

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

Friday, March 26, 1971

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

Prayer by the Rev. Mr. Douglas Morrill of Augusta.

The journal of yesterday was read and approved.

Order Out of Order

Mr. Birt of East Millinocket presented the following Joint Order and moved its passage:

O R D E R E D, the Senate concurring, that the following be recalled from the Governor's Office to the House: Bill, "An Act Relating to Candidates by Primary Election or Nomination Petition and Time for Filing Nomination Petition." (H. P. 952, L. D. 990) (H.P. 1229)

The Joint Order was received out of order by unanimous consent, read and passed, and sent up for concurrence.

Papers from the Senate

Bills from the Senate requiring reference were disposed of in concurrence.

Reports of Committees Leave to Withdraw Tabled and Assigned

Report of the Committee on Election Laws on Bill "An Act relating to the Number of Signatures Required on Nomination Papers" (S. P. 32) (L. D. 65) which was recommitted, reporting Leave to Withdraw.

Came from the Senate read and accepted.

In the House, the Report was read.

(On motion of Mrs. Boudreau of Portland, tabled pending acceptance of Report in concurrence and specially assigned for Wednesday, March 31.)

Ought to Pass in New Draft

Report of the Committee on Public Utilities on Bill "An Act to Allow Electric Utilities to Participate in the Construction of Certain Utility Facilities" (S. P. 120) (L. D. 299) reporting same in a new draft (S. P. 518) (L.

D. 1403) under same title and that it "Ought to pass"

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

In the House, the Report was read and accepted in concurrence, the New Draft read twice and assigned for third reading the next legislative day.

Ought to Pass

Report of the Committee on Election Laws reporting "Ought to pass" on Bill "An Act relating to Voting by New Residents in Presidential Elections" (S. P. 330) (L. D. 985)

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 assigned for third reading the next legislative day.

Ought to Pass with Committee Amendment

Report of the Committee on Education on Bill "An Act relating to Geographically Isolated Small High Schools" (S. P. 257) (L. D. 763) reporting "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

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

In the House, the Report was read and accepted in concurrence and the Bill read twice. Committee Amendment "A" (S-37) was read by the Clerk and adopted in concurrence, and assigned for third reading the next legislative day.

Divided Report

Majority Report of the Committee on Education on Bill "An Act Increasing Minimum Salaries for Teachers" (S. P. 162) (L. D. 484) reporting same in a new draft (S. P. 516) (L. D. 1401) under title of "An Act Concerning Minimum Salaries for Teachers" and that it "Ought to pass"

Report was signed by the following members:

Mr. CHICK of Kennebec
— of the Senate.

Messrs. MILLETT of Dixmont
 TYNDALE of Kennebunkport
 WOODBURY of Gray
 LAWRY of Fairfield
 LYNCH of Livermore Falls
 SIMPSON of Standish
 BITHER of Houlton
 LUCAS of Portland

— of the House.

Minority Report of same Committee on same Bill reporting same in a new draft (S. P. 517) (L. D. 1402) under title of "An Act relating to Salaries of Substitute Teachers and Adjusting State Subsidy to an Administrative Unit" and that it "Ought to pass"

Report was signed by the following members:

Messrs. KATZ of Kennebec
 MINKOWSKY
 of Androscoggin
 — of the Senate.

Messrs. HASKELL of Houlton
 MURRAY of Bangor
 — of the House.

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

In the House: Reports were read.

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

Mr. MILLETT: Mr. Speaker, I would move the acceptance of the Majority Report in non-concurrence and would speak to my motion.

The SPEAKER: The gentleman may proceed.

Mr. MILLETT: Mr. Speaker and Ladies and Gentlemen of the House: I am sure it would be an understatement to say that this is a controversial item and I would like in my ticklish position to explain the purposes of the two bills and if there is any possible conflict of interest on my part I would refrain from debating the merits of the bill or voting subsequently to the final explanations.

Many of you are aware that the original bill L. D. 484 did a complete revision of the present Minimum Salary Law. It brought it nearly up to date in terms of current salaries. It did have a delayed effective date, however, of July 1, 1972.

Now this was a very controversial item. I am sure many of you studied it and were not in favor of it at the time it was printed. It was heard and the reports before you are the two possible alternatives. I would like to just explain them and, as I indicated earlier, I feel I cannot debate the merits of them so I would just leave it to others to debate the particular positions you support.

The first report, the Majority Report, eliminates the ten steps involved in the Minimum Salary Law entirely. It actually has remaining in it three figures. These figures would be beginning salaries in three particular training categories. First of all, for nondegree people but certified teachers—in other words teachers with one, two or three years of training—the beginning salary would be \$5,000. I submit that this is rather low in terms of current conditions, but be that as it may, this is the first column.

The second column is the most common column, the Bachelors Degree column. It has a salary beginning base of \$6,000. This again is not up to date and I would point out that the effective date would again be delayed by another school year. It has a third column which is the Masters Degree column and that is \$6,500. That is all it does.

Now the feeling of those who supported the Majority Report is that this would act similar to a minimum hourly wage, to the extent that negotiations would take off from these points and there would be not control by state minimums for teachers' salaries beyond the first year of employment. So that it would be completely in the hands of the local unit to negotiate and to raise teachers beyond that point.

The second report is a report which repeals entirely all references to dollar figures in the area of teachers' salaries. It includes two paragraphs which I would point out are part of current law. So if there is any doubt in your mind as to what the second report does, it merely removes any reference whatsoever to teachers' salaries and it just replaces two current paragraphs of that section

of law which it is deemed on the part of those who support that position to be necessary to continue with.

Now beyond that, I, being a school teacher, do not feel that I ought to express a personal point of view. However, I would point out that minimum salaries are just that. Except in a very few isolated points in the state they have not really been used by the local units to determine current salaries.

As a teacher I would have never been bound by the Minimum Salary Law; I would not want to be. I do feel that there is some merit to Report A, but rather than express a position which might be controversial to my own status as a school teacher I would leave this up to others who might debate their own personal positions. Thank you.

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

Mr. HASKELL: Mr. Speaker and Members of the House: I would urge that the Minority Report be accepted in this situation and I would like very briefly to explain why.

The Minimum Salary schedule at the state level was adopted initially because it was not possible for teachers to bargain at a local level for their salaries. The 104th session of the Legislature did create a vehicle for such bargaining at a local level for teachers' salaries.

Now that we do have a legal framework in our Maine Statutes for teachers to negotiate for their wages at a local level, this Minimum Wage scale as scheduled, step schedule becomes, in view of a minority at least of the committee, an obsolete approach to this problem. I think you can see that all of the Education Committee are committed to this viewpoint at least in part from the fact that all of the committee are in favor of eliminating the step schedule. There was a reluctance on the part of some, however, to throw the crutch entirely away and the report was to continue at least minimum figures.

In my view it would do no harm at all to completely eliminate this factor from the entire bargaining procedure. It would remove the

State entirely from salary considerations and would not put any artificial floor into the negotiating proceedings, and would eliminate from annual sessions any considerations for increases in the minimums. In fact it would very properly in my view get the State entirely out of the negotiating procedure and would leave it where it properly belongs, to negotiation within the legal framework that we have created.

So I would urge that you do vote against the acceptance of the Majority Report and then do vote in favor of the acceptance of the Minority Report.

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

Mr. LAWRY: Mr. Speaker and Members of the House: Just to point out the feeling of one of the signers of the Majority Report. There is no question that the negotiations has changed the system of generally raising — I don't know of any cutting of teachers' salaries in this day and age. But rather than call it a crutch I do feel a base is needed primarily for your smaller units — and mine is not one that is affected. I don't know how many of you are affected by the fact that certain units are not equipped to negotiate. But these are the units where the teachers are apt to be losing ground, and they are not many.

Most of us are not affected by these bases; we are all above it. And I feel that in fairness to the teachers in these areas that we should at least keep this base, which has been cut down from the recommended base. The steps are taken out, which I wholeheartedly concur with. I don't believe that we should be giving all of the goodies away before the negotiations commence, but I do hope that we vote to accept the Majority "Ought to pass" Report and send it back in non-concurrence.

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

Mr. CAREY: Mr. Speaker and Members of the House: I think both bills have merit. 1401, which is the Majority Report, sets figures which are currently now lower than

what the City of Waterville is paying its teachers. But 1402 has a very nice feature in the second paragraph, which provides for an opportunity for a hearing on the adjustment of state subsidies on administrative units.

I think many of you will remember in last Sunday's paper where the Town of Limestone, through a windfall from the State of Maine, an increased subsidy from the last session of \$471,000, is now in a position to pay cash for a school. I would like to see that if the Majority Report is accepted, that you give serious thought to amending 1401 to include that provision of 1402 which would allow for some adjustments to be made in case of a community that is getting unfair advantage over others.

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

Mr. LYNCH: Mr. Speaker and Ladies and Gentlemen of the House: I think there is a small area of confusion here. In accepting the Majority "Ought to pass" Report we are doing one thing which I think Mr. Lawry has mentioned; we are protecting a small group of teachers who are not sufficiently large in numbers to have any negotiating power on their own.

The rest of the State is well above this minimum salary. We have eliminated, as you have already been told, the steps; and perhaps in another session or two the entire section could be repealed.

The question raised by Mr. Carey is simply that in voting for the "Ought to pass" Report you are not throwing out the Minority Report because it is incorporated in existing law and not affected by the Majority Report.

So I would like to emphasize that in accepting the Majority "Ought to pass" Report you are accepting it and the provisions incorporated in the Minority Report. Thank you.

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

Mr. HASKELL: Mr. Speaker and Ladies and Gentlemen of the House: I would like to emphasize that the difference in viewpoint be-

tween the majority and the minority probably reduces itself to a difference of opinion as to the effect of removing the minimums entirely.

In the minority viewpoint the removal of minimums probably would act as a spur to the small unit teachers to develop effective bargaining techniques rather than to rely simply on existing minimums. The majority view of the situation is that it is necessary to continue minimums because the smaller units probably could not develop effective techniques.

I think that the basic philosophical question is whether we want to continue the State as a part of the negotiating process or not, or whether we should leave it entirely as a local problem to be solved by negotiation between the teachers and the communities affected. In my own view we would be well advised to remove the State entirely from this negotiating process.

I hope that you do vote against the acceptance of the Majority Report and for the acceptance of the Minority.

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

Mr. MURRAY: Mr. Speaker and Ladies and Gentlemen of the House: I was the other House member who signed the Minority Report and I just want to make a couple of things clear. I think the whole committee is pretty much agreed on the subject; we just have — some of us think that now is the time to throw everything out as far as the steps go. The majority wants to throw out nine tenths of it, whereas the minority wants to throw the whole works.

I think that throwing the whole works out, including the first step, will really work to the advantage of the teachers. Some areas are using this that are not forming bargaining units. I think that if we throw out the whole works that every area in the state will get a unit together, the teachers will start bargaining collectively as we set up in the progressive legislation of the last session.

I think that now is the time and that it will work to the advantage of the other teachers. Thank you.

The SPEAKER: The pending question is on the motion of the gentleman from Dixmont, Mr. Millett, that the House accept the Majority "Ought to pass" Report in non-concurrence. All in favor of accepting the Majority Report will vote yes; those opposed will vote no.

A vote of the House was taken.

80 having voted in the affirmative and 47 having voted in the negative, the motion did prevail.

Thereupon, the New Draft 1401 was read twice and assigned the next legislative day.

Divided Report Tabled and Assigned

Report "A" of the Committee on State Government reporting "Ought to pass" on Resolution Proposing an Amendment to the Constitution to Abolish the Council and Make Changes in the Matter of Gubernatorial Appointments and Their Confirmation (S. P. 167) (L. D. 489)

Report was signed by the following members:

Mr. CLIFFORD of
Androskoggin
— of the Senate.
Mr. COONEY of Webster
Mrs. GOODWIN of Bath
Messrs. STARBIRD
of Kingman Township
CURTIS of Orono
FARRINGTON
of Old Orchard Beach
— of the House.

Report "B" of same Committee reporting "Ought not to pass" on same Resolution.

Report was signed by the following members:

Messrs. JOHNSON of Somerset
WYMAN of Washington
— of the Senate.
Messrs. HODGDON of Kittery
DONAGHY of Lubec
MARSTALLER of
Freeport
STILLINGS of Berwick
— of the House.

Came from the Senate with Report "A" accepted and the Resolution passed to be engrossed.

Reports were read.

In the House:

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

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

Whereupon, on motion of Mr. Martin of Eagle Lake, tabled pending the motion of Mr. Donaghy of Lubec to accept Report "B" and specially assigned for Wednesday, March 31.

Non-Concurrent Matter

Bill "An Act relating to Membership of Board of Trustees for Accident and Health Insurance Program for State Employees" (H. P. 543) (L. D. 715) on which the House accepted the Minority "Ought not to pass" Report of the Committee on State Government on March 19.

Came from the Senate with the Majority "Ought to pass" Report accepted and the Bill passed to be engrossed in non-concurrence.

In the House:

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

Mr. MARSTALLER: Mr. Speaker, I move that we adhere.

The SPEAKER: The gentleman from Freeport, Mr. Marstaller moves that the House adhere to its former action.

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

Mr. McTEAGUE: Mr. Speaker, I move that this item be tabled for one legislative day.

The SPEAKER: The gentleman from Brunswick, Mr. McTeague moves that L. D. 715 be tabled until the next legislative day pending the motion of the gentleman from Freeport, Mr. Marstaller, that the House adhere to its former action. Is this the pleasure of the House?

(Cries of "No")

The Chair will order a vote. All in favor of this matter being tabled will vote yes; those opposed will vote no.

A vote of the House was taken.

44 having voted in the affirmative and 76 having voted in the negative, the tabling motion did not prevail.

The SPEAKER: The pending question is on the motion of the

gentleman from Freeport, Mr. Marsteller, that the House adhere.

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

Mr. McTEAGUE: Mr. Speaker, I move that we recede and concur and I would speak to the motion.

The SPEAKER: The gentleman from Brunswick, Mr. McTeague, moves that the House recede and concur, and the gentleman may proceed.

Mr. McTEAGUE: Mr. Speaker and Members of the House: The bill before us has to do with the membership on the board of trustees of the Accident and Health Insurance Program for state employees. It is L. D. 715. The Statement of Facts sets out well the two reasons for this legislation.

We have currently two members representing the Maine State Employees Association on the board of trustees. This is equitable and fair because many members of the organization that are represented are members — most of them are members of the Insurance Plan. We have another organization in the state, the American Federation of State, County and Municipal Employees, that also represents thousands of employees — not as many as the Maine State Employees Association. These people are not represented directly on the board of trustees.

It seems to me that it is a bit contrary to our traditions to recognize one group, one representative group, and not recognize another by being on the board of trustees. They ask for only one member. As an added benefit, I think, not out of fairness but out of efficiency to the plan, if you read the Statement of Fact you will see that there is computerized data service available through the national union, which would be of assistance in operating the plan effectively and economically. This tie-in would help to smooth the administrative responsibilities involved in using that data bank.

I hope, Mr. Speaker, that we won't go along with the idea that there is one established church in the area of public employee representation. Some employees have chosen to be represented by the

Maine State Employees Association. It is a fine association and these employees have made a good choice. Other employees have chosen to be represented by the union, another fine organization, and that choice also should be respected by us.

Mr. Speaker, when the vote is taken I ask that it be by roll call.

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

Mr. DONAGHY: Mr. Speaker and Members of the House: I rise in opposition. I think that this is a poor move, simply on the basis that we will have an even number of trustees, and we could have a stalemate right from the start. We have been told about the wonders of the union data processing bank that would be available to us.

I happen to be on a committee that has had several bills that have been given figures on the cost of some of the proposals, and so far we have been getting a disagreement of one third to one half of anything that they cost them. They propose that it would come out of the bills that they are proposing. I don't think that we would be well advised to make use of this data processing bank until such a time as someone else puts some different figures into it.

Beyond this, we have been told that this union has been doing a wonderful service for certain employees. I have been told that the union dues have recently been doubled and that the numbers belonging to it have been cut about in half. We can't seem to get any figures of who does belong to it, or where.

The SPEAKER: The question before the House is on the motion of the gentleman from Brunswick, Mr. McTeague, that the House recede from its former action and concur with the Senate. All in favor of receding and concurring will vote yes; those opposed will vote no.

A vote of the House was taken.

51 voted in the affirmative and 71 voted in the negative.

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

Mr. McTEAGUE: Mr. Speaker, I asked that the vote be taken by 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 Brunswick, Mr. McTeague, that the House recede and concur relative to Bill "An Act relating to Membership of Board of Trustees for Accident and Health Insurance Program for State Employees," House Paper 543, L. D. 715. If you are in favor of that motion you will vote yes; if you are opposed you will vote no.

ROLL CALL

YEA — Albert, Bedard, Bernier, Birt, Boudreau, Bourgoin, Bustin, Carey, Carrier, Carter, Clemente, Conley, Cooney, Cote, Cottrell, Curran, Cyr, Dam, Dow, Doyle, Driegas, Farrington, Faucher, Fecteau, Fraser, Gauthier, Genest, Good, Goodwin, Hancock, Jalbert, Kelleher, Keyte, Kilroy, Lawry, Lebel, Lynch, Mahany, Manchester, Marsh, Martin, McKinnon, McTeague, Mills, Morrell, Murray, Rocheleau, Santoro, Simpson, T. R.; Slane, Smith, D. M.; Tanguay, Theriault, Vincent, Webber, Wheeler, Whitson, Wood, M. E.

NAY — Ault, Bailey, Baker, Barnes, Bartlett, Berry, G. W.; Berry, P. P.; Berube, Bither, Bragdon, Brown, Brown, Bunker, Call, Churchill, Clark, Collins, Crosby, Curtis, A. P.; Curtis, T. S., Jr.; Donaghy, Dyar, Emery, D. F.; Emery, E. M.; Evans, Finemore, Gagnon, Gill, Hall, Hardy, Haskell, Hawken, Hayes, Henley, Herrick, Hewes, Hodgdon, Immonen, Jutras, Kelley, K. F.; Kelley, R. P.; Lee, Lewin, Lewis, Lincoln, Littlefield, Lund, Maddox, Marsteller, McCormick, McNally, Millett, Mosher, Page, Parks, Pay-

son, Pontbriand, Porter, Pratt, Rand, Rollins, Ross, Scott, Shaw, Shute, Silverman, Simpson, L. E.; Starbird, Stillings, Trask, Williams, Wood, M. W.; Woodbury.

ABSENT — Binnette, Cummings, Dudley, Hanson, Kelley, P. S.; Lessard, Lizotte, Lucas, MacLeod, McCloskey, Norris, O'Brien, Orestis, Sheltra, Smith, E. H.; Susi, Tyndale, White, Wight.

Yes, 58; No, 73; Absent, 19.

The SPEAKER: Fifty-eight having voted in the affirmative, seventy-three in the negative, with nineteen being absent, the motion does not prevail. Is it the pleasure of the House to adhere?

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

Mrs. GOODWIN: Mr. Speaker: I move that we insist and ask for a Committee of Conference, and I would speak to my motion.

The SPEAKER: The gentlewoman from Bath, Mrs. Goodwin, moves that the House insist and asks for a Committee of Conference. The gentlewoman may proceed.

Mrs. GOODWIN: Mr. Speaker and Ladies and Gentlemen of the House: The only objection I can see to this bill that has been raised, that has any validity, is the fact that there will now be six members on this board, and I think one possibility would be to add one more state employee to make seven members; and this is something which could be worked out in a Committee of Conference.

I don't believe it is right that an organization which represents so many state employees should be completely excluded from this board. I would urge you to support my motion.

The SPEAKER: All in favor of the motion to insist and ask for a Committee of Conference will vote yes; those opposed will vote no.

A vote of the House was taken, 66 having voted in the affirmative and 58 having voted in the negative, the motion prevailed.

The SPEAKER: The Chair recognizes the gentleman from Chelsea, Mr. Shaw.

Mr. SHAW: Mr. Speaker, a parliamentary inquiry.

The SPEAKER: The gentleman may pose his inquiry.

Mr. SHAW: The previous position of this House was to accept the "Ought not to pass" Report on this. Now if we insist, how can we have a Committee of Conference?

The SPEAKER: The Chair would advise the gentleman that the Chair will appoint conferees on the part of the House that reflects that vote.

From the Senate: The following Order:

ORDERED, the House concurring, that when the House and Senate adjourn, they adjourn on Tuesday, March 30, at 10 o'clock in the morning. (S. P. 523)

Came from the Senate read and passed.

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

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:

Business Legislation

Bill "An Act to Create a Commission to Prepare a Revision of the Insurance Laws Relating to Delinquent Insurers" (H. P. 1228) (Presented by Mr. Scott of Wilton) (Ordered Printed)

Sent up for concurrence.

Orders

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

WHEREAS, the late William G. Earles of South Portland served in the House of Representatives of the Maine Legislature from 1955 until his tragic death early in 1963; and

WHEREAS, Rep. Earles was known as a dedicated and respected legislator who served his city and State well; and

WHEREAS, in memory of her late son, Mrs. Sadie W. Earles has left one-half the residue of her estate for the benefit of the State of Maine; and

WHEREAS, the bequest amounts to over twenty-one thousand dollars and will be used according to the terms of the will for the benefit of the Boy's Training Center at South Portland for the rehabilitation of youth, now, therefore, be it

ORDERED, the Senate concurring, that we, the members of the One Hundred and Fifth Legislature of the State of Maine now assembled, take this moment to reflect upon the untimely death of the Honorable William G. Earles and the generous gift left in his memory to the State; and be it further

ORDERED, that this joint order be duly recorded in the permanent journals of both branches of the One Hundred and Fifth Legislature of the State of Maine. (H. P. 1230)

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

The SPEAKER: The Chair would comment briefly relative to this order. The Chair had the distinct honor and pleasure of serving with the late Mr. Earles and I can speak in high commendation of his service to the State of Maine, and to this particular body.

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

WHEREAS, the Orono High School Varsity debating team won the Bates League State championship debate on March 20, 1971; and

WHEREAS, Orono High has become the first eastern Maine school in recent years to win the State championship; and

WHEREAS, winning the State title climaxes a 3-year performance that has seen these students recognized for their debating excellence by schools across the nation; now, therefore, be it

ORDERED, the Senate concurring, that we the members of the One Hundred and Fifth Legislature of the State of Maine now assembled take this opportunity to recognize the outstanding achievements of Coach Soule and the Orono High School debating team and wish them continued success in their efforts to distinguish and bring honor to their school, community and State; and be it further

ORDERED, upon joint passage that copies of this Order, duly attested by the President of the Senate and Speaker of the House of Representatives and bearing the great seal of the State of Maine be transmitted forthwith by the Secretary of the Senate to the principal and coach of Orono High School in token of the sentiments expressed herein. (H. P. 1231)

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

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

Mrs. GOODWIN: Mr. Speaker, I would inquire whether the House is still in possession of H. P. 505, L. D. 651.

The SPEAKER: The answer is in the affirmative.

Majority Report of the Committee on State Government reporting "Ought to pass" on Bill "An Act relating to Leave of Absence for Legislative Service by Teachers," House Paper 505, L. D. 651, and Minority Report reporting "Ought not to pass" is in the possession of the House.

The Chair recognizes the same gentlewoman.

Mrs. GOODWIN: Mr. Speaker, I now move that we reconsider our action of March 25 whereby the House voted to adhere.

The SPEAKER: The gentlewoman from Bath, Mrs. Goodwin now moves that the House reconsider its action of yesterday whereby the House voted to adhere. Is it the pleasure of the House to reconsider?

(Cries of "No")

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

Mr. HENLEY: Mr. Speaker and Ladies and Gentlemen of the House: I had hoped that we had seen the last of this. I am sorry and regret that it seems difficult to some members to realize that the democratic action of this House should not prevail. This bill was indefinitely postponed by four to one, 100 to 25. Is it so inconceivable that a person should present a bill that was not acceptable? I

think it is too bad that some minority feel that they should waste more time of this body, which is likely to be here until July, debating an entirely unacceptable premise.

I am not going to debate it any more unless this minority group still feels that they want to hang onto it and bring this back on the floor and fight it. So without any further action, I ask for a division on reconsideration. I would hope that everyone that went with me the other day will vote a resounding no.

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

A vote of the House was taken. 20 having voted in the affirmative and 97 having voted in the negative, the motion did not prevail.

House Reports of Committees Ought Not to Pass

Mr. Albert from the Committee on Agriculture reported "Ought not to pass" on Bill "An Act relating to Prevention of Cruelty to Animals" (H. P. 514) (L. D. 677)

Mr. Bartlett from the Committee on Public Utilities reported same on Bill "An Act relating to Determination of Just and Reasonable Utility Rates by Public Utilities Commission" (H. P. 749) (L. D. 1010)

Mr. Finemore from the Committee on Taxation reported same on Bill "An Act relating to Trade-in Credit for Watercraft under the Sales Tax" (H. P. 441) (L. D. 576)

Mr. Dam from same Committee reported same on Bill "An Act Exempting Watercraft and Motors from Personal Property Taxation" (H. P. 688) (L. D. 926)

Mr. Lynch from the Committee on Education on Bill "An Act relating to the Time of Commencement and Duration of School Administrative District Meetings Held in Member Municipalities" (H. P. 480) (L. D. 621) reported "Ought not to pass", as covered by other legislation

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

Leave to Withdraw

Mr. Bernier from the Committee on County Government on Bill "An Act Establishing Sheriff, Register of Probate, County Treasurer, Register of Deeds and Clerk of Courts in Androscoggin County as Full-time" (H. P. 801) (L. D. 1074) reported Leave to Withdraw.

Mr. Lynch from the Committee on Education reported same on Bill "An Act relating to Comprehensive School Programs in Public High Schools" (H. P. 668) (L. D. 905)

Mr. Woodbury from same Committee reported same on Bill "An Act relating to Supervisory School Units" (H. P. 764) (L. D. 1030)

Mr. Bunker from the Committee on Fisheries and Wildlife reported same on Bill "An Act relating to Open Season on Deer in the Town of Westport to Conform with Lincoln County" (H. P. 114) (L. D. 158)

Mr. Kelley from same Committee reported same on Bill "An Act relating to Hunting from Vehicles, Aircraft, Boats and Snowmobiles" (H. P. 707) (L. D. 950)

Mr. Shute from the Committee on Public Utilities reported same on Bill "An Act to Amend the Charter of the Orono-Veazie Water District" (H. P. 824) (L. D. 1098)

Mr. Murray from the Committee on Education on Bill "An Act relating to School Construction Aid" (H. P. 640) (L. D. 870) reported Leave to Withdraw, as covered by other legislation

Reports were read and accepted and sent up for concurrence.

Ought to Pass Printed Bills

Mr. Carter from the Committee on Appropriations and Financial Affairs reported "Ought to pass" on Resolve Reimbursing Mars Hill Utility District for Bonds Issued for Sewer Construction (H. P. 89) (L. D. 133)

Mr. Pratt from the Committee on Business Legislation reported same on Bill "An Act Authorizing Savings Banks to Issue Mortgage-backed Securities Guaranteed by the United States" (H. P. 733) (L. D. 995)

Mr. Trask from same Committee reported same on Bill "An Act re-

lating to Cancellation, Nonrenewal and Certain Changes of Automobile Insurance Because of Age" (H. P. 664) (L. D. 893)

Mr. Woodbury from the Committee on Education reported same on Bill "An Act to Revise the Laws Relating to Authority for Granting Degrees and to Approval of Degree-granting Institutions" (H. P. 706) (L. D. 949)

Mr. Lessard from the Committee on Health and Institutional Services reported same on Bill "An Act relating to Definition of Dental Hygienist and Dental Auxiliaries" (H. P. 563) (L. D. 739)

Mrs. McCormick from same Committee reported same on Bill "An Act to Authorize a Food Stamp Program in Kennebec County" (H. P. 767) (L. D. 1033)

Mr. Conley from the Committee on Public Utilities reported same on Bill "An Act to Enable the Town of Cape Elizabeth to Establish Sewer Service Charges" (H. P. 632) (L. D. 862)

Mr. Marsh from same Committee reported same on Bill "An Act relating to Compensation of Trustees of the Rumford Water District" (H. P. 750) (L. D. 1019)

Mr. Ross of Bath from the Committee on Taxation reported same on Bill "An Act Increasing Tax on Commercial Fertilizers" (H. P. 279) (L. D. 368)

Reports were read and accepted, the Bills read twice, Resolve read once, and assigned the next legislative day.

Ought to Pass with Committee Amendment

Mr. Mahany from the Committee on Agriculture on Bill "An Act to Clarify the Laws Relating to Milk and Milk Products" (H. P. 377) (L. D. 492) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice. Committee Amendment "A" (H-80) was read by the Clerk and adopted, and the Bill assigned for third reading the next legislative day.

Mr. Cote from the Committee on Legal Affairs on Bill "An Act to Establish a Boundary Line between the Towns of Wayne and Leeds"

(H. P. 1057) (L. D. 1162) reported "Ought to pass" as amended by Committee Amendment "A" submitted therewith.

Report was read and accepted and the Bill read twice. Committee Amendment "A" (H-81) was read by the Clerk and adopted.

The SPEAKER: Is there any objection to the rules being suspended that this matter may have its third reading at this time? The Chair hears objection.

To suspend the rules requires a two-thirds vote. All in favor of the rules being suspended that this matter may have its third reading at this time will vote yes; those opposed will vote no.

A vote of the House was taken.

The SPEAKER: 65 having voted in the affirmative and 43 in the negative, 65 not being two thirds, the rules are not suspended.

The Bill was assigned for third reading the next legislative day.

Divided Report

Majority Report of the Committee on Health and Institutional Services reporting "Ought to pass" on Bill "An Act relating to Out-of-state Ambulance Services and Eliminating Fees for Ambulance Personnel" (H. P. 592) (L. D. 787)

Report was signed by the following members:

Messrs. HICHENS of York

MINKOWSKY

of Androscoggin

GREELEY of Waldo

—of the Senate.

Mr. LESSARD of Lisbon

Mrs. PAYSON of Falmouth

Messrs. LEWIS of Bristol

DYAR of Strong

Mrs. McCORMICK of Union

Mr. CLEMENTE of Portland

Mrs. CUMMINGS of Newport

Mrs. BERRY of Madison

Mrs. DOYLE 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. SANTORO of Portland

—of the House.

Reports were read.

On motion of Mrs. Payson of Falmouth, the Majority "Ought to pass" Report was accepted.

The Bill was given its two several readings and assigned the next legislative day.

Passed to Be Engrossed

Bill "An Act Changing the Name of Maine State Association of Plumbing Contractors, Inc." (S. P. 234) (L. D. 696)

Bill "An Act to Establish a Maine Library Advisory Committee" (S. P. 263) (L. D. 769)

Bill "An Act relating to State-ment Setting Forth the Total Necessary to Retire All Outstanding Bonds on Ballots for Bond Issues" (S. P. 282) (L. D. 838)

Bill "An Act relating to Temporary Loans by State" (S. P. 283) (L. D. 839)

Bill "An Act Continuing the Maine Cultural Building Authority" (S. P. 348) (L. D. 1016)

Bill "An Act relating to Legislative Ethics" (S. P. 511) (L. D. 1368)

Bill "An Act relating to Number of Whitefish Taken from Waters of the State" (S. P. 512) (L. D. 1369)

Bill "An Act relating to the Administration of the Department of Audit" (S. P. 514) (L. D. 1371)

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

Indefinitely Postponed

Bill "An Act Increasing Mileage Allowance for State Employees on State Business" (H. P. 305) (L. D. 405)

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

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: I have always had compassion for our state employees. As a matter of fact, a few years ago I sponsored a major pay raise for them which was passed. Two years ago I sponsored a mileage increase for the state employees. Prior to that time they were getting 9 cents a mile for the first 5,000 miles and 7

cents a mile thereafter. We then, two years ago, granted a straight 10 cents a mile across the board.

This year I was once again approached to see if I would sponsor another increase, and I said I would take it under consideration and study it. But when I found out that the cost of this would be in excess of \$300,000 for the biennium, I felt that we certainly could not afford it and I refused to sponsor it.

I now don't believe that we should waste our time and money in letting this go to the Appropriations Table where it undoubtedly would be killed. And I now move today that this bill and all accompanying papers be indefinitely postponed.

The SPEAKER: The gentleman from Bath, Mr. Ross, moves that L. D. 405 be indefinitely postponed.

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

Mr. COONEY: Mr. Speaker and Members of the House: I would just like to correct the gentleman from Bath, the total cost of this would be, to the figures of the committee, \$525,000, considerably more.

I signed the "Ought not to pass" Report. The state employees are going to be asking for pay raises. I hope we would consider those very carefully, and I personally hope that we would raise their salaries. They also have some other individual bills for specific requests which I think would help far more employees in a far more beneficial way than this particular measure.

So I would hope that you would go along with the gentleman from Bath and indefinitely postpone this measure.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: I too concur with the gentleman from Bath, Mr. Ross. I do not believe that it is justifiable or advisable at this time to increase the mileage rate to the 12 cents. I hope we vote to indefinitely postpone this bill.

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

Mr. CROSBY: Mr. Speaker and Ladies and Gentlemen of the House: This happens to be my bill, and I was not aware of the fact that our good friend from Bath, Mr. Ross, had refused to take it. However, I felt that the employees were justified in having an increase in their mileage. I think all of us drive automobiles, we know that insurance rates have gone up, we know that the gasoline tax probably will go up one cent again this year. I simply put myself in the position of a state employee who is using his own car for state business. Now if he is going to support his car, I think he should have adequate compensation to do it.

Therefore, I hope you will vote against the motion to indefinitely postpone.

The SPEAKER: The pending question is on the motion of the gentleman from Bath, Mr. Ross, that item 9, L. D. 405, be indefinitely postponed. If you are in favor you will vote yes; if you are opposed you will vote no.

A vote of the House was taken.

90 having voted in the affirmative and 39 having voted in the negative, the motion did prevail.

Sent up for concurrence.

Bill "An Act relating to Retirement of Police Officers and Fire Fighters" (H. P. 1226) (L. D. 1432)

Bill "An Act Permitting Maine Port Authority to Operate Certain Charter Service in Addition to Maine State Ferry Service" (H. P. 1227) (L. D. 1433)

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

Amended Bills

Bill "An Act relating to the Testing of Vision and Hearing for School Pupils" (S. P. 271) (L. D. 799)

Bill "An Act Creating the Kennebec Sanitary Treatment District" (S. P. 309) (L. D. 953)

Bill "An Act relating to the Requirement That the Boundary Lines of Voting Districts in Municipal

Elections Follow Streets” (H. P. 765) (L. D. 1031)

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

**Third Reader
Recommitted**

Bill “An Act to Prohibit the Importing and Introduction to our Coastal Waters of any Uncertified Marine Species” (S. P. 513) (L. D. 1370)

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

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

Mr. MARTIN: Mr. Speaker and Members of the House: I now move that we reconsider our action of yesterday whereby we accepted the Committee Report and briefly would speak to my motion.

Yesterday the House accepted a report of the committee, and as we looked at the journal I noted yesterday that the bill had then been recommitted to the Committee on Fisheries and Wildlife after having gone to the other body. After having checked this out, it is my understanding that it is acceptable to everyone that this ought to go back to the committee. And so I would hope that the motion would carry and then I would make a motion to accept the report and then substitute the bill for the report and send it back to committee.

The SPEAKER: The Chair would advise the gentleman this has not been passed to be engrossed and it is in a position to be recommitted at this time.

Thereupon, on motion of the same gentleman, recommitted to the Committee on Fisheries and Wildlife in concurrence.

**Passed to Be Enacted
Emergency Measure**

An Act Creating the Kennebec Sanitary Treatment District (S. P. 309) (L. D. 953)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members

elected to the House being necessary, a total was taken. 130 voted in favor of same and one against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

By unanimous consent, ordered sent forthwith.

Passed to Be Enacted

An Act Providing for Adult Education (H. P. 384) (L. D. 499)

An Act Increasing Salaries of District Court Judges (H. P. 489) (L. D. 630)

An Act relating to Law Providing for Statutory Agent for Foreign Domiciled Carriers Purchasing Semitrailer Plates (H. P. 512) (L. D. 657)

An Act relating to Reporting of Motor Vehicle Accidents (H. P. 1206) (L. D. 1267)

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

Orders of the Day

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

HOUSE DIVIDED REPORT — Majority (12) “Ought not to pass”

— Minority (1) “Ought to pass” — Committee on Transportation on Bill “An Act relating to Riding in Trailers” (H. P. 471) (L. D. 599)

Tabled — March 19, by Mr. Simpson of Standish.

Pending — Acceptance of either Report.

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

Mr. SIMPSON: Mr. Speaker, I rise to move that we accept the Minority “Ought to pass” Report.

The SPEAKER: The gentleman from Standish, Mr. Simpson, moves that the House accept the Minority “Ought to pass” Report.

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

Mr. LEE: Mr. Speaker and Members of the House: This bill had a hearing and as I recall it, there may be a reason for some action being taken on riding in trailers or on the back of trucks, or one thing or another, but it

was decided in committee that there was nothing earthly that we could do to enforce a law of this nature. It would cause an undue hardship on various segments of our industry. And I hope that you will not vote to accept the Minority Report and will accept the Majority "Ought not to pass" Report.

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

Mr. SIMPSON: Mr. Speaker and Ladies and Gentlemen of the House: This bill that you have before you, I have prepared an amendment for, which you have on your desks, that if the Minority Report is accepted would be offered at the appropriate time during the third reading of the bill.

At the particular hearing, there really was no opposition to the bill except from the committee itself. This bill is a bill that is sponsored with the complete recommendation of the State Highway Commission, the State Police, and the Maine Highway Safety Council.

We have at the present time on our laws a Statute that states that it shall be illegal to ride in a house trailer on the public highways of the State of Maine. There are three other classifications of trailers as defined in our Statutes. It was the feeling of the Maine State Police that they felt that all types of trailers should be included in this particular provision.

Practically every state in the country has a similar provision, or a similar law. Some go about it in different ways as to how they define trailers, and so forth, to get exclusions in. Now at the hearing from the committee came the objections that what would happen to a farmer who might want to be taking a tractor with a trailer with his employees from field to field, that might have to cross a public highway, or what about a man in the construction business that because of the nature of his business might have to have an individual riding on a truck? And I feel that these are appropriate objections, and that something ought to be done to try to exclude these people.

Therefore, we have researched the statutes of the different states throughout the country, and California has a statute which would allow the provision which I have offered, or would offer in the House Amendment. And this would exclude employees who in the necessary discharge of their duties to their employer would be exempted.

I have had this before the Attorney General's Office, and Mr. Slosberg's office. They have drafted the amendment, and they do feel that this would cover the objections that were raised.

And I would therefore urge that you support the "Ought to pass" Report so that we can get consistency in our Statutes and that we not be discriminatory of one type of trailer versus the other, but that we vote in favor of better highway safety in the State of Maine.

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

Mr. BARNES: Mr. Speaker and Members of the House: As the only signer of the Minority "Ought to pass" Report, I would like to state one or two of my reasons for doing that. One of the proponents of the bill at the hearing testified that he had seen, on several occasions he had seen children riding in a boat on a trailer. He is a toll taker at the Portsmouth Bridge, and they have a law in New Hampshire which prohibits this. He says that the children get out of the trailers and get into their cars when they get to the toll bridge.

As the gentleman from Standish has just pointed out, the main objection was the inconvenience to contractors in moving their equipment about on construction projects; and this amendment which he will offer, if it is allowed to reach that stage, will definitely take care of that.

We as legislators, and as individuals I believe, are concerned on highway safety. And therefore, I think that this L. D. 599 is a step in the right direction, and I hope that you will go against the motion to accept the Majority "Ought not to pass" Report. I thank you.

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

Mr. FINEMORE: Mr. Speaker and Members of the House: I believe we ought to accept the "Ought not to pass" Report for the simple reason today you will notice quite a few pickups on the road hauling these camp trailers, and they will have four or five children. Well, I wonder which is the safest, to have those four or five children in the front seat of that pickup with the mother and father or have them in the trailer. We have so many safety hitches and so many safety laws now on hitching the camp trailer on that there isn't very much chance of it ever unhooking and come traveling back alone or something. And I think if there was a head-on collision with all of them in the front seat it would be much more dangerous to the lives of the children and the mother and father than it would if we let it go. I believe if it is in order, Mr. Speaker, I would move for indefinite postponement of this bill and both reports.

The SPEAKER: The gentleman from Bridgewater, Mr. Finemore, now moves for indefinite postponement of both Reports and the Bill. The Chair will order a vote. The pending question is on the motion of the gentleman from Bridgewater, Mr. Finemore, that both Reports and Bill be indefinitely postponed on L. D. 599. If you are in favor of indefinite postponement you will vote yes; if you are opposed you will vote no.

A vote of the House was taken. 63 voted in the affirmative and 62 voted in the negative.

Mr. Birt of East Millinocket requested a roll call vote.

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

A vote of the House was taken, and more than one fifth of the members present having express-

ed a desire for a roll call, a roll call was ordered.

The SPEAKER: The Chair recognizes the gentleman from Scarborough, Mr. Gagnon.

Mr. GAGNON: Mr. Speaker and Members of the House: I wasn't going to get up on this issue, but seeing as I was involved for a period of time with a good many accidents, I feel that this is a good bill and it ought to pass. The only thing you have got supporting a trailer being hauled by a vehicle is a small ball that is hooked to the trailer hitch. If anyone has seen one of these things come off, there is absolutely no control over it. And if you have children riding in the back, they have just no place to go. I think there is merit here, and I would hope that you would support the motion of Mr. Simpson.

The SPEAKER: The Chair recognizes the gentleman from Van Buren, Mr. Lebel.

Mr. LEBEL: Mr. Speaker and Ladies and Gentlemen of the House: If this bill passed, an outfit like Coles Express, the man won't be able to stay in the van to deliver stuff from one store to the other. He will have to get out. So I feel this bill is a bad bill, so we should kill it. Thank you.

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

Mr. AULT: Mr. Speaker and Ladies and Gentlemen of the House: I think it would be fair if we gave Mr. Simpson an opportunity to present his amendment, and then we can debate the issue. And I would urge you to vote against the present motion.

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

Mr. NORRIS: Mr. Speaker, I move that this item be tabled for one legislative day.

The SPEAKER: The gentleman from Brewer, Mr. Norris, moves this matter be tabled for one legislative day pending the motion of the gentleman from Bridgewater, Mr. Finemore, that both Reports and Bill be indefinitely postponed. Is this the pleasure of the House?

(Cries of "No")

The SPEAKER: The Chair will order a vote. As many as are in favor of tabling will vote yes; those opposed will vote no.

A vote of the House was taken. 3 having voted in the affirmative and 120 having voted in the negative, the motion did not prevail.

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

Mr. GILL: Mr. Speaker and Members of the House: I would simply rise to point out the fact that I don't believe the driver of a Coles Express vehicle drives it from in the van.

The SPEAKER: The Chair recognizes the gentleman from Van Buren, Mr. Lebel.

Mr. LEBEL: Mr. Speaker and Members of the House: There is not the driver only, sometimes they have a helper and he stays in the van. Thank you.

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

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: Please believe me when I indicate to you that I had no intentions of speaking. (laughter) Last summer I was traveling and I do travel a great deal between Presque Isle and Eagle Lake, and I came upon an accident which bothered me somewhat. And what had happened was a very simple thing. This large trailer was being hauled by this large Cadillac. And for some reason the ball came off. It hit the electrical wires, broke the pole, and when I got there the whole thing was in flames.

If there had been a child inside of that trailer, it also would not have been around. There were a couple cats in there; obviously they did not survive. If this could happen under existing law in this state, I think somehow we have a duty to see that it does not happen and is not allowed.

So I would be more than happy to vote against the motion of indefinite postponement and see whether or not we can't prevent this from happening again.

The SPEAKER: The Chair recognizes the gentlewoman from Union, Mrs. McCormick.

Mrs. McCORMICK: Mr. Speaker and Members of the House: It is already present law that they cannot ride in house trailers. This is pertaining to other types of trailers.

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

Mr. JALBERT: Mr. Speaker and Members of the House: This has been a 12 to 1 report, after certainly being discussed by the members of the committee thoroughly. I can appreciate the position of the gentleman from Standish on an amendment that probably should have been discussed in committee. I can appreciate everybody that has talked here. But the only thing I have got to say is, that being sometimes a wagering man, after listening today to the arguments, Wednesday night I made a little wager of \$50 that we wouldn't be out of here until July 15. Today I wouldn't sell my bet for \$49.95.

The SPEAKER: The pending question is the motion of the gentleman from Bridgewater, Mr. Finemore, that both Reports and Bill "An Act relating to Riding in Trailers," House Paper 471, L. D. 599 be indefinitely postponed. The yeas and nays have been ordered. All in favor of indefinite postponement will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Berry, G. W.; Berry, P. P.; Bither, Bourgoin, Bragdon, Brawn, Churchill, Collins, Conley, Cooney, Crosby, Curran, Cyr, Doyle, Dyar, Emery, D. F.; Emery, E. M.; Fecteau, Finemore, Fraser, Gauthier, Good, Hall, Hardy, Hawkens, Henley, Immonen, Jalbert, Jutras, Kelley, K. F.; Keyte, Kilroy, Lebel, Lee, Mahany, Manchester, McCormick, McNally, Mills, Parks, Pontbriand, Porter, Shaw, Susi, Williams.

NAY — Ault, Bailey Baker, Barnes, Bartlett, Bedard, Bernier, Berube, Birt, Boudreau, Brown, Bunker, Bustin, Call, Carey, Carrier, Carter, Clark, Clemente, Cote, Cottrell, Curtis, A. P.; Curtis, T. S., Jr.; Dam, Dow, Drigotas, Farrington, Gagnon, Genest, Gill, Goodwin, Hancock, Haskell, Hayes, Herrick, Hewes, Hodgdon, Kelleher, Kelley, R. P.; Lawry,

Lewin, Lewis, Lincoln, Littlefield, Lucas, Lund, Lynch, Maddox, Marsh, Marstaller, Martin, McKinnon, McTeague, Millett, Morrell, Murray, Norris, Page, Payson, Pratt, Rand, Rocheleau, Rollins, Ross, Scott, Shute, Silverman, Simpson, L. E.; Simpson, T. R.; Slane, Smith, D. M.; Starbird, Stillings, Tanguay, Theriault, Vincent, Webber, Wheeler, White, Whitson, Wood, M. W.; Wood, M. E.; Woodbury.

ABSENT—Binnette, Cummings, Donaghy, Dudley, Evans, Faucher, Hanson, Kelley, P. S.; Lessard, Lizotte, MacLeod, McCloskey, Mosher, O'Brien, Orestis, Santoro, Sheltra, Smith, E. H.; Trask, Tynedale, Wight.

Yes, 46; No, 83; Absent, 21.

The SPEAKER: Forty-six having voted in the affirmative and eighty-three having voted in the negative, with twenty-one being absent, the motion to indefinitely postpone does not prevail.

Thereupon, the Minority "Ought to pass" Report was accepted, the Bill read twice and assigned the next legislative day.

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

HOUSE DIVIDED REPORT — Majority (9) "Ought not to pass" — Minority (3) "Ought to pass" — Committee on State Government on Bill "An Act Providing Longevity Provisions for State Employees" (H. P. 660) (L. D. 890)

Tabled—March 23, by Mr. Martin of Eagle Lake.

Pending—Motion of Mr. Donaghy of Lubec to accept Majority Report.

Thereupon, on motion of Mr. Starbird of Kingman Township, retable pending the motion of Mr. Donaghy of Lubec to accept the Majority Report and specially assigned for Tuesday, March 30.

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

HOUSE JOINT ORDER — Re State Planning Office under the Supervision of the Legislative Research Committee, authorized to study the desirability of creating a state bureau under the Depart-

ment of Finance and Administration.

Tabled—March 23, by Mr. Donaghy of Lubec.

Pending—Passage.

Thereupon, the Joint Order (H. P. 1232) received passage and was sent up for concurrence.

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

An Act relating to Cultivation of Fish in Private Ponds (H. P. 1107) (L. D. 1168)

Tabled — March 23, by Mr. Barnes of Alton.

Pending — Passage to be enacted.

Thereupon, on motion of Mr. Barnes of Alton, passed to be enacted, signed by the Speaker and sent to the Senate.

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

Resolve Reimbursing Certain Municipalities on Account of Property Tax Exemptions of Veterans (S. P. 88) (L. D. 217) — In Senate, passed to be engrossed with Committee Amendment "A" (S-29); In House, Committee Amendment "A" adopted.

Tabled — March 23, by Mr. Martin of Eagle Lake.

Pending — Adoption of House Amendment "A" (H-62)

Thereupon, House Amendment "A" was adopted, and the Resolve passed to be engrossed as amended by Committee Amendment "A" and House Amendment "A" in non-concurrence and sent up for concurrence.

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

HOUSE DIVIDED REPORT — Majority (12) "Ought not to pass" — Minority (1) "Ought to pass" — Committee on Public Utilities on Bill "An Act relating to Powers of Portland Water District" (H. P. 574) (L. D. 750)

Tabled — March 23, by Mr. Conley of South Portland.

Pending — Motion of Mr. Williams of Hodgdon to accept Majority Report.

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

Mr. CONLEY: Mr. Speaker, Ladies and Gentlemen of the House: I rise to speak against the Majority "Ought not to pass" Report. This bill, in my opinion, is a bill sponsored by the Portland Water District for the continued protection of the drinking water of 125,000 people in the Greater Portland area. This represents almost 20 per cent of the state, and for years the trustees and management have worked hard to keep this water pure.

Two years ago we had plans for having a sewer line around Sebago Lake within the next 20 to 30 years—no hurry on that one. But lately, a year and a half ago, up comes Frye Island right in front of us. We went to court with the state to fight this and we were unsuccessful and we still have it in court on another angle. We have Frye Island; there is nothing we can do about it unless we go through and pass legal document 750.

As a trustee of the Portland Water District I realize the importance of this area, realize the necessity of a document like this. And I urge the House to give very careful consideration and I ask for a division on the motion. Thank you.

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

Mr. EMERY: Mr. Speaker and Members of the House: I just had a look at L. D. 750, and it occurs to me that the way to keep water pure is not by permitting any water district to dispose of sewage in a fresh body of water. Therefore, I move indefinite postponement of L. D. 750 and all of its accompanying papers.

The SPEAKER: The gentleman from Rockland, Mr. Emery, now moves indefinite postponement of both Reports and Bill on L. D. 750.

The Chair recognizes the gentleman from Hodgdon, Mr. Williams.

Mr. WILLIAMS: Mr. Speaker and Members of the House: I would like to give you people a little background on this bill. The 104th Legislature, in its wisdom,

passed a bill that permitted the Portland Water District to build a sewer line around Frye Island and also pick up some of the effluent along the shore. And they agreed that they were going to build a treatment plant and dump—and the first start of it I don't know where they wanted to dump it, but the committee in the 104th figured that the water was just as pure going from the outlet of the lake down through North Gorham Pond as it was in the lake.

So we required that they dump their effluent below North Gorham pond, which would protect the river down aways and protect the cottage owners, of whom there are quite a few around North Gorham Pond. Well now they already have that privilege and that would protect the water of North Gorham Pond and Sebago Lake.

This present resolve, all it does is allows the Portland Water District to put their effluent into the Presumpscot River just below the spot where it leaves the lake. They would tell you that this would save themselves — the first estimate we had was \$2 million and then they reduced it to \$1 million, and then when you figure they are only going to pay 15 percent of the cost of the thing anyway, it gets down to where we are talking about \$150,000.

Now the people of North Gorham are violently opposed to this because some of them get their drinking water out of this river and some of them drink the water out of the lake. So in order to save the Portland Water District \$150,000, they want to dump the effluent in approximately two miles above the North Gorham Pond.

Well now the manager of the Portland Water District says the passage of this bill would protect the quality of water in North Gorham Pond. I wonder how many cottage owners on North Gorham Pond want to swim in and perhaps drink water full of colibacteria even if most of them are dead. This is not my idea of protecting the water supply. So actually this bill was put in to save the water rates coming from this Frye Island.

Well now why should the people of North Gorham have to suffer the loss of two miles of the Presumpscot River and North Gorham Pond that is all "A" water in order to save the Portland Water District \$150,000?

In my opinion if the people buying these lots and paying \$20,000 each for them on Frye Island, and they expect to build \$50,000 homes there, they surely can pay for the sewer charges necessary to take care of their sewage. Thank you.

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

Mr. LUCAS: Mr. Speaker and Ladies and Gentlemen of the House: I do not want to belabor the position of the Portland Water District on this issue. However, I would be remiss not to mention my impression that the district trustees are striving to provide a high quality of water, thereby preserving the public health which is in the public interest with full recognition of their responsibilities entrusted to them. The Frye Island problem will not be settled by the defeat of this bill.

I want to make it clear also that there is a Court order presently outstanding which prohibits construction on Frye Island until the nature of the treatment of the effluent has been approved by the Attorney General and the Portland Water District. However, if these parties do not approve, the landowner still has the right to go and have the Court determine, after a hearing, whether or not he may construct a building with attendant effluent treatment facilities.

I think a lot of people misunderstand the present status of the case and think there will always be a prohibition against building on Frye Island. I do not understand this to be the case.

I further understand from the Water District that the Judge instructed them, since they have sewer powers, to come up with a proposal so that construction could go forward on Frye Island and that the effluent be taken away and treated so that Sebago Lake would always be protected. I fur-

ther understand that the failure to remove the restriction from the dumping of treated effluent below the North Gorham dam adds an additional \$1 million to the cost of the treatment facilities and makes it economically unfeasible.

I just wanted the members of the House to know that this matter will probably be back in the laps of the court and the court may face about 1,400 requests to build on the Island. Some people have expressed the idea that the matter can be stopped, and I want to point out there is some doubt about that.

I also want to point out that this proposal to construct on Frye Island preceded the Environmental Site Selection Law and therefore it is grandfathered. Had that law been in effect, the Environmental Improvement Commission could have effectively blocked this development or required the developer to have made prior arrangements for treating effluent. The EIC has much broader powers than the Portland Water District has, or even the Court may have under the circumstances of this case.

Now upon the vote on this issue, the only thing that I could urge at this time to solve the problem would be for the Portland Water District and the Towns of Gorham and Windham to get together and to work out a mutually agreeable solution to the situation.

The SPEAKER: The Chair recognizes the gentleman from Hodgdon, Mr. Williams.

Mr. WILLIAMS: Mr. Speaker and Members of the House: I would just like to point out to the previous speaker that this bill does not affect Frye Island and that development in the least. This bill merely says that they are going to pollute two miles of water in North Gorham Pond. It has nothing whatever to do with the pollution coming into Frye Island.

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

Mr. EMERY: Mr. Speaker and Ladies and Gentlemen of the House: As a member of the committee that heard this bill, I signed with the majority and I agree with

the position of Mr. Williams' statements. I would like to also make a few additions to what he stated.

I understand that this survey cost the Portland Water District about \$320,000, considerably more than what the share would be of the cost to put this pipeline below this dam and pond and make sure that the effluent discharge would be in moving water rather than a sediment bowl such as the lake is known to be.

The grandfather clause, as was mentioned here, I feel that in regards to the grandfather clause, it should be known, and I believe that most of us know it, that a lot of our water pollution today is because of this grandfather clause.

I feel that this is a private interest bill, and I would like to make one more point on this. It was brought out that these people up here, as Mr. Williams stated, they do take the water out of the lake and I feel that they have got a right to continue to use it in its natural state if they wish. When somebody starts putting sewage in there it is going to be just the same as if they come down and dump it in my well, and I don't think that many of us would agree with that either.

Frye Island is a question that the courts will have to decide on. I feel today that we should decide on this issue and postpone the bill.

The SPEAKER: The Chair recognizes the gentleman from Windham, Mr. Hall.

Mr. HALL: Mr. Speaker and Members of the House: I have a letter here from the Town of Windham pertaining to the last town meeting on March 20, and I would like to read it to you.

"The following action was taken at the annual Town Meeting, Town of Windham, March 20, 1971:

The Town of Windham is opposed to the discharging of effluent from a proposed Portland Water District sewage treatment plant into the Presumpscot River."

If this water goes into this river, down where they are intending to put it, it will just spoil a new recreation area that has just been developed and ready to open this summer.

The SPEAKER: The Chair recognizes the gentleman from Gorham, Mr. Mosher.

Mr. MOSHER: Mr. Speaker and Members of the House: Two years ago they tried to put 50,000 gallons into North Gorham Pond, and Raeburn MacDonald of the Water Improvement Commission told us that no more than 50,000 gallons could ever be put in there, and now they are trying to put 300,000 gallons in.

Furthermore, on the river there are ten dams and at each dam is a development to produce water power. For a week each year, in July, this water is completely cut off for improvements on these dams and cleaning the water wheels. I have been talking with Scott Paper Company. They say there is no other way than to shut this water off for that length of time and that is right at the height of the season on Frye Island.

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

Mr. WHITSON: Mr. Speaker and Members of the House: I hope that the lesson of the Frye Island development is not lost in this legislature. Development at any price is not acceptable. I will not vote to rob from Peter to pay Paul. I believe that the problem of the Sebago Lake potential pollution due to the Frye Island development should be handled without damaging the quality of water in other watershed areas. Thank you.

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

Mr. GILL: Mr. Speaker and Members of the House: I shall be brief, but I dare say that if this legislative document had been put to a referendum on the people that draw their water from the Portland Water District, it would be turned down overwhelmingly.

We have a great number of people from South Portland, from Portland, who have expressed concern to me over this proposal by the Portland Water District. And there has even been some mention made that the corporate structure of the Water District does not allow participation from trustees from areas that are served by the

Portland Water District, and this is true. They have representation from Portland and South Portland. The rest of the area that is served has not received it.

So therefore, I would support the motion to indefinitely postpone this.

The SPEAKER: The pending question is on the motion of the gentleman from Rockland, Mr. Emery, that both Reports and Bill "An Act relating to Powers of Portland Water District," House Paper 574, L. D. 750, be indefinitely postponed. All in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

109 having voted in the affirmative and 2 having voted in the negative, the motion did prevail.

Mr. Whitson of Portland requested a roll call vote.

The SPEAKER: The gentleman from Portland, Mr. Whitson, requests the yeas and nays. For the Chair to order a roll call it must have the expressed desire of one fifth of the members present and voting. All members that do desire a roll call vote will vote yes; those that are opposed will vote no.

A vote of the House was taken, and less than one fifth of the members present having expressed a desire for a roll call, a roll call was not ordered.

Thereupon, the Bill was indefinitely postponed and sent up for concurrence.

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

An Act relating to Fire Protection for Township 16, Range 4, Aroostook County (S. P. 108) (L. D. 287)

Tabled — March 23, by Mr. Page of Fryeburg.

Pending — Passage to be enacted.

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

Mr. COLLINS: Mr. Speaker, I move the indefinite postponement of L. D. 287, together with all accompanying papers.

The SPEAKER: The gentleman from Caribou, Mr. Collins, now moves the indefinite postponement of L. D. 287.

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

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: I am not sure why the motion to indefinitely postpone has been made, but I would like to relate to you what this item is, and what it does.

As you know, there are many unorganized territories in this state that have property that has to be protected. Under existing law the property within a district is protected by the Maine Forestry District. I think we have been through this once before. If you will recall, I related to you that the Forest Commissioner of this state pays a bill for fire protection only, and only when there is no snow on the ground. If there is snow on the ground, then the Forest Commissioner does not pay for a fire that happens on a building in an unorganized community.

And so the Statutes have been written in such a way that a community that has houses has a provision that a community, an unorganized territory, can have its county commissioners negotiate with a fire department so that the fire department in an organized community can give fire protection in an unorganized community.

At the present time under the law, if you check L. D. 287, you will find that that authorization is given to a large number of communities in Aroostook County, in Franklin County, in Hancock, in Piscataquis, in Oxford, and Penobscot County, and that these counties provide a way of providing fire insurance to buildings within an unorganized community.

I told you and related to you of an instance in my case where my fire department within our community responded to a call in an unorganized community. The fire call, as I recall, was on April 1, two years ago. The Forest Commissioner refused to pay because that fire occurred when there was snow on the ground. So our community took the loss of having to fight a fire outside its organized limits.

This bill would allow the county commissioners of Aroostook to negotiate with a fire department

so that this particular township, Township 16, Range 4, that has people living there year round, would be in a position to get fire protection. I know that there are many camp owners in Caribou and Presque Isle that are concerned about paying taxes in an unorganized community such as Township 16, Range 4, Madawaska Lake. But I am concerned about those people that live there year round, that have houses there. As a matter of fact, I think there are two stores there, and yet if an organized fire department responds to a call, the organized department need not respond, need not come.

What this would do would allow the county commissioners permission to negotiate a contract with an organized fire department so that it would be in a position to respond and get paid. I repeat to you that there are many unorganized territories that have this now under the law in Aroostook County. And this is the way that it has been handled, and I really see no objections to it. I would hope it would not be indefinitely postponed. And as I recall, it was a unanimous committee report.

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

Mr. COLLINS: Mr. Speaker and Members of the House: As the gentleman from Eagle Lake has indicated, most of the people that reside during the summer in Township 16, Range 4, are from central Aroostook County, and probably the majority are from the Town of Caribou. Now to my knowledge there are three, and perhaps four full time residents within this township. The vast majority are summer residents who own camps and pay taxes to the state, which includes the Forestry District, from whom they expect fire protection.

You will note, if you will look at the bill, that this does permit the county commissioners to negotiate for additional protection from the Town of Stockholm. Now it happens that the Town of Stockholm operates a volunteer fire department that has been in existence for two years that has one piece of equipment. The ma-

jority of fire fighting effort, when it does occur in this area, has to come from Caribou. And it does.

Now I have contacted camp owners who represent a substantial number of the people involved within this township, and they are not particularly interested in additional protection that might be negotiated for them by the county commissioners, and they are satisfied with the present protection and arrangements that exist through the Forestry District. Therefore, I urge you to support me in my motion.

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

Mr. DYAR: Mr. Speaker and Members of the House: This bill was heard before the County Government Committee, and came out unanimous with a committee amendment. And I feel that there is value to this bill. I also represent the county that does have this, Franklin County, and the unorganized towns are all within my district.

I feel that we have given these people protection they would not have otherwise under the present statutes. As the gentleman from Eagle Lake, Mr. Martin, has stated, that the protection they have is just in the summertime; in the wintertime the place can burn and there will be no help available.

Under the setup we have, our people are protected the year round, and I think this courtesy should be extended to any place in the state that requests this service.

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

Mr. FINEMORE: Mr. Speaker and Members of the House: I have checked pretty well on this with Mr. Collins and Mr. Bragdon. We find that Mr. Wilkins tells us that the fire protection on this unorganized town would be paid for whether it is summer or winter, whether snow was on or snow was off. And I would also like to go along with Mr. Collins in stating that if it is any amount of fire that the Stockholm Fire Depart-

ment is not qualified to take care of the fire. They would have to come from Caribou, which if the county commissioners enter into an agreement with Stockholm, there would be no other protection that would be available.

So therefore I hope you will go along with Representative Collins' motion to indefinitely postpone.

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

Mr. MILLS: Mr. Speaker and Ladies and Gentlemen of the House: I am also a member of the County Government Committee. I think this is being overdone here. This is only corrective legislation. If you would read the bill you would notice it still leaves it up to the county commissioners whether they want to enter into an agreement on this time or not. It simply authorizes them to do so under the inserted words that are in this bill. That is all it is is corrective legislation.

The SPEAKER: The pending question is on the motion of the gentleman from Caribou, Mr. Collins, that Bill "An Act relating to Fire Protection for Township 16, Range 4, Aroostook County", Senate Paper 108, L. D. 287 be indefinitely postponed. The Chair will order a vote. All in favor of indefinite postponement will vote yes; those opposed will vote no.

A vote of the House was taken.

42 having voted in the affirmative and 62 having voted in the negative, the motion did not prevail.

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

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

An Act relating to Business Hours for Taverns (S. P. 299) (L. D. 856)

Tabled — March 23, by Mr. Birt of East Millinocket.

Pending — Passage to be enacted.

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

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

Bill "An Act relating to the Sale and Use of Lead Paint" (S. P. 460) (L. D. 1378)—In Senate, referred to the Committee on Health and Institutional Services.

Tabled—March 24, by Mr. Martin of Eagle Lake.

Pending—Motion of Mr. Porter of Lincoln to refer to the Committee on Legal Affairs in non-concurrence.

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

Mr. PORTER: Mr. Speaker and Ladies and Gentlemen of the House: When I saw L. D. 1378 and saw the penalties in it, I thought that it should go to either Judiciary or Legal Affairs, not knowing that there were similar bills coming along. I understand there are three bills pertaining to lead paint, and I definitely believe they should belong in the same committee. I rather think they should belong to the Legal Affairs or the Judiciary Committee, but inasmuch as the other two have gone to the Health and Institutional Services, I would like to withdraw my motion, sir.

Thereupon, Mr. Porter of Lincoln was granted permission to withdraw his motion.

The Bill was then referred to the Committee on Health and Institutional Services in concurrence.

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

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

Tabled—March 24, by Mr. Mills of Eastport.

Pending—Motion of Mr. Brawn of Oakland to indefinitely postpone.

Mr. Vincent of Portland offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-79) was read by the Clerk.

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

Mr. BRAUN: Mr. Speaker, I ask for a division and I would speak to my motion.

The SPEAKER: A division has been requested on the adoption of House Amendment "A".

The gentleman may proceed.

Mr. BRAUN: Mr. Speaker and Ladies and Gentlemen of the House: Due to the fact that there isn't such a light built as a 4-cell light, and I have one of the newest catalogs here from Eveready, and there is no 4-cell in it, I think that this shouldn't be. We would be the laughing stock of the town if we passed anything like this.

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

Mr. VINCENT: Mr. Speaker and Members of the House: They talk about a 4-cell flashlight and in fact that there is no such thing as a flashlight as we understand it, that being of a long, cylindrical object with batteries placed back to back. But there is a flashlight or handlight that can be used with 4 cells in which they are placed side by side in rows of two.

I spoke to the department about this, the Fish and Game, and they see no reason why the 4-cell hand equipment light couldn't be used. And the game warden that I talked to said that he did quite a bit of coon hunting and he thought that the light was appropriate, due to the fact that the 3-cell was too weak and insufficient for hunting raccoons at the top of tall trees at that particular time of the year due to the heavy foliage. And it is for this reason that I submitted the amendment here on this bill to strike out the provisions having to do with headlights pertaining to cars and asked to have the words inserted, dry cell, pertaining to flashlight cells in hopes that this would pass and the coon hunters would have the opportunity of providing maximum light for safety out in the woods.

I would hope that you would oppose the motion for indefinite postponement. Thank you very much.

The SPEAKER: The pending question which has priority is the adoption of House Amendment "A". If you are in favor of adopt-

ing House Amendment "A" you will vote yes; if you are opposed you will vote no.

A vote of the House was taken.

46 having voted in the affirmative and 41 having voted in the negative, the motion did prevail.

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

Mr. BRAUN: Mr. Speaker and Members of the House: As the gentleman just spoke before me said that a game warden had told him this, or over in the department, I dare say they have never hunted coon.

Now I have shot thousands of coons in my life. I have here a 3-cell flashlight, and when a man tells me that light will not penetrate 120 feet, there isn't any light at all that will penetrate.

And for you people who are not familiar with hunting coon, I would like to tell you a little about it. When you go out here and your dog barks a tree, you take your gun if you cannot see him, you fire two or three shells up the tree, you take a stick and scrape on the tree and the coon will come running down that tree. Now any man who has hunted coon knows this. And when a man says that this light is not strong enough, if this will not penetrate the foliage, there isn't any light that will penetrate that foliage.

Now if you cannot see the coon in that tree you climb another tree so you can see this coon. Now when you see this coon—you do not see the coon, you only see two little beady eyes and you shoot for these two little beady eyes. And in the testimony the other day the gentleman said the bullets might go astray. Gentlemen, I am not the best shot, but I do have a high-standard 22 automatic and I use long rifle shells. And if I cannot hit that clock face across this room every shot, I am slipping.

And when I hear people tell me that there is a 4-cell light, there isn't such a thing. And I was in a filling station this morning and he said, "Brawn, if you vote for anything, a light that doesn't exist, I will think you have lost your marbles."

And that is all I have got to say, and I hope they will go along with indefinite postponement.

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

Mr. VINCENT: Mr. Speaker and Ladies and Gentlemen of the House: The gentleman from Oakland, Mr. Brawn, seems to be doing all by himself what it took quite a few hunters to exterminate the buffalo population. He has killed over a thousand coons. He seems to be keeping the ammunition industry in business due to the fact that he fires several shots to scare them down a tree. It is for this reason that I wanted a more powerful light, the fact that he has to take a couple shots to scare them off the top of a tree. And I wouldn't want the gentleman at his age climbing tall trees with the chance of falling out of it. I would hope that he would use a stronger light so that he could see it from the ground. And if his aim is sufficient, he should be able to hit it from the ground as well as from the next tree, hanging on with one hand to the tree and hanging on to the gun with the other hand.

For this reason I would hope that you would vote for the passage and vote against the motion for indefinite postponement.

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

Mr. BRAWN: Mr. Speaker and Members of the House: I can visualize that Mr. Vincent doesn't know anything about hunting coons because I do not hang by my tail like a monkey in a tree, and when I climb a tree to see, it is when the foliage is high. And up to now I have never fallen out of a tree and I have climbed trees 120 feet. I have hunted since 1927. So you divide this through by the years, this isn't too many coon a year, 1,000. And I hope that sometime he may go hunting and he will find what I am telling him is true, from an old coon hunter.

The SPEAKER: The Chair recognizes the gentlemen from Portland, Mr. Whitson.

Mr. WHITSON: Mr. Speaker, I would like to pose a question

through the Chair to the gentleman, Mr. Brawn.

The SPEAKER: The gentleman may pose his question.

Mr. WHITSON: What would be the problem created by accepting Mr. Vincent's bill?

The SPEAKER: The gentleman from Portland, Mr. Whitson, poses a question through the Chair to the gentleman from Oakland, Mr. Brawn, who may answer if he chooses, and the Chair recognizes that gentleman.

Mr. BRAWN: Mr. Speaker, the problem is there is no such a light. It is impossible. We will be the laughing stock of town.

The SPEAKER: The Chair recognizes the gentlemen from Albion, Mr. Lee.

Mr. LEE: Mr. Speaker and Ladies and Gentlemen of the House: I never did hunt a coon. I don't know if I ever killed one unless I ran over it with my automobile. But I do live in the central Maine part of the country here and I do live in an area where there is considerable jacking done of deer. This is something that game wardens are trying their best to eliminate. We know they are having a hard time because the poachers seem to be a lot more organized than the game wardens.

I think that increasing this light size is the biggest danger to help the deer jacker in spotting his deer. I believe that in all fairness to the coon hunters that a couple-cell flashlight or a 3-cell flashlight is big enough.

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

Mr. VINCENT: Mr. Speaker and Members of the House: I would just remind you that deer can be jacked with a 2-cell flashlight just as easy as any other light.

The SPEAKER: The pending question is indefinite postponement of Bill "An Act relating to Use of Lights While Locating or Taking Raccoon Found by a Dog," House Paper 527, L. D. 689. All in favor of indefinite postponement will vote yes; those opposed will vote no.

A vote of the House was taken.

82 having voted in the affirmative and 28 having voted in the negative, the motion did prevail.

Sent up for concurrence.

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

Bill "An Act relating to Definition of Class A Restaurant Under Liquor Laws" (H. P. 302) (L. D. 402) — In House, passed to be engrossed as amended by House Amendment "A" (H-42) — In Senate, House Amendment "A" indefinitely postponed and Bill passed to be engrossed as amended by Senate Amendment "A" in nonconcurrency (S-40)

Tabled — March 25 by Mr. Susi of Pittsfield.

Pending — Further Consideration.

Thereupon, the House voted to recede and concur.

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

Bill "An Act relating to the Control of Dogs" (H. P. 270) (L. D. 359) — In House, passed to be engrossed as amended by House Amendment "A" (H-49) — In Senate, passed to be engrossed as amended by House Amendment "A" and Senate Amendment "A" (S-41) in non-concurrency.

Tabled — March 25 by Mr. Susi of Pittsfield.

Pending — Further Consideration.

Thereupon, on motion of Mr. Curtis of Bowdoinham, retabled pending further consideration and specially assigned for Tuesday, March 30.

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

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

Tabled — March 24 by Mr. Crosby of Kennebunk.

Pending — Adoption of House Amendment "A" (H-73)

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

Mr. ROLLINS: Mr. Speaker, I would like to move the indefinite

postponement of House Amendment "A" and would speak to my motion.

The SPEAKER: The gentleman from Dixfield, Mr. Rollins, moves the indefinite postponement of House Amendment "A", and the gentleman may proceed.

Mr. ROLLINS: Mr. Speaker and Members of the House: On three different occasions the various municipal officers from towns along Route 219, namely: "West Paris, Hartford, Turner, Leeds and Wayne, requested the State Highway Commission to take over this highway for winter maintenance. This, of course, meant to designate the route as a State Highway. The three requests were made to the Highway Commission on November, 1960, September, 1965, and November 1968. On each occasion the request was denied by the Commission.

The highway users from northern, western and central Maine, and local people who use this highway, have been patient and tolerant of the fact that traveling over this 30 miles of slippery, icy road in the winter months creates a real hazard; especially for the school buses, U.S. mail cars and trucks. The highway is a reasonably good road for summer travelling, is in fair to good condition except during the winter months.

Today you have before you House Amendments "A", "B", "C", "D", and so forth. These amendments were filed for the sole purpose of killing my resolve. This is an old trick in the legislative halls and works in a good many cases. Today, I don't believe you ladies and gentlemen of the House will be fooled by the purpose of these amendments. Thank you.

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

Mr. McNALLY: Mr. Speaker and Members of the House: I am very sorry that I have got to disagree with the good gentleman from Dixfield, because right in the committee hearing on this bill I said this is the bill that I have been waiting for. If this bill could only pass I have got some business that I am very interested in being done.

Now I want you folks to consider one thing. I didn't choose Route 172 that goes by my house so I might ride easily on it. The people who elected me in Surry and Blue Hill that 172 goes to would be benefited by it being changed from a state - aid highway to a state highway. I chose a route that is very heavily travelled with lumber trucks all the year round, and more than that, it is the feeder route from off Route 9 to people who want to go to Mount Desert Island, for the reason it is only 96 miles from Calais by this way against 117 down to the corner where they would turn to go to Mt. Desert Island. And likewise it is also the nearer way for them to reach Route 1 if they decide to go down to see the rest of our nice looking coast down Route 1.

Now I want you to remember that this is a route that in the year of 1922 the Bangor-Hydro was able to build their dam and flow out the Union River and make a large flowage, built this route. It has had very little done to it since then because there hasn't been any money to do anything with.

I obtained this morning from the State Aid Division what has been done. Let's look at the first one we come to after we leave Ellsworth town line, it is Township No. 8. "No State Aid has been raised from 1955 to 1970, and the most recent State Aid money was spent on State Aid Designation No. 1 (Route 179)".

Now this was caused because last spring we had a washout on the piece of road that is filled which crossed this flowage and it simply had to be fixed. So that is why the State Aid money went in that short strip that might be twice as long as this State House.

Now the next town, Mariaville — "Their State Aid Account presently stands with a zero balance. However, they have raised 4 units of State Aid for 1968, 1969, and 1970 which were transferred to Special State Aid Projects 803(2) and 803(3) located on State Aid Designation No. 3 (Route 181). The Commission also granted Project No. 803(1) near these locations and also on Route 181."

Now they put in this note to me from the State Aid that "The Commission has granted Special State Aid Projects 802(1) and 802(2) to which no State Aid transfers were made and which were located on State Aid Designation No. 2 (Route 179)."

Let's pass on to the next place — Waltham. Waltham says, "Our records would indicate that this town has been raising 2 unit monies, and their 1968, 1969, and 1970 Joint State Aid Accounts remain on our books as monies available (\$2,700.00 Joint Fund for each year)."

Now they are the unfortunate people with this four miles of road that the Bangor Hydro built. This is really something, if you folks would ride over it you wouldn't have to go to the beaches and go on the roller coasters.

Now they have saved all their money, '68, '69 and '70, and also spent their '67 money on this, and they are the only ones that have done so. The Town of Osborn Plantation says no state aid has been raised here from 1960 to 1970, and the most recent state aid expenditures on state aid designation number one, which was Route 179, was between the years of 1932 and 1940. I was even a little younger then.

And the Commission has granted special state aid project 802(1) located on Route 9, when it had the state aid designation. I think that if there is ever a road in this state that needs to have help from the Highway by being made a state highway it is the one I selected, and I selected it for no selfish reason whatever. I was very glad to see the bill come in because I just wanted to get assurance to get my part of the country to have a little bit of a state highway.

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

Mr. AULT: Mr. Speaker and Ladies and Gentlemen of the House: I would just like to point out one good reason why these amendments should be done away with. This L. D. 372 was presented in good faith in this Legislature and it had a public hearing and the report came out. These amend-

ments which attempt to kill this bill have not had a public hearing, and I believe they should have a public hearing if they want to do the same thing that the people that are sponsoring the 219 bill want to do, then they can come to the next legislature and do so.

I think that we should do away with these amendments and then discuss the merits of L. D. 372. Thank you.

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

Mr. LYNCH: Mr. Speaker and Ladies and Gentlemen: I do have an interest in this L. D. The road 219 does pass through a small portion of one of the towns that I represent. But my concern is not for the L. D. under question. My concern is much more fundamental, and I think it ought to be the concern of every member of this House.

We have been selected and sent here by the people in our areas, to act prudently and wisely for their benefit; and I suggest that the gentleman from Dixfield, Mr. Rollins followed the legislative process prescribed for the introduction of legislation for your consideration. He did introduce this bill. It was referred to committee. It was given a public hearing. It was reported back to this body. It was accepted by this body in an "ought to pass" report. It was given its first two readings.

Then suddenly, at the Bills in the Third Reading, we have one amendment introduced, there are two more lying on my desk; and I suggest to you, ladies and gentlemen, that this is not prudent and wise decision making. If the need was so great in the areas designated in these amendments, I suggest the gentleman should have referred their bills in the normal legislative process, given their hearings, and followed the same procedure as the L. D. under question.

I further question the need for the introduction of these amendments at this time and I have been given no reason other than they would like to have a coattail ride into the glory land. I suspect, ladies and gentlemen, that at this

late stage in the process they have been prodded; and although I have been on the scene a relatively short time I think the prodding came from outside the House.

It has been intimated that if you accept 219 you are opening the door. My own feeling is that you have already lost your power to open the door. That door to introduction of legislation of this type I feel is controlled outside this chamber.

I hope that you will indefinitely postpone this amendment, that you will do the same to any other amendments introduced, and then judge the merits of 219 on its own basis, without encumbrances; and I will gladly accept the judgment of the House. Thank you.

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

Mr. KELLEY: Mr. Speaker and Ladies and Gentlemen of the House: The previous speaker has intimated that some of us were subjected to prodding in order to submit these amendments. I can't speak for the other members who did submit amendments, but I can assure him that I have not been prodded. I was moved only by a sense of fairness because I feel that a piece of legislation such as this, which gives preferential treatment to a very small section of the entire state, is basically unfair.

I would call your attention to the letter which was mentioned day before yesterday, from Mr. Mallard of the Highway Department, in which he points out that there are approximately 700 miles of road in the State of Maine which has equal claim on this type of treatment. I claim that what is fair for Oxford County or Franklin County or Androscoggin County is fair for Aroostook County and the Sunrise County.

I think that if we are going to give this privilege to one section, it should be offered to all. Thank you.

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

Mr. LYNCH: Mr. Speaker and Ladies and Gentlemen: I don't know, I am a newcomer to the

scene, I am just telling you the impressions that I have. And it is of great concern to me, the manner in which some of the legislation is acted upon. If we as members tend to our committee assignments and tend to all the sessions, and do our homework as most committees have to do on their own, we have a fairly full schedule; and we have to rely on the reports from our joint committees.

If there are fundamental reasons why the L. D. under question should not be adopted I think the committee was derelict in its duties in not coming to the House and presenting their arguments for our consideration. When the committee report was given to the House there was no basic objection to it.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I would wholeheartedly agree with the gentleman from Livermore Falls, Mr. Lynch. I would also comment on his remark that he was new as a member and this procedure didn't entirely please him, and I would agree with him there. As a matter of fact, I feel very strongly that somewhere along the line rules should be changed so that procedures like this would not be germane.

Now I was subjected to a situation like this at this very session. I have had one or two members come up to me and tell me that they heard that the food stamp plan, the criticism of the food stamp plan, for instance, in Androscoggin County. We were made a test county and we happened to be the only county that had a food stamp plan. Of course the day after I heard that there was criticism upon it, I saw a bill introduced that there would be a food stamp plan in their respective county. So that I immediately asked the indulgence of the leadership of both parties and they acquiesced that I would have a bill for food stamp plans in all of the counties, all over the state.

This particular instance here, out of deference to the gentlemen who have put in the amendments,

and out of deference to the fact that if the preferential treatment in their opinion is being to them, I would suggest as more than one term members in this body, that they use the proper procedure, and I suggest that they know what the proper procedure is. In my opinion this is a very very bad way to operate; and there are those who would make comment that somewhere along the line I might be known to know how to operate, or if I happen to be a pro even I would not stoop to amateurish tactics such as these.

If you people who have these amendments want the treatment that has been given through the passage of L. D. 372, then go through the proper procedure, have a bill typed up, the cloture is on, and go from there to the leadership and get your bill introduced.

These are not amendments; these are measures presented. They have not had the proper airing and hearing. If there are 700 miles involved, let them all come forth.

I can well recall back in 1945 when sixteen, fifteen amendments came up onto a bill that I had. And those were the days when there were thirteen of us here. That situation no longer exists. I am somewhat abashed that the leadership does not take positions on situations like this. This is dead wrong, and this is when I get off the establishment boat. When the vote is taken I move it be taken by the yeas and nays.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: I want to be able to vote intelligently on this matter and I am somewhat disturbed at the trend that this debate has taken this morning. Possibly I should remember what the initial report of the committee on this bill was; however, I do not. If it is possible I would like to have it read to the House. I think that the debate should more or less continue along the merits of this bill as embodied in the committee report.

The SPEAKER: The gentleman from Perham, Mr. B r a g d o n ,

requests that the report on the bill be read. The Clerk will read the committee report.

The CLERK: Majority Report of the Committee on Transportation on House Paper 283, L. D. 372, Resolve Designating Part of Route 219 as a State Highway. The Report was signed by the following members of the committee: The Senator from Waldo, Senator Greeley; the gentleman from Brooks, Mr. Wood; the gentleman from Kennebunk, Mr. Crosby; the gentleman from Windham, Mr. Hall; the gentleman from Enfield, Mr. Dudley; the gentleman from Albion, Mr. Lee; the gentleman from Ellsworth, Mr. McNally.

The Minority Report reporting "Ought to pass" was signed by the following members of the committee: The Senator from Somerset, Senator Johnson; the Senator from Cumberland, Senator Kellam; the gentleman from Van Buren, Mr. Lebel; the gentleman from Mexico, Mr. Fraser; the gentleman from Dexter, Mr. Keyte; the gentleman from Alton, Mr. Barnes.

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

Mr. ROLLINS: Mr. Speaker and Members of the House: First I would like to thank the gentleman from Lewiston, Mr. Jalbert for the excellent speech that he gave. A man with his reputation in this House, an endorsement from him is worth a lot.

I think sometime in the past that we have put down the hitchhiking bill. I feel that these amendments are nothing more than hitchhikers, and I wouldn't want to break the law and pick them up. Thank you.

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

Mr. DONAGHY: Mr. Speaker and Members of the House: Despite the fact that my integrity has been assailed somewhat here, because I am one of those who have proposed to offer an amendment, I thought it was the procedure to offer an amendment at the third reading, and beyond this I didn't think it was a proper time to debate an amendment that had not been offered. Now if I am wrong I will go ahead with the

debate, but I thought this was the procedure I was supposed to follow.

The SPEAKER: The Chair would advise the gentleman that the pending question is the indefinite postponement of House Amendment "A", made by the gentleman from Dixfield, Mr. Rollins.

The Chair recognizes the gentleman from Pittsfield, Mr. Susi.

Mr. SUSI: Mr. Speaker and Ladies and Gentlemen of the House: There have been some questions raised here this morning on this issue as to the propriety of the procedures, and the tactics involved. We have had conflicting statements as to what the considerations are. I would like at this time to ask the House Chairman of the Transportation Committee which heard this bill, to give his version, if he would be willing, of this issue, and what the general understanding of that committee is concerning the problem that we are concerned with here this morning.

The SPEAKER: The gentleman from Pittsfield, Mr. Susi, poses a question through the Chair to the Chairman of the Transportation Committee, and the Chair recognizes the gentleman from Brooks, Mr. Wood.

Mr. WOOD: Mr. Speaker and Ladies and Gentlemen of the House: I am glad to give my version of what the thinking seemed to be in the committee. You have all heard the letter that was sent to the members by Roger Mallar, and that states the feeling of most of the members of the majority signers of the committee.

We feel that over the years different ones have presented bills for some privileged road in certain sections of the state. We have never passed one to my knowledge before. For a fact, I have had bills in and have tried to get different parts of roads accepted as state roads, and I have always been turned down, I have never pressed the issue very much. Merely because we have seven or eight hundred miles that fit into the same category as 209, and 190, 191, 192, and to accept one, it seems to me that we have got to somewhere along the line change

the thinking of the commission and the people that set up these programs of controlling our roads, and change most of the roads that fall into this category to get the same privilege.

I signed the "Ought not to pass" Report, along with seven other members, merely because I felt that money was short in the commission. We are going to have hard work to carry on the program that is already set up. We were told at the time that it would cost \$90,000 to implement this bill. Afterwards different ones circulated a report around that that would only be \$15,000. Now we understand for the committee — I have asked a report from the committee, and told them that I wanted a true account of what this would be. And the letter that was sent to me and several other members of the committee so states that "Legislative Document No. 372, a resolve designating part of Route 219 as a State Highway. The estimated cost of the suggested Legislative Document for the biennium would amount to \$192,000, consisting of an investment of approximately \$90,000 in equipment and buildings and an annual estimated snow removal cost of \$51,000.

"There are, of course, a great many miles of road throughout the State having similar characteristics to this section . . ." "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. Certainly, requests for consideration of designation of these miles of highway would be forthcoming if Legislative Document No. 372 were approved by the Maine Legislature. The estimated cost for a biennium if the 480 miles of similar routes were designated would be over \$3,000,000 including an investment in equipment and buildings of nearly 1.5 million dollars and an annual maintenance cost of \$800,000 . . ."

Now this, of course, refers to what can happen, or what would

happen if we accepted other miles that are similar to Route 219. If we accept 219 as a State Highway and kill the other amendments it could run about \$15,000 for the snow removal. The State Highway Commission claims that there will be other costs of purchasing equipment and setting up the program, of somewhere around \$90,000 more.

I felt at the time that I signed the "Ought not to pass" Report that we just could not stand, without raising more taxes to support our highway program, of taking on these pieces of road at this time. I am not going to take a stand now other than what I have stated.

If the Legislature decides to approve this one section of road, that is strictly up to the Legislature. The money will have to be found to support it. But I don't believe that we should take 480 miles of road over for the state to support at this time. That is the way I feel about it; that is the way I felt about it in the committee; and I think that seven members of the committee felt the same way, that we just could not afford to take on these pieces of road at this time.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I rise again to comment on the remarks of the gentleman from Lubec, Mr. Donaghy, who really is a personal friend of mine. Now inside this railing I don't ask for too many quarters, and frankly, oftentimes I don't give too many quarters. I have never stood up and said I am a man of great integrity, and I have always been very very careful of a guy who gets up and says, "I am an honest man." That is a lesson my old pappy taught me.

Now this has nothing at all to do with integrity. Now this week the gentleman from Ellsworth, Mr. McNally, and last week, spoke to prod me about the privileges that we had in Androscoggin County when we got a bond issue by for a much needed third bridge. And incidentally, I might comment that that third bridge has long gone by;

I am already working on the fourth bridge now. So that we needn't mention a third bridge any more, or its approaches. And I mean I fully intended to vote with the gentleman's idea from Ellsworth anyway, and I commended him for reminding me that I had had some privileges.

But in this particular instance here, I would agree with the gentleman from Brooks, Mr. Wood, that this concerns itself with absolutely other matters insofar as legislation is concerned. These are bills. These are not amendments. These are legislative bills under the guise of an amendment. And I might suggest that Amendment "A" is presented by the good gentleman from Ellsworth, with whom I had very pleasant conversations, and he sits on the Committee on Transportation. So why not have amended the bill from its very inception, and then gone along with it? This adds a little fuel to the fire also.

And in good answer finally to my good friend from Lubec, Mr. Donaghy, there is an old statement that was made by a fine old gentleman from Independence, Missouri, and somewhere it might apply.

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

Mr. FRASER: Mr. Speaker and Members of the House: Cost estimates as given us here this morning depend entirely on whether or not you are a proponent or an opponent. The proponents would be apt to minimize; the opponents are apt to stretch them a little bit. Now the truth, perhaps, lies in between.

My reason for asking for the passage of this bill is because, as I have said before, every section of the state should have a state highway leading to its capital. If a capital of a state is not important enough to have a road leading to it, then I am losing some of my understanding of what a capital should be.

These other bills are merely asking for improvements, and I don't blame them. They are asking for improvements on their

highways, and as has been suggested, they should ask for them separately.

I hope that this bill will be passed.

Mr. Lynch of Livermore Falls was granted permission to speak a third time.

Mr. LYNCH: Mr. Speaker and Ladies and Gentlemen of the House: I apologize for delaying your departure from Augusta, and to the gentlemen who feel that I have cast aspersions on their character on the Floor of the House, if I have done so I apologize to them.

I have created quite a storm today, intentionally, and I think I have accomplished my purpose. I hope that all committees will provide for all members of the House any basic data that we need to be enlightened upon so that we can reach a wise and prudent decision. And I hope we can dispose of this item under consideration rapidly. Thank you.

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

Mr. LEE: Mr. Speaker and Ladies and Gentlemen of the House: I concur with Mr. Brooks and being a signer of the "Ought not to pass", I will be glad to give my reasons. If a bit of levity would be stood, I sat down the day before yesterday morning to breakfast, and took this little sheet of paper out of the shredded wheat box; I think we ought to legislate something on that. The Sunshine Biscuit Company shouldn't be allowed to do away with the nice little card that kept the shredded wheat apart, because it made me nice note paper; this here isn't so good.

I sat down and I figured what it cost my town to remove the snow. This bill has to do with removing snow, winter maintenance in other words. My contract with the Town of Albion is \$290 a mile, we spend \$55 a mile for ice control, and it amounts to \$345 a mile. I took the state average, which, as I remembered it, was \$2,100 a mile. This is for winter maintenance, and I multiplied it versus \$2,100 a mile. There

is considerable difference. I multiplied it by 30 miles, it is \$63,000. I multiplied the \$345 a mile, for 30 miles, and it is \$10,000. There is a difference of \$53,000. Now, as the good gentleman pointed out before, somewhere in between this would be the difference. It is a considerable amount.

Now I cast no aspersions on the desires of these people in this area. I think they are probably entitled to a piece of road that is better than what they have got now; perhaps even better in the summertime, although this particular bill has nothing to do with the summer maintenance. The summer maintenance of this road is designed as a state-aid highway, and the one Mr. McNally has is a state-aid highway. The state maintains this, and it doesn't cost the particular towns anything. But in the winter the state does the maintenance; then the towns don't have anything to do with it, and the state maintains a bare roads policy.

After doing this little bit of figuring, I made a call to the Highway Department. I asked, "Do you have a right to designate this road as a state-aid highway without legislative approval?" And the answer was yes.

I have a letter here and it states that in 1960, 1965, 1968, and again in 1971 requests were made to increase it to make this piece of highway a state highway.

It has been said that the Highway Commission has the authority already to make this a state highway. They do have to have certain criteria for making a piece of road a state highway and I would like to read you that. "In order for the State Highway Commission to evaluate the many requests for state highway designation, they are received throughout the state, the Commission has considered the following guidelines when reviewed by designations. A — The route must serve functionally as an arterial highway; that is, a route with a significant volume of through-type, long-distance traffic. B—The route must carry relatively high existing traffic volumes, generally in excess of 1,000 vehicles per day

in rural areas. C — The route must connect or serve a facility of unique importance to the state."

It says at the bottom of the letter, "Generally, at least one of the above criteria must be met for consideration for state highway designation. The Highway Committee, in its wisdom, apparently none of these criteria are met in this particular area."

I don't want to prolong this debate any longer than anybody else. What it about boils down to is if we are willing to buy the state more equipment, hire more state employees, invest more in capital equipment for the state to maintain some portion of this road, then I don't see why we shouldn't do it for any other part of the state.

Mr. Speaker, I would like to make a motion that we indefinitely postpone this bill with all its accompanying papers.

The SPEAKER: The Chair would advise the gentleman that the motion is not in order at this time. The pending question is on the motion of the gentleman from Dixfield, Mr. Rollins, that House Amendment "A" be indefinitely postponed.

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

Mr. NORRIS: Mr. Speaker and Ladies and Gentlemen of the House: I am going to suggest this morning that you follow me down a dangerous path. We have been intimidated and controlled by committee, by the department here of bureaucracy for many many years. Now I feel that the Representatives in this House of that department have advocated that we put these amendments on and we pass this bill out. And I feel that we should do just that. I think these good people deserve their road. I would hope that you would go for that. I would hope that you would go for all the amendments and give the Highway Department a chance to perform.

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

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

Yesterday the question was raised through the Speaker as to the question of germaneness of the amendments. At that point, rightly so, the Speaker ruled that it was germane since the amendment dealt with roads and the bill also dealt with roads.

However, I think that when you are dealing with an item such as this, an item that obviously is controversial in reference to addition of other roads to a bill, which by itself it came alone, that I personally think that they ought to be left alone.

If this were merely to change a provision in the bill, it was a very simple thing that ought not to be controversial, then I would see no real problems.

I, as a lowly minority member on the Reference of Bills Committee, would be happy to sign the requests of the gentleman from Lubec, Mr. Donaghy, the gentleman from Machias, Mr. Kelley, and also the gentleman from Albion, Mr. Lee. I would be more than happy to sign their request to introduce their bills so that they could have a public hearing on their requests. I think at this time that this amendment ought to be defeated and we ought to discuss the merits of the bill itself. If we defeat it, fine; if we pass it, fine. But let's not clutter it up with fifty amendments.

The SPEAKER: The pending question is on the motion of the gentleman from Dixfield, Mr. Rollins, that House Amendment "A" be indefinitely postponed. 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 Dixfield, Mr. Rollins that House Amendment "A" to Resolve Designating Part of Route 219 as a State Highway, House Paper 283, L. D. 372, be in-

definitely postponed. If you are in favor of indefinite postponement you will vote yes; if you are opposed you will vote no.

ROLL CALL

YEA — Albert, Ault, Bailey, Baker, Barnes, Bartlett, Bernier, Berry, G. W.; Berry, P. P.; Berube, Birt, Bither, Boudreau, Bourgoin, Bragdon, Brawn, Brown, Bustin, Call, Carey, Carrier, Carter, Clark, Clemente, Collins, Conley, Cooney, Cote, Cottrell, Crosby, Curran, Curtis, A. P.; Curtis, T. S., Jr.; Cyr, Dam, Dow, Doyle, Drigotas, Dyar, Emery, E. M.; Farrington, Faucher, Finemore, Fraser, Gagnon, Genest, Gill, Good, Goodwin, Hancock, Hardy, Haskell, Hawkens, Hayes, Henley, Herrick, Hewes, Hodgdon, Immonen, Jalbert, Jutras, Kelleher, Keyte, Kilroy, Lawry, Lebel, Lewin, Lewis, Lincoln, Littlefield, Lucas, Lund, Lynch, Maddox, Mahany, Manchester, Marsh, Marsteller, Martin, McCormick, McTeague, Millett, Mills, Morrell, Mosher, Murray, Page, Parks, Payson, Pontbriand, Porter, Pratt, Rand, Rollins, Scott, Shute, Simpson, L. E.; Simpson, T. R.; Slane, Smith, D. M.; Stillings, Tanguay, Theriault, Trask, Vincent, Webber, Wheeler, White, Whitson, Wight, Williams, Wood, M. W.; Wood, M. E.; Woodbury.

NAY — Bunker, Churchill, Donaghy, Emery, D. F.; Hall, Kelley, K. F.; Lee, McNally, Norris, Shaw, Susi.

ABSENT — Bedard, Binnette, Cummings, Dudley, Evans, Fecteau, Gauthier, Hanson, Kelley, P. S.; Kelley, R. P.; Lessard, Lizotte, MacLeod, McCloskey, McKinnon, O'Brien, Orestis, Rocheleau, Ross, Santoro, Sheltra, Silverman, Smith, E. H.; Starbird, Tyn-dale.

Yes, 114; No, 11; Absent, 25.

The SPEAKER: One hundred fourteen having voted in the affirmative and eleven in the negative, with twenty-five being absent, the motion does prevail.

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

Mr. LEE: Mr. Speaker, may I make the motion to indefinitely postpone now?

The SPEAKER: The gentleman from Albion, Mr. Lee, now moves

the indefinite postponement of L. D. 372, Resolve Designating Part of Route 219 as a State Highway. All in favor of indefinite postponement will vote yes; those opposed will vote no.

A vote of the House was taken.

32 having voted in the affirmative and 93 having voted in the negative, the motion did not prevail.

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

The Chair laid before the House the second 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 24, by Mr. Haskell of Houlton.

Pending — Acceptance of either Report.

Thereupon, on motion of Mr. Churchill of Orland, the Minority "Ought to pass" Report was accepted. The Bill was read twice and assigned for third reading the next legislative day.

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

Bill "An Act Making Additional Appropriations for the Expenditure of State Government and for Other Purposes for the Fiscal Year Ending June 30, 1971" (H. P. 1217) (L. D. 1408)

Tabled — March 25, by Mr. Martin of Eagle Lake.

Pending — Passage to be engrossed.

Thereupon, the Bill was passed to be engrossed and sent to the Senate.

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

Bill "An Act relating to Reimbursements for Professional

Credits of Teachers" (H. P. 1220) (L. D. 1411)

Tabled — March 25, by Mr. Dyar of Strong.

Pending — Passage to be engrossed.

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

Mr. DYAR: Mr. Speaker, it is with hesitation and trepidation that I request indefinite postponement of this bill and all of its accompanying papers.

I received calls and letters from the unions and districts which I represent and they are opposed to this legislation. I believe that it was Wednesday that this House heard the word arbitration. The present statute that is being repealed in this bill, there is a certain monetary amount for reimbursement for professional credits. If this law is repealed it will be necessary for a teacher to arbitrate for a settlement.

I do not feel that this state is ready at this time for school districts to retain a lawyer or for teachers' groups to retain legal counsel for a year-round bout on arbitration.

At the present time we are having hassles all over the state on arbitration for teachers' salaries. This has disturbed the educational community and the taxpayer. At this time I do not feel that we should take the time to have to arbitrate to get teachers paid for professional credits. Thank you.

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

Thereupon, on motion of Mr. Millett of Dixmont, retabled pending the motion of Mr. Dyar of Strong to indefinitely postpone and specially assigned for Wednesday March 31.

On motion of Mr. Porter of Lincoln,

Adjourned until Tuesday, March 30, at ten o'clock in the morning.