

MAINE STATE LEGISLATURE

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Legislative Record

OF THE

One Hundred and Seventh Legislature

(First Special Session)

OF THE

STATE OF MAINE

1976

KENNEBEC JOURNAL
AUGUSTA, MAINE

HOUSE

Wednesday, February 11, 1976

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

Prayer by the Reverend Howard Benson of Old Town.

The journal of yesterday was read and approved.

**Papers from the Senate
Study Report — Public Utilities**

Committee on Public Utilities to which was referred the study relative to regulation of public drinking water supply, pursuant to S. P. 540 of the 107th Legislature, have had the same under consideration, and ask leave to submit its majority findings and to report that the accompanying Bill, "An Act to Regulate Drinking Water" (S. P. 687) (L. D. 2198) be referred to this Committee for public hearing and printed pursuant to Joint Rule 3.

Came from the Senate with the Report read and accepted and the Bill referred to the Committee on Public Utilities and ordered printed.

In the House, the Report was read and accepted and the Bill referred to the Committee on Public Utilities in concurrence.

Non-Concurrent Matter

Joint Order Relative to Joint Standing Committee on Agriculture reporting out a Bill to Repeal the Authorization of the Maine Milk Commission to set Resale Prices (H. P. 2021) which was Read and Passed in the House on February 9, 1976.

Came from the Senate, Indefinitely Postponed in non-concurrence.

In the House: On motion of Mr. Mahany of Easton, the House voted to recede and concur.

Messages and Documents

From the Senate: The following Communication: (S. P. 688)

STATE OF MAINE

One Hundred and Seventh Legislature
Committee on Public Utilities

February 4, 1976

Legislative Council
107th Legislature
State House
Augusta, Maine 04333
Gentlemen:

In accordance with S. P. 540 directing the Public Utilities Committee to study the Safe Drinking Water Act, we enclose herein the final report and draft legislation of the Committee.

Respectfully submitted,

Signed: MINETTE CUMMINGS
Senator

Signed: EDWARD KELLEHER
Representative

Came from the Senate, read and with accompanying papers ordered placed on file.

The Communication was read and with accompanying papers ordered placed on file.

**Petitions, Bills and Resolves
Requiring Reference**

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

Natural Resources

Bill "An Act to Amend the Protection

and Improvement of Air Statutes" (H. P. 2034) (Presented by Mr. Peterson of Windham)

(Ordered Printed)
Sent up for concurrence.

Public Utilities

Bill "An Act to Remove the Vassalboro Sanitary District from the Kennebec Sanitary District Before the Kennebec District Issues Bonds this Spring" (H. P. 2035) (Emergency) (Presented by Mrs. Mitchell of Vassalboro) (Approved for Introduction by a Majority of the Committee on Reference of Bills Pursuant to Joint Order S. P. 635 as amended)

(Ordered Printed)
Sent up for concurrence.

**Study Report
Election Laws**

Mrs. Boudreau from the Committee on Election Laws to which was referred the study relative to the election laws as provided in Title 21 of the Maine Revised Statutes and related Titles, pursuant to H. P. 1646 of the 107th Legislature have had the same under consideration, and ask leave to submit its findings and to report that the accompanying Bill "An Act to Clarify the Election Laws" (H. P. 2029) (L. D. 2200) be referred to this Committee for public hearing and printed pursuant to Joint Rule 3.

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

**Study Report
State Government**

Mr. Cooney from the Committee on State Government to which was referred the study relative to establishing rules of procedure for legislative investigating committees pursuant to H. P. 1741 of the 107th Legislature, have had the same under consideration, and ask leave to submit its findings and to report that the accompanying Bill, "An Act to Amend the Rules for Legislative Investigating Committees" (H. P. 2033) (L. D. 2205) be referred to this Committee for public hearing and printed pursuant to Joint Rule 3.

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

Orders

Mrs. Kany of Waterville presented the following Joint Order and moved its passage: (H. P. 2030) (Cosponsors: Messrs. Carey of Waterville, Pierce of Waterville)

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of Daniel Bolduc of Waterville Member of the United States Olympic Hockey Team

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. Gray of Rockland presented the

following Joint Order and moved its passage: (H. P. 2031)

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of Maurice H. Benner Chief of Police on his Retirement After 28 Years of Dedicated Service with the Rockland Police Department

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. Norris of Brewer presented the following Joint Order and moved its passage: (H. P. 2032) (Cosponsor: Mr. Cox of Brewer)

WHEREAS, The Legislature has learned of the Outstanding Achievement and Exceptional Accomplishment of Harold Goss of Brewer for his Heroic Lifesaving Actions During the Bangor Flood of February 2, 1976

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. (Later Reconsidered)

**House Reports of Committees
Ought Not to Pass**

Mr. LeBlanc from the Committee on Appropriations and Financial Affairs on Bill "An Act Appropriating Funds for the Acquisition and Construction of a Site and Facilities for Certain Casco Bay Island Ferry Services and to Repair Other Such Ferry Facilities" (Emergency) (H. P. 1862) (L. D. 2033) reporting "Ought Not to Pass"

Mr. Garsoe from the Committee on Appropriations and Financial Affairs on Bill "An Act to Establish a State Veterans Home" (H. P. 1874) (L. D. 2049) reporting "Ought Not to Pass"

Were placed in the Legislative Files, without further action, pursuant to Joint Rule 17-A, and sent up for concurrence.

**Consent Calendar
First Day**

In accordance with House Rule 49-A, the following items appeared on the Consent Calendar for the First Day:

Bill "An Act Concerning Municipal Appropriations to Incorporated Volunteer Fire Departments" — Committee on Local and County Government reporting "Ought to Pass" (H. P. 1906) (L. D. 2093)

Bill "An Act Extending the Legislative Lifetime and Reporting Deadlines of the Commission on Maine's Future, and Allowing for Expenditures of Previously Appropriated Funds Throughout and Revised Lifetime of the Commission" (Emergency) — Committee on Appropriations and Financial Affairs

reporting "Ought to Pass" (H. P. 1916) (L. D. 2104)

Bill "An Act to Clarify Provisions Relating to the Town of York School District" — Committee on Education reporting "Ought to Pass" as amended by Committee Amendment "A" (H-887) (H. P. 1832) (L. D. 1997)

No objections being noted, the above items were ordered to appear on the Consent Calendar of February 11, under listing of the Second Day.

Passed to Be Engrossed Amended Bill

Bill "An Act Concerning the Purchase of Liquor" (H. P. 1884) (L. D. 2062) (C. "A" H-874)

Was reported by the Committee on Bills in the Second Reading, read the second time, passed to be engrossed as amended and sent up for concurrence.

Passed to Be Enacted Emergency Measure

An Act Designating March 15th as Statehood Day (H. P. 1913) (L. D. 2100) (C. "A" H-870)

Was reported by the Committee on Engrossed Bills as truly and strictly engrossed. This being an emergency measure and a two-thirds vote of all the members elected to the House being necessary, a total was taken. 115 voted in favor of same and none against, and accordingly the Bill was passed to be enacted, signed by the Speaker and sent to the Senate.

Passed to Be Enacted

An Act Concerning Individual Qualified Retirement Plans (H. P. 1877) (L. D. 2052)

An Act Authorizing the Town of Harpswell to Procure a Replica of "The Maine Lobsterman" (H. P. 1908) (L. D. 2095)

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

Orders of the Day

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

Bill, "An Act to Include Grain in Weight Tolerances for Certain Vehicles Operated on State Highways" (H. P. 1887) (L. D. 2065)

Tabled — February 9 by Mr. Farnham of Hampden

Pending — Passage to be Engrossed.

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

Mr. JENSEN: Mr. Speaker, Ladies and Gentlemen of the House: Just last year, this legislature passed into law a bill increasing the legal allowable weights for trucks carrying grain, groceries, furniture, petroleum, pipes, tape recorders, maps, manure, cars, cartons, pink elephants and a wide variety of other things. This law, while allowing a weight increase of up to 8,000 per truck, also increased the fine for overweight trucks.

There were several reasons why we passed this bill. I suspect that one of the biggest reasons was that the people of Maine had spoken on this issue. Through the referendum process, the same people who elected you and I, voted against bigger, heavier trucks. Responding to the clear voice of the people, we put together a comprehensive truck weight law. That law was necessary to prevent our already weakened bridge system from falling apart. It was necessary for safety reasons.

It was also necessary for economic reasons. Something had to be done about the hundred and ten, hundred and twenty, hundred and thirty thousand pound loads illegally going over Maine roads. These loads were tearing our highway network apart. Rapid road destruction meant only one thing — higher taxes to repair and reconstruct our roads and bridges, higher taxes that nobody wants to see.

But the legislature is made up of reasonable men and women. Reasonable people realize that while roads are torn apart just as quickly by an 88,000 pound load of groceries as by an 88,000 pound load of pulp. Loading and weighing conditions of these two products vary tremendously.

When a truck is loaded with 88,000 pounds of groceries at the Hannaford Warehouse, it is an easy task to determine the weight, so we require a strict maximum weight limit. There is no excuse for them to overload. If they break the law, we fine them accordingly. But pulpwood is a different story. Unlike groceries, pulpwood isn't loaded at a loading dock or warehouse, it is loaded out in the woods. The loading locations are scattered and no one site remains the same for very long.

Practically speaking, there is no way for pulp haulers to check the weight of their load. They must take a guess and they must hope that they are right. Some of the wood may be freshly cut, frozen solid. Some of the wood may have been cut eight or nine months ago and lay out in the woods drying out. A cord of spruce will have a different weight than a cord of pine, so the legislature made it clear that it understood the problem. It was willing to offer a reasonable solution. It was willing to allow some enforcement leeway. It wrote the law in such a way as to allow a 10 percent tolerance for pulpwood. It also allowed a 10 percent tolerance for a number of items where it is extremely difficult to estimate the weight of the load. But it also made it clear that we are not just fooling around; we are not just giving extra pounds and extra weights under some false pretense. If a truck carrying pulpwood weighed 90,000, while the legal limit with a 10 percent tolerance was only 88,000 pounds, the driver would be fined as if he was 10,000 pounds overweight rather than 2,000.

The tolerance provision of the law should not be used merely to increase total truck weights. This proposal which is now before us includes grain under this 10 percent tolerance — it does just that. Grain is sold by weight so that there is not even a real pretext of not knowing what the total weight of the truck is. Grain is loaded from central elevator locations; it is not loaded out in the woods. If the grain people have a problem determining the weight of their trucks, I suggest they invest in some scales, if they don't already have them.

This bill, as now proposed, destroys the integrity of the tolerance provisions of the weight law. It makes the original rationale for the whole idea absurd and makes us look ridiculous. It makes a farce of our truck weight laws. This bill will open the door for every other commodity shipped by truck in the State of Maine to also add another 8,000 pounds to the weight increase which we gave them effective last October.

Let's now allow truck weights to be increased under some pretext. Let's fight that fight head on, as we did last year when this body moved to indefinitely postpone a bill to increase all truck weights to 90,000. It is for this reason that Roger Mallar and the Maine Department of Transportation

is also adamantly opposed to this piece of legislation.

Mr. Speaker, I move for indefinite postponement of this Bill and all its accompanying papers.

The SPEAKER: The gentleman from Portland, Mr. Jensen, moves that this Bill and all accompanying papers be indefinitely postponed.

The Chair recognizes the gentleman from Unity, Mr. Tozier.

Mr. TOZIER: Mr. Speaker, Men and Women of the House: I represent twelve towns up in the corner of Waldo County and I don't very often oppose anybody in the House that wants to put through a good bill, but I am going to have to oppose my very, very good friend from Portland, the young transportation tycoon.

He tells that pulpwood and lumber and I presume gravel and concrete and that stuff, they can control the weight on concrete but not on pulpwood — well, these I have information here I would have put a printout on, but I didn't get to sleep too early last night, I took the Chairman of the Education Committee's idea and stayed awake on the educational bills. But I have a printout from Richard Hodges, he is a large grain hauling firm from my town and he has two weights here and the highest gross weight would be 83,330 pounds. He couldn't put any more grain on his truck. He hauled, in two weeks, 32 loads and out of the 32, only 8 were under 80,000. He goes from 80,000 to 83,000 depending on the road conditions. He picks up ice and snow under the truck and on a rainy day the rain goes into the grain and makes it heavier. He is trying to help the chicken industry and the cattle industry in our area, and I wish you would not vote against indefinite postponement of this bill so the good gentleman from Portland and the others of us here can have eggs when we get up in the morning and come to work and pass some good legislation.

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

Mr. FRASER: Mr. Speaker, Ladies and Gentlemen of the House: I merely wish to correct a statement made by the young gentleman beside me here. He said we passed a truck weight bill that was later turned down in referendum by the voters in Maine. That bill called for 100,000 pounds, plus tolerances. We came in last session with a bill for 90,000, sort of a compromise, and that bill was approved by our commissioner, who said at the time that it was a bill reasonable people could live with. Now we are asking for tolerances on 80,000 pounds, which can't possibly bring it up over 88,000, and I don't see why grain is going to harm our roads any more than pulpwood or any other product.

The SPEAKER: The Chair recognizes the gentleman from Stonington, Mr. Greenlaw.

Mr. GREENLAW: Mr. Speaker, I would like to pose a question to some member of the Transportation Committee. I have the L. D. in front of me and it refers to a number of commodities that apparently received this tolerance factor. It seems like it includes the whole kitchen sink. I would like to know if there are any commodities that are not listed here that don't receive the 10 percent tolerance.

The SPEAKER: The gentleman from Stonington, Mr. Greenlaw, has posed a question through the Chair to any member of the Transportation Committee.

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

Mr. JENSEN: Mr. Speaker and

Members of the House: To respond to the question, there are a very limited number of items listed under the present law, and they are items that fall basically under two categories. One is that where they are located it is not practically feasible to have scales. If you are talking about fresh produce, fresh potatoes, you can't very well take scales out in the middle of the field and weigh them. You can't very well take scales everywhere that you go through the woods when you pick up pulpwood.

When you go out to a quarry and pick up stone, again, it is the same type of thing. You can't practically have scales nearby. Transit mix, concrete, trucks, dump trucks, are a similar type of situation. The only other thing that varies would be mechanical refrigeration equipment. If you have a truck that is supposed to maintain frozen materials at a temperature well below zero, they open up their door, it is a humid day, moisture goes in, it freezes, that adds more weight. That is the rationale behind that type.

Most items that are carried by truck are not included under the present law. It is in fact not everything but the kitchen sink, it is very, very few and limited items.

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

Mrs. BERRY: Mr. Speaker and Members of the House: The reason I had this tabled two days ago was for an opinion from the Attorney General on whether grain would be considered a farm produce. I have an answer to that, but it isn't an answer because really they don't know. It has never been tested in the courts of Maine. It has been in some other states and hasn't been really defined.

The closing statement says, "In light of the foregoing" — and this is where they are not quite sure what is farm products — he says, "we are unable to state specifically that a truckload of grain would be considered a load of farm produce in all questions. I hope this answer, while it is not definite, will be of assistance to you." Well, it wasn't.

Our good friend from Portland talks about 8,000 pounds per truck this is going to add. Well, it is an untruth because all trucks in our state can't haul 80,000 pounds, very few of them. A two-axle truck, a three-axle truck and a four-axle truck, they range from 34,000 to 67,000. They all can't carry 8,000 pounds more under the 10 percent tolerance. He is making you think that all trucks are going to be able to haul 8,000 pounds more. This isn't true.

I would also like to remind you that this bill was passed years ago, and I am sure the good judgment of the legislature then, if they had known trucks were going to be hauling bulk grain instead of bagged grain, they would have considered this and I am sure they would have added it to this list of those that could carry a tolerance. At that time, trucks were hauling grain in bags and it was very easy to toss off a few bags if you had more weight than what you were supposed to. Or after you had taken off some and your axles were overweight, you could shift around these bags and get them so your axle weight would be all right, but you can't do this now. These trucks don't have levelers on them. Some of the newer trucks are coming through, they tell me, that do have levelers, but trucks on the road now have no way of leveling a load.

The gentleman from Portland sounded as if anybody could go out to the five and ten and get a scale to weigh these trucks, but there is quite a bit more to it. Scales that weigh trucks are quite expensive, they have to be much more than an ordinary scale. I think we have been led down the road by some of the explanations this morning as to what this bill is going to do, and I would ask that you think about this as you vote and I would hope that you would not indefinitely postpone this bill.

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

Mr. STROUT: Mr. Speaker and Members of the House: This morning, I would like to encourage you to support this piece of legislation. We heard the other day that we have another industry in this state that is in trouble and needs assistance, namely, the railroads. I think today that the trucking industry, as far as grain haulers, need this assistance and I would urge you to support this bill as it is and I would request a roll call.

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

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

Mr. Jacques of Lewiston requested that the Clerk read the Committee Report.

Thereupon, the Clerk read the Committee Report.

Mr. Jalbert of Leiston was excused from voting pursuant to House Rule 19.

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

Mr. JENSEN: Mr. Speaker, Ladies and Gentlemen of the House: I would like to clear up a couple of things which have been said in the last few minutes. An Attorney General's opinion had been requested on the issue of weight tolerances for grain and I am afraid that my good friend, the gentlelady from Madison, is mistaken.

When the legislature enacted the tolerances, they debated at great length the issue of commercial feed stock, feed grains, and after substantial debate and great discussion, they voted against that. What they did vote for is farm produce; that is something which is loaded out in the middle of the woods or out in the middle of the fields, not in an elevator or centralized location. The legislature saw the wisdom of a tolerance but felt that it ought to be very limited. I think if anyone checks past legislative records, they will see that fairly clearly.

The other thing, it was said that in fact this bill does not add 8,000 pounds to the present truck weights. If you look at the law, you will find that presently we allow up to 80,000 pounds on a 5-axle truck. Now, 10 percent of that, to my knowledge and to my way of doing mathematics, comes out to 88,000 pounds. Granted, when you are talking trucks with fewer axles, you are talking lesser weights, but if you take a 2-axle pickup truck and you put 80,000 pounds on it, you are going to do as much damage to the roads as if you take a 5-axle truck and put 150,000 pounds.

On a relative basis, the weights are the same; the weight increases are the same, the damage to the roads will be the same. I hope that you will vote with me and vote to indefinitely postpone this bill. If we want a truck weight increase, let's fight it head

on, let's pass the increase, let's not pass this under some pretext of some tolerance.

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

Mr. ROLLINS: Mr. Speaker, Ladies and Gentlemen of the House: I don't think anyone that ever did any trucking would want to put 80,000 pounds on a 2-axle pickup truck. It is rather a shame, you know, that we couldn't just haul butterflies and canary birds on our trucks in the State of Maine, but the facts of life are that we can't do that. We have to haul grain, we have to haul pulpwood and we aren't hurting the roads any more with the loads that we are hauling now than we would be if we went along with Mr. Jensen.

I can't help think that the trucks that hurt the roads more than anything else in the State of Maine are the transportation trucks. I happen to live on Route 2 where the sandtrucks turn, and I see sand trucks from both directions and when these trucks turn there with a full load of sand, with a plow and all the hardware that goes with a plow, I would expect that if the troopers weighed those trucks, they would hurt the roads much more than any trucks we have there today.

The SPEAKER: The Chair recognizes the gentleman from Unity, Mr. Tozier.

Mr. TOZIER: Mr. Speaker, Ladies and Gentlemen of the House: I have a pickup truck out here and I wish somebody would be so kind as to go out and see if anyone did put 80,000 pounds on it, because if they did, I am not going to hurt the highways because I am not going to move.

Mr. Hodges from my home town, he is hauling all he can get on now and if he is going to put 88,000 pounds on, he is going to have to put some in the cab or something.

I wish you would go along with me on this and do not vote to indefinitely postpone this bill.

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

Mr. PIERCE: Mr. Speaker, Ladies and Gentlemen of the House: Since we last discussed this issue, I can't honestly say that the people of my district have been breaking down my door one way or another on this issue. However, when I did vote before, I felt that I was kind of unsure why I voted one way and not the other, so I have taken some time to look into the matter. The last time, I think I went pretty much by the committee vote, which was overwhelmingly close, 11 to 2, I believe, in favor of the bill.

I noted that it was kind of coincidental that Commissioner Mallar's lukewarm testimony on this bill seemed quite opposite to the testimony it had previously when it came to commodities which are now accepted that had to do with the Highway Department. He was all for having sand, gravel, road salt, transit mix concrete, etc., accepted, but not grain; I guess they don't use too much of that in the Highway Department.

There are only about a dozen transport grain movers in this state, I found, and some have the equipment to level the load after they have a partial delivery and others do not. Some, because of the physical structure of their vehicle, can't do this and what happens, of course, is that while the gross volume weight is below the limit, their axle weight, in some instances, may be above the limit and, therefore they are in violation.

One grain hauler has pointed out to me that of the seven grain mills he hauls from,

only two of them weigh grain in transport, five of them have no available scales even nearby. In the event of an overweight situation where a truck may be overloaded accidentally or whatever, only one mill in these seven can mechanically retract any grain from the truck and to do this, they have to close down their entire operation.

I would remind you, too, that there are many instances, depending on the weather and climate, etc., when this grain can very easily pick up moisture and therefore weight. So I think what these people are asking is not unreasonable and I hope that you will go along with the overwhelming vote of the committee and support them and vote not to indefinitely postpone this.

The SPEAKER: A roll call has been ordered. The pending question before the House is on the motion of the gentleman from Portland, Mr. Jensen, 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 — Berry, P. P.; Boudreau, Carter, Chonko, Clark, Connolly, Cox, Curran, P.; Davies, Dow, Dyer, Farnham, Faucher, Goodwin, H.; Goodwin, K.; Henderson, Hobbins, Ingegneri, Jensen, Kelleher, Laffin, LaPointe, Laverty, Lunt, Martin, A.; McMahon, Mitchell, Mulkern, Nadeau, Najarian, Norris, Pearson, Pelosi, Perkins, S.; Peterson, T.; Post, Snow, Spencer, Susi, Talbot, Tierney, Truman, Tyndale, Usher, Wilfong, Winship.

NAY — Ault, Bachrach, Bagley, Berry, G. W.; Berube, Birt, Blodgett, Bowie, Burns, Bustin, Byers, Call, Carpenter, Churchill, Connors, Cooney, Cote, Curran, R.; Dam, DeVane, Doak, Drigotas, Dudley, Durgin, Farley, Fenlason, Finemore, Flanagan, Fraser, Garsoe, Gould, Gray, Greenlaw, Hall, Hennessey, Higgins, Hinds, Hunter, Immonen, Jackson, Jacques, Joyce, Kany, Kauffman, Kelley, Kennedy, LeBlanc, Leonard, Lewin, Lewis, Lizotte, Lovell, Lynch, MacEachern, Mackel, MacLeod, Mahany, Maxwell, McBreairty, McKernan, Mills, Morin, Peakes, Perkins, T.; Peterson, P.; Pierce, Powell, Quinn, Raymond, Rideout, Rolde, Rollins, Saunders, Shute, Silverman, Smith, Snowe, Sprowl, Strout, Stubbs, Tarr, Teague, Theriault, Torrey, Tozier, Twitchell, Walker, Webber.

ABSENT — Albert, Bennett, Carey, Carroll, Curtis, Gauthier, Hewes, Hughes, Hutchings, Littlefield, Martin, R.; Miskavage, Morton, Palmer, Wagner.

EXCUSED — Jalbert.

Yes, 46; No, 88; Absent, 15; Excused, 1.

The SPEAKER: Forty-six having voted in the affirmative and eighty-eight in the negative, with fifteen being absent, the motion did not prevail.

Thereupon, the Bill was passed to be engrossed and sent up for concurrence.

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

Bill, "An Act to Return to Local Control of Funding of Public Schools" (Emergency) (H. P. 1915) (L. D. 2101)

Tabled — February 10 by Mr. Smith of Dover-Foxcroft.

Pending — Motion of the same gentleman to reconsider Indefinite Postponement of the bill and accompanying papers.

On motion of Mr. Lynch of Livermore Falls, retabled pending the motion of the gentleman from Dover-Foxcroft, Mr. Smith, to reconsider indefinite postponement and tomorrow assigned.

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

Bill, "An Act to Repeal and Replace the Present School Finance Law" (Emergency) (H. P. 1873) (L. D. 2031)

Tabled — February 10 by Mr. Silverman of Calais.

Pending — Motion of Mr. Tierney of Durham to reconsider Indefinite Postponement.

On motion of Mr. Silverman of Calais, retabled pending the motion of Mr. Tierney of Durham to reconsider indefinite postponement and tomorrow assigned.

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

Bill, "An Act to Revise the Laws Relating to Funding of Public Schools" (Emergency) (H. P. 2020) (L. D. 2196)

Tabled — February 10 by Mr. Rolde of York

Pending — Passage to be Engrossed as Amended by House Amendment "C" (H-880)

Mr. Greenlaw of Stonington moved the House reconsider its action of yesterday whereby House Amendment "B" was indefinitely postponed.

On motion of same gentleman, tabled pending his motion to reconsider and tomorrow assigned.

Mrs. Clark of Freeport was granted unanimous consent to address the House.

Mrs. CLARK: Mr. Speaker, Ladies and Gentlemen of the House: I request the indulgence of the House. I readily admit my mistake on Roll Call 459 yesterday. I was recorded as voting no for the indefinite postponement of House Amendment "G" under filing number H-866 to L. D. 2196. I was wrong and do support the concept of reimbursement to school units for transportation costs beyond schools transportation to and from school.

Mr. Norris of Brewer moved the House reconsider its action whereby Joint Order, House Paper 2032, received passage earlier in the day.

Thereupon, on motion of Mr. McKernan of Bangor, tabled pending the motion of Mr. Norris of Brewer to reconsider and tomorrow assigned.

(Off Record Remarks)

On motion of Mrs. Bachrach of Brunswick,

Adjourned until ten o'clock tomorrow morning.