

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred and Fifth

Legislature

OF THE

STATE OF MAINE

1971

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Wednesday, March 24, 1971

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

Prayer by the Rev. Fr. Antonio Amato of Lewiston.

The journal of yesterday was read and approved.

Mr. J a l b e r t of Lewiston was granted unanimous consent to address the House.

Mr. JALBERT: Mr. Speaker and Members of the House: It was my intention later on today to present an order that would allow us to indicate to Washington that we ratified their action of yesterday in the House, of the Congress, on the 18-year old vote.

There is an error — not through my own fault, and not through the Clerk's office certainly, that was made in the preparation of this order which was done under the title of memorializing instead of ratification by order, which is in error. So that I intend to correct this situation and present this order tomorrow.

Papers from the Senate

Bills and Resolves from the Senate requiring reference were disposed of in concurrence, with the following exceptions:

Tabled and Assigned

Bill "An Act relating to the Sale and Use of Lead Paint" (S. P. 460) (L. D. 1378)

Came from the Senate referred to the Committee on Health and Institutional Services.

In the House:

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

Mr. PORTER: Mr. Speaker, I move that L. D. 1378 be referred to the Committee on Legal Affairs in non-concurrence.

The SPEAKER: The gentleman from Lincoln, Mr. Porter moves that L. D. 1378 be referred to the Committee on Legal Affairs in non-concurrence.

The Chair recognizes the gentleman from Portland, Mr. Whitson.

Mr. WHITSON: Mr. Speaker and Members of the House: I oppose the assignment of this bill to the

Joint Committee on Legal Affairs. This bill pertains to a matter which is in the realm and jurisdiction of the Committee on Health and Institutional Services. I believe that it is best handled in this committee by itself.

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

Mr. PORTER: Mr. Speaker and Members of the House: I have no strong feelings on this matter except when I look the document over there are some penalties in the thing — 10 days to 30 days, \$10 to \$100, and that is why I suggested that it go to Legal Affairs.

Whereupon, on motion of Mr. Martin of Eagle Lake, tabled pending the motion of Mr. Porter of Lincoln to refer to the Committee on Legal Affairs in non-concurrence and tomorrow assigned.

Bill "An Act relating to Payments by Town of York to York Harbor Village Corporation" (S. P. 461) (L. D. 1379)

Came from the Senate referred to the Committee on Legal Affairs.

In the House:

On motion of Mr. Hewes of Cape Elizabeth, referred to the Committee on State Government in non-concurrence and sent up for concurrence.

**Reports of Committees
Ought Not to Pass**

Report of the Committee on Fisheries and Wildlife reporting "Ought not to pass" on Bill "An Act relating to Hunting with Muzzle-loading Rifles" (S. P. 94) (L. D. 258)

Report of the Committee on Legal Affairs reporting same on Bill "An Act Prohibiting Water Skiing Between Sunset and 9 a.m." (S. P. 236) (L. D. 698)

In accordance with Joint Rule 17-A, were placed in the legislative files.

**Referred to Committee on
Appropriations and Financial
Affairs**

Report of the Committee on Education on Bill "An Act Providing Funds for Operation of Kennebec Valley Vocational-Technical Institute" (S. P. 250) (L. D. 757) re-

porting that it be referred to the Committee on Appropriations and Financial Affairs.

Came from the Senate with the Report read and accepted and the Bill referred to the Committee on Appropriations and Financial Affairs.

In the House, the Report was read and accepted in concurrence and the Bill referred to the Committee on Appropriations and Financial Affairs in concurrence.

Ought to Pass

Report of the Committee on Veterans and Retirement reporting "Ought to pass" on Bill "An Act Exempting Kents Hill School from the Maine State Retirement System" (S. P. 244) (L. D. 705)

Came from the Senate with the Report read and accepted and the Bill passed to be engrossed.

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

Divided Report

Majority Report of the Committee on Judiciary reporting "Ought not to pass" on Bill "An Act Providing for Western Hancock District Court to be Held at Bucksport" (S. P. 97) (L. D. 261)

Report was signed by the following members:

Mr. HARDING of Aroostook
— of the Senate.

Messrs. LUND of Augusta
HEWES

of Cape Elizabeth
CARRIER of Westbrook
PAGE of Fryeburg
HENLEY of Norway
KELLEY of Caribou

Mrs. WHEELER of Portland

Mr. ORESTIS of Lewiston

Mrs. WHITE of Guilford
— of the House.

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

Report was signed by the following members:

Messrs. TANOUS of Penobscot
QUINN of Penobscot

— of the Senate.

Mrs. BAKER of Orrington
— of the House.

Came from the Senate with the Reports and Bill indefinitely postponed.

In the House: Reports were read.

On motion of Mr. Hewes of Cape Elizabeth, the Majority "Ought not to pass" Report was accepted.

Divided Report

Majority Report of the Committee on Legal Affairs reporting "Ought not to pass" on Bill "An Act relating to Construction Contracts" (S. P. 118) (L. D. 297)

Report was signed by the following members:

Messrs. QUINN of Penobscot

KELLAM of Cumberland

CLIFFORD

of Androscoggin

— of the Senate.

Messrs. SILVERMAN of Calais

CURTIS of Bowdoinham

COTE of Lewiston

BRAWN of Oakland

FECTEAU of Biddeford

NORRIS of Brewer

GAUTHIER of Sanford

SMITH of Dover-Foxcroft

— of the House.

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

Report was signed by the following members:

Messrs. CROSBY of Kennebunk

EMERY of Rockland

— of the House.

Came from the Senate with the Majority Report accepted.

In the House: Reports were read. The SPEAKER: The Chair recognizes the gentleman from Brewer, Mr. Norris.

Mr. NORRIS: Mr. Speaker, I move that the House accept the Majority "Ought not to pass" Report in concurrence.

Whereupon, Mr. Emery of Rockland moved that the Reports and Bill be tabled and specially assigned for Friday, March 26 pending the motion of Mr. Norris of Brewer to accept the Majority "Ought not to pass" Report in concurrence.

Mr. Norris of Brewer then requested a division on the tabling motion.

The SPEAKER: A division has been requested on the tabling

motion. If you are in favor of this matter being tabled you will vote yes; if you are opposed you will vote no.

A vote of the House was taken.

40 having voted in the affirmative and 83 having voted in the negative, the motion did not prevail.

The SPEAKER: The pending question is on the motion of the gentleman from Brewer, Mr. Norris, that the Majority "Ought not to pass" Report be accepted in concurrence. The Chair will order a vote. All in favor of accepting the Majority Report will vote yes; those opposed will vote no.

A vote of the House was taken.

116 have voted in the affirmative and 17 having voted in the negative, the motion did prevail.

Non-Concurrent Matter

Majority Report of the Committee on State Government reporting "Ought not to pass" on Bill "An Act relating to Legislative Counsel or Agents" (S. P. 13) (L. D. 41) and Minority Report reporting "Ought to pass" which Reports and Bill were indefinitely postponed in non-concurrence in the House on March 12.

Came from the Senate recommended to the Committee on State Government in non-concurrence.

In the House: On motion of Mr. Susi of Pittsfield, the House voted to recede and concur.

Non-Concurrent Matter

Bill "An Act relating to Length of Certain Motor Vehicles" (H. P. 213) (L. D. 280) on which the House insisted on March 10 on its former action whereby the Bill was passed to be engrossed as amended by Committee Amendment "A" on February 24.

Came from the Senate with that body voting to insist on its former action whereby the Bill was indefinitely postponed in non-concurrence, and asking for a Committee of Conference with the following Conferees appointed on its part:

Messrs. BERRY of Cumberland
ANDERSON of Hancock
DANTON of York

In the House:

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

Mr. HEWES: Mr. Speaker, I would move the indefinite postponement of this bill and would speak to my motion.

The SPEAKER: The Chair would advise the gentleman that there are only four motions that are pending, and they are to recede, concur, insist and adhere.

Whereupon, on motion of the same gentleman, the House voted to further insist and join in the Committee of Conference.

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

Messrs. WOOD of Brooks

LEE of Albion

STILLINGS of Berwick

Non-Concurrent Matter

Bill "An Act Increasing Salaries of District Court Judges" (H. P. 489) (L. D. 630) which was passed to be engrossed as amended by Committee Amendment "A" in the House on March 18.

Came from the Senate with Committee Amendment "A" indefinitely postponed and the Bill passed to be engrossed without Amendment in non-concurrence.

In the House: On motion of Mr. Bragdon of Perham, the House voted to recede and concur.

Petitions, Bills and Resolves Requiring Reference

The following Bill, approved by a majority of the Committee on Reference of Bills for appearance on House Calendar, was received and referred to the following Committee:

Education

Bill "An Act Increasing the Debt Limit of the Town of Wiscasset School District" (H. P. 1221) (Presented by Mr. Kelley of Southport)

(Ordered Printed)

Sent up for concurrence.

State Government

The following Joint Resolution approved by a majority of the Committee on Reference of Bills for introduction in accordance with Joint Rule 11:

Joint Resolution Memorializing the Honorable William P. Rogers, Secretary of State, to Negotiate by Treaty the Eastern Seaward Boundary Between Canada and the United States and the Responsibilities of Each Government with Respect to Oil Spills in the Bay of Fundy. (H. P. 1222) (Presented by Mr. Donaghy of Lubec) (Ordered Printed)

Sent up for concurrence.

Orders

The SPEAKER: Is there objection to the rules being suspended temporarily to acknowledge that this is the traditional Androscoggin Day? The Chair hears no objection and the rules are suspended, and the Chair would request that the gentleman from Mechanic Falls, Mr. Manchester escort the distinguished gentleman from Livermore Falls, Mr. Edmund C. Darey, to the rostrum to visit with me here today.

Mr. Darey is a former member of this body and is now Chairman of the Executive Council and of course a member of Androscoggin County. Mr. Manchester will escort this distinguished gentleman to sit with him on the rostrum during the ceremonies of Androscoggin Day.

Thereupon Mr. Darey was escorted to the rostrum by Mr. Manchester of Mechanic Falls, amid the applause of the House, the Members rising.

The SPEAKER: It is a distinct honor to have you here with me on the rostrum.

Mr. DAREY: Thank you, sir.

The SPEAKER: The Chair would request the Assistant Sergeant-at-Arms to escort the gentlewoman from Lewiston, Mrs. Berube to the rostrum to serve as Speaker pro tem during a part of the ceremony.

Thereupon, Mrs. Berube was escorted to the rostrum by the Assistant Sergeant-at-Arms, amid the applause of the House, and assumed the Chair.

On motion of Mr. Pontbriand of Auburn, it was

ORDERED, that Vivian Beaulieu of Lewiston be appointed to serve as Honorary Page for today.

On motion of Mr. Rocheleau of Auburn, it was

ORDERED, that Jean Duguay of Livermore Falls be appointed to serve as Honorary Page for today.

On motion of Mr. Emery of Auburn, it was

ORDERED, that Carla Lake of Auburn be appointed to serve as Honorary Page for today.

On motion of Mr. Cooney of Webster, it was

ORDERED, that Linda Morris of Turner be appointed to serve as Honorary Page for today.

On motion of Mr. Lessard of Lisbon, it was

ORDERED, that Tonia Lawrence of Lisbon be appointed to serve as Honorary Page for today.

On motion of Mr. Call of Lewiston, it was

ORDERED, that Donna Sinclair of Lewiston be appointed to serve as Honorary Page for today.

The following Members were granted unanimous consent to address the House relative to Androscoggin County Day:

Mr. TANGUAY of Lewiston: Madam Speaker and Members of the House: My brief remarks will focus your attention on the 11th Androscoggin Day at the Maine Legislature. A short description of many products manufactured in a progressive county will be given to you by some of my colleagues.

Androscoggin County comprises the cities of Lewiston, Auburn, recipients of the Model Cities, and All American Cities awards, respectively, and thirteen industrial and farming towns. Its population numbers approximately 100,000 residents.

Androscoggin County boasts of several points. The skilled fingers of this great shoe and textile area is unexcelled.

Our school system, both public and parochial, is recognized by a

good percentage of our students, who follow through and further their education. Our post high school education is one to be envied. Among them is the internationally-known Bates College, the Central Maine Vocational School, Bliss College, Auburn School of Commerce, and finally the Maine School of Underwater Diving.

Mr. COTE of Lewiston: Madam Speaker, Ladies and Gentlemen of the House: In serving my tenth term in this House, once again it is my pleasant duty as a Representative from the most congenial City of Lewiston, the city with a smile, and the great County of Androscoggin, the county with a heart, to direct your attention to the display of products manufactured in the City of Lewiston.

Bates Manufacturing Company, employing many hundreds of people, continues to be one of the City's largest employers. Its products and particularly its bedspreads are known and valued throughout the fifty states and abroad. Bates is continually developing new lines of diversified products and new opportunities for its employees.

American Philip Elmet Corporation, from Philip Elmet an old Lewiston corporation, employs more than 125 craftsmen. The nation's manufacturers receive the finest in quality molybdenum and tungsten products as well as plated wire.

Geiger Bros. always continues to make history through its witty and accurate Almanac, having predicted for this winter record breaking snowfalls and having hit it right on the head. It's amazing! Of course the Almanac is not its only product, as you shall see in its exhibit.

Paine Incense Company, a unique organization in Androscoggin County, sends the fragrance for which our State of Maine is famous, in packaging balsam for pillows and incense throughout the United States.

Hillcrest Foods Company is a fully integrated poultry producing processing industry where Maine's chicken is being made available to consumers in a more desirable and convenient form, a form that has

been acclaimed to be far superior to standards required by the United States Department of Agriculture. Today you will see an assortment of Hillcrest products that is convincing evidence of the dynamic and far reaching talents of the people of the Androscoggin County firm.

There are many, many other products exhibited here from Lewiston, such as Twin City Printery, Diamond Machine Company and others too numerous to be mentioned at this time, all manufacturing very very fine products.

In closing, in behalf of the manufacturers of the City of Lewiston, we, the Representatives of Lewiston invite each and every one of you to view the wonderful exhibit of their products located in the rotunda. And may I add that I and my colleagues from Lewiston and Androscoggin County are proud to have shared in the observance of the 11th Androscoggin County Day. Lewiston is proud of its contribution to the economy of Androscoggin County and of our great State of Maine. Thank you.

Mr. DRIGOTAS of Auburn: Madam Speaker and Ladies and Gentlemen of the House: It is with pleasure that I rise to salute the City of Auburn for its participation in the now famous and colorful Androscoggin County Day. Auburn's busy county offices serve the many needs of its inhabitants. It is a thriving industrial city as well as the city of many beautiful homes. The City of Auburn proudly wears the mantle of All American City—one of the eleven cities so chosen throughout the United States by the National Municipal League and Look Magazine.

Auburn is continuing to grow under the leadership of such fine and able men as Mayor Clyde Goudey, City Manager Bernard J. Murphy, Jr. and Assistant City Manager John Spita.

While no new industries have located in Auburn in the past two years, many of our present plants have expanded their facilities, product lines, and number of employees.

Bon An has recently occupied a new stitching room in Lewiston

which employs about one hundred people. A new product in their line is a high fashion waterproof vinyl boot. The number of people employed in the area by Bon An has increased from 430 to 700 people in the last two years.

Pioneer Plastics is in the process of expanding their present facilities from 400,000 square feet to 500,000 square feet. Pioneer Plastics now employs 532 people, but will expand by an additional 100 people when the extended facility starts production. Pioneer Plastics had a record sales year in 1970.

Falcon Rule Co. has recently installed additional equipment which will increase the volume of their production. Many new nationwide accounts have been added as customers, including three big chain stores. The volume of business has increased by 30 per cent in the past two years while the facility has increased from 30,000 square feet to 40,000 square feet in the same period. Falcon Rule employs 25 people.

Advance Heel Co. has incorporated a new process in their manufacturing of heels. They now mold their own polyethylene bases instead of having the work done outside of the existing facilities. A significant accomplishment has been the ability of Advance Heel to maintain the same level of employment over the past two years, when other shoe oriented industries have been forced to cut back because of the adverse economic conditions in the industry. The employee level of Advance Heel has been maintained at about 100 people.

Globe Albany Felt Corp. is celebrating its second anniversary in Auburn this week. The concern branched out from its original location in North Monmouth when it needed to expand its existing facilities. The North Monmouth facility processes woven textiles while the Auburn branch, which is four times as large, processes all the non-woven textile products. Albany Felt has 32 plants throughout the United States and foreign countries. The Auburn branch employs 20 people.

West Breeze Orchards has more than doubled its cider producing capabilities to where it now trucks a large percentage of its cider out-of-state. The cider mill is now in a separate building. There is also a new storage room and a retail sales room for apples and cider.

General Electric has emphasized the application of the latest tool technology and metal stamping. Continued advancements in this endeavor is imperative for the future success of General Electric in Auburn. Toward this end General Electric has initiated a tool and die apprentice training program. The first class will be graduated this fall.

And so, it is with community pride that I am privileged to commend Auburn for its participation in Androscoggin County Day. Thank you.

Mr. LYNCH of Livermore Falls: Madam Speaker, Ladies and Gentlemen of the House: It affords me a great deal of pleasure to speak for the towns of Androscoggin County. The County itself is one of the smallest in size of all the counties in the state. It is one of the youngest and yet it ranks sixth in population. There is a great deal of room available throughout the County in the rural areas and no need at the present time for zero population growth. If you would like isolation, there are plenty of ideal spots where you can build out of sight and sound of your neighbors.

Our people represent a broad cross section of native sons with roots extending back a few hundred years to the first settlers of what was later to become the State of Maine, to the more recent arrivals attracted to the state by what is missing in other states and other countries.

While not a fast growing area, Androscoggin County did grow by more than the average of all counties in the state from 1960 to 1970.

Outside of the Lewiston-Auburn area, the County has many small towns ranging in population from 1,500 to 7,000. Some of these rural areas have been very attractive from their earliest beginnings, while others are typical mill towns,

but all are busy trying to improve their image in various community betterment programs.

Although experiencing the business slowdown, as the nation is as a whole, the County does provide many opportunities for earning a livelihood in industry, business and agriculture. The rural areas are filled with farming operations—from the one family operated to the rather large complex operations extending beyond the borders of the state and even outside of the United States. Directed by intelligent, hard-working people, agriculture produces approximately \$15 million a year at the farms and this product generates seven times its value in trade after it leaves the farms. Typical of the larger complex in the egg producing industry—and I speak with pride of the Turner and Livermore areas especially by such names as Turner, De Costa, Hillcrest and Maine Egg Farms. I urge you to look at the display in the rotunda and some of the statistics may surprise you.

Apple production is also an important source of revenue. In this industry familiar names are Berry, Leavitt, Prince, Ricker, Wallingford, Boothby and Smith and some of these farms have been family-operated for generations. When you see the apple display you will realize why Maine apples go far and wide from this state.

The dairy industry is a very important one in the County where milk is the number one drink. While there are many small family milk producing farms, the larger producers are identified by such names as Varney, Caldwell, Morris, Keene, Tebbetts, Hatch, Torey and Buckley. Men who are always alert to the technology needed for the improvement in quality and quantity for the benefit of the people of Maine.

There is little industrial activity in the northern end of the county, but a large percentage of the population is very gainfully employed in the large International paper producing complex just over the county line.

In the Mechanic Falls area, the Marcal Paper Mills, Incorporated, a former International Paper Com-

pany plant, produces paper for other converters. You have a sample on your desk, and I am sure you would like to see their display in the rotunda. I think you would be pleased to know that 80 per cent of the pulp used in their product is reclaimed waste paper, and that is certainly of interest to all the people of the State of Maine at the present time.

At the present time the Livermore Falls area is trying to take advantage of publicity, which I am sure you must have seen on nationwide TV coverage by the full service bank advertising on the pro football games of last fall and the special National Geographic programs of the past winter. Hopefully, it will attract the type of industry that will benefit the area and the State.

The Maine Research Corporation of Lisbon provides the type of desirable employment needed in this State—the production of electronic components. In the same general area are the U. S. Gypsum, Bradco Furniture Manufacturing, Lisbon and Juliette Mills, and Workshop Printing.

However, the finest products of the County are its people—those who live and work here and those who migrate to other areas of the country where their ambition, intelligence and industry are held in high regard.

Ladies and gentlemen, the agricultural display this year in the rotunda is sponsored by the Androscoggin County Farm Bureau and it represents a wide variety of farmers and farm related business. There is an apple display put on by our orchards, set up by the Leavitt and Prince orchards.

We have a dairy bar—I am sure you have already tried it, it is for your enjoyment, and a dairy display put on by the Maine Dairy Council. The egg display is from the Oakdale Poultry of Auburn.

Our friends in Aroostook County may smile, but potatoes which are not recognized as a predominant crop in the County, and yet we supply one peck for every man, woman and child in the State of Maine. A large quantity, but certainly not enough to upset our friends in Aroostook. This display

is presented by the Bell Farms of Lewiston and Auburn and Owen Davis of Auburn.

We hope that you will find the display interesting and informative and we especially call your attention to the way farmers conserve land and water and that they are in the forefront of recycling waste. Thank you.

Mr. JALBERT of Lewiston: Madam Speaker, Ladies and Gentlemen of the House: As Chairman of the Androscoggin County delegation, I would like to thank you very kindly for your attention. Naturally we beam with pride this morning in putting what we feel is our best foot forward concerning our County of Androscoggin.

The program at one p.m. today will be under the rotunda, as your printed program indicates. I think you will find it somewhat interesting, and I hope that you will grace us with your presence.

This evening, of course, we have a final event which is the concert and dance with the famous Elders providing the music. As we all know, there will be a very very empty gap in the makeup of this fine instrumental group by the absence of our very beloved and dearly departed friend, the Honorable Richard Dubord. But to add a smile to the occasion, Mrs. Dubord spoke to me today and said that she will be here and present with us. For those of you who have not heard the Elders, believe me you are in for a very fine treat. These people, if they should choose to, not being the profession of their choice, they could do very very well nationally at any time, and I think you will attest to that testimony as of tomorrow morning, after you have listened to them.

If I may address myself now to the membership, Madam Speaker, because believe me, one thing that makes me really beam with pride today is you, Georgette.

Madam Speaker, Georgette Berube, is the first woman legislator that we have in the history of our City of Lewiston. I was very proud to support her in her quest for this office. I talk with her very often in a bad place of business; she listens very well, she sits very

well, she is very attentive and very patient. And believe me, for any of you who feel that she is a soft touch, she doesn't necessarily get up and go every time I say so, and that makes me ever so much prouder of her.

And I think, I am addressing myself now to the membership, that you join me in my comments filled with pride concerning Madam Speaker on this fine day for us, Androscoggin Day. (Applause)

At this point Representative Berube left the rostrum and Speaker Kennedy resumed the Chair. (Applause)

The SPEAKER: The Chair thanks the gentlewoman from Lewiston, Mrs. Berube, for taking over during this traditional recognition of Androscoggin Day. And one legislator had the temerity to send me a note to the effect that she may not know all the lines, but she sure is better looking.

I think the Androscoggin delegation can be justifiably proud of their industries, both agriculture and heavy equipment and so forth, and I know that you members have been patient through the years in celebrating this Androscoggin Day; and the presiding officers of both branches, of course, have always cooperated to this effect.

Mr. Curtis of Orono presented the following Joint Resolution and moved its adoption:

WHEREAS, the 92nd Congress of the United States of America at its first Session, in both Houses, by a Constitutional majority of two-thirds thereof, adopted the following proposition to amend the Constitution of the United States of America in the following words, to wit:

JOINT RESOLUTION

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), that the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as a part of the Constitution when ratified by the Legislatures of three-fourths of the

several States within seven years from the date of its submission by the Congress:

ARTICLE

"Section 1. The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.

"Section 2. The Congress shall have the power to enforce this article by appropriate legislation," now, therefore, be it

RESOLVED: By the Members of the House of Representatives and the Senate of the 105th Legislature, that such proposed amendment to the Constitution of the United States of America be and the same is hereby ratified, and be it further

RESOLVED: That certified copies of this Resolution be forwarded by the Secretary of State to the Administrator of General Services, Washington, D. C., and the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States. (H. P. 1224)

The SPEAKER: The Chair recognizes the gentleman from Orono, Mr. Curtis.

Mr. CURTIS: Mr. Speaker and Ladies and Gentlemen of the House: The Joint Resolution before us this morning is on a topic that has been debated at length when we previously passed an amendment to the State Constitution for Maine. I wish only to note that this is an historic movement, as we have the opportunity to ratify what will, I trust, become the 26th amendment to the Constitution of the United States. The speed with which the Maine Legislature has acted this session on the 18-year old vote is proof, I think, of the responsiveness of our governmental institutions to the problems of the youth of our country.

Mr. Speaker, I move adoption of the Joint Resolution.

The SPEAKER: The gentleman from Orono, Mr. Curtis, moves the adoption of the Joint Resolution.

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

Mr. BIRT: Mr. Speaker, Ladies and Gentlemen of the House: Over the several sessions that I have served in this body, I have seen three proposals for amending the Constitution. And I have been disturbed, at least on one of them, that it was done by a simple resolution of the House and Senate. Now I personally have awfully strong feelings on the Constitution as being one of the two most sacred documents that we operate under in this country, and to amend it, which has been done only twenty-five times I believe in the history of the country — and ten of these were in the original Bill of Rights, to amend it by a simple resolution, indicating this is the thinking of the people of Maine, has always been a little bit questionable in my judgment.

At least one of these occasions, the proposal was referred to the Committee on State Government for a hearing. The second time it was not. It is my personal belief that this proposal should be referred to the Committee on State Government, be given a proper hearing, and then reported back to the legislature for action.

Now this is in no way indicative of the thought that I might oppose this. I will support it. I will go before the Committee on State Government if this is done and speak on it. But it does not seem right to me that an amendment to the Constitution of the United States can be done by a simple resolution passed in both bodies. And I would move that this be referred to the Committee on State Government and given a hearing.

The SPEAKER: The gentleman from East Millinocket, Mr. Birt, now moves that this be referred to the Committee on State Government.

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

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: Some of you, if you have read the United States Constitution, will find two basic ways of how an amendment to the Constitution can be made. It can be done first of all on the basis of petition of two-thirds of the state legislatures, or it can be done on the

basis of a two-thirds request of both houses of Congress, that it can be ratified in one of two ways. It can be ratified by three-fourths of the states in their legislature or by three-fourths of the states in a convention called for the purpose of ratifying that constitutional amendment.

Basically what we have before us is step number one of ratification. That is, the ratification by three-fourths of the states is necessary in order to ratify the Constitutional Amendment which could become the 26th Amendment to the Constitution.

Under the procedures that have been used in the past for the previous 25 Constitutional Amendments, it has always been the case that a simple majority of a legislature is the amount of people necessary to ratify a Constitutional Amendment. There has never been any question whatsoever as to whether or not a three-fourths was ever needed, or whether or not this had to be referred to a committee.

I, two weeks ago, was of course interested in having the State of Maine possibly becoming the first state to ratify the Constitutional Amendment. Yesterday afternoon I made an attempt to find out the procedure that had to be followed, and after finding that I found to my amazement that three states had ratified it by yesterday afternoon at five o'clock — the State of Minnesota, the State of Connecticut and the State of Rhode Island.

The State of Minnesota pulled a cute one, in my opinion, because they simply recessed and then waited for Congress to act, and then they acted so that they could become the first state. I, of course, was concerned that we could not become the first state, but that is beside the point this morning.

I do not think that there is any necessity for this item to be referred to the State Government Committee for a hearing. I would oppose the gentleman from East Millinocket, Mr. Birt, on that motion, and I would hope that the House would vote against sending it to committee.

The SPEAKER: The Chair recognizes the gentleman from Orono, Mr. Curtis.

Mr. CURTIS: Mr. Speaker and Members of the House: I also oppose the motion of the gentleman from East Millinocket, Mr. Birt, and request a division.

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

Mr. STARBIRD: Mr. Speaker and Members of the House: It will seem quite a paradox to those who know me and have known my firm backing of 18-year old voting, over the last three sessions, and this one being the fourth, to hear me stand up here today and back the gentleman from East Millinocket in his thinking, but I think he is right. I have seen one Constitutional Amendment ratified in my first term. It was done in this method. It was done under the gavel. However, I don't think that this is the proper way to do it. I think the Constitution, I think the founding fathers left it to the states to use any method that they wanted to in providing for public hearings or providing for the mode of ratification, provided it was within the guidelines that they had set down.

I think we should go back a few years and realize that this amendment or one similar to it, has been sitting in committee in Congress with no action taken for years. Up to the point of a couple of years ago, all of a sudden Congress decided that they would provide for the 18-year old vote through a simple statute. By so doing, Congress put us in an untenable position, and every other state. So immediately the statute went to the Supreme Court to decide on its constitutionality. The Supreme Court did a rather amazing thing, amazing to both parties, apparently half the statute was constitutional and half wasn't. So now what happens? The Constitutional Amendment for the 18-year old vote, something that apparently could have been rammed right through just as fast as they want to, ten or fifteen years ago, and they sat on it, is now pushed right through, lickety-cut.

What would be the logical thing to do in a case like this if I were a congressman? I would say: Let's slow down boys. Let's repeal our own statute. Let's have our public hearings on this Constitutional Amendment and then let's send it

out to the states and see if it can be ratified. Let's do it in an orderly manner. Let's not do it with unseemly haste. I think we should follow the same course here.

I am still in favor of the 18-year old vote; I always have been. But if this thing is rammed through in this manner, I shall certainly vote against this resolution. I think it should go to a committee; I think it should have a public hearing. I think everyone should air their views on it, not necessarily on 18-year old vote as such, but on this amendment in particular and the way, the manner in which the thing has been presented to us. I firmly back the gentleman from East Millinocket.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: This morning I seem to find myself in sympathy with the remarks of the gentleman from Kingman Township, Mr. Starbird. It seems to me there are conflicting elements in this whole picture. We have a Maine Constitution that provides for the voting age, which has not yet been repealed. I don't say that we can't go ahead and approve the Federal Constitution just like that, and it's okay; but apparently we lost a chance to be first and I wonder if we are going to gain anything by making haste.

It seems to me we would be well advised to proceed cautiously, and apparently our own Constitution somewhere along the line would appear to have to be amended, which has not been done. I think that we should give this matter somewhat serious consideration.

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

Mr. BIRT: Mr. Speaker and Ladies and Gentlemen of the House: I do not recall the last two—and there may be people on the floor who do, the subject matter of the last two amendments to the Constitution, and I know one of them is on the disability of the President; but these are the two amendments, the 24th and 25th, which have come before this body

during the time I have served in the Legislature.

One of these was referred to a committee for a public hearing and then was reported back to the House with the report of the committee and received favorable action in Maine. It was one of the states that ratified this. The other one did not. I have always felt that this was a mistake, and I would certainly hope that you would go along with the referral of this to the State Government Committee.

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

Mr. VINCENT: Mr. Speaker and Ladies and Gentlemen of the House: I reluctantly rise to speak on this bill and did not speak on the original bill when it came before the House. But I would remind the members that the House has already voted overwhelmingly in support of an 18-year old vote and which we are sending out to be ratified by the voters.

The State Government Committee has more bills than any other committee in the legislature this session. They already have a large enough work load so that they don't need to spend an entire afternoon hearing a bill that has already been heard before the committee.

For this reason I would hope that we could move the bill along by resolution and not send it back to committee. Thank you.

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

Mr. COONEY: Mr. Speaker and Members of the House: I would just like to comment that I would agree with the gentleman from Kingman Township that this bill has been sitting in committee for years and I don't think we need to leave it sitting there any longer. Let's pass it and make it law.

The SPEAKER: A vote has been requested. The question is on the motion of the gentleman from East Millinocket, Mr. Birt, that this Joint Resolution be referred to the Committee on State Government. If you are in favor of the motion you will vote yes; if you are opposed you will vote no.

A vote of the House was taken.

64 having voted in the affirmative and 71 having voted in the negative, the motion did not prevail.

Whereupon, Mr. Starbird of Kingman Township requested a roll call.

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

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

Mr. Marstaller of Freeport then moved that the Resolution lie on the table for one legislative day.

Whereupon, Mr. Norris of Brewer requested a division.

The SPEAKER: A division has been requested on the tabling motion. All in favor of this matter being tabled until tomorrow will vote yes; those opposed will vote no.

A vote of the House was taken.

32 having voted in the affirmative and 106 having voted in the negative, the motion to table did not prevail.

The SPEAKER: The pending question is on the motion of the gentleman from East Millinocket, Mr. Birt, that this Joint Resolution be referred to the Committee on State Government. All in favor of this motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Ault, Bailey, Baker, Bartlett, Bernier, Berry, G. W.; Berry, P. P.; Binnette, Birt, Bourgoin, Bragdon, Bunker, Call, Carey, Carter, Churchill, Clark, Crosby, Curran, Curtis, A. P.; Dudley, Emery, E. M.; Evans, Finemore, Fraser, Gill, Hall, Hardy, Hawkens, Hayes, Henley, Immonen, Jutras, Kelleher, Kelley, K. F.; Kelley, R. P.; Keyte, Kilroy, Lee, Lewin, Lewis, Lincoln, Maddox, Marstaller, Mosher, Page, Parks, Payson, Porter, Pratt, Rand, Shaw, Simpson, L. E.; Simpson, T. R.; Starbird, Tanguay, Trask, Williams, Wood, M. W.; Woodbury.

NAY — Albert, Barnes, Bedard, Berube, Bither, Boudreau, Brawn, Brown, Bustin, Carrier, Clemente, Collins, Conley, Cooney, Cote, Cottrell, Cummings, Curtis, T. S., Jr.; Cyr, Dam, Donaghy, Dow, Doyle, Drigotas, Dyar, Emery, D. F.; Farrington, Faucher, Fecteau, Gagnon, Gauthier, Genest, Good, Goodwin, Hancock, Haskell, Herrick, Hewes, Hodgdon, Kelley, P. S.; Lawry, Lebel, Lessard, Littlefield, Lucas, Lund, Lynch, Mahany, Manchester, Marsh, Martin, McCloskey, McCormick, McNally, McTeague, Millett, Mills, Morrell, Murray, Norris, O'Brien, Orestis, Pontbriand, Rocheleau, Rollins, Ross, Santoro, Scott, Sheltra, Shute, Silverman, Slane, Smith, D. M.; Smith, E. H.; Stillings, Susi, Tyndale, Vincent, Webber, Wheeler, White, Whitson, Wood, M. E.

ABSENT — Hanson, Jalbert, Lizotte, MacLeod, McKinnon, Theriault, Wight.

Yes, 60; No, 83; Absent, 7.

The SPEAKER: Sixty having voted in the affirmative and eighty-three in the negative, with seven being absent, the motion does not prevail.

Thereupon, the Joint Resolution was adopted and sent up for concurrence.

Mr. Conley of South Portland presented the following Order and moved its passage:

WHEREAS, the Red Riots of South Portland High School Class A basketball championship for the year 1971; now therefore be it

ORDERED, that as representative and on behalf of the people of the State of Maine, the House of Representatives of the One Hundred and Fifth Maine Legislature now assembled hereby commend and congratulate the South Portland High School basketball team and its coach, Gene Hunter, for their exceptional record of achievement in sports competition; and be it further

ORDERED, that copies of this Order duly attested by the Speaker of the House of Representatives be transmitted forthwith by the Clerk of the House to the principal and coach of South Portland High

School as a tangible token of the sentiments expressed herein and a lasting symbol of the respect and admiration of the people of Maine.

The Order received passage.

On motion of Mr. Starbird of Kingman Township, it was

ORDERED, that Rev. Perley Kelley of Lincoln be invited to officiate as Chaplain of the House on Wednesday, March 31, 1971.

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

Mrs. LINCOLN: Mr. Speaker, I would ask if House Paper 318, L. D. 418, is in the possession of the House.

The SPEAKER: The answer is in the affirmative. Bill "An Act relating to Retirement Benefits for Forest Rangers under State Retirement System" is in the possession of the House.

On motion of the same gentlewoman, the House reconsidered its action of yesterday whereby the Bill was passed to be engrossed as amended by Committee Amendment "A".

On further motion of the same gentlewoman, under suspension of the rules, the House reconsidered its action of March 19 whereby Committee Amendment "A" was adopted.

Mrs. Lincoln of Bethel then offered House Amendment "A" to Committee Amendment "A" and moved its adoption.

House Amendment "A" to Committee Amendment "A" (H-71) was read by the Clerk and adopted. Committee Amendment "A" as amended by House Amendment "A" thereto was adopted.

The Bill was passed to be engrossed as amended by Committee Amendment "A" as amended by House Amendment "A" thereto in non-concurrence and sent up for concurrence.

On request of Mr. Martin of Eagle Lake, by unanimous consent, Joint Resolution (H. P. 1224) was ordered sent forthwith to the Senate.

House Reports of Committees Ought Not to Pass

Covered By Other Legislation

Mr. Simpson from the Committee on Education on Bill "An Act Repealing Size Requirement for Secondary Schools" (H. P. 332) (L. D. 441) reported "Ought not to pass," as covered by other legislation.

In accordance with Joint Rule 17-A, was placed in the legislative files and sent to the Senate.

Ought to Pass in New Draft New Drafts Printed

Mr. Bragdon from the Committee on Appropriations and Financial Affairs on Bill "An Act Making Additional Appropriations for the Expenditures of State Government and for Other Purposes for the Fiscal Year Ending June 30, 1971" (H. P. 179) (L. D. 237) reported same in a new draft (H. P. 1217) (L. D. 1408) under same title and that it "Ought to pass"

Mr. Lucas from the Committee on Education on Bill "An Act relating to Financial Assistance to Institutional Teachers in Obtaining Professional Credits" (H. P. 183) (L. D. 241) reported same in a new draft (H. P. 1218) (L. D. 1409) under same title and that it "Ought to pass"

Mr. Millett from same Committee on Bill "An Act relating to Eligibility for Public and Compulsory Education" (H. P. 259) (L. D. 341) reported same in a new draft (H. P. 1219) (L. D. 1410) under title of "An Act relating to Age for Compulsory Education" and that it "Ought to pass"

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

Ought to Pass with Committee Amendment

Mr. Scott from the Committee on Business Legislation on Bill "An Act relating to Rebates for Prospective Purchasers and Consumer's Obligation under Home Solicitation Sales Act" (H. P. 380) (L. D. 495) reported "Ought to pass" as amended by Committee Amendment "A" (H-63) submitted therewith.

Mr. Trask from same Committee on Bill "An Act relating to

Number of Board of Directors of Maine Fidelity Life Insurance Company" (H. P. 549) (L. D. 725) reported "Ought to pass" as amended by Committee Amendment "A" (H-64) submitted therewith.

Mr. Lynch from the Committee on Education on Bill "An Act relating to Subsidy Payments on Expenditures Made for the Education of Handicapped Children" (H. P. 704) (L. D. 947) reported "Ought to pass" as amended by Committee Amendment "A" (H-65) submitted therewith.

Mr. Cote from the Committee on Legal Affairs on Resolve to Reimburse the Town of Hermon for Support Rendered an Unsettled State Welfare Case" (H. P. 655) (L. D. 886) reported "Ought to pass" as amended by Committee Amendment "A" (H-66) submitted therewith.

Mr. Fecteau from same Committee on Bill "An Act Amending and Restating the Act to Incorporate York Institute" (H. P. 340) (L. D. 458) reported "Ought to pass" as amended by Committee Amendment "A" (H-67) submitted therewith.

Mr. Lizotte from the Committee on Liquor Control on Bill "An Act Permitting Class A Taverns to Sell Food" (H. P. 748) (L. D. 1009) reported "Ought to pass" as amended by Committee Amendment "A" (H-68) submitted therewith.

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

Divided Report

Majority Report of the Committee on Education on Bill "An Act Providing for Scholarships for North American Indians Residing in Maine" (H. P. 260) (L. D. 342) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was signed by the following members:

Messrs. MILLETT of Dixmont
HASKELL of Houlton

WOODBURY of Gray
LYNCH of Livermore Falls
BITHER of Houlton
MURRAY of Bangor
TYNDALE

of Kennebunkport
LUCAS of Portland
LAWRY of Fairfield

— of the House.

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

Report was signed by the following members:

Messrs. CHICK of Kennebec
KATZ of Kennebec
MINKOWSKY

of Androscoggin

— of the Senate.

Mr. SIMPSON of Standish

— of the House.

Reports were read.

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

Mr. MILLETT: Mr. Speaker, I move the acceptance of the Majority Report, and would speak briefly to my motion.

The SPEAKER: The gentleman from Dixmont, Mr. Millett, moves that the House accept the Majority "Ought to pass" Report

The gentleman may proceed.

Mr. MILLETT: Mr. Speaker and Ladies and Gentlemen of the House: In order to clear up what I am sure must be confusing in some of your minds, the supplemental calendar is to take care of an inadvertent error in item 11 on your regular printed calendar.

You probably have noticed this morning that you have had four amendments relative to this one bill. In the printed calendar the Majority Report is listed as supporting the "Ought to pass" motion supported by the Committee Amendment "A", and vice versa Committee Amendment "B" for the Minority Report. Inadvertently the letters "A" and "B" were mixed up on the amendments. New amendments have subsequently been printed under filing numbers H-74 and H-75; thus the need for the new calendar, the supple-

ment, and the correction in the two reports.

Without my debating this any further, I am sure there might be questions in some of your minds on just what the two amendments do. One of our members, the gentleman from Houlton, Mr. Bither, has done considerable work on the problem of Indian needs in the field of education, and might be able, I am sure, to clear up any comparison between the two amendments.

Without my further debating it, I would leave the motion to accept the Majority Report, unless further debate ensues.

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

Mr. BITHER: Mr. Speaker and Members of the House: Amendment "A" as we have got it, the new amendment, the corrected amendment as we have got it, amends this Bill 342 which is a bill for scholarships for North American Indians residing in Maine, and I would like to call your attention to several things in here.

First of all, this provides for scholarships only in properly accredited institutions. Now keep that in mind. Only in properly accredited institutions. And then down further in the bill, in the application, the original bill calls for \$3,000 a year, up to \$3,000 a year for the purpose of paying his or her tuition, books, room, board, and other costs.

Now we have changed that—this majority of the committee has changed that so that it now reads—and I am not going to read it—but it amounts to this. A grant may be obtained of \$800 for secondary students. Everyone I talked to in the Bureau of Indian Affairs, and in the State Department of Education, feels that there is a need occasionally for a scholarship for an Indian student; he needs to get out of his home, his environment; he needs to get away. And I am talking about secondary students. And so we put in there a grant not to exceed \$800 a year for the purposes of paying his board, room, books, and so forth.

Now no tuition, because the State Department of Education pays his tuition no matter where he goes. Tuition is paid. So that is why that is \$800. It is also felt to be the best of our knowledge, and the best of our estimation, that there wouldn't be ever more than five or six students ever that would take advantage of this. This is how we arrived at the final figure which I am going to speak about here in a moment.

Then in post-secondary we have recommended, and we state, \$1,500 a year. Now instead of \$3,000 a year we have stated that he may obtain, or may ask for and may be granted \$1,500 a year for tuition, books, board, room, and other costs in post-secondary schools.

Now it is the feeling of the Department of Education, it is the feeling of the majority of the committee, that you might have quite a few students taking advantage of this. But many of these students we hope are going into vocational schools. They may be taking this course for only a few months. This does not necessarily cover all Indians in Maine in the liberal arts colleges, because that is probably where many of them should not be. This \$1,500 a year would cover very adequately these people in this type of a post-secondary school that we have in mind.

Now further, the bill also provided, and this has been felt by everyone that I have talked to as very necessary, that any institution that enrolled one or more grant students should receive a sum of money not to exceed \$1,000 to aid that student in his program—guidance, shall we say, and testing, and things like that. Now we have struck that out completely. I don't mean to say we have struck out the grant. The grant is there, but it was felt by the majority of the committee that if we left it with no sum at all then if a school had one of these children, and they needed a little extra money for what, for tutoring, I don't know, for varied testing, they could ask for \$150. But if you put in there \$1,000, you know what they are going to ask for, they are

going to ask for \$1,000. So we cut out the figure of \$1,000.

The total now is brought down from the original total which called for \$100,000 in the year 1971-1972, \$125,000 in the year '72-'73, and it is now down to \$25,000 for the year '71-'72, and \$45,000 for '72-'73, or a total of \$700. And this is felt by practically everyone that this is very adequate indeed.

I am not certain that I should speak about the other amendment, because that is the Minority Report. But I would like to say while I am here that if anything is said about the Minority Report, the Minority Report reduced the figure of \$3,000 down to \$2,500; where we say \$1,500, they say \$2,500. The other thing, they have cut out the secondary school grants. There should be no tuition grants, no scholarships for secondary students.

Now many many of the Indian people feel that it is the secondary students, it is in your secondary schools where your Indian children are dropping out. And if we can save a few of those in the secondary schools by changing their environment, it is felt it is well worth \$800 a year to do so. And so we have kept it in. The Minority Report took it out, and that is the basic difference between the Minority Report and the Majority Report. I thank you.

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

Mrs. PAYSON: Mr. Speaker and Ladies and Gentlemen of the House: I admire the generosity of the gentleman from Houlton, Mr. Bither. I have here a report called An Analysis of the Cost of State and Federal Programs Serving Maine Indians, year ending June 30, 1971, which has come from the State Controller, Mr. Rodney Scribner. He has added up state funds and federal funds which will have been spent by the end of this fiscal year on all the Indians here in the State of Maine. The total is \$2,769,000. In view of the fact that there are about a thousand Indians here in the state, that adds up to ap-

proximately \$2,769 being spent on every Indian here.

I wanted to bring this information to your attention so that you could make a proper decision on the bill which is before you at this time. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Standish, Mr. Simpson.

Mr. SIMPSON: Mr. Speaker and Ladies and Gentlemen of the House: I suppose speaking against Indians is somewhat like speaking against motherhood. But as a signer of the Minority Report here I would like to point out to you that there is only really one difference in the two reports, and it has to do with the secondary education.

It was the feeling of the minority that we should do something as a starter to help in the education of our Indians in the State of Maine. However, we felt very reluctant to start by giving them the so-called full package at one time. We felt that although there has been much talk about the culture of the Indians and their desire to keep the culture within their reservations, that we at that point, since tuition is paid for the secondary students in the State of Maine, that they should have some type of incentive and drive to compensate that tuition by paying for their own board and room, and so forth, at the secondary level.

Therefore, we felt that if there was any initiative at all that we would set a goal that they should strive for, by offering the tuition rate at the post-secondary level, and not at the secondary level. So I would submit to you that this is the only major difference as to whether we should pay for tuition, pay for funding of secondary and post-secondary education for the Indians that would take advantage of this in the State of Maine.

I would urge that you not support the majority view, that you would support the minority point of view, accept their Amendment "B," and then we would offer some type of a program and an incentive program for Indians in the State of Maine to get a post-secondary education.

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

Mr. LUCAS: Mr. Speaker and Ladies and Gentlemen of the House: I concurred with the Majority Report of the Committee on Education, and I would like to call your attention to the fact that post-secondary high school scholarships are fine if you can find anybody to take advantage of them. The problem lies in getting Indian youths to graduate from high school. And this is our intention here, to allow them an opportunity to graduate from high school so they could take advantage of whatever scholarships exist on the post-secondary level.

In regard to the gentlewoman from Falmouth and her use of figures this morning, they do not have anything to do with this bill. Figures can be quoted out of context quite readily and easily, and I suggest that they are not relevant to this bill. I urge you to support this measure and accept the Majority Report.

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

Mr. DONAGHY: Mr. Speaker, I have a question for anyone that I would ask through the Chair to anyone that would care to answer it because I do think it relevant to the bill. It refers to Indians residing in Maine. I wonder what the residence requirements are for Indians. As far as I know, they are free to come and go across the border between the United States and Canada, and they actually have dual citizenship as far as Canada and the United States are concerned. What are we getting into here?

And the second one is, is Tribe Incorporated one of the accredited schools that these children would be allowed to go to?

The SPEAKER: The gentleman from Lubec, Mr. Donaghy, poses a question through the Chair to any member who desires to answer. The Chair recognizes the gentleman from Houlton, Mr. Bither.

Mr. BITHER: Mr. Speaker and Members of the House: The bill

says that all Indians who have resided in Maine for at least one year. It says right in the bill. And I can say right now very quickly that Tribe Incorporated does not come under this, because Tribe Incorporated is not a properly accredited institution. And until such time as Tribe Incorporated, or some other organization is accredited, they cannot come under the terms of this bill.

I think Mr. Lucas has stated some of the things I wanted to add very very well. Mrs. Payson's figures are not my figures. I have figures — I can't find them right now — that there are over 2,000 Indians in Maine, not 1,000. But in any case, I don't know where that enters into this.

The State Department of Education, Miss Ring of the Bureau of the Department of Education on Indian Affairs, and everyone else that has had to do with the Indians in Maine tell us — tell me anyway, that we do need this clause in here for aid to secondary students. They may not take advantage to a lot of it, but they are dropping out before they finish high school, and we are trying to save a few of them. Thank you.

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

Mr. FINEMORE: Mr. Speaker and Members of the House: I would like to ask a question of Mr. Bither through the Chair if I may. I would like to know how we are going to find out how many Indians have been in the State of Maine for one year.

The SPEAKER: The gentleman from Bridgewater, Mr. Finemore, poses a question through the Chair to the gentleman from Houlton, Mr. Bither, who may answer if he chooses. And the Chair recognizes that gentleman.

Mr. BITHER: Mr. Speaker and Members of the House: Mr. Finemore should know that we have Indians on the reservation, and I am not going into that. I think they are well taken care of and numbered and counted, and he could probably go in there and do it himself in a half a day. But

the Indians he is thinking of, I am quite sure, are the Aroostook Indians, and they are in a very good tight corporation right now. They are all known, they are all numbered. And when I say numbered, these Indians have tribal numbers. Many of them in the Maliseet or Micmac tribes, and their residence in Maine is well known, because they have very good complete records, this association of Aroostook Indians.

The SPEAKER: The Chair recognizes the gentleman from Livermore Falls, Mr. Lynch.

Mr. LYNCH: Mr. Speaker and Ladies and Gentlemen of the House: You can see that the committee was very well divided in its opinions. I think you should bear in mind that you are spending millions of dollars on the Indian program, and you can continue to spend millions of dollars from now on well into the future, unless you break the pattern and the cycle that exists up there.

The education afforded to the Indians is not successful in allowing them to break out. There are cultural patterns, there are home conditions that interfere with secondary schooling. And unless you provide the young Indians with an opportunity to get a good education that will allow them to break out of this cycle, you are going to continue to spend millions of dollars. And I think an experimental program of sixty to seventy thousand dollars is well worth the effort. Thank you.

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

Mr. MILLS: Mr. Speaker and Ladies and Gentlemen of the House: This is one of my bills that I presented for the Indians, and I find that the Committee on Education has done an excellent job of research here, much better than I could have done it. And when I sit down I will support the motion of Representative Millett, our House Chairman on Education.

The SPEAKER: All in favor of accepting the Majority "Ought to pass" Report on Bill "An Act Providing for Scholarships for North American Indians Residing

in Maine," House Paper 260, L. D. 342, will vote yes; those opposed will vote no.

A vote of the House was taken. 115 having voted in the affirmative and 13 having voted in the negative, the motion did prevail.

The Bill was given its two several readings.

Committee Amendment "A" (H-74) was read by the Clerk and adopted, 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 relating to Courses in State and Federal Government for Graduation from High School" (H. P. 586) (L. D. 781)

Report was signed by the following members:

Mr. KATZ of Kennebec
— of the Senate.
Messrs. LAWRY of Fairfield
HASKELL of Houlton
WOODBURY of Gray
BITHER of Houlton
LUCAS of Portland
MILLETT of Dixmont
— of the House.

Minority Report of same Committee on same Bill reporting same in a new draft (H. P. 1223) (L. D. 1412) under same title and that it "Ought to pass"

Report was signed by the following members:

Messrs. CHICK of Kennebec
MINKOWSKY
— of Androscoggin
— of the Senate.
Messrs. TYNDALE
— of Kennebunkport
SIMPSON of Standish
MURRAY of Bangor
LYNCH
— of Livermore Falls
— of the House.

Reports were read.

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

Mr. MILLETT: Mr. Speaker, I move the acceptance of the Majority "Ought not to pass" Report.

The SPEAKER: The gentleman from Dixmont, Mr. Millett, moves that the House accept the Majority "Ought not to pass" Report.

The Chair recognizes the gentleman from Old Orchard Beach, Mr. Farrington.

Mr. FARRINGTON: Mr. Speaker and Ladies and Gentlemen of the House: I apologize for rising so often, but it seems that all of my bills are coming at the same time. My concern in initiating this piece of legislation is to make it all but mandatory for high school seniors to be exposed to a full year course in American and State Government before graduation.

At a period in American history when the responsibilities of citizenship have been thrust upon their shoulders, or nearly so, the Supreme Court has ruled that they are eligible to vote at 18 for national offices—President, United States Senators and Congressmen — and the sentiment in the Maine Legislature has moved in the direction of granting them the right to vote in state and local elections; and today we had an amendment to the United States Constitution that if ratified by three-quarters of the states will give 18-year olds and older the right to vote in all elections.

The situation at my school is probably pretty much the same throughout the state; namely, courses in government are electives, and only the college bound for the most part are signing up for them. The students who must be enlightened in this area are the so-called terminal students who remain in the community and eventually become our municipal officers.

True, they are turned off by the purely academic approach, but why can't we be innovative and use an approach such as the following: Let these students study existing legislation that has been challenged for change, and then examine the new proposals, discuss the whole situation in class and then journey to Augusta to talk with department heads, lobbyists, before appearing at the public hearings as either proponents or opponents, depending on their individual evaluation of their research. Government becomes alive. Students react and move away from their prior passivity.

How do I know it will work? I have been using this approach at

Thornton Academy for years, and for most of my kids it has been one of the few things they have remembered, years later, about their course in Political Science or in American Government.

I have worked closely with Joseph J. Devitt, Director of the Bureau of Secondary Education, and have sent letters to eight principals throughout the state for their comments, and have received replies from three.

The principal at Old Town High School, Donald T. Sturgeon — and you have a copy of this on your desks, I just wanted to read one segment of it. He says, "Without question, your bill is most timely and essential in this period of rapid change in our voting public. Many, I am afraid, have simply assumed that all 18-year olds are going to automatically have the wisdom and background necessary to become responsible voters. I think this is a dangerous assumption to make. With this in mind, I would certainly offer my support for the intent of your proposed bill."

A few comments from the principal at Deering High School, Donald G. Hale. He says, "I received your letter dated February 25, 1971 on March 1, which was too late for me to reply to you with respect to legislative document number 781 as it applies to the courses in federal government in the public high schools in the State of Maine. I most certainly would concur with the intent of the bill, that there must be adequate preparation for the students of the state in the areas mentioned in your proposal. I regret that I received this too late to respond to your request in time for its being a help to you in the hearing on the bill."

To clarify the original bill, L. D. 781, with the new draft, number 1412, the committee — the minority members of the committee have changed the last "shall" — "the course of study shall be approved by the Commissioner and may be required for graduation from all public schools." They changed the "shall" to "may".

And really and truly this is kind of an advisory type of thing. The legislature is interested enough in these people being qualified that

they would pass this law which is not really mandatory, to emphasize that we are concerned with these 18-year olds being properly prepared, at least in theoretical government before they assume their suffrage responsibilities. And I urge you to vote for the bill, the Minority Report of the bill. Thank you.

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

Mr. HENLEY: Mr. Speaker and Ladies and Gentlemen of the House: I find that I am specifically gratified to be able to support Mr. Farrington completely. In fact, I was on the point of rising and asking why the bill was opposed. I don't know as there has been any time more timely for such a bill. As Mr. Farrington said, he placed it very nicely. I would just like to back him up in it and to recall that on the floor of this House when the 18-year old vote was being debated, as you all know, I opposed it. I stated that one of the reasons that I opposed it was the definite lack of knowledge of all governmental procedures by the 18-year olds and the high school seniors.

I noted that I had talked with several groups of Key Clubbers in Kiwanis, and they themselves regretted that there seemed to be no place in high school where they got any governmental courses whatsoever. They said that they did get a little government in with their history courses, somewhere back either in their freshmen or their eighth grade training.

Now I see no reason under the sun why this should not be implemented if we are going to have and we definitely are apparently going to have 18-year old adults, and a good many of our high school seniors are 18-year olds, what better to put into their curriculum than a very definite detailed course which will include federal and state government and something of local government.

I urge you to refuse to vote on the Majority "Ought not to pass" and then when that is voted down, to pass this bill and put these courses into our high schools.

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

Mr. LUCAS: Mr. Speaker and Ladies and Gentlemen of the House: Mr. Farrington read a letter from a Mr. Donald Hale of Deering High School, my former principal, as I taught at Deering High School, and the letter does not indicate his support for this measure. He said that the intent was good. He did not say that he supported the measure in total.

Likewise, he read a letter from Donald Sturgeon, the principal of Old Town High School, and you should read the second paragraph, also, as opposed to the first.

"As I review my own school's situation, and the effect upon the curriculum if another graduation requirement is added, I can see some serious problems in meeting such requirements. It would involve the elimination of some of our established courses to make classroom space for these courses. It could quite possibly involve additions to the present staff in order to meet the increased classes. This, I am sure you will understand, is not the easiest task to perform with the present day economic conditions."

I would concur with the intent of the bill, and I would suggest that much of the bill can be carried out through the Department of Education in their existing management of that department with the curriculum guides that are offered to the various teachers in the secondary schools.

And I would further point out that we are coming to a time when mandating courses, when we have studies on everything, are overloading the schools with courses. They can't possibly put them all into the schedule. And so we are entering a time when we are trying to integrate the various subject matters that are coming before us in this day with the existing courses of instruction. The process of learning is far from naming ten courses that must be taken to graduate from high school. The process of education is much more complex than just indicating that you must study

the Maine Constitution or the Maine structure of government.

As it now exists, you take a United States History course to graduate. Within that United States History course, you do study the Maine Constitution and the Maine governmental system.

So I would suggest that you support the Majority "Ought not to pass" Report and I would refer Mr. Farrington to the Department of Education and perhaps they would be able to carry out his intent very well through the existing structure.

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

Mr. MURRAY: Mr. Speaker and Members of the House: Originally when my committee started discussing this bill I concurred with Mr. Lucas and the majority of the committee. But after the minority came up with the amendment that they did, I wholeheartedly concur with that now.

I feel strongly that we shouldn't mandate courses for graduation. I think that this might be the problem with education today, when we determine what courses have to be taken. But I do think that we should suggest to the schools different areas that should be covered. I think in the future you will see people in here suggesting we offer courses in drug abuse, and we will have people in here suggesting courses on the environment and ecology.

I think these are all important and all should be offered. But I don't think they should be mandatory for graduation, and this is what the amendment does. It leaves it up to the local area and the Commissioner of Education to decide whether a particular government course or an economics course is required for graduation.

So I don't see any problem with the bill now. I think that these courses are very necessary for our 18-year olds graduating from high school; they are very applicable right now. So I go along with the Minority Report.

The SPEAKER: The Chair recognizes the gentleman from Old Orchard Beach, Mr. Farrington.

Mr. FARRINGTON: Mr. Speaker, Ladies and Gentlemen of the House: Just an attempt to answer some of the, at least one of the specific questions of Mr. Lucas. The letter I put on all of your desks, I didn't read it all because you have it before you. The latter part of it, "I am, therefore, suggesting that your bill might take the form of a recommendation to schools for a period of time thus allowing schools to adjust without undue hardship."

If Mr. Lucas had looked at the revised new draft, we have put an effective date on this act—"This act shall become effective July 1, 1972." And the reasoning here, of course, is to give these schools a chance to work this course into their curriculum. And again, no student would be held from graduation if he doesn't pass this course. This again is an emphasis on our part to the various principals and also the Department of Education, that we are concerned with the proper preparation of our future voters. Thank you.

The SPEAKER: The Chair recognizes the gentlewoman from Bath, Mrs. Goodwin.

Mrs. GOODWIN: Mr. Speaker, may I pose a question through the Chair to Mr. Farrington or anyone else who may answer?

The SPEAKER: The gentlewoman may pose her question.

Mrs. GOODWIN: Mr. Speaker, am I correct that even though this would not now be a prerequisite for graduation, that the course still would be compulsory?

The SPEAKER: The gentlewoman from Bath, Mrs. Goodwin, poses a question through the Chair to the gentleman from Old Orchard Beach, Mr. Farrington, who may answer if he chooses, and the Chair recognizes that gentleman.

Mr. FARRINGTON: Mr. Speaker and Members of the House: Yes, the Commissioner, in looking into the curriculums of the various schools, would insist that the course be put in, but it wouldn't be like one of the Carnegie units that you have to take. It would be within the curriculum and the students would be taking the

courses, but they wouldn't have to have the course for graduation. In other words, if they failed to pass the course, this wouldn't hold them from graduating. And also it allows flexibility for our students who transfer from other schools. It might be impossible for some of them to get in the course if they came from out of state or some other school system within the state that didn't offer it, and they transfer, we will say, during their junior or early part of their senior year. I hope this has answered your question.

The SPEAKER: The Chair recognizes the gentleman from Standish, Mr. Simpson.

Mr. SIMPSON: Mr. Speaker and Ladies and Gentlemen of the House: I think that the conversation here has kind of got away from maybe what the real intent of this bill is. Presently, within Title 20, in Section 102, paragraph 7, you will find that it is now compulsory that the Commissioner shall require that American History, Civil Government, including the wording that we have in this particular redraft and the original bill, is now on the Statutes of the State of Maine. So I would therefore tell you that to me anyway, that the key words in this entire bill are the three words, "principles of economics." And these have not been discussed here this morning.

Therefore, I would submit that what we are intending to do in this particular piece of legislation is to require that a course in principles of economics, or what we would consider basic economics, shall be required within a school system but shall not be required for graduation.

Now to me, I think that this is as important as American Government. We live in a country that is very much built on a free enterprise system and a system which depends very much on the economical balances that we encounter from day to day.

I work very closely with children of high school age in my employment, and I would submit to you that many people today, including myself, many times

do not know what really the effect is of the economy of this country if everybody were given just a ten cent raise on their pay check per hour, or if they were given a decrease of ten cents per hour.

I believe that the course in economics should be as required as a course in government, and I would submit to you that this bill should be debated and passed or not passed on the merits of this one section only, as all other sections are now in the law.

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

Mr. COTTRELL: Mr. Speaker and Members of the House: I am perfectly willing to listen. I didn't plan to speak on this matter, but I think it is an appropriate matter to come up at this time, following our previous action regarding the 18-year olds. Furthermore, since I have been connected for several decades as a teacher of History and Government at Deering, and since Deering's name has been brought into this discussion, I had to get up and say something.

I would like to compliment Professor Farrington on his approach in his government classes. I think perhaps some of our problems, some of the known attitudes of students toward history comes from the presentation of government and history in our classes.

At Deering, the college oriented classes take a course in American History and at the same time they study for a couple of weeks the State Constitution and the procedures in our state government. The general students, who are in the majority, in their senior year take a course in Government, both federal and state. Now that is the situation at Deering.

I understand in the last two years, in order to get around the compulsory requirement that everyone must take a course in American History, that they have combined an English course with a History course and call it the Humanities course. And that seems to be more palatable to many of our students, and it also covers the state law.

I am very sorry that we had to act so quickly on this 18-year-old

matter, because this whole discussion indicates that perhaps many of our 18-year olds are not ready to vote. And when we realize that this whole subject started in Congress last March, when Congress, I think with tongue in cheek, politically voted that 18-year olds should have the right to vote, thinking that the Supreme Court would certainly turn it down. And then finding in October that the Supreme Court, by one vote, by Justice Hugo Black's vote, making it mandatory that 18-year olds have the right to vote in our national elections.

And then with this snowball development affecting our own legislature, with our constitutional amendment, sending it back to the people — let us not make the decision, let us send this 18-year question of voting in state elections to the people — and then immediately this morning, after Congress introduced the amendment and passed it, we immediately jump to it and sort of nullify our action in letting the people decide whether, by a —

The SPEAKER: The Chair would advise the gentleman that under the rules he must confine himself to the subject matter of the debate.

Mr. COTTRELL: Well, I was trying to broadly include the 18-year old question. But I think that if all teachers presented their course in government and history like Professor Farrington there would be no need of any more legislation here on this subject. And though as long as it is not going to be compulsory, because someone has mentioned the fact that we should get away from these compulsory courses as one fault with education on our secondary level, and on our college level, as the need for restructuring many of these compulsory courses where there is limited interest and where we know that where there is no interest there is no learning.

I guess I have talked enough. And I am sorry to have bored you, but I did want to express a few of my feelings.

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

Mr. LAWRY: Mr. Speaker and Ladies and Gentlemen of the

House: I will be very brief. In signing the Majority Report "Ought not to pass," number one, I am against mandatory coverages, and I think we have got a number of mandatory acts coming along. But secondly, on the subject of economics — and it is an excellent area, and there is no question that we are ill informed on this, as witness the state of the country and the state — but it is just as true that sociology or psychology, or many others are as important or more important than economics as far as the people of today getting along in this world.

And for that reason I conceive that we could have many other courses coming along in the future, and I hope this doesn't set a precedent and that we do accept the Majority "Ought not to pass" Report.

The SPEAKER: The Chair recognizes the gentleman from Wayne, Mr. Ault.

Mr. AULT: Mr. Speaker and Ladies and Gentlemen of the House: If I didn't believe that the action formerly taken by this House was so serious I would find this whole debate quite humorous. I stood on the Floor of this House, as some of you may remember, and explained to you why I believe the 18-year old wasn't ready for the vote, and was told time and time again why he was. And I notice that all members of the committee that signed the "Ought to pass" Report, as well as Mr. Farrington, supported the 18-year old right to vote. And it seems to me they have put themselves in a strange position right now where they think that he has got to be educated now in order to fulfill the requirements.

I am tempted to ask for a roll call on this, just to see how you people really feel. But because I support the "Ought to pass" Report and would like to see it accepted, I am not going to do so. Thank you.

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

Mr. LUCAS: Mr. Speaker and Ladies and Gentlemen of the House: May I suggest that if you do accept this Minority Re-

port you will be striking from the lawbook the current requirements, and not making them requirements for graduation. You already have in existence plenty of laws indicating the instruction of the secondary school pupil. And I shall so read.

"Pupils in the free public high schools of the State of Maine shall be given instructions in the foundations of our American freedoms, including the Constitutions of the United States and the State of Maine. The Commissioner shall prescribe the course of study, which course of study shall be required for graduation from all free public high schools."

So you are adding to this a few other words, economics being one. Now we can add others. We can add economics, psychology, sociology, as indicated previously. I would suggest that Mr. Farrington supported my case when he indicated that in reading the last line of Mr. Sturgeon's letter, "I am therefore suggesting that your bill might take the form of a recommendation." And I don't believe a recommendation needs to have the force of law. And that recommendation can come through the Department of Education.

Mr. Gagnon of Scarborough moved the previous question.

The SPEAKER: For the Chair to entertain a motion for the previous question, it must have the expressed desire of one third of the members present and voting. All those in favor of the Chair entertaining the motion for the previous question will vote yes; those opposed will vote no.

A vote of the House was taken.

The SPEAKER: Obviously more than one third of the members present having voted yes, the motion for the previous question is entertained. The question now before the House is, shall the main question be put now? This is debatable with a time limit of five minutes by any one member. Is it the pleasure of the House that the main question be put now?

A viva voce vote being taken, the main question was ordered.

The SPEAKER: The pending question is on the motion of the gentleman from Dixmont, Mr. Mil-

lett, that the House accept the Majority "Ought not to pass" Report on Bill "An Act relating to Courses in State and Federal Government for Graduation from High School," House Paper 586, L. D. 781. The Chair will order a vote. If you are in favor of accepting the Majority "Ought not to pass" Report you will vote yes; if you are opposed you will vote no.

A vote of the House was taken.

92 having voted in the affirmative and 43 having voted in the negative, the motion did prevail.

Sent up for concurrence.

Divided Report

Majority Report of the Committee on Education on Bill "An Act relating to Teachers' Conventions and Reimbursements for Professional Credits" (H. P. 670) (L. D. 907) reporting same in a new draft (H. P. 1220) (L. D. 1411) under title of "An Act relating to Reimbursements for Professional Credits of Teachers" and that it "Ought to pass"

Report was signed by the following members:

Messrs. KATZ of Kennebec
CHICK of Kennebec
MINKOWSKY

of Audroscoggin
— of the Senate.

Messrs. MILLETT of Dixmont
HASKELL of Houlton
TYNDALE

of Kennebunkport
WOODBURY of Gray
LYNCH

of Livermore Falls
SIMPSON of Standish
LAWRY of Fairfield
BITHER of Houlton
MURRAY of Bangor

— of the House.

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

Report was signed by the following member:

Mr. LUCAS of Portland

— of the House.

Reports were read.

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

Mr. MILLETT: Mr. Speaker, I move the acceptance of the Majority "Ought to pass" Report.

The SPEAKER: The gentleman from Dixmont, Mr. Millett, moves that the House accept the Majority "Ought to pass" Report.

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

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: I refrain from getting involved in too many items dealing with teachers because every now and then you get tainted, and I certainly don't want to do that, if that is what I am. But there is something that bothers me about this, and I would like to perhaps pose a few questions, and perhaps we might get a few answers.

The original bill that was presented probably went in the right direction as far as personally I was concerned. Because apparently the original bill would have prevented local districts from giving time off to attend teachers' conventions, and would have said that if they are going to hold teachers' conventions and such items, that they hold them outside of the regular school year.

I have often felt that if you are going to hold a convention, or a conference of any kind, that it ought to be after the day, or it ought to be held during a period of time when you are not going to interfere with the normal time that a student ought to be getting instructions. But apparently, the Education Committee has removed that section, but left in the repealer dealing with the provision that now is on the books that requires a municipality or an SAD to reimburse when a teacher gets education.

Now I assume that what the Education Committee is saying is that educators are extremely bright and they don't have to go back to school and there should be no incentive. Well, my impression is just the reverse. The more education they get the better they are going to be. And it would seem to me that if a teacher ought to get some money in order to go to school, at least it is an incentive to get them to get some education so that when they come back the following year they will have perhaps

a few new ideas to throw into the classroom.

And so it seems to me that perhaps the Education Committee is going in the wrong direction. So I would hope that perhaps someone from the Education Committee would tell us what they have done, and why they have done what they are doing.

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

Mr. MILLETT: Mr. Speaker and Ladies and Gentlemen of the House: The gentleman from Eagle Lake has quite well explained the two issues at stake originally in the bill. One of which would be to repeal the requirement for the annual two-day convention which has been a state-wide get-together in earlier years, but in the last three years has been a regional type of get-together occurring in the early part of October.

The reasons why the committee did not attack this problem at this time are twofold. First of all the language with respect to that convention is currently out of date and we felt could probably be taken care of in the omnibus bill which will be coming along a little later in the session.

But for a more specific and immediate reason, there is a bill before us which would require an extended school year, and which would require as a built-in feature two days of pre-service time to be spent at a time before the school year begins. For those two reasons, and not certainly that we are not in favor of continuing the convention, we chose not to handle that problem at this time.

So the title of the original bill which suggested dealing with the state-wide teachers' convention has just been delayed, and has not been glossed over at this time. The second part of the bill deals with two things, one of which is an outdated paragraph relating to the state reimbursing the municipalities \$100 for every six hours of credits taken by a teacher. Now under the new subsidy law enacted in the 104th Session, such reimbursement no longer takes place. So the language is out of date. Also

during the 104th, the negotiations law affecting municipal public employees establishes a bargaining position here relative to reimbursement of any kind of fringe benefit such as changing categories from Bachelors Degree to Masters Degree, or pursuing a course of education which might be deemed advisable at the local level.

So we have in effect repealed outdated language, which no longer really pertains to our present subsidy law. We have recognized that the current right of teachers and municipal boards is to bargain on this very issue, and we have also eliminated one clause which I think some of you at least have expressed to me that you are in favor of getting out of the law. And that relates to a somewhat outdated provision that every teacher must take six semester hours in order to have a certificate renewed every five years.

Now I am sure you are all aware that many of these courses have been chosen for their ease, for their ease of passage maybe; and they have not really benefited teachers over the years in becoming more professional people. Our goal is to do that very thing; to allow teachers, and to allow the decisions to be made at the local level, to improve themselves in a way in which they are personally directed, and the local unit concurs in the decision for that professional improvement.

I think for this reason, just as an explanatory reason, that the present bill that is before you in new draft, does something which is practical and timely. However, I do want to assure all of you that we are not glossing over anything as far as the teachers' convention situation — we realize we have a problem and we hope to deal with that problem in later legislation, depending upon how the mandatory school year extension bill does survive. Thank you.

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

Mr. MARTIN: Mr. Speaker and Members of the House: You never know when you speak that you are going to be personally involved in

something. I am amazed that if I had not stood up originally I probably would not know that I would not have to take six credits this summer. Because if I should go back to teaching next year under existing law I would have to take six credits of courses; but I believe that ought to be done. I do not believe that I ought to be exempted from taking courses and I as an individual believe that the more courses that a teacher takes the better that that teacher is going to become.

I am fully aware that I ought to be entirely in favor of this bill from my own personal selfish viewpoint as a teacher. But, Mr. Speaker, I cannot, and I would move indefinite postponement of both committee reports and bill.

The SPEAKER: The pending question is on the motion of the gentleman from Eagle Lake, Mr. Martin, that both Reports and Bill be indefinitely postponed.

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

Mr. MILLETT: Mr. Speaker and Members of the House: The last thing I would like to see is that the gentleman from Eagle Lake would feel selfish in taking such an action as he has just moved; and I would like to point out that, in repealing the provision relating to the six hours presently required in the Statute for renewal of a certificate we are not saying that a teacher should not upgrade himself yearly and periodically.

Presently in the Statutes — and this is another one of the inequities which exist in many of our titles, the Commissioner of Education has very broad powers to establish rules and regulations, to direct the course of recertification periodically as he sees fit. There are also presently ongoing studies of the present offerings in our preparatory institutions, our teacher training institutions, our liberal arts colleges, in the full scope of what is necessary to prepare a teacher to enter a classroom.

I would want to reiterate that we are not in any way doing anything subversive. We are really saying that the broad powers that should exist to really direct what is practical. I am sure you have

all heard of so-called Mickey Mouse courses being taken by teachers just to get a renewal certificate. We don't want that to continue; we want it to be on a practical basis where the course that is taken would benefit the person in his teaching profession.

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

Mr. LUCAS: Mr. Speaker, Ladies and Gentlemen of the House: You may wonder why I signed the minority report on this particular item, item thirteen. I do believe that there are some subversive thoughts in this bill and I would mention the fact that the sponsor in presenting this bill asked permission for leave to withdraw, and the committee kept the bill and it came out in a new draft. And that is my reason for opposition. I believe the existing law should stay on the books.

The SPEAKER: The pending question is on the motion of the gentleman from Eagle Lake, Mr. Martin, that both Reports and Bill be indefinitely postponed. The Chair will order a vote.

Whereupon, Mr. Bustin of Augusta requested a roll call.

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

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

The SPEAKER: The pending question is on the motion of the gentleman from Eagle Lake, Mr. Martin, that both Reports and Bill "An Act relating to Teachers' Conventions and Reimbursements for Professional Credits," House Paper 670, L. D. 907, be indefinitely postponed. If you are in favor of that motion you will vote yes; if you are opposed you will vote no.

ROLL CALL

YEA — Albert, Bailey, Bedard, Binnette, Boudreau, Bourgoin, Brawn, Bustin, Call, Carrier, Carter, Cooney, Crosby, Curran, Cur-

tis, A. P.; Cyr, Dow, Doyle, Drigotas, Dudley, Dyar, Emery, E. M.; Evans, Faucher, Pecteau, Fraser, Genest, Good, Goodwin, Hewes, Keyte, Kilroy, Lebel, Lee, Lessard, Lucas, Lund, Manchester, Martin, McCormick, McNally, McTeague, O'Brien, Orestis, Payson, Rand, Rocheleau, Santoro, Sheltra, Smith, D. M.; Smith, E. H.; Theriault, Vincent, Wheeler, Whitson, Wight.

NAY — Ault, Baker, Barnes, Bartlett, Bernier, Berry, G. W.; Berry, P. P.; Berube, Bither, Brown, Bunker, Carey, Churchill, Clark, Clemente, Collins, Conley, Cote, Cottrell, Cummings, Curtis, T. S., Jr.; Dam, Donaghy, Emery, D. F.; Farrington, Finemore, Gagnon, Gill, Hall, Hancock, Hardy, Haskell, Hawkens, Hayes, Henley, Herrick, Hodgdon, Immonen, Jalbert, Kelleher, Kelley, K. F.; Kelley, P. S.; Kelley, R. P.; Lawry, Lewin, Lewis, Lincoln, Littlefield, Lynch, Maddox, Mahany, Marsh, Marsteller, Millett, Mills, Morrell, Mosher, Murray, Norris, Page, Parks, Pontbriand, Porter, Pratt, Rollins, Ross, Scott, Shaw, Shute, Silverman, Simpson, L. E.; Simpson, T. R.; Slane, Starbird, Stillings, Susi, Tanguay, Trask, Tyndale, Webber, White, Williams, Wood, M. W.; Wood, M. E.; Woodbury.

ABSENT — Birt, Bragdon, Gauthier, Hanson, Jutras, Lizotte, MacLeod, McCloskey, McKinnon.

Yes, 56; No, 85; Absent, 9.

The SPEAKER: Fifty-six having voted in the affirmative and eighty-five in the negative, with nine being absent, the motion does not prevail.

Thereupon, the Majority "Ought to pass" in new draft Report was accepted, the New Draft read twice, and assigned for third reading tomorrow.

Passed to Be Engrossed

Bill "An Act relating to Issuance of Malt Liquor Licenses" (H. P. 429) (L. D. 563)

Bill "An Act Authorizing Use of the Name Maine Association of Real Estate Boards" (H. P. 494) (L. D. 635)

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

Bill "An Act relating to Use of Lights While Locating or Taking Raccoon Found by a Dog" (H. P. 527) (L. D. 689)

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

The SPEAKER: The Chair recognizes the gentleman from Oakland, Mr. Brawn.

Mr. BRAWN: Mr. Speaker and Members of the House: I move that this ought not to pass and the reason for this is that years ago when raccoon were first hunted they were hunted with a kerosene lantern with a reflector; and then came along the carbide light that gave more brilliance. Then they had the two-cell and the three-cell, the five, the seven, the nine and the eleven-cell, with higher reflectors and better lens.

The seven-cell would shoot a light at 1100 feet. It was found that this was not only for taking coon in the dark but to jack deer in the night. So bills were entered into the legislature to reduce this to a two-cell light for coon hunting. It was found that the two-cell was not quite heavy enough, so they returned back to legislature.

They asked for a three-cell flashlight which was granted. This reduced the deer slaughter, as we were told at that time, by 33½ percent. Now the three-cell light is strong enough to spot two little fiery eyes in the top of the thickest pine tree of 120 feet.

In the first place I do not want anyone to think that I am speaking against the sponsor, my good friend, Mr. Vincent, because I do admire the gentleman. But this is a four-cell flashlight they are asking for. There is no such a light built, and if you did have a four-cell light and you used a three-cell bulb in it, you wouldn't have much light, you would burn it out. And if you used a five-cell bulb in it, then it wouldn't be strong enough to see anything.

Now there is an amendment on this bill that just came in — four-cell or six bulb hand light. Now if this has come to six, this is a wet cell. Now a wet cell light is a very

powerful light, and this is wanted for one reason, as I am told by many people, and this is for the act of jacking deer. The club which I represent, the Messalonskee Fish and Game, are against this bill, and they have contacted me.

So at this time, without saying any more, it is getting late in the day, I would move that this ought not to pass.

The SPEAKER: The Chair understands that the gentleman from Oakland, Mr. Brawn, moves that L.D. 689 be indefinitely postponed.

The Chair recognizes the gentleman from Portland, Mr. Vincent.

Mr. VINCENT: Mr. Speaker and Ladies and Gentlemen of the House: This bill originally came to my attention on the request of a constituent that does quite a bit of coon hunting. He maintained that they didn't have sufficient light for coon hunting for safety purposes.

Not wishing to offend the Fish and Game Department, I went over and asked their opinions on the bill before sponsoring and submitting the bill. One of the gentlemen I spoke to was an avid hunter of raccoons there, and he freely admitted that the light presently used by raccoon hunters is not sufficient for detecting the animals in the tree. He indicated that the particular time of the season when this hunting is done, there is excessive foliage on the trees which makes it difficult to spot the animal. Also, this hunting is done at night time with a pistol. A 22-caliber pistol will travel quite a distance, so it is very important that they have accurate aim and as much light as possible on the game in order to shoot and hit the animal and keep the bullet from going astray in the woods at night.

I was unaware of the fact, and it was through my own negligence that the bill had been amended. I sent the bill to committee. I was unable to attend the hearing and assumed that the bill was reported out and let go as is. I don't know where it was amended. Either it was amended here on the floor or in committee, and because of this and because of the

fact that there are strong objections to the thing about headlights, I would ask some kind gentleman to table this bill so that I might offer an amendment to have the provisions on headlights amended out of the bill. If someone would so table this motion so that I might present an amendment tomorrow to have this provision drawn out, I would very much appreciate it. Thank you.

(On motion of Mr. Mills of Eastport, tabled pending the motion of Mr. Brawn of Oakland to indefinitely postpone and tomorrow assigned)

Bill "An Act Prohibiting Beaver Trapping by Nonresidents" (H. P. 590) (L. D. 785)

Bill "An Act Changing Name of Downeast Association of Independent Schools" (H. P. 602) (L. D. 804)

Bill "An Act Requiring Childhood Education Programs for Five-Year-Olds" (H. P. 643) (L. D. 873)

Resolve Authorizing the Forest Commissioner to Convey Certain Land in Franklin County (H. P. 724) (L. D. 969)

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 and sent to the Senate.

Third Reader

Tabled and Assigned

Resolve Designating Part of Route 219 as a State Highway (H. P. 283) (L. D. 372)

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

Mr. McNally of Ellsworth offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-73) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Livermore Falls, Mr. Lynch.

Mr. LYNCH: Mr. Speaker, I request a ruling from the Chair in regard to the amendment just offered by the gentleman from Ellsworth, Mr. McNally.

The SPEAKER: Would the gentleman defer for just a moment in order that the Speaker may study the amendment.

The Chair must rule that this amendment is germane.

The gentleman may continue.

Mr. LYNCH: The amendment presented by the gentleman from Ellsworth, Mr. McNally, is somewhat of a surprise and I am not familiar with the area this amendment is concerned with. However, I am concerned that it comes into the picture so late. For ten years the people in the western part of the State of Maine have sought to have this particular problem resolved. It is a direct route from Augusta to that particular area through Kennebec, Androscoggin and Oxford Counties. Furthermore, it goes through the small towns of Wayne, Leeds, Turner, Hartford, West Paris and Sumner. It is the route travelled by many people from outside these particular areas, residents of these areas.

I am concerned that the motion to amend L. D. 372 may be in part an attempt to get this thing postponed at least for one more legislative.

Before I make a motion not to accept Committee Amendment H-73, I would ask that the gentleman from Ellsworth, Mr. McNally, give us a little more information regarding the area and what he seeks to accomplish.

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

Mr. McNALLY: Mr. Speaker and Members of the House: I will very gladly give a little more information about this. I have a letter which I will read from. Here it says, "There are, of course, a great many miles of road throughout the State having similar characteristics to this section of Route 219; as an example, there are a total of approximately 700 miles of rural Federal-aid Secondary State Aid roads which are the same designation as Route 219. Of those miles, 480 carry similar or heavier traffic volumes than the Route 219 proposal."

Now the Route 219 proposal has a distance of 30 1/10 miles, and I don't question the towns it goes through. But my amendment carries through the towns of Township No. 8, Waltham, Mariaville, and Osborne Plantation before it

reaches Aurora, and it has 23 miles. And over it are lumber trucks hauling lumber south to Robbins Lumber Company and north to the R. Leon Williams Lumber Company and they are good big loads.

Then there are dozens of pulpwood trucks going both ways; some going to Veazie, Old Town, and others going to the St. Regis in Bucksport, and there are enough trucks hauling in Ellsworth Falls so that two hydraulic loaders are kept going every day of the week loading freight cars at Ellsworth Falls.

I feel this road should be just as much considered a road for state aid, for state highway, as being used exactly as much as Route 219, and it most certainly is carrying probably more heavy loads than Route 219 is, because I have traveled that considerable and I know about what is travelling over that one.

The SPEAKER: The Chair recognizes the gentleman from Mexico, Mr. Fraser.

Mr. FRASER: Mr. Speaker and Ladies and Gentlemen of the House: As a signer of the Minority Report, my reason for signing it is not to establish a precedent regarding other state highways, but I have been coming down to this legislature, this is now the fourth term, and I have people at home asking me what is the best way to travel to Augusta, and I have to say there isn't any because you have to travel across country 25 or 30 miles no matter which way you come. And in the wintertime that travel is not very pleasant at times.

To be sure, if the passage of this bill helps these towns, that is fine, but that is not my purpose for asking for its passage. I believe that every part of this state could have a main road leading to the Capitol, and this bill would take care of all of Oxford County. Thank you.

The SPEAKER: The Chair recognizes the gentleman from Kennebunk, Mr. Crosby.

Mr. CROSBY: Mr. Speaker, I ask that this be tabled for two legislative days.

The SPEAKER: The gentleman from Kennebunk, Mr. Crosby, moves that item 8, L. D. 372, be

tabled until Friday, pending the adoption of House Amendment "A".

Mr. Lee of Albion requested a vote on the tabling motion.

The SPEAKER: A division has been requested on the tabling motion. All in favor of tabling will vote yes; those opposed will vote no.

A vote of the House was taken.

71 having voted in the affirmative and 50 having voted in the negative, the motion did prevail.

Resolve to Reimburse Perley E. Joy of Milo for Loss of Bee Hives by Bear (H. P. 783) (L. D. 1059)

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

Amended Bill Indefinitely Postponed

Bill "An Act relating to Health Warnings on Labels on Vinous Liquor Bottles" (H. P. 355) (L. D. 475)

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

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

Mr. DUDLEY: Mr. Speaker, Ladies and Gentlemen of the House: Item 10 is related to the health warnings on liquor bottles. Now as you probably all know, those of you who know me know that this liquor thing is not one of my bad habits. However, I do have a lot of dear old souls who live in my area, and I am thinking of a neighbor that moved to my town some sixty years ago, and he was then about age 15, and he has constantly used liquor of some nature, generally wine, in the process of his breakfast, again at his dinnertime, and again at supertime, and perhaps some in between.

Now this dear old soul, and many others there, this is part of their diet, and it doesn't seem that it has impaired their health, to me. They seem to be very healthy and live to a ripe old age.

Let me tell you that my neighbor that moved here sixty years

ago has continually never had water with fluoride, he has continually used this particular ingredient, and he has every tooth in his head that he was born with. He was in Togus recently for a checkup and they said that this was a remarkable thing, and how did he have such beautiful teeth? And he told them that he never drank any very poor water; he generally had some very good wine and that he was brought up from a small child on this.

Now I only mention this because this is what I consider one good reason that this is not detrimental to your health. Because if this is detrimental to your health, in view of what I can see in my neighborhood, maybe that is what is wrong with my health. Maybe I should be using some, of which I never did.

And I think we will be made the laughing stock of the nation because there are a lot of people in this nation that have come here from a foreign country where this is used more commonly than water; namely, Italy for one, and there are a lot of ancestors from that country in this State of Maine, in every city, and I know that they will look at this as being almost a laughing stock of this legislature if we were to pass a bill of this nature.

And seeing as I am not a user of this stuff, but I do see it around, I do see these dear old souls using it and they are living to be a ripe old age. And for this reason I am convinced that there has not been enough research to prove that this is really detrimental to your health. And for this reason I now move to indefinitely postpone this measure.

The SPEAKER: The gentleman from Enfield, Mr. Dudley, moves indefinite postponement of L. D. 475.

The Chair recognizes the gentleman from Alton, Mr. Barnes.

Mr. BARNES: Mr. Speaker and Ladies and Gentlemen of the House: I am afraid I have got to take issue with the gentleman from Enfield, Mr. Dudley. I don't think he is too well qualified to judge just because one man has got

good teeth that liquor is not injurious to the health. I had prepared a statement which I was going to deliver yesterday if we had had any debate on the subject. But inasmuch as it got as far as it did without debate, I refrained from making any remarks, and I don't think that I am going to say too much today.

But there are several things I would like to point out to you as far as liquor being addictive or habit forming. It has been proven to my satisfaction, and to a good many more people who are much more learned than any of us, I believe, that it definitely is addictive and habit forming. It is classed as a drug. And if any of you have taken the time to look at this survey of drug use in the cross section of Maine communities which we all had placed before us in the earlier part of the session, you will find that they refer to it as a drug. And on page eight of the treatise there is an item there that says that the dimensions of the problem of alcohol abuse are put in a limited general prospective by this study, which indicates that it should be a problem of major concern, along with that of other drugs.

The conclusion is borne out by national estimates. The American Psychiatric Association reports that more than nine million Americans are afflicted by alcohol to the extent that it endangers their home life, or disrupts their careers.

When this matter came before the committee for discussion, there seemed to be only three points that they objected to. There were only three points brought up, as I understand it, in the arguments. And they were, if I can find them here — the first point brought up was that it would be an added expense to the Liquor Commission to affix these labels. Well, if you will read the statement of fact on the L. D. you will find that it states that "there shall be affixed on each bottle of liquor sold or offered for sale in the State of Maine this health warning." Well, I maintain that the brewing industry is offering this liquor for sale to the commission. They are offering it

through their salesmen, and therefore, as the statement of facts indicates, it is the sole responsibility of the brewers to affix this health warning label.

Another point that was brought out at the hearing was the fact that they didn't think anybody would see the label because most of the liquor was drunk from glasses in cocktail lounges, and what have you. Well, I think this is rather a ridiculous assumption, because I am sure that if the bill was passed that the news media would make sure that everybody was fully aware of this label.

The third item that was brought up in the committee discussions was that inasmuch as the health warning labels on cigarettes was ineffective, they thought that it would be equally as ineffective on the consumption of liquor. But information that I have had brought to my attention indicates that as regards cigarettes, there are four men out of ten now smoking cigarettes, whereas five years ago the record was five men out of ten. Well, this certainly indicates to my way of thinking there has been some effectiveness in this warning on cigarettes. And we all know — everybody knows if they will only be fairminded enough to stop and think it over — they will realize that there are a lot of people who have cut down on their smoking because of this.

It was brought to my attention this morning that there is a rumor afloat, I don't know where it came from, whether they saw it in the paper or whether they heard it on the radio, there was a rumor around that it would cost \$400,000 a year to fund this measure. Well, my way of thinking, I think that is the most ridiculous and irresponsible statement that anybody ever made. I don't, as I say, know where it originated, but I can only assume, but I think that it is awful poor taste on the part of any department or any department head who would even think of making such a statement.

Now I don't know of anything else that I can say. I am not going through my speech that I had prepared here. I had hoped that this

thing would be allowed to be reconsidered. I was a little bit slow about getting to my feet. Mr. Dudley from Enfield was much quicker than I am. Possibly it is because he hasn't indulged in this, as he says. I used to take a little snort myself occasionally to kind of steady myself. And I know the last time that happened I got so steady that it took three men to get me into the house and into bed.

I have an amendment. I don't know — is it out of order for me to ask to have this presented at this time, Mr. Speaker?

The SPEAKER: The Chair would advise the gentleman that amendments have priority over indefinite postponement. If the gentleman moves to reconsider for the purpose of offering an amendment, and the reconsideration motion does prevail, the gentleman may offer his amendment.

Mr. BARNES: Mr. Speaker, I move that we reconsider our action of yesterday whereby Senate Amendment "A" was adopted.

The SPEAKER: The gentleman from Alton, Mr. Barnes, now moves that the House reconsider its action of yesterday whereby Senate Amendment "A" was adopted in concurrence. Is this the pleasure of the House?

(Cries of "No")

The SPEAKER: The Chair will order a vote. All in favor of reconsideration will vote yes; those opposed will vote no.

A vote of the House was taken.

58 having voted in the affirmative and 65 having voted in the negative, the motion to reconsider did not prevail.

The SPEAKER: The pending question is on the motion of the gentleman from Enfield, Mr. Dudley, that this matter be indefinitely postponed.

Mr. Binnette of Old Town then requested a division.

The SPEAKER: All in favor of indefinite postponement of Bill "An Act relating to Health Warnings on Labels on Vinous Liquor Bottles," House Paper 355, L. D. 475, in non-concurrence will vote yes; those opposed will vote no.

A vote of the House was taken.

89 having voted in the affirmative and 36 having voted in the negative, the motion did prevail. Sent up for concurrence.

Orders of the Day

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

HOUSE DIVIDED REPORT—Majority (9) “Ought not to pass” —Minority (4) “Ought to pass”—Committee on Judiciary on Bill “An Act Providing for Immunity to Licensed Ambulance Service Personnel in Emergency Cases” (H. P. 130) (L. D. 185)

Tabled—March 19, by Mr. Susi of Pittsfield.

Pending—Acceptance of either Report.

On motion of Mr. Haskell of Houlton, retabled pending acceptance of either Report and specially assigned for Friday, March 26.

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

HOUSE DIVIDED REPORT —Majority (9) “Ought to pass” —Minority (3) “Ought not to pass” —Committee on Transportation on Bill “An Act Removing Tolls from Bangor-Brewer Bridge” (H. P. 16) (L. D. 25)

Tabled—March 19, by Mr. Kelleher of Bangor.

Pending—His motion to accept Majority Report.

Mr. McNally of Ellsworth moved that the Bill be retabled and tomorrow assigned.

Mr. Kelleher of Bangor requested a division.

The SPEAKER: The gentleman from Ellsworth, Mr. McNally, moves that item two, L. D. 25, be tabled until tomorrow pending the motion of the gentleman from Bangor, Mr. Kelleher, that the House accept the Majority Report. A division has been requested on the tabling motion. All in favor of tabling will vote yes; those opposed will vote no.

A vote of the House was taken.

28 having voted in the affirmative and 86 having voted in the negative, the motion did not prevail.

The SPEAKER: The pending question is the adoption of the

Majority “Ought to pass” Report.

The Chair recognizes the gentleman from Albion, Mr. Lee.

Mr. LEE: Mr. Speaker and Members of the House: It would appear to me that I would have to say something on this. We debated this at quite length the other day. Mrs. Baker of Orrington gave a lengthy one and I concur with her.

We have some very good members in here from the Bangor area which I know are very interested in getting the tolls off from this bridge. But this is irresponsible financing. It was set up in the first place by the vote of an area after a public hearing to make this bridge available and to pay for it out of a toll system, and take care of it. The tolls are working very well. The bonds are being paid in a just fashion, and if we burden the Highway Department with the payments of this bridge without the tolls, it would place a burden that might necessitate the raising of more taxes for the Highway Commission.

With this in mind I am going to move that this bill and all its accompanying papers be indefinitely postponed, and I would ask for a roll call.

The SPEAKER: The gentleman from Albion, Mr. Lee, moves the indefinite postponement of both Reports and Bill.

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

Mr. NORRIS: Mr. Speaker and Ladies and Gentlemen of the House: I feel somewhat like Horatio at this point, on the bridge. And of course, I am in favor of removing the tolls. Now I went to the hearing before the Transportation Committee and the only people that were in opposition there — and I appreciate my good friend Mr. Lee’s concern for the Highway Department—there was no one there from the Highway Department to oppose the bill, only the members on the committee who apparently have some feeling, or feel that they should represent the Highway Department. I don’t know, but the official from the Highway Department certainly wasn’t in opposition to the bill.

The only other people in opposition, of course, was my dear friend, Mrs. Baker from Orrington, and the minibureaucracy, the members that work on the bridge. The officials of both Bangor and Brewer were there in favor of this. They understand there will be some increased costs as far as the maintenance goes.

Now I would submit that the voters in the Bangor and Brewer area have been two-timed four times. The excuse for the tolls going on the bridge in the first place was the old story that we couldn't stand an increase in the highway taxes. I will submit that since this bridge was built and the tolls put on that we have had three increases in the highway taxes, and we have had also an increase in the bridge tolls.

So I would say also that the payroll for this mini-bureaucracy there on the bridge was \$46,000 the first year, approximately, and in the last year was about \$168,000, which I think should be taken into consideration.

The accident insurance rate has gone up in Maine. This is one of the highest areas of accidents in the state, as far as rear-end accidents go, particularly in the wintertime, stopping for the toll plazas.

Now for the people that are concerned with economy, I would submit this, that due to the traffic congestion on this bridge, in the summertime particularly, the traffic backs up as much as two miles. But due to this congestion, if we don't have some relief, then I will submit that probably earlier than the five or six years that is planned, you are going to have to have a third bridge across the Penobscot River between Bangor and Brewer. And this won't be a toll bridge, and it will have to be paid for by the citizens of the State of Maine.

I certainly would hope that you will go against Mr. Lee's motion to indefinitely postpone this bill.

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

Mr. KELLEHER: Mr. Speaker and Members of the House: I would just like to give you a few

more facts on this item. At the committee hearing that Mr. Norris was present, the only two people that were there that opposed it were the gentlewoman from Orrington, Mrs. Baker, and one person that works on the toll bridge.

There was a gentleman there from the Highway Department, and the Highway Department took absolutely no position one way or the other. And if you notice the report, the report came out ten to three "Ought to pass." It wasn't a minority report, it was a majority report of the committee.

Before they built the toll bridge in Bangor, we have another structure up the river a ways, and the amount of cars and vehicles going across that bridge now is greater than it was before they built the bridge. So you can see that even with the second bridge that we have got there, that the continual flow of traffic is greater, and they are using the other bridge more than they did before.

We have got a problem also on both ends of the bridges that in the twin communities of Bangor and Brewer we have fire departments, and on the Bangor-Brewer bridge is kind of a congested area there, and it is rather dangerous at certain times of the day that this flow of traffic keeps backing up and building up. And this would eliminate this problem completely. And as the gentleman from Brewer, Mr. Norris, has stated, both of our communities are willing to take on the additional costs of maintenance as far as lights and plowing, from what I understand.

We have taken in a considerable amount of money on this bridge over the past 18 years, \$2.6 million; and it originally cost \$2.5 million, and I know that maintenance and operation has got to be deducted from that. But the people in the greater Bangor area now have met their obligations more or less. Mr. Lee, I beg to differ with him when he said we are breaking faith with the people of the state concerning this toll. Well, this isn't true and I think we all know that to get bridges of this type, that we have to put tolls on them, and the tolls have never stayed on the bridges for ever and a day until they have

been paid. I am quite sure that the gentlemen on the Highway Committee know that the tolls have been removed from other bridges with substantial amounts of money owed on them.

So I hope this morning that you will give us a little kindness in your vote and vote down the good gentleman's motion of indefinite postponement.

The SPEAKER: The Chair recognizes the gentleman from Mexico, Mr. Fraser.

Mr. FRASER: Mr. Speaker and Members of the House: Realizing the lateness of the hour, I won't be long. As a member on that committee who voted in the affirmative, I wish the House to know that my decision was based entirely on the fact that recently we passed a bond issue for the Lewiston-Auburn bridge. So indirectly we are asking the Bangor people to pay for the Lewiston bridge while asking them to pay for their own. That was my only reason.

The SPEAKER: The Chair recognizes the gentlewoman from Orrington, Mrs. Baker.

Mrs. BAKER: Mr. Speaker and Members of the House: I had hoped not to have to say anything more in this regard after my lengthy speech last week. However, I would like to bring you up to date a little bit.

When I went home Friday, I went home with a little bit of trepidation. I didn't know whether I was all alone in this issue or not. I spoke Thursday mostly from my own convictions and I had never made any inquiries around the locality, but I felt that as long as the income was what it is, \$231,000 in the past year, that it seemed to me that this was the reasonable way to pay for the bridge. And I didn't think that it brought a hardship on anyone. However, to my surprise and gratification I found that there is a great deal of support right in the Bangor and Brewer area for keeping the tolls on the bridge.

Now the matter has been mentioned here of traffic, and I don't think that the toll taking is the question. I think in the first place that the bridge was put in the wrong place and that was due

purely to pressure from certain individuals in Bangor and Brewer. You can't put a toll bridge across two main highways, two main arteries, without creating a problem of traffic.

And I would like to read, for the benefit of the record, a letter that I received and it does touch on this particular item in a way that I had not thought of. It says: "Dear Mrs. Baker: We wish to oppose removal of the tolls on the Joshua Chamberlain Bridge for the following reasons:

1. This is a self-supporting project — probably the only one in the state, and should remain so;
2. With tolls, the out-of-state visitors contribute directly to our state finances;
3. Toll removal would throw an additional tax burden on Bangor and Brewer for snow removal, lights, etc;" — and this is from a tax-payer in Bangor —
- "4. It would cause serious traffic congestion because of the increased use by the heavy trucks which now use the toll-free bridge;
5. Therefore we ask, in the name of sound fiscal management, that the tolls be retained, at least until a more usable approach to the Bangor end of the toll-free bridge is constructed."

Furthermore, I would like to say that this morning I received petitions signed by individuals from Bangor and Brewer — true, mostly from Brewer. And lest you think these are the relatives of the toll takers on the bridge, I would like to read you a list of the businesses represented by these petitions. There about 150 names here and they were not collected by me, but they were collected over the weekend. And the firms that are mentioned, there are Brewer firms: Watson's Hardware, O. Rolnick and Sons Co., Violette's 66, Bob's Front End Service, Pepsi Cola Bottling Co., Brewer Motor Inn, Stable Inn Motel, Plaza Motel, Leon's Electric, Brewer Variety, Clark Funeral Home, Brewer Flower Shop, Robinson-Kenney Oil Co., Twin City Buick, C.M.G. Business Machines, Lennox Studio's, Bradstreet Fuel Co., Doug's Stop and Shop, Twin City Motel, Maine

Chartaways Bus Co., and Burill's Taxi. Now does that indicate to you that the people in Brewer want these tolls taken off? It does not to me.

And I hope that the motion to indefinitely postpone prevails.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I had hoped that I wouldn't have to make you listen to my conversation again this morning, but having been a majority signer on this committee, and having told you a lot about it only a few days ago, I did have just a few brief comments this morning.

I would say first of all that these petitions to me don't really mean that much, because I remember once in the town — and I think it was Eastport, that a man put a petition in his store and asked everybody who came in if they would sign the petition and it was to tar and feather the town manager the next Monday morning at 12 noon; and they had no trouble finding about 300 signatures within a 24-hour period, and he was a member of the House here.

So this is one of the reasons that I don't take too much stock in petitions, because most people will sign anything without reading it if you ask them to.

And another thing, I don't blame these people who have got businesses, it is going to divert traffic away from them. If I was there, I would probably squawk too. However, I think there are some very sound reasons for taking this toll away.

Now certainly the Highway Department came before us the other day and said that they are really doing their greatest to cut down highway cost. They have got one truck less this year than they had last year, one pickup truck less, and they have got one less employee than they had last year.

Now I have been in this House year after year when we constantly hire four and five hundred more people on the state payroll and

buy them a car and build them office space, and so forth. Now I am one of those people who is tickled to death when I can take fourteen men off the payroll from the State of Maine and try to make them self-supporting other than working for the State of Maine. Now these fourteen people, if they were all to sign a petition, and their wives and their families, certainly would make quite a petition in itself.

But I say this is a step in the right direction, getting men off this state payroll. And if there is anything that this group in this House needs to do before we leave here is to get some men off these state payrolls, regardless if it is Highway or Education or where have you.

Now it hasn't been pointed out to any great extent, those of us that live in the State of Maine, our insurance rate is certainly being affected by the amount of accidents they have when they stop to collect the tolls. I think this should be considered. I think someone has said breaking faith with the people, they made a contract. They certainly did make a contract, and they were told the reason they had to make that contract was because in order to build this bridge they would have to raise the gas tax a cent in order to do it, but the gas tax has been raised three cents in the interim, and these people have gone along and paid it.

But now, one other thing — the toll was 10 cents in order for this bridge to break even. To break even they had to raise the toll to 15 cents, and this is breaking faith with these same people who made this agreement, and it only now, very slightly, breaks even over and above what it pays after you pay the crew that's collecting. The round figures when they built it were something like \$46,000 to collect the toll; it is something like \$168,000 now for collecting and maintenance.

So for this and many other reasons, we should in all fairness take this toll away, and it was the report of the majority of the committee. I hope you will do it.

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

Mr. NORRIS: Mr. Speaker and Ladies and Gentlemen of the House: I rise again to answer very quickly, if I can, my friend Mrs. Baker from Orrington and inform her and the House that I do represent some 10-thousand-odd people; and a handful of petitions I don't think really gives the temperature of how the majority of the people feel.

I have represented the City of Brewer now going on the third year. This is the first year of my second term, and up until the hearing the other day, that was the first time I knew anyone other than the employees who were against taking the tolls off the bridge. When Mrs. Baker got up and spoke, and the letter that I did receive, the same letter that she read from, from the Dolley family in Bangor, this was the only contact that I have had.

I would also say that the position that the bridge was built, where it is, the location certainly isn't germane to the discussion today because there is not much we can do about that one way or the other. It is where it is and that is where it will stay.

So I ask you to keep faith and be consistent with the citizens of my area who feel that they shouldn't be obliged to pay the tolls any more.

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

Mr. BINNETTE: Mr. Speaker, Ladies and Gentlemen of the House: I have always been a great supporter of removing the tolls from this bridge and listened this morning to a lot of discussion in regard to that. I am wondering if many of you people here are aware of the fact that Bangor is considered the "Queen City of the East". Let us not disappoint our Queen by voting no.

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

Mr. MILLS: Mr. Speaker and Ladies and Gentlemen of the House: There is only one question that interests me here and this

is the only toll bridge left in the State of Maine and all of the eastern end of the state has got to help pay the cost of going across that bridge. And if you notice, any of you going through there, where the directional signs are, you will find you are directed to the toll bridge and not the toll-free one that is along side of it.

I am opposed to the indefinite postponement of this bill.

The SPEAKER: The pending question is on the motion of the gentleman from Albion, Mr. Lee, that both Reports and Bill be indefinitely postponed. The yeas and nays have been requested. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All in favor of indefinite postponement will vote yes; those opposed will vote no.

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

The SPEAKER: The pending question is on the motion of the gentleman from Albion, Mr. Lee, that both Reports and Bill "An Act Removing Tolls from Bangor-Brewer Bridge," House Paper 16, L. D. 25, be indefinitely postponed. If you are in favor of indefinite postponement you will vote yes; if you are opposed you will vote no.

ROLL CALL

YEA — Bailey, Baker, Berry, P. P.; Call, Curtis, A. P.; Dam, Faucher, Gauthier, Hardy, Hewes, Kelley, R. P.; Lawry, Lebel, Lee, Lewis, Lincoln, Littlefield, McCormick, McNally, Mosher, Page, Payson, Porter, Rocheleau, Scott, Shaw, Smith, E. H.; Susi, White, Williams, Woodbury.

NAY — Albert, Ault, Barnes, Bartlett, Bedard, Bernier, Berry, G. W.; Berube, Binnette, Bither, Boudreau, Bourgoin, Brown, Brown, Bunker, Bustin, Carey, Carrier, Churchill, Clark, Clemente, Collins, Conley, Cooney, Cote, Cottrell, Crosby, Cummings, Curran, Curtis, T. S., Jr.; Cyr, Donaghy, Dow, Doyle, Dudley, Dyar, Emery, D. F.; Emery, E. M.; Evans, Farrington, Fecteau, Finemore, Fraser, Gagnon, Genest,

Gill, Good, Goodwin, Hall, Hancock, Haskell, Hawkens, Hayes, Herrick, Hodgdon, Immonen, Jalbert, Kelleher, Kelley, K. F.; Kelley, P. S.; Keyte, Kilroy, Lessard, Lewin, Lucas, Lund, Lynch, Mad-dox, Mahany, Manchester, Marsh, Marstaller, Martin, McCloskey, Mc-Kinnon, McTeague, Millett, Mills, Morrell, Murray, Norris, O'Brien, Orestis, Parks, Pontbriand, Pratt, Rand, Rollins, Ross, Santoro, Sheltra, Shute, Silverman, Simpson, L. E.; Simpson, T. R.; Slane, Smith, D. M.; Starbird, Stillings, Tanguay, Theriault, Trask, Tyndale, Vincent, Webber, Wheeler, Whitson, Wood, M. W.; Wood, M. E.

ABSENT—Birt, Bragdon, Carter, Drigotas, Hanson, Henley, Jutras, Lizotte, MacLeod, Wight.

Yes, 31; No, 109; Absent, 10.

The SPEAKER: Thirty-one hav-ing voted in the affirmative and one hundred nine in the negative, with ten being absent, the motion does not prevail.

Thereupon, the Majority "Ought to pass" Report was accepted, the Bill read twice and tomorrow as-signed.

On motion of Mrs. Brown of York,

Adjourned until nine o'clock to-morrow morning.