

MAINE STATE LEGISLATURE

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LEGISLATIVE RECORD

OF THE

*One Hundred and Seventh
Legislature*

OF THE

STATE OF MAINE

Volume II

May 21, 1975 to July 2, 1975

Index

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Monday, June 23, 1975

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

Prayer by Rabbi Harold S. Haye of Lewiston.

The members stood at attention during the playing of the National Anthem.

The journal of the previous session was read and approved.

Orders

Mr. Hewes of Cape Elizabeth presentee the following Joint Order and moved its passage: (H. P. 1763)

WHEREAS, numerous complaints have been made and numerous questions and problems presently exist relative to the relationship between Maine landlords and tenants, including but not limited to their respective duties and rights, the handling of security deposits and the provisions of the Maine laws concerning eviction by forcible entry and detainer; and

WHEREAS, it is therefore necessary to thoroughly study the Maine laws relating to the relationship between Maine landlords and tenants; now, therefore, be it

ORDERED, the Senate concurring, that the Legislative Council be authorized, through the Joint Standing Committee on Judiciary to study the Maine Statutes and the practices thereunder concerning the relationship between Maine landlords and tenants, including but not limited to their respective duties and rights, the handling of security deposits and the provisions of the Maine laws concerning eviction by forcible entry and detainer; and be it further

ORDERED, that the Council report the results of its findings, together with any proposed recommendations and necessary implementing legislation, to the next special or regular session of the Legislature and be it further

ORDERED, upon passage in concurrence, that suitable copies of this Order be transmitted forthwith to said agencies as notice of this directive.

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

Mr. Goodwin of South Berwick presented the following Joint Order and moved its passage: (H. P. 1764)

WHEREAS, existing statutes prohibit the advertisement of the sale of eyeglasses and related optical devices and materials; and

WHEREAS, this prohibition has been maintained principally because of the wide variation which is said to exist in the quality of services and materials provided by the eye care industry; and

WHEREAS, opticians constitute a significant segment of the eye care industry and are presently not subject to licensing standards comparable to other parts of the industry; and

WHEREAS, the variation in the quality of services and materials may be linked to the absence of common standards for the entire industry; and

WHEREAS, the establishment of common standards for services and materials in the eye care industry may eliminate the need for the prohibition on advertising; and

WHEREAS, prohibitions on advertising are, in general, not in the public interest; now, therefore, be it

ORDERED, the Senate concurring, that the Legislative Council, through the Joint

Standing Committee on Health and Institutional Services be authorized to study the current standards for services and materials in the eye care industry and to evaluate the need for any additional licensing requirements; and be it further

ORDERED, that the Council report the results of its findings together with any proposed recommendations and necessary implementing legislation to the next special or regular session of the Legislature; and be it further

ORDERED, upon passage in concurrence, that suitable copies of this Order be transmitted forthwith to said agencies as notice of this directive.

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

Mr. Perkins of South Portland presented the following Joint Order and moved its passage: (H. P. 1765)

WHEREAS, there appear to be numerous provisions of the Maine laws which are currently in violation of the 14th Amendment of the Constitution of the United States, Title VII of the United States Civil Rights Act of 1964, as these laws have been interpreted by the courts or decisions of the Equal Employment Opportunity Commission; and

WHEREAS, it therefore is necessary to thoroughly study the Maine laws to identify the provisions which are presently in violation as aforesaid; now, therefore, be it

ORDERED, the Senate concurring, that the Legislative Council be authorized, through the Joint Standing Committee on Judiciary, to study the Maine Revised Statutes to determine which of the provisions thereof are currently in violation of the 14th Amendment of the Constitution of the United States, Title VII of the United States Civil Rights Act of 1964, as these laws have been interpreted by the courts, or decisions of the Equal Employment Opportunity Commission; and be it further

ORDERED, that the Council report the results of its findings, together with any proposed recommendations and necessary implementing legislation, to the next special or regular session of the Legislature; and be it further

ORDERED, upon passage in concurrence, that suitable copies of this Order be transmitted forthwith to said agencies as notice of this directive.

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

Mr. Carter of Winslow presented the following Joint Order and moved its passage: (H. P. 1766)

WHEREAS, construction costs for state, county and municipal buildings currently range up to \$60 per square foot; and

WHEREAS, in many cases, construction costs could be reduced by a system of open competitive bidding handled by a professional services evaluation board; and

WHEREAS, this competitive bidding would result in a savings in construction costs to the state, counties and municipalities of millions of dollars annually; and

WHEREAS, Legislative Document 1770, "An Act Relating to State, County and Municipal Procurement of Engineering, Architectural and Construction Consultant Services," introduced in the regular session of the 107th Legislature, contained one method of establishing a system of open competitive bidding for construction

services to the State, counties and municipalities; now, therefore, be it

ORDERED, the Senate concurring, that the Legislative Council, through the Joint Standing Committee on Appropriations, be authorized to study methods of awarding state, county and municipal construction services contracts, with special reference to the methods proposed by L. D. 1770, in order to determine an effective, open and fair method of awarding contracts for such services while not impinging on the home rule provision of the Maine constitution; and be it further

ORDERED, that the Council report the results of its findings together with any proposed recommendations and necessary implementing legislation to the next special or regular session of the Legislature; and be it further

ORDERED, upon passage in concurrence, that suitable copies of this Order be transmitted forthwith to said agencies as notice of this directive.

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

On Motion of Mr. Albert of Limestone, it was

ORDERED, that Linwood E. Palmer, Jr. of Nobleboro be excused for June 16, 17 and 18 for health reasons.

Orders of the Day

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

RESOLUTION, Proposing an Amendment to the Constitution Limiting the Right to Trial by Jury in Criminal Prosecutions to only those Instances in which an Accused may be Imprisoned or Suffer Loss of Liberty or be Fined more than Five Hundred Dollars (S. P. 329) (L. D. 1115) — In House, Indefinitely Postponed, June 19. — In Senate, Passed to be Engrossed in non-concurrence, June 20.

Tabled — June 20, by Mr. Henderson of Bangor.

Pending — Motion of Mr. Hewes of Cape Elizabeth to Recede and Concur.

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

Mr. HENDERSON: Mr. Speaker, I would just like to refresh your memory. This is, again, one of those jury tampering votes that we have had so many times in the House, and I would hope that you would defeat the motion to recede and concur, which would basically enact this bill, which we have defeated time and time again, so that we can vote to adhere and finally lay this to rest.

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

Mr. HEWES: Mr. Speaker and Members of the House: I will try to be brief this afternoon. I am the last person that wants to see the jury system tampered with, but it seems to me that there is such congestion in the courts right now, that these very minor violations that do not involve jail sentences, they involve strictly a fine of up to \$500 for just jay walking, should be taken away from the jury jurisdiction. I think a judge can decide whether a person is jay walking or not.

Some of these very minor offenses, and there aren't many offenses that have a fine of \$500 or less, these very minor offenses appeal to the Superior Court, they are on the court docket and they congest things. As a practical matter, usually the prosecutor will dismiss the action because the judge knows it will cost more for the jurors to be in session, and it takes 12

jurors in a criminal matter. A civil matter, we passed a law that there need be only 6 jurors or more, but in a criminal matter, there has to be 12 jurors and then you select from a pool of more than 12 to get your 12 that are satisfactory to both sides, and for a jay walking matter or something of that nature, or a littering matter, I don't think we should take up the jury's time, and I hope you vote to recede and concur.

The SPEAKER: The Chair recognizes the gentlewoman from Waterville, Mr. Kany.

Mrs. KANY: Mr. Speaker and Members of the House: We did go into this in detail at the end of last week, so I won't speak at any length right now, but we did bring up the fact that perhaps there are better methods of dealing with this problem, such as decriminalizing some of these very petty crimes and putting penalties on them so they would not be open even to the jury trial under the civil law.

I hope you will defeat this measure and vote against the motion, which is to recede and concur.

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

Mr. MILLS: Mr. Speaker, Ladies and Gentlemen of the House: I am totally opposed to the motion to recede and concur. Six years ago, there was a lot of discussion, and nothing came of it. A lot of these petty crimes have to do with traffic violations. An attempt was made then to agitate and have some studying done to set up a traffic division in the state, but the Maine Bar Association, I was told, saw fit to ignore this suggestion; therefore, I am totally opposed to recede and concur.

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

Mr. MacLEOD: Mr. Speaker and Members of the House: I would ask you to recede and concur at this particular time. I think there is one very strong point that should be brought out, the fact that last winter you had a very expensive series of hearings held throughout the State of Maine by your very capable Legal Affairs Committee. I was very fortunate to attend one of these in Hancock County in Ellsworth. At these various meetings, at least the one I did attend, were law enforcement officers from all branches, local, county and state police, as well as judges and the committee and interested citizens such as I. And this, as I understand, is one of the measures which came out of that committee and out of these findings as one of their very strong recommendations. Therefore, I would support the motion to recede and concur.

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

Mr. BOWIE: Mr. Speaker, I request that when the vote is taken, it be taken by the yeas and nays.

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

A vote of the 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 Stow, Mr. Wilfong.

Mr. WILFONG: Mr. Speaker, Ladies and Gentlemen of the House: I would oppose the motion to recede and concur and hope we could make the motion to adhere. I think that instead of changing the structure of the jury system in the State of Maine without changing the spirit in which

it was built would be a very grave error, and I think there are other ways to handle it. I think we can handle it, as Mrs. Kany suggested, through decriminalizing some of these minor offenses. I also think that if we find it necessary to keep them in the books as criminal offenses, then perhaps we can expand our jury system, our judicial system, to handle this. I don't think the way to handle an ingrown toenail is to cut the leg off.

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

Mr. CALL: Mr. Speaker and Members of the House: In my opinion, the word for this proposed legislation is precarious and I hope that we defeat the motion to recede and concur.

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

Mr. MILLS: Mr. Speaker, Ladies and Gentlemen of the House: In my opinion, the motion to recede and concur simply takes away the right of every citizen in the State of Maine for equal protection before the law. This makes a playground in the courts for the lawyers that are operating there.

The SPEAKER: A roll call has been ordered. The pending question is on the motion of the gentleman from Cape Elizabeth, Mr. Hewes, that the House recede and concur. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Ault, Bagley, Berry, G. W.; Carey, Carpenter, Churchill, Curtis, Drigotas, Durgin, Farley, Farnham, Faucher, Garsoe, Gould, Greenlaw, Hall, Hewes, Higgins, Hobbins, Hutchings, Jackson, Jensen, Kelley, Lewin, Lizotte, MacLeod, Maxwell, McKernan, McMahon, Palmer, Perkins, S.; Perkins, T.; Pierce, Quinn, Rollins, Shute, Smith, Snow, Snowe, Sprowl, Susi, Teague, Tierney, Torrey, Usher.

NAY — Bachrach, Berube, Blodgett, Bowie, Burns, Bustin, Call, Carroll, Carter, Chonko, Connors, Connolly, Cooney, Cote, Cox, Curran, P.; Curran, R.; Dam, Davies, DeVane, Doak, Dow, Fenlason, Finemore, Flanagan, Gauthier, Goodwin, H.; Goodwin, K.; Gray, Henderson, Hennessey, Hunter, Ingegneri, Jacques, Jalbert, Joyce, Kany, Kelleher, Laffin, Laverty, LeBlanc, Leonard, Lewis, Littlefield, Lovell, Lunt, Lynch, MacEachern, Mackel, Mahany, Martin, A.; Martin, R.; McBreairty, Mills, Mitchell, Morin, Morton, Mulhern, Nadeau, Najarian, Pearson, Pelosi, Peterson, P.; Peterson, T.; Post, Powell, Raymond, Rolde, Saunders, Strout, Stubbs, Talbot, Tarr, Theriault, Tozier, Twitchell, Tyndale, Walker, Wilfong, Winship.

ABSENT — Albert, Bennett, Berry, P. P.; Birt, Boudreau, Byers, Clark, Dudley, Dyer, Fraser, Hinds, Hughes, Immonen, Kauffman, Kennedy, LaPointe, Miskavage, Norris, Peakes, Rideout, Silverman, Spencer, Truman, Wagner, Webber.

Yes, 45; No, 80; Absent, 25.

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

Thereupon, the House voted to adhere. By unanimous consent, ordered sent forthwith to the Senate.

The Chair laid before the House the second tabled and today assigned matter: Joint Resolution Concerning the Augusta Area's Fourth of July Celebration Days (H. P. 1747)

Tabled - June 20, by Mr. Birt of East Millinocket.

Pending - Adoption.

The SPEAKER, The Chair recognizes the gentleman from Augusta, Mr. Lewin.

Mr. LEWIN: Mr. Speaker and Members of the House: I was unable to speak on this Resolution the last legislative day.

Over the years, legislators have had the privilege of introducing resolutions. This session, many resolutions, worthy resolutions, have been presented and passed without objection. These resolutions recognized towns, persons, clubs, teams, etc., throughout our great state.

This resolution today honors the capital city, Augusta is the capital city of our great State of Maine, and I believe that this resolution is timely today. I feel that it is very fitting that this resolution be given favorable consideration, and I urge your support.

I now move its adoption.

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

Mr. CAREY: Mr. Speaker and Members of the House: It pains me somewhat to make the motion that I am going to be making, because Augusta, obviously, takes great pride in the fact that they are going to be having a three-day celebration, but I think that anyone who is sitting here is going to be able to tell us that their particular communities are going to have three and four-day celebrations and we as a legislature should not be singling out a particular community when we have 495 that are working just as hard as a single community. I would, therefore, move indefinite postponement of this resolution.

The SPEAKER: The gentleman from Waterville, Mr. Carey, moves the indefinite postponement of this Joint Resolution.

Thereupon, Mr. Jalbert of Lewiston requested a roll call vote.

The SPEAKER, The Chair recognizes the gentleman from Augusta, Mr. Lewin.

Mr. LEWIN: Mr. Speaker, Ladies and Gentlemen of the House: In answer to the gentleman from Waterville, I would simply say that any Representative from any community has the prerogative to put in a resolution if he so sees fit.

I might add, of all the resolutions that have been put in this year, none have been contested.

The SPEAKER, The Chair recognizes the gentleman from Gardiner, Mr. Bowie.

Mr. BOWIE: Mr. Speaker, Ladies and Gentlemen of the House: I would hope you wouldn't indefinitely postpone this resolution, because like Mr. Lewin says, every town and every city in this state can put the same thing in, because every town and every city is represented in this very room.

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 Waterville, Mr. Carey.

Mr. CAREY: Mr. Speaker and Members of the House: The only thing I would point out, for those of you who are interested in your particular area, is that the legislature — in the calendar of last Friday — the

legislature hereby proclaims that July 3, 4 and 5 shall be known as the Augusta Area's Fourth of July Celebration Day. That doesn't do you any good if you are out of Houllon.

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

ROLL CALL

YEA — Carey, Connolly, Davies, Gauthier, Hall, Kelleher, Lizotte.

NAY — Ault, Bachrach, Bagley, Berry, G. W.; Berry, P. P.; Berube, Blodgett, Bowie, Burns, Bustin, Call, Carpenter, Carroll, Chonko, Churchill, Connors, Cote, Cox, Curran, P.; Curran, R.; Curtis, Dam, DeVane, Doak, Dow, Drigotas, Durgin, Farnham, Faucher, Fenlason, Finemore, Flanagan, Garsoe, Goodwin, K.; Gould, Gray, Greenlaw, Henderson, Hennessey, Hewes, Higgins, Hobbins, Hunter, Hutchings, Ingegneri, Jackson, Jacques, Jalbert, Jensen, Joyce, Kelley, Laverty, LeBlanc, Leonard, Lewin, Lewis, Littlefield, Lovell, Lunt, Lynch, MacEachern, Mackel, MacLeod, Mahany, Martin, A.; Martin, R.; Maxwell, McBreairty, McKernan, Mills, Mitchell, Morin, Morton, Mulken, Nadeau, Najarian, Palmer, Pearson, Pelosi, Perkins, S.; Perkins, T.; Peterson, P.; Peterson, T.; Pierce, Powell, Quinn, Raymond, Rolde, Rollins, Saunders, Shute, Smith, Snow, Snowe, Sprowl, Strout, Stubbs, Susi, Talbot, Tarr, Teague, Theriault, Tierney, Torrey, Tozier, Twitchell, Tyndale, Usher, Walker, Wilfong.

ABSENT — Albert, Bennett, Birt, Byers, Carter, Clark, Cooney, Dudley, Dyer, Farley, Fraser, Goodwin, H.; Hinds, Hughes, Immonen, Kany, Kauffman, Kennedy, Laffin, LaPointe, McMahon, Miskavage, Norris, Peakes, Post, Rideout, Silverman, Spencer, Truman, Wagner, Webber, Winship.

Yes, 7; No, 110; Absent, 33.

The SPEAKER: Seven having voted in the affirmative and one hundred and ten in the negative, with thirty-three being absent, the motion does not prevail.

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

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

Joint Resolution Memorializing the Federal Reserve Board, the Federal Deposit Insurance Corporation, the Federal Home Loan Bank Board and the United States Congress to Equalize Deposit Rate Ceilings in the State of Maine (H. P. 1751)

Tabled — June 20, by Mr. Smith of Dover-Foxcroft.

Pending — Adoption.

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

Mr. SMITH: Mr. Speaker, Ladies and Gentlemen of the House: If you will recall, I had the privilege of sponsoring a very important piece of legislation in this session having to do with the revision of the banking laws. That bill is receiving national acclaim. It is, without doubt, the best banking law now in the United States. It represents, I think, the best effort that we can make to improve our banking laws. There is really not a heck of a lot more that we can do. That does not mean, however, that there is not improvement that can be made in the overall banking system. Those improvements must come through federal

legislation now, federal rules and federal regulations. This memorial recognizes that fact, and it is supported, I think, by the banking community in general and it is particularly supported by the commercial banks, both those who supported and opposed Report A, which was the real committee report on the banking bill.

This resolution does not in any way suggest an affirmative finding of fact by this legislature nor does it intend or is it intended to run contrary to anything embodied in the banking bill. It is simply the legislature's feeling that the federal, law, federal rules and federal regulations should be reviewed at this time in view of the basic changes which we have made in Maine's banking laws as those federal rules and regulations apply to Maine.

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

Mr. HENDERSON: Mr. Speaker and Members of the House: The reason I called attention to this the other day as it went by was because it seems to me, and it may not be the case, that we were stating a policy in this resolution which was contrary to the policy that seemed to be at issue in our debate on the so-called banking bill. The one that caught my eye the most was the last "whereas" of this resolution, which says, "Whereas the citizens of the State of Maine would greatly benefit by the elimination of the present law and regulations which in effect allow unequal maximum rates of interest for commercial banks and savings banks." It appeared that in our debate, we were saying that it was in the interest of the State of Maine, the citizens, to have savings banks interest be higher than commercial bank interest because of the fact that they were only being given limited checking account authority and that this is one way to keep their deposits up and therefore allow them to let the housing market proceed.

This particular resolution seems to be saying that we are asking the federal government to allow those rates to be equal without any reference to the privileges that are involved in those two different kinds of institutions. It would seem that if that were true, and again reflecting on our past debate, if the savings account interest were equal in both banks, then there would be a tendency for people to put their savings accounts into commercial banks, since there would really be no particular advantage in having their savings and checking accounts in a savings bank, because they would have limited services. Maybe Representative Smith could clarify that aspect for me, but that is the one that seemed to bother me the most.

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

Mr. SMITH: Mr. Speaker and Members of the House: The gentleman is probably partly correct. However, I want it clearly on the record that this not intended as any kind of a finding of fact.

My original statement a few seconds ago indicated that we have done all that we can do at this time, given the present federal rules and regulations to equalize and make more competitive the banking system.

If the feds take action to implement certain recommendations that are before them, that does not mean that at that time it would not be beneficial for the state to reconsider its action again. There are a few little things that once the feds have equalized interest rates and other things at

the national level, we ought to come back here probably and do it at the state level.

What we have done in the banking bill is tried to maintain an equitable balance given the present federal rules and regulations. So what this is doing is urging the feds to take a hard look at the recommendations that are before them in view of the present Maine banking laws, which has changed the situation. That is all it is doing. It is not an affirmative finding of fact in any way by this legislature.

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

On motion of Mr. Rolde of York, the Chair laid before the House the first tabled and Unassigned Matter:

House Divided Report — Majority (8) "Ought to Pass" in New Draft (H. P. 1692) (L. D. 1930) — Minority (4) "Ought Not to Pass" — Committee on Transportation on Bill "An Act Increasing Motor Vehicle Registration Fees" (H. P. 861) (L. D. 1080)

Tabled — June 11, by Mr. Rolde of York.

Pending — Motion of Mr. Fraser of Mexico to accept the Majority "Ought to Pass" in New Draft Report.

The SPEAKER: The Chair recognizes the gentleman from Solon, Mr. Faucher.

Mr. FAUCHER: Mr. Speaker, I move for the indefinite postponement of this Bill and all its accompanying papers and would ask for a roll call.

The SPEAKER: The gentleman from Solon, Mr. Faucher, moves that this Bill and all its accompanying papers be indefinitely postponed.

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

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: I can't understand the move that has just been made, because the Transportation Department is in real bad trouble. We haven't had a raise in registration for a good many years on automobiles, and this would only increase the automobile, as I remember, \$3, and that is a very minimum raise, \$3 on automobiles, and the truck is raised a little better than 20 percent.

In the case of the corporation that I used to be in, this means about \$135 increase on each truck, but we aren't objecting to it. Ladies and gentlemen, we have just got to have something like this.

We were paying \$415 per truck and now it will bring it up to \$625. That is quite a raise. If the trucks are willing to raise this, I think the automobile registration should be perfectly willing to take a \$3 raise.

I hope you do not vote to indefinitely postpone this because we have got troubles, troubles, troubles in the Highway Department. I was just notified today, I had a call that someone had called into the state supervisor in one district up in Aroostook and wanted to know why the guardrails weren't replaced, and they told him they weren't replacing them this year. I didn't place this call. This is just hearsay, second party news, but they tell me they aren't replacing any guardrails this year. So if we are in a position that we are not replacing guardrails, we must be in pretty serious condition. I hope you won't go along with the indefinite postponement of this measure. It is only \$3 on automobiles.

The SPEAKER: The Chair recognizes the gentleman from Corinth, Mr. Strout.

Mr. STROUT: Mr. Speaker, Ladies and Gentlemen of the House: I hope you do not indefinitely postpone this bill today. I think what we should do is keep this bill alive and find out which way we are going. To fund the Highway Department, either we

have got to go with this L. D. or with the gas tax, the way I see it at the present time.

This piece of legislation which increase the automobile registration from \$15 to \$18 and the truck registration, basically, 15 per cent across the board, even though I signed the report out "ought not to pass," because I feel maybe at this particular time — at the time I signed the bill out, I felt that maybe we should not increase these fees. However, I feel sometimes in the next two or three days, we have got to make a decision in order to fund the highway budget. I do feel that we should keep this bill alive today and maybe sometime in the next few days we will come to a decision and maybe this would be one of the bills to dispose of. So I would urge all of you today to vote against the pending motion.

The SPEAKER: The Chair recognizes the gentleman from Biddeford, Mr. Farley.

Mr. FARLEY: Mr. Speaker, Ladies and Gentlemen of the House: I wish we would go along with this motion here this afternoon to indefinitely postpone. I think this is a bad approach to a real problem. Here we are in a time of energy shortage and we are asking people to conserve energy, and those who are conserving energy, we are asking them to pay a higher price on registration. I think we all know what the real answer to this problem is and that is to tax the users, and that bill is still floating around here alive, and I would urge you to go along with the motion of the gentleman from Solon, Mr. Faucher, to indefinitely postpone this bill and work with the guts of the problem.

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

Mr. KELLEHER: Mr. Speaker and Ladies and Gentlemen of the House: Very briefly, Mr. Finemore said that there hasn't been an increase in the auto registration fees for 20 years but I might remind the House there have certainly been some increases in the gas tax and I urge that the House support the gentleman's motion. Mr. Strout wants us to wait two or three days. I'm prepared to vote now and I would hope the House is, to indefinitely postpone this item.

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

Mr. PETERSON: Mr. Speaker and Men and Women of the House: The next few days, I hope the weather isn't like this, but we have got to deal with some very serious issues in the next few days and the funding of the highway budget is one of the more difficult issues I think to face this session. This legislature is going to have to establish some priorities and I have been speaking about priorities. I have been speaking out, I have been sending out across your desks daily measures on energy and what's happening.

There was an article in this morning's paper by Senator Jackson who said that gasoline prices could well reach \$1 a gallon in New England. There are other articles that I referred to that said, gas in New England could reach seventy cents per gallon.

We're going to be faced with L. D. 907 which will create the fiscal notes as \$5.6 million, L. D. 1930 which is a redraft of L. D. 1080 will create, I believe, \$5.2 million and L. D. 1332, the gas tax, create \$11 million. Now this money is going to be coming from the pockets, in part, from Maine citizens and it's not only the price of tar, asphalt, guard rails or what not that

the highway department has that's going up, also consumer articles, everything from toilet paper to sugar, milk, everything is expensive. Heating oil is supposed to go through the roofs this winter.

Now let's not disillusion ourselves in this hot, summer weather that we don't have problems and I don't want to see this legislature enacting legislation that's going to adversely affect the citizens of this state, just so that we can have new ribbons of highway. I think we are going to have to support one of these measures, I'm not sure whether I am personally going to support any of them but we are going to have to fund the highway department. You're going to have to make a decision on whether you want to charge Maine citizens who own motor vehicles \$3 extra in registration fees as opposed to hitting them one cent per gallon every time they go into the filling station. I, at this point in time, am more willing to support an across the board increase of registration fees of \$3 and I would this afternoon, vote to keep this bill alive but I am dead against increasing transfer fees, and I'm dead against the gas tax for no matter how short or long a period of time. It's a regressive form of taxation and I hope that we will all think about these issues seriously and how limited our pocketbooks are. Not only the highway department has a limited pocketbook, but the citizens of this state, and I urge you to think over these issues very carefully before we vote on them.

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

Mr. GOODWIN: Mr. Speaker, I would like to pose a question. Will the money that this increased registration fees raise go into the general highway budget or what exactly is it going to be used for, is it dedicated to any one particular purpose?

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

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen: To answer the question, it produces \$14.6 million and it goes to the general fund which if, under every circumstance will bring in \$40 million for highway. That's the answer to the question.

The SPEAKER: The Chair recognizes the gentlewoman from Madison, Mrs. Berry.

Mrs. BERRY: Mr. Speaker and Ladies and Gentlemen of the House: We have two bills in raising money, this one here is for automobile and truck licenses, the other one deals with fees of numerous types transfers and I guess it includes motorcycles and this type of thing, all of which go for maintenance and this wouldn't take into consideration the cash flow, this would be for maintenance. You're talking about people in the State of Maine, they won't need to have their cars because this also does the snow plowing of your state ways and there are many things here that are just maintenance and I think that we have got to pass one or the other of those, either the increasing of numerous fees or the motor vehicle registrations.

The SPEAKER: The Chair recognizes the gentleman from Corinth, Mr. Strout.

Mr. STROUT: Mr. Speaker and Ladies and Gentlemen of the House: L. D. 1930 a new draft, doesn't bring in \$14.6. In the new draft it's proposed revenue would be \$5.2 which, if passed, would go into the general highway account.

The original bill to come out did specify projected revenue of \$14.6 but in the new

draft, it has been cut back to \$5.2, there was a lot of duplications when this came out originally to the 907 fee bill.

Now let me explain to you very briefly that the bills that were presented to us to fund the budget that the Governor proposed in the allocations to fund his budget was the \$10.9 million bond issue which he agreed to increase \$2.7 million which made it \$13.6 which, it is my understanding, this bill has been signed and has become law. The other bill that was needed to fund the budget was the fee bill which is \$5.66 million plus we have a few other small bills on the Highway Appropriations Table at the present time which would generate \$6.2. Now these two programs would take care of the budget as is. The gas tax is tied into special programs and, at the present time, it has nothing to do with the highway allocations. The two programs that we needed were the bond issue and the so-called fee bill which is L. D. 907. Now, if we didn't pass the fee bill, then I would say we would need this bill, but if you are sure you want to go the route to pass the motor vehicle fee bill which I call the odds and ends bill which takes in the motorcycles, the long-term trailer permits, the vanity plates all of these things, then you wouldn't need this bill here but I ask you most sincerely today to keep this bill alive and maybe if there is one problem with the increase in the truck registrations that we could amend this down so that it could be more satisfactory and still have enough revenue. As I see it today, if we defeat this measure, and should pass the fee bill and defeat the gas tax, town road improvement and winter maintenance to town ways is going to go back to the property tax.

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

Mr. GOODWIN: Mr. Speaker, I guess the question I have on this bill is what is the money going to be used for, and I'm looking at L. D. 1928 which I guess is still tabled over in the Senate and there's a lot of various codes and spot programs and sections in there dealing with everything from the Secretary of State, administration, public safety and transportation, bridges, maintenance, picnic areas, etc. I think what I would like to know more specifically is what are these fees going to be used for, are we going to have any voice in setting the priorities of the use of this increased revenue or is this going to be another turnover to the department to allow them to use it wherever they see fit? I think this is a major question that I have before I vote on this.

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

Mr. DUDLEY: Mr. Speaker, Members of the House: To try to answer the gentleman's question, the Highway Committee or the Transportation Committee in the General Highway Allocation Act and that Allocation Act is much for maintenance, etc. It is all broken down, if you look at the Highway Allocation Act and that Allocation Act is done by the committee. I suspect you won't have too much to say about it unless you are on the Committee of Transportation, otherwise, you would have to amend it in the House, on the Highway Allocation Act but that's the only way you would have any output from a personal point of view on how the money is spent.

Then they have ways in highway they put their finger on monies that we don't have nothing to say about, too. For

instance, they can charge whatever they want for equipment and put it in the equipment account. They have ways that they can get pocket money to buy vehicles, and stuff with, but generally speaking, we allocate the money for highways right here, the Transportation Committee and it's known as the Highway Allocation Act and then it is pretty well broken down and I expect that will be before us pretty soon.

Mr. Raymond of Lewiston requested a roll call.

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

Mr. FRASER: Mr. Speaker, Members of the House: I'm sorry I was taken off balance this afternoon. I came in late, I couldn't help it and I really don't know what has been said up to this moment, only know the questions that have been asked since I came in.

This money is included in the Governor's budget, as it stands now, and if this is not passed, why some more of the budget will have to be taken out the same as the snow removal and the town aid will have to be taken out if we don't get the gas bill, unless of course, we go on to the next one and pass that. There are two of these fee bills plus the gas bill just waiting to find out how much money is going to be able to be used for the Transportation Department and I want to say one more thing. Every once in a while a slam is made on this floor regarding the almost dishonesty of the administration of the Transportation Department and I resent that. I don't think it's so, I believe we have administrators there who are just as reliable and as honest as anybody right here in this room and if they can get along with a little money they will, or they'll just do less, that's all.

The SPEAKER: The Chair recognizes the gentleman from Corinth, Mr. Strout.

Mr. STROUT: Mr. Speaker, Members of the House: I'd like to make a couple of answers to some of the questions if I may. The gentleman from South Berwick, Mr. Goodwin, has asked a question "where is this money going and the gentleman from Mexico says that this L. D. is included in the Governor's budget." I think that he may have mixed it up with L. D. 907. L. D. 1930, in new draft, is not included in the Governor's budget, I want that made very clear.

To answer the gentleman from South Berwick I guess I say to you, at this time, there is no projected place for this L. D. If the fee bill was defeated, then we could probably take this bill here and use it in its place or if the good gentleman wanted to, this bill here could be amended and take care of the same programs that are amended in the gas tax. This bill here would practically take care of the town road improvement and winter maintenance if he so desired, he could put an amendment on this and take care of those programs. As I say, at the present time, I say to you, we should keep this bill alive.

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

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: I shouldn't even be fighting for this bill. I should be going for indefinite postponement but I'm not. It only means \$3 raise on any automobile, Cadillacs, Oldsmobiles, or anything, under 1930. They have changed it from the 1008 so it's three dollars across the board and it's a 20 percent increase on regular truck registrations, 20 percent and I've never found a trucker that is against this bill. He's willing to pay it because he's

going to get a little more improved roads for hauling because a lot of our roads are secondary and town improvement roads and the farmer on his \$23,000 or \$26,000 license is only a \$15 increase so I think we wouldn't get any objection from the farmer. I think and I hope at this time you will not vote for indefinite postponement of this bill.

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

Mr. FRASER: Mr. Speaker and Ladies and Gentlemen of the House: I am sorry I was taken off balance and this bill is not the one that is in the Governor's budget and I want to speak a little bit about maintenance. How many of us get up in the morning after there has been a foot or a foot and one half of snow and we get up and drive our car anywhere we want to go, we seem to take that for granted. There have been men out there all night working with equipment that costs money, gas that costs money, tires that cost money, labor that costs money and all this money is part of that maintenance. I really don't know, but I'll bet at least one third of that maintenance is used up just taking care of winter roads and repairing them in the spring after the frost has damaged them.

The SPEAKER: The Chair recognizes the gentleman from Wells, Mr. Mackel.

Mr. MACKEL: Mr. Speaker and Ladies and Gentlemen: I just have a few questions. Quite frankly, I'm not particularly knowledgeable on this subject and I'd like to ask specifically how long it has been since there has been an increase in registration fees and does this, in looking at the bill, it doesn't specifically make reference to trailers. Is the registration of trailers affected in any way and thirdly, and to me, at least most importantly, I would like to reiterate I believe in part, the question by Mr. Goodwin from South Berwick and that is, I haven't been convinced as yet there is a need for this money. What is the purpose of this money, why are we raising these funds, for what purpose?

The SPEAKER: The Chair recognizes the gentleman from Corinth, Mr. Strout.

Mr. STROUT: Mr. Speaker and Ladies and Gentlemen: In answer to the three questions, number one, I can't answer the first question he asked concerning how long it has been, but I believe the other question he wanted to know if camp trailers, there's no increase on trailers in this bill. It comes under L.D. 907. The third question he asked "is there any need for this bill?" My answer to you today is there's no need for this bill if we decide that we are going to pass the other two. If, for some reason or other, the other two programs are defeated, then we most definitely are going to need this legislation to fund our highway allocation.

The SPEAKER: The Chair recognizes the gentleman from Westbrook, Mr. Laffin.

Mr. LAFFIN: Mr. Speaker, Ladies and Gentlemen of the House: I have sat here for six months and I feel that every time a department head comes up for more money, it goes back to the people to pay for. We gave hunting license increases and we've given everything that these department heads wanted. I know it's a hot day and I don't feel like talking on this subject any more than anyone else does but I read something in the paper several times that has bothered me to no end, that we are the biggest bunch of spenders up here that this legislature has ever seen, the 107th. It costs more for us to run this government this year than it has cost ever

before, to me that's an insult and I take offense to that because we are supposed to be for the people and every time you want a gas tax, you want something else, who pays for it? The working people of this state pay for that, it is not the unemployed, it's not the out-of-staters, it's the working people. I don't want to get excited about this thing because it's not that important but I do say to you, we should try to do something for the people. Instead of every time a department head wants more money, let's cut them down and say "do the best you can with what you've got." I think that's the saying in the Army and that's what they used to say. Let's try to do something for the people instead of coming up here all the time and putting the burden on the working people that have to work for a living and say to them, "O.K. we are going to do something" and that bothers me to no end."

In the Portland paper twice or three times, I don't remember how many times, that we are labeled the biggest spenders in the legislative history and I don't like that and it bothers me because I know we are all trying hard and we are trying to do the best we can, of course, we do the best we can. But this bothers me and let's try to do something instead of adding taxes on and adding this on to the people. They are going to have to absorb an awful big burden when they get back home this fall on property taxes and I think we should consider this very, very carefully. We've got to answer the people back home.

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

Mr. DAM: Mr. Speaker, Ladies and Gentlemen of the House: I would hope today that we do not vote for indefinite postponement of this but that we would keep it alive.

I am not a big spender neither am I one of the last of the big spenders because I think eventually we're all going to have to make up our mind to some big spending before this session ends, not this regular session but before the special session ends.

I would like to remind the gentleman from Westbrook, Mr. Laffin, that this is not a new program. Those are roads that we've got, they are roads that have to be maintained and if we don't face up to it now and we let them go for a year or two years, we are only going to come back here in the next session, the 108th and we are going to find that our roads have gone down hill and they've gone down bad enough so that then there will have to be drastic measures to raise money to put them back into condition. Even with this money it is not going to take care of all of the problems, we are still going to go behind, we are not going to be able to keep up but at least this will be a stop gap and it will help to keep the roads up as best as can be done and I think the State Highway Department has done a lot in the last two years as far as getting their house in order to curtail expenses and have a little better control.

This may seem strange to some of the older members because in the other three previous sessions, I stood on this floor and criticized the State Highway Department but I have seen tremendous changes in the last two years and I would hope today that we do have faith in the State Highway Department and this is not a tax we are putting on the people, this is not a new service, this is something that is going to have to come about and we are going to have to maintain our roads and this is the only way we are going to have to maintain our roads and this is the only way we

travel in the State of Maine so I would hope we do not vote for the motion for indefinite postponement.

The SPEAKER: In order for the Chair to order a roll call, it must have the expressed desire of one-fifth of the members present and voting. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken and obviously 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 before the House is the indefinite postponement of L. D. 1080 and all its accompanying papers. Those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA — Ault, Bennett, Berry, P. P.; Berube, Birt, Blodgett, Boudreau, Burns, Bustin, Call, Carey, Carpenter, Carroll, Carter, Chonko, Churchill, Connors, Connolly, Cooney, Cote, Curran, P.; Davies, DeVane, Drigotas, Durgin, Farley, Faucher, Flanagan, Garsoe, Gauthier, Goodwin, H.; Goodwin, K.; Gray, Henderson, Hewes, Hobbins, Hunter, Jacques, Jalbert, Jensen, Joyce, Kelleher, Kelley, Laffin, LaPointe, Laverty, LeBlanc, Leonard, Lewis, Lizotte, MacEachern, MacLeod, Martin, R.; McMahon, Morin, Nadeau, Norris, Pelosi, Perkins, T.; Peterson, T.; Pierce, Raymond, Rideout, Rolde, Rollins, Shute, Silverman, Sprowl, Talbot, Teague, Tierney, Tozier, Twitchell, Tyndale, Usher, Wilfong.

NAY — Bachrach, Bagley, Berry, G. W.; Bowie, Byers, Cox, Curran, R.; Curtis, Dam, Doak, Dow, Dudley, Farnham, Fenlason, Finemore, Fraser, Gould, Greenlaw, Hall, Hennessey, Higgins, Hutchings, Ingegneri, Jackson, Kany, Lewin, Littlefield, Lovell, Lunt, Lynch, Mackel, Mahany, Martin, A.; Maxwell, McBreairty, McKernan, Mills, Miskavage, Mitchell, Morton, Mulkern, Najarian, Palmer, Pearson, Perkins, S.; Peterson, P.; Post, Powell, Quinn, Saunders, Smith, Snow, Snowe, Spencer, Strout, Stubbs, Susi, Tarr, Theriault, Torrey, Wagner, Walker, Webber, Winship.

ABSENT — Albert, Clark, Dyer, Hinds, Hughes, Immonen, Kauffman, Kennedy, Peakes, Truman.

Yes, 76; No, 64; Absent, 11.

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

By unanimous consent, ordered sent forthwith to the Senate.

On motion of Mr. Rolde of York, the Chair laid before the House the following tabled and Unassigned Matter:

HOUSE DIVIDED REPORT — Majority (7) "Ought Not to Pass" — Minority (5) "Ought to Pass" — Committee on Veterans and Retirement on Bill "An Act to Include the Maine County Commissioners Association under the State Retirement System." (H. P. 1196) (L. D. 1492)

Tabled — May 28, by Mr. Rolde of York.
Pending — Acceptance of Either Report.
On motion of Mr. Theriault of Rumford, L. D. 1492 and all its accompanying papers were indefinitely postponed.

By unanimous consent, sent forthwith.

On motion of Mr. Rolde of York, the Chair laid before the House the following tabled and unassigned matter:

HOUSE DIVIDED REPORT — Majority

(10) "Ought to Pass" as amended by Committee Amendment "A" (H-702) — Minority (3) "Ought Not to Pass" — Committee on Transportation on Bill "An Act Relating to Motor Vehicle Fees." (H. P. 730) (L. D. 907)

Tabled June 11, by Mr. Rolde of York.

Pending — Motion of Mr. Fraser of Mexico to Accept the Majority "Ought to Pass" as amended Report.

Mr. Faucher of Solon moved indefinite postponement of L. D. 907 and all its accompanying papers and requested a roll call.

The SPEAKER: The Chair recognizes the gentleman from Corinth, Mr. Strout.

Mr. STROUT: Mr. Speaker, Ladies and Gentlemen of the House: We have just today found out basically what route we are taking. Let me say to you, that if you proceed to go the same route on this L. D. as you did the previous one, the Highway Allocations Bill for 1975 is in serious trouble and, as of July 1, I would say that there is going to have to be some reductions in some of the programs.

Now, to familiarize you with what this piece of legislation does, I'm going to take a few minutes and I'm going to go down through, very briefly, just what we are talking for increases. Item registration transfers, the current fee is \$2, this L. D. proposes \$5, and the last time that this was changed was prior to 1931. Item 2 is reserved number fees, the current fee is \$1, the increase is \$5, and the last time this was changed was 1939. Special plates which we all know as vanity plates, the current price is \$5, the proposal is \$10, and this was last changed in 1961. Duplicate auto plates, the present fee is \$2, this proposal asks for \$5, and the last change was 1963. Transit plates \$5, increase to \$10, last changed was 1963. Utility trailers, present fee is \$2, proposal is \$5, the last change was prior to 1931. Camp trailers, etc. present fee is \$5, the proposal is \$10, the last change was 1937. Annual semi-trailers, this is your six year trailer \$10, last change was 1939. Long term semi-trailers, this is your six year trailer plates, present fee is \$5, this L. D. asks for \$10, last change was 1967. Motorcycles \$5, present fee, this L. D. asks for \$10, last change was prior to 1931. Dealer registrations, present time is \$25, this L. D. asks for \$30, last change 1969. Dealer plates, present fee \$10, this L. D. is \$15, last change 1969. Temporary plates 50 cents each at present time, we are asking for \$1 last change 1955. Operator's permits and exams, present fee is \$3, each, this will change from \$5 and \$8 last change 1963. Duplicate registration certificates present fee is \$1, this L. D. would change it to \$2, last change 1969. I think that this L. D., even though I signed the Minority "Ought Not to Pass" at the time it was reported out of committee, I see today that we have no alternative but to go with this L. D. Yes, I think that we probably could cut other services on a percentage basis to take care of our programs. However, today, in order to fund our highway allocations for the next two years, I say to you, that either we pass this L. D. or we are going to be in serious trouble.

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

Mr. FRASER: Mr. Speaker and Ladies and Gentlemen of the House: When we started cutting down other services proportionately, we can't go too far. Almost half of the highway budget is fixed, you just can't change it, you've got bond service, you've got administration, you've got salaries, you can't cut them, so if you

cut it at all, it's all on maintenance and if any part of the state is not maintained properly this year, I hope they won't call the Transportation Department, I hope they will call the Governor.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: I suppose I'm known around here as somewhat of a critic of that department. However, I urge you today to support this bill. I see a need for it, we'll have to cut services, no doubt about it, if it isn't passed, and I think the people that we represent would rather pay this minor fee charge than they would to have the services cut any great extent. If you put a gas tax on which would be the alternative, you will never get it off, but registrations at one time was \$18 fee to register your car if you had a car with a certain number of horsepower.

A few years ago, we cut that to \$15, this House and Senate and so forth, seems to have control over these fees more than they do the gas tax. What I'm saying if this crisis gets over and things turn the other way, I'm sure that we can reduce these fees but we will never reduce the gas tax. It will be there forever and a day for your children and your grandchildren, and I know from past experience because we've already lowered fees since I've been here so I urge you today to pass this bill because whether the gentleman from Rumford thinks I am a little too critical of the department, I didn't mean when I spoke last time that they actually put money in pocket. I might have insinuated or might have sounded that way but I meant for their pet projects. They can do things like camping and picnic areas where if they don't happen to be in the general highway act, they can find jobs or a place for it or they can build buildings once in a while or they can do a few other things like buy equipment out of the equipment account or a few things that we don't allocate, but they are quite minor in nature and I don't want to sound too critical because, at this time, the price of asphalt that goes into blacktop is up tremendously and salt is up tremendously and almost everything they use, the fuel for their trucks and you name it, almost anything they have over there, is increased so I think this modest increase, we will have to give it to them and if we don't the alternative would be a real serious cut in service or raise the gas tax and I think this is the lesser of the two evils.

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

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: I would urge you to support the gentleman from Solon, Mr. Faucher's motion, for one basic reason. I buy gas in Bangor at one of those pump yourself stations and I have been paying 50.9 a gallon and it is now 54.9. I bought some gas down here at Gibbs, the other day, and they went up four or five cents a gallon and my suggestion to this House is don't vote for this bill, let the Taxation Committee come in with an Order and investigate why the gas places in this state have come up so much in the past two weeks. I suggest that perhaps they could come up with an excess profit tax and they could generate plenty of money for the highway department but let's not do it in a piecemeal fashion like we have before us right now.

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

Mr. MORTON: Mr. Speaker, Ladies and

Gentlemen of the House: In spite of the heat of the afternoon, I hope we don't let the heat get too much greater here in this House because this particular piece of legislation was originally in the Governor's Budget to fund the Department of Transportations Allocation Act.

Let me go back just a little bit. Last summer, there were several of us, the gentleman from Bridgewater, Mr. Finemore, among others in the House, Mr. Webber, who sat down with members of industry trucking people, the railroad people, in connection with funds for the Department of Transportation and we discussed many, many things including gas tax, including fees to be increased and I have learned a great deal and one of the things I have learned, is that one of the items in this bill, long-term trailer plates, for instance, is a real bonanza for the State of Maine and it is paid for by people from out-of-state, in fact, I am sure most of you didn't know it, I didn't know it until this time but the long-term trailer plate registration in Maine is that Maine is a haven for this and it is \$5 a year, it is a real bargain because the reason they want to register these trailers in Maine is not because the price is so cheap but the point remains that they don't have to replace it and they can get a six year plate and it costs them more to hunt these trailers up and take the plates off and put on a new registration every year than it does to have this long-term trailer plate so this is a real bonanza for the State of Maine and once every few years, they get a tremendous shot in the arm from this registration and every trucker that was testifying before our committee agreed that they go from \$5 to \$10 on this particular item, which brings in, I think, the major portion of the funds under this particular act, was something the truckers over the country would welcome. They wouldn't object to it a bit. Sure, nobody likes to pay more money but the fact remains that it still saves them a great deal of money, not to have to change these plates every year. That is only one item.

Now, if you notice some of the other items, we call them vanity plates, this is a special plate, this is a plate that people are willing to pay extra for, they want to identify their vehicles differently so they are willing to pay extra for it. It isn't the working man, he doesn't have to buy a vanity plate, nobody has to buy a vanity plate if he doesn't choose to so, here again, is an item in this area and it is, again, one of the larger items in the bill, so I urge you not to dispose of this bill now. You will foil the whole allocations system completely out of whack if you do and I hope you will go along with this and do not indefinitely postpone it.

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

Mr. FINEMORE: Mr. Speaker, Ladies and Gentlemen of the House: I will speak very briefly on this because Mr. Morton has explained it very well, we worked on it last summer. The only way I can see we can do for the highway, if we lose this bill, is to increase liquor and beer licenses and turn it over to the highway as dedicated revenue.

The SPEAKER: The Chair recognizes the gentleman from Solon, Mr. Faucher.

Mr. FAUCHER: Mr. Speaker, Ladies and Gentlemen of the House: I hope you will go along with my motion today. I hope you don't go to increase this, you will have to go back to your people pretty soon, they

are pretty fed up with taxes, they have had enough and if you look at the snoop book, anyone has a snoop book from last year, I don't want to criticize the Department of Transportation, I am not a businessman in that category but they have one engineer for every 30 miles of road we have in the State of Maine, I don't know as they should have that many.

Our good Governor says we don't need any tax, he told us that, he told us he would be responsible for every head of the departments, so if he wants a tax, why doesn't he come up here and ask us for one, we would go along with him if he is right, so let's leave it this way, let's go back home and show by the roll call, that we didn't come up here to tax our people.

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

Mr. FRASER: Mr. Speaker, Just to answer the gentleman from Solon, he said let the Governor come up, well, this is his bill, this is what he asked for.

The SPEAKER: The Chair recognizes the gentleman from Corinth, Mr. Strout.

Mr. STROUT: Mr. Speaker, Ladies and Gentlemen of the House: Maybe, I didn't make it clear but this particular bill does not involve the programs that we are going to send back to the people. The gentleman from Solon, Mr. Faucher, is talking about sending it back to the people, well, this bill is not going to send it back to the people to take care of these town road improvements and winter maintenance for town ways. This bill was proposed by the Governor, it is put in to help fund the allocations act which you received the other day and I think when you look at the allocations compared to two years ago that they are, basically, the same. He isn't asking for any more revenue, all he has show us is basically the same amount of money for the net biennium that we had for the last two years and that includes this bill that we are talking about today and if we take that bill out of this allocation, you are going to be funding the Highway Department with less money this year than you did two years ago. I think we all know there has been increased costs and I really can't understand the people here today wanting to cut funding for the Highway Department.

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

Mr. GOULD: Mr. Speaker and Ladies and Gentlemen of the House: I'm in favor of this bill. The position in which we find ourselves reminds me of an elderly man up home who lost his glasses. His eyes were so bad he couldn't hunt for them until he found them.

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

Mr. DUDLEY: Mr. Speaker and Members of the House: The gentleman from Solon seems to think we have too many engineers and that may be the case but the Highway Allocation Act can take care of that. These men on the Transportation Committee can allocate as much money for engineers as they desire. If you think there are too many, you should take it up with the Transportation Committee and perhaps that could be straightened out because you could limit the amount of engineers. I had it right too, but I intend to take it up with the Transportation Committee and I don't like the idea of giving our supervisors a three step raise. If we aren't going to give state employees a raise, I don't want to give any of the supervisors a three step raise either. They don't call that a raise, it is a different rating in pay but I intend to take this up

with the Transportation Committee and see if they can put a stop to this kind of thing too, but that's neither here nor there. This bill without it, the whole program isn't the problem and if we do have minor gripes I hope they are taken care of in the Highway Allocation Act and I think they can be.

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

Mr. DAM: Mr. Speaker and Ladies and Gentlemen of the House: Again, I would hope that we did not indefinitely postpone this bill. It is awfully nice sometime to be able to go back to your community and say "I didn't vote for any increase in fees" or "I didn't vote for any increases in taxes" but for something as serious as the highways, I think somewhere along the line we have to think about increasing in some area.

Now, this is not going to do for the small communities with the return of their services of their snow plowing, and town road improvement and striping. This bill will not, it will merely keep the State Highway Commission in business or to use the words of the gentleman from Lewiston "will keep the store open for the Highway Department" and I don't think that it really matters that much because I remember the first time I came down here, I came down from a Republican town as a Democrat and I voted for increases where I thought they were needed and I voted against increases where I thought they were not needed. I also remember when I voted for the income tax and everybody said "well, this will be your last time, you'll never come back". Well, I came back and I came back the second time. It's easy to say, "take your roll call home" and show the people that you didn't vote for any tax increase, but I don't think this is being a responsible legislator, I don't think it's doing a service to your people and I don't think your people in your community have sent you down here to act in that manner. I think they have sent you down to do the very best you can for the people of the State of Maine and for your community and I think that one of the best ways that we can show that we are responsible is to vote against the indefinite postponement of this bill so we can have a bare bones budget for the State Highway Department.

I would ask you today, do not vote for indefinite postponement and for the new legislators, don't worry about what the people back home are going to say. I know what they are going to say, they are going to say the same thing as my people tell me "at least when you saw the need for it, you voted for it" so I ask you, do not vote for indefinite postponement.

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

Mr. GOODWIN: Mr. Speaker and Members of the House: I think that there is only one point I would like to make and the point that I'm going to go along with when we decide this is that we've already passed pretty bare bones Part I budget, it is causing layoffs in our institutions, in our institutions in which we are trying to provide some type of service to people less fortunate than many of us here and I think that if we weren't willing to raise the taxes to try to keep these institutions running at their full strength or even at their present strength I think that it doesn't seem right that I can sit here and vote to raise the fees and the taxes to build or just to maintain roads when I can't, at the same time, vote to provide better services to our people in

our institutions and I think we have made the people in Health and Welfare and the people in Mental Health and Corrections bite the bullet, then I think it's about time we make the Highway Department bite the bullet.

The SPEAKER: The Chair recognizes the gentleman from Nobleboro, Mr. Palmer.

Mr. PALMER: Mr. Speaker, Ladies and Gentlemen of the House: I think this afternoon we ought to proceed with a great deal of caution. We have already killed L. D. 1080 and we are asking here now to keep this bill alive, the tax bill, the gas tax bill is in the other Body, no one knows yet what it's final disposition will be. As the good gentleman from Berwick just said, there may be people losing jobs in the institutions, I'm sure there will probably be some in the highway department as well if we don't do something by at least maintaining our jobs, maintaining our roads so I think that this afternoon it's a better part of wisdom at least for the moment regardless of how you feel to hold something alive here rather than to kill everything and just wait and throw your hands up tomorrow and wonder what's going to happen. We are coming to the end of the trail and this seems to me to be the better part of valor right now to hold this thing and find out exactly where we stand.

Earlier in the session you may recall we talked a great deal about placing greater burdens back on the cities and towns, we were talking about general assistance, we were talking about a number of other items. Are these still going back on the towns in the regular budget? It seems to me if we go along now and refuse to do anything in the highway budget we are going to place even greater burdens on the towns and cities by placing other things back on them which, at the moment, we know we shouldn't do, so I think that as with the general budget as with this budget, we are going to be laying it on to the property tax owner if we just take the easy route today and say, indefinitely postpone over and over again here on these highway bills. I hope we won't do it.

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 speak in favor of this bill or perhaps more accurately speak in favor of minimal financing through the Department of Transportation. It has disturbed me for the last session or two or three to see an unfriendly attitude on the part of many legislators developing towards the Department of Transportation. I know that there are various reasons and, in some instances, they seem well founded to the people who hold them, I am sure, but I'd like to make a plea this afternoon for reinstating the Department of Transportation in the legislature to your good graces. I think it deserves it, now I know what I'm saying is being received by many with skepticism. I come from Pittsfield and that's a hot bed of contractors and everything and all I can say is that I honestly am speaking to you in behalf of Maine's highways and not Maine's contractors. I feel that if our Highway Department or as it is known now as the Department of Transportation were not efficiently run, we'd already be in serious trouble because this negative attitude towards the department has existed now for some two or three sessions and I feel that the committees who have worked on this and the department itself did everything they possibly could to try to

reinstate themselves with the legislature but still we are seeing considerable negativism here today, there's a combination of this and then I think to some degree, confusion.

Now I think it's beginning to clear up, we have just two bills left that we can finance the highway department with. It is a high percentage of the total state operation, it's an important part, I think it is particularly an important part because we are such a rural section of Maine. I think they've done a good job, furnishing highways to travel over in the State of Maine with a minimum of all the problems that we read about in other states, with all of the, I won't use the words but there have been serious problems in other states in their highway departments and I think ours has been clean. I think they are to be commended for it and a good job has been done and I hope you will reassess your positions on this general question of financing the Department of Transportation and allow us to have a minimal program here rather than to have what is now, basically, a good highway system start going down hill. I think that would be a terrible mistake, and I think we've trimmed all we can trim, I think that we are right down to the nitty-gritty now and we need what's left and I hope that you will support this bill.

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

Mr. KELLEHER: Mr. Speaker, I would like to pose one question through the Chair to any member of the Transportation Committee because of this bare bones budget or perhaps even Mr. Susi would care to answer it. What's the difference between the budget proposal for this session and the one two years ago?

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

Mr. FRASER: Mr. Speaker, Men and Women of the House: In answer to that question, the budget two years ago was \$72,933,000. Now it's \$72,853,000, and there has been about 40 percent increase in the cost of materials since that time.

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

Mr. PETERSON: Mr. Speaker, Men and Women of the House: I have before me, L. D. 1928 which is the Highway Allocation Bill and if I add up both columns 75-76, 76-77, I come out with approximately \$144 million. Now we are being told that L. D. 907 is important to the financing of this bill, well, L. D. 907 is only going to produce \$5.6 million dollars. Where's the other \$139 million coming from and also, if I am incorrect I would like to be corrected, the Highway Allocation Act does not include town road improvement or winter maintenance, things that we were receiving in the past.

You are being asked to rubber stamp a budget which hurts the communities of this state. As soon as town road improvement is included in the Highway Allocation and as soon as winter maintenance is in there, I will start supporting this budget but I am not supporting one increase in fees, I'm not supporting one increase in the gas tax until those two honeys are included in that budget. This is a Governor's budget and I'm not going to place it back on the property taxpayer. That's all this budget does, it's hurting the people that you and I represent back home and I am not going to buy it for one second. I'm not going to buy a gas tax which is regressive and hurts those people most who can least afford to pay it. That means people who drive

around in Volkswagens or old beat up Dodges or whatever, who scrape money to buy gas to get back and forth to work are going to be hurt, especially with the rapid increase in the cost of gas.

The SPEAKER: Would the gentleman please confine his remarks to the bill?

Mr. PETERSON: Mr. Speaker, Men and Women of the House: I would urge that we vote for indefinite postponement of this bill until we come up with some responsible leadership from the corner office and from the leadership in both bodies of this House, or both bodies of the third floor so that we don't continue to hurt the people that we represent. This bill is only \$5.6 million out of \$144 million. Where is the other money coming from and why is this \$5.6 million so important to the overall budget?

The SPEAKER: The Chair recognizes the gentleman from Winthrop, Mr. Bagley.

Mr. BAGLEY: Mr. Speaker Members of the House: I hadn't intended to say a word on this bill but I've listened so much that I've got to make a few remarks.

I've driven over the Maine roads for longer than most of the people here have and I've seen a tremendous change in them and it seems to me that this money is important to maintain the roads. You know if you have a house or if you have anything else and you don't maintain it, it goes backward. Now the money that is in the budget and incidentally somebody wanted to know where the money came from, of course, most of it comes from the gas tax and the licenses, and the registrations that we pay. This amount is a small percentage, but often times that small percentage is important. Whatever you are buying, you pay a little more and you get a little better product, in this particular case, we are getting more maintenance. We get a prevention of roads going backwards which means that we'll have to spend more money later on if we don't spend it now. I hope you will not indefinitely postpone this bill.

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

Mr. KELLEHER: Mr. Speaker, I would like to pose one more question to the Transportation Committee because at times I get confused myself and that \$70 odd million that Mr. Fraser quoted, is that just state dollars or does that include the federal dollars and if it doesn't include the federal dollars, how much in federal dollars should we include?

The SPEAKER: The Chair recognizes the gentleman from Corinth, Mr. Strout.

Mr. STROUT: Mr. Speaker, Ladies and Gentlemen of the House: I don't know if I can answer the whole question for the gentleman from Bangor but the budget as proposed is \$73 million for one year. The gentleman from Windham, Mr. Peterson, when he says \$144 million, he is basically correct, that's the total budget for the biennium. I don't know how much of this money in here the commissioner is going to take to generate revenue for federal funds that the gentleman from Windham Mr. Peterson had concerning where does the money come from. I think that roughly \$100 million comes from nine cents of the gas tax that we have at the present time. You have revenue coming from registration fees that goes to the Motor Vehicle Department, you also must remember the \$13.9 million of the bond issue that we just passed the other day is included in this \$144 million and also let me remind you that the \$5.2 million that we are talking about in this budget right here, if you don't want to put it back on the towns you want to defeat this bill and it's going to

put it back on the towns because this is included in this budget also. Now if you want to take care of town road improvement and winter maintenance, I say to you, keep this bill alive and amend the allocation with this included because if you don't you are going to lose the town road improvement and winter maintenance for town ways right here today.

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

Mr. THERIAULT: Mr. Speaker, Members of the House: Talking about the federal money, none of this money is going to generate any federal money, this is entirely for maintenance, federal money comes from highway construction. For every ten million we put into consideration, they put another \$30 or \$40 depending on the type. Some of it is 90-10, some of it is 30-70 but the federal money is all construction and there is need for construction all the time because these roads wear out in about 25 years so you can imagine how much we need all the time.

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

Mr. TYNDALE: Mr. Speaker, Ladies and Gentlemen of the House: I'd like to pose a question to the House Chairman in Transportation Committee, where some of this maintenance work has been done, there has been none in my town for the last two years, is that because they are short of money or that they haven't got around to it?

The SPEAKER: The gentleman from Kennebunkport, Mr. Tyndale, has posed a question through the Chair to the gentleman from Mexico, Mr. Fraser and the Chair recognizes that gentleman.

Mr. FRASER: Mr. Speaker, Ladies and Gentlemen of the House: Mr. Tyndale answered his own question. We didn't vote them enough money last year so they had to curtail their maintenance and we are not doing it this year so they will have to curtail it again. Somebody is going to miss out.

The SPEAKER: The Chair recognizes the gentleman from Waldoboro, Mr. Blodgett.

Mr. BLODGETT: Mr. Speaker, may I pose a question through the Chair to any member of the committee in that if we could be assured that if this bill were to pass that the snowplowing and road improvement funds could be helped out by the fees generated?

The SPEAKER: The Chair recognizes the gentleman from Corinth, Mr. Strout.

Mr. STROUT: Mr. Speaker, Ladies and Gentlemen of the House: The answer to that question would be "no". In passing of this legislation, it does not mean that you are going to fund those programs. This bill is tied with the budget, the only way that you could fund those programs would be to amend this L. D. or to amend the Allocations Act.

The SPEAKER: The Chair recognizes the gentleman from Nobleboro, Mr. Palmer.

Mr. PALMER: Mr. Speaker and Members of the House: I'd just like to make one more comment in answer to the gentleman from Waldoboro, Mr. Blodgett. I think that the answer that Mr. Strout gave is correct but I think it should be emphasized right here and now that if we do indefinitely postpone this along with the other bill, our chances of getting this money replaced are very, very slim indeed.

The SPEAKER: In order for the Chair to

order a roll call, it must have the expressed desire of one fifth of the members present and voting. Those in favor will vote yes; those opposed will vote no.

A vote of the House was taken and obviously 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 before the House is on the motion of the gentleman from Solon, Mr. Faucher, that this Bill and all its accompanying papers be indefinitely postponed. Those in favor will vote yes; those opposed will vote no.

ROLL CALL

YEA — Bennett, Berry, P. P.; Berube, Birt, Bustin, Call, Carpenter, Carter, Chonko, Churchill, Clark, Connolly, Cooney, Cote, Curran, P.; Davies, Drigotas, Durgin, Dyer, Farley, Faucher, Goodwin, H.; Goodwin, K.; Gray, Henderson, Hobbs, Jacques, Jalbert, Jensen, Joyce, Kany, Kelleher, Laffin, LaPointe, Lewis, Martin, A.; Mills, Nadeau, Norris, Pelosi, Peterson, T.; Pierce, Quinn, Raymond, Rollins, Shute, Silverman, Sprowl, Talbot, Tierney, Tozier, Tyndale, Usher, Wagner, Walfong.

NAY — Ault, Bachrach, Bagley, Berry, G. W.; Blodgett, Boudreau, Bowie, Burns, Byers, Carey, Carroll, Connors, Cox, Curran, R.; Curtis, Dam, DeVane, Doak, Dow, Farnham, Fenlason, Finemore, Flanagan, Fraser, Garsoe, Gould, Greenlaw, Hall, Hennessey, Hewes, Higgins, Hinds, Hunter, Hutchings, Ingegneri, Jackson, Kelley, Laverty, LeBlanc, Leonard, Lewin, Littlefield, Lizotte, Lovell, Lunt, Lynch, MacEachern, Mackel, MacLeod, Mahany, Martin, R.; Maxwell, McBrearty, McKernan, McMahon, Miskavage, Mitchell, Morin, Morton, Mulkern, Najarian, Palmer, Peakes, Pearson, Perkins, S.; Perkins, T.; Peterson, P.; Post, Powell, Rideout, Rolde, Saunders, Smith, Snow, Snowe, Spencer, Strout, Stubbs, Susi, Tarr, Teague, Theriault, Torrey, Walker, Webber, Winship.

ABSENT — Albert, Gauthier, Hughes, Immonen, Kauffman, Truman, Twitchell.

Yes, 55; No, 87; Absent, 8.

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

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

Under suspension of the rules, the bill was read the second time, passed to be engrossed and sent up for concurrence.

The following items in Supplement One were taken up out of order by unanimous consent.

An Act to Require Appointment of a Public Member to all Professional and Occupational Licensing Boards (S. P. 106) (L. D. 361) (C. "A" S-338)

An Act to Create the Commission on Governmental Ethics and Election Practices (S. P. 581) (L. D. 1935) (S. "B" S-340)

An Act to Require Notification of Assistance to Indigent Persons (H. P. 699) (L. D. 875) (H. "B" H-810 to C. "A" H-389)

An Act Relating to Improved Property Tax Administration (H. P. 882) (L. D. 1150) (S. "A" S-343 to C. "A" H-649)

An Act to Regulate Business Practices Between Motor Vehicle Manufacturers, Distributors and Dealers (H. P. 1137) (L. D. 1766) (S. "B" S-315)

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.

By unanimous consent, all matters acted upon in concurrence and all matters requiring Senate concurrence were ordered sent forthwith to the Senate.

Report of the Committee on Conference on the disagreeing action of the two branches of the Legislature on Bill "An Act to Establish Job Development, Placement and Follow-up Services in Secondary Schools" (S. P. 476) (L. D. 1609) ask leave to report: that the Senate recede from its action whereby it Passed the Bill to be Engrossed; adopt Conference Committee Amendment "A" (S-347), submitted herewith; and Pass the Bill to be Engrossed, as amended by Senate Amendment "A" (S-252) and Conference Committee Amendment "A"; that the House recede from its action whereby it adopted Senate Amendment "A"; as amended by House Amendment "A" (H-721) thereto; recede from its action whereby it adopted House Amendment "A" to Senate Amendment "A" and Conference Committee Amendment "A", in concurrence.

(Signed)

Messrs. THOMAS of Kennebec
REEVES of Kennebec
WYMAN of Washington

-of the Senate.

Messrs. KELLEHER of Bangor
FLANAGAN of Portland

-of the House.

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

In the House, the Report was read.

Mr. Kelleher of Bangor moved the House accept the Conference Committee report.

The SPEAKER: The Chair recognizes the gentleman from Danforth, Mr. Fenlason.

Mr. FENLASON: Mr. Speaker, Ladies and Gentlemen of the House: I move that this report and all accompanying papers be indefinitely postponed, and would speak to my motion.

The SPEAKER: The Chair would advise the gentleman that the motion would not be in order at this time but if the motion to accept the Conference is rejected, he could then move to reject the Conference Committee Report. The gentleman could ask for a division at this point and ask people to vote against it if that is his position.

The gentleman may proceed.

Mr. FENLASON: Mr. Speaker, Ladies and Gentlemen of the House: This bill, as the members of the House undoubtedly remember has been defeated twice in the House. I know that there are so many things flying around fast now, I want to take just a few minutes to review for you what this bill would do and what is wrong with it. In the first place this would mandate job development services, it would mandate informing business and industry, and other agencies on placement and follow up services, locate and inventory jobs through community contacts and so on and it also would mandate a very follow up service. All of these things to be done in the secondary schools in the State of Maine and you may also remember that we had a communication from Commissioner Millett stating that the potential cost of

this bill would be at least \$1 million a year. This bill, if implemented, would call for the employment of many more people in the secondary schools. Whether they be guidance people or Special Ed people or whatever, you would have a lot more people who would be running around making reports. As an example, this followup thing, you would have a young fellow going through school or a young girl and they would start out, get a job, perhaps before they got the job they would change their mind and go in the Army. I guess that would be all right and you would have somebody back in the high school writing all this down on a little card so that years later, they could read off a card and say, oh yes, Johnny Jones thought that he wanted to be a chemical engineer but he changed his mind and went in the Army and then he got out and he thought, well, I better be a salesman for a while, I think. We got this all on the card. This sounds to me something like some of the test result files that we have in high schools. They are fine files but they don't do anything but they cost a lot of money.

I would also recall to your attention some of the things that we now have in high schools, we have guidance systems, we have Special Ed, we have vocational training, both locally and in the area of vocational centers and all of these things are geared to help students learn how to get along in the world, to get jobs and go ahead.

I also would call your attention that this bill has been amended several times, one time it was amended to allow the smaller schools, if they didn't have money, to be temporarily exempted, and then later we had another exemption, taking out the word temporary, and now we finally have another amendment which says that this bill will have an effective date of one year after the adjournment of the regular legislature. Now, I submit that if this procedure is not practical now, it certainly won't be more practical a year from now. I further submit that this is a very expensive thing, that it is unnecessary in the secondary schools of this state and I don't want to keep talking for too long, I merely ask that you defeat the motion to accept this Committee Report. Right now, particularly, when you have on your desk, a statement of further deficiencies in the educational funding, I don't think we want to hang any more on it. I ask sincerely that you defeat this motion to accept the Committee Report.

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

Mr. CONNOLLY: Mr. Speaker and Members of the House: I don't want to take a lot of time to debate the issue, but just again to refresh your memory, this is the bill that was spoken about a number of times in the past that would require all high schools provide a program to help and assist kids who don't intend to go on to either vocational school or to college when they graduate from high school. The Committee of Conference was represented by three people from this Body who did not support the bill in its original form. I would like to point out that two of those three conferees are the Representative from Portland, Mr. Flanagan and the Representative from Bangor, Mr. Kelleher, have since changed their position and gone along with supporting this bill. I would point out that the amendment that has been put on the bill in the Committee of Conference would postpone the effective date of the bill for a year. I would also point

out that the amendment that is already on the bill would allow any school district to ask the Department of Education to give them a waiver to exempt them from the intention of this bill if they felt that they didn't have the resources to carry it out.

Again, without belaboring the point, it is an attempt to provide education or assistance to those kids who don't intend to further their education formally once they get from high school. It is an important piece of legislation and I really hope you could see your way to support it now particularly with the Committee of Conference amendment on it.

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

Mr. FLANAGAN: Mr. Speaker, Ladies and Gentlemen of the House: Since this bill was before us the last time, I have had considerable telephone calls and mail relative to it. Having second thoughts about it, and signing the majority opinion of the Conference Committee, I asked a member of this House to join me when the voting takes place for passage of this bill.

In our high schools and secondary schools in the state today, we really have two activities, college preparation where these young people are culled and prepared for college work. Then the second educational training, training for a job. However, in the larger schools, even with their expanded vocational activities they don't have room to take care of all of the people that want vocational work, and then too, there are many others that have no desire for vocational work. In order to cover up, they created up what was called a general course. Now, in this general course, they are kept busy for the four years until they get their diploma and when leaving high school have no trade, no opportunities to sell to any employer to get a job. We call this the gray area. It is these people that this bill had been designed for, to have the educational department throughout the State of Maine do something to take care of these children that are attending high schools with no desire and no planning for the future. Some schools have already done this. They have job placement and make it available to the students, but there are many that do not. This bill would encourage the schools that offer job placement to do more for these people, and at the same time, will alert the many schools that do not have this program available for their students that they have the responsibility to have these pupils understand how to look for a job and how to apply for a job.

I have had talks over the past weekend with individuals that travel this state for the education department. There are some placed down through the state, at Portland, I could say to you immediately at Portland, we don't need it. We have job placement through the guidance department and the main high school, we have a job placement bureau in the vocational school. We have about one third of these pupils in Portland that are right in the middle that are neither ready for guidance or ready for vocational and those are people that we want the school department to get to and to give them a little insight on how to seek out a job and how to apply for it, if it happens. Consequently, I ask you to please give this bill your greatest consideration and I hope you will vote for it.

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

Mr. GARSOE: Mr. Speaker, Ladies and

Gentlemen of the House: I hope this House will once again see fit to follow the lead that has been pointed out by Representative Fenlason.

The sponsors refused to allow any money to be put on this bill in face of the opinion from the Department of Education, a perfectly obvious statement that there would indeed be a cost to it. We have got a message on our desks right now of a current \$1.6 million deficit. We are telling our schools that within the next year they are going to be limited to a six percent increase. There is just no way that we can justify this type of super directive from up here where all the brains are. Anyone who has had anything to do with public school education over the last ten years knows that there has been a great turn in their emphasis on preparing justice for work. This type of legislation goes more deeply into usurping the policy making powers of our school boards than any other area. We make no such attempt to tell them how to teach English or Math or any other subject. This goes into agonizing detail as to precisely how they will function. Again, the dead end of Augusta comes to rest on the shoulders of our school boards. I hope we will refuse to accept the Report of the Committee because, in my opinion, they have labored and come forth with a non-bill.

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

Mr. BIRT: Mr. Speaker, Ladies and Gentlemen of the House: I would oppose the Conference Committee Report this afternoon. I think we have had this afternoon one little paper come from the Department of Education of costs overruns in 1994 already. If we pass this bill we are going to be faced with the same problem. It has been pointed out schools can do this and I fail to see why, if they can do it, why they don't. I guess what bothers me is there are lot of schools in the State of Maine that are doing programs or want to develop their own program but we are continually passing legislation here saying you must do this.

Back last year, I had a rather extensive discussion with some of the people from the Portland area relative to student lunch programs. I happen to live in a town which every student in the town is within five minutes walking distance of school, and I am not the only town in the State of Maine that is like that and yet the legislature mandated that they must put in a student lunch program. There are very few working mothers in my town and, still in all, the cost is here. We are running into the same problem with this. I fail to see any reason why you tell the schools that they have got to do these things and in a lot of cases they don't need them. I personally hope that you do not accept the Conference Committee Report.

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

Mr. CONNOLLY: Mr. Speaker, Ladies and Gentlemen of the House: To respond to the arguments of the gentleman from Millinocket, I think I explained it before but I just want to impress upon you there is an out in this bill for schools that don't want to spend the money, schools that don't want to spend the money to implement the purposes of this act can then apply for an exemption from the Department of Education. I would like to point out to the gentleman that this bill was not developed by people from Portland,

but was developed by legislators and by educators from rural areas in the state.

The SPEAKER: The pending question is on the motion of the gentleman from Bangor, Mr. Kelleher, to accept the Conference Committee Report. All in favor of that motion will vote yes; those opposed will vote no.

A vote of the House was taken.

Mr. Norris of Brewer requested a roll call vote.

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

A vote of the 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 Brewer, Mr. Norris.

Mr. NORRIS: Mr. Speaker, Ladies and Gentlemen of the House: Here we are back at the old stand again, with a very important matter. We have heard a lot of rope spun out of cobwebs here that everything in the world in the Department of Education or everything that is wrong, this will compound the felony and I don't agree with that.

Probably this letter we have here, I shouldn't address that, but that is mostly school construction and I submit that if we spent less time in the old system, spent less time building great edifices and try to address themselves to the problems of this 60 percent of the students that are going no further and that is what we are talking about this afternoon, it is that 60 percent that graduate and are thrown out into the world. The other 40 percent is fine, they have guidance counselors and they have people that will take care of them because they are going on and they are continuing on and they will be more like the people who are doing the teaching and their image and they are going onto higher education, but this 60 percent that are going no further deserve every break that we can give them. I am surprised at the tenacity with which the old system hangs on. We want to do things one way, we want to do things the way we have always done it and we don't want to let go.

We have debated this bill, and I am not going on and on but we have debated this bill, it has gone between the branches, we have had a Conference of Committee Report. Everybody, apparently in the other branch or the majority of the people there are in favor of this. We sent two strong minded people to this Conference of Committee, an ex-educator from the Portland area and the good gentleman from Bangor to confer and came up with a solution to this problem. I submit that for the sake of the taxpayers and the parents of the 60 percent of the people that are going into the system and coming out of the system that you give them a little bit more of a break.

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

Mr. MILLS: Mr. Speaker, Ladies and Gentlemen of the House: I am not going to vote for this Conference Report, for the very simple reason my experience has been in checking through schools in another state and checking here since I have lived in Maine that they have counselors in one form or another in most every high school. In order to get a kid out of high school they counsel them to take a certain course at a

certain college and what is the result? There are people that believe in it, they pay for it, he graduates from college with a sheepskin to a job that doesn't exist.

The SPEAKER: The Chair recognizes the gentleman from Waterville, Mrs. Kany.

Mrs. KANY: Mr. Speaker, Ladies and Gentlemen of the House: That is exactly why I plan to vote for this bill, just because I do believe that it will redirect the energies of the counselors of the State of Maine, and help guide the students into vocations that perhaps actually exist, or into our VTI's or into something more positive and more job related and this House before has passed this bill. I hope that you will not change your vote from your previous vote and now kill it. It is a good bill and the Conference Committee gave the schools time to reorient their thinking so they can get more job oriented. I hope this bill will be passed.

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

Mr. COTE: Mr. Speaker, Ladies and Gentlemen of the House: I am going to vote for this Conference Report. When I went to school a few years back, all we had was three courses, college, commercial or general. I wasn't planning to go to college so I took business, commercial. I didn't cut it there too much, I guess. My last year I graduated under the general course. So, having no other place to go, I ran for the Legislature.

The SPEAKER: The Chair recognizes the gentleman from Danforth, Mr. Fenlason.

Mr. FENLASON: Mr. Speaker, Ladies and Gentlemen of the House: I feel I have to reply to one or two remarks by the gentleman from Brewer, Mr. Norris. He has the 60 percent on the wrong side. 60 percent of the students of the students in the State of Maine — I had this figure checked by the guidance department in the State Board of Education and Cultural Services, 60 percent of the students go on to some other form of training, not necessarily high school but vocational school, nurses school, hair dressing school, whatever, and there are many things of that sort.

There seems to be a feeling that we have a great mass of children in this state who are just lost and for whom nobody is doing anything, and I don't believe that this is true. I have seen too many schools, I have seen too many guidance departments, I have worked with too many principals to believe that this is true. I assure you people that the schools systems are doing the best they can for all children. They are not just taking a bunch of them and throwing them out as if they were scum of the earth or something. This I can't believe and I know it isn't true. I again say that if this goes in, you are going to have a duplication of effort, you are going to take over some of the duties of the guidance department and or perhaps enlarge it beyond all possible need. We have a State Employment Agency that does a lot of work with young people, that will go into any school at any time, give tests and try to place a student on a job.

It seems to me that this is being covered and I can't see where we need to spend another million dollars a year to do something as nebulous as this bill points out.

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

Mr. INGEGNERI: Mr. Speaker, Ladies and Gentlemen of the House: I am in a pretty unique position to have some ideas about this bill. I am on the school committee for regular education and I am on the Regional Vocational Board for the Southern Penobscot Vocational Region No. 4.

One gentleman said that the school committees could very easily handle this. I can tell you as a member of the school committee from Bangor, for the past four years, that this is not so. I think that my colleagues on that school committee are very dedicated conscientious people, but in four years, I never once heard that problem brought up. We did get individual cases, many times we are snowed under with one particular instance of discipline or something to do with the bus transportation problem and things of that kind.

The regional vocational boards are working with the high schools, this is not to be confused with the vocational technical centers. These boards take the high school students in their eleventh and twelfth year. I will give you an instance of how this bill and what it would implement would work out, the regional vocational boards set up a distributive education and they ask the Brewer High School and Bangor High School to appoint a coordinator, this coordinator made a survey of the particular trades that might have a promising future or that had more jobs to offer than any other. This person acted in a dual capacity. He was in contact with representatives of business and industry and he was in contact with the guidance counselors. At least 60 percent of the students are in one form or another tending towards vocational education, some go on to the higher vocational technical institutes and some stop at the twelfth year. There is another class that is in what we now call general education and they are under the tutelage of one teacher they are sometimes sent to a vocational school when it is felt that they have ability, the aptitude to grasp the intricacies of a trade. I maintain that placing one year hence as the beginning point is not unrealistic nor is it too short a time to implement this bill and get it to work without too much of an outlay of capital. I think that those children who are in that gray area need counseling so that they don't go out and find a job where they are going to be embarrassed. This has happened many times, they get a job on their own and a few days later the employer calls us and says, this kid has a diploma and he can't handle this, what kind of a diploma do you give? If there were a job placement counselor there, he would know the limitations of that kid and he would send him to a job within his capabilities. There is no job beneath the dignity of any man, if that job makes that man happy. I urge you to support the Committee of Conference Report.

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

Mr. FLANAGAN: Mr. Speaker, Ladies and Gentlemen of the House: Listening to the opposition on this particular bill, leads me to believe that we are listening to different drummers. I am sure they are not listening to the drummers that I hear.

Number one, a million dollar price tag is being kicked around. It is good scare threat. Let's analyze it. If you are spending \$400 million on education in the

State of Maine a year and you are taking your college bound children in all the high schools in secondary education and directing them and coaching them as to how they should pick their college, what they should do to ask for applications, what they should say in their applications when they mail them there, that is exactly what we are asking them to do to these people that have to go out on the street and ask for a job.

Even if they did, and I don't grant that this figure is anywhere near right, I can see that the education systems, if they want to, could do this for little or no money at all by incorporating it into the programs that they have running now. Even if they had to spend the million dollars, that is a pittance compared to what they are spending in education and do you want to spend all that money on education and leave out one of the most important things that education should have, the learning for these kids to find a job.

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

Mr. TYNDALE: Mr. Speaker, Ladies and Gentlemen of the House: I would suggest that you look at the signers of this report. You have Dr. Thomas, President of Thomas College, one of the most distinguished men in education in Maine. You have Mr. Senator Reeves who has been involved in job placement work for the last several years and one of the most conservative members of the Legislature, Senator Wyman, then you have in the House a very conservative member of the House, Mr. Kelleher, and you have Mr. Flanagan who has spent I don't know how many years in this direct work. I think this is an excellent committee and on this alone, I would have to accept this Conference Report.

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

Mr. LYNCH: Mr. Speaker, Ladies and Gentlemen of the House: There is only one thing missing from the Conference Report. Under the public school funding that we enacted this year, we have established a limitation of six percent increase. If it is going to cost additional monies, why don't you point out where these monies are coming from, what programs they can curtail on and I don't believe you can find one in any school or are you going to make an exception that will allow them to increase their costs of education by a certain percentage, the funding is lacking.

The SPEAKER: A roll call has been ordered. The pending question is on the motion of the gentleman from Bangor, Mr. Kelleher, to accept the Conference Committee Report on Bill "An Act to Establish Job Development, Placement and Follow-up Services in Secondary Schools" Senate Paper 476. L. D. 1609. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Bennett, Berube, Blodgett, Boudreau, Bustin, Byers, Carroll, Carter, Chonko, Clark, Connolly, Cooney, Cote, Cox, Curran, P.; Dam, Davies, Dow, Faucher, Flanagan, Goodwin, K.; Hobbins, Ingegneri, Jalbert, Jensen, Joyce, Kany, Kelleher, Laffin, LaPointe, Lewis, MacEachern, Mahany, Maxwell, Mitchell, Morton, Mulkern, Nadeau, Najarian, Norris, Pearson, Pelosi, Peterson, T.; Powell, Rideout, Rolde, Saunders, Smith, Snow, Spencer, Stubbs, Talbot, Tierney, Tyndale, Wagner, Wilfong.

NAY — Ault, Bachrach, Bagley, Berry, G. W.; Berry, P. P.; Birt, Burns, Call, Carey, Carpenter, Churchill, Curran, R.; Curtis, DeVane, Doak, Durgin, Dyer, Farnham, Fenlason, Finemore, Fraser, Garsoe, Gauthier, Goodwin, H.; Gould, Gray, Greenlaw, Hall, Henderson, Hennessey, Hewes, Higgins, Hinds, Hunter, Hutchings, Jackson, Jacques, Kelley, Laverty, LeBlanc, Leonard, Lewin, Littlefield, Lizotte, Lovell, Lunt, Lynch, Mackel, MacLeod, Martin, A.; Martin, R.; McBreairty, McKernan, McMahon, Mills, Miskavage, Morin, Palmer, Peakes, Perkins, S.; Perkins, T.; Peterson, P.; Pierce, Post, Quinn, Raymond, Rollins, Silverman, Snowe, Sprowl, Strout, Susi, Tarr, Teague, Theriault, Torrey, Tozier, Twitchell, Usher, Walker, Webber, Winship.

ABSENT — Albert, Bowie, Conners, Drigotas, Dudley, Farley, Hughes, Immonen, Kauffman, Kennedy, Shute, Truman.

Yes, 56; No, 82; Absent, 12.

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

Thereupon the Conference Committee Report was rejected.

The following Communication:

The Senate of Maine
Augusta, Maine 04330

June 20, 1975

Honorable Edwin H. Pert
Clerk of the House
107th Legislature
Augusta, Maine

Dear Mr. Pert:

The Senate today voted to Insist and Join in a Committee of Conference on Bill, "An Act to Reform the State Retirement System" (H. P. 1775) (L. D. 1939)

The President appointed the following members of the Senate to the Committee of Conference:

Senators:

COLLINS of Knox
CLIFFORD of Androscoggin
O'LEARY of Oxford

Respectfully,

Harry N. Starbranch
Secretary of the Senate

The Communication was read and ordered placed on file:

The following Joint resolution: (S. P. 602)

In Memoriam
Having Learned Of The Death Of
ADRIAN JACQUES
Of Fort Kent

Who Dedicated His Life To The Service Of The People of Northern Aroostook County

The Senate and House of Representatives of the State of Maine do hereby extend their sincere heartfelt condolences and sympathy to the bereaved family and friends of the deceased; and further

While duly assembled in session at the State Capitol in Augusta under the Constitution and Laws of the State of Maine, do herein direct that this official expression of sorrow be forthwith sent to the family of the deceased on behalf of the Legislature and the people of the State of Maine.

Came from the Senate read and adopted. The Joint Resolution was read and adopted in concurrence.

Bill "An Act to Create the Passamaquoddy Tidal Power Project Study Commission" (Emergency) (H. P. 1343) (L. D. 1668) on which the "Ought to Pass" Report (Report "A") of the Committee on Energy was read and accepted and the Bill Passed to be Engrossed in the House on June 20.

Came from the Senate, the "Ought Not to Pass" Report (Report "B") of the Committee on Energy read and accepted in non-concurrence.

In the House:

On motion of Mr. Kelleher of Bangor the House voted to insist and ask for a Committee of Conference.

Joint Order Relative to Members of the Senate and House attending National Legislative Conference (S. P. 591) which was read and passed as amended by House Amendment "B" (H-808) in the House on June 19:

Came from the Senate read and passed as amended by Senate Amendment "A" (S-348) in non-concurrence.

In the House: On motion of Mr. Hewes of Cape Elizabeth, the House voted to adhere.

Communications

The following Communication:

June 18, 1975

Honorable John L. Martin
Speaker of the House
House of Representatives
State House
Augusta, Maine
Dear Speaker Martin:

It is a pleasure to inform you that the Committee on Transportation has considered and acted on all matters referred to it by the One Hundred and Seventh Legislature.

Following is the tabulation of bills as reported out of committee:

Total Number of Bills Received	93
Ought to Pass	20
Ought to Pass as Amended	6
Ought to Pass in New Draft	6
Ought Not to Pass	18
Divided Reports	22
Leave to Withdraw	21

Very truly yours,
EMILE J. FRASER
Chairman

The Communication was read and ordered placed on file.

Mr. Tierney of Durham presented the following Joint Order and moved its passage: (H. P. 1767)

WHEREAS, legislation has been before the 106th and 107th Legislatures dealing with the subject of motor vehicle auto insurance reform; and

WHEREAS, a component facet of said legislation has been a proposal to eliminate duplicate medical and hospital insurance coverage as provided by auto insurance policies and health insurance policies; and

WHEREAS, an independent actuarial study commissioned by the 106th Maine Legislature reported that auto insurance premium costs to the people of Maine would be reduced if duplicate coverage were eliminated; now, therefore, be it

ORDERED, the Senate concurring that the Legislative Council be authorized, through the Joint Standing Committee on Business Legislation, to study methods of eliminating duplicate coverage between auto insurers and health insurers in such a manner as to achieve maximum cost savings to the people of Maine; and be it further

coverage between auto insurers and health insurers in such a manner as to achieve maximum cost savings to the people of Maine; and be it further

ORDERED, that the Council report the results of its findings together with any proposed recommendations and necessary implementing legislation to the next special or regular session of the Legislature; and be it further

ORDERED, upon passage in concurrence, that suitable copies of this Order be transmitted forthwith to said agencies as notice of this directive.

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

By unanimous consent, all matters requiring Senate concurrence were ordered sent forthwith to the Senate.

The following papers appearing on Supplement No. 3 were taken up out of order by unanimous consent:

Bill "An Act to Amend the Air Pollution Standards to Expand the Definition of Treatment and to Affirm that Projects Meeting State Air Quality and Emission Standards will not Significantly Deteriorate Existing Air Quality" (S. P. 443) (L. D. 1503) which was passed to be engrossed as amended by Committee Amendment "A" (S-275) as amended by House Amendment "A" (H-813) thereto in the House on June 20.

Came from the Senate with the Bill and accompanying Papers Indefinitely Postponed in non-concurrence.

In the House: The House voted to recede and concur.

Bill "An Act to Establish Rules for Legislative Investigating Committees" (H. P. 898) (L. D. 1085) on which the Bill was substituted for the "Leave to Withdraw" Report of the Committee on State Government and passed to be engrossed as amended by House Amendment "A" (H-789) in the House on June 20.

Came from the Senate with the "Leave to Withdraw" Report of the Committee on State Government read and accepted in non-concurrence.

In the House:

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

Mr. BIRT: Mr. Speaker, I move we insist and ask for a Committee of Conference.

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

Mr. NORRIS: Mr. Speaker, I move we recede and concur.

The SPEAKER: The Chair will order a vote. The pending question is on the motion of the gentleman from Brewer, Mr. Norris, that the House recede and concur. All in favor will vote yes; those opposed will vote no. A vote of the House was taken.

Thereupon, Mr. Kelleher of Bangor requested a roll call vote.

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

A vote of the 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. Kelleher.

Mr. KELLEHER: Mr. Speaker, Ladies and Gentlemen of the House: This non-concurrent matter, An Act to Establish Rules for Legislative Investigating Committees, was a bill that

we substituted in this House and amended and sent over to the Senate for their consideration because we in the House wanted to establish some ground rules as far as committees are concerned in investigating certain areas in government. It provided provisions not only to protect the committee, but more importantly, to protect the witnesses that came before that committee.

I would suggest that we reject the motion that was made by the gentleman from Brewer, Mr. Norris, and take the motion made by Mr. Birt to insist and show that other body where our intentions are and not to recede and concur.

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

Mr. NORRIS: Mr. Speaker, Ladies and Gentlemen of the House: Very briefly, the hour is late, the day is late, the session is late, and we are just kidding ourselves to play around with this. We have seen what happened in this good body a few moments ago when people have spent a great deal of time trying to work out a compromise between the two branches. It went flying down the drain, and I submit that that is what eventually will happen to this, so why don't we continue on in a responsible manner and recede and concur. The system has worked very well for the last hundred years, I can't see as it is going to go to pot in the next few months if we recede and concur on this matter.

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

Mr. McKERNAN: Mr. Speaker, Ladies and Gentlemen of the House: I just want to say that I believe there is a study order that is on the table to study this particular field and just how we should adopt rules for legislative investigating committees. This bill came out of State Government Committee "leave to withdraw" because they didn't feel they had time to deal with it. Since then, amendments have been introduced and we substituted the bill for the report. I think the smartest thing we could do would be to recede and concur today so that we can let the State Government Committee study the issue over the summer and then come back in special session with a bill that everybody agrees on.

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

Mr. BIRT: Mr. Speaker and Members of the House: Being as I introduced this bill, I think I have got to make at least a little pitch for it. Let's review what did happen.

The original bill that was put before the State Government Committee did come out with a "leave to withdraw" report. In the meantime, there were some people, particularly on the legislative staff, who were acquainted with some of the procedures of investigation and the problems that developed last year.

Last year, we had a couple of referendum questions initiated. In the course of them, there was some serious discussions as to how the petitions were circulated and whether there were any problems or illegalities. These were worked out and there was no harm done, but the chairman of the committee at that time determined that there were absolutely no rules for investigation anywhere in the statutes of the State of Maine. He felt that there was a need for something of this nature, and the bill that I introduced was a bill that he had put together.

The bill that we presently have before us is a complete redraft of that that was done last week. It is not the bill that was before

the State Government Committee. It is my understanding that quite a few of the State Government Committee agreed with the bill that is before us. I think in a Committee of Conference this could be explained to some of the Senators so that they get a clearer picture and it is very possible that this bill would pass, and that is why I asked for a Committee of Conference, and I hope you will vote against the recede and concur motion.

The SPEAKER: A roll call has been ordered. The pending question is on the motion of the gentleman from Brewer, Mr. Norris, that the House recede and concur. All in favor of that motion will vote yes; those opposed will vote no.

ROLL CALL

YEA — Ault, Bachrach, Bagley, Berry, G. W.; Berry, P. P.; Boudreau, Byers, Call, Carey, Carroll, Carter, Chonko, Churchill, Clark, Connors, Cooney, Dam, Doak, Dow, Dyer, Faucher, Fenlason, Finemore, Flanagan, Fraser, Garsoe, Goodwin, K.; Gould, Gray, Greenlaw, Hall, Hennessey, Higgins, Hinds, Hunter, Hutchings, Jackson, Jacques, Jalbert, Joyce, Kany, Kelley, LeBlanc, Leonard, Lewin, Littlefield, Lunt, MacEachern, Mackel, Mahany, Martin, A.; Maxwell, McBreaity, McKernan, McMahan, Mills, Miskavage, Morton, Najarian, Norris, Palmer, Peakes, Pearson, Pelosi, Perkins, S.; Perkins, T.; Peterson, T.; Pierce, Quinn, Raymond, Rideout, Rollins, Silverman, Smith, Snow, Spencer, Stubbs, Talbot, Tarr, Theriault, Torrey, Tozier, Twitchell, Tyndale, Wagner, Walker, Webber.

NAY — Bennett, Berube, Birt, Blodgett, Burns, Bustin, Carpenter, Connolly, Cox, Curran, P.; Curtis, Davies, DeVane, Drigotas, Durgin, Farnham, Gauthier, Henderson, Hobbins, Ingegneri, Jensen, Kelleher, Laffin, LaPointe, Laverty, Lewis, Lovell, Lynch, MacLeod, Martin, R.; Mitchell, Mulhern, Peterson, P.; Post, Powell, Rolde, Saunders, Shute, Snowe, Sprowl, Strout, Susi, Usher, Winship.

ABSENT — Albert, Bowie, Cote, Curran, R.; Dudley, Farley, Goodwin, H.; Hewes, Hughes, Immonen, Kauffman, Kennedy, Lizotte, Morin, Nadeau, Teague, Tierney, Truman, Wilfong.

Yes, 87; No, 44; Absent, 19.

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

Mr. Birt of East Millinocket presented the following Joint Order and moved its passage: (H. P. 1768)

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of Woodrow A. Mercier of East Millinocket Upon His Retirement After 32 Years of Dedicated Public Service as an Educator Which Included 21 Years as a School Superintendent

We the Members of the House of Representatives and Senate do hereby Order that our congratulations and acknowledgement be extended; and further

Order and direct, while duly assembled in session at the Capitol in Augusta, under the Constitution and Laws of the State of Maine, that this official expression of pride be sent forthwith on behalf of the Legislature and the people of the State of Maine.

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

Mr. Cooney of Sabattus presented the following Joint Order and moved its passage: (H. P. 1769)

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of Miss Corinne E. Savage Upon Her Retirement After 26 Years of Dedicated Service as the Postmaster of Sabattus

We the Members of the House of Representatives and Senate do hereby Order that our congratulations and acknowledgement be extended; and further

Order and direct, while duly assembled in session at the Capitol in Augusta, under the Constitution and Laws of the State of Maine, that this official expression of pride be sent forthwith on behalf of the Legislature and the people of the State of Maine.

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

Mr. Rolde of York presented the following Joint Resolution and moved its adoption: (H. P. 1770)

IN MEMORIAM

Having Learned Of The Death of Edward G. Hough of Portland, Maine

The Senate and House of Representatives of the State of Maine do hereby extend their sincere heartfelt condolences and sympathy to the bereaved family and friends of the deceased; and further

While duly assembled in session at the State Capitol in Augusta under the Constitution and Laws of the State of Maine, do herein direct that this official expression of sorrow be forthwith sent to the family of the deceased on behalf of the Legislature and the people of the State of Maine.

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

Mr. Dan of Skowhegan was granted unanimous consent to address the House.

Mr. DAM: Mr. Speaker, Ladies and Gentlemen of the House: Last week, we talked about the Legislative Record and the bound volumes, and if my memory serves me correctly, the gentleman from Pittsfield, Mr. Susi, suggested maybe a way could be found that they wouldn't have to be shipped to save some money. Well, today something else has disturbed me. When I came in — and, again, I think we have had an excellent Clerk in this session of the Legislature, I think he has gone way beyond what the previous Clerks have done to make life a lot easier for the members and he has extended many, many courtesies that I have never had in the past three sessions, and I commend him for this, but I think today, with this thing about shipping home the L.D.'s and packing them, I can't ever recall in the three sessions ever having them shipped home to me, and I would hope that this wasn't put into operation at all, because I think we are all here and it is not much of a job on the last day to make a trip down to our cars and carry what L.D.'s we want home or what we have got here that we want at home. I think to ship it all over the state and then have it wind up in your office or home and eventually you are going to throw it away anyway, I think we could save some money.

The other thing I want to mention, while I am on my feet, was the engrossed bills. At home, I have collected all the fillers and I have a stack that is almost three inches high of colored paper, and I also remember back the first week we were here that we couldn't afford to have the Snoop Book. Well, from what I can gather, from all these little things like all this extra paper

that has been thrown out that there is no need of and maybe with the shipment of these L.D.'s and all this junk that we have been able to collect that we won't ever use, maybe we could have had the Snoop Book if we had thought about saving a little more money in other areas.

(Off Record Remarks)

On motion of Mr. LaPointe of Portland, Adjourned until ten o'clock tomorrow morning.