

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 27, 1973

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

Prayer by the Rev. Mr. Daniel C. Tuttle of East Winthrop.

The journal of yesterday was read and approved.

Papers from the Senate

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

Bill "An Act Providing for Non-smoking Areas in State Buildings" (S. P. 482) (L. D. 1549)

Came from the Senate referred to the Committee on Judiciary.

In the House:

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

Mr. EMERY: Mr. Speaker, Ladies and Gentlemen of the House: The Committee on Legal Affairs has two other bills relating to smoking and non smoking. Therefore, I move that Senate Paper 482, L. D. 1549, be referred to the Committee on Legal Affairs, ordered printed and sent up for concurrence.

Thereupon, on motion of Mr. Emery of Rockland, referred to the Committee on Legal Affairs in non-concurrence and sent up for concurrence.

Reports of Committees Ought Not to Pass

Report of the Committee on Appropriations and Financial Affairs reporting "Ought not to pass" on Resolve Providing Funds to Repair Dam on Outlet of Branch Pond, Kennebec County (S. P. 366) (L. D. 1080)

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

Leave to Withdraw Covered by Other Legislation

Report of the Committee on Appropriations and Financial Affairs on Bill "An Act Appropriating Funds to Renew Senior Citizens Program" (Emergency) (S. P. 179) (L. D. 487) reporting Leave to

Withdraw as covered by other legislation.

Came from the Senate read and accepted.

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

Non-Concurrent Matter Tabled and Assigned

Bill "An Act Eliminating Waiting Period under Employment Security Law" (H. P. 560) (L. D. 739) which was recommitted to the Committee on Labor in the House on March 22.

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

In the House:

(On motion of Mr. Brown of Augusta, tabled pending further consideration and tomorrow assigned.)

Messages and Documents

The following Communication:

The Senate of Maine
Augusta, Maine 04330

March 26, 1973

Mrs. E. Louise Lincoln
Clerk of the House
106th Legislature
Dear Madam Clerk:

The Senate voted to Adhere to its action whereby it accepted the Minority Ought Not to Pass report in non-concurrence on Bill, "AN ACT Relating to Hospital Reports". (S.P. 75) (L.D. 192)

Respectfully,

HARRY N. STARBRANCH
Secretary of the Senate

The Communication was read and ordered placed on file.

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:

Appropriations and Financial Affairs

Bill "An Act Relating to the Establishment and Funding of Bikeways" (H. P. 1273) (Presented by Mr. LaPointe of Portland) (Ordered Printed)

Sent up for concurrence.

Election Laws

Bill, "An Act Prohibiting the Acceptance of Money for Enroll-

ment of Voters” (H. P. 1270)
 (Presented by Mr. Rolde of York)
 (Ordered Printed)
 Sent up for concurrence.

Fisheries and Wildlife

Bill “An Act to Regulate the Size of Shotgun Shells for Hunting” (H. P. 1268) (Presented by Mr. Kelley of Southport)
 (Ordered Printed)
 Sent up for concurrence.

Marine Resources

Bill “An Act Requiring Applicants for a Lobster and Crab Fishing License to Derive 75 percent of their Income from Commercial Fishing” (H. P. 1266) (Presented by Mr. Kelley of Southport) (By Request)
 (Ordered Printed)
 Sent up for concurrence.

Taxation

Bill “An Act Exempting Trucks Purchased by Non-residents from the Sales Tax” (H. P. 1272) (Presented by Mr. Drigotas of Auburn)
 (Ordered Printed)
 Sent up for concurrence.

Public Utilities

Bill “An Act Relating to Location of Certain Facilities in Public Ways” (H. P. 1269) (Presented by Mr. Kelleher of Bangor);
 The Committee on Reference of Bills suggested the Committee on Transportation.
 On motion of Mr. Kelleher of Bangor, referred to the Committee on Public Utilities, ordered printed and sent up for concurrence.

Mr. Snowe of Auburn presented Joint Resolution and moved its adoption.

**JOINT RESOLUTION
 TO THE HONORABLE
 MARGARET CHASE SMITH
 FOR DISTINGUISHED SERVICE
 TO THE
 STATE OF MAINE**

WHEREAS, the State of Maine was faithfully served in Washington by Margaret Chase Smith of Skowhegan for thirty - three years in the United States House of Representatives and in the United States Senate; and

WHEREAS, Senator Smith is the

only woman to serve in both houses of Congress, the only woman to be elected to four full Senate terms, and the first woman to have her name placed in nomination for President at a national convention of a major political party; and

WHEREAS, Margaret Chase Smith has worked tirelessly to serve her fellow citizens in this State and has faithfully devoted herself to the representation of her constituents and her nation by careful deliberation, by her record attendance, and by the sponsorship and support of wise legislation; and

WHEREAS, she rose to leadership positions on the Senate Aeronautical and Space Sciences, Appropriations, and Armed Services Committees and as chairman of the Republican Senators’ Conference; and

WHEREAS, Senator Smith has brought credit to herself and honor to her State through her Declaration of Conscience speeches in 1950 and 1970 and by her independent and forthright stands on the issues of the day; and

WHEREAS, this daughter of Maine has won the respect of the people and the leaders of the Nation and of the world and has won a special measure of devotion in the hearts of the citizens of her native State; now, therefore, be it

RESOLVED: That in order to express its pride and appreciation, the 106th Legislature of the State of Maine extends to Margaret Chase Smith congratulations on her unparalleled record of service and best wishes for the future; and be it further

RESOLVED: That a copy of this Resolution, properly attested, be sent by the Secretary of State to Margaret Chase Smith in Washington, D. C. (H. P. 1286)

The Joint Resolution was read and adopted and sent up for concurrence.

Mrs. McCormick of Union presented the following Joint Order and moved its passage:

WHEREAS, the Members of 106 Maine Legislatures have conscientiously and faithfully discharged the public trust; and

WHEREAS, the laws of Maine are but silent monuments of the characters and abilities of those notable figures who formed and enacted them; and

WHEREAS, it is only fitting that those who have so shaped the course of the future be suitably honored in the setting of their past accomplishments; now, therefore, be it

ORDERED, the Senate concurring, that Wednesday, April 25, 1973, be set apart and designated as "Welcome Back Day" at the Legislature and that a special legislative committee composed of all the ladies of the Legislature be hereby authorized and instructed to further such plans and arrangements suitable for a homecoming; and be it further

ORDERED, that all former presiding officers of the House and Senate and all former officers of the House and Senate are hereby extended a cordial invitation to be guests of the 106th Legislature in session on that date; and be it further

ORDERED, that each individual member of the 106th Legislature be charged with the duty of urging all colleagues of former Legislatures within their districts to make every effort to return on "Welcome Back Day" and share the friendship and pleasant memories of our great heritage. (H. P. 1189)

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

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

Mr. CONNOLLY: Mr. Speaker, I would like to inquire, is the House in possession of L. D. 903, an Act Repealing the Bounty on Bobcats?

The SPEAKER: The Chair would answer in the affirmative.

Mr. CONNOLLY: Mr. Speaker, having voted on the prevailing side yesterday, I would like to move for reconsideration of our action whereby we accepted the Committee Report, Leave to Withdraw as covered by other legislation.

The SPEAKER: The gentleman from Portland, Mr. Connolly, moves that the House reconsider its action of yesterday whereby we

accepted the Committee Report, Leave to Withdraw as covered by other legislation on Bill "An Act Repealing the Bounty on Bobcats" (H. P. 697) (L. D. 903).

Mr. Good of Westfield requested a vote on the motion.

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

Mr. BRIGGS: Mr. Speaker and Ladies and Gentlemen of the House: We have decided that we are going to call this the "right to life for Maine bobcats" bill. And here I am again trying to breathe a little of that life back into them. There was a little misunderstanding yesterday, I think, when the gentleman from Eastport, Mr. Mills, referred to the fact that this bill had been given leave to withdraw because it was covered by other legislation. It is, in fact, covered by other legislation, which they have killed. So it isn't covered by anything, except me.

With your indulgence, I will proceed to make a few remarks in this regard, which I think might be helpful even in certain other deliberations that you might care to make. We have been paying this senseless bounty on one of our prize wildlife creatures since 1922, for the past fifty years. What has the experience been during that period? Experience is that we are paying for an average number of animals, about 600 animals a year, and just under \$10,000 a year for a total of about half a million dollars, which is just a half a million dollars gone down a rat hole. That is absolutely all it is.

It is terribly important, I think, to point out for the interest of those of you who are concerned about our wildlife, and I do not mean the kind of wild life that some of the members of the House are most interested in of course, but this is with regard to wildlife populations in the forest, our valuable Maine fauna. The principal thing which causes them to have large populations or small populations is a terribly important and all-encompassing detail called carrying capacity. This is carrying capacity of the land. It is a feature well recognized by farmers who want to understand that a pasture

which will comfortably accommodate 25 cows will not comfortably accommodate a thousand. So nature adjusts constantly and in a very dynamic way all of its natural populations in the forests so that the carrying capacity of the land will sustain them.

In respect specifically to predatory types, which include as you know I am sure, mink, weasel, fisher, bear to a degree, bobcat, wolves and so forth — no wolves here, except those you know — the carrying capacity is the overriding consideration which decides what type of populations of whitetail deer we will have. The fact that there is a certain amount of predation and a certain amount of illegal shooting is not a very large factor actually, but the big factor is the carrying capacity of the land.

Now a true fact, up to 70 percent of all predators never live through the first year. They are removed just in the ordinary course of event, and, therefore, they would be removed whether there was a bounty paid on them or not. The fur prices currently, I understand, are around \$20 for a prime bobcat pelt. And we are being asked to continue a bounty which has no appreciable effect, which will add another \$15 to that.

I would like to cite to you if I may from a report in *Outdoor Life*, which refers to how the other states feel about the bounty system. And here is a sample of opinion from leading bounty states and provinces.

In Alaska, they say the bounty system is of no value in game management. In Illinois, "A gross waste of funds". In Iowa, "the small percentage of predators taken has little if any influence on the population or distribution." Michigan, "costly and ineffective." Minnesota, "a waste of game funds." Missouri, "has done nothing to maintain our game supply." North Dakota, "it has been proved for fifty years that bounties are of no value in controlling predators." Ohio, "little or no effect." Pennsylvania, "does not control or reduce predator population statewide." South Dakota, "has failed to control predators or prevent their spread." Wisconsin,

"no evidence the bounty system has reduced predator population and its effect on the game supply has been nil."

Some of the sharpest comments come from Canada. "We believe any bounty system crazy," is the blunt verdict of Clarence Mason, Nova Scotia Director of Conservation. And William Wishart of the Alberta Department of Lands has told me that close to a million dollars has been spent without noticeably affecting the numbers of wildlife pests or predators.

If you folks here in the House, ladies and gentlemen, are willing to go along with reconsideration on the basis that bounties have no substantial effect on predators and predators do not control wildlife populations. Food supplies or carrying capacity is what controls wildlife populations.

If it would please you, I would be willing to submit an amendment which would make this effective for one biennium only. The only thing that worries me about that is, I am afraid that at the rate we are going the biennium may be shortened considerably. If we don't get out of here until December, I have a very short time for trial. But I would be willing to submit such an amendment in order that it could be established at the end of that period whether or not it was effective.

One other little point. It was mentioned by one of the members of the Fish and Wildlife Committee that this evening at 7:30 o'clock in the office building there will be a meeting to discuss the welfare or lack of it, of the white-tail deer population, the very important whitetail deer population in the state.

I dare say, if any of you who are interested would care to go over there and ask those people who will be discussing the white-tail deer population tonight, what their feeling is on the value of bounties as an effective tool in wildlife management, they would be very glad to tell you that it has no effect whatsoever.

The SPEAKER: The Chair recognizes the gentleman from Orland, Mr. Churchill.

Mr. CHURCHILL: Mr. Speaker and Ladies and Gentlemen of the House: This seems rather ridiculous. We hear about how much time we waste on fish and game issues, yet this came out of committee unanimously ought not to pass. I hate to differ with the sponsor of this bill, but he did not stay and listen to the opponents of this bill. There were two very well known ex-warden supervisors who spend over 30 years in the field, each one, one 33 and the other one with 30-odd years. These men know by facts what they had seen. One of them is very well known, Dave Priest. Everyone within the state has heard of Dave Priest, and he repeatedly told of how many deer he had followed and found that had been killed by bobcats. And they did not just kill but one cat, he stated, they killed several, just for the fun of killing, if they once start killing cats. Now we are not interested in what happened in other states.

Also, Lloyd Clark from Washington County stated several instances of following these cat tracks and deer tracks. But everyone who are proponents of this bill, just had read from books or from hearsay from other states. This seems rather ridiculous, as I repeat it, that we do not go along with the committee report. If we are not going to go along with the committee, we might just as well not bother to put these bills in committee, we might just as well bring them all in here on the floor if someone is going to repeatedly debate these bills.

The SPEAKER: The Chair recognizes the gentleman from Westfield, Mr. Good.

Mr. GOOD: Mr. Speaker and Ladies and Gentlemen of the House: We had a long and very informative hearing on this bill, on two identical bills. One was reported out ought not to pass, unanimously. The other, we sort of extended a little courtesy to Representative Briggs to leave to withdraw. We could have passed it out ought not to pass and then he would have to have a two-thirds vote to bring it back, but we didn't.

I agree with Representative Briggs on several things, that a nature in its regular course of events could take care of this problem. We have two other factors. We have man and we have the dogs and we have the bobcats. Now the authorities who seem to know and have been in the woods all their lives claim that the deer cannot survive with these three factors. We can't put a bounty on man and I don't think we can put a bounty on dogs. We have a bounty on bobcat and I think we should retain it for a few more years anyway.

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

Mr. DYAR: Mr. Speaker and Ladies and Gentlemen of the House: I think that we have to base our decision here this morning on two factors, biological reports and common sense. I think the gentleman from Caribou has reported what other states have done as far as their biologists. I think we have one biologist here in the field in the State of Maine who knows what he is talking about and that is Peter Davis up in the Bingham-Solon area. These other boys sit down here in the office, the armchair type, and come up with these reports.

Now the gentleman has stated that the state has spent a half million dollars in the last fifty years on bounties. During that period of time, if they average 600 bobcat a year, with value on a deer of \$300, which is inflated over the price of a deer fifty years ago, taking out the half million dollars is returning the state \$27 million revenue.

Now figuring the year 1973, based on the fact that the average bobcat will kill at least three deer during its lifetime and probably within a year, that is 1,800 deer at \$300 apiece or \$540,000. If we pay bounty on those 600 bobcats, we are paying \$9,000. Now common sense tells me that this is a pretty good investment.

I would like to invite the gentleman right now, if he wants to take the time Saturday to strap on his snowshoes, I will take him into some deer yards where the bobcats

have been working. In fact, I will take anybody.

This is a biological impact. If you remember last session — I think the record will state that I made an observation as to the manner in which the department now counts deer. It used to be they went out and counted the tracks and divided it by four. Now they go out and count the tracks and multiply by four, and there is a difference.

I hope this House this morning will go along with the action we took yesterday and give this bill the proper demise it needs.

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

Mr. CROMMETT: Mr. Speaker, Ladies and Gentlemen of the House: I am the sponsor of a bill that is going to be heard tomorrow, bounty on dogs. And taking excerpts from my speech to the committee tomorrow, I am going to tell them this: After listening to the debate on the coyote bill and having heard by no means the last on bobcats, knowing the bounty on foxes and bears has been repealed, and firmly believing that a bounty on wild animals does not accomplish what it is intended to do other than to subsidize the sport, I have concluded that man and the dog are the predators.

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

Mr. BRIGGS: Mr. Speaker, Ladies and Gentlemen of the House: I would like to thank all the previous gentlemen who referred to me so kindly and also for their invitations. If anyone cares to drive four and a half hours at 70 miles an hour to Caribou with me, I will take them out too.

The principal thing here is that from an ecological point of view, thinking of it from the point of view of an ecologist — ecology, incidentally, is the science of relationships, which means in very simplistic terms that all things are related to each other. The main factor is that wildlife populations rise and fall based on the carrying capacity of the land.

I am very sorry too that it is necessary for me to stand here

in support of the trained man's opinion, a fellow who has had no formal education and training himself, finds it necessary to point out that we have to be able to understand something more complicated than a double play and that these people do not just sit in their armchairs and pass down these divisionary decisions. They are a bunch of well-trained, very high-minded and purposeful people. They may err in their judgment occasionally. There is a possibility that one of us might even err. That is, however, remote. But these people are very well trained and they are very sincere and dedicated in their work. It is a sad thing that it is necessary to defend the wildlife scientists when we accept in this age so readily every other type of scientific endeavor that there is.

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

Mr. JALBERT: Mr. Speaker and Members of the House: I assure you that I am not on my feet today to decide whether I am for or against a bounty on bobcats. I have never seen one and I could care less about seeing one. But I am here merely on parliamentary procedure.

On page 6 of yesterday's calendar, we accepted under Rule 17-A a report "ought not to pass" on An Act Repealing the Bounty on Bobcat. Now on page 8 reappears the same item repealing the bounty on bobcats, with the motion of leave to withdraw as covered by other legislation. The gentleman, Mr. Good, states that this was extended as a courtesy to the gentleman from Caribou, Mr. Briggs. According to Mr. Briggs' own admission, there was no leave to withdraw left because of the fact that the bill had already been killed. He is correct on that procedure.

If you voted for this bill today, to reconsider our action whereby the leave to withdraw was passed, then that would leave you with nothing. And the old — what's the other motion, you wouldn't have a bill, you wouldn't have anything. You would actually have to refer this bill to the Committee on

Fisheries and Wildlife. So certainly we are wasting our time. I hope we get to the point. This is dead and I hope it stays that way.

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

Mr. MILLS: Mr. Speaker, Ladies and Gentlemen of the House: Perhaps as this item is concerned, I should inform you what occurred in Washington County several sessions back. At that time, I received a lot of complaints about bobcat being too plentiful in Washington County. Now then, some of the boys down there who had dogs that were running these bobcats were persuaded to go out and start hunting real serious on bobcat.

The licensed hunters in the area were finding no deer or hardly any deer at all. During the following year, I know from personally looking at the cats that were killed that there were 34 of these cats shot in a very small area of Washington County. They have kept on gunning for bobcat with dogs, not as strongly as they used to, and I submit to you that those people never did claim a bounty. They had no reason to because they enjoyed the sport. A bounty on any wildlife is not for the purpose of eliminating the species, it is for the purpose of some partial control.

Now then, down through the last six years we are able to find some deer in the area, and this means it builds to the economy of those who cater to the dudes who come into Washington County to gun for deer. And believe me, Washington County needs that kind of help.

Mr. BRIGGS of Caribou requested a roll call vote.

The SPEAKER: 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 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 Portland, Mr. Connolly, that the House reconsider its action of yesterday whereby it accepted the Committee Report of Leave to Withdraw as covered by other legislation. All of those in favor of reconsideration will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Ault, Berry, P. P.; Briggs, Brown, Chick, Clark, Connolly, Cooney, Cote, Cottrell, Crommett, Curtis, T. S., Jr.; Dam, Dunn, Emery, D.F.; Evans, Farley, Farnham, Fecteau, Fraser, Gahagan, Genest, Goodwin, K.; Greenlaw, Hancock, Hobbins, Hoffses, Huber, Jackson, Jacques, Knight, LaPointe, Lawry, LeBlanc, Lewis, J.; Maxwell, McKernan, Morton, Mulkern, Murray, Najarian, O'Brien, Palmer, Peterson, Ricker, Rolde, Rollins, Ross, Shute, Smith, D. M.; Smith, S.; Snowe, Stillings, Susi, Talbot, Tanguay, Theriault, Tierney, Tynedale, Webber, Whitzell, Wood, M. E.

NAY — Baker, Berry, G. W.; Berube, Binnette, Bither, Boudreau, Brawn, Bunker, Cameron, Carey, Carrier, Carter, Chonko, Churchill, Conley, Cressey, Curran, Davis, Deshaies, Donaghy, Dow, Drigotas, Dudley, Dyar, Farrington, Faucher, Ferris, Finemore, Flynn, Garsoe, Gauthier, Good, Hamblen, Haskell, Henley, Herrick, Hunter, Immonen, Jalbert, Kelleher, Kelley, Kelley, R. P.; Keyte, Kilroy, LaCharite, Lewis, E.; Littlefield, Lynch, MacLeod, Mad-dox, Mahany, Martin, McCormick, McHenry, McMahon, McNally, McTeague, Merrill, Mills, Morin, L.; Morin, V.; Murchison, Norris, Parks, Perkins, Pratt, Shaw, Silverman, Simpson, L. E.; Sproul, Trask, Trumbull, Walker, Wheeler, White, Willard.

ABSENT — Birt, Bragdon, Bustin, Dunleavy, Goodwin, H.; Hodgdon, Pontbriand, Santoro, Sheltra, Soulas.

Yes, 63; No, 76; Absent, 10.

The SPEAKER: Sixty-three having voted in the affirmative and seventy-six in the negative, with ten being absent, the motion to reconsider does not prevail.

On motion of Mr. Peterson of Windham, the House voted to take from the table the first tabled and unassigned matter:

Bill "An Act to Increase Outdoor Advertising License and Permit Fees and Extend Controls" (S. P. 276) (L. D. 764)

Tabled — March 8, by Mr. Peterson of Windham.

Pending — Passage to be engrossed.

Mr. Peterson of Windham offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-135) was read by the Clerk.

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

Mr. SIMPSON: Mr. Speaker, I would move the indefinite postponement of House Amendment "A" and would like to speak to my motion.

The SPEAKER: The gentleman from Standish, Mr. Simpson, moves the indefinite postponement of House Amendment "A".

The gentleman may proceed.

Mr. SIMPSON: Mr. Speaker, Ladies and Gentlemen of the House: We have had on the table for quite some time now this item which has been unassigned, which pertains to outdoor advertising in the form of billboards. Since that time we have had two other bills which have been introduced and put before the Natural Resources Committee. I happen to be the sponsor of one of those bills which was reported out the other day unanimous ought not to pass.

This bill was reported out unanimous ought not to pass because of a compromise which was worked out because of my insistence that I didn't feel it was necessary to debate it on the House floor. This bill before you was signed out unanimous ought to pass by the committee and is also a compromise of another bill that has been reported out which the gentleman from Caribou, Mr. Briggs was the sponsor of, which pertains to jumbo billboards outside the interstate limits.

This particular amendment before you goes back to the original bill which was in existence. And personally I believe that this is

a break in promise or break in compromise on this bill as it was reported out.

The problems seem to be that under the present law that outdoor advertisers did not know what the 25-foot limit was, whether it was the top of the sign, the bottom of the sign or whether it was the sign itself, and therefore they could adjust it just about anyway they wanted to. Therefore, in this particular bill, this amendment which places it at 35 feet also puts in the bill the limits, that is from the ground to the top of the sign. It also limits the number of square feet, which is now 760 square feet, which in turn allows for embellishments and other things on the signs.

This was a compromise that was worked out with the Maine Outdoor Advertising Industry and in turn they supported the bill which would limit billboards outside the 600-foot area. Ladies and gentlemen, I believe that we should keep faith in that a compromise was worked out and we should not put this amendment back onto the bill.

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

Mr. PETERSON: Mr. Speaker, Ladies and Gentlemen of the House: It is true that a compromise was made, but this compromise was not known to the committee when it passed this bill unanimous ought to pass. That was my first week back from a long illness, and I am not making excuses. I signed unanimous ought to pass. I did not know the existing law as to the size of billboards and the height.

The compromise was made between the Department of Transportation and the industry, and we were later informed of this compromise. But the committee did not make the compromise. We are now asked to uphold this compromise made by a bureaucracy in state government.

I think this amendment is apropos. We have doubled the license fees. I want to keep the signs the same size that they are today. I think if we allow them to increase the sign size this time, they will want to increase it an-

other time. And I think that it is only fair to the citizens of Maine that we not take this step backwards and indefinitely postpone this amendment.

I would urge you to vote against the motion to indefinitely postpone.

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

Mr. ROLDE: Mr. Speaker, Ladies and Gentlemen of the House: I also would like to echo the remarks of the gentleman from Windham. We were not told of this compromise at all. A couple of further facts that you might be interested in, the Keep Maine Scenic Committee has taken a formal vote in opposition to the bill as it now stands, and they would like to have this bill returned to what the law is now.

One final thing as regards the implications of changing off-premise signs to allow them to go from 25 feet to 35 feet. If you do this for off-premise signs, you may very well have to do it for on-premise signs too and thus further weaken existing billboard laws.

Mr. Peterson of Windham 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 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: The pending question is on the motion of the gentleman from Standish, Mr. Simpson, that House Amendment "A" (H-135) be indefinitely postponed. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Berry, G.W.; Birt, Bither, Boudreau, Bragdon, Brawn, Bunker, Cameron, Carrier, Chick, Churchill, Cote, Cressey, Curran, Dam, Davis, Donaghy, Dudley, Dunn, Dyar, Farnham, Farrington, Ferris, Finemore, Flynn, Fraser, Gahagan, Good,

Hamblen, Henley, Herrick, Hoffses, Huber, Hunter, Immonen, Jackson, Jalbert, Kelleher, Kelley, Kelley, R. P.; Kilroy, Lewis, E.; Littlefield, MacLeod, Maddox, McCormick, McNally, Merrill, Morin, L.; Morton, Murchison, Norris, Palmer, Parks, Pratt, Rollins, Ross, Shaw, Silverman, Simpson, L. E.; Snowe, Sproul, Stillings, Theriault, Trask, Trumbull, Walker, Wheeler, White, Willard, Wood, M. E.: The Speaker.

NAY — Ault, Baker, Berry, P. P.; Berube, Binnette, Briggs, Brown, Carey, Carter, Chonko, Clark, Conley, Connolly, Cooney, Crommett, Curtis, T. S., Jr.; Deshaies, Dow, Drigotas, Emery, D. F.; Evans, Farley, Faucher, Fecteau, Garsoe, Gauthier, Genest, Goodwin, H.; Goodwin, K.; Greenlaw, Hancock, Haskell, Hobbins, Jacques, Keyte, Knight, LaCharite, LaPointe, Lawry, LeBlanc, Lewis, J.; Lynch, Mahany, Martin, Maxwell, McHenry, McKernan, McMahon, McTeague, Mills, Morin, V.; Mulhern, Murray, Najarian, O'Brien, Perkins, Peterson, Ricker, Rolde, Shute, Smith, D. M.; Smith, S.; Susi, Talbot, Tanguay, Tierney, Tyndale, Webber, Whitzell.

ABSENT — Bustin, Cottrell, Dunleavy, Hodgdon, Pontbriand, Santoro, Sheltra, Soulas.

Yes 73; No, 69; Absent, 8.

The SPEAKER: Seventy-three having voted in the affirmative and sixty-nine in the negative, with eight being absent, the motion to indefinitely postpone does prevail.

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

Order Out of Order

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

ORDERED, Lafcadio Cortesi of New York City be appointed Honorary Page for today.

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

House Report of Committee Divided Report

Majority Report of the Committee on Appropriations and Financial Affairs reporting "Ought to pass" on Resolve providing Funds

for Shalom House, Inc., a Halfway House in Portland (H. P. 848), (L. D. 1122) (Emergency)

Report was signed by the following members:

Messrs. CONLEY of Cumberland
MORRELL
of Cumberland
SEWALL of Penobscot
— of the Senate.

Messrs. JALBERT of Lewiston
NORRIS of Brewer
BRAGDON of Perham
CARTER of Winslow
HASKELL of Houlton
SMITH of Dover-Foxcroft
— of the House.

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

Report was signed by the following member:

Mr. SPROUL of Augusta
— of the House.

Reports were read.

On motion of Mr. Haskell of Houlton, the Majority "Ought to pass" Report was accepted.

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

Consent Calendar First Day

(S. P. 223) (L. D. 658) Bill "An Act to Include Operators of Industrial Wastewater Treatment Plants in the Operator Certification Program" — Committee on Natural Resources reporting "Ought to pass" in New Draft (S. P. 478) (L. D. 1534)

(H. P. 518) (L. D. 683) Bill "An Act Creating a Standardbred Breeders and Owners Development Fund of Maine" — Committee on Agriculture reporting "Ought to pass"

(S. P. 256) (L. D. 753) Bill "An Act Relating to Inspection and Licensing of Residential Facilities for the Care, Treatment or Rehabilitation of Drug or Alcohol Users" — Committee on Health and Institutional Services reporting "Ought to pass" as Amended by Committee Amendment "A" (S-43)

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

Consent Calendar Second Day

(H. P. 257) (L. D. 337) Bill "An Act Clarifying the Law as to Keeping Wild Animals in Captivity" (C "A" H-127)

(H. P. 266) (L. D. 373) Bill "An Act Converting Great Pond Plantation into the Town of Great Pond"

(H. P. 314) (L. D. 432) Bill "An Act Relating to Delivery of Suspensions under the Motor Vehicle Laws"

(H. P. 326) (L. D. 444) Bill "An Act Relating to Requirement for Filing Proof under Financial Responsibility Law"

(H. P. 504) (L. D. 670) Bill "An Act to Permit Commissioner of Sea and Shore Fisheries to Suspend Licenses for Violations of Private and Special Laws and Assault on Coastal Wardens"

(H. P. 530) (L. D. 712) Resolve in Favor of Down East Community Hospital of Machias

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

Tabled and Assigned

(H. P. 538) (L. D. 720) Resolve Designating the Bridge Across the Little Androscoggin River at Mechanic Falls as "The Sawyer Memorial Bridge"

On the request of Mr. Dunn of Poland, was removed from the Consent Calendar.

The SPEAKER: The Chair recognizes the same gentleman.

Mr. DUNN: Mr. Speaker and Members of the House: There was to be an amendment on at the expense of a plaque designating this bridge which would be borne by the town. As the bill reads now, the state would have to bear that. So I would like to table that for one day in order to put on that amendment.

Thereupon, on motion of Mr. Dunn of Poland, tabled pending acceptance of the Committee Report and tomorrow assigned.

(H. P. 578) (L. D. 770) Bill "An Act Providing for Repair, Maintenance and Operation of State-owned Dam on Dead River, Androscoggin County" (C "A" H-128)

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

Committee Amendment "A" (H-128) was read by the Clerk and adopted and the Bill assigned for second reading tomorrow.

Tabled and Assigned

(H. P. 668) (L. D. 873) Bill "An Act Relating to Stop-sale Orders under Maine Economic Poisons Law"

On the request of Mr. Evans of Freedom, was removed from the Consent Calendar.

(On motion of the same gentleman, tabled pending acceptance of the Committee Report and specially assigned for Thursday, March 29.)

(H. P. 685) (L. D. 892) Bill "An Act Relating to Expenditures of the Town Road Improvement Fund"

(H. P. 768) (L. D. 1002) Resolve to Authorize Granting an Easement on State Land to Auburn Sewerage District (C "A" H-129)

(H. P. 772) (L. D. 1006) Bill "An Act to Transfer the Maine Historic Preservation Commission to the Department of Educational and Cultural Services"

(H. P. 780) (L. D. 1012) Bill "An Act Relating to Management and Maintenance of State of Maine Building at Eastern States Exposition"

(H. P. 791) (L. D. 1027) Bill "An Act Reestablishing a Base Period for all Fishing Regulations"

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

(H. P. 896) (L. D. 1183) Bill "An Act Relating to Resetting, Tampering or Disconnecting Odometers on Motor Vehicles" (C "A" H-130)

On the request of Mrs. Baker of Orrington, was removed from the Consent Calendar.

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

Committee Amendment "A" (H-130) was read by the Clerk and adopted and the Bill assigned for second reading tomorrow.

(H. P. 897) (L. D. 1184) Bill "An Act Providing for Inclusion of Odometer Reading on Certificate

of Registration of Motor Vehicles Returned Upon Transfer of Ownership" (C "A" H-131).

(H. P. 958) (L. D. 1268) Bill "An Act Revising the Laws Relating to the Board of Pesticides Control"

(H. P. 1089) (L. D. 1282) Resolve, Authorizing School Construction in City of Eastport (Emergency)

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

Tabled and Assigned

(H. P. 976) (L. D. 1290) Bill "An Act to Appropriate Funds for the Purpose of Creating an Office of Off-Reservation Indian Development within the Department of Indian Affairs"

On the request of Mr. Donaghy of Lubec, was removed from the Consent Calendar.

(On motion of the same gentleman, tabled pending acceptance of the Committee Report and specially assigned for Thursday, March 29.)

(H. P. 1021) (L. D. 1344) Bill "An Act Amending the Law Relating to the Provision of Housing and Meals to State Employees"

(H. P. 1263) (L. D. 1568) Bill "An Act Defining the Boundaries of Richmond's Island Sanctuary"

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

The SPEAKER: Will the Sergeant - at - Arms kindly escort the gentlewoman from Lewiston, Mrs. Berube, to the rostrum.

Thereupon, Mrs. Berube assumed the Chair as Speaker pro tem and Speaker Hewes returned to his seat on the floor of the House.

Passed to Be Engrossed

Bill "An Act to Eliminate the Advisory Committee on Public Broadcasting" (S. P. 200) (L. D. 545)

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 to Provide Funds for the Development of an Airport in the Rumford-Mexico Area" (H. P. 462) (L. D. 611)

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

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

Mr. ROLLINS: Madam Speaker, I request this be tabled for one legislative day.

Whereupon, Mr. Fraser of Mexico requested a vote on the motion.

The SPEAKER pro tem: The pending question is on the motion of the gentleman from Dixfield Mr. Rollins, that this matter be tabled for one legislative day, pending passage to be engrossed. All in favor will vote yes; those opposed will vote no.

A vote of the House was taken.

Thereupon, Mr. Fraser of Mexico requested a roll call vote.

The SPEAKER pro tem: 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 pro tem: The pending question is on the motion of the gentleman from Dixfield, Mr. Rollins, that this matter be tabled pending passage to be engrossed and tomorrow assigned. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Ault, Baker, Birt, Bither, Bragdon, Briggs, Brown, Bunker, Cameron, Chick, Churchill, Cottrell, Cressey, Curtis, T. S., Jr.; Davis, Deshaies, Donaghy, Dudley, Dyar, Emery, D. F.; Farnham, Farrington, Ferris, Flynn, Gahagan, Garsoe, Good, Goodwin, K.; Hamblen, Henley, Hewes, Hoffses, Huber, Hunter, Immonen, Jackson, Kelleher, Kelley, Kelley,

R. P.; Knight, Lewis, E.; Lewis, J.; Littlefield, MacLeod, Maddox, Maxwell, McCormick, McKernan, McMahon, McNally, Merrill, Morton, Murchison, O'Brien, Palmer, Parks, Perkins, Pontbriand, Pratt, Rollins, Ross, Shaw, Silverman, Simpson, L. E.; Snowe, Sproul, Stillings, Tanguay, Trask, Trumbull, Tyndale, Walker, White, Wildard, Wood, M. E.

NAY — Albert, Berry, G. W.; Berry, P. P.; Binnette, Boudreau, Brawn, Carey, Carrier, Carter, Chonko, Clark, Conley, Connolly, Cooney, Cote, Crommett, Curran, Dam, Dow, Drigotas, Dunleavy, Farley, Faucher, Fecteau, Finemore, Fraser, Gauthier, Genest, Goodwin, H.; Greenlaw, Hancock, Haskell, Hobbins, Jacques, Jalbert, Keyte, Kilroy, LaCharite, LaPointe, Lawry, LeBlanc, Lynch, Mahany, Martin, McHenry, McTeague, Mills, Morin, L.; Morin, V.; Mulkern, Murray, Najarian, Norris, Peterson, Ricker, Rolde, Santoro, Shute, Smith, D.M.; Smith, S.; Talbot, Theriault, Tierney, Webber, Wheeler, Whitzell.

ABSENT — Bustin, Dunn, Evans, Herrick, Hodgdon, Sheltra, Soulas.

Yes, 75; No, 67; Absent, 8.

The SPEAKER pro tem: Seventy-five having voted in the affirmative and sixty-seven in the negative, with eight being absent, the motion to table does prevail.

—

Resolve to Reimburse Audrey G. Pray of Hersey for Loss of Poultry by Foxes (H. P. 554) (L. D. 734)

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

—

Bill "An Act to Provide Sales Tax Credit on Replacement of Lost or Destroyed Motor Vehicles" (H. P. 564) (L. D. 743)

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

Mr. Farrington of South China offered House Amendment "A" and moved its adoption.

House Amendment "A" (H-134) was read by the Clerk.

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

Mr. FARRINGTON: Madam Speaker and Ladies and Gentlemen of the House: It is a very simple amendment requiring the insurance companies to pay sales tax on totally damaged or lost automobiles. Under the existing laws, the Taxation Division does not allow an exemption on damaged, destroyed or lost automobiles. For an illustration, if you own a \$5,000 automobile, buy it today, wreck it tomorrow and you paid \$250 sales tax, there is no way under the existing law that you can get a credit when you buy your new automobile. It is a very unjust, inadequate law and I think it should be changed.

Now first of all, I introduced a bill that was heard before the Taxation Division asking the Taxation Division to give a credit. The Standing Committee on Taxation considered that this was an obligation of the insurance companies to pay the tax on the automobile that was damaged, lost or destroyed. Some might say in the House that this amendment would not be germane to the original bill. I will explain it this way — and having talked with the people in the Attorney General's department they agreed — that we do, when we buy an automobile, pay a substantial amount of tax, federal tax and otherwise. So when an adjustment is made by an adjuster, they are automatically paying some taxes. So this, in fact, discounts the idea that this amendment is not germane to the bill we are working on.

We speak of helping people in many respects, and I think this is one area that we truly can help those who have incurred a loss. They certainly are frustrated enough if they have their automobile stolen or if they have it totaled. We should not add insult to injury by imposing a double tax when, in fact, the net worth has not increased one iota. Of all the measures that we are acting on this session, I think this is an extremely worthwhile measure for you to consider and consider

seriously and I hope you adopt the amendment.

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

Mr. CAREY: Madam Speaker and Ladies and Gentlemen of the House: I do not know anything about insurance. I would like to ask one or two questions, however, of the gentleman from China, Mr. Farrington. The questions would be: Would this increase the premium cost and also would this be an annual cost even though a person might not wreck one automobile a year?

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

Mr. FARRINGTON: Madam Speaker and Ladies and Gentlemen of the House: To answer the gentleman from Waterville, Mr. Carey's question, I would be a prophet if I were to say whether or not there would be an increase. I will say this much, however, that adjustments that are now being made by insurance companies do oftentimes include this tax. The arrangement between the adjuster and the person who has had his automobile stolen or damaged is sort of a bargaining arrangement at the present time. And by passing such a law, we are going to do away with the guessing game, whether the Taxation Division gives a credit or whether this tax is paid by the insurance company. I know of no way that I can project how these insurance adjusters figure this. I do know presently that many of them are paid. I doubt very much if it will affect the insurance rates. I am sure that as prices go up, everything goes up, the rates will be adjusted. But I can see no substantial increase in insurance rates.

And by the way, some of you might be wondering how this would be applied. It would not be necessary for the insurance companies to rewrite their policies. They would, as they do often, send out endorsements, which would simply read that henceforth insurance companies will pay the sales tax as a part of the claim on destroyed or stolen vehicles. I hope that I

have answered the gentleman's question.

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

Mr. DONAGHY: Madam Speaker and Ladies and Gentlemen of the House: I am not a seer nor the best insurance man in the world, but I can make one statement with some basis of fact behind it and that is that rates are promulgated on the basis of experience. And if the experience shows that the insurance companies are having to pay out more money, whether it be on the basis of sales tax or bent fenders, it will all go into the same pot and someday someone is going to pay extra if it costs more to handle the claims.

This last item, though, is quite an over simplification. The insurance company does not just pass out endorsements. These endorsements have to be approved in all the states that they do business in by the insurance department and these endorsements in themselves will cost a great deal of money; thereby adding again to the cost of the insured, that is you.

Everything that the insurance companies do as far as business is concerned is taken into consideration either in the losses of the companies or the earnings of the companies. They must show on either one side of the balance sheet or the other. And this balance sheet affects you and the rate that you pay.

Actually, this is a tax bit and should have been handled by the Taxation Department. If you want to exempt something from sales tax, you go to the Taxation Department and they agree with you or rather the Taxation Committee. If they agree with you, it will be passed on to us to approve here in legislature. And I think this is where this bill should be; and since the Taxation Committee does not feel that way about it, I move the indefinite postponement of this bill and all its accompanying papers.

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

Mr. SUSI: Madam Speaker and Ladies and Gentlemen of the House: This is getting more atten-

tion than I expected it would. There seem to be two main questions in the minds of at least some people here, whether or not this will result in an increase in premiums and I would have to agree with the previous speaker that if it results in any substantial — which I doubt — increase in cost to the insurance companies, it will be reflected in the premiums, which is entirely proper. I support the equity of that. I think it is entirely proper that if the experience of the insurance companies warrants an increase in the premium due to the fact that people are smashing their automobiles, then the people who buy automobile insurance should pay it and not the general public.

Now if we were to excuse the tax, if this burden would be borne by all the people, whether or not they own an automobile or not, I think it is proper and equitable that it should be borne by those who drive automobiles and have automobile insurance.

Now another question is whether or not it is reasonable that an insurance company should reimburse for a tax. They already do, whether or not we put this through or not. In the cost of an automobile, there are several hundreds of dollars at least. I have read it and I cannot remember, but I am going to guess that on a \$5,000 automobile, there are probably taxes built into the cost of this automobile up to perhaps a \$1,000 prior to the time it is sold. And when the reimbursement is made, it is made on the value of \$5,000, which includes all of the taxes that have been incurred during the manufacturing of this automobile. So it is entirely proper to also reimburse for taxes imposed at the time of sale.

So I don't think there is any question about it at all. I think that the amendment is in order. I hope that you vote against the indefinite postponement and support the amendment.

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

Mr. COTE: Madam Speaker and Ladies and Gentlemen of the House: I am not too, too much

in love with this amendment, because I feel that the insurance companies will be able to take care of themselves and we don't have to worry whether they are going to over pay anyone who has lost a car.

I was victimized some three years ago. The same thing happened to me. On my way back from Canada, I had an accident in Vermont. So instead of — which was a complete loss on my part of the car — instead of bringing back the car to Lewiston, I thought it would be cheaper for me to leave it there in the garage and settle with the insurance company. And this is what I did. They gave me on a \$3,200 car, which I had for four months, I settled for \$2,600, not even thinking about the sales tax. I felt that I could come back to Lewiston, go to my garage where I had bought the first car, which was all paid for and give them the check for \$2,600 onto a new car and pay the difference of the balance on the new car which amounted to \$3,800. But lo and to my dismay, I found that I had to pay the sales tax all over again on the new car on the full price. So this has been bugging me for quite some time, and last summer I met Representative Farrington in the hallways here during one of our meetings of the Research Committee; and we discussed this bill and he said he was thinking of putting in a bill. I was very much in favor of it.

Now, it seems to me that the loss as far as the state was concerned on the taxation problem would be minimal, because how many cars are totally destroyed within one year. I think it was estimated, somebody told me somewheres along the line, maybe it would mean to the state, seven or eight thousand dollars at the most.

Now comes this amendment which we are trying to pass and let the insurance companies pay for it and somebody questions whether the premiums will go up. I don't believe the premiums will go up because the adjuster, when he comes to see you, he is going to give you as low a price as he can. And if you are going to include

the price of the sales tax, I wouldn't worry anything about that because they will give you a lower price for your car in your adjustment.

Now these people, they turn around — I found out through an accident when my car was resold to a garage man for \$750, — they had given me \$2,600. They got back \$750 on that car which they sold to a garage man who he repaired for another six or seven hundred dollars and he had a practically brand new car for about \$1,400. So they recover monies on these cars that have been banged up or totally lost, because the motor was not affected, it was just the body. So the body man bought the car. He fixed it. He had a brand new car for himself for around \$1,400.

So I don't believe that the premiums will go up on this car because I am sure that whoever they hire as an adjuster will make sure that the company is pretty well protected.

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

Mr. JALBERT: Madam Speaker and Members of the House: Incidentally, Madam Speaker, I am very proud of you standing there. I listened very intently to my colleague from Lewiston, Mr. Cote. I can assure you that after he gets through being dismayed at the fact that it was going to cost him a little something on the sales tax differential, if he didn't straighten out, that little bobble, I haven't known him for forty moons.

The SPEAKER pro tem: The Chair recognizes the gentleman from Farmington, Mr. Morton.

Mrs. MORTON: Madam Speaker and Members of the House: I, as a minority report signer, had the individual motorist at heart when I attempted to keep this bill alive. Of course, the original thrust of the bill was to put the burden on the state and spread this cost through the sales tax to all the citizens of the state. I don't necessarily think that was the correct course, although there is precedent for it, of course.

This amendment now puts the burden on the class of people who purchase automobile insurance.

And regardless of whether the premiums are adjusted as a result of this — and I agree with Mr. Donaghy, they could well be because that is part of the package — It still is a class which is utilizing the insurance. That is what you are voting on. Do you desire that the people who purchase this insurance — and I don't think it is correct to say the insurance companies — but the people who purchase this insurance foot the bill? If you believe that, you should support this amendment.

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

Mr. COTE: Madam Speaker and Members of the House: I disagree slightly with the last speaker because if you destroy a car you have already paid the sales tax on, you are buying another car. You are paying again the sales tax on it so it is double taxation. It is only money that is coming back to an individual who already has paid once on the sales tax.

Now, I don't think it is a burden to the state, but it is a burden to the individual who is trying to make a living and needs a car to travel around with and so forth and then the state collects double taxation. I don't think that is correct, and this is where the burden should be, right upon the state. And nobody else is paying — no individual who has to pay the sales tax is paying my sales tax. I pay it twice. So I think it is a bonanza to the state. That is what they have been using the sales tax for and I think it is wrong.

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

Mr. FARRINGTON: Madam Speaker and Ladies and Gentlemen of the House: I certainly don't want to belabor this question, but it is quite serious to a lot of people in the State of Maine. When you have someone who had had a loss, they may be injured and in the hospital as a result, their automobile is totaled and the same thing applies equally to someone who has an automobile stolen. I think we would be doing an injustice to these people if we didn't provide this exemption.

I can't for the life of me see why, if you allow a trade-in, — a trade-in allowance is allowed and it is a credit — why you couldn't apply that insurance check equally as well. And this is simply what we are talking about. Now if the insurance companies have to figure this in their claim, good. They should pay it. They pay other taxes as has been explained.

I sincerely hope you don't go along with the motion to indefinitely postpone and I ask for a division.

Mr. Smith of Dover-Foxcroft requested a roll call vote.

The SPEAKER pro tem: 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 pro tem: The pending question is on the motion of the gentleman from South China, Mr. Farrington, that House Amendment "A" be adopted.

The Chair recognizes the gentleman from Farmington, Mr. Morton.

Mr. MORTON: Madam Speaker, point of order. Is not the question the indefinite postponement motion?

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

Mr. MARTIN: Madam Speaker, Ladies and Gentlemen of the House: The gentleman from Lubec, Mr. Donaghy, moved indefinite postponement of the bill and all its accompanying papers, which is not in order at this time. So the pending question is still adoption of the amendment.

The gentleman from Lubec, Mr. Donaghy, requested permission to withdraw his motion, which was granted.

The SPEAKER pro tem: The pending question is on the motion of the gentleman from South China, Mr. Farrington, that House Amendment "A" be adopted. All

in favor will vote yes; those opposed will vote no.

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

Mr. JALBERT: Madam Speaker, the pending motion is the indefinite postponement of the amendment, as I see it, or was that withdrawn?

The SPEAKER pro tem: The motion has been withdrawn by the gentleman from Lubec, Mr. Donaghy.

Mr. JALBERT: Madam Speaker and Members of the House: Those who want the motion will vote with Mr. Farrington and will vote yes and those who do not want to go along with Mr. Farrington will vote no, is that correct? That is what I wanted to clarify.

The SPEAKER pro tem: The pending question is on the motion of the gentleman from South China, Mr. Farrington that House Amendment "A" be adopted. All those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA — Baker, Berry, P. P.; Binnette, Birt, Bither, Boudreau, Bragdon, Brawn, Briggs, Brown, Bunker, Cameron, Carrier, Carter, Chick, Chonko, Churchill, Clark, Conley, Connolly, Cooney, Cote, Cottrell, Crommett, Curran, Curtis, T. S., Jr.; Dam, Davis, Deshaies, Dow, Drigotas, Dudley, Dunleavy, Dunn, Dyar, Emery, D. F.; Farley, Farrington, Fecteau, Ferris, Fine-more, Flynn, Fraser, Gahagan, Garsoe, Genest, Goodwin, H.; Goodwin, K.; Greenlaw, Hamblen, Hancock, Haskell, Henley, Hobbins, Hoffses, Huber, Hunter, Immones, Jackson, Jacques, Jalbert, Kelleher, Kelley, Keyte, Kilroy, Knight, LaPointe, Lawry, LeBlanc, Lewis, E.; Lewis, J.; Littlefield, Lynch, MacLeod, Maddox, Martin, Maxwell, McCormick, M c H e n r y, McKernan, McMahan, McNally, McTeague, Merrill, Mills, Morin, L.; Morin, V.; Morton, Mulkern, Murchison, Murray, Najarian, Norris, O'Brien, Palmer, Parks, Perkins, Peterson, Pontbriand, Pratt, Ricker, Rolde, Rollins, Ross, Santoro, Shaw, Sheltra, Shute, Silverman, Simpson, L.E.; Smith, D.M.; Smith, S.; Snowe, Sproul, Stillings, Susi, Talbot, Tanguay, Theriault, Tierney, Trumbull, Tyndale, Walk-

er, Webber, Wheeler, White, Whit-zell, Willard, Wood, M.E.

NAY—Ault, Berry, G.W.; Carey, Cressey, Donaghy, Gauthier, Trask.

ABSENT — Albert, Berube, Bustin, Evans, Farnham, Faucher, Good, Herrick, Hodgdon, Kelley, R. P.; LaCharite, Mahany, Soulas.

Yes, 129; No. 7; Absent 13.

The SPEAKER pro tem: One hundred twenty-nine having voted in the affirmative and seven having voted in the negative, with thirteen being absent, the motion does prevail.

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

Mr. DONAGHY: Madam Speaker, with a little bit of Irish blood, I stand up to move indefinite postponement of the bill and all its accompanying papers.

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

Mr. McTEAGUE: Madam Speaker, I guess sharing some of the same blood, I move for a roll call.

The SPEAKER pro tem: 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 pro tem: The pending question is on the motion of the gentleman from Lubec, Mr. Donaghy, that Bill "An Act to Provide Sales Tax Credit on Replacement of Lost or Destroyed Motor Vehicles" (H. P. 564) (L. D. 743) and all accompanying papers be indefinitely postponed. All those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA — Carey, Carter, Davis, Donaghy, Dow, Gauthier, Hamblen, Kelley, Shaw, Sheltra, Trask.

NAY — Ault, Baker, Berry, G. W.; Berry, P. P.; Binnette, Birt, Bither, Boudreau, Bragdon, Brawn, Briggs, Brown, Bunker, Cameron, Carrier, Chick, Chonko, Churchill,

Clark, Conley, Connolly, Cooney, Cote, Cottrell, Cressey, Crommett, Curran, Curtis, T. S., Jr.; Dam, Deshaies, Drigotas, Dudley, Dunleavy, Dunn, Dyar, Emery, D. F.; Evans Farley, Farrington, Fecteau, Ferris, Finemore, Flynn, Fraser, Gahagan, Garsoe, Genest, Goodwin, H.; Goodwin, K.; Greenlaw, Hancock, Haskell, Henley, Hobbins, Hoffses, Huber, Hunter, Immonen, Jackson, Jacques, Jalbert, Kelleher, Keyte, Kilroy, Knight, LaPointe, Lawry, Lewis, E.; Lewis, J.; Littlefield, Lynch, MacLeod, Maddox, Martin, Maxwell, McCormick, McHenry, McKernan, McMahon, McNally, McTeague, Merrill, Mills Morin, L.; Morin, V.; Morton, Mulkern, Murchison, Murray, Najarian, Norris, O'Brien, Palmer, Parks, Perkins, Peterson, Pontbriand, Pratt, Ricker, Rolde, Rollins, Ross, Santoro, Shute, Silverman, Simpson, L.E.; Smith, D. M.; Smith, S.; Snowe, Sproul, Stillings, Susi, Talbot, Tanguay, Theriault, Tierney, Trumbull, Tyndale, Walker, Webber, White, Whitzell, Willard, Wood, M. E.

ABSENT — Albert, Berube, Bustin, Farnham, Faucher, Good, Herrick, Kelley, R.P.; LaCharite, Mahany, Soulas, Wheeler.

Yes, 11; No, 125; Absent, 13.

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

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

Second Reader Tabled and Assigned

Bill "An Act to Reconstitute and Place a Public Member on the Maine Real Estate Commission" (S. P. 459) (L. D. 1409)

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

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

Constitutional Amendment Indefinitely Postponed

Resolution, Proposing an Amendment to the Constitution Pledging Credit of the State for Revenue Bonds to be Issued by the Maine School Building Authority for Public and Private Institutions of Higher Education and for Public Post-secondary Business, Trade, Vocational and Technical Schools (H. P. 391) (L. D. 520)

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

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

Mr. **ROSS**: Madam Speaker and Ladies and Gentlemen of the House: I am definitely against pledging the credit of the State of Maine for most all purposes except a true emergency. We already have the MIBA and the MRA. This, of course, is different because it is a more emotional topic today because it concerns schools.

In theory, the others were to help get business for the state. I was here at the time, as were six other members of the present House. I was against these schemes then and I have not changed my mind since. Both ideas have lost money. Even the proponents at the time admitted that they were just a gamble, but one stated that it was another tool in our arsenal to help Maine get off dead center. In my opinion, it was a pretty dull tool. Even the MIBA was originally defeated in the enactment stage in the other body, 11 to 15, when it needed two-thirds votes. Only by a political persuasion and the firmest of arm twisting did they reconsider.

The authority directors say their track record is good. Out of 16 loans, only 14 are in default. The largest is 10 million and there are two and five million. The recreational authority has the same experience. They are in trouble with at least six projects, including a suit of \$3 million on one project alone.

As I stated, this resolve before us today is a bit different because in theory it is helping education. I still say it is gambling with \$25

million of taxpayer's money, both to help public and private — and I underline private — schools. We stand to lose and eventually pick up most of the tab.

Especially with schools, I can just hear educators pleading with us in their most persuasive manner to help them out of any financial problems. It reminds me in 1959, against my objection, we gave \$1,100,000 to Fort Fairfield to build an addition to a private hospital under the theory it would be a TB wing, when they had no TB patients. In 1965, we sold this back to the town for one dollar. So with state funds we had built an addition to a private hospital costing \$1 million plus and later gave it to them for one dollar.

I predict the same type of philanthropic action would take place if we should pass this constitutional amendment and I move indefinite postponement and request a roll call.

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

Mr. LYNCH: Madam Speaker, Ladies and Gentlemen of the House: Several days ago when this appeared on the calendar for the first time I alerted you to read the bill, look it over carefully. Now, this is not the only bill of its nature. We had L. D. 255 and along with L. D. 520, there is an attempt made to change the traditional manner of funding school buildings. 255 involved the vocational-technical institutes, the new proposed 11 institutes.

A regional board by a resolve could commit the area, with the approval of the state school building authority, to fund up to one percent of the preceding state valuation. No public referendum unless 10 percent of the eligible voters in the district petitioned for a referendum. Now this is a wide departure from what we have done in the past.

Under L. D. 520 we are pledging the credit of the state. The bonds would be authorized by the state school building authority without public referendum with an aggregate of \$25 million. Now what has happened in the past when the credit of the state has been pledged

in other areas? In 1965, a constitutional amendment authorized the MIBA to lend up to 40 million on industrial loans. Three years later the amount was changed to 80 million. In 1965, the constitutional amendment authorized an aggregate of 10 million for recreational purposes. Two years later they were back for an increase to 17 million.

I am quite sure that an aggregate of \$25 million would not last very long in the State of Maine when the public and private colleges have access to it along with the secondary schools, and I think you have a conflict between this bill and the bill, L. D. 255, which is coming out with a public referendum. Now, if you pass 520, you are trying to circumvent that public referendum.

I am firmly opposed to this bill. I will go along with 255 because we have amended it to require a public referendum, but 520 I am opposed to and I am glad that the roll call has been called for because if this thing is sent to the people, I want to be assured they know my position on it.

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

Mr. BITHER: Madam Speaker, Ladies and Gentlemen of the House: I have more to say on this bill but I would like to answer one or two little points right in here now because Mr. Ross made such an impassioned plea that I don't want you to accept it too solidly right now. He brought in the MIBA which does not enter into this picture whatsoever. He brought in Fort Fairfield Hospital, which does not enter into this picture. I expected him to bring in Vahlsing Plant but he did not.

Now, that has nothing to do with it. We are only dealing with the school building authority, and I would like to ask Mr. Ross — but I think he has gone out — he is right here — I would like to ask Mr. Ross, he has predicted dire results for some of these loans, if he knows of any case where the school building authority has defaulted or anyone has defaulted on any bonds for the school building authority. Now, these other auth-

orities we are not talking about at all. We are talking about the school building authority.

I do have more to say on it, but I would like to hear all the opposition from this high-powered opposition that we are having here today.

I would like to say one other little thing right now too. I know of at least two gentlemen in — well, I was going to say spitting distance of me but that isn't polite, but within a very short distance of me that said, "Oh, yes, we are going to kill this bill" and all they had read is the title. I don't think that is fair. There is more to this bill than the title, and I am going to explain it a little more when I hear more of the opposition.

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

Mr. LYNCH: Madam Speaker and Ladies and Gentlemen of the House: I would like to answer the question that the gentleman from Houlton, addressed to Representative Ross. We are involved with the other lending authorities because what is involved here is the credit of the State of Maine.

Now, at some point in time — and I am not sure that it isn't going to be very near in the future — the State of Maine is going to be lending its credit to such an extent that it is no longer going to have the favorable interest rate it now has, one of the best in the country, and that is what is involved.

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

Mr. BRAGDON: Madam Speaker and Members of the House: When this bill came before us the first time, you recall that I did comment at that time that I felt I had very strong opposition to it and that I probably would speak on it when it came up for final enactment.

I think possibly enough has already been said to accomplish what I would like to see happen. However, I do want to get in my five cents worth and maybe what I say may be said in a little different way than what has already been presented to you.

If we look back over the years, you will recall that when the University of Maine or other branches of higher education in the state have wanted bond issues, they have come to committees of this legislature and made their requests known to the legislature. We have had opportunity to discuss them, to look them over in the committees, decide whether the bond issues were justified and report back to this body. And they have had a chance to make their decision on them.

If you pass this bond issue, if you pass this constitutional amendment, which we are considering today, you are giving up your rights in the future to having anything to say about any individual bond issue. You are delegating that right to three or four men. I don't know how many, I didn't look it up; but the Maine School Building Authority, so far as this \$25 million is concerned, will have the authority to make all of the decisions in regards to any bond issues private or public which may be presented to them.

I cannot believe that this legislature has reached the point that they are ready to abdicate this right which they have held over the years. More than that, you are going still further than that. You are going out and saying to the people you are not going to have any right to say anything further on these bond issues. The Maine School Building Authority has spoken and that is it.

Now I do not subscribe to either of these rights that are taken away from the electorate, either taking it away from the people. I think we should cling very much to the old principle that we have had and stuck to for years to submit bond issues, especially if they are of any size to the people. To do otherwise I think would mean possibly looking for disaster. I think this is one break on — what I am saying is maybe sometime the legislature will go out beyond what the people want. This is another chance to get the expression of the full electorate and I think we should cling to it.

I cannot believe once you understand the full impact of this legis-

lation that you are voting on that you are even going to give it a majority vote. It does require two-thirds vote to send it out to the people. I hope you will think very carefully on this matter before you vote.

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

Mr. BITHER: Madam Speaker and Members of the House: I feel that I have got to speak at this time because I said a while ago that people have not read this bill and I don't know, Mr. Bragdon, as I understood him, says that today they have to come to the legislature for a bond issue; and if this bill passes, all they would have to go to would be the Maine School Building Authority. That is not so. This bill doesn't do anything, as a matter of fact. This bill just permits another legislature at some time to allow a bond issue to be issued. Now when that bond issue is issued later, if this bill passed, when a bond issue comes up, it would come before the legislature and then would have to be okayed by the school building authority. There is no question about circumventing the legislature.

Now, I will admit — and I know I haven't heard the argument yet, I expect to hear it from my very good friend from Bangor, about taking the rights away from the people. I think if he says it again, I am going to cry this time because it is true. This bill does not provide for a referendum to the people. If you indefinitely postpone this bill today, what you are really saying is that you people here in the legislature or these other people do not have the brains and the ability to decide whether a bond issue is a good thing or not. What you are saying is that only the people have the ability to decide on bond issues.

I have a sheet right here of the bond issues and amendments, 1968. There are thirteen bonds and four amendments. I really have faith in the people, I have just as much faith in the people as the gentleman from Bangor, but I just don't believe the people are going to read

these and understand these bond issues and these amendments.

Here is one I would like to read you. This is 1969. This is an old story. Referendum question number two: "Shall the monies appropriated for night lighting systems and Unicom radio station at Norridgewock Airport be used for purposes designed—" this is all one sentence, there isn't a comma or anything "—should be designated for purposes by the Aeronautics Commission passed by the 104th Legislature?" Now what does that mean? I'll admit every time we have referendums I try to explain to my wife. She is not stupid. She is a fairly intelligent woman. She is a very intelligent woman. She showed some of that intelligence many many years ago too. And that is open to debate too. But I tried to explain these issues to her and she listens and then she goes in the polling booth and I don't know what she does in there because I am not allowed and she tells me it is none of my business anyway, but I'll bet you ten to one that she goes down through that list and she either marks one yes, the next one no, one yes, the next one no or she marks one or two and quits in disgust because she cannot understand them. And no one can understand. I don't know who writes the verbiage on these things.

Here is another one. This is old too. "Shall the state convert to monthly payments of general purpose school aid to local school units to assure the state's ability to make such payments—" it is all one sentence "—and reduce the need for borrowing by municipalities in the state by issuing bonds to the amount of \$22 million—" and that you can understand "—in order to provide for the transition period, January 1970 through June 1970?" We don't know what it means. No one knows what it means, and I say the public are supposed to be able to do a better job judging on bond issues and amendments than you people in this legislature.

Now, let me reiterate again that this amendment does not in itself do one thing. It is a permissive

sort of thing. It allows a later legislative body to allow a bond issue to be issued to private and public schools of higher learning in the State of Maine. I have not had an answer yet as to whether the school building authority has ever defaulted on any of its bonds but as far as I know they have not.

I will admit, this bill does allow the colleges to go to the legislature instead of to the people and I think it is a good idea because the people, in many cases, could not care less on this long list, pages of amendment and referendums. They can't even read them.

So I hope you do not indefinitely postpone this. I haven't too much doubt to perhaps what has happened. I would like to tell you too that this bill has been around a long while. This bill is the result of a study that was made by the direction of the 105th Legislature to the 106th. This study was made by the Maine Education Council and they came up with this bill.

It is a strange thing, too, that this bill was presented once before by a gentleman who signed the minority report this time. I don't know whether he had a change of mind or what.

I would also like to remind you people that this affects every school of higher learning in the State of Maine. It affects all the vocational institutes. It affects all the branches of the University of Maine from Fort Kent to Kittery and it affects — and I might say very favorably affects — the private colleges too. I talked with the president of St. Francis, I believe, in Biddeford and he said if this bill — had he had this bill, it would have saved him tens of thousands of dollars in interest because they can get cheaper interest this way. Now obviously they can get cheaper interest and that is why they want it. I hope you do not indefinitely postpone this bill today.

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

Mr. JALBERT: Madam Speaker and Members of the House: I

would agree with the gentleman from Houlton, Mr. Bither, that this is permissive legislation. This is permissive legislation to give loan authorities the broadest of powers.

Now I can recall that we broadened our view a few years ago. As a matter of fact, it was at my suggestion. It has turned out very well and that was on dormitories where we went into the self-liquidating bond program for dormitories, mostly. And that has turned out well. I can recall, however, that one dared not even say anything when we came here and spent one day to raise the Maine Industrial Building Authority \$50 million to accommodate the Bath Iron Works for a contract that we did not receive. I voted for it. I stated my feeling about it without saying anything publicly. My question was a very simple one to myself and to others. What happens if the Bath Iron Works goes into a \$50 million building program and then loses the contract. Thank God they did not go into the expense of a building program because they did not get the contract and anyone who had any political know-how would know that we would not have the contract anyway. Because as far as I am concerned, I am not in the habit of showering gratuities on those who are against me.

As far as this bill is concerned here, I would enjoin the speakers, the gentleman from Bath, Mr. Ross, the gentleman from Livermore Falls, Mr. Lynch, and my longtime colleague on the Appropriations Committee, the gentleman from Perham, Mr. Bragdon. I would agree, however, with the gentleman from Houlton, Mr. Bither, and contrast slightly with the gentleman, merely on words, in one phase of the argument.

In the MRA, believe it or not, we actually have two laws that were made on the same day in the same locale for the building of two recreational motels at an interest rate of one and a quarter percent differential. As far as I am concerned, I am making this statement here and nobody, nobody on the floor of this House, is more married to vocational edu-

cation than I am. But if we pass this bill here, just as sure as I am a foot high, we are coming right back to the story that was given to you, which I objected to and wrongfully, but I objected to it because of the political pressure that was put on me, when we sold back to Fort Fairfield for a dollar something that we paid \$1,100,000 for.

That is exactly what we are embarking into now. This is permissive legislation. Permissive and bear in mind, and I would like to suggest to the gentleman from Houlton, Mr. Bither, that the very same lengthy inexplainable questions could be on the ballot on some of these points that are brought before the people. They could even be lengthier, particularly if they are submitted and drawn up by the Department of Education.

So I say to you that we will be back here to pass legislation which will go back to the people and then in three or four years, somebody from some small town, or somebody from some large area will say, as has happened elsewhere, "We are in trouble on our bond issue; we need some help," and nine out of ten, we will give it to them.

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

Mr. LYNCH: Madam Speaker and Ladies and Gentlemen of the House: The gentleman from Houlton asked a question, "Have there been any defaults on the school building authority bond issues?" And I think if he had answered his own question, he would give the most convincing argument against this constitutional amendment.

The school authority bonds have been sound investments — Why? Because the public referendum authorized them. If you retain public referendums on all school bond issues, you do have better control than centralizing the authority in one small group. I think this is the best answer against the bill.

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

Mr. BRAGDON: Madam Speaker and Ladies and Gentlemen of the House: I would like to comment a little further on the remarks made by the gentleman from Houlton, Mr. Bither, wherein he stated that I was wrong with regard to the right being taken away from the legislature. I think if he will read this legislation carefully, he will find that there is no provision in it for any legislative action. He is referring back to the thinking of the people who conceived this legislation, enabling legislation, as has been said already on this floor, and the next legislature, if this one and the people do approve it, would obviously have to set up some enabling legislation. I would agree with him that in all probability, they might. They might say that the legislature had to approve bond issues.

However, in the bill that we are voting on today, it is not there and I will defy him to find it. I am sure that he is being misled because he is looking to the things that they planned to do after this bill was passed and not what is contained in the bill.

Mr. Bither of Houlton was granted permission to speak a third time.

Mr. BITHER: Madam Speaker and Ladies and Gentlemen of the House: If the gentleman from Perham will read the bill again, he will find on the first page that it says this and I am not going to read it all. The legislature by proper enactment may insure the payment of revenue bonds and so forth. Every time, and someone else mentioned that we would be handing this over to one small group; that is not true. Every one of these bond issues, if they were issued later, would have to come to the legislature for permission.

I want to say, too, while I am at it, that if this did happen to be passed, and incidentally, this was passed once upon a time in a little different measure, in a little different means, we had a separate authority to handle it and it was turned down by the people.

If this was adopted today it would have to go to the people

for referendum before it would become effective. So if you have all that faith in the people, why not let it alone and let the people turn it down then. No, you folks are bound to turn it down right here instead of letting it go to the people.

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

Mr. MURRAY: Madam Speaker and Ladies and Gentlemen of the House: I would just like to make a couple of comments on the bill. And elaborate on the thinking of the majority of the committee. This was a majority "Ought to pass" report. I think that Mr. Bither was correct in pointing out the fact that we are not talking about the MIBA or the MRA. We are talking about the Maine School Building Authority. And I think if you check the records, the Maine School Building Authority does have a very reputable reputation as far as watching out for the interests of the State of Maine and the bonds that they issue.

I think the second point that we ought to keep in mind is that we are dealing with established institutions. We are not dealing with a group from outside the state that wants to come in and try a new industrial adventure or something like this. We are talking about institutions of higher learning that have been in this state for a number of years and that are functioning. But we would like to offer some help to them, as far as the bonds that they have to buy to construct more buildings for these institutions. These colleges and universities, vocational schools and whatever else have been here for a number of years, are established, and are making it now under the present situation and we are trying to help them a little further in the rate of interest that they will have to pay on future buildings.

So I think that these two points, along with the point that Mr. Bither brought out, that this thing will go to the people and the people will decide and a future legislature will decide on the enabling legislation, I cannot see the fears

that a number of people have raised today. So with this in mind I hope that you enact this bill today.

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

Mr. DUDLEY: Madam Speaker and Ladies and Gentlemen of the House: I would like to think that I represent a very intelligent group of people in the State of Maine, where I come from and they have made some very important decisions on these bond issues in the past. In some cases, they voted against them and turned down a bond issue. And I would like it if they still had that chance.

Having been here a long time, I have seen this House do things, and they felt they were wrong as time went by. And one of these things that they have done so many times is delegate their power, if you want to have it that way. And many times, as I look back, after they have had some experience here, they say, "gee, we really should not have done that."

So these are the areas that I do not want to get into this morning. I do not want to delegate any power from the people. I want them to vote on these bond issues individually, because they do pass some and they do turn down some and I am sure they will continue to do that. I think that the people where I come from are starting to have a feeling that they don't want to pass too much along to their grandchildren. They are more willing to face up to the problems of today and try to build these schools or what have you and all these projects. But as of now, we have passed quite a lot along to our children and our grandchildren. And I think that this is making our grandchildren and our children a little dissatisfied with government today because they do not come into a free society, like we did. They come in confronted with debts when they become voting age.

I do not want to further disenfranchise these young people by having them face a stone wall when they become of voting age with all these debts that we have left them. I personally feel that

way. But I feel that the people that I represent in general feel the same way, that we have gone about as far as we should with this bond indebtedness.

However, I want them to consider this bond indebtedness individually, not this type of legislation. So I do urge you to disapprove of this legislation today because you will be glad you did if you stay around here a few years. You will be glad that you did not delegate your power any further.

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

Mr. LYNCH: Madam Speaker and Ladies and Gentlemen of the House: I think there still remains a conflict here and I think there remains a conflict between the thinking of the committee. On L. D. 255 it was the unanimous consent of the committee to amend the bill to require public referendum. Now on 520, they are willing to go along with the elimination of the public referendum. I don't know whether they are trying to have the best of two worlds or not, but they certainly are not consistent in their thinking.

The SPEAKER pro tem: The pending question is on the motion of the gentleman from Bath, Mr. Ross, that this Resolution be indefinitely postponed. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Ault, Baker, Berry, G. W.; Berry, P. P.; Binnette, Birt, Boudreau, B r a g d o n, Brawn, Briggs, Brown, Bunker, Cameron, Carey, Carrier, Carter, Chick, Clark, Cooney, Cote, Cottrell, Cressey, Crommett, Dam, Davis, Deshaies, Donaghy, Dow, Dudley, Dunn, Dyar, Emery, D. F.; Evans, Farnham, Farrington, Faucher, Finemore, Flynn, Gahagan, Garsoe, Goodwin, H.; Hamblen, Hancock, Henley, Herrick, Hewes, Hobbins, Hoffses, Hunter, Immonen, Jackson, Jacques, Jalbert, Kelleher, Kelley, Keyte, Kilroy, Knight, Lawry, Lewis, E.; Littlefield, Lynch, Maddox, Maxwell, McCormick, McHenry, McMahon, McNally, McTeague, Merrill, Morin, L.; Morton, Murchison, Najarian, Norris, Palmer, Parks, Peter-

son, Pontbriand, Pratt, Ricker, Rollins, Ross, Santoro, Shaw, Sheltra, Shute, Silverman, Simpson, L. E.; Snowe, Soulas, Sproul, Stillings, Tanguay, Theriault, Tierney, Trask, Trumbull, Walker, Webber, Wheeler, White, Willard, Wood, M. E.

NAY — Bither, Chonko, Conley, Connolly, Curran, Curtis, T. S., Jr.; Drigotas, Dunleavy, Farley, Fecteau, Ferris, Fraser, Gauthier, Genest, Goodwin, K.; Greenlaw, Haskell, Huber, LaCharite, La-Pointe, LeBlanc, Lewis, J.; MacLeod, Mahany, Martin, McKernan, Morin, V.; Mulkern, Murray, O'Brien, Perkins, Rolde, Smith, D. M.; Smith, S.; Susi, Talbot, Tyndale, Whitzell.

ABSENT — Berube, Bustin, Churchill, Good, Hodgdon, Kelley, R. P.; Mills.

Yes, 104; No, 38; Absent, 7.

The SPEAKER pro tem: One hundred four having voted in the affirmative and thirty-eight in the negative, with seven being absent, the motion does prevail.

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

Mr. JALBERT: Madam Speaker, I move we reconsider our action whereby we indefinitely postponed this measure. When you vote, vote against me.

The SPEAKER pro tem: The pending question is on the motion of the gentleman from Lewiston, Mr. Jalbert, that the House reconsider its action whereby this Resolution was indefinitely postponed. All in favor will say yes; those opposed will say no.

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

Sent to the Senate.

At this point, Speaker Hewes returned to the rostrum.

SPEAKER HEWES: The Chair thanks the lady and commends her for a very excellent performance.

Thereupon, the Sergeant-at-Arms escorted Mrs. Berube to her seat on the floor, amid the applause of the House, the members rising, and Speaker Hewes resumed the Chair.

**Passed to Be Enacted
Emergency Measure**

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

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. 135 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 Appropriating Funds to Department of the Attorney General to Print Reports of Two Attorneys General (S. P. 335) (L. D. 1034)

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. 133 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 Transferring Funds from Appropriations to other Departments to the Department of the Attorney General. (S. P. 364) (L. D. 1078) (Emergency)

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

(On motion of Mr. Birt of East Millinocket, tabled pending passage to be enacted and tomorrow assigned.

Passed to Be Enacted

An Act Relating to the Rendering of Treatment and Services to Minors for Drug Abuse without Parental Consent. (H. P. 163) (L. D. 205) (H. "B" H-95)

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

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

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

An Act Extending the Appeal Period under Employment Security Law (S. P. 227) (L. D. 662)

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

An Act Authorizing All Counties to Collect and Dispose of Solid Waste on a Regional Basis (S. P. 270) (L. D. 795) (H "A" H-118 to H "A" H-106)

An Act to Extend Law Relating to Construction and Effect of Repealing Act to Include Municipal Ordinances (S. P. 286) (L. D. 833)

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

An Act Relating to Time Period for Use of Marriage Certificate (S. P. 315) (L. D. 981) (C "A" S-39)

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

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

Finally Passed

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

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

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

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

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

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

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

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

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

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

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.

Orders of the Day

The Chair laid before the House the first 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 22, by Mr. Simpson of Standish.

Pending — Passage to be engrossed.

On motion of Mr. Ault of Wayne, recommitted to the Committee on Human Resources and sent up for concurrence.

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

Bill "An Act to Establish Information and Referral Service in the Department of Health and Welfare" (H. P. 642) (L. D. 858)

Tabled—March 22, by Mr. Simpson of Standish.

Pending—Motion of Mr. Dyar of Strong to accept Majority "Ought not to pass" Report.

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

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

Bill "An Act Relating to Seizing Firearms Equipped with a Silencer" (H. P. 357) (L. D. 472) (C. "A" H-101)

Tabled — March 22, by Mrs. Baker of Orrington.

Pending — Acceptance of Committee Report.

On motion of Mrs. Baker of Orrington, the Report was accepted, and the Bill read once.

Committee Amendment "A" (H-101) was read by the Clerk and adopted.

The Bill was assigned for second reading tomorrow.

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

House Order relative to House Rule 49-A.

Tabled — March 22, by Mr. Simpson of Standish.

Pending—Passage.

On motion of Mr. Simpson of Standish, retabled pending passage and specially assigned for Thursday, March 29.

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

Bill "An Act Reimbursing Teachers for Professional Credits" (H. P. 838) (L. D. 1112)

Tabled — March 26, by Mr. Garsoe of Cumberland.

Pending—Further consideration.

On motion of Mr. Garsoe of Cumberland, the House voted to insist and ask for a Committee of Conference.

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

Bill "An Act to Appropriate \$278,000 to Establish a 2-Year Community College in York County" (H. P. 1237)

Tabled — March 26, by Mr. Jalbert of Lewiston.

Pending — Reference.

Thereupon, the Bill was referred to the Committee on Education, ordered printed and sent up for concurrence.

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

Bill "An Act to Provide \$50,000 to Purchase Land for a Wildlands Preserve in Warren Pond Area of York County" (H. P. 1250)

Tabled — March 26, by Mr. Rolde of York.

Pending — Motion of Mr. Haskell of Houlton to refer to Appropriations and Financial Affairs.

The SPEAKER: The Chair recognizes the gentleman from South Berwick, Mr. Goodwin.

Mr. GOODWIN: Mr. Speaker and Members of the House: I ask for a division and that it be voted down so that we could send this to the Committee on Natural Resources.

The SPEAKER: The pending question is on the motion of the gentleman, Mr. Haskell, that this matter be referred to the Committee on Appropriations and Financial Affairs.

The gentleman may proceed.

Mr. GOODWIN: Mr. Speaker and Ladies and Gentlemen of the House: I introduced House Paper 1250 in the hopes that the legislature may be able to save one of the last remaining large wildland areas of southern Maine. This present area is being threatened by a Boston developer who is coming into the area with a large scale mobile camping area. I feel that the committee on Natural Resources should have the chance to thoroughly screen this proposal for it is more than just an appropriation. Also at issue is an attempt to preserve one of the last remaining wild wetland areas in the southern part of the state. This area contributes a lot to hunting and fishing so people in our area don't have to travel hundreds of miles to reach some wild areas in the southern part of the state. This area contributes a lot to hunting and fishing for our area. People don't have to travel hundreds of miles to reach some wild areas. So I would hope that we defeat this motion to send it to Appropriations and then I will move to send it to Natural Resources.

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

Mr. HASKELL: Mr. Speaker and Ladies and Gentlemen of the House: The Appropriations Com-

mittee really isn't making an issue out of this. I discussed this reference with the Chairman of the Natural Resources Committee. It is a borderline situation that has implications for both committees and really, I suppose in the last analysis, gets down to the desires of the people interested in the bill. There is an appropriation tag on this. This is why I questioned the reference initially but it is a borderline case, and we are not taking a strong issue on it.

The SPEAKER: The pending question is on the motion of the gentleman from Houlton, Mr. Haskell, that House Paper 1250 be referred to the Committee on Appropriations and Financial Affairs. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

47 having voted in the affirmative and 79 having voted in the negative, the motion did not prevail.

Thereupon, the Bill was referred to the Committee on Natural Resources, ordered printed and sent up for concurrence.

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

Bill "An Act to Permit Furloughs to Inmates or Prisoners from County Jails" (H. P. 562) (L. D. 741)

Tabled — March 26, by Mr. Birt of East Millinocket.

Pending — Passage to be engrossed.

Mr. LaPointe of Portland offered House Amendment "B" and moved its adoption.

House Amendment "B" (H-132) was read by the Clerk.

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

Mr. LaPOINTE: Mr. Speaker and Ladies and Gentlemen of the House: As a result of the opposition's circulation of a newspaper article this morning, I feel as though I am on a Kamikaze mission of sorts. I would like to speak on the amendment that I have submitted to you this morning.

In essence, it changes two things. It calls for the rules and regulations that were previously going to be established by the sheriff's department in each of the individual counties to be subject to the review and approval of the Department of Mental Health and Corrections and in this way there would be an element of control and no arbitrariness in the establishment of these rules.

Secondly, there is an amendment calling for any person sentenced to a county jail for sixty days or less shall not be eligible for parole under this section except in the case of hospitalization for medical reasons. The reasons that I am submitting these two amendments are to tighten up the bill somewhat so that the arbitrariness that was previously deposited in the hands of the county sheriffs is subject to review; and secondly, at the urging of some other members of the House who were concerned about the granting of furloughs to people who are sentenced to county jails for less than sixty days, that they wouldn't be out on a furlough the first or second weekend.

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

Mr. DYAR: Mr. Speaker and Members of the House: I am opposed to House Amendment "B". To begin with, this piece of legislation allows a county sheriff to furlough prisoners that are under his jurisdiction. This amendment would make it subject to the approval of the Department of Mental Health and Corrections. Now under the present statutes of Title 30 and so forth, the county sheriff would be responsible for the people who are incarcerated within the county jails. Now, I don't think that he should have to, if he feels like furloughing a prisoner, that he should have to get the approval of the Department of Mental Health and Corrections. I think according to the press in the last few days, possibly the Department of Mental Health and Corrections should be getting some permission from the sheriffs to furlough men out of the state prison.

I also think in the second part of this amendment, that the

sheriff, if this bill, L.D. 741, is passed, I think the sheriffs should have the right to determine whether a person who is sentenced to 30 days, 60 days or 11 months, I think it should be his privilege to determine whether or not any person should be released on a furlough or work - release program. Now, if we are going to set this up to enable county sheriffs to handle this situation, let's leave well enough alone and leave the state out of it.

The SPEAKER: The Chair recognizes the gentleman from Bristol, Mr. Lewis.

Mr. LEWIS: Mr. Speaker and Ladies and Gentlemen of the House: First I would like to thank Mr. Birt for tabling this for me in my absence yesterday.

To start off with I am not going to use the well known cliche that I had no intentions of speaking on this article because I did. I have watched it from the time that it was printed, and I want to state emphatically that I have been opposed to it.

Having served on an interim committee during the past year, the Committee had the opportunity to visit every penal institution in the state. And as a result of those inspections, I have become firmly convinced that those who are supposed to be experts are leaning over backward to protect those who have committed a felony or a misdemeanor and have forgotten entirely about the victims and the results that have been inflicted on the relatives of victims.

I had the opportunity to visit my county jail knowing that this was a bill proposed by the Sheriff's Association here in Maine and I gathered some material. He told me that this was primarily to save the county some money because when the inmates were outside, it was not costing the counties any money for board and room. If this is the only reason that my sheriff particularly wanted to see these men or women who have broken the law out into society again, I think it is a very very poor excuse.

I asked for records in my county of inmates who have been sent to the state prison in Thomaston knowing that this procedure has

been in vogue in the state prison for some time now, seeking to find out how it had worked out. Now on paper they would have you believe that this is a pretty good program that is being carried out in the state prison at the present time. I asked for information on one person in particular. Naturally, the name has been deleted and no name will be used here. But I have a record here which is interesting because I knew the gentleman involved.

On June 8, 1971 in District Court he was charged with breaking, entering and larceny, and he was bound over to the Grand Jury and committed to the county jail. On November 2 in Superior Court, he was indicted for escape from county jail and he was sentenced to one to three years in the Maine State Prison. November 24, 1971 in Superior Court he was indicted for breaking, entering and larceny in the nighttime on two counts; breaking, entering and larceny, two counts; breaking and entering with the intent to commit larceny, three counts. He was sentenced for breaking, entering and larceny in the nighttime, one and one half years to six years in the Maine State Prison; breaking, entering and larceny, two counts, dismissed; breaking, entering with the intent to commit larceny, three counts, dismissed.

On September 26, 1972 he was released on furlough from the Maine State Prison. On September 28, 1972 at 8:00 p.m. when he was supposed to return, he failed to return from furlough and he was declared to have escaped from the state prison. September 30, 1972, he was apprehended and returned to the state prison. November 29, 1972 in Superior Court he was indicted for robbery on one count; breaking, entering and larceny, six counts; breaking and entering with the intent to commit larceny, one count, sentenced; robbery, one count, five to fifteen years in the Maine State Prison; breaking, entering and larceny, six counts, dismissed; breaking and entering with the intent to commit larceny, one count, dismissed.

I knew this individual personally. I think I could give you a little

more information other than what is here on the record. During his escape from the prison, he came into the adjoining town from me and on the river, the Damariscotta River, he stole a boat with an out-board motor; and he sailed down the river, and he came to a cottage that was occupied by an elderly gentleman. The gentleman had a new car in his yard. He went into the house, held up the gentleman, took his money, stole his car and took off in his car.

The SPEAKER: The Chair will inquire, the chap of whom you are speaking, was he on furlough? Is this relevant to this particular bill about furloughs?

Mr. LEWIS: Yes it is. He was on furlough during this time.

The SPEAKER: The Chair thanks the gentleman.

Mr. LEWIS: He was finally apprehended after demolishing the car and he is now serving time in state prison.

Personally, I feel that we are going much too far in coddling the prisoner and forgetting about the poor victims who have suffered as a result of his actions, and I move that the amendment be indefinitely postponed.

The SPEAKER: The gentleman from Bristol, Mr. Lewis, moves that House Amendment "B" be indefinitely postponed.

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

Mr. LaPOINTE: Mr. Speaker and Ladies and Gentlemen of the House: Probably like the gentleman that Mr. Brawn described in earlier debate on this particular issue, my only comment to myself at the time was that that person wasn't rehabilitated and probably shouldn't have gone out on furlough, and I share his concern about some of those sorts of people.

A recent article in the Maine Sunday Telegram done by the most able — although sometimes I disagree with him — Bill Caldwell, indicated that only three percent of those people who go out on furlough of a total amount of 700 in some way mess up their furlough and the privileges they have received as a result of their

rehabilitation program within the state's prison.

I submit to you that the old cliché that there is always a bad apple in every barrel probably is allowable here and that we have the other 97 percent who are trying to make good of their punishment, if you wish, in their stay in the state's prison and who are trying to get out and become productive, meaningful members of society. I hope that you won't just consider the three percent, that you will consider the other 97 percent and hope that you won't indefinitely postpone this amendment.

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

Mr. HENLEY: Mr. Speaker and Ladies and Gentlemen of the House: I am not too much in love with the bill as it was, even though I would go along with it, inasmuch as it is on the law for prisoner's of our state institutions. But I oppose this amendment in that it is too difficult to implement. In the first place, if we cannot trust our sheriffs to use their own judgment on this, why, we shouldn't pass the law whatsoever. We are tying them up by making it necessary for him to contact the Department of Mental Health and Corrections each time something like this occurs.

Furthermore, the restriction for sixty days, if we can allow the sheriff to have some discretion in cases of illness, death or that sort of thing and allow some of these prisoners to have a brief up to 48-hour furlough, we should leave it up to them to make that judgment. I feel that this amendment here, filing number H-132, only confuses the issue and I hope that you will support the move to indefinitely postpone.

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

Mr. BRAUN: Mr. Speaker and Ladies and Gentlemen of the House: I heard the man say about the bad apples in the barrel. These are all bad apples in this barrel or they wouldn't be there. Now if you people have ever served on juries, you will know that when

a man takes a little girl of three years old and commits unmanly acts with her so that this girl dies and this is the only child these people ever had or ever could have and then they go to work and sentence him to prison, do you think those people want that man to have a furlough? I don't.

The SPEAKER: The pending question is on the motion of the gentleman from Bristol, Mr. Lewis, that House Amendment "B" be indefinitely postponed. All in favor will vote yes; those opposed will vote no.

A vote of the House was taken. 97 having voted in the affirmative and 34 having voted in the negative, the motion did prevail.

The SPEAKER: The Chair recognizes the gentleman from Bristol, Mr. Lewis.

Mr. LEWIS: Mr. Speaker, I now move indefinite postponement of the bill.

The SPEAKER: The gentleman from Bristol, Mr. Lewis, now moves the indefinite postponement of L. D. 741.

Mr. LaPointe 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 Bristol, Mr. Lewis, that L. D. 741 be indefinitely postponed. Those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Ault, Berry, G. W.; Berry, P. P.; Berube, Binnette, Birt, Bither, Bragdon, Brawn, Brown, Bunker, Cameron, Carey, Carrier, Carter, Chick, Chonko, Churchill, Conley, Cote, Cressey, Crommett, Dam, Davis, Deshaies, Drigotas, Dudley, Dunn, Emery, D. F.; Evans, Farrington, Faucher, Ferris, Finemore, Flynn,

Gauthier, Genest, Hamblen, Henley, Herrick, Hoffses, Hunter, Immonen, Kelley, Kelley, R. P.; Keyte, Knight, Lewis, E.; Lewis, J.; Littlefield, MacLeod, Maddox, Maxwell, McCormick, McMahon, McNally, Merrill, Mills, Morin, L.; Murchison, Palmer, Parks, Pontbriand, Pratt, Ricker, Rollins, Shaw, Shute, Silverman, Simpson, L. E.; Snowe, Soulas, Sproul, Stillings, Susi, Tanguay, Theriault, Trask, Trumbull, Tyndale, Walker, Webber, Willard.

NAY — Baker, Boudreau, Briggs, Clark, Connolly, Cooney, Cottrell, Curran, Curtis, T. S., Jr.; Dow, Dunleavy, Dyar, Farley, Farnham, Fecteau, Fraser, Gahagan, Garsoe, Good, Goodwin, H.; Goodwin, K.; Greenlaw, Hancock, Haskell, Hobbins, Jackson, Jacques, Jalbert, Kelleher, Kilroy, LaCharite, LaPointe, Lawry, LeBlanc, Lynch, Martin, McHenry, McKernan, McTeague, Morin, V.; Morton, Mulkern, Murray, Najarian, Norris, Perkins, Peterson, Rolde, Santoro, Sheltra, Smith, D. M.; Smith, S.; Talbot, Tierney, Wheeler, White, Whitzell, Wood, M. E.

ABSENT — Bustin, Donaghy, Hodgdon, Huber, Mahany, O'Brien, Ross.

Yes, 84; No, 58; Absent 7.

The SPEAKER: Eighty-four having voted in the affirmative and fifty-eight having voted in the negative, with seven being absent, the motion does prevail.

The Chair recognizes the gentleman from Bristol, Mr. Lewis.

Mr. LEWIS: Mr. Speaker, I now move that we reconsider our action and I hope you vote against me.

The SPEAKER: The gentleman from Bristol, Mr. Lewis, having voted on the prevailing side moves that the House reconsider its action whereby it indefinitely postponed L. D. 741. All in favor will say yes; those opposed will say no.

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

Mr. Silverman of Calais was granted unanimous consent to address the House.

Mr. SILVERMAN: Mr. Speaker and Members of the House: I draw your attention to this report which was placed on your desks last week: Community Investment Buildings — An Approach to Maine's Industrial Development, which was prepared by the Maine Department of Commerce and Industry. Personalized copies of the report have been placed on your desks last week to all members of this assembly and have been distributed to members of the upper house.

The report discusses the concept of community investment buildings as a means of stimulating the economy and generating increased tax revenues at the community level. It also points up the success achieved by several Maine communities that have carried out community investment building projects.

I would recommend this report to all members of this legislature and ask you to become generally familiar with its contents. You will find the report helpful in gaining a proper understanding of L. D. 1572, An Act to Create Community Industrial Buildings in Maine. This act, which I submitted, is designed to create new job opportunities in the economically deprived areas of our State of Maine.

At this point, the Speaker appointed the following House members to the Council on State Governments Committees on Consumer Protection, Environment and Taxation:

Messrs. HUBER of Falmouth—
 Environment
 McKERNAN of Bangor—
 Consumer Protection
 FERRIS of Waterville—
 Taxation

On motion of Mr. Simpson of Standish,

Adjourned until nine o'clock tomorrow morning.