

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

One Hundred and Sixth

Legislature

OF THE

STATE OF MAINE

1973

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Tuesday, March 20, 1973

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

Prayer by Father Gilbert Lemieux of Lewiston.

The journal of yesterday was read and approved.

Papers from the Senate

From the Senate: The following Joint Resolution: (S. P. 471)

WHEREAS, the Legislature has learned with extreme regret of the death of the Honorable John F. Ward of Millinocket; and

WHEREAS, John and a prominent lawyer Legislator and lobbyist who contributed generously in the cause of human progress and dignity; and

WHEREAS, he had the unique distinction of having presided over both houses of the State Legislature in the course of his dozen years of legislative service; and

WHEREAS, the tablets of memory reflect a lifetime of distinguished and honorable service to his community and State; now, therefore, be it

RESOLVED: That We, the Members of the 106th Legislature assembled this day in regular session, pause in our deliberations to tender a lasting token of our deepest affection to honor the memory of a colleague and leader of former years whose life has enriched many lives and to express a common sorrow and sadness at the loss of a dear friend and trusted companion; and be it further

RESOLVED: That copies of this Joint Resolution, suitably engrossed, be immediately transmitted by the Secretary of State to the family of the deceased as a lasting token of our esteem.

Came from the Senate read and adopted.

In the House, the Joint Resolution was read and adopted in concurrence.

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

Reports of Committees Ought Not to Pass

Report of the Committee on Transportation reporting "Ought not to pass" on Bill "An Act Relating to Age Limit for Motor Vehicle Operator Licenses" (S. P. 14) (L. D. 77)

Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Bill "An Act to Pay for One Hundred Percent of Health Insurance Plans for State Employees" (S. P. 165) (L. D. 420)

Report of the Committee on Education reporting "Ought not to pass" on Bill "An Act Relating to Union School Meetings" (S. P. 384) (L. D. 1130)

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

Leave to Withdraw

Report of the Committee on Judiciary on Bill "An Act Relating to Time when Sentence of Imprisonment Commences" (S. P. 96) (L. D. 242) reporting Leave to Withdraw.

Report of the Committee on Transportation on Bill "An Act Revising the Laws Relating to School Buses" (S. P. 307) (L. D. 1045) reporting Leave to Withdraw.

Came from the Senate with the Reports read and accepted.

In the House, the Reports were read and accepted in concurrence.

Covered by Other Legislation

Report of the Committee on County Government on Bill "An Act Increasing Salaries of Jury Commissioners of Cumberland County" (S. P. 195) (L. D. 540) reporting Leave to Withdraw as covered by other legislation.

Report of the same Committee on Bill "An Act Increasing Salary of Superior Court Messenger of Cumberland County" (S. P. 198) (L. D. 543) reporting Leave to Withdraw as covered by other legislation.

Report of the same Committee on Bill "An Act Increasing Salary of Clerk of Courts of Cumberland County" (S. P. 199) (L. D. 544) reporting Leave to Withdraw as covered by other legislation.

Report of the same Committee on Bill "An Act Increasing Salary

of Deputy Clerk of Courts of Cumberland County" (S. P. 202) (L. D. 547) reporting Leave to Withdraw as covered by other legislation.

Came from the Senate with the Reports read and accepted.

In the House, the Reports were read and accepted in concurrence.

Divided Report Tabled and Assigned

Majority Senate Report of the Committee on Education reporting "Ought to pass" as amended by Committee Amendment "A" (S-12) on Bill "An Act Relating to Bilingual and Bicultural Education" (S. P. 62) (L. D. 165)

Report was signed by the following members:

Mr. KATZ of Kennebec
— of the Senate.

Messrs. TYNDALE
— of Kennebunkport
LAWRY of Fairfield
LYNCH

— of Livermore Falls
MURRAY of Bangor
LaCHARITE of Brunswick
LeBLANC of Van Buren

— of the House.

Minority Report of same Committee reporting "Ought to pass" in New Draft under New Title "An Act Relating to Bilingual Education" (S. P. 444) (L. D. 1376)

Report was signed by the following members:

Messrs. OLFENE of Androscoggin
MINKOWSKY

— of Androscoggin
— of the Senate.

Messrs. GAHAGAN of Caribou
BITHER of Houlton
FERRIS of Waterville

Mrs. LEWIS of Auburn
— of the House.

Came from the Senate with the Majority Report accepted and the Bill passed to be engrossed as amended by Committee Amendment "A" (S-12).

In the House: Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Kennebunkport, Mr. Tyndale.

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

(On motion of Mrs. Lewis of Auburn, tabled pending the motion of Mr. Tyndale of Kennebunkport

to accept the Majority Report and tomorrow assigned.)

Non-Concurrent Matter

Bill "An Act Relating to Selecting Chairman of and Length of Tenure of the Members of the State Board of Hairdressers" (H. P. 315) (L. D. 433) which was passed to be engrossed in the House on March 15.

Came from the Senate with the Majority Report "Ought not to pass" accepted in non-concurrence.

In the House: On motion of Mrs. Boudreau of Portland, the House voted to insist.

Petitions, Bills and Resolves Requiring Reference

The following Bills were received and, upon recommendation of the Committee on Reference of Bills, were referred to the following committees:

Tabled and Assigned

Bill "An Act Providing Funds for Fishway on the Kennebec River" (H. P. 1193) (Presented by Mr. Carter of Winslow)

The Committee on Reference of Bills suggested the Committee on Appropriations and Financial Affairs.

The SPEAKER: The Chair recognizes the gentleman from Presque Isle, Mr. Parks.

Mr. PARKS: Mr. Speaker, I move this bill be sent to the Fisheries and Wildlife Committee. Thereupon, on motion of Mr. Norris of Brewer, tabled pending the motion of Mr. Parks of Presque Isle to refer to the Committee on Fisheries and Wildlife and tomorrow assigned.

Education

Bill "An Act to Continue Vocational Rehabilitation of Handicapped Youth in Schools" (H. P. 1197) (Presented by Mrs. Clark of Freeport)

(Ordered Printed)
Sent up for concurrence.

Judiciary

Bill "An Act Regulating Abortion Procedures" (H. P. 1195) (Presented by Mr. Huber of Falmouth) (Emergency)

(Ordered Printed)
Sent up for concurrence.

Labor

Bill "An Act Relating to Agreements under Minimum Wage Law" (H. P. 1196) (Presented by Mr. Dunleavy of Presque Isle)

(Ordered Printed)

Sent up for concurrence.

Natural Resources

Bill "An Act Relating to Municipal Regulation of Land Subdivisions" (H. P. 1187) (Presented by Mr. Sproul of Augusta)

(Ordered Printed)

Sent up for concurrence.

Public Utilities

Bill "An Act Relating to Determination of Just and Reasonable Electrical and Telephone Utility Rates by Public Utilities Commission" (H. P. 1192) (Presented by Mr. Carter of Winslow)

(Ordered Printed)

Sent up for concurrence.

Taxation

Bill "An Act Exempting Electricity for Cooking and Heating in Homes from Sales Tax" (H. P. 1194) (Presented by Mrs. Morin of Old Orchard Beach) (By request)

(Ordered Printed)

Sent up for concurrence.

Orders**Tabled and Assigned**

Mr. Cote of Lewiston presented the following Joint Order and moved its passage:

WHEREAS, an excise tax is levied annually for the privilege of operating a motor vehicle upon the public ways; and

WHEREAS, existing law provides computation of such tax based upon the maker's list price without mention of accessories; and

WHEREAS, in the absence of law some municipalities compute such tax including accessories while others do not; and

WHEREAS, it is desirable and in the public interest to evaluate this practice for possibilities of uniformity; now, therefore, be it

ORDERED, the Senate concurring, that the Legislative Research Committee be authorized and directed to study the present

excise tax structure of the State as it relates to motor vehicles to determine the feasibility of establishing a uniform method by which municipalities can compute the motor vehicle excise tax; and be it further

ORDERED, that the Bureau of Taxation be authorized to provide such technical advice and other assistance to the Committee as the Committee deems necessary to carry out the purposes of this Order; and be it further

ORDERED, that the Committee report the results of its findings along with any necessary legislation to the next regular session of the Legislature; and be it further

ORDERED, upon passage in concurrence, that a copy of this Order be transmitted forthwith to said bureau as notice of the pending interim study. (H. P. 878)

The Joint Order was read.

(On motion of Mr. Morton of Farmington, tabled pending passage and specially assigned for Thursday, March 22.)

Mr. Brown of Augusta presented the following Joint Order and moved its passage:

WHEREAS, the Rams of Cony High School have won the State's highest honor and title in Class A basketball for 1973; and

WHEREAS, the Rams, composed of Scott Goggin, Bill Ottmann, Tim Leet, Daryl Dumont, Dave Rollins, Mark Cameron, Tom Cooper, Neil Glazier, Steve Marchildon, Paul Vachon, Tom Daniels, Bill Hayward, Dan Croteau, Steve Degon, James Hogerty, Shawn Brennan and its supporters, are now in fact number one; and

WHEREAS, this team has magnificently played an undefeated season under the inspiring leadership of coach Richard A. Hunt and his assistants; and

WHEREAS, the ability and attainments they have achieved individually and collectively as a team reflect a superb sense of value; now, therefore, be it

ORDERED, the Senate concurring, that We, the Members of the Senate and House of Representatives of the One Hundred and Sixth Legislature of the great and sovereign State of

Maine, now assembled, take this opportunity to recognize and honor the Rams of Cony High School, State Class A Basketball Champions for 1973 for their outstanding accomplishments in the field of sports and wish them continued success in bringing honor to their community, school and State; and be it further

ORDERED, that duly attested copies of this Order be transmitted forthwith to the principal and coach of Cony High School in token of the sentiments expressed herein. (H. P. 577)

The Joint Order was read and passed and sent up for concurrence.

By unanimous consent, ordered sent forthwith to the Senate.

Mr. Theriault of Rumford presented the following Joint Order and moved its passage:

WHEREAS, the Panthers of Rumford High School have excelled in many sports for 1973; and

WHEREAS, their basketball team was the Western Maine Class A Champion for 1972-1973; and

WHEREAS, their ski team was State of Maine and New England Ski Champions for the 1972-1973 season; and

WHEREAS, their wrestling team was the State of Maine Champions for the 1972-1973 season; and

WHEREAS, these outstanding young athletes have brought honor and glory to their families, school and community; and

WHEREAS, the Town of Rumford is proud of these young men for their hard work and superlative accomplishments; now, therefore, be it

ORDERED, the Senate concurring, that the Members of the 106th Maine Legislature, now assembled in regular session, join the proud citizens of Rumford by taking this opportunity to commend the athletic teams of Rumford High School and their respective coaches, John Shaw, Herbert Adams and Gerald Perkins, for their individual accomplishments in the field of sports and wish them continued success in their efforts to honor their school, community and State; and be it further

ORDERED, that suitable copies of this Order be transmitted to the principal, William Curry. (H. P. 576)

The Joint Order was read and passed and sent up for concurrence.

On motion of Mrs. McCormick of Union, it was

ORDERED, that Owen Hancock of Casco be excused for the duration of his illness.

At this point, the Speaker appointed the following House members to the Committee on Maine Vietnam Veterans Day, as provided by Senate Paper 393, a Joint Order passed in both houses: Messrs. HEWES of Cape Elizabeth STILLINGS of Berwick CURTIS of Orono FERRIS of Waterville FAUCHER of Solon CARRIER of Westbrook FARLEY of Biddeford

House Reports of Committees Divided Report Tabled and Assigned

Majority Report of the Committee on Business Legislation reporting "Ought not to pass" on Bill "An Act Relating to Definition of Real Estate Broker" (H. P. 390) (L. D. 519)

Report was signed by the following members:

Messrs. MARCOTTE of York
COX of Penobscot
KATZ of Kennebec

— of the Senate.

Messrs. TIERNEY of Durham
O'BRIEN of Portland
JACKSON of Yarmouth
HAMBLEN of Gorham
MADDOX of Vinalhaven
TRASK of Milo

Mrs. BOUDREAU of Portland
Mrs. CLARK of Freeport

— of the House.

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

Report was signed by the following members:

Messrs. DONAGHY of Lubec
DESHAIES of Westbrook
— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Milo, Mr. Trask.

Mr. TRASK: Mr. Speaker, I move we accept the Majority "Ought not to pass" Report of the committee.

Thereupon, on motion of Mr. Donaghy of Lubec, tabled pending the motion of Mr. Trask of Milo to accept the Majority Report and tomorrow assigned.

Divided Report Tabled and Assigned

Majority Report of the Committee on Business Legislation reporting "Ought to pass" on Bill "An Act Repealing Date for Application as Public Accountant" (H. P. 582) (L. D. 776)

Report was signed by the following members:

Messrs. MARCOTTE of York
— of the Senate.

Messrs. O'BRIEN of Portland
TIERNEY of Durham
TRASK of Milo
MADDOX of Vinalhaven
JACKSON of Yarmouth

Mrs. CLARK of Freeport
— of the House.

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

Report was signed by the following members:

Messrs. COX of Penobscot
KATZ of Kennebec

— of the Senate.
Messrs. DESHAIES of Westbrook
DONAGHY of Lubec

HAMBLEN of Gorham

Mrs. BOUDREAU of Portland
— of the House.

Reports were read.

(On motion of Mr. Trask of Milo, tabled pending acceptance of either Report and specially assigned for Thursday, March 22.)

Divided Report

Majority Report of the Committee on Education reporting "Ought not to pass" on Bill "An Act Prohibiting Corporal Punishment of Pupils" (H. P. 669) (L. D. 874)

Report was signed by the following members:

Messrs. OLFENE of Androscoggin
MINKOWSKY

of Androscoggin
— of the Senate.

Messrs. BITHER of Houlton
FERRIS of Waterville
LAWRY of Fairfield
MURRAY of Bangor
LaCHARITE of Brunswick
LeBLANC of Van Buren

Mrs. LEWIS of Auburn
— of the House.

Minority Report of same Committee reporting "Ought to pass" in New Draft (H. P. 1199) (L. D. 1485)

Report was signed by the following members:

Mr. KATZ of Kennebec
— of the Senate.

Messrs. TYNDALE
— of Kennebunkport

LYNCH
— of Livermore Falls

GAHAGAN of Caribou
— of the House.

Reports were read.

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

Mr. BITHER: Mr. Speaker, I move that we accept the Majority "Ought not to pass" Report on L. D. 874.

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

The Chair recognizes the gentleman from Jay, Mr. Maxwell.

Mr. MAXWELL: Mr. Speaker, I move this lie on the table for one legislative day.

Mr. Bither of Houlton requested a vote on the tabling motion.

The SPEAKER: The pending question is on the motion of the gentleman from Jay, Mr. Maxwell, that this matter be tabled for one legislative day. All in favor will vote yes; those opposed will vote no.

A vote of the House was taken. 53 having voted in the affirmative and 54 in the negative, the motion did not prevail.

The SPEAKER: The pending question is on the motion of the gentleman from Houlton, Mr. Bither, that the House accept the Majority "Ought not to pass" Report.

The Chair recognizes the gentleman from Jay, Mr. Maxwell.

Mr. MAXWELL: Mr. Speaker and Ladies and Gentlemen of the House: I had not intended to

debate this this morning, but it is my bill and I feel that I must. This has come out of committee with a new draft, making it, I think, much better. I would like to read to you the contents of this bill. It is very short, "An Act Prohibiting Corporal Punishment of Pupils." Now I realize that when I was a child going to school, and that was quite a few years ago, teachers could wallop you around, kick you in the pants, take you out in the wood shed, anything they wanted to.

But I feel that times have changed and changed immensely. The reason that I put this bill in in the first place was because a group of people came to me from the town of Jay that I represent and asked me to do it, then it snowballed. I had several doctors call me. I have gotten letters from doctors, I have gotten letters from professors that teach a subject at school and I could go on probably half the forenoon reading these letters and telling you why this ought to pass.

To be very brief, "Corporal Punishment of Pupils. No person employed or engaged by any school committee or board shall inflict or cause to be inflicted corporal punishment or bodily pain upon a pupil attending any school or institution within such educational system, provided that any such person may within the scope of his employment use and apply such amounts of physical restraint as may be reasonable and necessary." This gives a teacher a right to pull apart two children who are fighting and today she does not have that right. She or he can be brought in on a civil suit, if they cause damage. I definitely do know of one such case that happened in my town last year.

In the new draft, there is a section A, "To protect himself, a pupil, or others from physical injury. B, "to obtain possession of a weapon or other dangerous objects upon the person or within the control of a pupil." C, "To protect property from serious harm and such physical restraint shall not be construed to constitute corporal punishment or bodily pain within the meaning and intention

of the subsection." So I feel that this is quite an addition to my original bill. I think the committee worked hard on it. I commend those who signed the "ought to pass" report and on the passage of this bill, on the motion of the gentleman to accept the majority report, I would like to ask for a roll call.

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

Mr. LYNCH: Mr. Speaker and Ladies and Gentlemen of the House: As a signer of the minority report, I think you ought to be told that the reason I signed it is because I think any bill that would eliminate corporal punishment in this state would be an invitation for wholesale uprising in the schools. There would be plenty of students immediately challenging the administration and the teachers, knowing that they could not use any restraint, any effective restraint or any corporal punishment. I think the minority report is favorable both to the teachers and the students.

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

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

The SPEAKER: The pending question is on the motion of the gentleman from Houlton, Mr. Bither, that the House accept the Majority "Ought not to pass" Report.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I was listening to the gentleman from Livermore Falls, Mr. Lynch, speaking and unless I misunderstood him, he signed the report one way and apparently has changed his thinking. Am I right or wrong?

Now Mr. Speaker, I do not want to get into this hassle and I haven't

even read this bill outside of the title, but I remember if I may for a moment, and I don't know which way to go because as far as I am concerned, when I was in high school I was very very much not inclined mechanically. I did not know a nail from a board, I still don't. I do not know what this bill means because I was supposed to saw some wood and didn't know how. It was a mandatory course that I had to take for some reason or other, but he made me saw the wood just the same; I spoiled it. He strapped me and I punched him in the mouth.

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

MR. BITHER: Mr. Speaker and Ladies and Gentlemen of the House: I don't know that I have ever been so reluctant to speak on either side of any bill as I am on this. I hope there are no reporters in the back of the room — there are none in the front — because I don't want to be reported on this for this reason. No matter how I vote — I didn't want any discussion on this bill if we could help it because the signers of this "ought not to pass" report, every one of these people are going to be published in the paper as beaters of little children. That is just what could come out in the press and that is not right; that is not the intention at all.

I contacted four junior high principals myself, and every one of those junior high principals said they need this bill to handle their students, because in places where they cannot — and I think Mr. Lynch stressed this point, in fact he talked — I agree with the gentleman from Lewiston — he talked for our majority report, as I recall it. If we do not have this on the books at the present time, it is going to mean or it could mean that we would have to have policemen in the corridors as you do in some states, because there would be no control, no way of controlling some of these students at all.

I talked with four of these, as I mentioned, four of these principals. They stated they must have it. They do not, not one of

those people, allow their teachers to lay a hand on their students; but the principal himself uses whatever punishment he may desire or whatever he may need to do.

I asked every one of them another question too, how many times they used it; and they said they used it very, very seldom.

I have to see this debated on this floor and I hope it is not debated any further because it is a very, very ticklish thing.

I tried to find out the law on this, the present law; and I am afraid I did not find out the present law, but according to the junior high principals, a principal in a junior high today can treat a child as a parent of that child, as a parent of that child and that is all. I don't think here is any question of beating a child or anything like that at all.

I hope you will go along with the majority report this morning.

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

MR. TALBOT: Mr. Speaker and Members of the House: I just give you my feelings on this bill. I have read the bill and I have read the new draft, and I like the new draft and what it says. I can only speak as a parent, I guess.

I have four children who are in school; and I don't want anybody laying a hand on them for any reason, for any reason that I can think of. I don't want anybody laying a hand on them; that is my job. That is my job as a parent. I think that is why we have a Parent-Teacher Association; and I think that is why we have consultants in the schools, I think that is why we have teachers who consult with the parents. I think this is what this is for. I don't like anybody laying a hand on my child; and therefore, I am against the "ought not to pass" report, and I am for the minority report because I like the bill in its new draft.

I am not going to discuss this much further, but I don't think we are giving the children of our schools today any credit at all when the gentleman says that if we don't pass — if we do repeal

this and do pass corporal punishment, we are going to have uprising in the corridors, a policeman in our corridors. I don't think that is giving very much credit to our school children of today.

So therefore I would hope that you would vote against the motion to accept the majority report "ought not to pass."

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

Mr. JALBERT: Mr. Speaker, I move that this bill and all accompanying papers be indefinitely postponed.

The SPEAKER: The gentleman from Lewiston, Mr. Jalbert, moves that both Reports and Bill 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. 95 having voted in the affirmative and 37 having voted in the negative, the motion did prevail.

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

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

Mr. Connolly of Portland requested a roll call vote.

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

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

The SPEAKER: The pending question is on the motion of the gentleman from Lewiston, Mr. Jalbert, that the House reconsider its action whereby it indefinitely postponed both Reports and Bill. All in favor of reconsideration will vote yes; those opposed will vote no.

ROLL CALL

YEA — Boudreau, Brown, Chonko, Connolly, Cooney, Curtis, T. S.,

Jr.; Dunleavy, Dunn, Farley, Fecteau, Gahagan, Genest, LaPointe, Littlefield, Lynch, MacLeod, Martin, Maxwell, McTeague, Najarian, Rolde, Ross, Santoro, Smith, D. M.; Talbot, Tanguay, Tyndale, Wood, M. E.

NAY — Albert, Ault, Baker, Berry, G. W.; Berry, P. P.; Bérubé, Binnette, Birt, Bither, Bragdon, Brawn, Briggs, Bunker, Bustin, Cameron, Carey, Carrier, Carter, Chick, Churchill, Clark, Conley, Cote, Cottrell, Cressey, Crommett, Curran, Dam, Davis, Deshaies, Donaghy, Dow, Drigotas, Dudley, Dyar, Emery, D. F.; Evans, Farnham, Farrington, Ferris, Finemore, Fraser, Garsoe, Good, Greenlaw, Hamblen, Haskell, Henley, Herrick, Hobbins, Hoffses, Huber, Hunter, Immonen, Jackson, Jacques, Jalbert, Kelleher, Kelley, Kelley, R. P.; Keyte, Knight, LaCharite, Lawry, Lewis, E.; Lewis, J.; Maddox, Mahany, McCormick, McHenry, McKernan, McNally, Merrill, Mills, Morin, L.; Morin, V.; Morton, Mulkern, Murchison, Murray, Norris, O'Brien, Palmer, Parks, Perkins, Peterson, Pratt, Ricker, Rollins, Shaw, Shute, Silverman, Simpson, L. E.; Smith, S.; Snowe, Soulas, Sproul, Stillings, Susi, Theriault, Tierney, Trask, Trumbull, Walker, Webber, White, Whitzell, Willard.

ABSENT — Faucher, Flynn, Gauthier, Goodwin, H.; Goodwin, K.; Hancock, Hodgdon, Kilroy, LeBlanc, McMahon, Pontbriand, Sheltra, Wheeler.

Yes, 28; No, 108; Absent, 13.

The SPEAKER: Twenty-eight having voted in the affirmative and one hundred eight in the negative, with thirteen being absent, the motion to reconsider does not prevail.

Sent to the Senate.

The SPEAKER: The Chair understands that the members of Cony High School's State championship basketball team and their coach are in the rear of the hall of the House. Would the Sergeant-at-Arms kindly escort the coach and the Cony High School basketball team to the front of the hall of the House.

Thereupon, the Sergeant - at - Arms escorted Coach Hunt and his

team to the front of the hall, amid the applause of the House.

Mr. HUNT: Mr. Speaker and Honorable Members of the House: It is indeed a pleasure to be here this morning, mainly because we are honoring 15 or 18 young men who have worked very hard for something for approximately one year.

A year ago we were beaten in a double overtime in the State Class A final in one of the finest games I had ever seen as well as coached, and it took us a year to come back and avenge that by beating Rumford last Saturday evening. At the same time, I would be remiss in saying too that it is enjoyable being here this morning because you provided us with an opportunity of getting out of school for about an hour, hour and a half, and I am sure that the ball-players would much prefer being here this morning seeing you people in action than they would be over in the high school watching me teach U. S. History.

Finally, I would like to say that I appreciate the honor of being here with my ball club, and I know that I am exceedingly proud of this team the same way I was in 1966 when we were also the State Class A champions. Thank you. (Prolonged Applause)

The SPEAKER: On behalf of the House, we wish to thank you. We in the legislature hope you and the students do benefit from seeing government in action. We are very proud of you. We regret that there isn't a New England tournament any more so that you could follow Waterville and some of the other schools and go down there and show Hillhouse and those other teams how basketball should be played.

They are the guests today of the gentleman from Augusta, Mr. Brown, the gentleman from Augusta, Mr. Sproul and the gentleman from Augusta, Mr. Bustin.

Mr. Brown of Augusta was granted unanimous consent to address the House.

Mr. BROWN: Mr. Speaker, Ladies and Gentlemen of the House: It might be interesting to note that I believe Rumford has had one

State Class A basketball championship team. This was in 1935. This is the team that played Cony last Saturday night. The principal of Cony High School is a fellow named Charles Arbor who was the captain of that basketball team. But more interesting is the fact that Representative Jack Cottrell coached that team.

We have two gentlemen here, the co-captains. One is Neil Glazier, whose mother works as secretary, I believe, for the Secretary of State, Joseph Edgar, and the other co-captain is Dave Rollins who was last year All Maine and this year is all New England. I think these two gentlemen might stand for a special hand. (Applause)

The SPEAKER: In the House we are very interested and read the papers on how other teams do; and there has been some joshing among the two very ardent Rumford High School supporters out here, as you can well imagine. And when I just mentioned Waterville a moment ago, I have received a note already from one of Stearns supporters, or are actually Schenck supporters, and they were New England champs and I know Morse, as I recall, Morse was New England champs one year, too. I think Cony, as far as I am concerned, they are New England champs this year.

Order Out of Order

Mr. Whitzell of Gardiner presented the following Order out of order and moved its passage:

ORDERED, that Sue Oellers and Melodee Gates of Winthrop be appointed Honorary Pages for today.

The Order was received out of order by unanimous consent, read and passed.

Divided Report

Majority Report of the Committee on Education reporting "Ought to Pass" as amended by Committee Amendment "A" (H-107) on Bill "An Act Reimbursing Teachers for Professional Credits (H. P. 838) (L. D. 1112)

Report was signed by the following members:

Messrs. KATZ of Kennebec
OLFENE of Androscoggin

MINKOWSKY

of Androscoggin

— of the Senate.

Messrs. TYNDALE

of Kennebunkport

FERRIS of Waterville

LAWRY of Fairfield

LYNCH

of Livermore Falls

LaCHARITE of Brunswick

LeBLANC of Van Buren

— of the House.

Minority Report of same Committee reporting "Ought not to Pass."

Report was signed by the following members:

Messrs. MURRAY of Bangor

BITHER of Houlton

GAHAGAN of Houlton

Mrs. LEWIS of Auburn

— of the House.

Reports were read.

The SPEAKER: The Chair recognizes the gentleman from Kennebunkport, Mr. Tyndale.

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

The SPEAKER: The gentleman from Kennebunkport, Mr. Tyndale, moves the acceptance of the Majority "Ought to pass" Report.

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

Mr. MURRAY: Mr. Speaker and Ladies and Gentlemen of the House: I think it is an obligation for me to explain what the committee has done on this bill. I signed the minority "ought not to pass" report. As you all know, in the present law, teachers can be reimbursed up to \$100 according to the law for professional credits. What this bill will do is strike that out of the law and make this a negotiable item in teacher contracts. The committee amendment, all that does is put an effective date of July 1, 1971, which means we would have the law for two more years, then it would go out of effect.

I think we ought to once in a while remember about the teachers who are not negotiating for their contracts. I think that at the committee hearing it was pointed out that 8500 teachers have negotiated for over \$100 for reimbursement for professional credit. So to

me that means that most teachers consider this an important item in their contract. About 8500 of them are getting more than the \$100 that the law requires.

And so today we ought to think about probably a thousand teachers that are not negotiating for their contracts and when we pass this law, come 1975, it will not be a requirement of the school districts any longer. It will be left up to their paternal instincts or whatever else. So I think that before we accept the majority report, we ought to think about those thousand teachers that will be affected by this. And I ask for a division on the vote.

The SPEAKER: The Chair recognizes the gentleman from Kennebunkport, Mr. Tyndale.

Mr. TYNDALE: Mr. Speaker and Ladies and Gentlemen of the House: I did not think that this bill was going to be debated this morning and I did not prepare myself with too many facts. The bill in itself is very simple. The teachers are required to take certain courses every so often to continue their certification. However, if you are going to give them \$100, why not give them two, three, four, which in the majority of cases it costs. Now this is in the majority of instances a negotiable item and it is a contract item. It should be negotiated there, not left to the State to supply the money for these courses.

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

Mr. GARSOE: Mr. Speaker and Ladies and Gentlemen of the House: This is my bill. I did not realize it would be debated today either. I would just like to review a little bit of the testimony that took place at the hearing. This repeals the first two sentences of the section 1902 which, number 1, says "teachers will get six hours credit, they will be compensated at the rate of \$100." It also refers to the now outdated and discarded foundation program under which, at the time this was written, the school budget was specifically compensated on the basis of this language. This is no longer the case.

Part of the testimony introduced in this hearing dealt with the fact that if the state is going to say you will pay X-number of dollars, they have an obligation, as they recognized when this was written, to recognize this compensation.

This is a negotiable item and I will accept the figures given by Dr. Marvin at the hearing that there are perhaps 8,500 teachers now covered under comprehensive formal bargaining agreements. But I do not think that Dr. Marvin and I had that much disagreement on the fact that of these thousand or so teachers who might not be under a formal collective agreement, that there was an on-going discourse or communication between these people and their school boards, even if on an informal basis whereby these people did have an opportunity to have an impact on the compensation for an item such as this.

Dr. Marvin referred to these people as non-militant teachers. And I suggested to him that if he could find me one I would like to mount it in my den along with my sabre toothed tiger and dinosaurs reductus, because I believe that by the time this is effective, we will find that practically every teacher in the state will be, if not now, perfectly protected and covered by formal negotiated agreements. I would like to see this pass.

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

A vote of the House was taken.

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

Thereupon, the Minority "Ought not to pass" Report was accepted and sent up for concurrence.

Consent Calendar First Day

(S. P. 54) (L. D. 138) Bill, "An Act Relating to Pollution Control in Discharge in Tidal Waters"—Committee on Marine Resources re-

porting "Ought to pass" in New Draft (S. P. 455) (L. D. 1408)

(S. P. 162) (L. D. 417) Bill, "An Act to Place the Position of Director, Bureau of Aeronautics and Director, Bureau of Waterways in the Classified Service" (Emergency) — Committee on State Government reporting "Ought to pass"

(S. P. 219) (L. D. 635) Bill, "An Act to Authorize Application and Service Fees to be Charged by the Maine Municipal Securities Approval Board" — Committee on State Government reporting "Ought to pass" as amended by Committee Amendment "A" (S-33)

(H. P. 536) (L. D. 718) Bill, "An Act Repealing Multiple Licensing of Life and Health Insurance Agents" — Committee on Business Legislation reporting "Ought to pass" in New Draft and under New Title "An Act Repealing Notice Provision for Multiple Licensing of Life and Health Insurance Agents" (H. P. 1198) (L. D. 1484)

No objection having been noted, were assigned to the Consent Calendar's Second Day list.

(S. P. 292) (L. D. 839) Resolve, Proposing an Amendment to the Constitution to Permit Appointment of Judges of Probate — Committee on State Government reporting "Ought to pass" as amended by Committee Amendment "A" (S-34)

On the request of Mr. Kelleher of Bangor, was removed from the Consent Calendar.

Thereupon, the Report was accepted in concurrence and the Bill read once.

Committee Amendment "A" (S-34) was read by the Clerk and adopted in concurrence, and the Bill assigned for second reading tomorrow.

(S. P. 280) (L. D. 852) Bill, "An Act to Reconstitute and Place a Consumer Member on the Maine Real Estate Commission" — Committee on State Government reporting "Ought to pass" in New Draft with New Title "An Act to Reconstitute and Place a Public Member on the Maine Real Estate Commission" (S. P. 459) (L. D. 1409)

(H. P. 690) (L. D. 897) Bill, "An Act Defining Life Agent under In-

surance Laws" — Committee on Business Legislation reporting "Ought to Pass"

(H. P. 778) (L. D. 1010) Bill "An Act Providing for Temporary License as Insurance Adjuster" — Committee on Business Legislation reporting "Ought to pass"

(S. P. 338) (L. D. 1037) Bill, "An Act to Permit the State Board of Education to Reimburse the City of Portland for School Construction" — Committee on Education reporting "Ought to pass" as amended by Committee Amendment "A" (S-35)

(H. P. 834) (L. D. 1093) Bill, "An Act Providing for Mandatory Retirement for Teachers" — Committee on Education reporting "Ought to pass" as amended by Committee Amendment "A" (H-111)

No objection having been noted, were assigned to the Consent Calendar's Second Day list.

(H. P. 226) (L. D. 366) Resolve, to Reimburse Mount Hope Cemetery Corporation of Bangor for Property Damage by Highway Maintenance.

(H. P. 247) (L. D. 367) Resolve, to Reimburse Mrs. Hilma Webster of Vinalhaven for Damage to Property by Highway Construction. (C "A"-H-99)

(H. P. 254) (L. D. 368) Resolve, to Reimburse William Fitzgerald of Madison for Well Damage by Highway Maintenance.

(H. P. 262) (L. D. 369) Resolve, to Reimburse Blain Crabtree of Cherryfield for Property Damage by Highway Construction.

(H. P. 263) (L. D. 370) Bill "An Act relating to Age for Operation of Vehicles on Special Registration Permits"

(H. P. 316) (L. D. 434) Resolve, Proposing Study of Feasibility of Establishing State Park Facilities within Penobscot County. (C "A" H-100)

(H. P. 398) (L. D. 527) Resolve, to Reimburse Otis Smith of Kittery for Motor Vehicle Damage Due to Highway Maintenance.

(H. P. 433) (L. D. 582) Bill "An Act Relating to Credit for Confinement within County Jail Prior to Sentencing" (A. "A" H-102)

(H. P. 479) (L. D. 630) Bill "An Act Creating the Monson Utilities District" (C "A" H-103)

(H. P. 494) (L. D. 648) Bill "An Act Relating to the Design of Buildings Constructed by the State or Political Subdivisions"

(S. P. 238) (L. D. 689) Bill "An Act Relating to Registration and Enrollment of Voters"

(H. P. 532) (L. D. 714) Resolve, to Reimburse Woodrow Bakeman of Castine for Property Damage by Highway Construction. (C "A" H-104)

(H. P. 548) (L. D. 729) Resolve, in Favor of South Berwick Emergency Ambulance and Rescue, Inc.

(H. P. 569) (L. D. 748) Bill "An Act to Increase Payments to Forestry Department for Forest Fire Protection in Indian Township"

(H. P. 693) (L. D. 900) Bill "An Act Relating to Use of Vending Machines on Sundays"

(H. P. 696) (L. D. 902) Bill "An Act Clarifying the Tuition Equalization Fund for Maine Students Entering Maine Private Colleges" (Emergency)

(H. P. 719) (L. D. 925) Resolve, to Reimburse Alden V. Cole of LaGrange for Loss of Beehives by Bear.

(H. P. 728) (L. D. 934) Resolve, to Reimburse David Ervin of Corinna for Property Damages Caused by State Ward.

(H. P. 802) (L. D. 1061) Bill "An Act Relating to Definition of Retail Sale Under Sales and Use Tax Law"

(S. P. 445) (L. D. 1377) Bill "An Act Appropriating Funds to Educate and Rehabilitate Persons Handicapped by Severe Losses of Hearing and Speech Impairment"

(H. P. 1190) (L. D. 1456) Bill "An Act Relating to Removal of Dilapidated Wharves or Piers"

No objection having been noted, were passed to be engrossed and sent to the Senate.

Second Reader Indefinitely Postponed

Bill "An Act Relating to Educational Research" (S. P. 99) (L. D. 244) (C. "A" S-31)

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

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

Mr. BIRT: Mr. Speaker, Ladies and Gentlemen of the House: I would like to call your attention to this bill and point out what I understand exactly it does.

The bill allows fifteen ten-thousandths of one percent of the school subsidy or one dollar per pupil to be taken from the school subsidy. Now this money will be taken from the individual towns, it won't come out of state appropriation. It will be turned over to the Commissioner of Education to allow him to set up a research program. This could amount to roughly in the neighborhood of \$225,000, or a quarter of a million dollars annually. Over a period of four years he would have a million dollars to develop a research fund to be spent as he sees fit with absolutely no accountability to anybody. This would be a private special fund, operated under special funding, with no indication in the budget, no report as to how it is supposed to be used or handled and no accountability.

I think it is completely going in the wrong direction. If the Commissioner feels that there is a need for additional educational research, he should come into the legislature and ask for an appropriation; and then we can make a decision as to whether we want funding to be done and whether we want this type of educational research to be accomplished.

With those thoughts in mind. I move the indefinite postponement of this bill and all its accompanying papers.

The SPEAKER: The pending question is on the motion of the gentleman from East Millinocket, Mr. Birt, that L. D. 244 be indefinitely postponed in non-concurrence. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken. 112 having voted in the affirmative and 9 having voted in the negative, the motion did prevail.

Sent up for concurrence.

Passed to Be Engrossed

Bill "An Act Relating to Animal Welfare" (S. P. 42) (L. D. 98)

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

Second Reader

Tabled and Assigned

Bill "An Act Authorizing Use of County Funds for Child and Family Services in Piscataquis County" (H. P. 381) (L. D. 510)

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

(On motion of Mr. Carter of Winslow, tabled pending passage to be engrossed and specially assigned for Thursday, March 22.)

Bill "An Act Authorizing Piscataquis County to Collect and Dispose of Solid Waste on a Regional Basis" (S. P. 270) (L. D. 795)

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

Mr. Dyar of Strong offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-106) was read by the Clerk and adopted.

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

Passed to Be Enacted Emergency Measure

An Act to Allocate Moneys for the Administrative Expenses of the Bureau of Alcoholic Beverages, Department of Finance and Administration and the State Liquor Commission for the Fiscal Years Ending June 30, 1974 and June 30, 1975 (H. P. 342) (L. D. 457)

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. 111 voted in favor of same and 2 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act Relating to Municipalities Providing Funds for Local Development Corporations (S. P. 235) (L. D. 687)

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. 117 voted in favor of same and 3 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act Relating to Jurisdiction of County Enforcement Officers in Fresh Pursuit (H. P. 555) (L. D. 735)

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. 122 voted in favor of same and 3 against, and accordingly the bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act to Clarify the Law on Handling of Polluted Shellfish (H. P. 703) (L. D. 908)

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

Emergency Measure

An Act Relating to Taking Smelts in the Town of Surry, Hancock County (S. P. 438) (L. D. 1284)

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 neces-

sary, a total was taken. 120 voted in favor of same and 3 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Enactor Tabled and Assigned

An Act to Establish a Bureau of Property Taxation Within the Department of Finance and Administration (S. P. 56) (L. D. 163)

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

(On motion of Mr. Sproul of Augusta, tabled pending passage to be engrossed and tomorrow assigned.)

Enactor Tabled and Assigned

An Act to Clarify Certain Provisions of the Maine State Retirement Law (S. P. 76) (L. D. 193)

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

(On motion of Mr. Simpson of Standish, tabled pending passage to be enacted and tomorrow assigned.)

Passed to Be Enacted

An Act Providing for Municipal Coordinator for Election Division of the Department of the Secretary of State. (S. P. 151) (L. D. 385) (C. "A" — S-30)

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

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

Mr. KELLEHER: Mr. Speaker and Ladies and Gentlemen of the House: I move that this item be indefinitely postponed and would speak very briefly to my motion.

The SPEAKER: The gentleman from Bangor, Mr. Kelleher, moves that item 8 be indefinitely postponed. The gentleman may proceed.

Mr. KELLEHER: Mr. Speaker and Ladies and Gentlemen of the House: I know that you are all very familiar with this document that is before us here this morning. It has been debated a number of times, but just to go back

over it briefly, I would like to say this. When we first had this bill before the House, the proponents in this House told us that it was absolutely necessary that we should not touch it, that we should not amend it in any way or fashion.

Well to begin with, they amended it by changing the name on the title of the bill from coordinator to election investigator. Another thing they did, they amended the clerk out of the bill, saying that it was not absolutely necessary. These are the very people that said that we should not touch the bill but they amended it so far. Now it is back in here again this morning for passage.

I brought up the other day in debate that the Secretary of State had submitted a budget request before the Appropriations Committee. And it was stated by one of my brother members of the House here that this was a high priority, it was a very high priority in that department. And if it was such a high priority in that department, I am surprised that the Secretary of State, in his budget request, did not put it in when he submitted it before the Appropriations Committee.

Now ladies and gentlemen, the Appropriations Committee are going to be hearing the Secretary of State's budget, and the number of people that he is asking for in his various departments. And I suggest that this House not support this issue this morning, they let the Appropriations Committee review the budget requests of the Secretary of State and if it is absolutely necessary that this position should be filled, then it is very easy for this very prestigious and hard-working committee to amend, I say amend the original request of the Secretary of State's office.

I think that this is unnecessary. I do not particularly like going this route and putting bills in for certain departments. I think that when they submit their budget requests, the Appropriations Committee has ample knowledge, the time and they know exactly how much money is available for acquiring and putting new positions into various state departments.

Ladies and gentlemen, I would ask you to vote with me this morning to indefinitely postpone this bill.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: This bill was put in separately because it was of the highest priority. The eleven members are to go to the Archives Committee. The Appropriations Committee will not grant them all of those I am sure. And the other three are to go to the Corporations Committee and as I explained the other day, this is the one department or sub-department that makes money for the state and they hope to make an additional \$100,000 next year.

Now on this bill, I have one correction and two comments. The other day the gentleman from Enfield, Mr. Dudley, said that there was one thing that he was pleased about, that this would be a Democrat who would have this job. Now that is not necessarily so, because the job would come under the classified section of the Personnel Department, and anyone who was interested would have to take a test. The Secretary of the State could only choose from the top three.

In general I would like to make two examples why this is needed. In the last election there was one town that called the Secretary of State and asked if they could use ball point pens in the booths and Mr. Edgar pointed out that the law said that pencils should be used. But there was a mistake and so in one booth they used ball point pens anyhow and all of those ballots were thrown out.

Yesterday, as you probably know, there was an election in the towns of Veazie, Alton, Bradford, Charleston and so forth, to fill the vacancy caused by the death of Mr. Barnes. One of the towns here, the town clerk would not give out absentee ballot requests to anybody who was not a notary or a justice. This, of course, is against the law. And these towns are all in the county of Penobscot, from whence come

Messrs. Kelleher, Dudley, Binnette.

I have been asked what the present deputy of secretary does and particularly what he does off season. I have a complete list of that but I will not bother you with it unless so requested. I hope you vote against the motion to indefinitely postpone.

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

Mr. DUDLEY: Mr. Speaker and Ladies and Gentlemen of the House: It is with some reluctance that I make any chitter chatter this morning. Let me tell you that the man that is doing this, has been hired to do this job, I think is capable, if he would just do it. And this little election that we had the other day is a good example I would say. Regardless what county it is in, these people I would hope have been in their office for advice and we do have telephones in every one of these towns, and had they been in their office, and I suspect that they may have been. I am sure that advice could have been rendered.

I would like to point out to you, I think that if you decide to pass this bill this morning, which I hope you will not, we have got plenty of time on a bill like this, we are going to be here a few days, the Secretary of State could send up a little inquiry to these town clerks, or registrars and see if they need any assistance. Now there are not that many towns, 400 some odd, I believe, in the State of Maine and this would not be too costly a thing to mail out a little affair and put on the bottom of it, "return this if you want assistance", in what field you want assistance, and get it back in the Secretary of State's office. We would have time to review these.

This would serve, in my opinion, two purposes. Number one, it would show you in this House how many or how few of these people want this assistance. Number two, I would like to point out to you, and generally speaking we have elections every two years, with occasionally a little extra one which involves a very few class of towns.

Now this being the case and we have hired a man and he could do the job and was doing it like I would consider was proper, he would have a two year period to interview these towns. Now you understand that there are two years involved. This man has nearly two years to interview these few that come in. Now if 400 come in, he probably could not do it. But let me assure you, the town clerk from Bangor, Mr. Alley will not be in. And there is some in a lot of towns in a lot of areas who will not be in or ask for advice in any field. Now these you would not have to see. We will assume that 40 per cent or 30 per cent do ask for assistance. He has two years to render this assistance. Now it seems to me that in a two year period of time, he will find the time, or should find the time, whether he does or not, whether he would leave the office, that he would have time to advise people in this field.

I was one of the signers of this report "ought not to pass" and any report that I sign, I will try to defend it verbally in the House because I listen very attentively to the needs of this department and it was not proven to my satisfaction that this man was needed. And I am one of those who, whether it was this department or any other department, that I am not anxious to put extra people on the payroll of this state. I assure you that if there is one thing that the people that I represent do not want, that is more bugging from down here and more people on the payroll up there supposedly assisting them. I am sure that it is true.

While I am on my feet, I would like to say that if you look up the definition of a legislator or a representative, you probably will find that he is just a representative of the people. I find that there is an awful lot of people around this building that feel as though they have power of attorney. I think the time has come when we should start representing these people. Here is a good chance to start because we have plenty of time to send every one of these

a letterhead, instruct this by order. The Secretary of State can send every one of these an order and find out if they want assistance. If they do we can find out the amount who want it, we will say, "Now look here, Mr. Assistant Secretary, we think that you have got time to do it, in the two year period, to see these few people that want this assistance. We think that you can do in on your own. We do not think that you need more help to do it." Now this is the way I feel about it and if you do not feel the same way, you do as you like.

You have already in this House hired quite a few people whether you know it or not. We hired border inspectors, as insurance companies used to do, and we have hired people in other fields. They keep slipping by you — one or two here and one or two there. When you get home, you are going to be amazed to find out how many new jobs you have created.

I was told that these promises you get here are not very good anyway. It is going to be a Democrat on there. I am not really that concerned but I thought it might make some people in the House feel a little bit better if they knew that a Democrat was going to be represented in the Secretary of State's office. However, I do not feel that serious about it. That was not a deciding issue with me, but I do think that I do not want any more men in there unless it is absolutely necessary, and they did not prove the necessity to my satisfaction and I hope that they didn't to yours.

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

Mr. BINNETTE: Mr. Speaker and Ladies and Gentlemen of the House: I feel as though that I have got to get up here and defend my stand as I was one of the signers with the gentleman from Enfield, Mr. Dudley, in opposition to this bill.

I think my good friend from Bath, Mr. Ross, says that we came from Penobscot County. I am proud of that. I am proud of my county. I think the county has always done pretty well. But some

of the reasons why I have been opposed to this to begin with, that bill was so essential. It was really something out of this world. Then the next thing we know, they took out a lot of money. So it didn't make it quite so essential. Then it took off the secretary. That came along.

Now, perhaps many of you are not aware of the fact that prior to an election, the instructions to the ballot clerks and the warden are going to be handed to them or mailed to them several days prior to the election to give these officials an opportunity to look into it. I will agree that when they were handed out in the ballot box on the day of election, many of the officials who were participating there were confused. They did not have the time to go through all.

Another thing, many of you are aware of the fact that in Maine that these ballot clerks are appointed. A lot of times these wardens are elected. The day of election they fail to show up. They have got to put in some new people. These people are not aware of all these laws; but with this change I think it is going to be a benefit, and I do not think there will be so much confusion as there has been in the past.

Another thing that I am positive of, and I think many of you legislators here have had the same occasion, that if there are any doubts or any questions, all you had to do was to take the telephone and call up the Secretary of State; and I am sure that he always gave you the right time of day, and he was right there; and he was very, very knowledgeable. I do not think there is anybody here who knows as more about elections than Joe Edgar, and I have always admired him.

Now, we have got another thing here that is coming up on that. They want to improve the election laws by sending out to each candidate and the party officials election laws books. I think that is a good thing. I will agree with that 100 percent, but I do not agree to putting in another man in that office because it has been stated on this floor that there are 365

communities when in reality — excuse me I said 465, when in reality there are over 495 communities; and there is no one man living that can contact all these people and I think that Representative Dudley has a good suggestion, that all they got to do is to mail in; and if they want help, then the Deputy Secretary of State will give it to them.

When this bill first came before us, I had moved for indefinite postponement, and I think at that time that it was handled properly. But it came back again, and it is still here before us; and I certainly hope that we will continue to vote for indefinite postponement of this bill and all its papers, and I would like to have a roll call.

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

Mr. BRAWN: Mr. Speaker and Ladies and Gentlemen of the House: I just heard my good friend from Bath say that this might not be a Democrat. The Secretary of State could pick from the top three. I would like to see this in the law. The law says a man must take the examination. It does not say he has even got to pass it. I would like to know who has ever seen the ranks of these people that take it? They go to work and they send you — as I told you before, I have received five civil service appointments. They told me what my rank was, and I never did see even my papers; or I never saw anyone else's, and I was told it did not make any difference. The law said I had got to take the exam. The law did not say I even had to pass it. If Mr. Ross said he can pick them, I would like to know.

Now my little town up there, as the paper said, I refer to myself and my little town. Yes, I am proud of my little town. Of course, I am proud of myself. If I didn't, there would be something wrong with me. I think we are functioning very well up there in the little town of Oakland and all the towns that I represent. We are paying all we can pay to the bureaucracy right now. This is not only going to put in one man with approxi-

mately, well, we will say we start him off with \$18,000. That is just your foot in the door. Next year it will be up to \$24,000. This is not all. He is going to get his traveling expenses. All right, then they are going to give him a car and he is not going to care how he drives that car because that is not his. Then he is going to have to have his meals. When he goes way to the upper part of this state, which is nearly 400 miles with the return trip, that is about \$80 for travel. Besides his meals and his lodging, gentlemen, his expense account is going so high; and if you can tell me how one man is going to cover all these municipalities, I would like to know.

Now my little town, as I will tell you again — and the paper said this is who I refer to, myself and my little town and I am proud of them — I hope that we stand with just the way we are now, and I will go along with Mr. Kelleher from Bangor.

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

Mr. MULKERN: Mr. Speaker and Members of the House: I am a little confused here. I am trying to find out the present bill we have before us, what is the appropriation on this?

The SPEAKER: The gentleman from Portland, Mr. Mulkern poses a question through the Chair to anyone in the House who may care to answer.

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

Mr. BINNETTE: Mr. Speaker and Members of the House: The original bill called for \$33,975. They reduced it a thousand into the Senate, bringing it down to \$23,650.

The SPEAKER: The Chair recognizes the gentleman from Camden, Mr. Hoffses.

Mr. HOFFSES: Mr. Speaker and Ladies and Gentlemen of the House: As a member of the Election Laws Committee and a signer of the "ought to pass" report, I think perhaps I should say something in defense of this bill and also in defense of some of the remarks that have been made.

During the debate on this bill we heard accusations that if the legislature would leave the election laws alone, that the several town and city clerks would be able to interpret the law and would be able to pass intelligent judgments on it. I think perhaps it is only fitting and proper that we should point out here and now that it is not only the legislature which is changing the election laws. I think every member of this House is well aware of the fact that the Supreme Court is dabbling in the election laws all of the time; and for that reason as well as the fact that the legislature does make changes, the towns and city clerks are confused.

I have, for a number of years, served as a town moderator in not only my town but some of the neighboring towns; and I am quite well aware of the confusion and the uncertainty of which several of the town clerks have in relation in regards to our election laws. And with my limited knowledge of election laws, some of the town clerks have expressed gratitude that I was there and that I could interpret some of the laws as I see them and as I believe that they exist today.

Now, the purpose of this particular bill is to provide a person — and I don't care what his political party affiliation may be — but it is to provide a person to go over the state and to conduct seminars or to go to the several towns and cities and endeavor to keep them abreast of the ever changing laws which are being implemented, not only by the legislature but by the federal system, and I would hope that you would provide the municipalities in this state a little clearer understanding of the election laws which do exist and which we in the State of Maine are governed by.

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

Mr. HENLEY: Mr. Speaker and Ladies and Gentlemen of the House: I would like to approach this at a little bit different angle. I agree that undoubtedly the various registrars and boards and

town clerks could make use of the assistance for someone to visit them. I agree also with both sides that it would be a tremendous undertaking for one person, 496 communities; and I can agree with my friend, Mr. Brawn, that the cost that we see in the bill would be small. I also agree that it is another step in bureaucracy.

Now, one of my best friends down here is the Secretary of State. But I have always, when I have been in this room considering bills, I try to think that all friendships cease whether it is someone here or whether it is some specific friend back home that is a business man, and he urges me to vote thus and so.

For instance, the other day on a bill in committee, I opposed a very good friend of mine back home, a business man, and I have done so many times on the floor of this House.

One of my chief oppositions to this bill is that this is another step in the construction of bureaucracy, and I do not believe that it will be of sufficient value to warrant it. I believe that it is establishing precedent. I believe that if this is done there will be many other departments that specifically administrative with offices here in Augusta that will find that — or will believe and will think that they can improve their service to the state by putting a man in the field, man or woman, and they will ask to do so.

We have, for instance, department heads here in offices that control realtors. We are changing laws on real estate brokers and dealers and salesmen every session. We are changing them perhaps just as much as we have changed election laws. What about those people back there that are selling and handling millions of dollars in transacting business in real estate? Should we not have this commission create a field man and give them the money to send someone around to all of the realtors to keep them up to date? What about the Insurance Commission? What about all of these others? What about town managers and municipal controls?

We have laws that we enact here, and it is the responsibility of both elective and appointive personnel throughout the state to familiarize themselves with these laws and to continue their jobs based upon those laws. If for some reason or other laws become so complicated that a town clerk cannot serve in a capacity of town clerk and registrar, it is the localities responsibility, not our responsibility. It is the responsibility of the officials down through the localities, the local communities and the counties to keep themselves familiar with the laws. It certainly is not our responsibility to create all these sub-departments and bureaucracies to go down and keep reminding them every few weeks or every few months that there has been a change.

Now every community in the state can and should be receiving every bill and every change that goes through this legislature. All they have to do is to apply in writing. Any political sub-division, counties, cities, and towns, all of my towns are getting every bill and every change. It is mailed out to them automatically without cost to them.

For that reason I say that in my attempt here through the years to hold down the mushrooming of the bureaucracy, is my chief reason for opposing this bill. They say the amount of money isn't very much, but it is something and it is establishing that precedent that other groups, for instance the Board of Assessors, the Board of Taxation, they could find reasons for creating a field office and sending someone out. We shouldn't open the door for these things any more than we have to. So I shall certainly go along with the indefinite postponement of this bill.

Thes SPEAKER: The Chair recognizes the gentleman from Stan-dish, Mr. Simpson.

Mr. SIMPSON: Mr. Speaker and Ladies and Gentlemen of the House: Last Thursday this body put a \$3 million package through here. We accepted a committee report, gave it its first and second reading under suspension of the

rules. We engrossed it and we have enacted it under emergency appropriation and not one single person stood up and debated that bill—\$3 million.

We have a bill before us right now that is calling for \$9,150 for the very first year, which we have spent something like four days and maybe \$15 thousand of the taxpayers money debating it. We are talking one man, one man to help in the assistance of the election laws in this state, a basic principle that this democracy was founded upon. You voted to put it on the enactment calendar. It is here. I would urge that you not vote to indefinitely postpone, we enact the bill, put it on the Appropriations Table and we will decide the priority of it, hopefully in June, but maybe in August.

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

Mr. HENLEY: Mr. Speaker and Ladies and Gentlemen of the House: I am glad the floor leader brought up that bill of last week. I have had more repercussions on the way we railroaded it through.

The SPEAKER: The Chair would instruct the gentleman that the motion before the House is the motion of the gentleman from Bangor, Mr. Kelleher to indefinitely postpone L. D. 385 and L. D. 385 is the matter under discussion today.

Mr. HENLEY: Thank you Mr. Speaker. Sometimes this House passes bills and everybody doesn't go along with them. I guess they find that there are certain bills that I oppose regardless of how much time is spent on them. I felt it was irrelevant for the floor leader to bring into this some other bill. That is the only reason that I did so, Mr. Speaker. I still say that this bill is merely opening the door to all sorts of expansions on bureaucracy.

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

Mr. FARRINGTON: Mr. Speaker and Ladies and Gentlemen of the House: We have spent millions of dollars in the field of education. I think here is an opportunity

where we can provide an education that is a real important matter to all people in the State of Maine. If proper communication from this department to the people in the towns, I think the clerks might feel sufficient enough to even go to schools and give them some instruction on election laws. In my estimation, we have not reached out far enough to this field of education, the younger people, in matters that they will be confronted with soon after they get out of high school. And if for no other reason at all, I would go along with this bill and I hope you will vote against the motion to indefinitely postpone.

Mr. Binnette of Old Town requested a roll call vote.

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

A vote of the Houshe 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 Bangor, Mr. Kelleher, that L. D. 385 be indefinitely postponed in non-concurrence. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Berry, P. P.; Berube, Binnette, Brawn, Carey, Carrier, C a r t e r, Chick, Chonko, Conley, Connolly, Cooney, Cote, Crommett, Dam, Davis, Deshaies, Dow, Drigotas, Dudley, Dunn, Dyar, Faucher, Fecteau, Finemore, Gahagan, Garsoe, Genest, Henley, Hobbins, Hunter, Jacques, Kelleher, Keyte, LaCharite, LaPointe, Lawry, Lewis, J.; Littlefield, Lynch, Mahany, Martin, McCormick, McHenry, McKernan, McNally, McTeague, Mills, Morin, V.; Mulkern, Murray, Perkins, Peterson, Ricker, Rolde, Santoro, Sheltra, Silverman, Smith, D. M.; Smith, S.; Sproul, Talbot, Tanguay, Tierney, Walker.

NAY — Ault, Baker, Berry, G. W.; Birt, Bither, Boudreau, Brag-

don, Briggs, Brown, Bunker, Bus-tin, Cameron, Churchill, Clark, Cottrell, Cressey, Curran, Curtis, T. S. Jr.; Dunleavy, Emery, D. F.; Farley, Farnham, Farrington, Ferris, Flynn, Fraser, Good, Goodwin, K.; Greenlaw, Hamblen, Haskell, Herrick, Hoffses, Huber, Immonen, Jackson, Jalbert, Kelley, Kelley, R. P.; Knight, Lewis, E.; MacLeod, Maddox, Maxwell, Merrill, Morin, L.; Morton, Murchison, Najarian, Norris, Palmer, Parks, Pratt, Rollins, Ross, Shaw, Shute, Simpson, L. E.; Snowe, Soulas, Stillings, Susi, Theriault, Trask, Trumbull, Tyndale, Weber, White, Whitzell, Willard, Wood, M. E.

ABSENT — Donaghy, Evans, Gauthier, Goodwin, H.; Hancock, Hodgdon, Kilroy, LeBlanc, McMahon, O'Brien, Pontbriand, Wheeler.

Yes, 66; No, 71; Absent, 12.

The SPEAKER: Sixty-six having voted in the affirmative and seventy-one in the negative, with twelve being absent, the motion does not prevail.

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

An Act Reducing the Amount of Bonds Authorized for Student Housing (H. P. 340) (L. D. 455)

An Act Reducing the Amount of Bonds Authorized for Capital Improvements, Construction, Repairs, Equipment, Supplies and Furnishings for Fiscal Year Ending June 30, 1964 (H. P. 343) (L. D. 458)

An Act Relating to Custodian for Beneficiary under Uniform Gifts to Minors Act (H. P. 361) (L. D. 476)

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

Enactor

Tabled and Assigned

An Act Relating to Purchase of Back Service Credits for Local Participating Districts and Individual Employees under Maine State Retirement System (S. P. 183) (L. D. 491)

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

(On motion of Mr. Simpson of Standish, tabled pending passage to be enacted and tomorrow assigned.)

An Act Relating to Definition of Dealer under Maine Securities Law (S. P. 209) (L. D. 553)

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

**Enactor
Tabled and Assigned**

An Act Including Representatives of a Council of Governments under State Retirement System (H. P. 430) (L. D. 579)

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

(On motion of Mr. Simpson of Standish, tabled pending passage to be enacted and tomorrow assigned)

**Enactor
Tabled and Assigned**

An Act Repealing the Law Requiring Municipalities to Remove Worthless Trees within the Limits of Ways and Streets (H. P. 491) (L. D. 645)

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

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

Mr. BRAGDON: Mr. Speaker and Members of the House: I tabled this bill because I caught sight of it and tabled it on the spur of the moment. I don't know as I know exactly now what I want to do with it. I think perhaps we might stir up a little discussion and then we could decide whether we wanted to table it for a day or two or let it go.

Apparently it is an act repealing the law requiring municipalities to remove worthless trees within the limits of the highway. Now this seems to me on the basis of it a very desirable thing to be done. And my thought, as I read the title, was if the municipalities don't do it then who does? I don't know whether there is

any other legislation that would require the municipalities to do this, but I still think it would be very desirable that it be done. There are a lot of elm trees that are dying and could be hazardous to remain within the limits of the highway.

I see this particular bill which is probably somewhat ancient legislation, doesn't mention large trees, it just mentions apple trees and cherry trees. However, I think that if there is in this a germ of a bill perhaps that would cover the whole area and perhaps rather than repealing this we should take a good look at it and possibly amend it so that it would require the municipal officers to take care of the roadsides within their various towns. There doesn't seem to be anything wrong with the idea and I will wait until someone else makes some comments and if I think it is desirable to table it and look further into it, I will attempt to make the motion later, Mr. Speaker.

Thereupon, on motion of Mr. Finemore of Bridgewater, tabled pending passage to be enacted and tomorrow assigned.

An Act Relating to Insurance Rate Filings (S. P. 225) (L. D. 660) (C. "A" S-26)

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

**Enactor
Tabled and Assigned**

An Act Repealing Certain Provisions of the Legal Fence Law (S. P. 245) (L. D. 696)

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

(On motion of Mr. Hamblen of Gorham, tabled pending passage to be enacted and tomorrow assigned.)

An Act Providing Funds for the State Osteopathic Loan Fund (S.P. 249) (L. D. 700)

An Act Relating to Change of Name and Shareholders of the Federal Employees' Credit Union of Maine (H. P. 673) (L. D. 880)

An Act to Clarify the Law Relating to Fishery Inspection (H. P. 702) (L. D. 907)

An Act Relating to Use of Motor Vehicles on Frozen Surfaces of Part of Sasanoa River (H. P. 1122) (L. D. 1283)

Finally Passed

Resolve, Providing for Purchase of Copies of History of Livermore (H. P. 393) (L. D. 522)

Resolve, to Reimburse the Town of Scarborough for Damage to Property from the Boys Training Center (H. P. 443) (L. D. 592)

Resolve, Providing Funds for the Purchase of Copies of the "History of Winthrop, Evolution of a Maine Community" (H. P. 640) (L. D. 856)

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

Tabled and Assigned

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

Mr. SIMPSON: Mr. Speaker, I move that we reconsider our action whereby item 5 on page 8 of the House Advance Journal and Calendar, Bill "An Act Relating to Protection of the Public Water Supply" House Paper 1191, L. D. 1457, was passed to be engrossed.

The SPEAKER: The gentleman from Standish, Mr. Simpson, moves that the House reconsider its action of earlier in the day whereby L. D. 1457 was passed to be engrossed. Is it the pleasure of the House we reconsider whereby this bill was passed to be engrossed?

(Cries of no)

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

Mr. SIMPSON: Mr. Speaker and Ladies and Gentlemen of the House: The reason why I would like to reconsider our action is I would like to put the bill back into the second reading because there is an amendment that should go on and we should put it on in the House.

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

Mr. MILLS: Mr. Speaker, I request the gentleman read the amendment he would like to introduce.

The SPEAKER: The Chair would inform the House that the amendment is not presently before the body.

On motion of Mr. Finemore of Bridgewater, tabled pending the motion of Mr. Simpson of Standish to reconsider passage to be engrossed and tomorrow assigned.

Order Out of Order

Tabled and Assigned

Mr. Stillings of Berwick presented the following Order and moved its passage:

ORDERED, that House Rule 49-A be amended to read as follows:

49-A. Any bill or resolve which bears a unanimous Ought to Pass or Ought to Pass as amended report by the committee to which it has been referred, upon notification to the House, shall, without further action, be placed by the Clerk upon the special consent calendar and remain there for two legislative days; it shall, at the termination of the said two days, be considered as passed to be engrossed. Upon objection of any member to the placement or retention of any bill or resolve on the consent calendar, such bill or resolve shall cease to be a consent calendar bill and if removed on the first day shall be placed on the first reading file or if removed on the second day shall be placed on the second reading file for the next legislative day. If a bill or resolve is taken from the special consent calendar, the first order of business with respect to it shall be whether to accept the committee report. No bill or resolve shall be placed on the consent calendar that involves a gain or loss of revenue.

The Order was received out of order by unanimous consent, and read.

(On motion of Mr. Simpson of Standish, tabled pending passage and tomorrow assigned.)

Orders of the Day

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

Bill "An Act Changing the Names of Certain State Institutions" (H. P. 362) (L. D. 477)

Tabled—March 15, by Mr. Snow of Auburn.

Pending — Motion of Mr. Curtis of Orono to accept Majority Report—Ought to Pass with Committee Amendment.

Thereupon, the Majority "Ought to pass" Report was accepted and the Bill read once.

Committee Amendment "A" (H-96) was read by the Clerk and adopted.

The Bill was assigned for second reading tomorrow.

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

Bill "An Act Relating to the Appointment of Trustees of the Kennebec Water District" (H. P. 571) (L. D. 750)

Tabled — March 15, by Mr. Carey of Waterville.

Pending — Motion of Mr. Soulas of Bangor to accept Minority Report — "Ought to pass."

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

Mr. CAREY: Mr. Speaker and Members of the House: I appear before you today in a dual role, that of Representative and as Mayor of the City of Waterville.

The people of Waterville have asked for your serious consideration on this measure as it provides one man-one vote on the Kennebec Water District Board of Trustees. The minority report is before you today "ought to pass" and you will notice that both the House Chairmand and the chairman from the other body have signed that minority report.

This legislation follows almost to the letter that which was passed by this legislature only two short years ago, the formation of the Kennebec Sanitary Treatment District. The major point in this bill and the point which has brought out the opposition, both Fairfield, Benton and Winslow, is the makeup of the Board of Trustees. Currently there are seven members of the board. There are two each from Waterville, Winslow and

Fairfield and a seventh member is selected by the county commissioners. The county commissioners have absolutely no ties to the district and this bill would correct that.

When the district was first formed, Waterville and Fairfield Village Corporation were the only members. Benton, Winslow and Vassalboro were only customers at the time and Winslow became a member less than ten years ago when a legislative act passed and it gave them two trustees. My bill would give Benton and Vassalboro full membership with a trustee each; and, after all, membership means representation.

I attended a Winslow town council meeting a short time ago when they voted on their resolution to come before the committee on this, the Public Utilities Committee; and, as expected, the vote was unanimous against the bill. Discussion before the committee brought up the fact that Fairfield was also opposed to the passage of this bill; and that is easily understandable, because they now control the board five to two, and that is a lot easier to handle than a vote of six to five.

Just as in the treatment bill, the smaller towns need not fear the big City of Waterville. You will note that Waterville would only have five members while the combined towns would have six, just as the Treatment District had; and they could still out-vote the City of Waterville.

I base my appeal to this House on a simple fact that Waterville had a 1970 population of 18,192 people and it was allowed two representatives on the board. The combined towns have a 1970 population of 17,000, which is less than Waterville, but they have five trustees, and the representation per trustee pretty much follows these lines. Waterville has one for every 9,000 people; Winslow has one for every 3,600; Fairfield, one for 2,800; Vassalboro has one for 2,600 people. If my bill were to pass, then the representation would be as follows: Waterville would have one for 3,600; Winslow, one for 3,600; Fairfield, one for 2,800;

Vassalboro, one for 2,600 and Benton would come in for one representative even though they only have 1,700 people.

Under the present setup, it does not really seem fair, does it, in light of a February, 1970 Supreme Court ruling that says that the one man-one vote extends to all government bodies no matter how specialized.

I know that there will be some that will get up here in opposition and say there are no disagreements on the boards so why start trouble. Well, this bill is not intended to and nor will it start any trouble. It is intended, however, to give the City of Waterville representation that it not only deserves but which is long overdue it on the board.

The bill also requires that population be made an important factor in seating members of the board. Every ten years, if there is a population shift or increase, the allotment to any community may change and this feature is also consistent with the Treatment District; and I would say right now that the one who would have more to gain by this particular phase of the bill would be the town of Winslow.

I think the opposition might mellow a little bit when they find that this is hopefully the first step in creating a Kennebec Utility District, something that could come to pass in the years ahead. If this bill becomes law, that same utility district could also include the supervision over solid waste, which we all know is a growing problem in all of our communities.

L. D. 1372 is a bill quite similar to this, in that it amends the charter of the Bath Water District. That is an interesting little bill because the Bath Water District would go to a membership of seven, the City of Bath would go down to three members, the Town of Woolwich would have one, West Bath would have one, Phippsburg would have one, Brunswick would have one. It seems interesting to note that the big town also would have a minority on its board.

Two years ago, against the very wishes of my own sewer district, I worked hard to see that the towns

got very fair and equal representation; and today these same towns are in opposition to this measure. What a tremendously short memory they have, and what a complete disregard for fair play.

I hope that the House can see through these objectors and note them as being jealous guards of the power of the small communities and the power that they do exert over this board. I hope that the House will note that the City of Waterville is still at a disadvantage in the proposed number of trustees even though Waterville has a larger population than the other communities combined.

The people of Waterville are not here seeking control of the Kennebec Water District, but they do ask that you grant them equal representation.

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

Mr. LAWRY: Mr. Speaker and Ladies and Gentlemen of the House: I hesitate to rise, feeling somewhat of a tyrant after listening to that kind opening debate of Representative Carey. I listened carefully not only this morning but at the hearing. Not once did I hear a mention of an improvement in service to the consumer or to the towns; not once did I hear any objection to the way that the towns had been treated, the way that the cities and towns have been treated whenever services were needed.

As far as the Sewer versus the Water District, they really have no bearing on one another at this time; and how much easier is it going to be to get a Utility District out of a one with 11 trustees and one with 7. It would be just as simple or simpler to do so than try to make one with 11 on each. This one man-one vote principle has been weakened in recent Supreme Court decisions as you all know. As far as I know, the City of Waterville, apparently, was very concerned about this because I saw just one person there from the city who was the mayor. Apparently, the people who were so disturbed at their lack of representation did not feel the trip of 20 miles was worth the effort.

In closing, I would say that this bill certainly was not presented to correct the situation, which is deteriorating. It is not presented to improve the operation of this district; and I feel that rather than change the makeup of a district which is operating well, that I hope you will vote against the motion pending and accept the majority "ought not to pass" report.

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

Mr. GENEST: Mr. Speaker, Ladies and Gentlemen of the House: At the committee hearing on this bill the opponents based their arguments on two basic facts. They said they were facts but I do not agree with them. Number one, they argued heavily on the position that the Kennebec Water District was running smoothly and efficiently at this time. They also suggested, number two, that the bill was politically motivated.

With regards to their second accusation, I can only say that this is utterly ridiculous and nonsense. With regard to their first accusation or statement that the Kennebec Water District is running efficiently and smoothly, this bill would not change that at all. All this bill asks for is equal representation; and obviously, their only interest was in retaining the lopsided representation as it now exists.

I would ask you to support the pending motion.

The SPEAKER: The pending question is the motion of the gentleman from Bangor, Mr. Soulas, to accept the Minority "Ought to pass" Report.

The Chair recognizes the gentleman from Winslow, Mr. Carter.

Mr. CARTER: Mr. Speaker, Ladies and Gentlemen of the House: I, too, rise in trepidation to speak against this bill. It would seem to me that we had a very adequate hearing when the bill was presented in public hearing. It was overwhelmingly opposed by the communities participating in the district; namely, Winslow, even members of Waterville, Vassalboro and Benton and Fairfield.

It would seem to me that once the district operates for almost 70 years without any problems, that before any changes are made or proposed, that this would be done on a local level. This is normally where you start; and if my memory serves me correctly, I seem to recall back along that my good friend from Waterville, Representative Carey, was an ardent supporter of Home Rule as I was. In this case, it seems as though we have forgotten this course of action and came directly to the legislature without consulting any of the the member communities or, for that matter consulting the district concerned. The trustees of the district were not even aware that this was going to be proposed to the legislature.

Now, I submit to you that this bill is not going to solve one iota but it will create problems. For one thing, when the district was formed, it was formed at a public referendum. Communities had to vote to participate into this thing. Now, I do not think it would be fair to the present communities for the legislature to change the rules of the game and not allow the present communities the right to vote in referendum if they want a change.

Now, we speak of this as a government body. It is not really a true government body, it is a quasi-municipal organization; and as such, it deserves that people involved in it should have the right to participate and decide their own course of action. I would urge you to vote with the majority of the committee and go against the minority report. I would ask for a division.

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

Mr. CAREY: Mr. Speaker, Members of the House: The gentleman from Winslow, Mr. Carter, mentioned the referendum provision on this. Possibly this would clear up the matter. I can tell you exactly right now what would happen in a referendum. The City of Waterville would approve it overwhelmingly. The towns of Benton, Vassalboro, Winslow and Fair-

field would defeat it. It would go down to defeat. This is why there is no provision for referendum written into it, that we rely heavily upon this body and the body down at the other end of the hall to give us some fair play and see to it that the City of Waterville does get not equal representation but somewhere near equal. We would still be in the minority.

When Mr. Carter mentioned the fact that the trustees were not notified, it seemed strange that there were very few trustees absent. The only absent trustees happened to be from the City of Waterville. The gentleman who spoke, Benton was represented at that hearing, Fairfield was represented at that hearing, Winslow was represented, Vassalboro, was represented. Every other town was represented at the hearing so it did not take too long for the word to get out what Waterville was attempting to do.

I would certainly hope that you would go along with the House chairman of this and accept the "ought to pass" report.

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

Mr. HUNTER: Mr. Speaker, Ladies and Gentlemen of the House: I rise to support what Mr. Lawry and Mr. Carter have said because my town belongs to this district. Everyone up that way seems to be well pleased with the way that it has operated, and we believe that it will continue to do the same under the present form. So I would ask that you support the majority "ought not to pass" report.

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

Mr. LAWRY: Mr. Speaker, Members of the House: Not to belabor the point, but I would like to move that this bill and all its accompanying papers be indefinitely postponed.

The SPEAKER: The pending question is on the motion of the gentleman from Fairfield, Mr. Lawry, that L. D. 750 be indefinitely postponed. All in favor will

vote yes; those opposed will vote no.

A vote of the House was taken.

78 having voted in the affirmative and 35 having voted in the negative, the motion did prevail.

Sent to the Senate.

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

Bill "An Act to Authorize Alternate School Directors at School Administrative District No. 72" (H. P. 769) (L. D. 1003)

Tabled — March 15, by Mr. Tyndale of Kennebunkport.

Pending — Acceptance of either Report.

On motion of Mr. Tyndale of Kennebunkport, the Majority "Ought to pass" Report was accepted.

The Bill was read once and assigned for second reading tomorrow.

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

Bill "An Act to Establish within the Department of Indian Affairs a Bureau of Indian Police" (H. P. 377) (L. D. 506)

Tabled — March 1, by Mr. Ault of Wayne.

Pending — Passage to be engrossed.

On motion of Mr. Ault of Wayne, retabled pending passage to be engrossed and specially assigned for Thursday, March 22.

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

Bill "An Act Relating to Creditable Service under State Retirement Law for Certain Teachers" (S. P. 252) (L. D. 703)

Tabled — March 15, by Mr. Simpson of Standish.

Pending — Passage to be enacted.

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

Mr. SIMPSON: Mr. Speaker and Ladies and Gentlemen of the House: I guess for some time now I have been a little concerned by the number of retirement bills that have been coming before the Maine

Legislature for individual groups of people throughout state employment. I think also we have a good number of bills coming for salary adjustments or increases pertaining to individual groups.

I would like to just call your attention to this particular bill. It allows the state to pick up creditable service under the state retirement law for certain teachers. Now, I set this aside so that we could take a good look at it; and I had my staff man, Doug Hodgkins, look into it. There would be absolutely no cost to the state at the present time. We could purchase a creditable service of teachers from other states and from private schools up to ten years, providing that they pay for the state's share and their own share. But I would just like to have you look down the road a little ways as to what the possibility of these type of bills can mean to us in our Part I Budgets every time we look at them and complain about the increase, because it is at that time when bills like this mean money to us.

I do not know as I as an individual want to do maybe what the State of Florida is doing and that is to create a haven here by certain little carrots hung out whereby we create a retirement home for people. I believe the economy of this state right now is in such a position that I think we should be defending the people who were working here and who are willing to stay with us and work in our state, and I do not know as I am ready to support this type of legislation.

I will not ask for the indefinite postponement of the bill, but I would ask for a division; and I would like to have you give it very serious thought. I believe that the gentleman from East Millinocket is going to present some figures to you in a minute, and I would like to have you really listen closely to those figures before you take serious action on this bill.

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

Mr. BIRT: Mr. Speaker, Ladies and Gentlemen of the House: Some time ago you were presented a

report on the state retirement system, and it is rather interesting to go into some of the factors that are in this report and also what it is costing the State of Maine presently for retirement. I do not think too many times you realize just exactly what proportionate part of the budget that retirement comes to.

At the present time, this year it will cost the State of Maine \$16,287,000 for retirement benefits. These are figures that I got from the Retirement Department this morning. 9.74 percent of the salary of all state employees is the factor that presently the state has to pay for retirement and 9.20 for teachers. Now, part of this is going up at the rate of three percent per year. The accrued liability cost, which is 5.03 this year, will be 5.18 next year and it is going up at the rate of about fifteen hundredths of one percent or three percent of that figure.

Now, on page three of this report — and this is quite a shocking figure, at least it is to me — is this one sentence: The unfunded liability for state employees is \$110,692,578 and for Maine teachers \$152,128,780. That is a total of about \$263 million of unfunded liability that the state eventually will have to pay over a period of time to take care of the state retirement system.

At the present time we have an excellent retirement system in this state, probably as good as there is anywhere in the country. It is perfectly funded. There is around \$200 million presently in the fund; but I think that every time, as has been pointed out by the gentleman from Standish, Mr. Simpson, that every time we make some changes in it, we increase the liability to the state.

At the present time, we are picking up a pretty heavy obligation, and I will vote with him against the passage of this bill; and I would ask for a division.

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I agree with the gentleman from East Millinocket and the

gentleman from Standish, Mr. Simpson, in reference to the fact that we are going to reach a point where we are going to perhaps go too far in terms of the retirement law.

However, at this point in time we ought to concern ourselves with the L. D. which we have before us, L. D. 703. I must admit that I am not prepared to speak on it. I know it went to the Veteran's and Retirement Committee and they are obviously better qualified than I am to make comments.

I just want to relate to you a couple of points which deal with this L. D. with which I have been involved. A lady came to me from the City of Caribou the other day and indicated to me that she had been teaching for some 35 years in what I guess is called the Holy Rosary parochial school, and come this fall, as I understand it, that is going to close. At that point she will have served a number of years the children of this state; and she will not be in a position to, in effect, retire because of that.

Now, what is happening, as you know, is the parochial schools around the state are closing and I suspect — and I do not want to be the forecaster of doom — but I suspect within ten years that perhaps there will be none left in the state unless some other source of revenue can be found to keep them operative. And so all of these teachers who have given of their lives in the teaching in these schools will not be in a position to receive retirement benefits unless we pass something like this.

I agree that this does not affect many people because there are very few teachers left now in parochial schools, but I do think for them we owe them something. They have been teaching; and as far as I am concerned, we deserve to give them as much as we have given other teachers in this state. Now, I speak really as a teacher even though I have never taught in a parochial school. I have never been to, technically, a parochial school in my life. I think that this is just proper. This is something that we ought to do.

So I would ask you to, obviously, vote for passage of this bill unless

someone can indicate to me there is something drastically wrong with the approach. I think for those people who come, in particular, from the cities of Bangor, Lewiston and Portland where the bulk of parochial schools have traditionally been located, that these particular teachers who have taught the children of those particular cities deserve to be covered under the retirement system much like the public school teachers in those same cities have been covered. So I would ask you again to vote for final passage.

The SPEAKER: The Chair recognizes the gentleman from Rumford, Mr. Theriault.

Mr. THERIAULT: Mr. Speaker and Members of the House: This bill, I am afraid, wouldn't cover those teachers that Mr. Martin is referring to because the bill specifies that you have to be in the public schools for ten years before you would make application for coming under the state retirement. I mean to get credit for those years you were in private schools or schools from some other state. So I am afraid this would not affect the people that Mr. Martin is referring to that are presently teaching in the parochial schools unless they have put in ten years in the public schools. And as far as the cost and the figures that were quoted by Mr. Birt of East Millinocket, this bill doesn't affect those figures at all.

There would be no cost to the state. The money that these people will be paying is to get these credits will only mean that it will be earning interest at that time, so any cost in the bookkeeping should be taken care of by that interest. So I feel that this bill should be passed.

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 another problem involved in this retirement picture. We not only have to look very carefully at the way we are enlarging the group that is going in there and also increasing the benefits under retirement. We are

approaching a condition that many private pension funds are finding themselves in today. There is an effort on the part of both retirement plans, public and private, to keep increasing the actuarial assumption and there is a limit to which this can be raised. You can do it by getting into more speculative investments, which I don't think a public retirement fund ought to get into. So I think that you are going to have to look very carefully at all the proposals coming forward.

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

Mr. HENLEY: Mr. Speaker and Ladies and Gentlemen of the House: In reference to this particular bill here, we had a very quiet and unexciting hearing on this particular bill. We try to have Mr. Walters there at a lot of our hearings and as I recall it in questioning the proponent of this bill, I asked about its being reciprocal and it seems that is one of the reasons for this bill, that the boarding states do want it to be reciprocal and we can't very well ask a boarding state in their retirement system to pick up time served in this state among teachers if we do not do the same to their teachers coming to our state. The teaching profession, as I understand it, has involved in the past quite a bit of changing around and we could see no reason why, if the teacher who had taught perhaps three or four years in some other state under a retirement system, who was willing to come over here and to bring their money with them to pay up all of the costs of that three years, that it would be no cost whatsoever to this state.

As was stated by the gentleman from Rumford, it is presuming that the interest on the money that they brought in with them is supposed to pay future costs and if they were working here at a future time why then of course the State of Maine would be contributing the state's share.

I have been sometimes a little bit amazed at the percentage that the state is paying on these and I have been disturbed a little bit

by the various groups that are each two years being included under the retirement fund. But it seems that the precedent has been established and how are we going to shut it off now? We have allowed practically every group in the state that wanted to come in to the retirement system to come in. Some of them that were part time workers, some of them that were mostly administrative groups, but they did pay and they paid their share and they were allowed into the system.

I assure you that your committee is doing all that it can in each of these cases to sift it out and see if it is going to bring about additional future costs because, like a lot of other things, it is so easy for them to mushroom and spiral into something big. But I can't see where this particular bill showed any potential for future spiraling costs to the state. So I hope that you will pass it.

The SPEAKER: The pending question is on passage to be enacted. The Chair will order a vote. All in favor will vote yes; all opposed will vote no.

A vote of the House was taken.

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

Signed by the Speaker and sent to the Senate.

The SPEAKER: Will the Sergeant-at-Arms kindly escort the gentleman from Standish, Mr. Simpson, to the rostrum for the purpose of serving as Speaker pro tem.

Thereupon, Mr. Simpson assumed the Chair as Speaker pro tem and Speaker Hewes retired from the hall.

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

Bill "An Act Relating to Taxation of Farmland" (H. P. 773) (L. D. 1007)

Tabled — March 15, by Mr. Evans of Freedom.

Pending — Acceptance of Majority Report — Ought not to pass.

On motion of Mr. Pratt of Parsonsfield, retabled pending

acceptance of the Majority "Ought not to pass" Report and tomorrow assigned.

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

Bill "An Act Creating Aroostook County Commissioner Districts" (H. P. 55) (L. D. 65)

Tabled — March 15, by Mr. Martin of Eagle Lake.

Pending — Acceptance of Committee Report.

On motion of Mr. Finemore of Bridgewater, retabled pending acceptance of the Committee Report and specially assigned for Thursday, March 22.

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

Bill "An Act Relating to the Rendering of Treatment and Services to Minors for Drug Abuse without Parental Consent" (H. P. 163) (L. D. 205)

Tabled — March 15, by Mr. Simpson of Standish.

Pending — Adoption of House Amendment "A" (H-90).

The SPEAKER pro tem: The Chair recognizes the gentleman from Calais, Mr. Silverman.

Mr. SILVERMAN: Mr. Speaker and Members of the House: I would like a division on this accepting House Amendment "A". The intent of this bill, as was stated last week, is to offer minor children who are under drug abuse and venereal disease a chance to go to a hospital for treatment.

When you put Amendment "A" onto the bill you are changing the intent because you are asking for an appropriation. And I wish to say to the freshman legislators, one of the first ways to kill a bill is to put it on the Appropriations Table, especially when there is no price on it and the price is implied. Therefore, I would hope that you would vote against House Amendment "A" and then I will offer House Amendment "B".

House Amendment "B" in a way corrects the thinking of the proponents of House Amendment "A" because what it does, it says, "provided, however, such hospital shall notify and obtain the consent of

said minor's parents or guardian if such hospitalization continues for more than sixteen hours." Therefore, if it would mean a long case in a hospital the hospital would have to notify the parents and no large bill would be created.

Therefore in the benefit of this bill is to help our minors in getting drug abuse treatment in a proper place and not amongst the group of drug addicts. I hope you will vote no to House Amendment "A".

The SPEAKER pro tem: The Chair recognizes the gentleman from Winslow, Mr. Carter.

Mr. CARTER: Mr. Speaker and Ladies and Gentlemen of the House: When I first read section 1823 on page 3 of L.D. 205, I was somewhat puzzled and then I got a very troubled feeling over it, so not being a lawyer or proficient in this field I went down to the Attorney General's office and sat down and had a chat with him. And they kind of agreed with me that the powers being given under this section are dictatorial in nature, and this really troubles me.

Now what my amendment proposes to do is very simple and I will read it for you: All it does, it adds the following sentence, "If no consent of said minor's parent or guardian is obtained by the hospital within 48 hours," not 16 hours, but 48 hours "after admittance of the minor to the hospital, the cost of the treatment for such minor shall be paid by the State."

Now this is very simple. I think that if the state is going to give anybody dictatorial powers over the treatment of minors without parental consent, then the state ought to pick up the tab. Now we are not talking about \$50 or \$100 bills, we are talking about potential \$1,000 or \$2,000 bills. And I am sure that there is not one decent parent in the State of Maine that would deny their children's need when the time arises.

Now admittedly there may be one or two cases where if parents were notified they would be denied treatment. Well my amendment allows the hospitals and the physicians involved time enough to evaluate these cases, in this case 48 hours, and if they feel after careful scrutiny that the parents might

deny treatment, then they can go ahead and not notify the parents and the state will pick up the tab. I think this is very fair for everyone concerned.

The statement has been made that this is an appropriations bill. I beg to differ with you, it is not an appropriations bill. There is no amount of money attached to it because there is no experience that would tell us how much this might involve. And from the past debate in the House, it was stated that this may apply to a very few cases if any at all and I am sure that if that is the case then the Department of Health and Welfare with its budget will be able to absorb any of these costs and I would hope that you would go along and adopt this amendment.

The SPEAKER pro tem: The Chair recognizes the gentleman from Hampden, Mr. Farnham.

Mr. FARNHAM: Mr. Speaker and Ladies and Gentlemen of the House: This is really a puzzling question, and I know the problem that the representative from Winslow has. It is more the question of whether or not the parent should be consulted in a case like this. But I wish to speak strictly to his amendment. There will be a cost, and it is a cost that the state should not absorb when you realize that probably 70 percent of the families in the state are covered by group insurance of one kind or another. Blue Cross alone claims to cover around 450,000 people in the state, and there are countless other private insurance plans other than Blue Cross that cover employees and their dependents. So in effect, what we would be doing if we adopt this amendment is shifting the cost that should be borne by the insurance companies to the State of Maine.

Now Mr. Carter has been very fair in saying that no one is in a position to say what the cost will be. But if there is one case and it has a cost and that family is insured, that is where the cost should fall, not upon the State of Maine. So I hope you defeat this amendment.

The SPEAKER pro tem: The Chair recognizes the gentleman from Bar Harbor, Mr. MacLeod.

Mr. MACLEOD: Mr. Speaker and Ladies and Gentlemen of the House: I would like to rise this morning just to point out my feelings, at least, on this bill. I realize the work that Representative Silverman has put on this bill. It is sort of a carry-over, you will remember, from the 105th, from our past well-thought of Representative Gill.

One item that is being overlooked in this bill, in my mind, is the very fact that a lot of these children that are going to be involved with the abuse of drugs and the venereal disease section of it, is that our coastal towns in the summer are loaded with children that are coming from as far west as California, New York State, Massachusetts and many, many of the states around the nation.

Now this is not a little local Ma-Pa thing. Our children I know are going to be involved with it, but our doctors and our hospitals—and we have one on Mt. Desert Island particularly — that it is loaded in the summertime with all types of injuries and different things that are happening.

Now I think that Representative Silverman has put a lot of thought in this, and I would like to see us this morning support him and support his motion. I hate to go against Representative Carrier in his motion, but I do think that we have to take into consideration the emergency nature of this type of thing. As the doctors down home have told me, what do we do with these children when they are brought in by the police or found in some rooming house or they are in this condition? Action has to be taken. I do not think we can tie ourselves to a medical bill for all the residents or nonresidents of our state.

The SPEAKER pro tem: The Chair recognizes the gentleman from Winslow, Mr. Carter.

Mr. CARTER: Mr. Speaker and Ladies and Gentlemen of the House: I rise reluctantly. I did not wish to prolong the debate on this issue. But I would like to ask my good friend who just spoke about

outstanding number of youngsters from out of state. Nobody seems to know where they come from or who their parents are. If they cannot contact their parents, they don't know who they are, who is going to pick up the bill in the final analysis? Is it not the state?

The SPEAKER pro tem: The Chair recognizes the gentleman from Gardiner, Mr. Whitzell.

Mr. WHITZELL: Mr. Speaker and Ladies and Gentlemen of the House: I rise in support of L.D. 205 and am definitely opposed to House Amendment "A." The gentleman from Winslow seems to be most concerned about the "who is going to pay" clause. I am sure that the real motive lies behind parental responsibility. Unfortunately, we can't legislate parental responsibility, and there are not many of us here who do not know people, whether they are our friends and neighbors, who are not responsible parents, parents who their children can't come to with even the least problem.

When that TV set goes on at five o'clock, the parent says, "Wait, right after this, I will speak to you right after the newscast." Then it is Gunsmoke and "Wait, wait, don't disturb me now, wait for a commercial." Well, unfortunately, that happens in more than one family. If it sounds like incidents that happen in your home, then we may be some of the guilty people. Some of the members of the House here may also be guilty.

L. D. 205 is talking about treatment of drugs and VD for minors without parental consent. And all this bill attempted to do was take out the 48-hour limitation, which the previous law stated that if the parents were not notified within 48 hours, they could not be notified thereafter.

Now what this bill, L.D. 205, did actually was take or remove the limitation that the doctor could never go to the parents after 48 hours. It is now possible, if we adopt L.D. 205, that after a 48 hour cooling-off period, if you want to call it that, consultation with the parent can occur with the doctor. As it stands now, these minors who

have VD are seeking other relief, if any.

And if you read the newspaper, the K.J. the other day reported that VD rate in the country is the highest it ever has been. 1972 it hit a peak. 1973 could mean it hits even a further peak. Not only are children afraid to go to the doctors for treatment of VD — since after all, isn't that about the worst thing that can happen to you — but so are adults. But many cases are being treated with confidentiality for adults and they should be treated with confidentiality for adolescents, since adolescents are the ones right now where the rate is running the highest.

I would hope that you vote against House Amendment "A" and enact L.D. 205.

The SPEAKER pro tem: The pending question is the adoption of House Amendment "A." All in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

17 having voted in the affirmative and 104 having voted in the negative, the motion did not prevail.

Mr. Silverman of Calais offered House Amendment "B" and moved its adoption.

House Amendment "B" was read by the Clerk.

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

Mr. JALBERT: Mr. Speaker and Ladies and Gentlemen of the House: In going along with House Amendment "B", it affords me an opportunity to serve, Mr. Speaker, some sort of notice about amendments that might hit your desk in the future. And I speak, Mr. Speaker, about the measure — and the gentleman, Mr. Silverman, made a good point when he said that this took off the appropriation. That would not have impressed me as much as his 16-hour amendment. That is what impressed me, because I just shook hands with a very dear friend of mine who used to be here a few sessions ago, who presented a bill and then put in an amendment striking out the amount of money on it. The amount was \$40,000. I will never

forget it. Two weeks after we adjourned, I strolled through the council chamber and lo and behold, there was an order transferring \$40,000 within that account, from one account within that department to another account; and two years later, of course, it wound up on the calendar as a recurring item.

Now for all of you here who can go within the reach of departmental heads, it would be a suggestion that I would make to them that the picnic is over in that area, because as far as I am concerned, as a short-time member of the Appropriations Committee, it would be my fervent wish that in our appropriations act, that we would add comments in the preamble to the line that no transfers whatever could be made until the fourth quarter of the year, which would stop the operation that has been adapted successfully over the years.

I am going along with the amendment as presented by the gentleman, Mr. Silverman, because it not only removes the price tag but assures the fact that this will not show up in the budget book two years from now with a \$25,000 or \$30,000 price tag. Consequently, I am going along with the amendment.

Thereupon, House Amendment "B" was adopted.

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

Mr. EMERY: Mr. Speaker and Ladies and Gentlemen of the House: Inasmuch as I have grave reservations about any piece of legislation which would restrict the knowledge of parents as to what their children are doing or what trouble they may be in, I now move indefinite postponement of this bill and all its accompanying papers and I ask for the yeas and nays.

The SPEAKER: The Chair recognizes the gentleman from Gardiner, Mr. Whitzell.

Mr. WHITZELL: Mr. Speaker and Ladies and Gentlemen of the House: While I disagree with my good friend from Rockland, the word "restrict", opposed to any bill which restricts information that

parents should have, that is not the purpose of this bill. It is not to restrict but to provide services for those young adults who are not communicating with their parents or possibly to provide services, medical treatment for V.D. and drug related problems to young people. It is not a restriction. It is actually a provision that they can obtain these services under the law and it protects the doctor in rendering these services. I hope that you would vote against this motion.

The SPEAKER pro tem: The Chair recognizes the gentleman from Calais, Mr. Silverman.

Mr. SILVERMAN: Mr. Speaker and Members of the House: As you can see, there is opposition to some extent to this bill. But some of us are concerned with the drug abuse problem, with the increased V.D. amongst our minor children. And the time has come when we can't use sugar coated talk. We can't use sugar coated laws. We have got to reach this problem and the best place to reach this problem is in the hospital where proper treatment can be given to someone with this serious problem.

Number two, which I wish to say, the people who have said there is a cleavage between the parents and the child on a bill such as this I think you should read the bill very carefully. This corrects a cleavage. It allows a doctor to consult with the parent of the child and instead of as the law exists now, it's top secret after forty-eight hours and if this isn't a cleavage in giving the child, the parent and the doctor who is giving treatment a chance to work together, what is?

Therefore, I would ask you to vote against the indefinite postponement, which is a nay vote, and try in the field of treatment to help our young children in Maine to get proper treatment in the area of drug abuse.

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

Mr. EMERY: Mr. Speaker and Ladies and Gentlemen of the House: I would be most happy to support this legislation provided

that a provision could be included by an amendment or other means to provide that parents or guardians would be notified, would be notified of any treatment that is being rendered as soon as possible after such treatment has been rendered. I am fully sympathetic with the goals which I believe the Representative from Calais has in mind of providing necessary treatment when a drug problem has been discovered. But I am very much opposed to keeping such problems a secret from the parents and I would certainly hope that future legislators would consider this very strongly and would provide a vehicle for parental knowledge of such conditions. I will continue to oppose this bill until such an amendment is produced.

The SPEAKER pro tem: The Chair recognizes the gentleman from Rumford, Mr. Theriault.

Mr. THERIAULT: Mr. Speaker and Members of the House: I would oppose this bill on one ground and that is where you don't notify the parents. But on the other hand, I am going to vote for the bill and oppose the indefinite postponement for one reason. As a police officer, it has been my sad experience of picking up some of these young people and not being able to do a thing with them except lock them up for their own protection. And I certainly feel that if that is what you have to do with a youngster in that condition, then we should vote for this bill so it would permit the hospitals and the doctors to treat them, because in the past, if we couldn't reach the parents and we tried to take the child or the person to the hospital, the hospital couldn't accept them, and the doctors couldn't come down and treat them. So I feel certainly that something should be done in that direction.

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

A vote of the House was taken, and more than one fifth of the

members present having expressed a desire for a roll call, a roll call was ordered.

The SPEAKER pro tem: The pending question is on the motion of the gentleman from Rockland, Mr. Emery, that this Bill and all accompanying papers be indefinitely postponed. All those in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Berry, G. W.; Binnette, Carrier, Carter, Cressey, Dudley, Dyar, Emery, D. F.; McCormick, McNally, Shute, Sproul.

NAY — Albert, Ault, Baker, Berry, P. P.; Berube, Birt, Bither, Boudreau, Bragdon, Brown, Briggs, Bunker, Bustin, Cameron, Carey, Chick, Chonko, Churchill, Clark, Conley, Connolly, Cooney, Cote, Cottrell, Curran, Curtis, T. S., Jr.; Dam, Davis, Deshaies, Donaghy, Dow, Drigotas, Dunleavy, Dunn, Farley, Farnham, Farrington, Faucher, Fecteau, Ferris, Finemore, Flynn, Fraser, Gahagan, Garsoe, Genest, Good, Goodwin, H.; Goodwin, K.; Greenlaw, Hamblen, Haskell, Henley, Herrick, Hobbins, Hoffses, Huber, Hunter, Immonen, Jackson, Jacques, Jalbert, Kelley, Kelley, R. P.; Keyte, Knight, LaPointe, Lawry, Lewis, E.; Lewis, J.; Littlefield, Lynch, MacLeod, Madrox, Mahany, Martin, Maxwell, McHenry, McKernan, McTeague, Merrill, Mills, Morin, L.; Morin, V.; Morton, Mulkern, Murchison, Murray, Najarian, Norris, Palmer, Parks, Perkins, Peterson, Pratt, Ricker, Rolde, Rollins, Ross, Santoro, Shaw, Sheltra, Silverman, Smith, D. M.; Smith, S.; Snowe, Soulas, Stillings, Susi, Talbot, Tangway, Theriault, Tierney, Trask, Tyndale, Walker, Webber, White, Whitzell, Willard, Wood, M. E.

ABSENT — Brown, Crommett, Evans, Gauthier, Hancock, Hodgdon, Kelleher, Kilroy, LaCharite, LeBlanc, McMahon, O'Brien, Pontbriand, Simpson, L. E.; Trumbull, Wheeler.

Yes, 12; No, 121; Absent, 16.

The SPEAKER pro tem: Twelve having voted in the affirmative and one hundred twenty-one in the negative, with sixteen being absent, the motion does not prevail.

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

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

Bill "An Act Relating to Absentee Voting by Persons Serving Sentences in Jails and Penal Institutions" (H. P. 299) (L. D. 401)

Tabled — March 15, by Mr. Birt of East Millinocket.

Pending — Motion of Mr. Binnette of Old Town to indefinitely postpone Bill and accompanying papers.

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

Mr. BIRT: Mr. Speaker and Ladies and Gentlemen of the House: On your desks this morning is a letter from the Attorney General addressed to me relative to this particular piece of legislation. I have talked with the gentleman who drew up this opinion and the Department of Mental Health.

And as I get the story, it is a good deal the same as has been discussed upon the floor. But to review it, the Attorney General has indicated that the legislature is authorized in the Constitution to determine voting rules, including absentee balloting. It is also his opinion that people in penal institutions do have the right to vote and have had for some time, but they are barred from voting by not being able to use absentee ballots, which this bill would allow them to use.

Now to go a little further into it, at the present time there is a case pending before the United States District Court, a three judge court, by five inmates of Thomaston, that they are being deprived of their right to vote because of this particular ruling. If the court should rule that they are being deprived of their right, it is the opinion of the people in the Department of Mental Health and Corrections that the prison might find themselves in a position on next election day of having to provide transportation to the polls of all of these people no matter where they live, whether it is Fort Kent or Limestone or Eastport or

Kittery or any of the extreme perimeters of the State.

If this bill were to pass, it would moot the case that is presently before the court and would allow these people to vote by absentee. Now it is also my understanding that they cannot obtain residence within the place they are confined during their period of confinement, so this would not tend to allow building up of a voting block in any particular community such as Thomaston.

It is my opinion that there may be some serious problems develop if the United States Circuit Court of Appeals should rule in favor of these inmates.

I present this to you as the information that I have found and the judgment I believe will rest with you this morning as to whether you want to move indefinite postponement or not.

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

Mr. BRAWN: Mr. Speaker and Members of the House: I was kind of surprised here to read — in a Statement of Fact says: "At the present time the following persons otherwise qualified may vote in all elections." This is not the law. We are under a charter in the town of Oakland and no one under our charter, only just general and primary elections can vote absentee. Now if this was passed we would have to let everyone in our election in our municipality vote absentee if they were in jail or in anywhere else. So I think this Statement of Fact is wrong.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: My feeling on this was that the court put these people there under the law and they were not citizens like we are and not entitled to everything. The permissiveness of the generation that we now live in is that they have everything and even more than some of the people that are now living in society.

Now if any court or any judge rules that they must do this, so be it. Let them do it. I don't think this House should. The court has

jurisdiction in putting them in there and if the court says they must vote, well then that they must do, but I don't think we, at least I don't want a part of giving them all the privileges of people I represent in this House have. They now eat better. They have a better bed than some of the people I represent and they have a warmer place to sleep than a lot of the people that I represent and it is getting so that the people there, we are going to have to build bigger jails because everyone is going to want to be there because they enjoy so many privileges and they want to enjoy the privilege of voting and all these things.

I think it is time that we called a screeching halt to this permissiveness of let them have everything and then more than the people on the outside. And so I would say that if the court so rules, and the judges so rule, let them have the responsibility for this, not me and not this House.

The SPEAKER pro tem: The Chair recognizes the gentleman from Presque Isle, Mr. Dunleavy.

Mr. DUNLEAVY: Mr. Speaker and Ladies and Gentlemen of the House: I think it is important for us to grasp a very technical distinction which exists here with this piece of legislation. Now Mr. Brawn, my good friend whom I respect a great deal, has said that it is not the law that people serving sentences in jail have the right to vote.

Well, the Attorney General of the State of Maine disagrees with him, I disagree with him, the Director of the Bureau of Corrections disagrees with him and the Commissioner of Mental Health and Corrections disagrees with him also.

As a matter of fact, every person who is on work release or is on furlough as stated in this statement of fact under this bill has the right to vote and so does every person in jail have the right to vote. The only thing that is keeping them from voting is the fact that they cannot get through the bars, and there is no polling place at the

prison or at the correctional institute.

Now these people would vote in their local municipality where they reside. They would not have the right to vote in the place where the institution is located. This would result in one or two votes in municipal elections in most cases. Now the arguments have been made that these people should not be given all these privileges. Many of these people don't consider voting a privilege. They don't consider many of the things we consider privileges to be privileges, and in many instances they have never exercised these rights. And many of the reasons why they are there are the fact that they have not agreed that what we hold dear and what we think is important is important. Now maybe here is our chance to make them realize that voting is an important thing to do, that it is something they should be concerned with. And maybe in so doing, we will save a few, we will bring a few back to respect the very things that we respect.

Now the arguments have been made that if you are against murder — now I am against murder. I am against crime. I am against violence. I am against coddling criminals, and I resent any implication that I or anyone who supports this bill is soft on crime. That is not the case. I would like to think that I have some small understanding about our laws and our constitution having practiced law for several years now. About corrections and methods of punishment, reform and rehabilitation of inmates, I would like to think that experts in this field and in the field of penology know more than me.

Now every person testifying on this bill spoke as a proponent, and some of the most knowledgeable people on this subject in this state were there. Like you and I, these people are against crime and its increase in our state, and they recognize that our present methods are failing. And they believe to a man that allowing inmates to vote absentee in state and local elections is worth trying, if only to

bring back a small percentage of those persons who now seem bent on a life of crime.

Now I am against lawbreaking in every form and with every fiber of my being, but I am for returning lawbreakers, if possible, to responsible participation in the community; and I think that this bill is one way that we might do just that. We must explore every means of accomplishing the re-integration of offenders. We must make corrections more effective in reducing crime. Now the majority of offenders currently are treated as violent and dangerous despite the fact that only a few conform to this stereotype. I firmly believe that the only purpose of incarceration, as many of you believe, is for society's protection. But I say that denying the right to inmates to vote absentee does not serve the long range interests of society's protection. Our present philosophy has not worked. This may not help either although the experts think it will.

Now if everyone here has the same desire: To achieve the goal of crime prevention by using the franchise as one tool to instill responsible citizenship in lawbreakers. I firmly believe that we will take a positive step toward that goal.

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

Mr. DYAR: Mr. Speaker and Members of the House: The gentleman from Enfield, Mr. Dudley elaborated on some of the feasibility of being in rather than out. He left out one important feature that is now prevalent and that is the furlough and leave program. You will find that many of these people today are having more spare time on leave and furloughs than you people are yourselves.

Another point that has been brought out and has been tossed about that has not been brought up on the floor of the House, under present law it is a misdemeanor to solicit a vote within a county jail or a confining institution.

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

Mr. BRAWN: Mr. Speaker and Ladies and Gentlemen of the House: In regard to my good friend, Mr. Dunleavy, I did not make the statement that they could not vote. I said under the charter of the town of Oakland, no person can vote in our town municipal election by absentee ballot. They can vote absentee in the primaries and in the general election, and this here says right here in all elections. So we are going to give these people in jail that has done wrong, receiving a punishment, the right that our own citizens cannot have.

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

Mr. McNALLY: Mr. Speaker and Members of the House: I hate to appear so ignorant but all my life I have heard judges say, "Well, we put these people on probation because they have committed a felony, and we didn't want to take their rights away from them." Now I always assumed that the reason that you had so many pardons coming before the Governor and Council was so that people did get back their rights. They would get back their rights to vote. They would get back their rights to work for the federal government and so forth. And if I am wrong in that, I wish some of these learned attorneys would tell me so.

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

Mr. BINNETTE: Mr. Speaker and Ladies and Gentlemen of the House: The thing that has not been brought out in my mind is the fact that we don't invite them down there to these prisons. They come in on their own free will, and they should be willing to accept the regulations that has been prescribed.

Now I think that we have got to do something in regard to this crime rate. I think everyone here has that same concern. If we keep on coddling these criminals, it is going to be almost unsafe to live as a citizen. Now if they want to vote real bad, they have got the right now. All they have to do is to get out on a work release pro-

gram and come out and vote. I don't see why we have got to go to work and allow them absentee voting.

We have some of these people who have been out, and they haven't proven themselves very good. I think you will find the statistics, a lot of them have returned back. Why? We haven't rehabilitated those people. So I still think that we should not, until the court makes a decision, the House here itself should not make that decision. We will leave it up to the courts.

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

Mr. DAM: Mr. Speaker and Ladies and Gentlemen of the House: I will say I am opposed to this bill. And that is all I am going to say on this bill, but I would like to just clarify something in my good friend, Mr. Brawn's mind. As far as voting in the town of Oakland would be concerned, this bill has nothing to do with the Town of Oakland because it speaks only to Title 21; and as far as voting in a municipality is concerned, if my memory serves me correctly, he would find that in Title 30 under Section 2061 which says that if a town has so adopted the provisions of this section. So this would not affect any municipal election at all.

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

Mr. ROSS: Mr. Speaker and Ladies and Gentlemen of the House: I was on the committee and heard the bill. I signed the "ought not to pass" report. I still feel the same way. Voting is one of our greatest rights and privileges. And I feel that somebody who breaks the law which warrants his ending up in jail, should lose this most treasured right.

When we were just about to vote the other day, the question was raised about guardianship. This has been straightened out by the Attorney General. A guardianship is only for mental illness and excludes those in jail.

And I will admit with Mr. Dunleavy that there is a three-judge court meeting now to decide

whether or not these people should be allowed to go home to vote. It may be a gamble with this ruling. But I think that we should be willing to take that gamble; and if the court so rules, we can correct this at the next special session.

And I also admit that the only proponents there were heads of institutions, and they have strange ideas in mind sometimes about rehabilitation because that was the only thing that they said about this. I think that this is a strange approach. They may be experts, but even experts can be wrong. You will notice in the bill there is no differential between misdemeanor or felony.

There were no opponents at the hearing; but I also said just last Thursday, when we were discussing the November 11 question that no opposition does not necessarily mean that the bill is right or wrong, and I still am in favor of indefinite postponement.

The SPEAKER pro tem: The Chair recognizes the gentleman from Presque Isle, Mr. Dunleavy.

Mr. DUNLEAVY: Mr. Speaker and Members of the House: I hate to keep coming back to this point, but I would like to read just one paragraph of the Attorney General's letter: "It is important to note that the distinction between the right to vote and the right to receive an absentee ballot, those persons serving a sentence in jail or penal institution etc., have a right to vote but are precluded by imprisonment from going to the polls to do so."

The SPEAKER pro tem: The pending question is on the motion of the gentleman from Old Town, Mr. Binnette, that this bill and all accompanying papers be indefinitely postponed. All in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

73 having voted in the affirmative and 51 having voted in the negative, the motion did prevail.

Sent to the Senate.

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

Bill "An Act Relating to Fees for Forest Lands and Wild Lands Posted Against Trespass" (H. P. 58) (L. D. 70)

Tabled — March 15, by Mr. Cote of Lewiston.

Pending — Motion of Mr. Martin of Eagle Lake to recede.

Thereupon the House voted to recede.

Mr. Martin of Eagle Lake offered House Amendment "C" and moved its adoption.

House Amendment "C" (H-113) was read by the Clerk.

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

Mr. MARTIN: Mr. Speaker and Ladies and Gentlemen of the House: If you take a look at House Amendment "C" that you have presently on your desks under filing H-113 that was just passed out a few minutes ago, let me very briefly explain the difference between that one and House Amendment "B" and everything else that you have had in front of you.

As you recall the basic reasoning behind the particular bill was whether or not we ought to prevent people, Maine people, from access to a Great Pond owned by the citizens of Maine. There are two points basically to be made. One was the fact that we could try to prevent them from posting the land; and when I tried playing around with that one, I found that the one way that was suggested to me was to post the owner as well as the occupant. And when you did that it became a serious question of constitutionality. We never could resolve that one so we dropped that particular idea. What you have in front of you is the attempt by a number of people to make the decision of the colonial laws placed on the statutes of the laws of this state. Basically what it says is that "no person who is on foot can be denied access over unimproved land to a Great Pond". And I think the most important section of this provision says that if the persons is denied access, that the Attorney General shall, in effect, be the person who shall handle it for the individual.

Many people said, "Hey! we have got that on the book." Ob-

viously, it has been around since colonial times. But who enforces it? The person who earns \$4,000 income, obviously can't go to Superior Court or can't go to the Supreme Judicial Court to get this enforced. And so it was an impossibility to do anything with and people simply did not bother going to court and as a result, ITT, etc. could get away with preventing people from getting to the Great Pond.

Basically what this says is that the Attorney General shall, upon complaint, investigate the situation if he finds that this is so, that he shall be the person who shall bring the violator to court. And that is really all it says.

If you take a look at the amendment, you will find that it solves what I think are the problems that we determine existed in this state. I have discussed this bill with a number of people, including landowners, who feel that this is completely justifiable and can be explained and I would be more than happy to respond to any questions that you might have if you have any.

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

Mr. KELLEHER: Mr. Speaker, I move this lie on the table pending the adoption of House Amendment "C".

The SPEAKER pro tem: The pending question is on the motion of the gentleman from Bangor, Mr. Kelleher, that L. D. 70 be tabled for one legislative day. The Chair will order a vote. All in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

59 having voted in the affirmative and 58 having voted in the negative, the motion did prevail.

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

Bill "An Act Increasing Number of Trustees of Belfast Water District" (H. P. 410) (L. D. 559)

Tabled — March 19, by Mr. Webber of Belfast.

Pending — Acceptance of "Ought to pass" report.

On motion of Mr. Webber of Belfast, the Report was accepted. The Bill was read once and assigned for second reading tomorrow.

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

Bill "An Act Restricting the Use of the Name Accountant Unless Registered as a Public Accountant" (H. P. 1171) (L. D. 1410)

Tabled — March 19, by Mrs. Clark of Freeport.

Pending — Passage to be engrossed.

On motion of Mr. Donaghy of Lubec, tabled pending passage to be engrossed and tomorrow assigned.

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

Bill "An Act Relating to Registration and Enrollment at a Municipal Caucus" (H. P. 1087) (L. D. 1255)

Tabled — March 19, by Mr. Talbot of Portland.

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 fourteenth tabled and today assigned matter:

Bill "An Act Increasing the Number of Superior Court Justices and Official Court Reporters" (S. P. 61) (L. D. 187)

Tabled — March 19, by Mr. Cote of Lewiston.

Pending — Acceptance of Committee Report.

On motion of Mr. Cote of Lewiston, the Report was accepted.

The Bill was read once and assigned for second reading tomorrow.

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

Bill "An Act Regarding the Membership of School Committees and Boards of School Directors." (H. P. 324) (L. D. 442)

Tabled — March 19, by Mr. Goodwin of South Berwick.

Pending — Motion of Mr. Finemore of Bridgewater to accept Committee Report "Ought to pass in New Draft" (H. P. 1163) (L. D. 1375)

Thereupon, the Report was accepted, the New Draft read once and assigned for second reading tomorrow.

On motion of Mr. Birt of East Millinocket,

Adjourned to nine o'clock tomorrow morning.