUIN: Oh, just the amendment, I'm sorry.

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

Mr. LUND: Mr. Speaker, Ladies and Gentlemen of the House: I hesitate to speak on this any more because it has already had more discussion than it really is worth, but there is some confusion which apparently has arisen and I will try and dispel it if I can.

Under the present law as it is now written, the parking fines do not go to the district court fund. The basic purpose of this bill was to provide that they would go to the district court funds where all the other fines go. I think if you read the bill, you will find that the items quoted for the fines were not the minimum fines, I believe they are the maximum fines. The reason for changing them was that under the old procedure there was a fine and costs. And under the new procedure of the district court, the fine includes the costs, and this was the reason for the small change in the amount, and they are maximums I believe and not minimums.

In response to the question of the gentleman from Lewiston, Mr. Jalbert, I believe if somebody doesn't have the money to pay the fine, the usual procedure is to ask for a continuance, and if the court finally concludes that the person does not have the fine, there is a schedule arranged whereby the fine can be worked off in days in the county jail.

The SPEAKER pro tem: The Chair recognizes the gentlewoman from Bangor, Mrs. Ruby.

Mrs. RUBY: Mr. Speaker, in answer to Mr. Levesque, I would like to say that I prepared myself a week in advance, and when I sent the letter to Father, I said be prepared to get a parking ticket. Now I would suggest that the Clerk when he sends an invitation to the clergy, that they inform them that they must be prepared to pay a parking ticket.

The SPEAKER pro tem: The Chair recognizes the gentleman from Phillips, Mr. Palmer.

Mr. PALMER: Mr. Speaker, if the question is merely a parking space for the clergy, I would move for indefinite postponement of this bill and I will present an order with the help of the Clerk to this effect tomorrow.

The SPEAKER pro tem: The question before the House now is the motion of the gentleman from Madawaska, Mr. Levesque, that Bill "An Act relating to Penalties for State House Parking Violations", L. D. 1338 be indefinitely postponed with its accompanying papers. A division has been requested. All those in favor of indefinite postponement of this bill will please rise and remain standing until the monitors have made and returned their count.

A division of the House was had.

Eighty-seven having voted in the affirmative and forty having voted in the negative, the motion did prevail.

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

Mr. JALBERT: Mr. Speaker, I move we reconsider our action whereby we voted to indefinitely postpone this bill, and when you vote, vote against my motion.

The SPEAKER pro tem: The gentleman from Lewiston, Mr. Jalbert, moves that the House reconsider its action whereby this bill was indefinitely postponed.

The Chair recognizes the gentleman from Brewer, Mr. Libhart.

Mr. LIBHART: Mr. Speaker and Members of the House: I am now convinced that this legislative process is not a process of intelligent application to the bills that are before us.

Now this bill has been explained by the sponsor twice, and I thought fairly well explained, but obviously his explanation is not understood. There have been suggestions here that this bill raises the fines. It raises the maximum fines. If we are unfortunate enough to get a ticket, all we have to do is to arrive within the specified period of time and pay the fifty cent charge in lieu of the fine, and that's all there is to it. The only time these fines are assessed is when we ignore the summons to pay the fifty cents in lieu of it.

Now the attempt in the Legal Affairs Committee was to make this bill jibe with the ordinary ordinances in the various towns and cities which regulate parking, that's all we tried to do, and we tried to straighten out the situation which is confusing to the people who are administering the district courts as to where this money is kept. It has to be kept in a separate fund and it appears in the county receipts in a particular place and it creates a lot of confusion for the little amount of money that is involved.

Now there isn't any question that this bill which we have now spent by the clock twenty-one minutes on, is a good bill, and it just went down the drain, and I hope some of you people will listen to what I have said and when we reconsider, let's reconsider and pass it.

The SPEAKER pro tem: The question before the House is that we reconsider our action whereby this Bill "An Act relating to Penalties for State House Parking Violations" was indefinitely postponed. All those in favor of reconsideration of this bill will

please say aye; all those opposed, no.

A viva voce vote being doubted by the Chair, a division of the House was had.

Fifty-six having voted in the affirmative and seventy-two having voted in the negative, the motion did not prevail.

Sent up for concurrence.

At this point, Speaker Childs returned to the rostrum.

SPEAKER CHILDS: The Chair would like to thank the gentleman from Lewiston, Mr. Cote, for acting as Speaker pro tem, and without checking the records, the Chair would not hesitate to say that without question the gentleman has probably broken some sort of a record for acting as Speaker pro tem in different legislative sessions, five different sessions he has acted as a Speaker pro tem.

The Chair thanks the gentleman for the excellent job that he did.

Thereupon, the Sergeant-at-Arms escorted the gentleman from Lewiston, Mr. Cote, to his seat on the Floor, amid the applause of the House, and Speaker Childs resumed the Chair.

The Chair laid before the House the fourth item of Unfinished Business:

Bill, "An Act Classifying Certain Waters of East Branch of Sebasticook River." (H. P. 842) (L. D. 1143) (H. "A" H-210)

Tabled—April 14, by Mr. Sahagian of Belgrade.

Pending—Adoption of House Amendment "A". (Specially assigned for Thursday, April 15th)

The **SPEAKER:** The Chair recognizes the gentleman from Dixfield, Mr. Eustis.

Mr. EUSTIS: Mr. Speaker, I withdraw my House Amendment "A" at this time.

The **SPEAKER:** The gentleman from Dixfield, Mr. Eustis, now withdraws his motion for the adoption of House Amendment "A".

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

Mr. LEVESQUE: Mr. Speaker, I now ask that this lay on the table until May 6.

The **SPEAKER:** The question before the House now is on the motion of the gentleman from Madawaska, Mr. Levesque, that this matter lie upon the table assigned for Thursday, May 6.

Mr. Bradstreet of Newport requested a division.

The **SPEAKER:** A division has been requested. All those in favor of this matter lying upon the table assigned for May 6 will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had.

Seventy-two having voted in the affirmative and forty-eight having voted in the negative, the tabling motion did prevail.

The Chair laid before the House the fifth item of Unfinished Business:

DIVIDED REPORT — Majority (6)—"Ought to pass" —Minority (2)—"Ought not to pass" — Committee on Education on Bill, "An Act relating to Conveyance of Secondary School Pupils" (H. P. 465) (L. D. 619)

Tabled—April 14, by Mr. Evans of Freedom.

Pending—Motion of Mr. Richardson of Stonington to accept Minority "Ought not to pass" Report. (Specially assigned for Thursday, April 15th)

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

Mr. EVANS: Mr. Speaker, Ladies and Gentlemen of the House: L. D. 619 is an act to give the privilege to 10,000 school children or secondary school pupils that is now enjoyed by about 20,000 other pupils of the secondary class.

I feel that we are discriminating against about 10,000 of our secondary school pupils by not giving them the same privilege that 20,000 others have, that is, to be transported to school by the town. They have to get there the best way they can. Some of them have cars. Well, when you provide cars you have a tendency to get poorer marks in school because you spend too much time on your car. Then there is also the question of how much it will cost. Well, I believe

that they are paying just as much now to transport these secondary pupils, only a few individuals are paying it, instead of being shared by all the citizens of the town, and I would like to ask the House to vote not to accept the Report of the Minority of the Committee, because this came out of the Education Committee with a six to two ought to pass.

The SPEAKER: The Chair recognizes the gentleman from Durham, Mr. Hunter.

Mr. HUNTER: Mr. Speaker, Ladies and Gentlemen of the House: This bill would ruin my Town of Durham. Our people go to seven different high schools, there is Auburn, Lisbon Falls, Brunswick, Freeport, North Yarmouth Academy, Greeley Institute, Pennell Institute and New Gloucester, and I talked with our Superintendent of Schools and he is in favor of the bill but he says, I don't know how you'd ever work it out in Durham, it would cost \$15,000 at least and then I don't think it could ever be worked out. The people tried to get together once and send them to one school some place, but the different towns around us have different kinds of cultures and it is different going from one section to get to another, and it would spoil a person's whole concept of the agrarian society that the most of us were brought up in.

The SPEAKER: The Chair recognizes the gentlewoman from Lebanon, Mrs. Hanson.

Mrs. HANSON: Mr. Speaker and Ladies and Gentlemen of the House: My convictions are still strong for the "ought not to pass" report. Many small towns simply cannot afford to add more expenses to their budget. My town is in the same situation as that of the gentleman who just spoke. We send our children to several towns. This is a necessity because the surrounding towns will only accept a certain number; therefore we have to split our high school students and send them to different towns. I have no quarrel with the report that it is difficult for some parents to

personally finance this transportation. However, if the town is scraping the bottom of the barrel on taxes, how can the town find more money? You can't get blood out of a stone and you can't take tax money out of the taxpayers' pockets if it isn't there. Therefore, I urge the passage of the "ought not to pass" report.

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

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: As it has already been stated here this morning that the committee report was a favorable report and the hardship caused on some of the small towns could be readily arranged so that they wouldn't have to have a school bus to transport six children. This could be arranged locally in a period of a year and a half to transport all the pupils of the State of Maine. By so doing, a part of this cost would be absorbed by the State of Maine as an increased cost of school administration. So it was the feeling of the Committee and still is, the majority report, that this added cost could be carried over for over a period of a year and a half and not necessarily create too much of a burden. And I believe, that the Department of Education has pointed out, this could be done with the school committees with not too much hinderance on any of the municipal administrations. And certainly, we would all like to see the school pupils now being afforded the expenses of conveyance to the schools in order to try to help eliminate some of the drop-outs that partly in some areas drop outs are burdened because of lack of transportation facilities to and from high school.

They all transport the elementary schools, but this was also to take care of our high schools and Lord knows all these youngsters need to go through high school in this day and age. I thank you.

The SPEAKER: The Chair recognizes the gentleman from Limerick, Mr. Carroll.

Mr. CARROLL: Mr. Speaker, Members of the House: I am

sorry my good friend from Durham, Mr. Hunter, has a problem in regard to the education of his secondary pupils, but we have many parents throughout the land in the State of Maine who have more than one child in high school, who are scraping the bottom of the barrel to even buy them the necessary clothes and food to send their children to high school. Now they are called upon to provide their own transportation for their children. We had an instance pointed out to us in which one father was paying fifteen dollars a week to have his children transported to high school.

Now, gentlemen, what are we trying to do? Aren't we trying to lift up our children's education? Aren't we trying to give all the children in the State of Maine a high school education? We have just enacted or passed upon a law that says they will go to school until they are seventeen years old and then you turn right around here today and you want to say get there on your own, but be there. Now let's try to see that these children get a high school education. Let's encourage them to go on to college. And these problems these towns have I am sure they can be worked out. We started transporting in the Town of Limerick since 1930 our secondary scholars to high school.

So I urge you here today to try to give these children who are being denied transportation to the high school, transportation. You say that we are taking the privilege away from the local communities, that this should be their privilege. When I see a child hitchhiking on the highway, thumbing a ride home from high school, it makes me wonder how many days a week is he thumbing? Five? Is he thumbing to school in the morning? Is he thumbing home at night? How long is he going to get away with it before he gets clipped? Before he is a gravestone in a cemetery? Now, this is serious.

These children are on the road and I think that we should pass

this. It had a good fair hearing and I am sorry if it creates a problem for some of my good friends, but I think this problem can be solved. Therefore, I urge you to join with me today in passing this bill.

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

Mr. RICHARDSON: Mr. Speaker, I don't take issue with the transportation of youngsters to the secondary schools, even though I did sign the minority "ought not to pass" report. I do feel that this could be done certainly by the Department of Education, with education of the local school committees. I think that any community that has a school committee which does not believe in this idea, every year they have an opportunity of re-electing one of them, and if a community as a whole believes in transportation of secondary pupils there is absolutely no reason why this can't be included in the school budget.

Furthermore, in answer to my worthy colleague from Limerick, Mr. Carroll, in traveling a hundred and ten miles between here and Stonington I frequently pass youngsters in towns which do transport their pupils, thumbing their way to school. I think perhaps some of them object to the length of time they have to be on a school bus and perhaps some of them want to stay after school longer than the time allotted by the school bus schedule. Therefore, I think that we are taking away from the local community one of their prerogatives and I hope that you will accept the "ought not to pass" report.

The SPEAKER: The Chair recognizes the gentleman from China, Mr. Farrington.

Mr. FARRINGTON: Mr. Speaker, Ladies and Gentlemen of the House: No great difference to my good friend, Representative Evans from Freedom; in principle I heartily concur with him. However, as a practical matter, three of the four towns which I represent would be under a very difficult

situation were this bill to pass. We send our secondary school pupils to some eight different schools. I can't see how it would be possible to furnish transportation to all eight schools. I notice by the amendment it states any specific school as chosen by the school board. However, this seems to me more like a contract. And what about those pupils that wish to go elsewhere? I certainly do believe that this is a local issue. I also believe at the present time, and especially I'll point out that three of these towns are now paying seventy-three per cent of their total commitment for the support of education. Until such time as we can supplement the support of education by some other means, we shouldn't be forcing this issue of secondary school transportation. I certainly hope that the motion does prevail.

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

Mr. EVANS: Mr. Speaker, Members of the House: The question is, the towns claim they cannot afford it. Who is paying for transporting of the scholars right now? Aren't they voters of these towns? They are paying it out of their own pocket. Will it hurt the town any more to share the expense over all the town which they are supposed to do for education?

And the question has come up what about distances. In this bill it states that the superintending school committee shall render or decide on the distance for this conveyance, and I might state at this time that there is an amendment out to make this one one high school only. And I myself feel that this bill should go through, and anybody that wants to vote against it should stop and think: what about the ones that will drop out for lack of transportation. Do you want to be the cause of that? So when this vote is taken I would like to ask for a division on this.

The SPEAKER: The Chair recognizes the gentleman from Turner, Mr. Gilbert.

Mr. GILBERT: Mr. Speaker, my good friend Mr. Evans back here, just changed my mind for me. He

said that it made it necessary to provide transportation to only one school. I think that the bill was a lot better before the amendment was put on.

Previous speakers have said that their youngsters went to several different schools. Now it is also necessary in all probability that these youngsters continue to go to several different schools because probably there is no one school that can accommodate them all.

Now as a member of the school committee in my home town for twelve years, I am well aware of the problems that it faces, although there was no problem in my town as all of my youngsters went to one school within my town. However, our tuition students come from towns which went in two and in some cases three different directions, and it was necessary and it still is necessary for them to continue to go in those different directions. So if we are going to transport children to just one school, then the problem is, which school do we go to. I think that the amendment is very bad. I don't know who put it on, I haven't followed it, but it was a lot better bill before the amendment was put on. In the present law, it is permissive for a school committee to transport secondary pupils now, it is not mandatory.

During the time that I was on the school committee in my town, we transported all the secondary pupils who requested it. However, I am of the firm opinion that the present school committee in that town doesn't do so, but be that as it may, the one objection that I have to this bill right now is the amendment which says that they shall transport to one school. If whoever put that on would withdraw it, I would be very happy to vote for the bill.

The SPEAKER: The Chair understands the amendment has not been adopted. The Chair recognizes the gentleman from Madawaska, Mr. Levesque.

Mr. LEVESQUE: Mr. Speaker and Ladies and Gentlemen of the House: The amendment reads

which has not been adopted as yet, but if it is adopted, it says: a part or the whole of the distance to and from an approved school or schools, as determined by the superintendent of schools committees for the number of weeks for which there is school.

The SPEAKER: Is the House ready for the question? The question before the House is on the motion of the gentleman from Stonington, Mr. Richardson, that we accept the Minority Report "Ought not to pass" on Bill "An Act relating to Conveyance of Secondary School Pupils," H. P. 465, L. D. 619, and a division has been requested. All those in favor of

accepting the Minority "Ought not to pass" Report will kindly rise and remain standing until the monitors have made and returned the count.

A division of the House was had. Forty-two having voted in the affirmative and seventy-five having voted in the negative, the motion did not prevail.

Thereupon, the Majority "Ought to pass" Report was accepted, the Bill read twice and assigned for third reading tomorrow.

On motion of Mr. Jalbert of Lewiston,

Adjourned until nine - thirty o'clock tomorrow morning.