

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

1st Special Session

OF THE

*One Hundred and Sixth
Legislature*

OF THE

STATE OF MAINE

1974

Kennebec Journal
Augusta, Maine

HOUSE

Tuesday, February 26, 1974

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

Prayer by the Rev. Richard Cleaves of Augusta.

The journal of yesterday was read and approved.

Order Out of Order

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

ORDERED, that William Dalton, Deborah Gonyar and Susan Sylvia of Orono and Stephen Otis and Richard St. Louis of Veazie be appointed Honorary Pages for today.

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

Papers from the Senate

Reports of Committees

Ought Not to Pass

Committee on State Government on Bill "An Act Relating to Examining and Certifying Boards" (S. P. 840) (L. D. 2381) reporting "Ought not to pass"

Committee on Veterans and Retirement reporting same on Bill "An Act to Establish the First Day of a Calendar Month as a Uniform Retirement Date and to Make Retirement at Age 65 Mandatory" (S. P. 868) (L. D. 2435)

Same Committee reporting same on Bill "An Act Relating to Retirement of Attorney General, Deputy Attorneys General and Assistant Attorneys General" (S. P. 830) (L. D. 2364)

Same Committee reporting same on Resolve Providing a Minimum Service Retirement Allowance under the State Retirement Law for Alice Weston Wyman (S. P. 770) (L. D. 2217) Emergency

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

Leave to Withdraw

Committee on Fisheries and Wildlife on Bill "An Act to Establish a Daily Limit on Salmon" (S. P. 777) (L. D. 2224) reporting Leave to Withdraw.

Came from the Senate with the Report read and accepted.

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

Covered by Other Legislation

Committee on Education on Bill "An Act Transferring Responsibility for Post-Secondary Vocational Education from the Board of Education to the University of Maine and Modifying Membership of the Board of Trustees" (S. P. 848) (L. D. 2417) reporting Leave to withdraw as covered by other legislation.

Came from the Senate with the Report read and accepted.

In the House, the Report was read.

On motion of Mr. Simpson of Standish, the Bill was recommitted to the Committee on Education in non-concurrence and sent up for concurrence.

Ought to Pass in New Draft

Committee on Judiciary on Bill "An Act Relating to Hospitalization of the Mentally Ill" (S. P. 815) (L. D. 2312) reporting "Ought to pass" in New Draft (S. P. 908) (L. D. 2513) under same title.

Came from the Senate with the Report read and accepted and the New Draft passed to be engrossed as amended by Senate Amendment "A" (S-360).

In the House, the Report was read and accepted in concurrence and the New Draft read once. Senate Amendment "A" (S-360) was read by the Clerk and adopted in concurrence and the New Draft assigned for second reading tomorrow.

Non-Concurrent Matter Tabled and Assigned

Bill "An Act Creating a Bureau of Institutional Resident Representatives within the Maine Human Rights Commission" (H. P. 1749) (L. D. 2208) which was passed to be engrossed as amended by Committee Amendment "A" (H-692) in the House on February 20.

Came from the Senate with the Bill indefinitely postponed in non-concurrence.

In the House: On motion of Mr. Goodwin of South Berwick, tabled pending further consideration and tomorrow assigned.

Petitions, Bills and Resolves Requiring Reference

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

State Government

Bill "An Act Relating to the Office of Maine's Elderly and the Priority Social Services Program" (H. P. 1983) (Presented by Mr. Martin of Eagle Lake)

Committee on State Government suggested.

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

Mr. ROSS: Mr. Speaker, Ladies and Gentlemen of the House: This Legislature has been criticized, harangued and maligned by many sources in the last few weeks, including the press, Mr. Timothy Wilson and large segments for doing nothing except dragging our feet, not paying attention to things and meeting for only a short time on Mondays and Fridays. In general, we have been accused of wasting the time and money of the taxpayers of the State of Maine. These comments of censure are certainly not justified when we apply them to the legislature as a whole. They only serve to degrade both of these bodies and completely destroy any semblance of public confidence, and I think this is very unjustifiable. But if that is what the perpetrator of these ideas want, they certainly are doing a splendid job, and I believe that it is about time that someone spoke out for the great majority of the individual legislators in both of these bodies because these persons are still honest, conscientious and hard-working people from all over our great state, and I for one hate to see them maligned.

Now, those of us who are just plain legislators had nothing to do with the format of this session. Other special sessions, and I have seen a great many of them, are limited to a few bills and therefore, by intense concentration, these sessions have lasted between one and four weeks. But this is something else again. We have before us 500 bills. The Governor and his office let in 200,

approximately, and leadership of both political parties let in the balance.

I have been talking to many members of this group of people in the legislature, and they do not approve of this. But since our Governor and our leadership on both sides of the political spectrum set down these ground rules, the great majority of the people in here are working to the very best of their ability to keep within these guidelines. Certainly we meet a short time on Mondays and Fridays. We do this only to help speed up the overall session by taking certain necessary legislative action that must be taken before we start a new day.

We have before us today a great example of inefficiency that is not the fault of people in this legislature, except two or three persons, and that is both in the House and the Senate. This was a bill of the Governor's. It was in his call and it was approved in December. And just today, on February 26, it is appearing on our calendar to be referred to a committee. If we are going to place the blame on anyone for this type of thing, it can either be upon the executive branch or the sponsor, because this is his bill from his office or the sponsor's bill, and they certainly realize how it was coming along and that it was not going to be ready for us until this late date, and I think that they, even though it is a very important subject, should have either worked more diligently on this or at least done something to expedite its procedure and its appearance before us today. But we certainly cannot blame this body or the other body for things like this which are slowing us, our legislature.

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

Mr. MARTIN: Mr. Speaker, Ladies and Gentlemen of the House: I want to assure the gentleman from Bath, Mr. Ross, that I can defend myself on the problem. I am not sure that the Governor can, because he obviously cannot speak as a member of this body while this body is in session. I am sure he can tell the press and the press will be happy to carry his message.

I do think, however, that we ought to put this in perspective, both of this bill, other bills, so that we are aware of what

we are talking about. In the Governor's call were some 35 to 40 items. Since that time, he has asked the legislative leadership to include some maybe 10 other bills. Legislative leadership, at its screening committee meeting, allowed in excess of 200 bills. The Cost Management Survey accounts for roughly 91 bills. That is how it breaks down. After we came in, of course, we were then hit by individual members on a one to one basis for bills which dealt with them in their own specific areas; for example, water districts, school board problems, et cetera. We probably allowed 30 of those or so since January 2.

Now specifically as to this bill. This bill was, in fact, in the Governor's call. It was in the call because of problems in the original bill passed at the last session. If the gentleman from Bath had checked with me, I would have been happy to give him what work had been done since January to get this bill in. This bill is a rather lengthy bill. It has been worked on by legislative staff, and legislative staff has just been able to complete the bill. This is the result of the committee's work. This is the result of staff work of the legislature.

I agreed to be the sponsor last November because I knew it had to be introduced, but beyond that, I did not know of its contents nor did I know what the staff was going to be recommending to us.

The reason for its lateness can be explained. It is very simple. Obviously, if we don't want to deal with it, we don't have to. That is true of every other bill before us. But let me remind you, and in particular the gentleman from Bath, Mr. Ross, that this session was called in part to deal with the energy crisis, and to my knowledge, we have one bill that has been signed into law dealing with the energy crisis. And that was the bill that I introduced that dealt with variances and variance tolerances to be allowed by the Department of Environmental Protection. That is the only one; the others are still around here. We have been here a long time, and I think we deserve to be criticized. And the gentleman from the Civil Defense Office is absolutely right in what he said to us. It is true that he may not understand the

political process and he may have problems there, but that bill has been lying over there in the other body for three weeks. Either we pass it or we kill it.

The gentleman from Standish, Mr. Simpson, yesterday, at the Maine Publicity Bureau meeting, according to the press, said that we are going to pass that legislation and that we are going to maintain the Watts line for the people to be calling during the summer months, which I think we have got to do. But somehow we have got to start doing it.

I think if you ask the average citizen who they would rather believe right now, Tim Wilson or the Maine Legislature, I suspect Tim Wilson would win 10 to 1 and we would lose, and maybe we deserve to lose. So we ought to think about that before we start criticizing people who put in bills for other people.

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

Mr. SIMPSON: Mr. Speaker, Ladies and Gentlemen of the House: I haven't had the opportunity to read the paper this morning, but I don't know as I ever told anybody yesterday that we were going to pass that particular bill. I was asked the question as to what the problems were with the bill and just exactly what was taking place. I am sure if I was quoted properly, the Watts line that we were referring to was a Watts line that will be established at the Kittery Information office for people who are traveling into the state so that the different publicity bureaus around the state and the chambers of commerce around the state can give us an accurate reporting on a weekly basis, or even a bi-weekly basis, or even shorter if we can, relative to just exactly what the gas situation is for the people of the State of Maine so that when they come in here they can know whether they are going to be able to get out or not.

As to whether Mr. Wilson was correct or not correct, I personally will stand here right now and tell him I think he was totally incorrect. I believe that we are in this legislature right now because of a Governor's call, and that Governor's call includes a tremendous amount of bills.

I don't know what committee the gentleman is referring to, but I would like to have him tell me what committee he is referring to that worked on this particular piece of legislation, and I would like to know if the Governor's Office is preparing the legislation why the Governor's staff didn't prepare it instead of our staff working on it when they should have been working on legislation before us at the present time.

I would also like to state that maybe I ought to have the Clerk hold the bill up and show it to you. If it has taken three months for this bill to be drafted — and I understand from the people who did work on it, it still has a considerable amount of problems, that the other day, when we had an order in here when we wanted to try to deal with a problem, which I believe is a serious problem involving the Human Rights Commission, we were told at that time that the State Government Committee couldn't handle more legislation, especially something as heavy as that. Now take a good look at this one, and the State Government Committee is going to have to have a public hearing on it and hold it.

Well I am just saying that the other day we sat here and we listened to the other corner stand up and tell us how wrong we were with all the insignificant bills and how we were wasting time here. I am saying that I am willing to let this bill in. We voted way back in the early part of December, the Reference of Bills Committee, to consider it as part of the Governor's call, but I am still saying that if the Governor wanted it in, he should have had it in here the first of January, he should have got it worked on at that time.

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

Mrs. GOODWIN: Mr. Speaker, Ladies and Gentlemen of the House: First, I would like to remind the gentleman from Standish that he has a bill before the State Government Committee this afternoon which is completely superfluous, and that is the State's Equal Rights Amendment. I think perhaps that is wasting our time.

But to get back to this particular piece

of legislation, the committee is the Maine Committee on Aging. This came out of the Blaine House Conference. It is an incredibly complicated piece of legislation. It is intended to correct the errors which we instituted in the legislation last year and the circumvention perpetrated on us by the Department of Health and Welfare. It took a long time to draft this so that the Department of Health and Welfare would know what it could and could not do and would follow legislative intent.

This is probably one of the most important pieces of legislation to come before this special session, especially as pertains to the elderly. If we have time to sit here hour after hour and debate the number of pellets in a shotgun shell, we certainly have time to decide the direction of Maine's elderly in the future.

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

Mr. MARTIN: Mr. Speaker and Members of the House: I am sure the gentleman from Standish would maybe want to correct the record, if it is wrong. I would like to quote from the Bangor Daily News, today's paper. "Larry Simpson of Standish, President of the MPB and majority leader of the Maine House of Representatives, said that the Fuel Allocation Office and hot line would be funded in some fashion."

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

Mr. SIMPSON: Mr. Speaker, Ladies and Gentlemen of the House: If that happens to be the fact, it was quoted in the Bangor Daily News, it is totally inaccurate.

Thereupon, on motion of Mr. Finemore of Bridgewater, the Bill was referred to the Committee on State Government, ordered printed and sent up for concurrence.

Orders

Mr. Dyar of Strong presented the following Joint Order and moved its passage:

WHEREAS, the Honorable Mary W. Payson of Falmouth was the principal architect of the Maine Management and Cost Survey; and

WHEREAS, it was Representative Payson who persistently persuaded passage of House Paper 1564 at the special session of the 105th Legislature, thus enabling the survey; and

WHEREAS, it is indeed appropriate and unquestionably desirable that such foresight and achievement not pass unnoticed by Members of the 106th Legislature; now, therefore, be it

ORDERED, the Senate concurring, that the Members of the Senate and House of Representatives of the One Hundred and Sixth Legislature in recognition of the importance of her invaluable contribution extend to our friend and former colleague, the Honorable Mary W. Payson, our sincere thanks for her distinguished accomplishment which has served so well as she had anticipated as the foundation for numerous recommendations calculated to improve the process of government; and be it further

ORDERED, that an appropriate copy of this Order be transmitted forthwith to Mrs. Payson conveying the gratitude expressed herein. (H. P. 1986)

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

Ought Not to Pass

Mr. Bither from Committee on Education on Bill "An Act to Provide Continuance of Private Post-Secondary Institutions Serving Significant Public Functions" (H. P. 1841) (L. D. 2333) reporting "Ought not to pass"

Mr. Carrier from Committee on Judiciary reporting same on Bill "An Act Providing Professional Immunity to Red Cross First Aid Personnel in Emergency Cases" (H. P. 1951) (L. D. 2497)

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

Referred to Committee on Natural Resources

Mr. Perkins from Committee on Judiciary on Bill "An Act Relating to Damages for Violating the Bulldozing of Rivers, Streams and Brooks Law" (H. P. 1820) (L. D. 2307) reporting that it be

referred to the Committee on Natural Resources.

Report was read and accepted, the Bill referred to the Committee on Natural Resources and sent up for concurrence.

Ought to Pass in New Draft New Draft Printed

Mr. Farnham from Committee on State Government on Bill "An Act Establishing a Commission on Maine's Future" (H. P. 1926) (L. D. 2458) reporting "Ought to pass" in New Draft (H. P. 1984) (L. D. 2528) under same title.

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

Divided Reports

Majority Report of the Committee on Election Laws on Bill "An Act Relating to Elections to the House of Representatives" (H. P. 1985) (L. D. 2530) reported pursuant to Joint Order (H. P. 1968) reporting "Ought to pass"

Report was signed by the following members:

Messrs. SHUTE of Franklin
CIANCHETTE of Somerset
JOLY of Kennebec
—of the Senate.

Messrs. ROSS of Bath
HANCOCK of Casco
KAUFFMAN of Kittery
BINNETTE of Old Town
Mrs. BOUDREAU of Portland
SNOWE of Auburn
KELLEY of Machias
—of the House.

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

Report was signed by the following member:

Mr. HOFFSES of Camden
—of the House.

Reports were read.

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

Mr. ROSS: Mr. Speaker, I move that the House accept the Majority "Ought to pass" Report.

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

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

Mr. HOFFSES: Mr. Speaker, Ladies and Gentlemen of the House: I would call your attention to the very one-sided report from the Committee on Election Laws.

This particular document, the first portion of it I have absolutely no objections to, none whatsoever. What I do call your attention to is section 4 on page 2, and the necessity for this language in this particular bill, I think we well know the reason for it; namely, the result of the bipartisan reapportionment committee and the subsequent report of the courts.

I would like to make it very clear at the outset that this is not a case of sour grapes, far from it, because I had made up my mind as to what my political future was, as far as 1974 was concerned, about the time the first frost was on the pumpkin. I would also point out to you that in this reapportionment document which we have that I hold in my hand, my particular legislative district was not affected in any single manner whatsoever. The district remains the same. So this is not a case of sour grapes.

I do want to make mention of this thing because I feel that it is going to have some long-range repercussions when we go back home and your peers go to the polls to cast their vote. I feel that the blue-ribbon committee on reapportionment were far more concerned about numbers and percentages than they were about the welfare of the people of the State of Maine. And I say that, I believe, with some small degree of knowledge and understanding.

I was on a House reapportionment committee before a great many of you ladies and gentlemen here in this body were ever here to serve in this capacity. Ten years ago we proceeded to reapportion the House. Now, my particular county lost one legislative seat, but we did do one thing. We considered the people in our respective communities. And the same applied to each and every other legislative district in the state.

I will hasten to admit that we did not reapportion the House to the fraction of a

percentage point deviation from the norm. We had some districts which were far below the norm. We had other districts which were considerably above the norm, but the people knew where they were going to cast their vote for their respective legislative candidates. I say to you today that there are many people in the State of Maine that come June 11 will not know where they are supposed to go to cast their vote.

Now, this blue-ribbon committee report on apportionment this body rejected and it was sent to the courts according to law. The courts, in their infinite wisdom, decided to rubber stamp, basically, this blue-ribbon report. Now I say to you that I believe that here and now is the opportunity for the legislative branch of government to return this document to the courts, to the commission, that they can complete their job. I say their job is not complete because they have set up the districts without concern or regard of the cost of the taxpayers or the frustration to the Secretary of State's office and to the expense which the taxpayers are going to be involved in.

I believe that if this document is going to continue, which this particular section 4 has been required to insert, that they should take it back and they should set up new voting precincts which involves buildings, it involves voting machines, it involves the cost of paying for the ballot clerks, rather than to impose the expense upon the municipalities.

This document as it now stands means that the Secretary of State Department is going to have to print up colored ballots. That, in turn, is going to cost you and I, the taxpayer, money which the courts and this commission have not provided for.

Now let's get down to the problems of our peers, the people who sent us here to represent them. And I am going to cite an example here that I think in due time is going to come back to all of us relative to the matter of voting in the June primary of which this particular section has been inserted to endeavor to cover. Mrs. Jones goes to her voting precinct to cast her ballot. She approaches the ballot clerk; she gives her name and the street that she lives on. The ballot clerk

says to Mrs. Jones, "Do you live on the north side or the south side of Summer Street?" Well, "I live on the west side. Summer Street goes north and south. Oh yes, that is right." So she proceeds to give the lady a blue ballot. "Mrs. Jones, this is your ballot." The lady sitting next to the ballot clerk, the other one says, "Psst, Mrs. Jones lives next to my son-in-law, and she is on the same side of the street. Oh, oh, just a moment, Mrs. Jones, I gave you the wrong ballot. You must have the yellow ballot." So Mrs. Jones comes back and receives the yellow ballot.

Now in the case of voting machines, Mrs. Smith comes in, she gives her name and her street number and she is asked which side of the street she lives on. Well, she doesn't know whether she lives on the east or the west or the north or the south, but it is finally determined that she lives on this particular side of the street. "Very well, Mrs. Smith, when you go into the voting booth and there has been an error and it is determined that she lives on the other side of the street. So the ballot clerks, how do they solve this problem? They say, "Mrs. Smith, you are supposed to pull the pink handle." Now I think we all know that voting machines have only one lever to pull. So I ask you and I ask the courts and I ask the commission, how do we solve this problem? I can assure that come June 11 there is going to be that trouble. And let me say here and now that this problem is not going to be blamed upon the commission. It is not going to be blamed upon the court which has basically rubber stamped it, it is going to be blamed on you, the members of the legislature, who are the nearest to the people. You are the ones that are going to be blamed for this fiasco which I believe that it is going to result in.

I have been around here long enough to know that I will undoubtedly receive less than poor support for this measure, but nevertheless, I would like to be on record as opposing this bill for this particular reason that I have pointed out to you for the requirement of this section 4. And Mr. Speaker, when the vote is taken, I would request the yeas and nays.

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

Mr. ROSS: Mr. Speaker, Ladies and Gentlemen of the House: What the gentleman from Camden, Mr. Hoffses, says is probably very truthful.

Now, I agree that there will be many problems, and I will agree that many people may not know where they are going to vote. But it is up to those of us who will be running for seats in the House to try to the very best of our ability to let them know. But I don't believe it is feasible to give this back at this point in time to the court. Now whether or not we agree or disagree with this decision of the law court, it has been made and it is now a fait accompli and in my opinion we must now try to implement it as best we can.

Now, the first two sections of this bill are very simple. They say that the number of signatures which you must have on your nomination papers shall be the specific numbers for every member of the House of Representatives, between 25 and 50 signatures, rather than a set percentage of the last gubernatorial vote.

Now, in the third and fourth sections it says that in the cities or towns which have more than one district, you shall have more than one colored ballot so that you can differentiate between these candidates. I will agree that we have no provision in there now for voting machines. I am sure there is going to be a problem, but it is a problem that the courts can't handle; it is a problem that must be handled by the Secretary of State's Office and this legislature. I just maintain that this bill before us today, with the exception of voting machines, does as best we can to implement the decision of the Supreme Court.

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

Mr. BIRT: Mr. Speaker, Ladies and Gentlemen of the House: I think probably there is a requirement to answer a few of the comments that have been previously made.

I guess probably when we are faced with a situation in which one person represents 11,028 people and another person represents somewhere in the neighborhood of 4,500 people, there is a gross inequity. I think probably the one thought that comes to my mind to sum

up this whole thing is that we basically, presently, and I mentioned this to some people, that we basically have a very excellent Constitution, one of the finest in the United States. Interestingly enough, this Constitution—and many people have never realized this — this Constitution was reviewed by Thomas Jefferson. He was an excellent and very good friend of William King, the first Governor of this state. Thomas Jefferson reviewed this entire Constitution and he made only one comment, he said, "you have a very excellent Constitution" he said, "I find only one thing wrong with it, that you do not elect your representatives on the basis of one man one vote." A hundred and fifty-four years later we are doing this, and I am proud to say so.

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

Mr. DAM: Mr. Speaker, Ladies and Gentlemen of the House: I couldn't agree anymore wholeheartedly with anyone than I do with the gentleman from Camden, Mr. Hoffses. And maybe, according to the statement of Mr. Ross from Bath, it would be too late to do anything with the plan, but I know what it has done in my town in Skowhegan. Before we started this reapportionment business, I had 7,601 people, according to the last census. So evidently I had a little too large a district, so I had to be brought down to the magic figure. I was brought down to the magic figure, I will have roughly now between 4,800 and 4,900 people. The town of Fairfield will pick up one half of the town of Skowhegan.

Now this is going to be confusing enough when they go to vote because they are going to say, "Which side of the road do you live on," just like Mr. Hoffses said. Evidently when they looked at the map someone looked at the map kind of wrong because where they cut me off at the Skowhegan Drive-in Theater, they also, just before I got there, two streets before I got there, they took one street out of the center of the town. So this is real interesting.

As the whole report reads, of course you go to an unnamed road to an unnamed street to an unnamed road. Well we have got the names on the map

partly, and I do know somewhere where I am in Skowhegan, and I spent 46 years there but for awhile I was confused. But as I told the Road Commissioner, he is a good friend of mine, we will have to put some stakes up and we will put Dam's Country with arrows pointing this way and we will say Fairfield at large over this way and maybe the people will know where they are.

But this is not the only confusion, because in this coming election Skowhegan, with the county commissioner districts of Somerset, does not vote for a county commissioner; Fairfield does. Therefore, the people that are in my legislative district, they won't vote. The people that are in the town of Skowhegan's legislative district who go to Fairfield won't be able to vote for a commissioner, so there will have to be a separate ballot prepared there without the commissioners name on it. Then, when we get into the school reapportionment part, assuming we don't do anything at all in this legislature and we let the other bill stand, the people up in the north end of my town, they won't vote in Skowhegan, they will go to Cornville to vote.

Now, I just don't know just how much farther we are going to go because every time we have an election we are going to have to tell these people, well, this time you are going to have to vote in Fairfield. Next time half of you, well, almost half, can vote with Skowhegan. But the same time you vote with Skowhegan, if anything comes up according to school districts, you will have to then go over to Cornville and vote too. The people are quite confused, and I am quite confused. I am confused at why is it because I have 7,601 people I had too large a district, but now I can have 4,800 and 4,900 people and I have got the ideal district. I think somewhere along the line someone pulled a big boo-boo because they didn't look at the map, they didn't add the figures up, and they didn't know what they were doing.

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

Mr. CURTIS: Mr. Speaker and Members of the House: I would like to pose a question to the gentleman from Bath, Mr. Ross or any other member of

the Election Laws Committee if they would be able to answer it for me.

I have been looking back a few bills to L. D. 2526 and see a Section 14 in there that refers to where people are able to vote. My question is this, under the proposals from the Election Laws Committee, is it necessary for every representative district to have a polling place within that district?

The SPEAKER: The gentleman from Orono, Mr. Curtis, poses a question through the Chair to any member who may answer if he or she wishes.

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

Mr. ROSS: Mr. Speaker and Members of the House: The gentleman from Orono, Mr. Curtis, referred to a bill that hasn't come before us as yet, although it is a prior numbered bill, 2526, it is an omnibus bill. And before that comes to you, you will have an explanation of each one. If we pass this bill, it will not be necessary to have your polling place right in the district. It might be across the street or it might be a couple of streets up.

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

Mr. McKERNAN: Mr. Speaker, Ladies and Gentlemen of the House: I just have a couple of comments on this bill. That is, in the provision it is going to require people from multi-membered districts to have to get more signatures than people from single-member districts. Although I will vote for the bill this time, I plan to offer an amendment to change that. I certainly don't feel that I have any extra privileges or any extra power here in the House than someone coming from a single-member district, and I don't see why I should be required to get 125 signatures when somebody else has to get 25.

I wish that someone from the committee could respond to this if they have a reason why I should have to.

The SPEAKER: The Chair recognizes the gentleman from Casco, Mr. Hancock.

Mr. HANCOCK: Mr. Speaker, Ladies and Gentlemen of the House: In regard to the extra number of signatures that are needed in a position like the City of

Bangor or Portland or Lewiston is because that the House and the courts chose not to have single-member districts. If there were single-member districts in the City of Bangor, you would only be required to have the 25 signatures minimum, 50 maximum. However, as there are I believe five representatives from Bangor, you need five times that amount for the minimum and maximum, because you are elected by the people at large in the City of Bangor, not by a single-member district.

Now, while I am on my feet, there is something I would like to correct that bothered me a little bit that the gentleman from Camden, Mr. Hoffses, said. He mentioned that the House rejected the commission's report on reapportionment. This is not true. I regret to say that the House, this legislative body, never had an opportunity to vote on that commission report. We did vote on an extensively amended edition of that report. And he is quite right that at that time it was rejected. Once it was rejected, it then had to go to the courts; it had to go to the courts, and they have come out with this version.

Mr. Hoffses, Mr. Dam, other people who have spoken, are 100 percent correct when they say there is going to be confusion in some areas. I can certainly see that coming. What the Election Laws Committee has attempted to do is to clarify this as much as we possibly can so that there will be as little confusion as possible under the circumstances that we do have to work with.

Now the gentleman from Bath is also correct in his statement when he says it is up to us, the candidates, to help clarify this as much as we possibly can.

I hope that I have answered the gentleman's question, from Bangor.

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

Mr. SPROUL: Mr. Speaker and Members of the House: I would like to pose a question, if I may, to the gentleman from Bath, Mr. Ross.

The SPEAKER: The gentleman may pose his question.

Mr. SPROUL: I am just wondering, in relation to voting machines, was there

any information or thought or any discussion whatsoever concerning a solution to voting machines?

The SPEAKER: The gentleman from Augusta, Mr. Sproul, poses a question through the Chair to the gentleman from Bath, Mr. Ross, who may answer if he wishes.

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

Mr. ROSS: Mr. Speaker and Members of the House: That was not specifically spelled out in the bill, and the committee did not take up that particular subject. Although it should have been called to our attention, it was not.

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

Mr. CAREY: Mr. Speaker and Members of the House: I think in answer to Mr. Ross, the gentleman from Bath, I think I brought up the point on voting machines at the time the order was introduced. So certainly those members who were present who came from the Election Laws Committee were made well aware of it.

And possibly in answer to the gentleman from Augusta, Mr. Sproul, the bill that we passed in the last session of the legislature directed that not only do we have voting machines in the buildings but we also have booths for paper ballots. So that may be your solution.

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

Mr. HOFFSES: Mr. Speaker, Ladies and Gentlemen of the House: In the caucuses heretofore, I have been quite firm in my feeling and opinions that it is high time that the legislative branch of government flex its muscles and not permit the executive and the judicial to take over all of our responsibilities. Here, in my opinion, is an opportunity for the legislative branch to flex its muscles, and it could do this in this manner. Send this infinite document, which was, as I said before, put together by a blue-ribbon, bipartisan committee and then rubber stamped by the courts, let's send this document back to the courts, tell the courts that it is impossible to live with this document

and for them to bring up one which is reasonable and one that we can live with.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: I assure you that I, by no means, intended to get into the debate on this, but after listening to the remarks of the gentleman over here on the other corner it reminded me of a conversation that I had with a Justice of the Supreme Court the other day. He commented that we have redistricted your House. Why in thunder didn't you do it yourselves? I expect that if we send it back to them, this again would be what they would say.

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 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 Bath, Mr. Ross, that the House accept the Majority "Ought to pass" Report on Bill "An Act Relating to Elections to the House of Representatives," House Paper 1985, L. D. 2530. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Ault, Baker, Berry, P.P.; Berube, Binnette, Birt, Bither, Boudreau, Bragdon, Brawn, Briggs, Brown, Bunker, Bustin, Cameron, Carrier, Carter, Chick, Chonko, Clark, Conley, Connolly, Cooney, Cote, Cottrell, Cressey, Crommett, Curran, Curtis, T. S., Jr.; Davis, Deshaies, Donaghy, Dow, Drigotas, Dudley, Dunleavy, Dunn, Dyar, Emery, D.F.; Evans, Farnham, Faucher, Fecteau, Ferris, Finemore, Flynn, Fraser, Gahagan, Garsoe, Gauthier, Genest, Goodwin, H.; Goodwin, K.; Hamblen, Hancock, Herrick, Hobbins, Huber, Hunter, Immonen, Jackson, Kauffman, Kelleher, Kelley, Keyte, Kilroy, Knight, LaCharite, LaPointe, LeBlanc, Lewis, E.; Lewis, J.; Littlefield, Lynch,

Mahany, Martin, Maxwell, McHenry, McKernan, McMahon, McTeague, Merrill, Mills, Morin, L.; Morin, V.; Morton, Mulkern, Murchison, Murray, Najarian, O'Brien, Palmer, Perkins, Peterson, Pontbriand, Ricker, Rolde, Ross, Shaw, Sheltra, Silverman, Simpson, L.E.; Smith, D.M.; Snowe, Stillings, Strout, Susi, Talbot, Tanguay, Theriault, Tierney, Trask, Twitchell, Walker, Webber, Wheeler, White, Whitzell, Willard, The Speaker.

NAY — Berry, G.W.; Carey, Churchill, Dam, Farrington, Good, Hoffses, Lawry, MacLeod, Maddox, McCormick, McNally, Parks, Pratt, Rollins, Shute, Sproul, Trumbull, Wood, M.E.

ABSENT — Greenlaw, Jacques, Jalbert, Kelley, R.P.; Norris, Santoro, Smith, S.; Soulas, Tyndale.

Yes, 122; No, 19; Absent, 10.

The SPEAKER: One hundred twenty-two having voted in the affirmative and nineteen in the negative, with ten being absent, the motion does prevail.

Thereupon, the Bill was read once and assigned for second reading tomorrow.

Consent Calendar

First Day

(S. P. 884) (L. D. 2472) Resolution Proposing an Amendment to the Constitution to Clarify Validity of Municipal Industrial Parks — Committee on State Government reporting "Ought to pass"

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

Second Day

(H. P. 1940) (L. D. 2477) Emergency, Bill "An Act Relating to the Powers of Hospital Administrative District No. 1 in Penobscot County" (C. "A" H-704)

(S. P. 720) (L. D. 2132) Emergency, Resolve Authorizing the Town of Bingham to Remove Sand Bars at Confluence of Austin Stream and Kennebec River (C. "A" S-337)

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

Second Reader Tabled and Assigned

Bill "An Act Relating to Property Tax Exemption of Health Care Institutions" (S. P. 910) (L. D. 2519)

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

The SPEAKER: The Chair recognizes the gentlewoman from Auburn, Mrs. Lewis

Mrs. LEWIS: Mr. Speaker, Ladies and Gentlemen of the House: The title of this bill, I think, is misleading. It is an act relating to property tax exemption of health care institutions, so it sounds as though the exemption applies to the health care institution, whereas actually the exemption applies to the profit-making company that leases something to a health care institution, and I wonder how many tax exemptions a municipality can stand.

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

Mr. SUSI: Mr. Speaker, Ladies and Gentlemen of the House: I would like to give you a brief explanation of this bill as we in the Taxation Committee saw it and an explanation for our report which had a minority of one in opposition to the bill.

The origin of the bill was from a problem that was up in Bangor, although I understand it is quite a common problem around the state. In Bangor they are building a major addition to the Eastern Maine General Hospital. As I remember the figures, there was around \$15 million involved in the construction of the addition. Also, as I remember, now that the building is nearly completed, they need around a million and a half dollars worth of equipment to go inside, which would be personal property and which, under the present laws, would be exempt if it is owned by the institution, by the health care institution, and in this instance the Eastern Maine General Hospital. However, under the present law, if it is leased by the health care institution but not owned by the health care institution, it is subject to property taxes.

At the present time, this hospital is faced with a problem of obtaining about a million and a half dollars worth of equipment such as X-ray equipment, blood count equipment, bookkeeping equipment and all the stuff that they

need inside. If they had the money to purchase this, there would be no problem. They would own it. It would be tax exempt. If a bank would lend the million and a half dollars and make it possible for them to take a bill of sale on this stuff as it arrived, but took a mortgage for the full million and a half, then this property would be tax exempt.

I am under the impression that banks don't like to lend for this purpose. Apparently it isn't an option that is open to health care institutions. However, there are outfits that will furnish this equipment to hospitals and the like on what they call a lease basis, which practically is a means of financing. And what is contemplated up there and what has come to be, as I understand it, common practice, is that they will obtain this equipment that is needed for the operation of this new hospital through this leasing process. Under our present law, the property so obtained would be subject to the property tax.

Now, as I read our committee report, our committee feels that in this instance our hospital, and this certainly would apply to all the hospitals and other health care type operations around our state, deserve the exemption as though they owned this property. Actually, the indication is that the less able a health institution is to purchase this property, the greater the need would be, and therefore the greater the need for the property tax exemption. I think that the committee had no doubts on this point. There was a doubt on the part of all of us that this tax exemption benefit might not flow through to the institution itself, that it might be taken by the lease organization that was making the property available to the hospital in this instance. After discussion of this point, we felt that these hospitals and so forth are good enough customers and well enough managed and have boards of trustees with sufficient business acumen that they would, in fact, get from these leasing outfits the benefits that accrued under this bill. And it was on that basis that we then put this out "ought to pass" with one dissenting vote.

And I would like to state here something I think you all sense. The Taxation Committee has been most

mindful of the need for the municipalities to maintain their tax base. And as a group, I would say that we have quite consistently fought, recognizing that municipalities and their problems are probably one of the most critical tax needs existing in our state, and we have worked to maintain their base for them. In this instance, we believe that the action that we took in reporting this out "Ought to pass" was a proper and good one. I hope that you will sustain the bill.

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

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: Very briefly, also, a lot of this equipment is purchased on a lease to purchase bill later. When they can't finance it they will lease it with an option to buy.

There was only one member of the House who signed this minority report of "ought not to pass," and that was the gentleman from Portland, Mr. Cottrell, who later, after checking with the City of Portland, agreed with us. And if you remember correctly, yesterday he made a motion to accept the majority "ought to pass" report.

It has also been checked up with I.B.M. or some of these companies, and their representatives tell us there is no question but they will immediately, upon this becoming a law, if it becomes a law, will renew their contracts. And in renewal of their contract they will take into consideration in lieu of taxes that would have been paid. Therefore, they would be dropped. It is really beyond a doubt — I believe our committee are convinced now a hundred percent that this is a very fair bill. And that the money will be worked back to the institutions and the hospitals, and things that need the money. I think it is a great saving to them. It is not a big deal in any special city, especially, unless they got real big hospitals like Maine Medical or the Eastern Maine Medical Center, or some of them, and most of them now own their own equipment or have an option to buy. So I hope you will go along with this bill.

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

Mr. LaCHARITE: Mr. Speaker and Ladies and Gentlemen of the House: I am in favor of this bill. As you know, the rising cost of hospital beds and rooming is going up all the time. I think with this bill, with the elimination of property tax for the people who are leasing the equipment, I know that in Brunswick with two hospitals, not real large hospitals, this would affect them drastically. And I think that the cost of hospital rooms to the people would not increase at such a large amount. It would benefit the people of the State of Maine, and I am, therefore, in favor of this bill.

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

Mr. SPROUL: Mr. Speaker and Members of the House: I would like to make two points quickly. One is, I would like to refer you to the legislative bulletin that was distributed yesterday by the Maine Municipal Association on this item.

Secondly, I would like to point out that a year ago, approximately this time, I brought to the attention of the House the contract with Honeywell and the State of Maine, and that was upheld by this House and funded. The Attorney General and everyone seems to think it is all right. So it would occur to me that this legislation is not at all necessary. If they would contact Honeywell, they can find out how to draft a sale that is voidable, and it will certainly not be taxable to any tax exempt institution.

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

Mr. CAREY: Mr. Speaker, Ladies and Gentlemen of the House: The gentleman from Bridgewater, Mr. Finemore, brought up the fact that some of the leases may be renewed. I can't picture that happening. But we have three hospitals in the City of Waterville, and when he says that no community is going to be hard-hit by this, he couldn't be any further from the truth. When we start talking at the current mill rate, for instance, the City of Waterville, some hospital that has some \$300,000 computer, you are talking right off the bat of some \$13,000 tax money lost to the particular community.

This is not a very good bill, and if, in effect, the state wants to do something that maybe we could carry on and have the state reimburse us for exactly the cost of the loss to municipalities.

I am having problems trying to put a budget together in the City of Waterville, and I know that others are, simply because as long as we sit in this legislature it is extremely difficult for a community to put a budget together, figuring budget and revenues. One will offset the other, hopefully, so that you can keep the tax rate somewhat out of going skyrocketing completely out of sight. And until we finally adjourn this session, it is impossible to come up with a realistic budget and revenue estimate for the city.

So I would certainly hope that the Taxation Committee would take some of these things into account when they start all of these exemptions. They are hurting the communities directly and only passing the tax load on to those people who may not be needing, in this particular case the hospital services, but the taxpayer himself.

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

Mr. FINEMORE: Mr. Speaker and Members of the House: In answer to Mr. Carey, I don't believe it would make over one-tenth of one mill, if it would make that much difference in their tax rate in Waterville. And we have been practically assured that this will be true, that they will renew the contracts, and they will be passed over. This will be passed over to the hospitals. And I think in his city they already know, no question they already are helping the hospitals probably through donations or something of that sort. And I don't believe that they will still be losing over one-tenth of one mill.

And I think Taxation has done a good job on this bill. We took up a lot of time, and it is unanimous. We have the blessing of the City of Portland, so I don't know why we shouldn't have it with some of the rest.

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

Mr. MORTON: Mr. Speaker, Ladies and Gentlemen of the House: I just hope

we can get down to basics on this bill so that everyone realizes what it really is all about.

The principle of the exemptions for property owned by this type of institution has been long established. We apparently have believed in that for many years, and we continue to hold onto that exemption.

What this bill does is recognize the fact that fairly expensive property can be acquired in another manner than by purchase, and that is by lease. Now, leasing never existed when many of these exemptions were originally passed. Had it been, it might well have been included. But the point remains that all we are doing in this particular bill is allowing these institutions to have an exemption on property that they lease rather than purchase. A failure to pass this particular legislation just forces the hospitals to do business in a certain way, and that is to purchase. It really does not actually reduce the base if you look at it in that way, because they do have the option of purchasing now, and then it would not be taxable to the community.

There are some other side pluses on this which I think ought to be recognized. Much of this equipment is extremely expensive. Frequently it is only available in one model or one unit; hence, very little opportunity to bargain for it. If you introduce the lease procedure into the thing, several of the rather large leasing companies can have access to this one piece of equipment. If one of them is more efficiently operated than another, they might be able to exercise some competition and get the hospital a little better break on the piece of equipment.

I think all we are doing with this legislation is recognizing the fact of doing business today, the fact that leasing as against purchasing is a way of doing business, and I don't think we should keep these institutions from utilizing this way of doing business.

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

Mr. SPROUL: Mr. Speaker and Members of the House: In response to Mr. Morton, I wonder, if his arguments are sound, that leasing is the proper

procedure and that they studied this carefully for the tax exempt and non-profit hospitals? Why did they not also include the State of Maine so that they could do business the same way?

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

Mr. COTTRELL: Mr. Speaker and Members of the House: Since my name has been brought into this, I thought I should respond. I signed "Ought not to pass" because at the time I had not had opportunity to talk with our assessors.

The IBM leases a great deal of equipment in Portland. It is more convenient for many businesses and hospitals to lease rather than buy. With IBM alone there are \$3 million worth of property, taxable property, which is leased. The income to Portland, tax income to the city, is \$159,000. The loss of income to Portland on the equipment that is leased to Mercy Hospital, Maine Medical and the Osteopathic Hospital, the income on the taxes of that leased material is very minimal, so our assessors did not object to that.

My concern was on this floor. Right now the tax bills are paid by IBM, and those tax bills are reflected in the price they charge to the hospital for the leases. My concern was to have the exemption reflected in the lease. I found out that I couldn't do it because you can't force the change of any contract. And now it is hoped that the IBM will see the situation and renegotiate their leases to benefit the hospitals.

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

Mr. CURTIS: Mr. Speaker, Ladies and Gentlemen of the House: Hospitals, like individual citizens, are recipients of municipal services; unlike individual citizens, they don't pay for those services because they are tax exempt.

Now, it seems to me that most of the hospitals in the state are located within a few municipalities. My community does not have a hospital. If I get sick, I will probably go to Bangor to one of the hospitals there where I will indirectly benefit from the municipal services provided by the City of Bangor, and I will not be paying any taxes.

It seems to me, in a few instances

where there is some privately owned property located in the hospitals, that we ought to permit the municipalities to continue to tax those.

The second point that I would like to point out, no mention has been made that there has been any proof that the benefits supposedly to be derived for the hospitals will actually be passed along to the hospitals by private businesses. So I would suggest that unless there is some proof, we certainly shouldn't pass this legislation because otherwise we would be providing a tax exemption for private industry.

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

Mr. SIMPSON: Mr. Speaker, Ladies and Gentlemen of the House: I have got a couple of questions, I guess, I would like to have somebody in the Taxation Committee address themselves to and maybe a couple of comments to go with it. I think the point that the gentleman from Orono just made is a valid one that a lease-back arrangement is definitely a tax shelter for many businesses and a good way to operate. Unreleased-back arrangements, if you take the Legislative Bulletin put out by the MMA that has been called to our attention, is it a fact right now that hospitals are exempt from taxation on their personal property and real property, and if this is the case, isn't the private enterpriser who is supplying the leased equipment paying the tax, and isn't this figured into his contract with the hospital? And if it is figured into his contract and we were to release this, what guarantee would we have that he would reduce his contract by that amount?

I guess right now I am a little bit confused as to where we start to get involved with lease-back arrangements and also with leases as to whom is actually responsible for the payment of the tax and who now is exempt and under what conditions?

The SPEAKER: The gentleman from Standish, Mr. Simpson, poses a question through the Chair to anyone who may answer if he or she wishes.

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

Mr. SUSI: Mr. Speaker and Members of the House: Well, as I understand it,

these leases are drawn with the provision in them that should there be a tax imposed on the property, then the lessee will be responsible for it or the health care institution that is leasing the equipment. So at the present time, in communities where there is a tax imposed, and that isn't all communities, this leasing is a comparatively new development and some communities haven't caught on to it, apparently, and haven't picked up this property as a source of revenue.

The concern that you express is whether we can be sure that the relief that we give, which is intended for the health care institution, will actually flow through to the health care institution or whether it will be taken by the private company that owns the leased property. I think that the answer on that is that our hospital boards around the state are mainly of men who have a lot of business experience, and I personally have faith that they will make good the benefit which we are passing on intended for them, that they will force a renegotiation and get the benefits to them.

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

Mr. DAM: Mr. Speaker, Ladies and Gentlemen of the House: As a member of the Committee on Taxation that listened to this bill, and it was a very lengthy debate, because if my memory serves me correctly, that was the only bill we had that day and it went until five o'clock, and that was a rather long discussion for a bill such as this. I did have a little hesitancy at the time to signing the "ought to pass" report. Then we beat the thing around for about another hour, and finally I think that I was convinced by those speaking on the bill that the hospitals would have a chance to renegotiate their leases and the benefits would be passed on to them.

Now, as far as Maine Municipal is concerned, I can understand their concern because they are an organization of municipalities and that is their job to protect those municipalities. But I think our job is to look at each situation that comes before us in a realistic manner and to see what is the benefit of the majority of the people or minority of those in need or

those that can least afford to pay and what institutions would be benefited.

I know the hospital in my town, it is true they built a new addition, but it is not entirely free of debt. It is not operating at a profit. As I understand it, it is a little bit in the hole now. I could only suggest that if it were such a concern by anyone here in the legislature as to loss of revenue by municipalities, that maybe when they come back in the 107th a bill could be drafted looking up the whole tax structure of the state. I know in one of the previous sessions I had a bill in taxing so-called fair grounds of agricultural associations and that bill went down under the, I think, 17-A, if I recall.

I think we should look at some of our clubs and some of our agricultural associations, some of the church-owned properties, some of these so-called nonprofit institutions that we have in the state, and maybe come up with a whole new method of assessing taxes in the State of Maine. I don't think this is the time to defeat one bill because we are concerned with what a municipality would lose.

Now, my municipality in Skowhegan will lose some money; to tell you how much, I do not know. But I have had no call from my assessors, and we have three, saying to vote against this bill or speak against it. So evidently the loss is not that great, and I would hope that we would pass the bill today so that the benefits could go to the hospitals because they do need this and I am positive, I have been reassured sufficiently that the leases will be renegotiated and that the benefits will accrue to the health institutions.

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

Mr. CAREY: Mr. Speaker and Members of the House: I would hope that somebody may table this so that I can offer an amendment. The gentleman from Skowhegan, Mr. Dam, says that the sum of money is not appreciable so, therefore, it shouldn't concern us too much.

However, we used the same argument when we talked about the used cars. And

if you take a single item and multiply by one, you only get one, but if you multiply by ten, you will end up with ten, if my mathematics is correct, so that in effect you are really eroding the tax base at the municipal level.

The amendment that I hope to be able to offer, if somebody will table this, is that this bill would become effective in 1975, April 1, 1975, the start of the next taxable year. And what this would do, it would allow the municipality of the hospitals, in effect, to get out to their lessors and make the arrangements and rewrite the leases. Then we would also would have the state reimbursing us, hopefully, if this amendment is taken care of, starting in 1976, so, in effect, municipalities wouldn't lose any money. But at least we could get something concrete from these hospitals and benevolent associations, whatever you want to call them, at this time so that we could have something guaranteed, as Mr. Simpson from Standish was asking for on these new leases.

Mr. Finemore of Bridgewater was granted permission to speak a third time.

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: To answer the statement Mr. Carey from Waterville just made, if I am correct and read this bill correctly, it won't take effect anyway until April 1, 1975. I hope he is listening, because I don't believe it needs an amendment. I don't think it takes effect until April 1, 1975. I don't see how it could.

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

Mr. BUSTIN: I move this item lay on the table for two legislative days.

The SPEAKER: The pending question is on the motion of the gentleman from Augusta, Mr. Bustin, that this matter be tabled pending passage to be engrossed and specially assigned for Thursday, February 28. All in favor of tabling two legislative days will vote yes; those opposed will vote no.

A vote of the House was taken.

71 having voted in the affirmative and 26 having voted in the negative, the motion did prevail.

Passed to Be Engrossed

Bill "An Act to Repeal Fee to Ex-Officio Member of Industrial Accident Commission" (H. P. 1882) (L. D. 2392)

Bill "An Act Relating to Conferring Degrees by Thomas College" (H. P. 1979) (L. D. 2522)

Were 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 Increasing Salaries of Various County Officers" (H. P. 1982) (L. D. 2525)

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

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

House Amendment "B" (H-708) was read by the Clerk.

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

Mr. FARRINGTON: Mr. Speaker, Ladies and Gentlemen of the House: Inadvertently or otherwise this pay increase was left out. It was the intention of the commissioners of Kennebec County that the clerk of courts get the same pay as the registrar of deeds and the registrar of probate. This is the reason for this amendment. Unfortunately, I haven't gotten to all the delegation, but I apologize to those I haven't gotten to, but this is the wishes of the commissioners and I hope you pass it.

Thereupon, House Amendment "B" was adopted.

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

Mr. BRAGDON: Mr. Speaker and Members of the House: I can't seem to work up very much enthusiasm for this county salary bill at this time. In a regular session of the legislature, the various county officials discussed salary problems with the various county delegations to the legislature, and they arrived at somewhat of a consensus as to what is best all around. In this instance,

in this special session, to my knowledge, there has been no conference of legislative membership, at least in Aroostook County.

There is another matter that bothers me somewhat. There are other salary bills before this legislature, and they are, as far as I know, all still in committee. I don't know how they will come out, and if they come out favorably, no one knows that there will be money enough so but what other more pressing problems will take the money and they might eventually have to die on the Appropriations Table. In the light of these two facts, I think we might be wise to hold the county bill until we see what disposition we make of the other salary bills.

I would hope that some member would table this bill pending engrossment.

Thereupon, on motion of Mr. Birt of East Millinocket, tabled pending passage to be engrossed and specially assigned for Thursday, February 28.

Bill "An Act to Advance Collection of Telephone and Telegraph Taxes" (H. P. 1980) (L. D. 2523)

Bill "An Act Relating to Applications for Absentee Ballots" (H. P. 1981) (L. D. 2524)

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

**Passed to Be Enacted
Emergency Measure**

An Act Appropriating Funds to Provide for Secretarial Assistance to the Members of the Legislature" (H. P. 1927) (L. D. 2462)

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. 110 voted in favor of same and 8 against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Emergency Measure

An Act Relating to the Statue "The Maine Lobsterman" (H. P. 1969) (L. D. 2509) (H. "A" H-694)

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. 123 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 Tabled and Assured

Resolve, Authorizing the Commissioner of Educational and Cultural Services to Convey Certain Easement Rights at Southern Maine Vocational Technical Institute in South Portland. (S. P. 886) (L. D. 2473)

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

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

Mr. MARTIN: Mr. Speaker, I would pose a question to any member of the Education Committee. It says that the Commissioner of Educational and Cultural Services is authorized to convey to Central Maine Power Company for one dollar and other good and valuable considerations the rights and easement to construct, rebuild, operate and maintain and remove electrical distribution and communication lines, and I am wondering what the other considerations are going to be when they cross the property that is owned by the State of Maine at Southern Maine Vocational Technical Institute in South Portland.

The SPEAKER: The gentleman from Eagle Lake, Mr. Martin, poses a question through the Chair to anyone who may answer if he or she wishes.

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

Mr. BITHER: Mr. Speaker, Ladies and Gentlemen of the House: I don't know what other considerations there may be, but in my way of thinking, this is the only bill that I have seen any common sense used so far this session. These people want to — it happens to be Central Maine Power Company — want to put power on some of the islands, and

they want to use — I am not sure if the ditch is already dug or not, but they want to use the same location that is already being used for water so they won't have to dig two ditches and dig up the whole place. And that is just about all there is to it. They are using the same ditch that is already used. It sounds to me like a very common sense affair, and I think we should go along with it.

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

Mr. SIMPSON: Mr. Speaker, Ladies and Gentlemen of the House: I am not a lawyer, but I think you will find, as I think the gentleman from Eagle Lake well knows, since he has been studying the real estate course, that in most easements and most contracts of this nature involving deeds that it always talks about "and other valuable consideration or other consideration" over and above the amount that is stated in the contract.

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

Mr. McTEAGUE: Mr. Speaker and Members of the House: I agree with the gentleman from Standish, Mr. Simpson, that it often does recite one dollar and other valuable considerations. But I would like to ask either that gentleman or Mr. Bither or anyone else that has the information, how much is the state going to get from the power company, one dollar?

The SPEAKER: The gentleman from Brunswick, Mr. McTeague, poses a question through the Chair to anyone who may care to answer.

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

Mr. MILLS: Mr. Speaker, Ladies and Gentlemen of the House: I am not familiar with this bill. They are talking about ditches. Am I to understand that this power line that will go across there will be buried underground?

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

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

The SPEAKER: The gentleman from

Brunswick, Mr. LaCharite, moves that this matter be tabled for one legislative day. The Chair will order a vote. All in favor of this matter being tabled for one legislative day will vote yes; those opposed will vote no.

A vote of the House was taken.

16 having voted in the affirmative and 87 having voted in the negative, the motion did not prevail.

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

Mr. MARTIN: Mr. Speaker and Members of the House: The language of the bill bothers me. If you will look at page 2 of L. D. 2473, it says that they will rebuild, operate, maintain, et cetera, along with necessary wires, cables, electrical equipment along and under the surface of premises owned by the State of Maine. Now, along and under, to me that means both along, on top, and underneath. I don't know what the intention was of the Committee on Education, but the bill does seem to imply that it would be both overhead and underground wires. And I am wondering whether or not this is not a consideration that should be made by the committee as to whether the possibilities of creating problems with the number of students who would be under those lines at any given time. I don't know. What I am asking, in effect, is for the committee to comment on that and if that was taken into consideration at the time.

The SPEAKER: The gentleman from Eagle Lake, Mr. Martin, poses a question through the Chair to anyone who may care to answer.

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

Mr. TYNDALE: Mr. Speaker and Members of the House: When this project was started, the engineers, Central Maine Power, construction engineers and other people knowledgeable on the subject made this out, and I presume they knew what they were talking about.

The SPEAKER: The pending question is passage to be enacted. This being an emergency measure, it requires a two-thirds vote of the entire elected membership of the House. All those in favor of this Bill being passed to be

enacted as an emergency measure will vote yes; those opposed will vote no.

A vote of the House was taken.

Thereupon, Mr. Birt of East Millinocket 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 Chair recognizes the gentleman from Houlton, Mr. Bither.

Mr. BITHER: Mr. Speaker and Members of the House: I can't see getting all up tight about a few words in here that is legal language. The gentleman from Brunswick knows that this is the usual legal language. They are going to put this underground. If they are going to serve the islands off the coast, and I don't know what islands, I didn't investigate and I don't care, but there are some islands down there in Portland Harbor and they have got to cross this land owned by the Vocational Institute. Now if they don't do it this way, they are going to have to get an easement some other way, however legally I don't know, and they are going to have to dig another ditch and that is going to be more costly. This is the only sensible thing to do.

They are either going to dig in a place that is already occupied by water lines, or it is all open, I don't know which. There is no problem. I don't think there is any problem with this at all.

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

Mr. McTEAGUE: Mr. Speaker and Members of the House: Like my good friend, the gentleman from Houlton, Mr. Bither, I don't know either. And because I don't know, I don't want to today vote for something. I think all of us have a responsibility when we come here to know something, at least generally, about what we are voting for.

We handle a great number of bills. This, perhaps, to most of us is one that is seemingly relatively insignificant. It

may be significant to SMVTI and it may be significant to the residents of the islands. It may be a very good bill. It may be proper public policy for the state in regard to a state institution to give away something that a private company would sell. I would take a guess that if Central Maine Power Company owned land and the State of Maine wanted an easement across it, we would pay for it. Maybe turn about does not make sense. Maybe the state should give away the easement, but I am not willing to delegate my one vote out of 151 without knowing. I would like to know. If any member of this House has any particular information regarding the fact that the residents of the islands may receive their power at a lesser rate because we don't charge CMP for the easement, we have a guarantee of that, I would like to know about it.

If it is customary for the state to give away land to a profit making private utility, or an easement on land, if that is the custom, I would like to know about it and I would like to know the basis of it.

I respectfully differ with the other gentlemen in the House. They seem to have a feeling it is a good thing, although they don't know about it either. I don't know about it, and because I don't know about it, I may not in good conscience vote for it today.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: I really don't know why this bill didn't go to PUC to begin with, but that really isn't important. The thing is, I think some valid questions were raised and apparently we are not going to get an opportunity to table it for a day, so my suggestion is, just hit that red button and you are going to get a day to table it and maybe we can work something out here. That is all.

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

Mr. FLYNN: Mr. Speaker, Ladies and Gentlemen of the House: Seeing as I know quite a little bit about SMVTI, I live a mile away from it, I spend quite a bit of time down there, there is a water

line going across there now that goes to Cushing's Island. Central Maine wants to put a power line to Cushing's Island that would serve about 15 families in the summertime. The trench is already there. It was dug before. It isn't going to cause any uproar or anything. There are also overhead lines that serve the school. But this is going under ground. It is not going overhead.

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

Mr. FARNHAM: Mr. Speaker, could I ask what the committee report was on this bill?

Thereupon, the Report was read by the Clerk.

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

Mr. MARTIN: Mr. Speaker, I would pose a question to the gentleman from South Portland, Mr. Flynn. The L. D. calls for running above ground as well as underneath. From his comments, am I to assume what he is saying is that all the lines that CMP will need to get power to the islands go under ground? The second question is, if they go above ground, what type of wires are we talking about? Are we talking about 100 Kv's or are we talking about 200 Kv's or what?

The SPEAKER: The gentleman from Eagle Lake, Mr. Martin, poses a question through the Chair to the gentleman from South Portland, Mr. Flynn, who may answer if he wishes.

The Chair recognizes that gentleman.

Mr. FLYNN: Mr. Speaker and Members of the House: It is my understanding, I don't know the amount of kilowatts going through the wires, but the school presently is serviced by overhead wires, and this is just something that is going through. It won't be anything that will be overhead. Maybe I haven't answered your question, Representative Martin.

My understanding of this is that they are not going overhead but they always put, as I understand, Central Maine or New England Telephone, when they put something like that they have the prerogative of going over or under. But

this one is going under ground along with the water main that goes to that island.

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

Mr. MARTIN: Mr. Speaker and Members of the House: I would have no objection to this bill if it said that it was going underground. I guess I am not going to vote for it the way it is worded in its present form. I am aware that this is normally the way that they do it, but I just don't like the way they do it, that is all.

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

Mr. PERKINS: Mr. Speaker and Members of the House: I don't believe it says over. It says along and under. The usual legal terminology, if it were to run over, would be along and over. As the Representative from South Portland, Mr. Flynn, has indicated, it is to be under ground.

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

Mr. MILLS: Mr. Speaker and Members of the House: I still have that doubt in my mind, ladies and gentlemen, as I read this bill, together with necessary wires, cables and other electrical equipment. Who ever heard of a cable being under ground. That is an overhead piece of structure.

The SPEAKER: A roll call has been ordered. The pending question is passage to be enacted. This being an emergency measure, it requires a two-thirds vote of all the members elected to the House. All in favor of this Resolve being finally passed as an emergency measure will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Ault, Baker, Berry, G. W.; Berube, Birt, Bither, Boudreau, Brawn, Briggs, Brown, Bunker, Bustin, Cameron, Carey, Carrier, Chick, Churchill, Conley, Cooney, Cote, Cottrell, Cressey, Curran, Curtis, T. S., Jr.; Dam, Davis, Deshaies, Donaghy, Dow, Drigotas, Dyar, Emery, D. F.; Evans, Farnham, Farrington, Faucher, Fecteau, Ferris, Finemore, Flynn, Gahagan, Garsoe, Hamblen, Hancock, Hoffses, Huber, Hunter, Immonen,

Jackson, Kauffman, Kelley, Keyte, Kilroy, Knight, Lawry, LeBlanc, Lewis, E.; Lewis, J.; Littlefield, Lynch, MacLeod, Maddox, Maxwell, McCormick, McMahon, McNally, Merrill, Morton, Murchison, Murray, Norris, O'Brien, Palmer, Parks, Perkins, Pratt, Rollins, Shaw, Shute, Silverman, Simpson, L. E.; Snowe, Soulas, Sproul, Susi, Trask, Trumbull, Tyndale, Webber, Wheeler, White, Willard, Wood, M. E.; The Speaker.

NAYS — Berry, P. P.; Binnette, Carter, Chonko, Clark, Connolly, Dunleavy, Dunn, Farley, Fraser, Genest, Goodwin, H.; Goodwin, K.; Greenlaw, Herrick, Hobbins, Jacques, Kelleher, LaCharite, LaPointe, Mahany, Martin, McHenry, McKernan, McTeague, Mills, Morin, L.; Morin, V.; Mulkern, Najarian, Peterson, Pontbriand, Ricker, Rolde, Smith, D. M.; Smith, S.; Stillings, Strout, Talbot, Tanguay, Theriault, Tierney, Twitchell, Whitzell.

ABSENT — Bragdon, Crommett, Dudley, Gauthier, Good, Haskell, Jalbert, Kelley, R. P.; Ross, Santoro, Sheltra, Walker.

Yes, 95; No, 44; Absent, 12.

The SPEAKER: Ninety-five having voted in the affirmative and forty-four in the negative, with twelve being absent, this Resolve fails final enactment.

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

Mr. MARTIN: Mr. Speaker, having voted on the prevailing side, I move that we reconsider our action and also move that this bill be tabled for one legislative day.

Thereupon, on motion of Mr. LaCharite, tabled pending the motion of Mr. Martin of Eagle Lake to reconsider and tomorrow assigned.

Passed to Be Enacted

An Act Relating to Transporting of School Children to Other Than Public Schools (S. P. 880) (L. D. 2466)

An Act Relating to the Installation of a Uniform Crime-reporting System (H. P. 1971) (L. D. 2511)

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

Orders of the Day

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

Bill "An Act to Increase the Authorized Bonding Indebtedness of the Maine State Housing Authority" (H. P. 1804) (L. D. 2284)

Tabled — February 21, by Mr. Martin of Eagle Lake

Pending — Motion of Mr. Curtis of Orono that the House accept the Minority "Ought not to pass" Report

On motion of Mr. Martin of Eagle Lake, tabled pending the motion of Mr. Curtis of Orono to accept the Minority "Ought not to pass" Report and tomorrow assigned.

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

Bill "An Act Making Current Service Appropriations from the General Fund and Allocating Money from the Federal Revenue Sharing Fund for the Fiscal Year Ending June 30, 1975" (S. P. 905) (L. D. 2508)

Tabled — February 25, by Mr. Birt of East Millinocket

Pending — Motion of Mr. Simpson of Standish that House Amendment "A" (H-702) be indefinitely postponed

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

Mr. DYAR: Mr. Speaker and Members of the House: I apologize for having to debate this at this late hour. I thought possibly this would be tabled.

The discussion the other day got to the point where it was considered a philosophical setup, a vendetta of myself against the Department of Mental Health and Corrections. I hope this is the furthest thing from the truth.

I do have the \$6 million cost of moving Stevens to Skowhegan, which increased to \$7 million over the weekend by the press. We are talking about building more dormitories, kitchen facilities and so forth, classroom facilities, physical education buildings up at Skowhegan in order to accomplish this move which accounts for \$3,345,000. I maintain that we don't need \$400,000 sunk into a new kitchen. I don't feel we need \$500,000 for new classrooms. I don't think we need \$400,000 for the physical education

building, and I don't believe we have got to spend \$200,000 for new roads and utilities at Skowhegan.

Hopefully this morning you will vote to uphold the amendment before you and not vote for indefinite postponement. I think that this has been a problem that many state departments have had over the past years. They have carried out their own wishes and wants through the Appropriations Committee. I see most of the committee has left. I think possibly that this should have been reviewed further. I think possibly the leadership, if they want to combat this amendment, should go up to Stevens and up to Skowhegan and look things over. I think if we are going to spend three or four million dollars that is going to be spent anyway, people in leadership positions should be looking at these things. If they want to tackle me and the fact it is none of my business sticking my nose into this kettle of fish, again, I think we are all working for people; should be interested in what the people are going to be paying for taxes. But the idea of spending \$6 million up to Skowhegan, the idea of saying \$6 million is going to be spent up to Skowhegan to fight the keeping of the Stevens Center, in my mind, is ridiculous.

The thing was brought to my attention yesterday that possibly somebody, I don't know if it is a gubernatorial candidate or what, is saying if they can close Skowhegan, then they are going to recommend that Skowhegan be turned into a veterans rest home or veterans retirement home. It seems very ridiculous to me that if Skowhegan is not good enough for the inmates that have been sent there, that it shouldn't be good enough for our veterans. And if we can't spend the \$3 million, if we got to spend the \$6 million anywhere, I think it should be spent in Skowhegan because we won't have to buy additional land to put up these new buildings.

Now, getting to the classroom and vocational building, I think there is probably, I was told this morning some 42 people involved between Stevens and Skowhegan, and it seems a little out of line that we have a classroom teacher with a salary of some eight or nine thousand dollars a year teaching one or

two of these girls. It would seem to me that the Department should contract the local district or local school to have these girls sent out to receive this instruction at a much less cost.

The physical education building at Skowhegan, it seems sort of ridiculous to have to have a \$400,000 project established to give physical education to 41 or 42 individuals. I am quite sure that in Skowhegan there must be facilities available where the state could lease the facilities, possibly within the local school district or possibly at the Sampson Center which is located in Skowhegan.

I think the department has gone all around the barn to bring out facts and figures which may not have a real basis behind them. I think, again, that they have attempted to bring before us a lot of propaganda. I think they presented the Appropriations Committee a fictitious, inflated budget. And I think it is time that this legislature took a look, if it means holding this budget up a couple of days, take a look and see which way we are going to go.

The Department of Mental Health and Corrections should not be the only Department picked on. I think probably there are three or four other departments that should be thoroughly investigated on where their money is going.

I think if you study the history of Skowhegan and Stevens, in the corrections system at large, you will find we spend several hundred thousand dollars here in the last four or five years on studies, the most recent being the Curran Report. I understand there are two copies of that available in the State of Maine. I haven't any idea how much that cost the taxpayers, Maine and other New England States. We had a study done here two years ago by a company out in Iowa, I believe it cost some \$40,000, but I doubt if any of you have seen this study. We had another study done by Manpower Associates here last summer; I haven't seen a copy of that.

If the department is worried about spending money, this legislature is worried about spending money, I think there is plenty of ways we can save it. The study just a minor part of it. I think if the Appropriations Committee and the

legislature did our job, and we should be doing it, we should be looking into the cost of food, the cost of maintenance, and particularly, possibly, the cost involved in personnel, because when you get into a three-to-one, four-to-one, or seven-to-one ratio of state employees to inmates, there are problems there. Possibly we should even investigate the feasibility of contracting all these 41 people out to other states and close both institutions. If we can send them down to a neighboring state for eight or nine thousand dollars a year, it is costing us thirty-eight to forty thousand dollars a year, this might be a good economic thing to review.

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

Mr. DAM: Mr. Speaker, Ladies and Gentlemen of the House: I don't feel quite as badly today as I did last week because yesterday the Committee on State Government reported out a bill that would permit what was said in the L. D. and was recommended by the Longley Report, the sale of land. Well, of course, I've never said the state sold land; I always said the state gave away land. I am sure that we have read a lot about Watergate, but I think that in referring to them on the national level as the Republican Party, but I am sure if we were to look at some of the deals pulled in the State of Maine over the past years, we would have a Watergate here. But I can assure you it would be bipartisan, and I speak as a Democrat.

Now, if this Bangor Daily News carried an article on the women's facility, and they quote Mrs. Dorothy Hanauer, and she is the women's correctional center superintendent, they would say opposition to adults moving to Stevens has been expressed by Hallowell residents. But Mrs. Hanauer knows that juveniles are often more difficult to control than adults.

I didn't realize that the Department of Mental Health and Corrections was out to control the population of any municipality, but evidently, this is what she says in her statement, that once they get to Hallowell they will be able to control the population of the City of Hallowell. Now, this is in yesterday's

Bangor Daily News. And if it is wrong, she should have disputed it and there should have been a correction today.

The other thing it goes on to say, that Stevens has high school classes, clerical and industrial training, as well as recreation programs and community resources that are not available at Skowhegan. It is true that Skowhegan is a small town. Maybe Hallowell is more progressive. I don't know. But at our annual town meeting we raised \$27,000 locally to fund a recreational program. We also have an excellent recreation center, the Richard Sampson Recreational Center. Many of the civic groups in the town are running recreational programs. And as far as running high school programs, these girls from the Skowhegan facility have attended the Skowhegan High School. So I am sure that our school system, which encompasses six towns in S.A.D. 54, is just as good if not maybe better than some of the others in the State of Maine.

Last summer we enjoyed our 150th Anniversary, our sesquicentennial celebration. And one of those girls from the center was let out and she served as a secretary to the corporation for the summer. It worked out very well. I could not have asked for any better help or a more honest person than the one they sent me down. So the program has worked well at Skowhegan. This girl knew that we didn't run any tight inventory system on anything. And I told her right off the first day, I am on the road; I am running from town to town and state to state, and you are going to have to take care of the money and the operation, and I trust you enough to leave you here alone. She did a wonderful job for me. I think this speaks well for the program in Skowhegan.

I think our recreational facilities are just as well as those in the City of Hallowell. But I am sure, too, that somewhere along the line, this being the third session I have been here and this coming up each time, that I am fighting a losing battle because I am sure that the agencies will have their way, or the departments. And I am sure that whatever commitments have been made, political commitments, will be met by moving the facility. And I am

just as sure of that as I stand on my feet here today that in later years that we will find that maybe we have made a drastic mistake.

We have made mistakes in other sessions that I have been here. And as I said last week, the biggest mistake I thought was in giving away the Fairfield Sanatorium. And as yet, I have not been able, from any agency, including the Governor's Council, to get any figures on what was supposed to be paid for the facility at Fairfield or how much has actually been paid, if all of the bill has been paid or not. But I do know that it was a shaky deal that the State of Maine entered into. But, evidently, again, a political debt was paid. And this is why I say that we could have maybe another first in the State of Maine and we would go along with our motto of *Dirigo*, we lead, or I lead, and we would have a bipartisan Watergate if we got into this thing a little deeper.

The SPEAKER: The Chair recognizes the gentleman from Dover-Foxcroft, Mr. Smith.

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: I would like to quickly sum up the arguments that I think are justified in turning down this amendment.

In the first place, we have heard a lot of discussion about capital construction. If the Skowhegan facility is going to be used, there is no doubt about it, a significant capital investment is going to have to be made. Now, this morning one of my colleagues on the committee got new figures based upon the reduced population at these institutions now occurring, which said that \$3.8 million would have to be spent at the Skowhegan facility in order to bring that thing up to minimum standards. That means not program money, just capital money. So a substantial capital investment will have to be made, and that is the lowest figure I have ever heard. When we discussed this matter in the regular session it was around \$5 million. And you know what has happened to construction costs since then.

Secondly, the people that I have talked to, both at the Skowhegan and at the Stevens facility, have told me personally that the programs available at the

Stevens facility are superior to those that could be offered at the Skowhegan facility. Therefore, the training, the skill acquirement, the opportunity for development at the Stevens Institute of the people, the patients, the clients, whatever you want to call them, who are committed there, are much greater at the Stevens facility. That is the second consideration.

Thirdly, when this Skowhegan facility has been opened, there has been a tremendous amount of administrative inefficiency. There have been a lot of goings back and forth between that facility and other facilities. That is why, one of the basic reasons why the department in recent times has supported the move from the Skowhegan facility to the Stevens facility.

Fourth, the Maine Management and Cost Survey has recognized these inefficiencies and has in fact recommended in their report that this operation be consolidated at Stevens.

Fifth, I want you to know that this isn't just the Appropriations Committee. The fact is that these things have been in the wind for a long time. Several legislatures ago a substantial commitment was made to the Stevens Institute by way of capital construction. That same debate that is going on here today went on in that legislature in the 102nd, the 103rd. The capital commitment was made to the Stevens Institute, to the Stevens facility. Now is no time to change that commitment after those millions of dollars have been spent.

This comes to us, to the Appropriation Committee, recommended by the department, reviewed by the budget office, reviewed by the Governor's Office and now approved by the Appropriations Committee, and I ask you today to stand by it.

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

Mr. BIRT: Mr. Speaker, Ladies and Gentlemen of the House: Having served for quite some period of time on previous Appropriation Committees, I concur completely with the comments of the previous speaker, the gentleman from Dover-Foxcroft.

I guess probably if we were back in the 102nd Legislature and making an initial decision and were going to consolidate these two facilities, we might make a decision to move to Skowhegan. It is my feeling the decision was probably made in the 102nd Legislature, and this is not quarreling with that legislature, I was a part of it, and I was also a part of the Appropriations Committee. At that time, we did go into an extensive capital construction program to upgrade the facilities at Stevens. At that time you had a large population, quite a few girls down there, in the facilities down there, and I went down, I remember going through the buildings, and they were really substandard. We have built dormitories, and we have built gymnasiums, and we have improved the kitchen facilities, and we have done a great many other things.

Even prior to my going on the Appropriations Committee and sessions before then, and talking with people down there, there was a great deal of feeling something should be done in the neighborhood of Skowhegan because the low-inmate population resulted in a very high per capita cost. Many even attempted to reduce this down, but it just couldn't be done. Gradually the inmate population has been reduced, so now I understand there are something like eleven people confined there. I think that the Appropriations Committee in later sessions considered making some move in this area but it continually was brought up that we want to study this. It was mentioned in the 104th and the 105th. Today, I think is the first time that the committee has ever taken the bit right in their teeth and said, "Okay, I guess it is time we made a move." They did flatly in their budget phase out entirely all of the funding for Skowhegan and indicated that they should be consolidated at Hallowell.

I think at this time we have no other really conscientious move that we could make but to endorse the actions of the Appropriations Committee, and I would certainly support the indefinite postponement of this amendment.

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

Mr. DAM: Mr. Speaker, Ladies and Gentlemen of the House: My good friend Mr. Smith from Dover-Foxcroft says this has been reviewed and he named off all the agencies, and I did not make a note of them. But if this is his feeling, maybe because the agencies that are involved make recommendations, maybe it would be wise, when we talk another day on reducing the size of the House, to reduce it to one member and let the agencies come in and present everything to that member and let the members accept it because it would be gospel truth according to Mr. Smith.

Now as far as inefficiencies, I said this last week, that there were inefficiencies. I also stated for the record that this had been called to the attention of the administration by the employees and they were told to shut up. This is no different than some of your other state institutions. As far as the safety of the buildings is concerned, they are in no worse condition, as I said last week, than some of your public schools, and you can check this out over there at the Department of Public Safety. Check it out on the commissioners' report of the annual fire inspection and safety inspections made in your schools, and you will find that there are recurring items that can go back seven, eight, nine, years and it is still in the reports and never been corrected. I am talking of exits, fire escapes, fire alarms, fire proofing walls and ceilings. Are we so concerned for inmates that we can forget the school children of public school systems?

Now as far as high per capita costs, it may be high per capita cost in Skowhegan, but I am sure there are many businessmen in this legislature that know the practice of having one thriving business and also maybe operating another business at a loss so that you can have your tax credits, or the state does not get the tax credits. But there has been a tremendous amount of material and food and operational needs or whatever you want to call them, goods, that have been shipped into Skowhegan and billed to Skowhegan, and then it has been loaded on a truck and taken to Hallowell. Sure we have got high per capita cost, maybe, but the stuff

wasn't used there; it was billed there and used in Hallowell. So let's look at the facts the way they are and not what the agency or department will lead you to believe.

I live in Skowhegan; Skowhegan is a small town and when you live there for 46 years you almost get to know everybody's business. I think everybody in town knows my business, practically everybody, and I can say I know practically everybody else's business, and I have made it a point to always keep my nose in the business. I have always taken a very active part in municipal affairs. Sometimes I even stood in town meetings, maybe as I stand today, alone, but I get a little more help here than I have had in some town meetings when I have stood alone on the side of an issue, but I have stood on that side because I felt it was right and that I was right. And I feel that this issue here, to move is wrong and I am right, and what I tell you today is fact and it does not come from some high paid administrator that is making their living off the state payroll.

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

Mr. CARTER: Mr. Speaker, Ladies and Gentlemen of the House: I rise to concur with my colleague on the Appropriations Committee, Representative Smith from Dover-Foxcroft and the previous speaker, Mr. Birt from East Millinocket. I think, too, that the Appropriations Committee, has finally taken the only position it could take, and that was to approve the move to consolidate at the Stevens School in Hallowell.

Now I know that this has been around since the 102nd Legislature. I was here then and I served as chairman of the Health and Institutions Committee in the other body and we approved then the dormitory that first I believe, started this thing rolling in the direction to beef up the operations at Stevens Center and to cut down the operations at Skowhegan. I think then the decision was made because the cost to renovate the buildings at Skowhegan were prohibitive then as they are now. It has been going on, I have got the figures here, since the 102nd. In the 102nd session the

legislature spent \$602,000 at Stevens to provide a dormitory, diagnostic and treatment building, and kitchen and gymnasium. And so it goes through the 103rd, 104th, 105th and 106th. If we were to reverse this decision, we would be, in effect, throwing \$1.7 million down the drain, saying that we made a bad deal then, and we would then have to spend an amount up to \$3.8 million to beef up Skowhegan, and the choice between the two is not very great. I mean, there is only one way we can really go, and I think that is what the Appropriations Committee has done, and I would hope that you would follow its decision and vote to indefinitely postpone this amendment.

The SPEAKER: The Chair recognizes the gentledady from Old Orchard Beach, Mrs. Morin.

Mrs. MORIN: Mrs. Speaker and Members of the House: If the department does succeed in closing Skowhegan, I would like to have this postponed for one day so that I could get an amendment on to make sure that they cannot sell the property up there to private enterprise, that it would revert back to either Parks and Recreation or they could not sell the land at Skowhegan to anyone in private enterprise. Could I have it tabled?

The SPEAKER: The Chair would inform the gentledady that she may not debate a tabling motion, so the motion is not pending before us at the present time, the tabling motion.

The Chair recognizes the gentleman from Westbrook, Mr. Carrier.

Mr. CARRIER: I move this be tabled for one day.

Thereupon Mr. Birt of East Millinocket requested a vote.

The SPEAKER: The pending question is on the motion of the gentleman from Westbrook, Mr. Carrier that this matter be tabled pending the motion of Mr. Simpson of Standish to indefinitely postpone House Amendment "A" and tomorrow assigned. All in favor of tabling one legislative day will vote yes; those opposed will vote no.

A vote of the House was taken.

65 having voted in the affirmative and 42 having voted in the negative, the motion did prevail.

(Off Record Remarks)

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

Mr. TALBOT: Mr. Speaker, is the House in possession of L. D. 2350?

The SPEAKER: The Chair would answer in the affirmative. The House is in possession of Bill "An Act to Clarify the Power of the Commissioner of the Department of Transportation and the Chief of the Maine State Police to Lower Speed Limits in Order to Provide Energy Conservation," House Paper 1857, L. D. 2350, which was passed to be engrossed in the House yesterday.

Mr. TALBOT: Mr. Speaker, may I ask for reconsideration whereby this bill was passed to be engrossed?

The SPEAKER: The gentleman from Portland, Mr. Talbot, moves that the House reconsider its action of yesterday whereby this Bill was passed to be engrossed. The Chair will order a vote. All in favor of reconsideration will vote yes; those opposed will vote no.

A vote of the House was taken.

Thereupon, Mr. Talbot 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 Chair recognizes the gentleman from Bangor, Mr. McKernan.

Mr. MCKERNAN: Mr. Speaker, Ladies and Gentlemen of the House: I would like to pose a question through the Chair to the gentleman from Portland, Mr. Talbot, and ask why he wants to reconsider.

The SPEAKER: The gentleman from Bangor, Mr. McKernan, poses a question through the Chair to the gentleman from Portland, Mr. Talbot, who may answer if he wishes. The Chair recognizes that gentleman.

Mr. TALBOT: Mr. Speaker, if we do

reconsider I would like to offer an amendment, Amendment "C", under Filing Number H-709, which would in effect, the purpose of this amendment is to repeal the prohibition against hitchhiking.

I would, Mr. Speaker, like to speak briefly on that.

The SPEAKER: The gentleman may speak on reconsideration of passage to be engrossed.

Mr. TALBOT: Mr. Speaker, Ladies and Gentlemen of the House: I feel very definitely that this is a piece of legislation that we should be considering now, possibly because of the energy crisis, and possibly because of the need of people that have to hitchhike on our roads today, their need to get around.

I would ask you to refer to an item which I had distributed to the House, which reads: "Gorham man hangs self in Alfred jail." A young man named Daniel F. Lawrence, 21, of Gorham hung himself in the York County Jail because he had been booked on that Monday by State Police on the charge of hitchhiking. I think that is ridiculous. I think it is absolutely absurd, that a man hitchhiking on our roads today was picked up by the State Police, placed in the county jail, and consequently the man took his own life.

I travel from Portland to Augusta and Augusta to Portland almost daily, on a daily basis. I pick up at least one or two hitchhikers every day, people just going from community to community. I picked up a man going to work one morning out of New Hampshire. He had a tool case; he had working clothes on, and he was going to Brunswick. I offered the man a seat in my car and offered him my help. I think the time is exactly right that we consider such a piece of legislation, especially now in the time of energy crisis where we all might find ourselves hitchhiking to Augusta to a session one morning.

So I would sincerely hope that you would go along with me this morning. At least give me the chance to place an amendment on this bill, because several people that I have talked to from lawyers to doctors are very disturbed by that law on hitchhiking. So I would ask you this morning to reconsider so that I may place this amendment on this bill.

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

Mr. BRAWN: Mr. Speaker, Ladies and Gentlemen of the House: I have served on the Legal Affairs Committee ever since I have been here. Every session we have a hitchhiking bill. It has been trounced soundly. And when a bill comes in here, an amendment, on a speed limit, under a disguise so no one will see it, it is not an emergency in any sense of the word, I hope that every one of you vote not to reconsider it.

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

Mr. SIMPSON: Mr. Speaker and Ladies and Gentlemen of the House: Since there is not an amendment before us, but the amendment has been brought in for consideration as the reason for reconsideration, I would ask you, sir, if under Rule 32 of the Rules of the House if this amendment is germane to the bill?

The SPEAKER: The Chair would rule that this amendment deals with energy saving; that there are hitchhikers on the road every day that the Chair sees. The Chair feels that this is very germane to the issue of saving energy.

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

Mr. ROLLINS: Mr. Speaker and Ladies and Gentlemen of the House: In my district I have a man that hasn't had a license for 24 years. This man and his wife have 12 children. he has hitchhiked back and forth all of these years, 24 years, to work, about eight miles. Of course, everybody in that area knows him. They pick him up and take him back and forth. I hope today you would put yourself in the place of this gentleman.

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

Mr. CAREY: Mr. Speaker, I would ask the Clerk if House Amendment "B" is on this bill.

The CLERK: House Amendment "B" was adopted yesterday.

Mr. CAREY: Mr. Speaker, is it then my understanding that if House Amendment "C" were added to it, then, in effect, we would only have hitchhiking through this energy crisis?

The SPEAKER: The Chair would answer in the affirmative.

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

Mr. NORRIS: Mr. Speaker and Ladies and Gentlemen of the House: Very briefly. I served with my good friend, the gentleman from Oakland, Mr. Brawn, on Legal Affairs, and the first session we turned this bill down. The second session we heard it, we brought it out. If my memory serves me correctly, this body passed it. It was passed in this body and it was defeated in the unmentionable branch. I was against it originally. I was for it the last time. And certainly, just the number of people, young people, that I have seen going from here to Sugarloaf, going from here to Brewer, certainly, I think the fact of saving energy far outweighs some of the dangers that of course are inherent in picking up any hitchhikers.

The SPEAKER: The Chair recognizes the gentleman from Bethel, Mr. Willard.

Mr. WILLARD: Mr. Speaker, Ladies and Gentlemen of the House: I am still in the same position. I think this is a bad amendment.

When a man in an automobile stops and picks up somebody beside the road, he doesn't know them. They get in beside him. They could have a gun in their pocket, put it in his ribs, take his car and his money and leave him dead beside the road. And I still will hold that this is bad business.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: Just to put the House in the proper perspective; isn't the motion before the House now for reconsideration?

The SPEAKER: The Chair would answer in the affirmative.

Mr. KELLEHER: Then the amendment we are discussing really isn't before the House until we reconsider the bill; am I correct, Mr. Speaker?

The SPEAKER: The gentleman is correct.

Mr. KELLEHER: I would hope the House would reconsider, and then let's

debate the amendment in its proper perspective.

The SPEAKER: A roll call has been ordered. The pending question is on the motion of the gentleman from Portland, Mr. Talbot, that the House reconsider its action whereby this Bill was passed to be engrossed. All in favor of reconsideration will vote yes; those opposed will vote no.

ROLL CALL

YEA — Albert, Berry, P. P.; Berube, Briggs, Brown, Bunker, Bustin, Carey, Carter, Chonko, Clark, Connolly, Cooney, Cottrell, Curtis, T. S., Jr.; Dam, Dow, Drigotas, Dunleavy, Dyar, Emery, D. F.; Farley, Fecteau, Genest, Goodwin, H.; Goodwin, K.; Greenlaw, Hancock, Hobbins, Immonen, Jacques, Kelleher, Keyte, Kilroy, LaCharite, LaPointe, Lawry, LeBlanc, Lewis, J.; Lynch, Mahany, Martin, Maxwell, McCormick, McHenry, McKernan, McMahon, McTeague, Merrill, Morin, L.; Morin, V.; Mulkern, Murray, Najarian, Norris, O'Brien, Perkins, Peterson, Pontbriand, Ricker, Rolde, Rollins, Smith, D. M.; Snowe, Soulas, Sproul, Strout, Talbot, Tanguay, Twitchell, Wheeler, Whitzell, Wood, M. E.; The Speaker.

NAY — Ault, Baker, Berry, G. W.; Binnette, Birt, Bither, Bragdon, Brawn, Cameron, Carrier, Chick, Churchill, Cote, Cressey, Curran, Davis, Donaghy, Dunn, Evans, Farrington, Faucher, Finemore, Flynn, Garsoe, Hamblen, Hoffses, Hunter, Jackson, Kauffman, Kelley, Knight, Lewis, E.; Littlefield, MacLeod, Maddox, Morton, Murchison, Parks, Pratt, Shaw, Shute, Silverman, Simpson, L. E.; Stillings, Susi, Theriault, Trask, Trumbull, Tyndale, Webber, Willard.

ABSENT — Boudreau, Conley, Crommett, Deshaies, Dudley, Farnham, Ferris, Fraser, Gahagan, Gauthier, Good, Haskell, Huber, Jalbert, Kelley, R. P.; McNally, Mills, Palmer, Ross, Santoro, Sheltra, Smith, S.; Tierney, Walker, White.

Yes, 74; No, 51; Absent, 26.

The SPEAKER: Seventy-four having voted in the affirmative and fifty-one in the negative, with twenty-six being absent, the motion does prevail.

Mr. Talbot of Portland offered House Amendment "C" and moved its adoption.

House Amendment "C" (H-709) was read by the Clerk.

The SPEAKER: The Chair recognizes the gentleman from Fryeburg, Mr. Trumbull.

Mr. TRUMBULL: Mr. Speaker, Ladies and Gentlemen of the House: I guess it is time some facts were brought in that were in last session and have not been mentioned at all this session.

I would hope that this would not be adopted because of the fact that one out of five, according to State Police reports, of these hitchhikers that they pick up is carrying a dangerous weapon, drugs, or some other type of prohibited device. Now, if 20 percent of the individuals that hitchhike are dangerous criminals, and I believe that they probably are, is that if we want to expose our people to this type of thing, why then, go ahead and pass this. But if we don't, why then let's defeat it so that the people in the State of Maine can continue to be safe. And if it is something that is prohibited, the State Police will have some way to pick up these dangerous and hardened criminals.

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

Mr. LACHARITE: Mr. Speaker, Ladies and Gentlemen of the House: I submit to every member of this body that you don't have to pick up a hitchhiker if you don't want to. And for that reason alone, if a person wants to pick up someone who is traveling, then some people, 80 percent of them, as you referred to, are honest people, law abiding citizens and they just need a ride. For that reason I think this bill or this amendment should be adopted.

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

Mr. BRAWN: Mr. Speaker, Ladies and Gentlemen of the House: I would like to ask a question. It has been stated here that this is going to apply only during the emergency. I would like to know where that is stated in the bill. It says here to do away with this clause.

The SPEAKER: The Chair would

inform the gentleman that the House has already adopted a House Amendment which places a termination date on the effect of this bill.

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

Mr. CAREY: Mr. Speaker and Members of the House: I voted against the bill previously when it was before us in the regular session. But because of this termination date, I don't think that we have a better opportunity to at least give this a fair try than we do right now.

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

Mr. MURRAY: Mr. Speaker, Men and Women of the House: I am more than happy to speak on this bill again for the third time, maybe it is the fourth time. I sponsored the bill in this session and in the last session. I would just like to correct a few statements that have been made. The Legal Affairs Committee heard the bill the first time; the Judiciary Committee heard the bill the second time. The bill wasn't soundly trounced in here; the bill was passed in the House. Then, as Mr. Norris pointed out, something happened, but it only happened by a very small minority, I might add.

I think that the gentleman from Waterville made a good point. This is a good chance for us to try and see if we can come up with a system where people can have a means of transportation when they aren't fortunate enough to own their own vehicle or now, in the present situation, if they are not fortunate enough to find gasoline station that has gasoline so that vehicle can operate.

I would like to point out that I, myself, personally talked with State Troopers to try and get some of the statistics that Mr. Trumbull mentioned, and I would like to have him verify those statistics, because in the hearings when the State Troopers came to testify on the bill, none of this came out. I would like to know that, and they had no evidence to show where those people that hitchhike have a tendency to engage in criminal activity as opposed to those people who do not. I submit that they don't, and I also submit that if you do not like hitchhikers, don't

pick them up. If you don't want to hitchhike, don't hitchhike, walk or ride if you can get gasoline. But I do think we ought to try and maybe add this to this energy bill and find out how it will work here in Maine. I strongly support the adoption of the amendment.

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

Mr. TALBOT: Mr. Speaker and Members of the House: Just one last comment. Just after I got out of high school, Bangor High School, I sort of fell in love with a girl from Portland, and I hitchhiked from Bangor to Portland every single weekend for four straight years, whether it be two o'clock in the morning, whether it be one o'clock in the afternoon. This July we will be celebrating our 20th wedding anniversary.

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

Mr. SOULAS: Mr. Speaker, Ladies and Gentlemen of the House: I don't want to prolong this debate too much, but let's remember one thing, we are talking about our people, the people in Maine. We are the ones that are faced with a severe energy crisis. If these people were going to be moving out of town, they would have gone long time ago. We are talking about the people that are going from little cities to little cities, so let's support the bill, and I favor the amendment.

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

Mr. BRAGDON: Mr. Speaker, Ladies and Gentlemen of the House: Hang on to your hats, because I have decided to go along with the gentleman from Portland, Mr. Talbot. We all may be hitchhiking if things get tough enough.

The SPEAKER: Would the gentleman from East Millinocket, Mr. Birt, kindly come to the rostrum.

Thereupon, Mr. Birt of East Millinocket assumed the Chair as Speaker pro tem and Speaker Hewes retired to his seat on the floor of the House.

The SPEAKER pro tem: The Chair

recognizes the gentleman from Cape Elizabeth, Mr. Hewes.

Mr. HEWES: Mr. Speaker and Members of the House: I certainly hope you will vote for this amendment at this time. In this time of the energy crisis, I can't think of a better way to conserve on gasoline than to have two or three or more people ride in a vehicle. It seems to me it is actually going back to Biblical times. The Good Samaritan way is to offer a ride to someone if you want to.

Now in answer to some of the critics of this amendment, you don't have to pick someone up if you don't want to, but to me it just seems the good, common, Maine way to do it, to help your neighbor who wants a ride.

When I was overseas in the Asiatic Pacific Theaters, the military required that servicemen be picked up by other military vehicles.

Another thing that bothers me on the bill, every one of us knows that hitchhiking is done now, and that means that a person that picks somebody up or is a hitchhiker is breaking the law. I don't think we ought to encourage anybody to break the law. They are breaking the law; it is being done. If they break the law on a small matter like this, then they can say, why not break the law on something else? It is just a question of degree.

If some particular area wants to have hitchhiking control, it is a local matter. If perhaps in the area of Oakland or Waterville hitchhiking is required, a town ordinance or city ordinance can be passed which can prohibit hitchhiking if the town fathers so wish.

So I sincerely hope you will back the motion of the gentleman from Portland, Mr. Talbot, and pass this amendment.

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

Mr. ROLLINS: Mr. Speaker, Ladies and Gentlemen of the House: I would like to agree with our gentlemen from Cape Elizabeth, Mr. Hewes. And to the gentleman from Portland, Mr. Talbot, I will say that I was single at one time, this was 45 years ago this July, and the same thing happened to me.

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

gentleman from Portland, Mr. Talbot, that the House adopt House Amendment "C". All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

93 having voted in the affirmative and 24 having voted in the negative, the motion did prevail.

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

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

Mr. MARTIN: Mr. Speaker, I now move that we reconsider our action whereby this Bill was passed to be

engrossed and ask you to vote against me.

The SPEAKER pro tem: The gentleman from Eagle Lake, Mr. Martin, moves that the House reconsider its action whereby this Bill was passed to be engrossed. All in favor of that motion will say yes; those opposed will say no.

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

(Off Record Remarks)

On motion of Mr. Simpson of Standish,
Adjourned until nine-thirty tomorrow morning.